

AGENDA

ELKHART COUNTY BOARD OF ZONING APPEALS

MARCH 21, 2024

9:00 A.M.

ADMINISTRATION BUILDING
MEETING ROOMS 104, 106, & 108
117 N. 2nd STREET, GOSHEN, INDIANA

Call to Order

Roll Call

Approval of Minutes of the last regular meeting of the Elkhart County Board of Zoning Appeals held on the 15th day of February 2024.

Elkhart County Zoning Ordinance and Staff Report materials are to be entered as evidence for today's hearings.

SPECIAL USES

9:00 A.M (MILLER)

- A. Petitioner: ***Todd C. Lederman & Cynthia J. Lederman, Husband & Wife*** **(Page 13)**
 (Land Contract Holders) & Curtis J. Bontrager & Melody J. Bontrager,
 Husband & Wife (Land Contract Purchasers)
 Petition: for Special Use for an existing garden supplies business.
 Location: West side of CR 39, 3,315 ft. North of CR 10, in York Township, zoned A-1.
 SUP-0001-2024
- B. Petitioner: ***St. Mary's Orthodox Church, Inc.*** **(Page 14)**
 Petition: for an amendment to an existing Special Use for a place of worship to allow
 for the construction of a new building.
 Location: West side of CR 33, 820 ft. South of CR 38, common address of 65159 CR
 33 in Clinton Township, zoned A-1. SUP-0067-2024
- C. Petitioner: ***Brent M. Plummer & Heather A. Plummer, Husband & Wife*** **(Page 15)**
 Petition: for a Special Use for a home workshop/business for a barbershop.
 Location: East end of North Fork Ln., 445 ft. North of Charla Ln., East of Ash Rd.,
 common address of 54540 North Fork Lane in Cleveland Township, zoned
 A-1. SUP-0034-2024
- D. Petitioner: ***Harrison Christian School Corporation*** **(Page 16)**
 Petition: for a Special Use for an existing school to allow for a recreation building and
 for a Special Use for indoor recreation (wedding & event venue).
 Location: East side of CR 11, 790 ft. North of CR 38, common address of 64784 CR 11
 in Harrison Township, zoned A-1. SUP-0058-2024

SPECIAL USES/DEVELOPMENTAL VARIANCES**9:30 A.M****(HESSER)**

- E. Petitioner: ***Javier Soto*** **(Page 17)**
 Petition: for a Special Use for a home workshop/business for a construction business &
 for a Developmental Variance to allow for the total square footage of
 accessory structures to exceed that allowed by right.
 Location: North side of CR 6, 1,050 ft. West of CR 11, common address of 25201 CR 6
 in Osolo Township, zoned R-1. SUP-0050-2024
- F. Petitioner: ***Jennifer M. Smith, formerly known as Jennifer M. Kveton*** **(Page 18)**
 Petition: for an amendment to an existing Special Use for a home workshop/business
 for dog grooming to allow for the construction of a new building for a Special
 Use for a kennel & for a Developmental Variance to allow for the total square
 footage of accessory structures to exceed that allowed by right.
 Location: South side of US 20 1,220 ft. East of CR 29, common address of 16504 US
 20 in Jefferson Township, zoned A-1. SUP-0074-2024
- G. Petitioner: ***Aaron Lee Weaver & Mary Jane Weaver, Husband & Wife*** **(Page 19)**
 Petition: for a Special Use for warehousing of a commercial vehicle & for a
 Developmental Variance to allow for the total square footage of accessory
 structures to exceed that allowed by right.
 Location: West side of CR 127, 745 ft. South of CR 48, common address of 70151 CR
 127 in Jackson Township, zoned A-1. SUP-0072-2024

USE VARIANCE

- H. Petitioner: ***Wayne E. Borkholder & Irene Borkholder, Husband & Wife*** **(Page 20)**
 Petition: for a Use Variance to allow for the reconstruction of a second dwelling on a
 single zoning lot & for a Special Use for a home workshop/business for a
 powder coating business.
 Location: East side of CR 100, 1,335 ft. South of CR 52, common address of 71784 CR
 100 in Locke Township, zoned A-1. SUP-0059-2024

ADJOURNMENT

The Elkhart County Board of Zoning Appeals is meeting on Thursday, March 21, 2024, at **9:00 a.m.** in Rooms 104, 106, & 108 of the Administration Building, Goshen, Indiana. Pursuant to advice of the Indiana Public Access Counselor, general public comment will not be permitted at this public meeting on non-public hearing matters. To the extent you wish to make comment remotely during any public hearings scheduled during this public meeting, please call (574) 971-4678 to learn how to remotely submit your public comment for the public hearing. The public is encouraged to attend the meeting remotely by going to www.elkhartcountyplanninganddevelopment.com at **9:00 a.m.** on March 21, 2024. If you have further questions regarding how to remotely attend the public meeting please call (574) 971-4678.
<https://elkhartcountyin.webex.com/elkhartcountyin/j.php?MTID=mbb02709b73824cc9d67f2b786f288815>

BZA MINUTES
ELKHART COUNTY BOARD OF ZONING APPEALS MEETING
HELD ON THE 15th DAY OF FEBRUARY 2024 AT 9:00 A.M.
MEETING ROOMS 104, 106, & 108 – ADMINISTRATION BUILDING
117 N. 2nd STREET, GOSHEN, INDIANA

1. The regular meeting of the Elkhart County Board of Zoning Appeals was called to order by the Chairperson, Randy Hesser. Staff members present were: Mae Kratzer, Plan Director; Jason Auvil, Zoning Administrator; Adam Coleson, Planner; and James W. Kolbus, Attorney for the Board.

Roll Call.

Present: Deb Cramer, Steve Warner, Randy Hesser, Ron Norman, Roger Miller.

Absent: David Miller.

2. A motion was made and seconded (Warner/Cramer) that the minutes of the regular meeting of the Board of Zoning Appeals held on the 18th day of January 2024 be approved as read. The motion was carried with a unanimous roll call vote.

3. A motion was made and seconded (Warner/Miller) that the Board accepts the Zoning Ordinance and Staff Report materials as evidence into the record and the motion was carried with a unanimous roll call vote.

4. The application of **Justin Skinner** for a Special Use for an agricultural use for the keeping of animals on a tract of land containing less than 3 acres and for a 2.5 ft. Developmental Variance (Ordinance requires 10 ft.) to allow for an existing chicken coop 7.5 ft. from the rear property line on property located on the South side of Lamplighter Ln, 285 ft. West of County Acres Dr., South of CR 4, common address of 27346 Lamplighter Ln. in Osolo Township, zoned R-1, came on to be heard.

Mr. Auvil presented the Staff Report/Staff Analysis, which is attached for review as *Case #SUP-0028-2024*.

There were 30 neighboring property owners notified of this request.

Justin Skinner, 27346 Lamplighter Ln., Elkhart was present for this request. He submitted a letter from his neighbor to the board [Attached to file as *Petitioner Exhibit #1*]. He stated he wants to keep the chickens for food, not for any financial benefit. Mr. Hesser asked what the 2 ft. by 4 ft. sign requested would advertise. Mr. Skinner responded that he wants the yard sign to sell any excess eggs. Mr. Hesser asked how many chickens are currently on the property. Mr. Skinner stated there are currently 16 to 18 chickens. Mr. Miller asked if 16 to 18 chickens is what is requested on the petition. Mr. Skinner said he requested 20 chickens. Mr. Hesser stated that 12 is what the board typically approves for similar properties. He then asked if there is a homeowner's association or any neighborhood regulations against having animals. Mr. Skinner said no and noted that some of his neighbors have ducks and chickens. Mr. Miller asked if the fence goes around the entire perimeter of the back of the property. Mr. Skinner said yes. Mr. Hesser asked Mr. Skinner if he understood that the recommendation given by staff is that the chicken coop be moved 7.5 ft. from the rear property line, out of the easement. Mr. Skinner responded yes. Mr. Miller asked how the

waste is disposed of. Mr. Skinner replied that they use it for compost on their garden. Mr. Norman asked if the chicken coop is portable to move it out of the easement. Mr. Skinner responded yes.

Deborah Royer 52206 Country Acres Court was present in remonstrance. She stated that she lives behind the petitioner and is very against having roosters in the neighborhood. However, she continued she does not mind chickens much unless they get out of hand. Mr. Norman asked if Mrs. Royer hears roosters early in the morning. Mrs. Royer said yes, and she could also hear them all day. She also said she is worried about the chickens stinking in the summer and would like them to be sanitized.

Justin Skinner came back on to speak. He stated the chicken coop has been there since last summer, and it did not stink. He said he already plans to get rid of the roosters.

The public hearing was closed at this time.

The Board examined said request, and after due consideration and deliberation:

Motion: Action: Approve, **Moved by** Randy Hesser, **Seconded by** Roger Miller that the Board adopt the Staff Analysis as the Findings and Conclusions of the Board, and based upon these, further moved that this request for a Special Use for an agricultural use for the keeping of animals on a tract of land containing less than 3 acres be approved with the following conditions imposed:

1. The Elkhart County Advisory Board of Zoning Appeals approval shall not be effective until the Commitment form has been executed, recorded, and returned to the Elkhart County Advisory Board of Zoning Appeals staff for placement in the petition file.
2. A revised site plan must be submitted for staff approval showing the 7.5 ft rear setback.

The following commitments were imposed:

1. The request is approved in accordance with the revised site plan to be submitted for Staff approval and as represented in the Special Use application.
2. The agricultural use is limited to a maximum of twelve (12) chickens at any one time, no roosters.

Further, the motion also included a 2.5 ft. Developmental Variance (Ordinance requires 10 ft.) to allow for an existing chicken coop 7.5 ft. from the rear property line be approved with the following conditions imposed:

1. A variance from the developmental standards of the Zoning Ordinance is void unless an Improvement Location Permit is issued within 180 calendar days from the date of the grant and construction work completed within 1 year from the date of the issuance of the building permit (where required).
2. The request is approved in accordance with the revised site plan to be submitted for staff approval and as represented in the Developmental Variance application.

Vote: Motion carried by unanimous roll call vote (**summary:** Yes = 5).

Yes: Deb Cramer, Randy Hesser, Roger Miller, Ron Norman, Steve Warner.

5. The meeting was adjourned at 9:13 a.m.

Respectfully submitted,

Janelle Tidd, Recording Secretary

Randy Hesser, Chairman

Ron Norman, Secretary

BZA Staff Report

Prepared by the Department of Planning and Development

Hearing Date: March 21, 2024

Transaction Number: SUP-0001-2024.

Parcel Number(s): 20-04-27-300-021.000-032, 20-04-27-300-022.000-032, 20-04-27-401-011.000-032, 20-04-27-401-013.000-032.

Existing Zoning: A-1.

Petition: For a Special Use for an existing garden supplies business.

Petitioner: Todd C. Lederman & Cynthia J. Lederman, Husband & Wife (Land Contract Holders), & Curtis J. Bontrager & Melody J. Bontrager, Husband & Wife (Land Contract Purchasers).

Location: West side of CR 39, 3,315 ft. north of CR 10, in York Township.

Site Description:

- Physical Improvement(s) – Building with office, storage, and a residential apartment, commercial and customer parking.
- Proposed Improvement(s) – Building for equipment storage.
- Existing Land Use – Tree farm.
- Surrounding Land Use – Residential, agricultural.

History and General Notes:

- **August 18, 1994** – The BZA approved a Special Use for warehousing and storage, including construction storage yards, for Lederman Backhoe (an excavation business) and an appeal to allow an accessory structure (office and storage) before a residence. The main activity area was 31 acres on the west side of CR 39, and additional area was 78 acres on the east side. BZA requirement 3 was no further subdivision of the 31 acres and 78 acres without compliance with the Subdivision Control Ordinance.
- **March 20, 1997** – The BZA approved an amendment to allow a residential apartment, a new configuration on the west side of CR 39, and a 3:1 Developmental Variance. The new configuration was a reduction from 31 acres to 20.9 acres.
- **December 15, 2016** – The BZA approved a Special Use for an existing garden supplies business. The business was an existing, unapproved tree farm (Dogwood Hills Tree Farm) on the west acreage started as the excavation business was being sold, and the Special Use was to approve the tree farm, allow it to be moved to the east side of CR 39 on 28.7 acres (reduced from 78), and allow a building and parking. The move to the east side was never done.
- **November 15, 2017** – The Hearing Officer approved a Developmental Variance to allow an existing residence on property (5 acres) with no road frontage served by an easement.
- **November 16, 2017** – The BZA approved an amendment to the existing Special Use for warehousing and storage for an excavation business that was by then inoperative to allow additional property and to allow the existing unapproved garden supplies business (tree farm). The approval was on 26 acres on the west side of CR 39 only, but business activity was on both sides.
- **July 19, 2018** – The BZA approved a minor change to the amended Special Use to allow today's configuration of 2 parcels totaling 20 acres on the west side of CR 39.

BZA Staff Report (Continued)

Hearing Date: March 21, 2024

Staff Analysis:

Staff finds that:

1. The Special Use will be consistent with the spirit, purpose, and intent of the Zoning Ordinance. A Special Use for a garden supplies business is allowed in the A-1 zone.
2. The Special Use will not cause substantial and permanent injury to the appropriate use of neighboring property. The tree farm has been in operation in a low-density agricultural area since 1996 without impact or complaints.
3. The Special Use will substantially serve the public convenience and welfare by providing for a local source of trees and garden supplies and services.

Staff recommends **APPROVAL** with the following condition(s) imposed:

1. The Elkhart County Advisory Board of Zoning Appeals approval shall not be effective until the Commitment form has been executed, recorded, and returned to the Elkhart County Advisory Board of Zoning Appeals staff for placement in the petition file.
2. A subdivision is required for the Special Use property on the west side of CR 39. A subdivision is required for the Special Use property on the east side of CR 39 if any development occurs.
3. A building permit is required for the residential apartment.

Staff recommends **APPROVAL** with the following commitment(s) imposed:

1. The request is approved in accordance with the site plan submitted 3/1/2024 and as represented in the Special Use application.

Staff Analysis continued:

Staff recommends that 94-3053 be rescinded. The excavation business has been out of operation since no later than 2017, and the tree farm has been in operation only under an amendment to the excavation business special use.


Staff recommends that SUP-0643-2016 be rescinded. The sole purpose of this special use was to move the tree farm to the east side of CR 39, build a structure for office and storage, and add equipment and customer parking. The move was never done.

PLAN COMMISSION &
BOARD OF ZONING APPEALS

Special Use - Non Mobile Home

Elkhart County Planning & Development
Public Services Building
4230 Elkhart Road, Goshen, Indiana, 46526
Phone - (574) 971-4678
Fax - (574) 971-4578

SUP-0001-2024

Date: 01/02/2024		Meeting Date: March 21, 2024		Transaction #: SUP-0001-2024	
Description: for a Special Use for an existing garden supplies business					
Contacts: <u>Applicant</u> Riteway Builders 69653 Sunset Blvd Union, MI 49130 <u>Land Owner</u> Todd C. Lederman & Cynthia J. Lederman, Husband & Wife (Land Seller) 55215 County Road 35 Middlebury, IN 46540		<u>Authorized Agent</u> Curtis J. & Melody J. Bontrager, Husband & Wife 53899 County Road 39 Middlebury, IN 46540		<u>Authorized Agent</u> Riteway Builders 69653 Sunset Blvd Union, MI 49130 	
Site Address: 00000 County Road 39 MIDDLEBURY, IN 46540			Parcel Number: 20-04-27-300-021.000-032 20-04-27-300-022.000-032 20-04-27-401-011.000-032 20-04-27-401-013.000-032		
Township: York Location: WEST SIDE OF CR 39, 3,315 FT. NORTH OF CR 10					
Subdivision:			Lot #		
Lot Area: 20.72 Frontage: 771.00 Depth: 660.00					
Zoning: A-1			NPO List:		
Present Use of Property: VACANT/AGRICULTURAL					
Legal Description:					
Comments: PARCEL CREATED 11-1-2018 NEEDS A MINOR SUBDIVISION PER DANNY BZA APPROVED A MINOR CHANGE ON 7-19-18 TO CHANGE THE PROPERTY TO RESEMBLE THE CURRENT 2 PARCEL (300-021 & 300-022) SUP-0759-2017- FOR AN AMENDMENT TO AN EXISTING SPECIAL USE FOR WAREHOUSING AND STORING TO ALLOW FOR A GARDEN SUPPLIES BUSINESS AND TO INCREASE THE SIZE OF THE PROPERTY On 2-13-24 I left a vm on Jerry Bontrager's mobile confirming that subdivision is required. See Danny for detail.					
Applicant Signature:			Department Signature:		

Application

Site address: CR 39 Middlebury IN 46540

Parcel number(s): 20-04-27-300-022,000-032

Current property owner

Name: Curtis BOUTRAGER

Address: _____

Phone: _____ Email: _____

Other party ☒ Agent ☐ Buyer ☐ Land contract purchaser ☐ Lessee

Name: Jerry BOUTRAGER

Address: 69653 Sunset Blvd Union MI 49130

Phone: 574-536-0274 Email: _____

By signing below, I understand that if my application is approved, there may be conditions that will have to be met before approval is final and building permits can be started. I also understand that the conditions may include a commitment that the property owner is responsible for completing and returning.

Signature of current property owner or authorized agent: [Signature]

Staff Use Only

Description: _____

Parcel creation date: 11-1-2018

Subdivision required? ☒ Y ☐ N If yes, ☐ AS ☒ Minor ☐ Major

Residential accessory breakdown, if applicable: _____

Location: N S E (W) corner (side) end of CR 39

3,315 ft. (N) S E W of CR 10

in York Township

Frontage: 771 Depth: 670 Area: 20.724 acres

Subdivision and lot number, if applicable: _____

Present use: Vacant / Agricultural

Special Use — Questionnaire

Name: Jerry Bontrager

1) Tell us what you want to do. Structure is for storing equipment
for his tree business

2) Tell us why this activity won't hurt your neighbors or the community. Located at rear of property out of site from
neighbors

3) Is there a subdivision covenant that says you can't do this activity? ☐ Y ☒ N
If yes, does the subdivision have an active homeowners' association? ☐ Y ☐ N

4) Will the activity create noise, vibration, smoke, dust, odor, heat, or glare? ☐ Y ☒ N If yes, fill out below.
Tell us what will create those things. _____

Tell us how you'll reduce the impact of those things on neighbors. _____

5) Will there be buffering (fences, trees, shrubs, mounds)? ☐ Y ☒ N
If yes, tell us about it. _____

6) Does the property need well and septic? Well: ☐ Y ☒ N Septic: ☐ Y ☒ N
Does the property need a new septic system? ☐ Y ☒ N
If a new septic system is needed, did the Health Department say there's enough space for it? ☐ Y ☐ N

7) Will the activity use buildings or additions? ☐ Y ☒ N If yes, fill out below.

+ **Building or addition 1** Existing? ☐ Y ☒ N Size and height to the peak: 40x80 22' peak
Tell us what you'll use it for. Storage of equipment for tree business

Building or addition 2 Existing? ☐ Y ☐ N Size and height to the peak: _____
Tell us what you'll use it for. _____

Building or addition 3 Existing? ☐ Y ☐ N Size and height to the peak: _____
Tell us what you'll use it for. _____

8) Does this application include animals? ☐ Y ☒ N
If yes, tell us what kind and how many of each. _____

Next page ➡

Y

Special Use — Questionnaire

- 9) Does this application include a business or nonprofit (church, school, other) based all or in part on this property? ☐ Y ☐ N If yes, fill out below.

How many employees do you have now? Full time: 10 Part time: _____

How many employees do you want? Full time: no change Part time: _____

How many of the employees won't live onsite? 10

What will be the days and hours of operation on this property? _____

Mon-Fri 7-5

How many parking spaces do you have now? 9

How many parking spaces do you want? no change

Will there be outside storage or display areas on this property? ☐ Y ☒ N

If yes, tell us what will be stored outside or displayed. _____

Will there be retail sales on this property? ☒ Y ☐ N

If yes, tell us what will be sold. trees

Approximately how many customers (clients, guests, students, members) will be on this property per day?

1-2 daily

Will there be pickups or deliveries on this property? ☒ Y ☐ N If yes, fill out below.

Tell us how often. 2 times weekly

Tell us the kind of vehicles used. pickups, small dump trucks

Does the application include signs? ☐ Y ☒ N If yes, fill out below.

Sign 1 Dimensions (length and width). _____

Existing? ☐ Y ☐ N Double faced? ☐ Y ☐ N

Electronic message board? ☐ Y ☐ N If no, lighted? ☐ Y ☐ N

Freestanding? ☐ Y ☐ N Wall mounted? ☐ Y ☐ N

Sign 2 Dimensions (length and width). _____

Existing? ☐ Y ☐ N Double faced? ☐ Y ☐ N

Electronic message board? ☐ Y ☐ N If no, lighted? ☐ Y ☐ N

Freestanding? ☐ Y ☐ N Wall mounted? ☐ Y ☐ N

Sign 3 Dimensions (length and width). _____

Existing? ☐ Y ☐ N Double faced? ☐ Y ☐ N

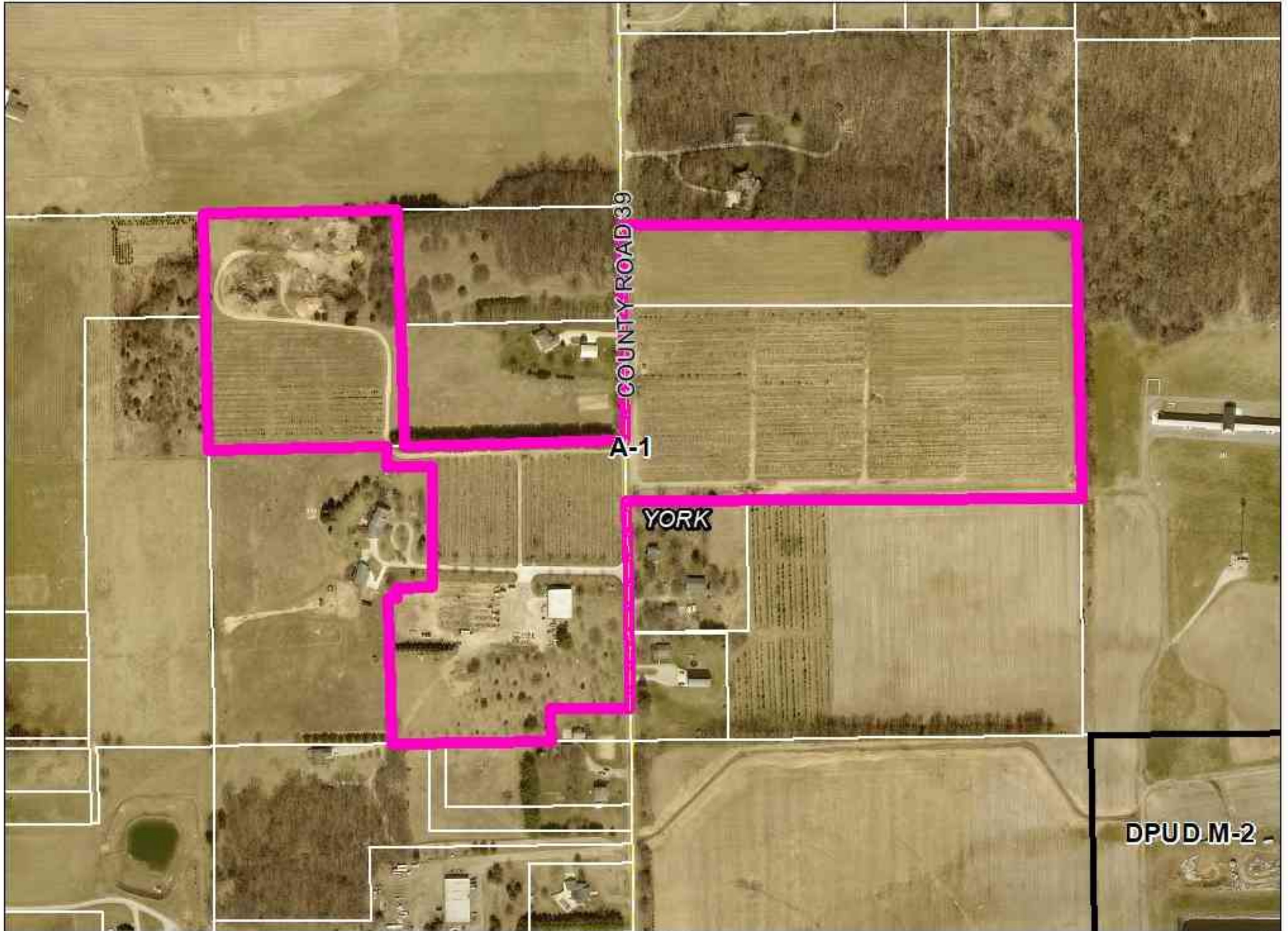
Electronic message board? ☐ Y ☐ N If no, lighted? ☐ Y ☐ N

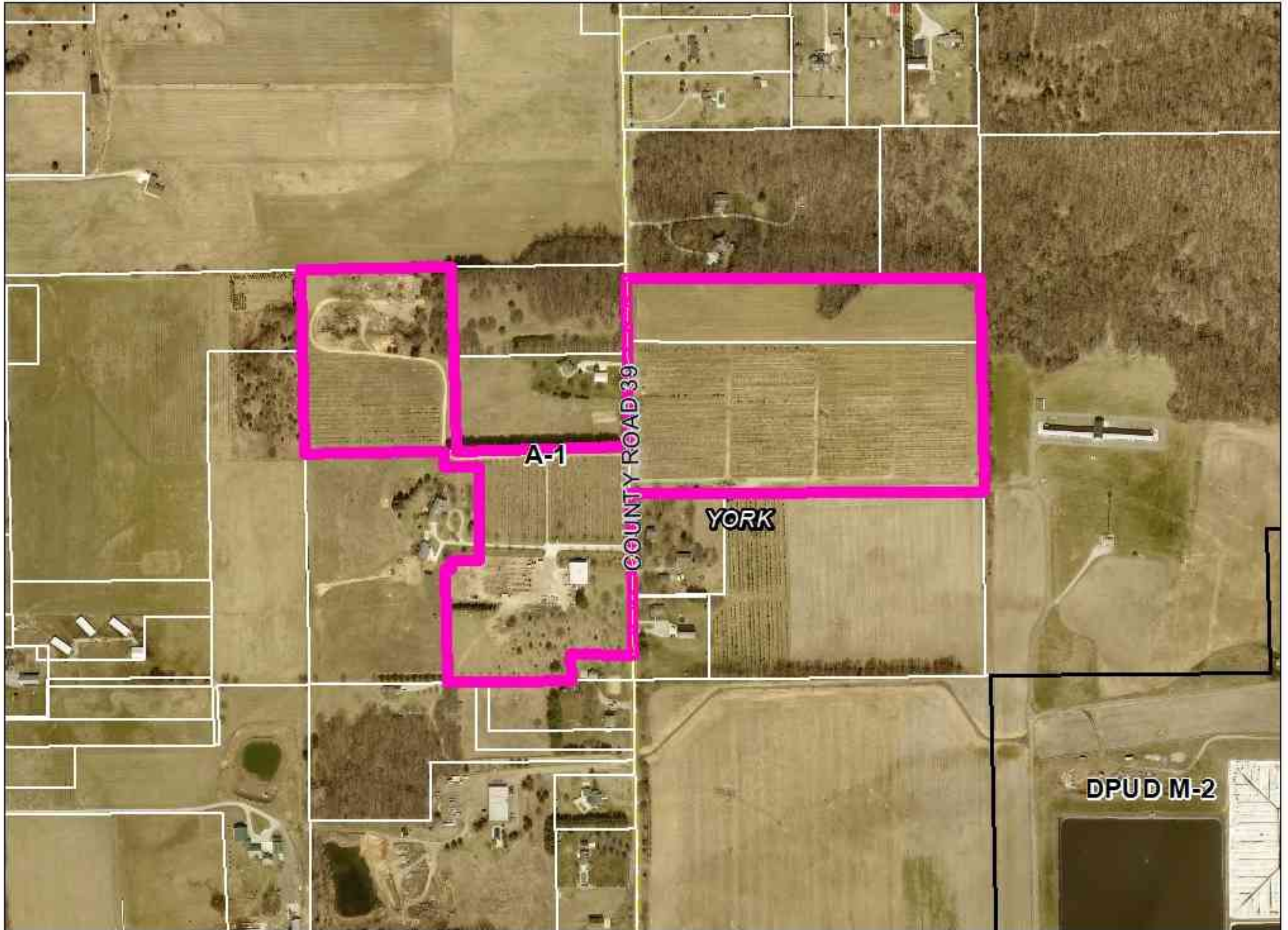
Freestanding? ☐ Y ☐ N Wall mounted? ☐ Y ☐ N

- 10) Tell us anything else you want us to know. _____

In the six years of ownership, we've had no complaints from neighbors









Looking southwest from entrance



Looking northwest from entrance



Looking south



Looking north



Looking east from entrance



Looking southeast at building & parking



Looking south at equipment parking



Looking southeast at equipment parking



Looking northeast from north edge of parking



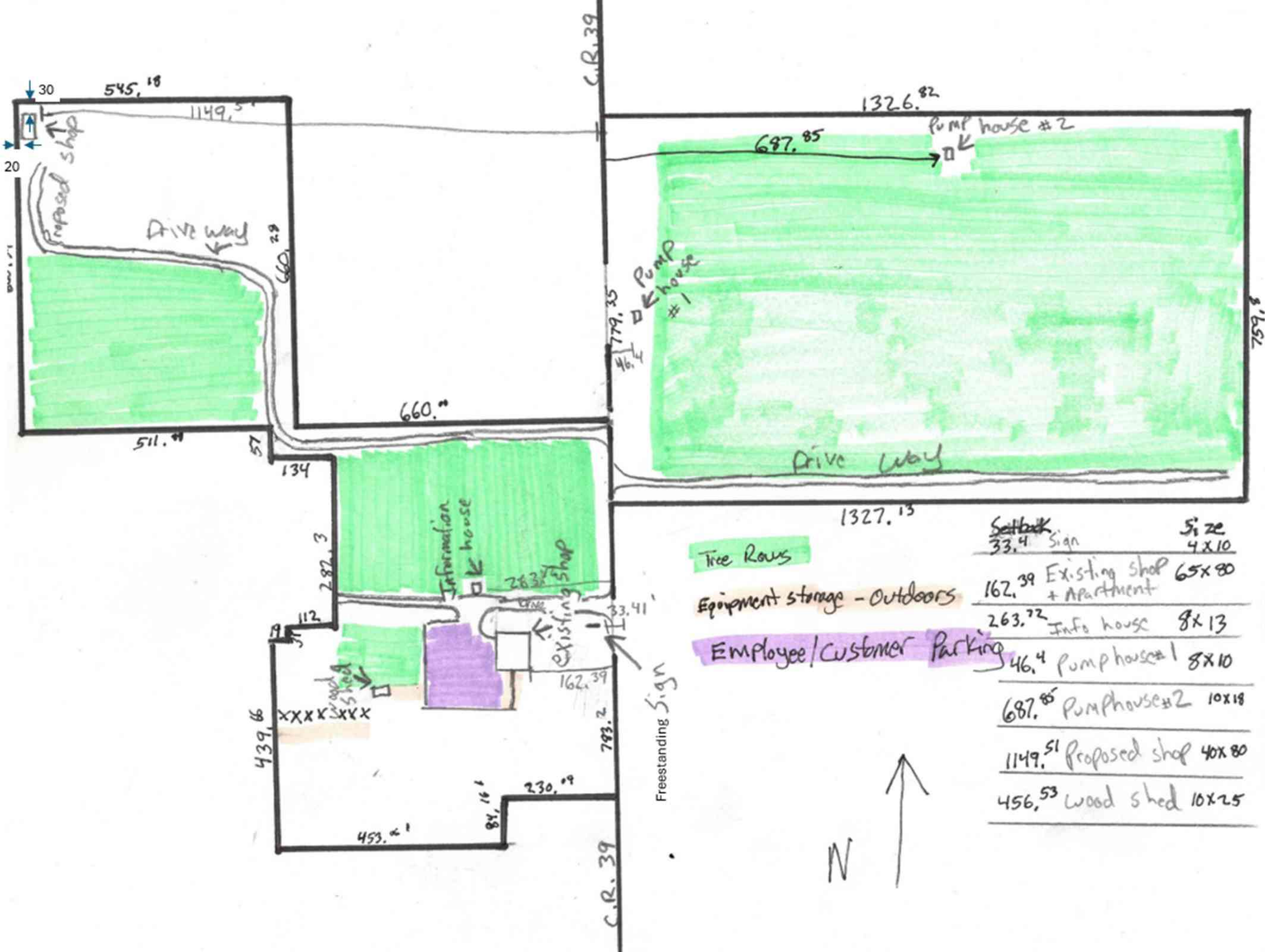
Looking northwest from north of parking



Looking north from entrance to east side of CR 39



Looking NE from entrance to east side of CR 39



BZA Staff Report

Prepared by the Department of Planning and Development

Hearing Date: March 21, 2024

Transaction Number: SUP-0067-2024.

Parcel Number(s): 20-12-30-200-014.000-007.

Existing Zoning: A-1.

Petition: for an amendment to an existing Special Use for a place of worship to allow for the construction of a new building.

Petitioner: St. Mary's Orthodox Church, Inc. .

Location: West side of CR 33, 820 ft. South of CR 38, in Clinton Township.

Site Description:

- Physical Improvement(s) – Church campus (church & accessory structures).
- Proposed Improvement(s) – New church building, future addition, & future pavilion
- Existing Land Use – Residential, agricultural.
- Surrounding Land Use – Residential, agricultural.

History and General Notes:

- **January 15, 2009** – The BZA approved a Special Use Permit for a church (SUP 20083724).

Staff Analysis:

Staff finds that:

1. The Special Use will be consistent with the spirit, purpose, and intent of the Zoning Ordinance. This is an existing Special Use for a church and the amendment is to allow for the construction of a new church building, a future addition, and future pavilion.
2. The Special Use will not cause substantial and permanent injury to the appropriate use of neighboring property. This is a 6.11-acre parcel in a low density residential and agricultural area, and the parcel will remain a church campus.
3. The Special Use will substantially serve the public convenience and welfare by allowing an existing church to add an additional building, a future addition, and future pavilion to the church campus.

BZA Staff Report (Continued)

Hearing Date: March 21, 2024

Staff recommends **APPROVAL** with the following condition(s) imposed:

1. The Elkhart County Advisory Board of Zoning Appeals approval shall not be effective until the Commitment form has been executed, recorded, and returned to the Elkhart County Advisory Board of Zoning Appeals staff for placement in the petition file.

Staff recommends **APPROVAL** with the following commitment(s) imposed:

1. The request is approved in accordance with the site plan submitted 2/12/2024 and as represented in the Special Use application.

PLAN COMMISSION & BOARD OF ZONING APPEALS

Special Use Amendment - Non Mobile Home

Elkhart County Planning & Development

Public Services Building

4230 Elkhart Road, Goshen, Indiana, 46526

Phone - (574) 971-4678

Fax - (574) 971-4578

Date: 02/12/2024 Meeting Date: March 21, 2024 Transaction #: SUP-0067-2024
Board of Zoning Appeals Public Hearing

Description: for an Amendment to an existing Special Use for a place of worship to allow for the construction of a new building

Contacts: <u>Applicant</u>	<u>Authorized Agent</u>	<u>Land Owner</u>
Abonmarche Consultants 303 River Race Dr. Suite 206 Goshen, IN 46526	Abonmarche Consultants 303 River Race Dr. Suite 206 Goshen, IN 46526	St. Mary'S Orthodox Church, Inc. 65159 Cr 33 Goshen, IN 46528

Site Address: 65159 County Road 33
GOSHEN, IN 46528

Parcel Number: 20-12-30-200-014.000-007

Township: Clinton
Location: WEST SIDE OF CR 33, 820 FT. SOUTH OF CR 38

Subdivision: Lot #

Lot Area: 6.11 Frontage: 596.87 Depth: 775.76

Zoning: A-1, A-1 NPO List:

Present Use of Property: PLACE OF WORSHIP

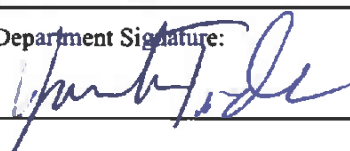
Legal Description:

Comments: SEE APPROVED SUP 20083724: FOR A SPECIAL USE FOR A CHURCH

Applicant Signature:



Department Signature:



Application

Site address: 65159 County Road 33 Goshen, IN 46528

Parcel number(s): 20-12-30-200-014.000-007

Current property owner

Name: St. Mary's Orthodox Church

Address: 65159 County Road 33 Goshen, IN 46528

Phone: 574-538-8787

Email: rgworsham@gmail.com

Other party

☐ Agent ☐ Buyer ☐ Land contract purchaser ☐ Lessee

Name: Abonmarche Consultants Crystal Welsh

Address: 303 River Race Drive, Unit 206, Goshen IN 46526

Phone: 574-314-1027

Email: cwelsh@abonmarche.com

By signing below, I understand that if my application is approved, there may be conditions that will have to be met before approval is final and building permits can be started. I also understand that the conditions may include a commitment that the property owner is responsible for completing and returning.

Signature of current property owner or authorized agent: *Crystal Welsh*

Staff Use Only

Description: For an amendment to an existing Special Use
for place of worship to allow for the construction of
a new building.

Parcel creation date: 1/13/09

Subdivision required? ☐ Y ☒ N If yes, ☐ AS ☐ Minor ☐ Major

Residential accessory breakdown, if applicable: _____

Location: N S E W corner side end of CR 33
S20 ft. N S E W of CR 38
in Clinton Township

Frontage: 596.87 Depth: 775.76 Area: 6.11 acres

Subdivision and lot number, if applicable: _____

Present use: Church

Special Use — Questionnaire

Name: St Mary's Orthodox Church

1) Tell us what you want to do. Build a new church building

2) Tell us why this activity won't hurt your neighbors or the community. The building is on an isolated lot next to our current building and planned use will be very low-impact

3) Is there a subdivision covenant that says you can't do this activity? ☐ Y ☒ N

If yes, does the subdivision have an active homeowners' association? ☐ Y ☐ N

4) Will the activity create noise, vibration, smoke, dust, odor, heat, or glare? ☐ Y ☒ N If yes, fill out below.

Tell us what will create those things. _____

Tell us how you'll reduce the impact of those things on neighbors. _____

5) Will there be buffering (fences, trees, shrubs, mounds)? ☐ Y ☒ N

If yes, tell us about it. _____

6) Does the property need well and septic? Well: ☒ Y ☐ N Septic: ☒ Y ☐ N

Does the property need a new septic system? ☒ Y ☐ N

If a new septic system is needed, did the Health Department say there's enough space for it? ☒ Y ☐ N

7) Will the activity use buildings or additions? ☒ Y ☐ N If yes, fill out below.

Building or addition 1 Existing? ☐ Y ☐ N Size and height to the peak: 38'

Tell us what you'll use it for. Worship

Building or addition 2 Existing? ☐ Y ☐ N Size and height to the peak: _____

Tell us what you'll use it for. _____

Building or addition 3 Existing? ☐ Y ☐ N Size and height to the peak: _____

Tell us what you'll use it for. _____

8) Does this application include animals? ☐ Y ☒ N

If yes, tell us what kind and how many of each. _____

Next page ➡

Special Use — Questionnaire

- 9) Does this application include a business or nonprofit (church, school, other) based all or in part on this property? ☒ Y ☐ N If yes, fill out below.

How many employees do you have now? Full time: 1 Part time: _____

How many employees do you want? Full time: _____ Part time: _____

How many of the employees won't live onsite? All

What will be the days and hours of operation on this property? 1-3 services/week

How many parking spaces do you have now? _____

How many parking spaces do you want? 67

Will there be outside storage or display areas on this property? ☐ Y ☒ N

If yes, tell us what will be stored outside or displayed. _____

Will there be retail sales on this property? ☐ Y ☒ N

If yes, tell us what will be sold. _____

Approximately how many customers (clients, guests, students, members) will be on this property per day?

The new building is designed to hold 263 people

Will there be pickups or deliveries on this property? ☐ Y ☒ N If yes, fill out below.

Tell us how often. _____

Tell us the kind of vehicles used. _____

Does the application include signs? ☐ Y ☒ N If yes, fill out below.

Sign 1 Dimensions (length and width). _____

Existing? ☐ Y ☐ N Double faced? ☐ Y ☐ N

Electronic message board? ☐ Y ☐ N If no, lighted? ☐ Y ☐ N

Freestanding? ☐ Y ☐ N Wall mounted? ☐ Y ☐ N

Sign 2 Dimensions (length and width). _____

Existing? ☐ Y ☐ N Double faced? ☐ Y ☐ N

Electronic message board? ☐ Y ☐ N If no, lighted? ☐ Y ☐ N

Freestanding? ☐ Y ☐ N Wall mounted? ☐ Y ☐ N

Sign 3 Dimensions (length and width). _____

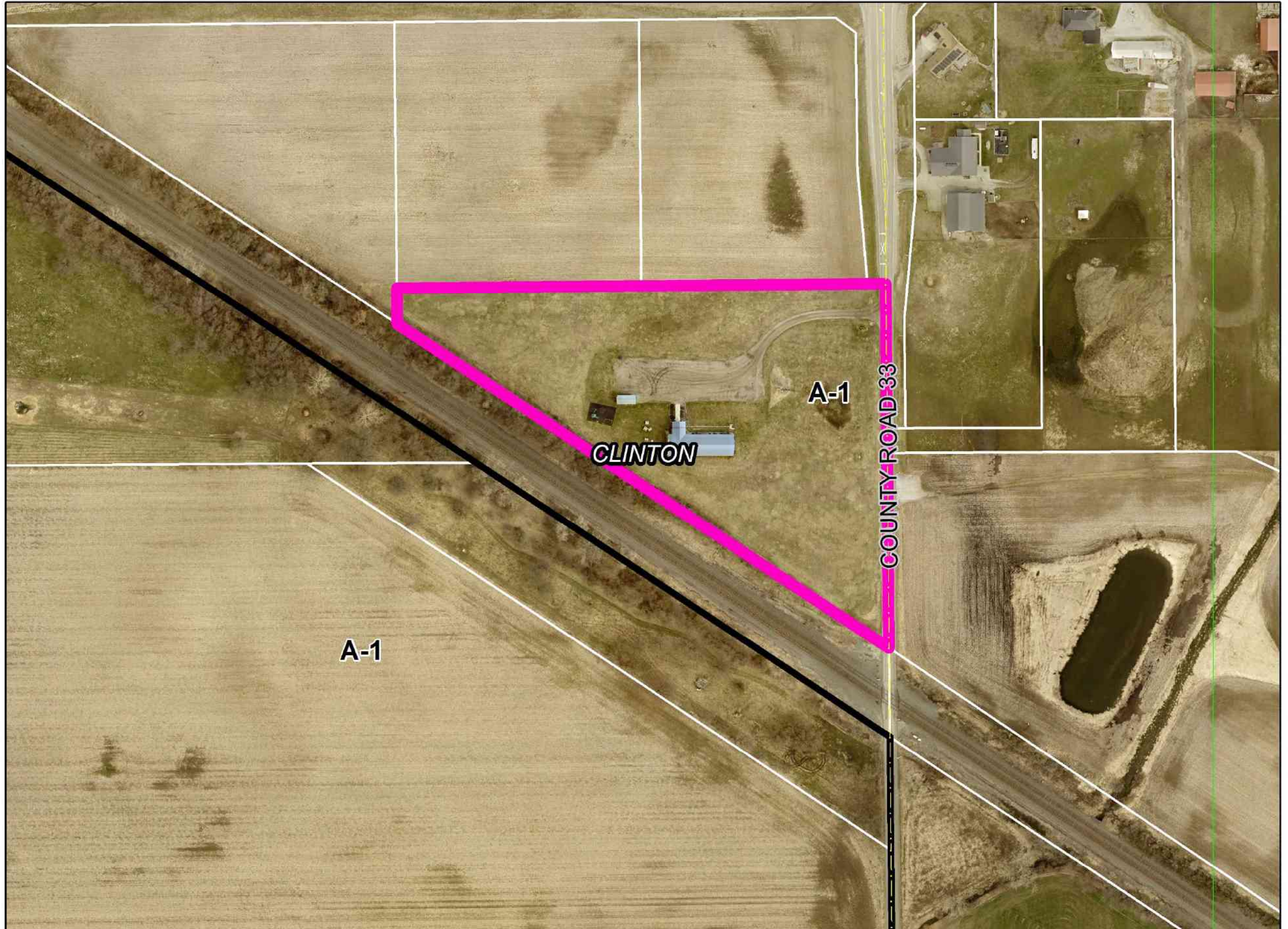
Existing? ☐ Y ☐ N Double faced? ☐ Y ☐ N

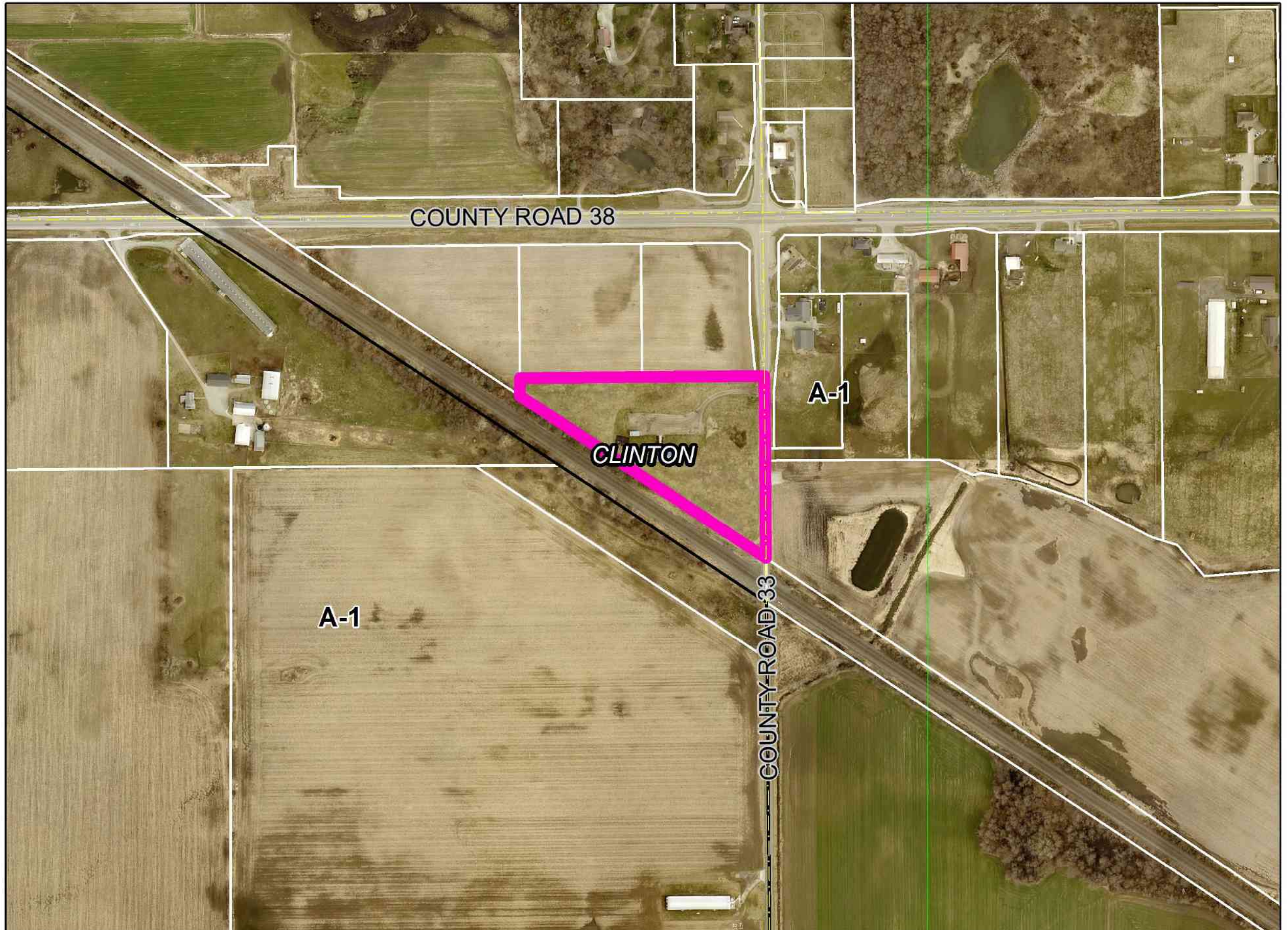
Electronic message board? ☐ Y ☐ N If no, lighted? ☐ Y ☐ N

Freestanding? ☐ Y ☐ N Wall mounted? ☐ Y ☐ N

- 10) Tell us anything else you want us to know. _____









Subject Property



Looking North



Looking South

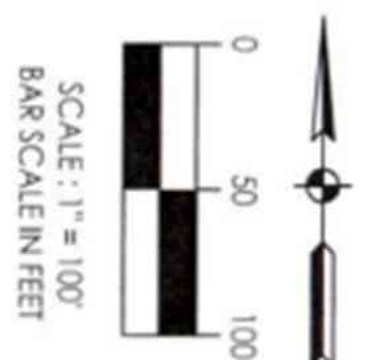


Looking East



Looking West

FEB 2 2024



BZA Staff Report

Prepared by the Department of Planning and Development

Hearing Date: March 21, 2024

Transaction Number: SUP-0034-2024.

Parcel Number(s): 20-01-34-304-003.000-005.

Existing Zoning: A-1.

Petition: for a Special Use for a home workshop/business for a barbershop.

Petitioner: Brent M. Plummer & Heather A. Plummer, Husband & Wife.

Location: East end of North Fork Ln., 445 ft. North of Charla Ln., East of Ash Rd., in Cleveland Township.

Site Description:

- Physical Improvement(s) – Single family residence.
- Proposed Improvement(s) – Accessory structure.
- Existing Land Use – Residential, agricultural.
- Surrounding Land Use – Residential, agricultural.

History and General Notes:

- A variance from the top-of-bank ditch setback (75 ft.) from the Surveyor's office may be required before a building permit is issued.

Staff Analysis:

Staff finds that:

1. The Special Use will be consistent with the spirit, purpose, and intent of the Zoning Ordinance. A special use for a home workshop business is allowed in the A-1 zoning district.
2. The Special Use will not cause substantial and permanent injury to the appropriate use of neighboring property. This is a 1.47-acre lot in a moderately dense residential area, and the parcel will remain residential in character.
3. The Special Use will substantially serve the public convenience and welfare by allowing for a local provider of barbershop services

BZA Staff Report (Continued)

Hearing Date: March 21, 2024

Staff recommends **APPROVAL** with the following condition(s) imposed:

1. The Elkhart County Advisory Board of Zoning Appeals approval shall not be effective until the Commitment form has been executed, recorded, and returned to the Elkhart County Advisory Board of Zoning Appeals staff for placement in the petition file.
2. A revised site plan must be submitted for staff approval showing off-street parking for the Special Use.

Staff recommends **APPROVAL** with the following commitment(s) imposed:

1. The request is approved in accordance with the revised site plan to be submitted for staff approval and as represented in the Special Use application.

PLAN COMMISSION & BOARD OF ZONING APPEALS

Elkhart County Planning & Development
Public Services Building
4230 Elkhart Road, Goshen, Indiana, 46526
Phone - (574) 971-4678
Fax - (574) 971-4578

Special Use - Non Mobile Home

Date: 01/22/2024 Meeting Date: March 21, 2024 Transaction #: SUP-0034-2024
Board of Zoning Appeals Public Hearing

Description: for a Special Use for a home workshop/business for a barbershop

Contacts: <u>Applicant</u>	<u>Land Owner</u>
Brent M Plummer And Heather A Plummer	Brent M Plummer And Heather A Plummer
54540 N Fork Ln	54540 N Fork Ln
Osceola, IN 465619669	Osceola, IN 465619669

Site Address: 54540 North Fork Ln OSCEOLA, IN 46561	Parcel Number: 20-01-34-304-003.000-005
--	---

Township: Cleveland
Location: EAST END OF NORTH FORK LANE, 445 FT. NORTH OF CHARLA LANE

Subdivision:	Lot #
--------------	-------



Lot Area: 1.47	Frontage: 154.37	Depth: 200.00
----------------	------------------	---------------

Zoning: A-1	NPO List:
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Present Use of Property: RESIDENTIAL

Legal Description:

Comments: RESIDENCE = 2,660 SQ FT X 110% = 2,926 SQ FT MINUS, MINUS 576 (GARAGE) AND PROPOSED BUILDING (30 X 40 = 1,200 SQ FT), WHICH LEAVES 1,150 SQ FT AVAILABLE FOR PERSONAL STORAGE.
LETTER FROM DNR REGARDING GAST-THORNTON DITCH

Applicant Signature: 	Department Signature: 
--	---

Application

Site address: 54540 North Fork Ln

Parcel number(s): 20-01-34-304-003

Current property owner

Name: Brent Plummer

Address: 54540 North Fork Lane

Phone: 574-250-0622

Email: Brent.Plummer@yahoo

Other party

☐ Agent

☐ Buyer

☐ Land contract purchaser

☐ Lessee

Name: _____

Address: _____

Phone: _____

Email: _____

By signing below, I understand that if my application is approved, there may be conditions that will have to be met before approval is final and building permits can be started. I also understand that the conditions may include a commitment that the property owner is responsible for completing and returning.

Signature of current property owner or authorized agent: x Brent Plummer

Staff Use Only

Description: for a Special use for a home workshop/business for a barbershop (?)

Parcel creation date: _____

Subdivision required?

☐ Y

☒ N

If yes,

☐ AS

☐ Minor

☐ Major

Residential accessory breakdown, if applicable:

2,660 sq ft x 110% = 2,926
minus 576 (garage) and new bldg (30x40 = 1,200)
leaves 1,150 sq ft available for personal storage

Location: N S E W corner side end of North Fork Ln

44555 ft N S E W of Charla Ln

in Cleveland Township

435 ft East of Ash Rd

Frontage: 154.37 Depth: 200 Area: 1.469 acres

Subdivision and lot number, if applicable: Ash Road Estates 3rd Lot 1B

Present use: Residential

Special Use — Questionnaire

Name: Brent Plummer

1) Tell us what you want to do. Build Pole Barn and Place Small Barber Shop within

2) Tell us why this activity won't hurt your neighbors or the community. only working 4 Days a week 10 people per Day

3) Is there a subdivision covenant that says you can't do this activity? ☐ Y ☒ N

If yes, does the subdivision have an active homeowners' association? ☐ Y ☐ N

4) Will the activity create noise, vibration, smoke, dust, odor, heat, or glare? ☐ Y ☒ N If yes, fill out below.

Tell us what will create those things. _____

Tell us how you'll reduce the impact of those things on neighbors. _____

5) Will there be buffering (fences, trees, shrubs, mounds)? ☐ Y ☒ N

If yes, tell us about it. _____

6) Does the property need well and septic? Well: ☐ Y ☒ N Septic: ☐ Y ☒ N

Does the property need a new septic system? ☐ Y ☒ N

If a new septic system is needed, did the Health Department say there's enough space for it? ☐ Y ☐ N

7) Will the activity use buildings or additions? ☐ Y ☐ N If yes, fill out below.

Building or addition 1 Existing? ☒ Y ☐ N Size and height to the peak: 30x40 13 Feet High

Tell us what you'll use it for. _____

Building or addition 2 Existing? ☐ Y ☐ N Size and height to the peak: _____

Tell us what you'll use it for. _____

Building or addition 3 Existing? ☐ Y ☐ N Size and height to the peak: _____

Tell us what you'll use it for. _____

8) Does this application include animals? ☐ Y ☒ N

If yes, tell us what kind and how many of each. _____

Next page ➡

Special Use — Questionnaire

- 9) Does this application include a business or nonprofit (church, school, other) based all or in part on this property? ☐ Y ☐ N If yes, fill out below.

How many employees do you have now? Full time: 1 Part time: 0

How many employees do you want? Full time: 0 Part time: 0

How many of the employees won't live onsite? 0

What will be the days and hours of operation on this property? Tuesday - Friday

8-4

How many parking spaces do you have now? 0

How many parking spaces do you want? 2

Will there be outside storage or display areas on this property? ☐ Y ☒ N

If yes, tell us what will be stored outside or displayed. _____

Will there be retail sales on this property? ☐ Y ☒ N

If yes, tell us what will be sold. _____

Approximately how many customers (clients, guests, students, members) will be on this property per day?

10

Will there be pickups or deliveries on this property? ☐ Y ☒ N If yes, fill out below.

Tell us how often. _____

Tell us the kind of vehicles used. _____

Does the application include signs? ☐ Y ☒ N If yes, fill out below.

Sign 1 Dimensions (length and width). _____

Existing? ☐ Y ☐ N Double faced? ☐ Y ☐ N

Electronic message board? ☐ Y ☐ N If no, lighted? ☐ Y ☐ N

Freestanding? ☐ Y ☐ N Wall mounted? ☐ Y ☐ N

Sign 2 Dimensions (length and width). _____

Existing? ☐ Y ☐ N Double faced? ☐ Y ☐ N

Electronic message board? ☐ Y ☐ N If no, lighted? ☐ Y ☐ N

Freestanding? ☐ Y ☐ N Wall mounted? ☐ Y ☐ N

Sign 3 Dimensions (length and width). _____

Existing? ☐ Y ☐ N Double faced? ☐ Y ☐ N

Electronic message board? ☐ Y ☐ N If no, lighted? ☐ Y ☐ N

Freestanding? ☐ Y ☐ N Wall mounted? ☐ Y ☐ N

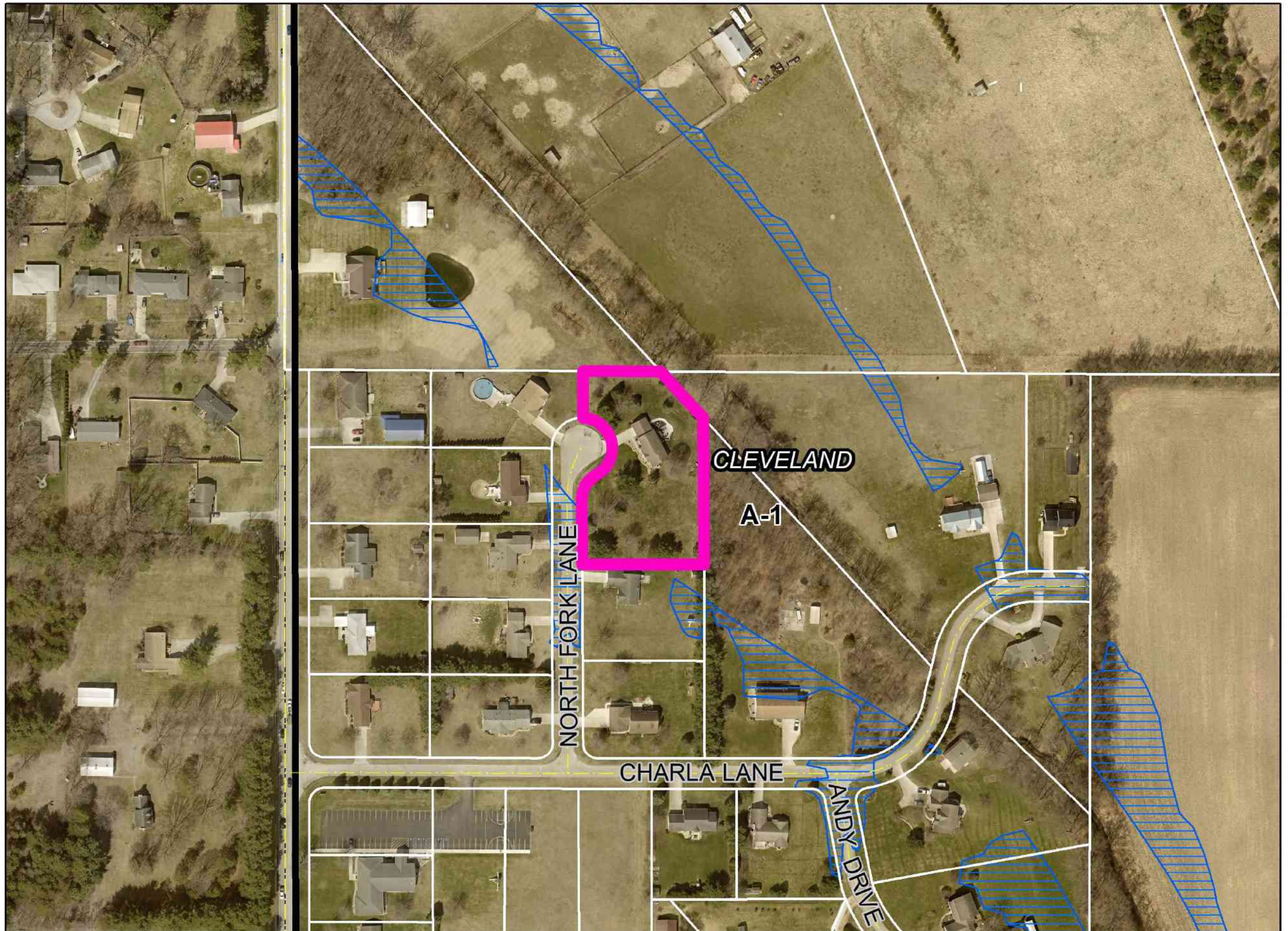
- 10) Tell us anything else you want us to know. _____

An aerial photograph of a residential area. A pink boundary line outlines a specific property. Inside this boundary, there is a house with a dark roof and a driveway. The text 'A-1' is written above the house, and 'CLEVELAND' is written below it. To the left of the pink boundary, there is a road labeled 'NORTH FORK LANE' in white text. Further left, there is a house with a blue swimming pool. The surrounding area is mostly grass and trees.

1 inch = 60 feet



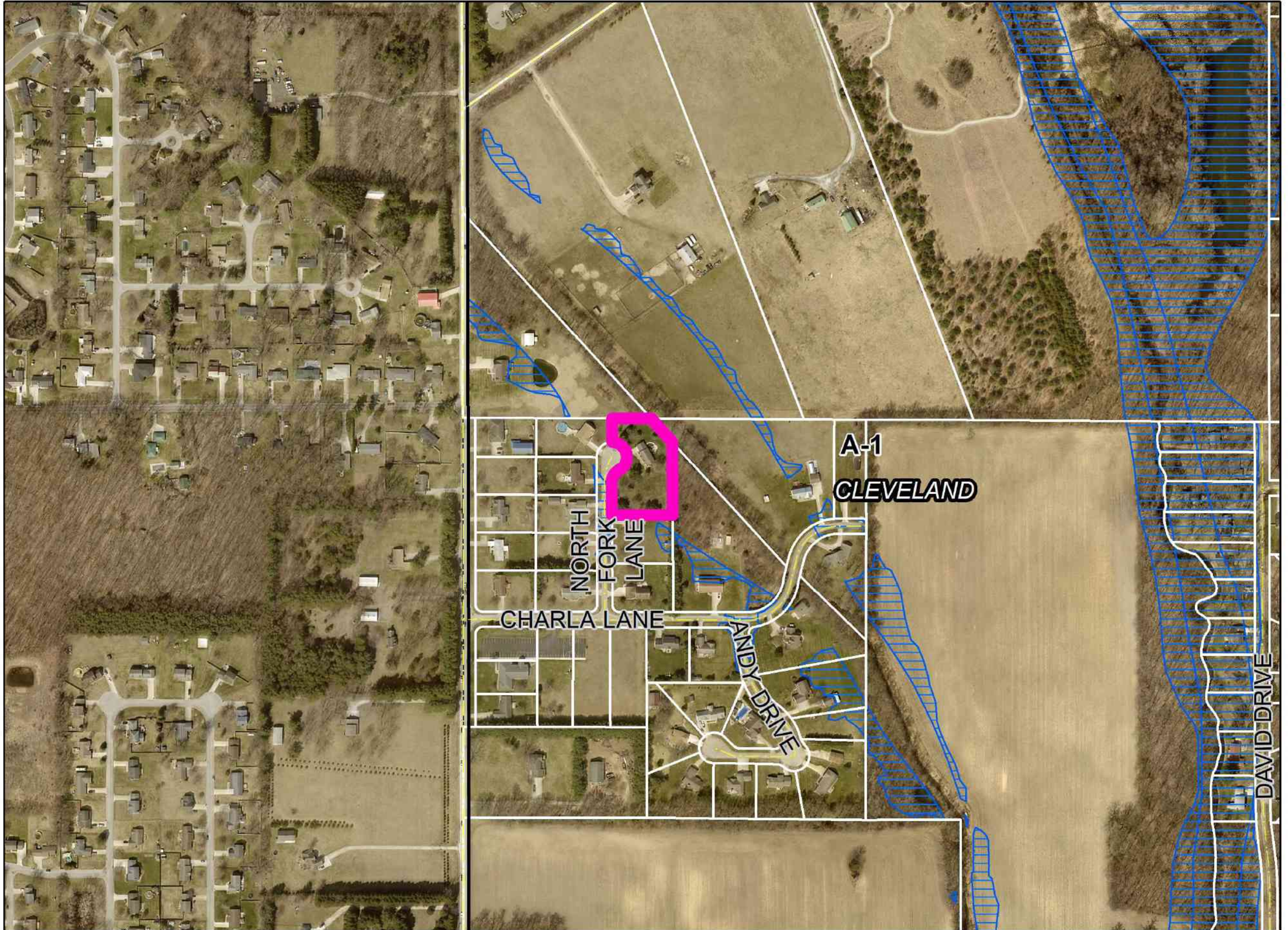
SUP-0034-2024



2021 Aerials

1 inch = 200 feet







Subject Property



Looking North



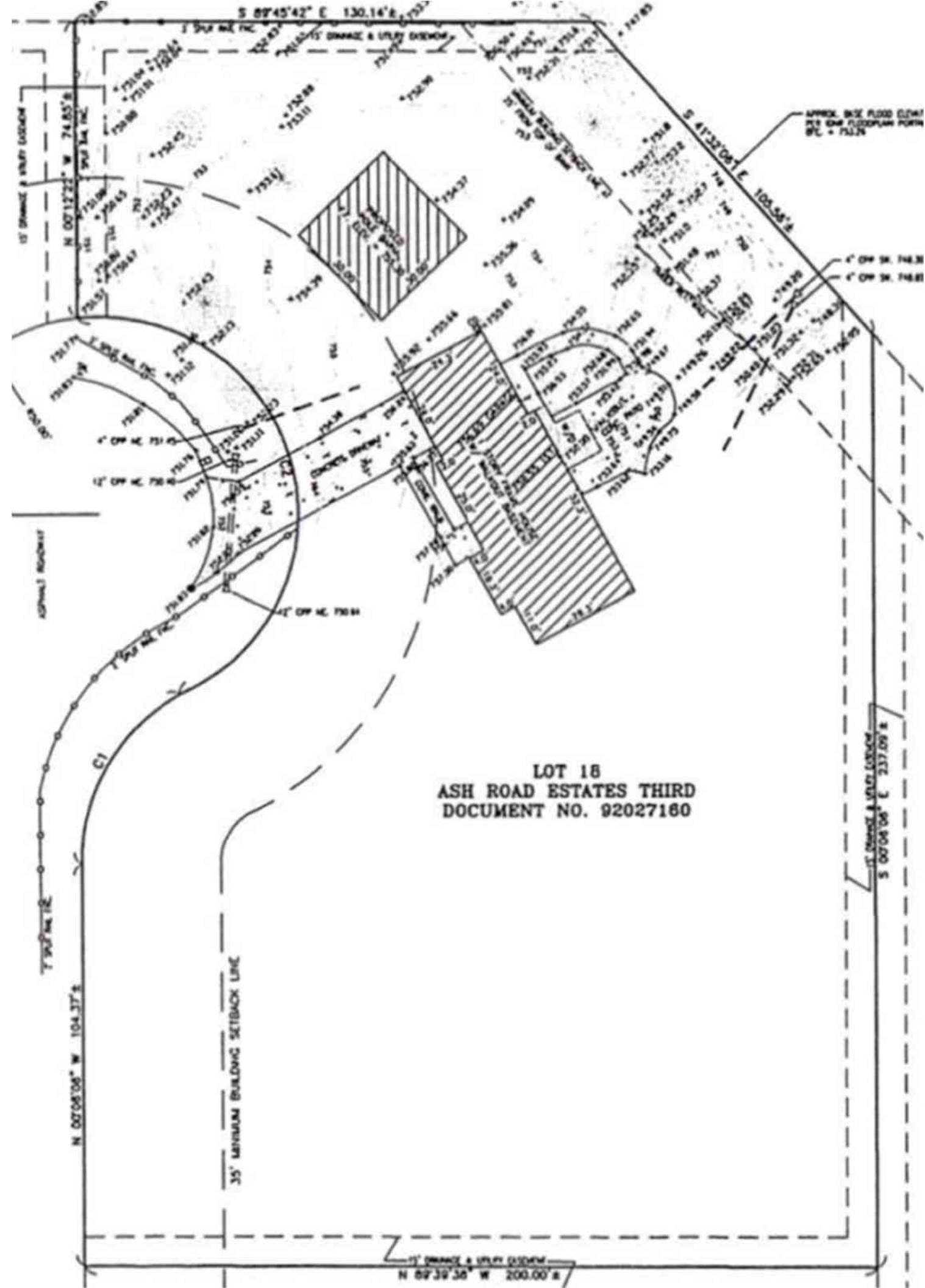
Looking South



Looking East



Looking West



BZA Staff Report

Prepared by the Department of Planning and Development

Hearing Date: March 21, 2024

Transaction Number: SUP-0058-2024.

Parcel Number(s): 20-10-22-351-001.000-016.

Existing Zoning: A-1.

Petition: for a Special Use for an existing school to allow for a recreation building and for a Special Use for indoor recreation (wedding and event venue).

Petitioner: Harrison Christian School Corporation.

Location: East side of CR 11, 790 ft. North of CR 38, in Harrison Township.

Site Description:

- Physical Improvement(s) – School building.
- Proposed Improvement(s) – Recreation building.
- Existing Land Use – Residential, agricultural.
- Surrounding Land Use – Residential, agricultural.

History and General Notes:

- There is an existing school on the property with no record of having a Special Use Permit.

Staff Analysis:

Staff finds that:

1. The Special Uses will be consistent with the spirit, purpose, and intent of the Zoning Ordinance. A special use for a school and indoor recreation is allowed in the A-1 zoning district.
2. The Special Uses will not cause substantial and permanent injury to the appropriate use of neighboring property. This is a 14.37-acre parcel in a low density residential and agricultural area, and the parcel will remain a school campus with an additional indoor recreation facility.
3. The Special Uses will substantially serve the public convenience and welfare by allowing for the construction of a new recreation building for the school campus and community use.

BZA Staff Report (Continued)

Hearing Date: March 21, 2024

Staff recommends **APPROVAL** with the following condition(s) imposed:

1. The Elkhart County Advisory Board of Zoning Appeals approval shall not be effective until the Commitment form has been executed, recorded, and returned to the Elkhart County Advisory Board of Zoning Appeals staff for placement in the petition file.

Staff recommends **APPROVAL** with the following commitment(s) imposed:

1. The request is approved in accordance with the site plan submitted 2/8/2024 and as represented in the Special Use application.

PLAN COMMISSION & BOARD OF ZONING APPEALS

Special Use - Non Mobile Home

Elkhart County Planning & Development

Public Services Building

4230 Elkhart Road, Goshen, Indiana, 46526

Phone - (574) 971-4678

Fax - (574) 971-4578

Date: 02/08/2024

Meeting Date:

March 21, 2024

Board of Zoning Appeals Public Hearing

Transaction #:

SUP-0058-2024

Description: for a Special Use for an existing school to allow for a recreation building

Contacts: Applicant

Zimmerman'S Construction Llc
65700 County Road 7
Goshen, IN 46526

Business Owner

Yellow Creek Reception Center
64901 County Road 11
Goshen, IN 46526

Land Owner

Harrison Christian School
Corp., An Indiana Non-Profit
Corporation
64784 County Road 11
Goshen, IN 46526

Site Address: 64784 County Road 11
GOSHEN, IN 46526

Parcel Number:

20-10-22-351-001.000-016

Township: Harrison

Location: EAST SIDE OF CR 11, 790 FT NORTH OF CR 38

Subdivision:

Lot #

Lot Area:

14.27

Frontage:

927.41

Depth:

659.61

Zoning: A-1

NPO List:

Present Use of Property: SCHOOL

Legal Description:

Comments: NO RECORD OF SPECIAL USE FOR SCHOOL
EXISTING PERMIT #BC-0077-2023 TO HAVE FINAL INSPECTIONS ON 2/9/2024
PARCEL CREATED 3/1/1962

Applicant Signature:

Department Signature:

February 08, 2024 1:40 pm

SUP-0058-2024

Application

Site address: 64784 CR11 Goshen In

Parcel number(s): Sec 22 T36N R5E Harrison TWP Elkhart County
20-10-22-351-001

Current property owner

Name: Harrison Christian School Corp Tim Heatwell

Address: 64784 CR11 Goshen In School Board

Phone: 574 536 9523 Board Member Email: evergreen sawlog@icloud.com

Other party

☐ Agent

☐ Buyer

☐ Land contract purchaser

☐ Lessee

Name: Yellow Creek Reception Center (Lennie Martin)

Address: 64401 CR11 Goshen In School Board

Phone: 574-536-3080 Email: lennie@rmseed.us

By signing below, I understand that if my application is approved, there may be conditions that will have to be met before approval is final and building permits can be started. I also understand that the conditions may include a commitment that the property owner is responsible for completing and returning.

Signature of current property owner or (authorized agent): David Zimmerman

574 535 4354

Staff Use Only

Description: for a Special Use for an existing school and
indoor recreation to allow for a rec bldg

Parcel creation date: 3-1-62

Subdivision required? ☐ Y ☒ N If yes, ☐ AS ☐ Minor ☐ Major

Residential accessory breakdown, if applicable: _____

Location: N S E W corner side end of CR11

790 ft. N S E W of CR38

in Harrison Township

Frontage: 927.414 Depth: 659.61 Area: 14.27 acres

Subdivision and lot number, if applicable: _____

Present use: School

Special Use — Questionnaire

Name: Harrison Christian School

1) Tell us what you want to do. Private school Use Grades 1 Thru 12
New yellow creek reception center on same property This will be
used For Wedding Receptions & Volley Ball Court For our Youth Group

2) Tell us why this activity won't hurt your neighbors or the community. all Activity Will Be
Inside on the (Reception center)

3) Is there a subdivision covenant that says you can't do this activity? ☐ Y ☒ N
 If yes, does the subdivision have an active homeowners' association? ☐ Y ☒ N

4) Will the activity create noise, vibration, smoke, dust, odor, heat, or glare? ☐ Y ☒ N If yes, fill out below.
 Tell us what will create those things. _____

Tell us how you'll reduce the impact of those things on neighbors. _____

5) Will there be buffering (fences, trees, shrubs, mounds)? ☐ Y ☐ N

If yes, tell us about it. maybe some shrubs added

There is Pine trees Next To the South property line Now

6) Does the property need well and septic? Well: ☒ Y ☐ N Septic: ☒ Y ☐ N (Reception Center only)
 Does the property need a new septic system? ☒ Y ☐ N

If a new septic system is needed, did the Health Department say there's enough space for it? ☒ Y ☐ N

7) Will the activity use buildings or additions? ☐ Y ☐ N If yes, fill out below.

Building or addition 1 Existing? ☒ Y ☐ N Size and height to the peak: School

Tell us what you'll use it for. _____

Building or addition 2 Existing? ☐ Y ☒ N Size and height to the peak: 75' x 228' x 32'

Tell us what you'll use it for. Volley Ball & wedding Receptions

Building or addition 3 Existing? ☐ Y ☐ N Size and height to the peak: _____

Tell us what you'll use it for. _____

8) Does this application include animals? ☐ Y ☒ N

If yes, tell us what kind and how many of each. _____

Next page ➡

Special Use — Questionnaire

- 9) Does this application include a business or nonprofit
(church, school, other) based all or in part on this property? ☐ Y ☐ N If yes, fill out below.

How many employees do you have now? Full time: 12 Part time: 6

How many employees do you want? Full time: 12 Part time: 6

How many of the employees won't live onsite? None

What will be the days and hours of operation on this property? School Hr 8-2:30

Reception Center Hr will vary

How many parking spaces do you have now? 61 at School

How many parking spaces do you want? 168 New

Will there be outside storage or display areas on this property? ☐ Y ☒ N

If yes, tell us what will be stored outside or displayed. _____

Will there be retail sales on this property? ☐ Y ☒ N

If yes, tell us what will be sold. _____

Approximately how many customers (clients, guests, students, members) will be on this property per day?

No

Will there be pickups or deliveries on this property? ☐ Y ☒ N If yes, fill out below.

Tell us how often. _____

Tell us the kind of vehicles used. _____

Does the application include signs? ☐ Y ☒ N If yes, fill out below.

Sign 1 Dimensions (length and width). _____

Existing? ☐ Y ☐ N Double faced? ☐ Y ☐ N

Electronic message board? ☐ Y ☐ N If no, lighted? ☐ Y ☐ N

Freestanding? ☐ Y ☐ N Wall mounted? ☐ Y ☐ N

Sign 2 Dimensions (length and width). _____

Existing? ☐ Y ☐ N Double faced? ☐ Y ☐ N

Electronic message board? ☐ Y ☐ N If no, lighted? ☐ Y ☐ N

Freestanding? ☐ Y ☐ N Wall mounted? ☐ Y ☐ N

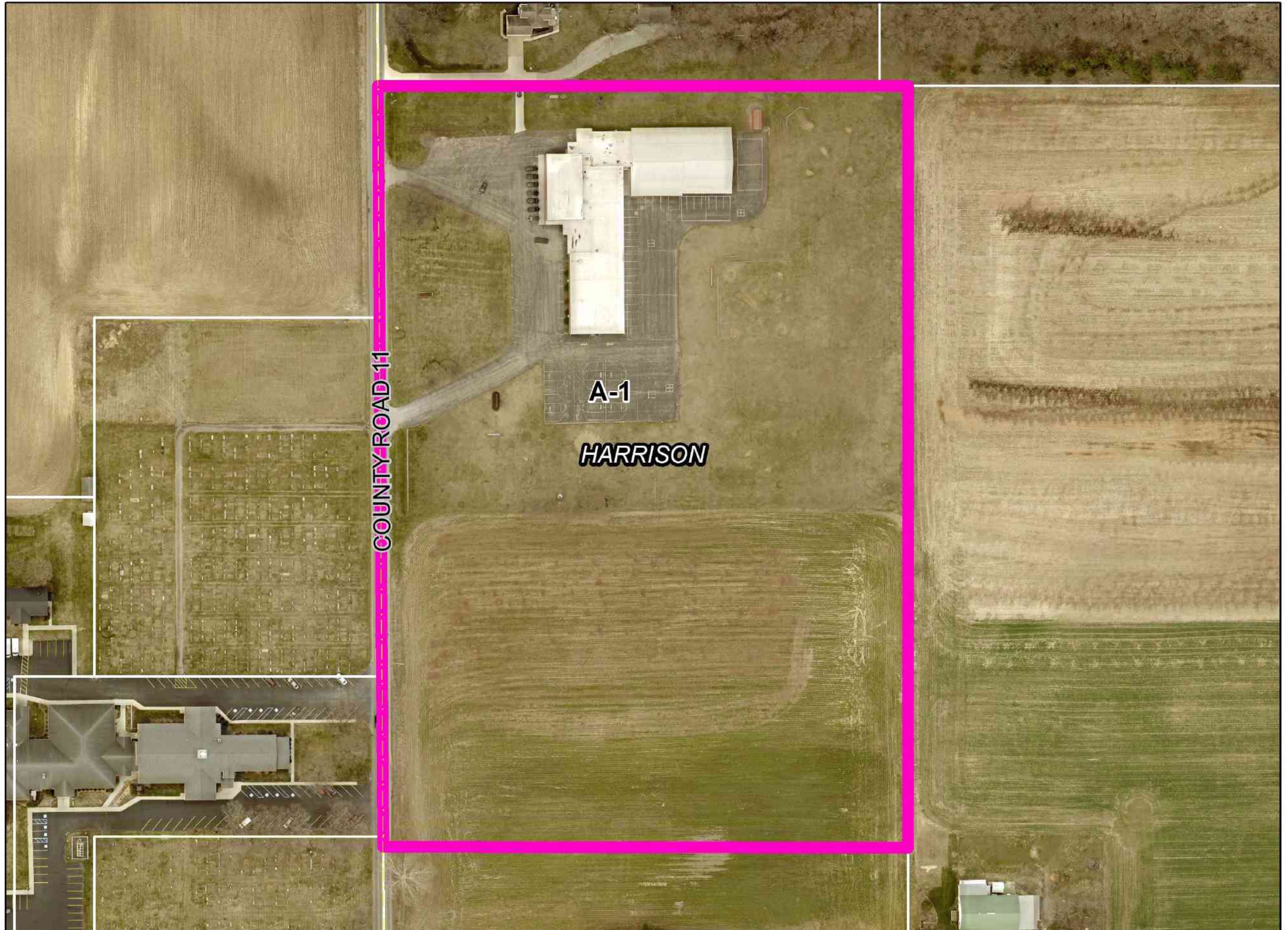
Sign 3 Dimensions (length and width). _____

Existing? ☐ Y ☐ N Double faced? ☐ Y ☐ N

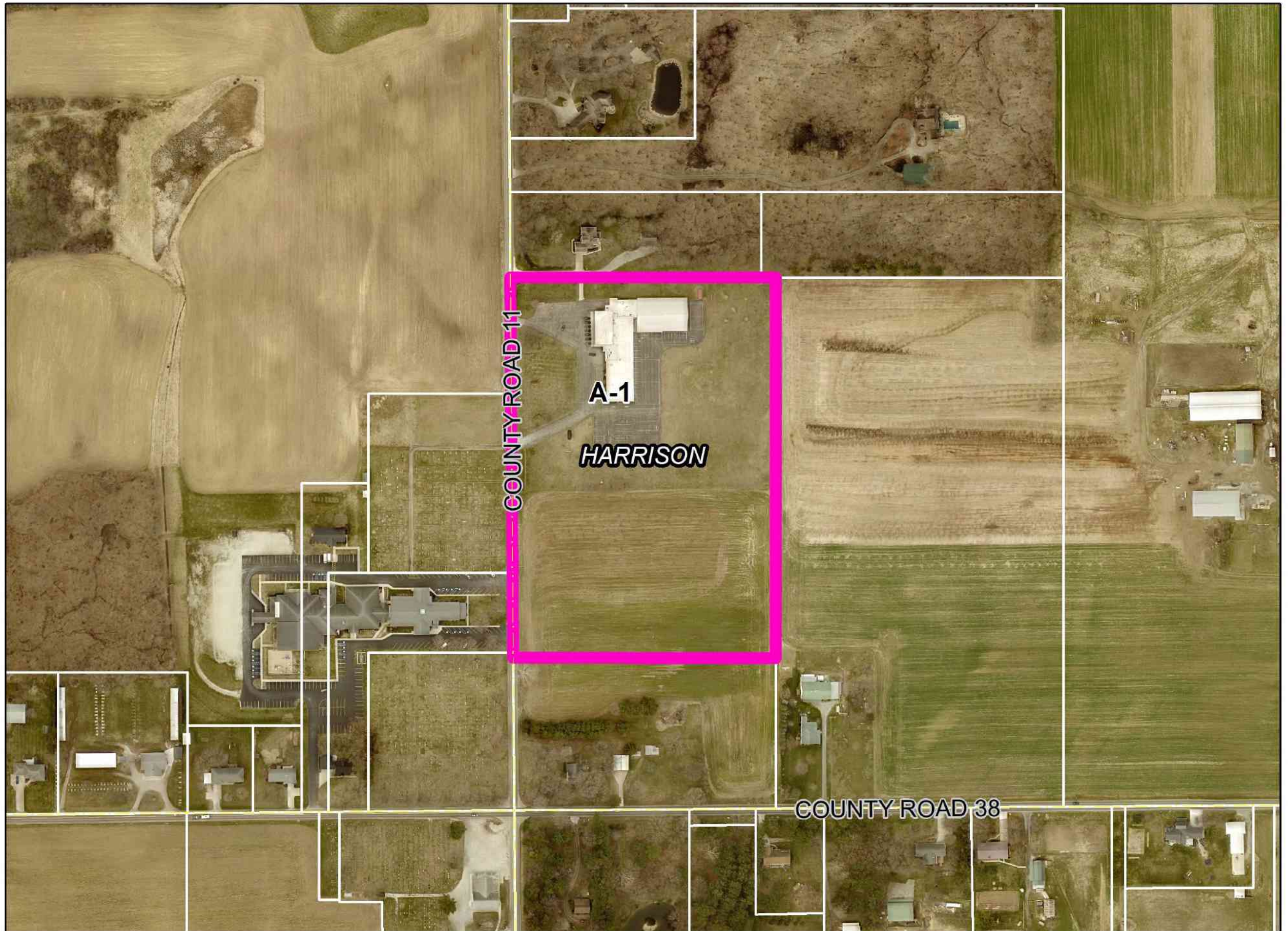
Electronic message board? ☐ Y ☐ N If no, lighted? ☐ Y ☐ N

Freestanding? ☐ Y ☐ N Wall mounted? ☐ Y ☐ N

- 10) Tell us anything else you want us to know. _____



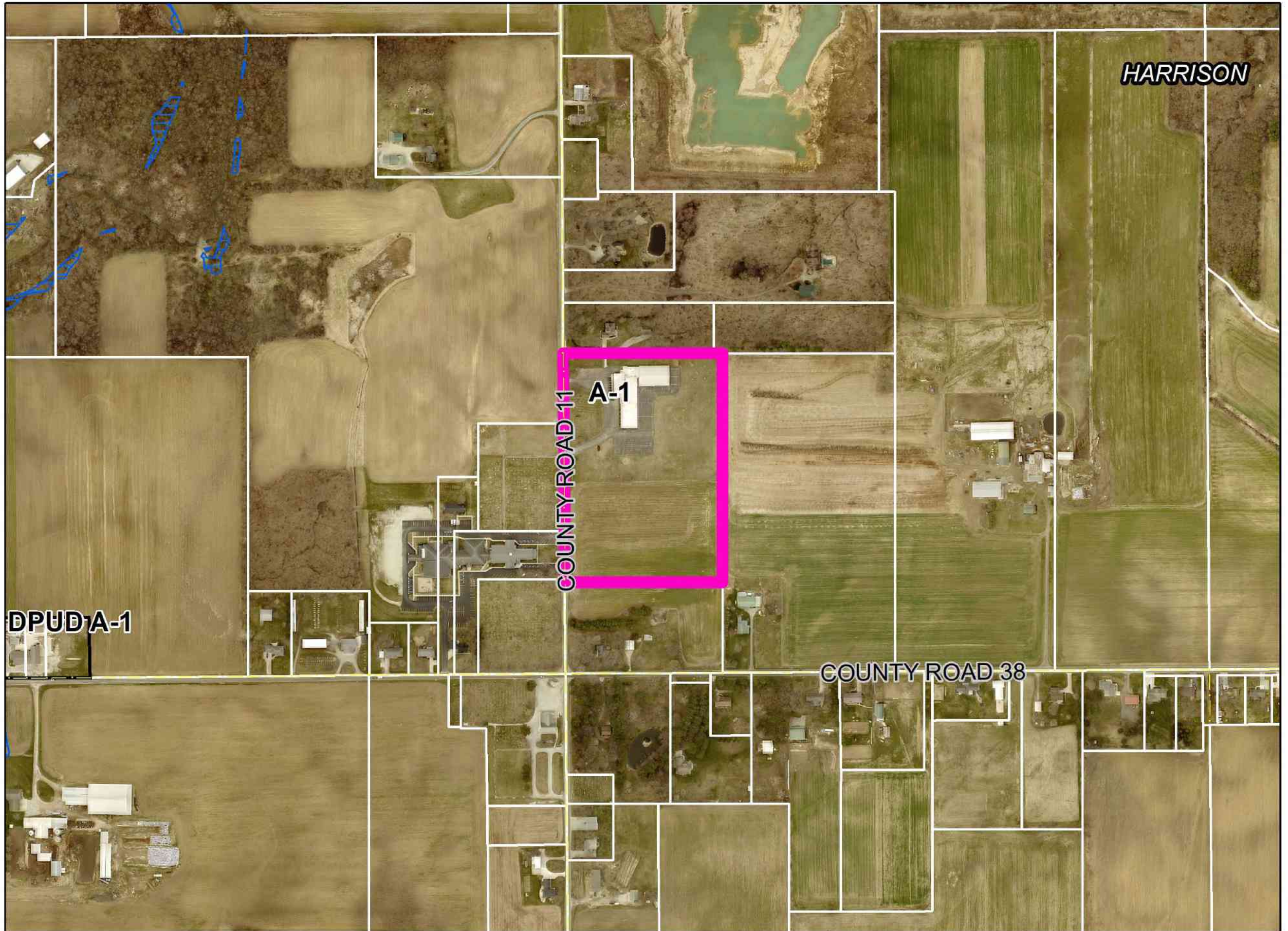
SUP-0058-2024



2021 Aerials

1 inch = 300 feet







Subject Property



Looking North



Looking South

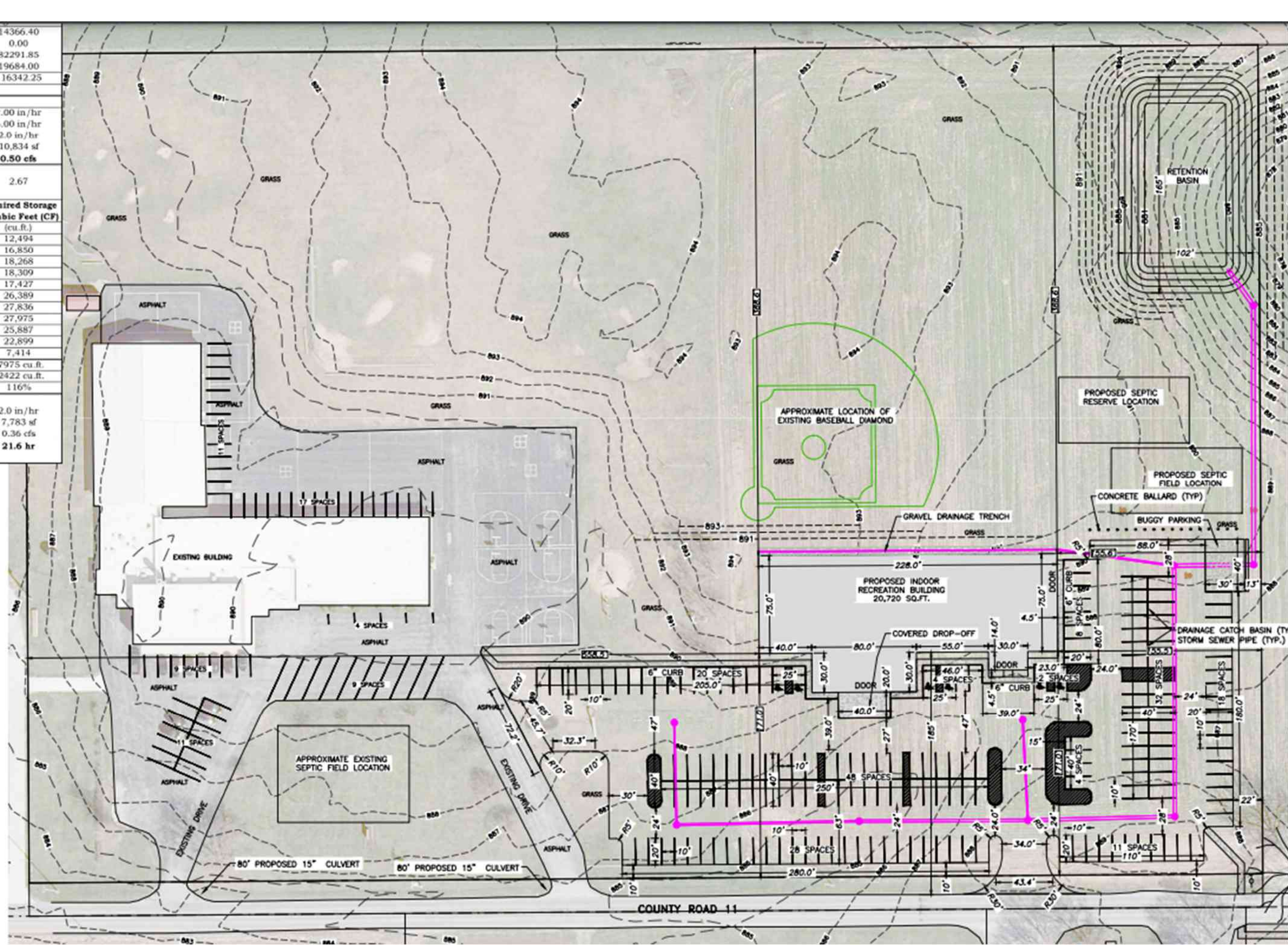


Looking East



Looking West

14366.40	
0.00	
32291.85	
19684.00	
16342.25	
0.00 in/hr	
0.00 in/hr	
2.0 in/hr	
10,834 sf	
0.50 cfs	
2.67	
Required Storage	
Cubic Feet (CF)	
(cu.ft.)	
12,494	
16,850	
18,268	
18,309	
17,427	
26,389	
27,836	
27,975	
25,887	
22,899	
7,414	
7975 cu.ft.	
2422 cu.ft.	
116%	
2.0 in/hr	
7,783 sf	
0.36 cfs	
21.6 hr	



BZA Staff Report

Prepared by the Department of Planning and Development

Hearing Date: March 21, 2024

Transaction Number: SUP-0050-2024.

Parcel Number(s): 20-02-21-477-010.000-026.

Existing Zoning: R-1.

Petition: for a Special Use for a home workshop/business for a construction business & for a Developmental Variance to allow for the total square footage of accessory structures to exceed that allowed by right.

Petitioner: Javier Soto.

Location: North side of CR 6, 1,050 ft. West of CR 11, in Osolo Township.

Site Description:

- Physical Improvement(s) – Residence, garage, accessory structure.
- Proposed Improvement(s) – Storage building.
- Existing Land Use – Residential.
- Surrounding Land Use – Residential.

History and General Notes:

- **10/20/2020** – A code complaint was closed for burning trash, clothing, mattresses, and furniture.
- **04/26/2019** – A code complaint was closed for junk vehicles and outside storage.

Staff Analysis:

For a Special Use for a home workshop/business for a construction business, staff finds that:

1. The Special Use will not be consistent with the spirit, purpose, and intent of the Zoning Ordinance. The character of the neighborhood does not lend itself to a home workshop/business.
2. The Special Use will cause substantial and permanent injury to the appropriate use of neighboring property. The property is 100 feet in width with residences close to each property line.
3. The Special Use will not substantially serve the public convenience and welfare.

BZA Staff Report (Continued)

Hearing Date: March 21, 2024

Staff recommends **DENIAL**.

For a Developmental Variance to allow for the total square footage of accessory structures to exceed that allowed by right, staff finds that:

1. Approval of the request will be injurious to public health, safety, morals, or general welfare. The proposed structure does not have good access from County Road 6.
2. Approval of the request will cause substantial adverse effect on neighboring property. The property is residential and the proposed structure would change the character of the property.
3. Strict application of the terms of the Zoning Ordinance would not result in an unnecessary hardship in the use of the property. The proposed total sq. footage of accessory structures is 1420 sq. ft. or 97% over what is allowed by right.

Staff recommends **DENIAL**.

Application

Site address: 25201 CR 6 Elkhart IN 46514

Parcel number(s): _____

Current property owner

Name: Javier Soto

Address: 25201 CR 6 Elkhart IN 46514

Phone: 574.575-1281 Email: _____

Other party

☐ Agent

☐ Buyer

☐ Land contract purchaser

☐ Lessee

Name: _____

Address: _____

Phone: _____ Email: _____

By signing below, I understand that if my application is approved, there may be conditions that will have to be met before approval is final and building permits can be started. I also understand that the conditions may include a commitment that the property owner is responsible for completing and returning.

Signature of current property owner or authorized agent: _____

Staff Use Only

Description: _____

Parcel creation date: _____

Subdivision required? ☐ Y ☐ N If yes, ☐ AS ☐ Minor ☐ Major

Residential accessory breakdown, if applicable: _____

Location: N S E W corner side end of _____,

_____ ft. N S E W of _____,

in _____ Township

Frontage: _____ Depth: _____ Area: _____ acres

Subdivision and lot number, if applicable: _____

Present use: _____

Developmental Variance — Questionnaire

Name: Javier Soto

- 1) Tell us what you want to do. build a garage/storage building
30' x 60' x 24' high
- 2) Tell us why you can't change what you're doing so you don't need a variance. because I
don't have enough storage room
- 3) Tell us why the variance won't hurt your neighbors or the community. its a building
to store my materials it will help
the area to look cleaner and organize
- 4) Does the property need well and septic? Well: ☐ Y ☒ N Septic: ☐ Y ☒ N
Does the property need a new septic system? ☐ Y ☒ N
If a new septic system is needed, did the Health Department say there's enough space for it? ☐ Y ☐ N
- 5) Does the application include variances to allow for buildings or additions? ☒ Y ☐ N If yes, fill out below.
Building or addition 1 Size and height to the peak: 30'W x 60'2 x 24'H
Tell us what you'll use it for. storage
Building or addition 2 Size and height to the peak: _____
Tell us what you'll use it for. _____
Building or addition 3 Size and height to the peak: _____
Tell us what you'll use it for. _____
- 6) Does the application include a variance for a residence on property with no road frontage? ☐ Y ☒ N
If yes, fill out below.
Is the easement existing? ☐ Y ☐ N If the easement is existing, is it recorded? ☐ Y ☐ N
Tell us who owns (will own) the land under the easement. _____
Tell us how many parcels will use the easement. _____
- 7) Does the application include variances for signs? ☐ Y ☒ N If yes, fill out below.
Sign 1 Dimensions (length and width): _____
Existing? ☐ Y ☐ N Double faced? ☐ Y ☐ N
Electronic message board? ☐ Y ☐ N If no, lighted? ☐ Y ☐ N
Freestanding? ☐ Y ☐ N Wall mounted? ☐ Y ☐ N
Sign 2 Dimensions (length and width): _____
Existing? ☐ Y ☐ N Double faced? ☐ Y ☐ N
Electronic message board? ☐ Y ☐ N If no, lighted? ☐ Y ☐ N
Freestanding? ☐ Y ☐ N Wall mounted? ☐ Y ☐ N
Sign 3 Dimensions (length and width): _____
Existing? ☐ Y ☐ N Double faced? ☐ Y ☐ N
Electronic message board? ☐ Y ☐ N If no, lighted? ☐ Y ☐ N
Freestanding? ☐ Y ☐ N Wall mounted? ☐ Y ☐ N
- 8) Does the application include a variance for parking spaces? ☐ Y ☒ N
If yes, tell us how many total there will be. _____
- 9) Tell us anything else you want us to know. _____

Application

Site address: 25201 CR 6 Elkhart IN

Parcel number(s): _____

Current property owner

Name: Javier Soto

Address: 25201 CR 6 Elkhart IN

Phone: 574-575-1281 Email: Javierisfishingnow@live

Other party ☐ Agent ☐ Buyer ☐ Land contract purchaser ☐ Lessee .com

Name: _____

Address: _____

Phone: _____ Email: _____

By signing below, I understand that if my application is approved, there may be conditions that will have to be met before approval is final and building permits can be started. I also understand that the conditions may include a commitment that the property owner is responsible for completing and returning.

Signature of current property owner or authorized agent: Javier Soto

Staff Use Only

Description: _____

Parcel creation date: 03/01/1962

Subdivision required? ☐ Y ☐ N If yes, ☐ AS ☐ Minor ☐ Major

Residential accessory breakdown, if applicable: _____

Location: N S E W corner side end of _____

_____ ft. N S E W of _____

in _____ Township

Frontage: _____ Depth: _____ Area: _____ acres

Subdivision and lot number, if applicable: _____

Present use: _____

Special Use — Questionnaire

Name: Javier Soto

1) Tell us what you want to do. build a garage or storage building
20' X 60' X 24' H

2) Tell us why this activity won't hurt your neighbors or the community. one of my neighbors has a building about the same size but it doesn't hurt any of our properties and it will help make our community look better because all my materials I have now

3) Is there a subdivision covenant that says you can't do this activity? ☐ Y ☒ N will be inside

If yes, does the subdivision have an active homeowners' association? ☐ Y ☐ N

4) Will the activity create noise, vibration, smoke, dust, odor, heat, or glare? ☐ Y ☐ N If yes, fill out below.

Tell us what will create those things. The building once it's done

will not create any of the above it will create noise while

building it
 Tell us how you'll reduce the impact of those things on neighbors. all of my neighbors work during the time I'll be building my storage buildings

5) Will there be buffering (fences, trees, shrubs, mounds)? ☐ Y ☐ N

If yes, tell us about it. I have trees on the west and a fence on the east but I don't think any of it is necessary

6) Does the property need well and septic? Well: ☐ Y ☒ N Septic: ☐ Y ☐ N

Does the property need a new septic system? ☐ Y ☒ N

If a new septic system is needed, did the Health Department say there's enough space for it? ☐ Y ☐ N

7) Will the activity use buildings or additions? ☒ Y ☐ N If yes, fill out below.

Building or addition 1 Existing? ☐ Y ☒ N Size and height to the peak: 30' 24' W X 60 L

Tell us what you'll use it for. 2x4 pine boards and concrete floor and siding

Building or addition 2 Existing? ☐ Y ☐ N Size and height to the peak: metal roof

Tell us what you'll use it for. _____

Building or addition 3 Existing? ☐ Y ☐ N Size and height to the peak: _____

Tell us what you'll use it for. _____

8) Does this application include animals? ☐ Y ☒ N

If yes, tell us what kind and how many of each. _____

Next page ➡

Special Use — Questionnaire

- 9) Does this application include a business or nonprofit (church, school, other) based all or in part on this property? ☒ Y ☐ N If yes, fill out below.

How many employees do you have now? Full time: 2 Part time: _____

How many employees do you want? Full time: _____ Part time: _____

How many of the employees won't live onsite? _____

What will be the days and hours of operation on this property? 8-5 pm

How many parking spaces do you have now? N/A

How many parking spaces do you want? N/A

Will there be outside storage or display areas on this property? ☐ Y ☒ N

If yes, tell us what will be stored outside or displayed. _____

Will there be retail sales on this property? ☐ Y ☒ N

If yes, tell us what will be sold. _____

Approximately how many customers (clients, guests, students, members) will be on this property per day? _____

Will there be pickups or deliveries on this property? ☐ Y ☒ N If yes, fill out below.

Tell us how often. _____

Tell us the kind of vehicles used. _____

Does the application include signs? ☐ Y ☒ N If yes, fill out below.

Sign 1 Dimensions (length and width). _____

Existing? ☐ Y ☐ N Double faced? ☐ Y ☐ N

Electronic message board? ☐ Y ☐ N If no, lighted? ☐ Y ☐ N

Freestanding? ☐ Y ☐ N Wall mounted? ☐ Y ☐ N

Sign 2 Dimensions (length and width). _____

Existing? ☐ Y ☐ N Double faced? ☐ Y ☐ N

Electronic message board? ☐ Y ☐ N If no, lighted? ☐ Y ☐ N

Freestanding? ☐ Y ☐ N Wall mounted? ☐ Y ☐ N

Sign 3 Dimensions (length and width). _____

Existing? ☐ Y ☐ N Double faced? ☐ Y ☐ N

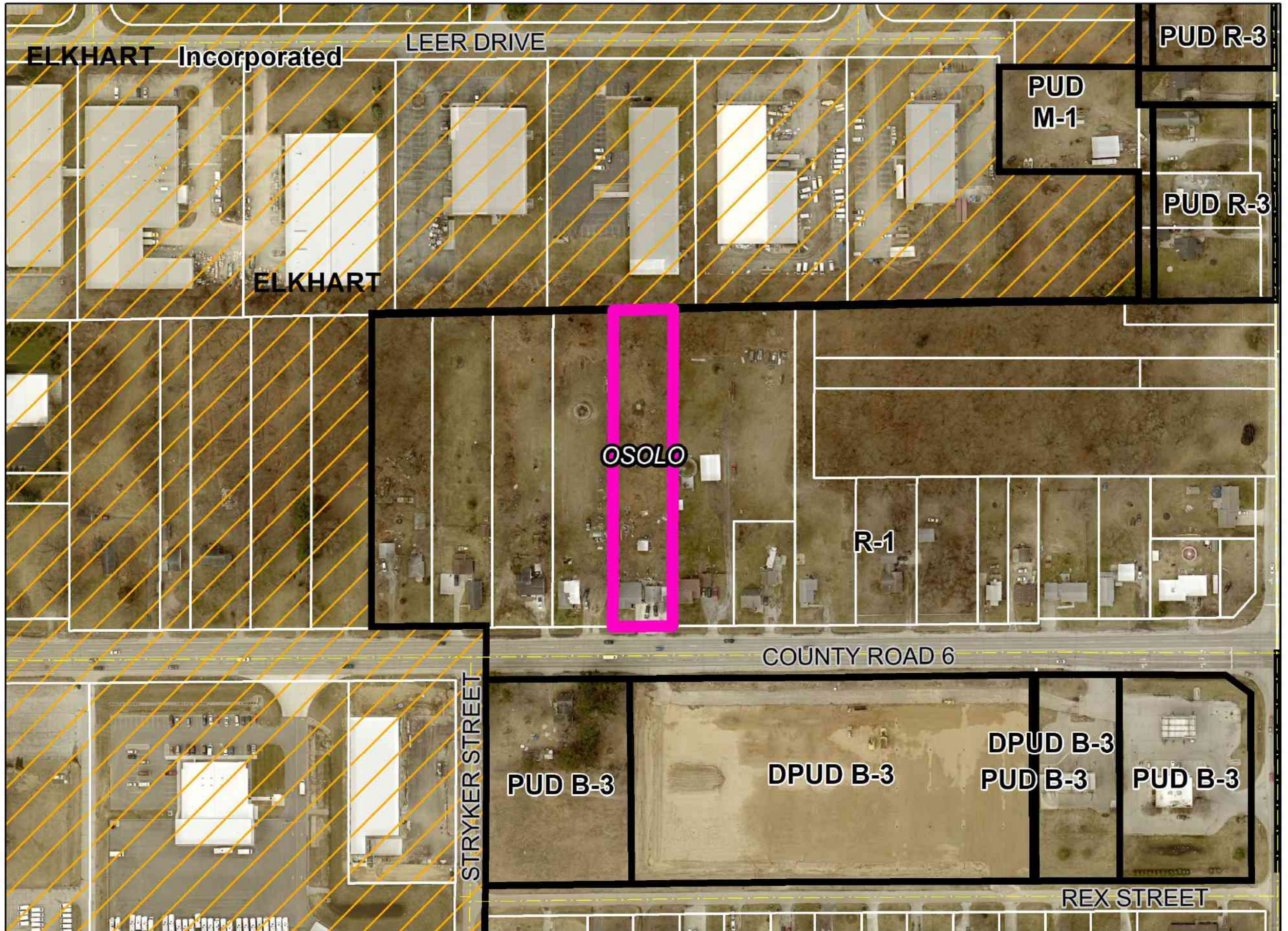
Electronic message board? ☐ Y ☐ N If no, lighted? ☐ Y ☐ N

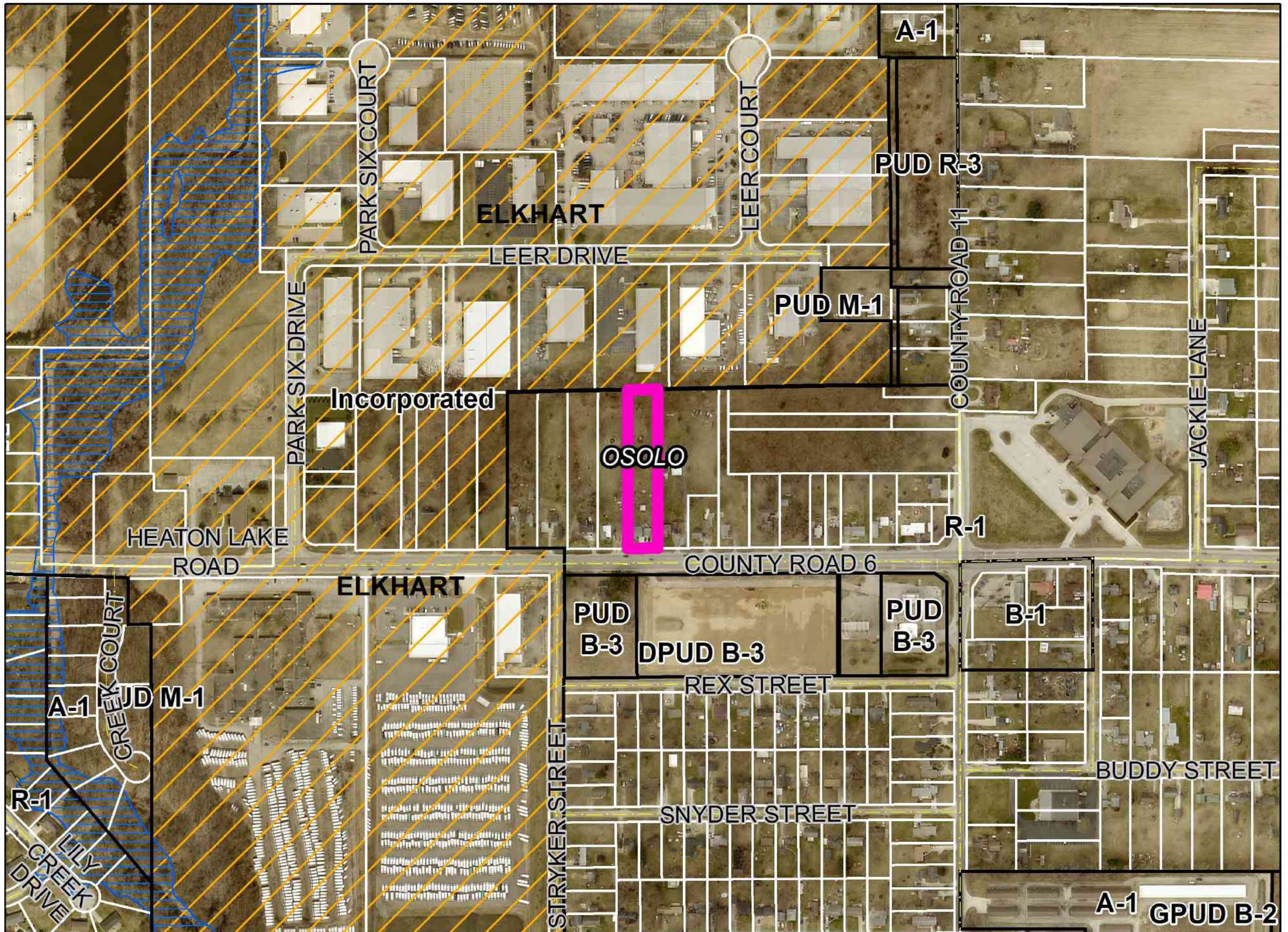
Freestanding? ☐ Y ☐ N Wall mounted? ☐ Y ☐ N

- 10) Tell us anything else you want us to know. _____



Incorporated







Subject Property



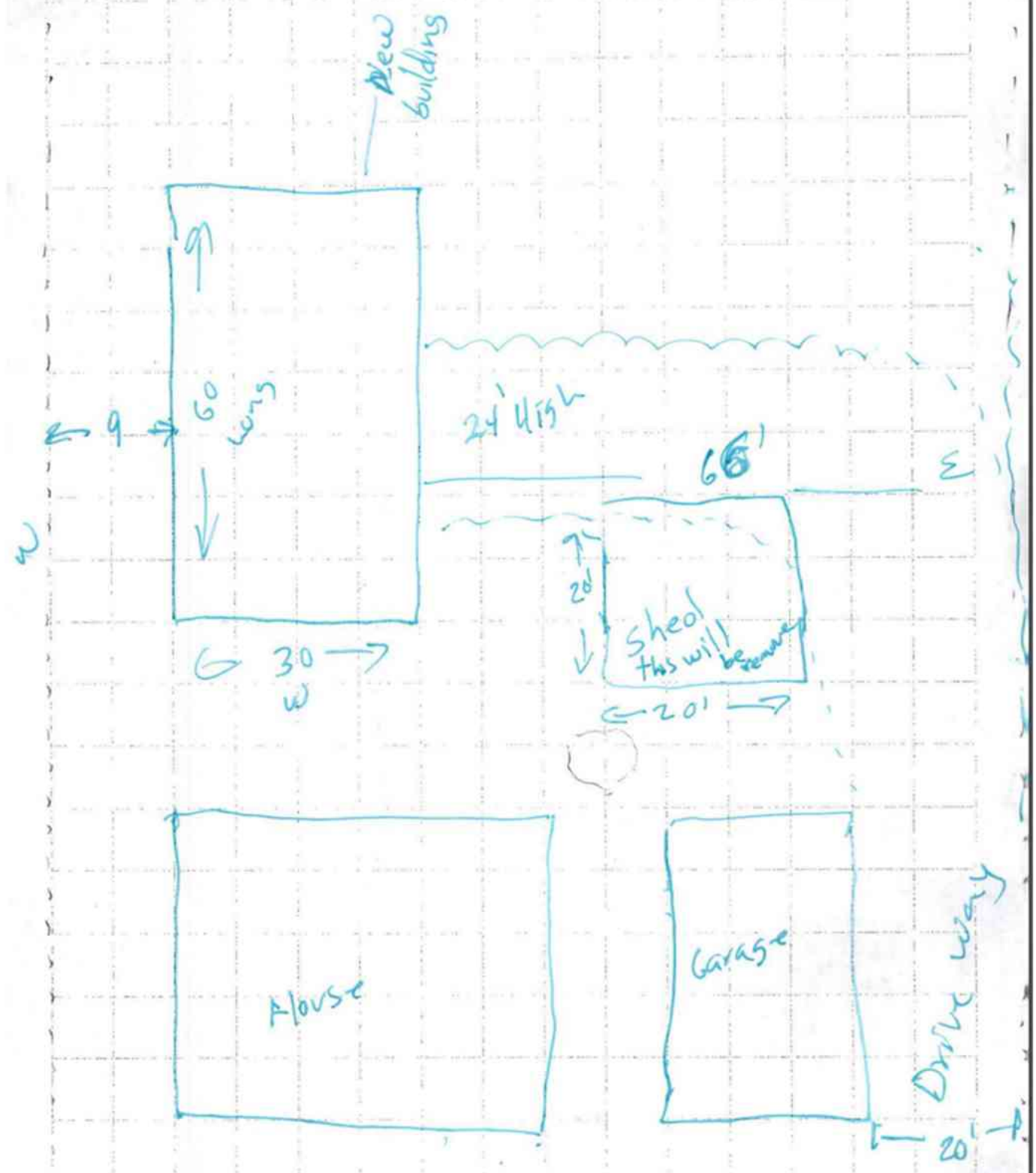
Looking west



Looking east



Looking south



SCR 6

FEB - 5 2024

FEB - 5 2024

BZA Staff Report

Prepared by the Department of Planning and Development

Hearing Date: March 21, 2024

Transaction Number: SUP-0074-2024.

Parcel Number(s): 20-07-13-126-007.000-019.

Existing Zoning: A-1.

Petition: For an amendment to an existing Special Use for a home workshop/business for dog grooming to allow for the construction of a new building, for a Special Use for a kennel, and for a Developmental Variance to allow for the total square footage of accessory structures to exceed that allowed by right.

Petitioner: Jennifer M. Smith, formerly known as Jennifer M. Kveton.

Location: South side of US 20, 1,220 ft. east of CR 29, in Jefferson Township.

Site Description:

- Physical Improvement(s) – Residence, accessory structure.
- Proposed Improvement(s) – Accessory structure addition.
- Existing Land Use – Residential.
- Surrounding Land Use – Residential, agricultural, major highway.

History and General Notes:

- **February 18, 2021** – The BZA approved a Special Use for a home workshop/business for a dog grooming business. No kenneling and no new structures were needed for the business at the time.

Staff Analysis:

For an amendment to an existing Special Use for a home workshop/business for dog grooming to allow for the construction of a new building and for a Special Use for a kennel, staff finds that:

1. The Special Use and Special Use Amendment will be consistent with the spirit, purpose, and intent of the Zoning Ordinance. A Special Use for a kennel is allowed in the A-1 zone.
2. The Special Use and Special Use Amendment will not cause substantial and permanent injury to the appropriate use of neighboring property. The home and proposed kennel are surrounded on three sides by open area and highway, and the kennel meets all setback requirements.
3. The Special Use and Special Use Amendment will substantially serve the public convenience and welfare by providing for additional pet services on a major highway.

BZA Staff Report (Continued)

Hearing Date: March 21, 2024

Staff recommends **APPROVAL** with the following condition(s) imposed:

1. The Elkhart County Advisory Board of Zoning Appeals approval shall not be effective until the Commitment form has been executed, recorded, and returned to the Elkhart County Advisory Board of Zoning Appeals staff for placement in the petition file.
2. A revised site plan must be submitted for staff approval showing the correct dimensions of the existing accessory structure (28×40).

Staff recommends **APPROVAL** with the following commitment(s) imposed:

1. The request is approved in accordance with the revised site plan described above and as represented in the Special Use application.

For a Developmental Variance to allow for the total square footage of accessory structures to exceed that allowed by right, staff finds that:

1. Approval of the request will not be injurious to public health, safety, morals, or general welfare. The proposed building is well separated from US 20 and the two houses to the west and southwest, and the total requested accessory area is 575 sq. ft. over what is allowed by right.
2. Approval of the request will not cause substantial adverse effect on neighboring property. The configuration of the lots west of the subject property prevents any new homesite along the petitioner's west property line, and there are no homesites north, south, or east.
3. Strict application of the terms of the Zoning Ordinance would result in an unnecessary hardship in the use of the property. This is a small, isolated neighborhood of large homesites at the southeast corner of CR 29 and US 20, and there is at least one other accessory structure of this scale in the neighborhood.

Staff recommends **APPROVAL** with the following condition(s) imposed:

1. A variance from the developmental standards of the Zoning Ordinance is void unless an Improvement Location Permit is issued within 180 calendar days from the date of the grant and construction work completed within 1 year from the date of the issuance of the building permit (where required).
2. The request is approved in accordance with the revised site plan described above and as represented in the Developmental Variance application.

SUP-0074-2024

PLAN COMMISSION & BOARD OF ZONING APPEALS

Special Use Amendment - Non Mobile Home

Elkhart County Planning & Development
Public Services Building
4230 Elkhart Road, Goshen, Indiana, 46526
Phone - (574) 971-4678
Fax - (574) 971-4578

Date: 02/12/2024 Meeting Date: March 21, 2024 Transaction #: SUP-0074-2024
Board of Zoning Appeals Public Hearing

Description: for an Amendment to an existing Special Use for a home workshop/business for dog grooming to allow for the construction of a new building, for a Special Use for a kennel, and for a Developmental Variance to allow for the total square footage of accessory structures to exceed that allowed by right

Contacts: <u>Applicant</u>	<u>Land Owner</u>
Jennifer M. Smith, Formerly Known As Jennifer M. Kveton Po Box 1533 Middlebury, IN 46540	Jennifer M. Smith, Formerly Known As Jennifer M. Kveton Po Box 1533 Middlebury, IN 46540

Site Address: 16504 Us Highway 20
GOSHEN, IN 46528

Parcel Number: 20-07-13-126-007.000-019

Township: Jefferson
Location: SOUTH SIDE OF US 20, 1,220 FT. EAST OF CR 29

Subdivision: Lot #

Lot Area: 2.77 Frontage: 218.34 Depth: 529.68

Zoning: A-1 NPO List:

Present Use of Property: RESIDENCE

Legal Description:

Comments: SEE APPROVED SPECIAL USE SUP-0053-2021: A SPECIAL USE FOR A HOME BUSINESS/WORKSHOP FOR A DOG GROOMING BUSINESS
PARCEL CREATED 5/15/12 A MINOR SUBDIVISION IS REQUIRED (DANNY IS LOOKING INTO IF A MINOR IS REQUIRED AS THIS MAY NOT BE NEEDED AS THE SPLIT MAY BE THE EXCEPTION WHERE THE PROPERTY WAS ABSORBED INTO THE EXISTING PROPERTY)
RESIDENCE IS 3,376 SQ. FT. WITH 110% IS 3,713 SQ. FT. MINUS AN ATTACHED GARAGE 768 AND A DETACHED GARAGE 1,120 SQ. FT. LEAVES 1,825 SQ. FT. MINUS THE PROPOSED NEW ADDITION OF 2,400 SQ. FT. IS OVER THE ALLOWED BY RIGHT OF 574 SQ. FT.
A NEW SITE PLAN IS REQUIRED

Applicant Signature:

Department Signature:

February 12, 2024 2:11pm

Application

Site address: 116504 US 20 Goshen In 46528

Parcel number(s): _____

Current property owner

Name: Jennifer Smith

Address: 116504 US 20 Goshen In 46528

Phone: 574-218-1807

Email: Furbabies218@yahoo.com

Other party

☐ Agent

☐ Buyer

☐ Land contract purchaser

☐ Lessee

Name: N/A

Address: _____

Phone: _____

Email: _____

By signing below, I understand that if my application is approved, there may be conditions that will have to be met before approval is final and building permits can be started. I also understand that the conditions may include a commitment that the property owner is responsible for completing and returning.

Signature of current property owner or authorized agent: Jennifer Smith

Staff Use Only

Description: _____

Parcel creation date: 5-15-2012

Subdivision required?

☒ Y

☐ N

If yes,

☐ AS

☒ Minor

☐ Major

Residential accessory breakdown, if applicable:

Residence is 3,376 w/ 110% is 3,713

minus attached garage of 768 & detached garage of 1120 leaves 1825
minus the proposed new addition of 2400 is over allowed by right of
574 sq. ft.

Location: N (S) E W corner (side) end of US 20

1,220 ft. N S (E) W of CR 29

in Jefferson Township

Frontage: 218.34 Depth: 529.68 Area: 2.771 acres

Subdivision and lot number, if applicable: _____

Present use: Residential

Application

Site address: 16504 US 20 Goshen IN 46528

Parcel number(s): _____

Current property owner

Name: Jennifer Smith

Address: 16504 US 20 Goshen-

Phone: 574-218-1807

Email: Furbabies218@yahoo.com

Other party

☐ Agent

☐ Buyer

☐ Land contract purchaser

☐ Lessee

Name: N/A

Address: _____

Phone: _____

Email: _____

By signing below, I understand that if my application is approved, there may be conditions that will have to be met before approval is final and building permits can be started. I also understand that the conditions may include a commitment that the property owner is responsible for completing and returning.

Signature of current property owner or authorized agent:

Jennifer Smith

Staff Use Only

Description: _____

Parcel creation date: _____

Subdivision required?

☐ Y

☐ N

If yes,

☐ AS

☐ Minor

☐ Major

Residential accessory breakdown, if applicable: _____

Location: N S E W corner side end of _____

ft.

N

S

E

W

of

in

Township

Frontage: _____

Depth: _____

Area: _____

acres

Subdivision and lot number, if applicable: _____

Present use: _____

Special Use — Questionnaire

Name: _____

1) Tell us what you want to do. Dog boarding & Daycare

2) Tell us why this activity won't hurt your neighbors or the community. not close to property lines not close to their homes - will install privacy fence

3) Is there a subdivision covenant that says you can't do this activity? ☐ Y ☒ N
If yes, does the subdivision have an active homeowners' association? ☐ Y ☐ N

4) Will the activity create noise, vibration, smoke, dust, odor, heat, or glare? ☒ Y ☐ N If yes, fill out below.
Tell us what will create those things. possible minor dog barking

Tell us how you'll reduce the impact of those things on neighbors. being present with dogs to mitigate barking

5) Will there be buffering (fences, trees, shrubs, mounds)? ☒ Y ☐ N

If yes, tell us about it. privacy fence will be installed existing tree line & shrubs

6) Does the property need well and septic? Well: ☒ Y ☐ N Septic: ☒ Y ☐ N

Does the property need a new septic system? ☐ Y ☐ N Not sure

If a new septic system is needed, did the Health Department say there's enough space for it? ☐ Y ☐ N

7) Will the activity use buildings or additions? ☒ Y ☐ N If yes, fill out below.

Building or addition 1 Existing? ☒ Y ☒ N Size and height to the peak: _____

Tell us what you'll use it for. Possible future boarding

Building or addition 2 Existing? ☒ Y ☐ N Size and height to the peak: _____

Tell us what you'll use it for. Daycare & boarding for dogs

Building or addition 3 Existing? ☐ Y ☐ N Size and height to the peak: _____

Tell us what you'll use it for. _____

8) Does this application include animals? ☒ Y ☐ N

If yes, tell us what kind and how many of each. Dogs - up to 15

Next page ➡

Special Use — Questionnaire

- 9) Does this application include a business or nonprofit (church, school, other) based all or in part on this property? ☐ Y ☒ N If yes, fill out below.

How many employees do you have now? Full time: 0 Part time:

How many employees do you want? Full time: 1 Part time: 1

How many of the employees won't live onsite? All

What will be the days and hours of operation on this property? 8-5 M-Sa

How many parking spaces do you have now? 6

How many parking spaces do you want? 6

Will there be outside storage or display areas on this property? ☐ Y ☒ N

If yes, tell us what will be stored outside or displayed. _____

Will there be retail sales on this property? ☐ Y ☒ N

If yes, tell us what will be sold. _____

Approximately how many customers (clients, guests, students, members) will be on this property per day?

up to 15

Will there be pickups or deliveries on this property? ☒ Y ☐ N If yes, fill out below.

Tell us how often. Daily

Tell us the kind of vehicles used. Cars / trucks

Does the application include signs? ☐ Y ☒ N If yes, fill out below.

Sign 1 Dimensions (length and width).

Existing? ☐ Y ☐ N Double faced? ☐ Y ☐ N

Electronic message board? ☐ Y ☐ N If no, lighted? ☐ Y ☐ N

Freestanding? ☐ Y ☐ N Wall mounted? ☐ Y ☐ N

Sign 2 Dimensions (length and width).

Existing? ☐ Y ☐ N Double faced? ☐ Y ☐ N

Electronic message board? ☐ Y ☐ N If no, lighted? ☐ Y ☐ N

Freestanding? ☐ Y ☒ N Wall mounted? ☐ Y ☒ N

Sign 3 Dimensions (length and width). _____

Existing? ☐ Y ☐ N Double faced? ☐ Y ☐ N

Electronic message board? ☐ Y ☐ N If no, lighted? ☐ Y ☐ N

Freestanding? ☐ Y ☐ N Wall mounted? ☐ Y ☐ N

- 10) Tell us anything else you want us to know.

Developmental Variance — Questionnaire

Name: Jennifer Smith

1) Tell us what you want to do. Dog boarding & Daycare

2) Tell us why you can't change what you're doing so you don't need a variance. expanding current business

3) Tell us why the variance won't hurt your neighbors or the community. will install privacy fence - away from property lines, existing trees & shrubs

4) Does the property need well and septic? Well: ☒ Y ☐ N Septic: ☒ Y ☐ N

Does the property need a new septic system? ☐ Y ☐ N not sure

If a new septic system is needed, did the Health Department say there's enough space for it? ☐ Y ☐ N

5) Does the application include variances to allow for buildings or additions? ☒ Y ☐ N If yes, fill out below.

Building or addition 1

Size and height to the peak: 48 x 50

Tell us what you'll use it for.

Dog boarding & daycare

Building or addition 2

Size and height to the peak: _____

Tell us what you'll use it for. _____

Building or addition 3

Size and height to the peak: _____

Tell us what you'll use it for. _____

6) Does the application include a variance for a residence on property with no road frontage? ☐ Y ☒ N

If yes, fill out below.

Is the easement existing? ☐ Y ☐ N If the easement is existing, is it recorded? ☐ Y ☐ N

Tell us who owns (will own) the land under the easement. _____

Tell us how many parcels will use the easement. _____

7) Does the application include variances for signs? ☐ Y ☒ N If yes, fill out below.

Sign 1 Dimensions (length and width): _____

Existing? ☐ Y ☐ N Double faced? ☐ Y ☐ N

Electronic message board? ☐ Y ☐ N If no, lighted? ☐ Y ☐ N

Freestanding? ☐ Y ☐ N Wall mounted? ☐ Y ☐ N

Sign 2 Dimensions (length and width): _____

Existing? ☐ Y ☐ N Double faced? ☐ Y ☐ N

Electronic message board? ☐ Y ☐ N If no, lighted? ☐ Y ☐ N

Freestanding? ☐ Y ☐ N Wall mounted? ☐ Y ☐ N

Sign 3 Dimensions (length and width): _____

Existing? ☐ Y ☐ N Double faced? ☐ Y ☐ N

Electronic message board? ☐ Y ☐ N If no, lighted? ☐ Y ☐ N

Freestanding? ☐ Y ☐ N Wall mounted? ☐ Y ☐ N

8) Does the application include a variance for parking spaces? ☐ Y ☒ N

If yes, tell us how many total there will be. _____

9) Tell us anything else you want us to know. _____

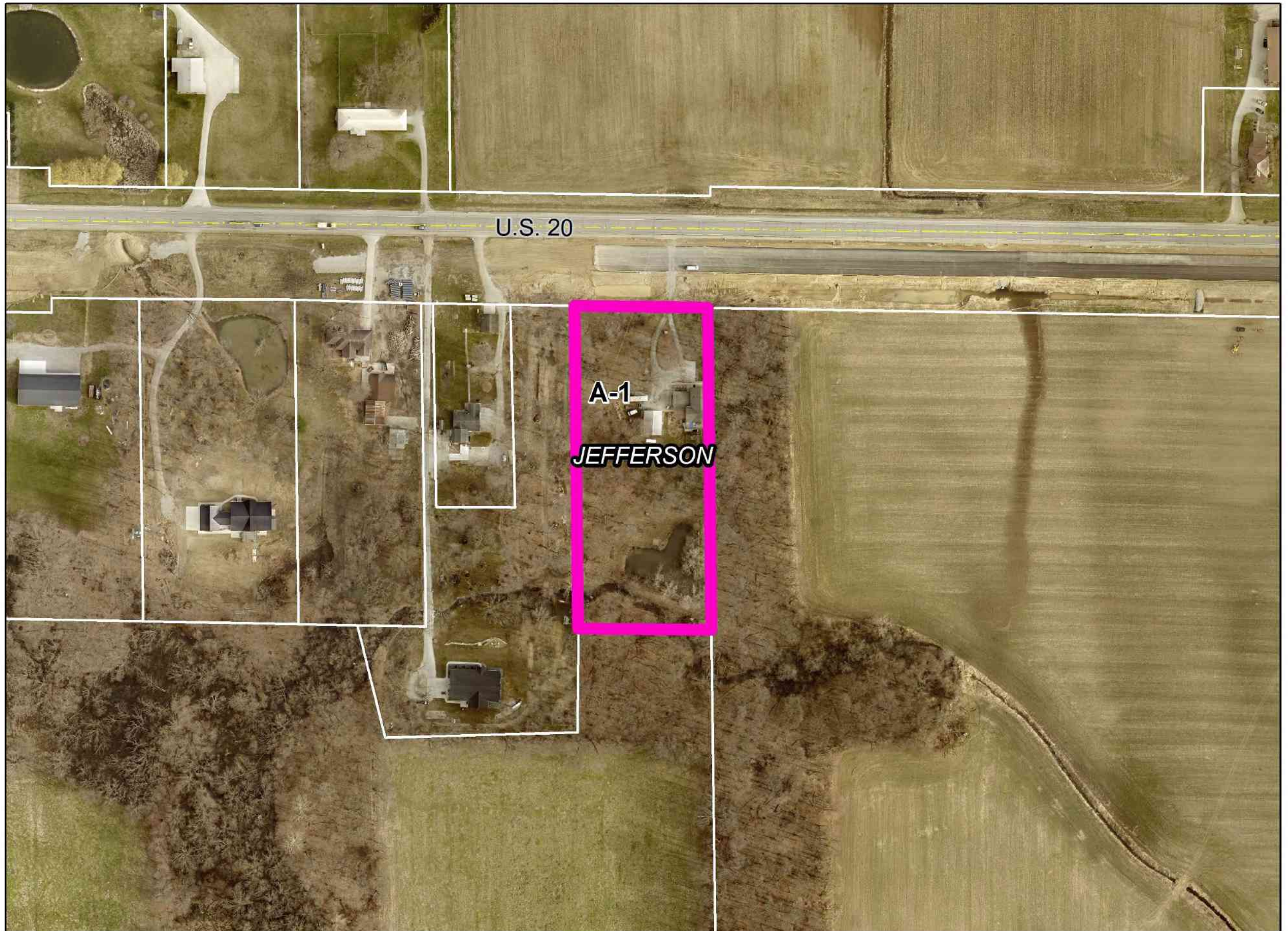
SUP-0074-2024

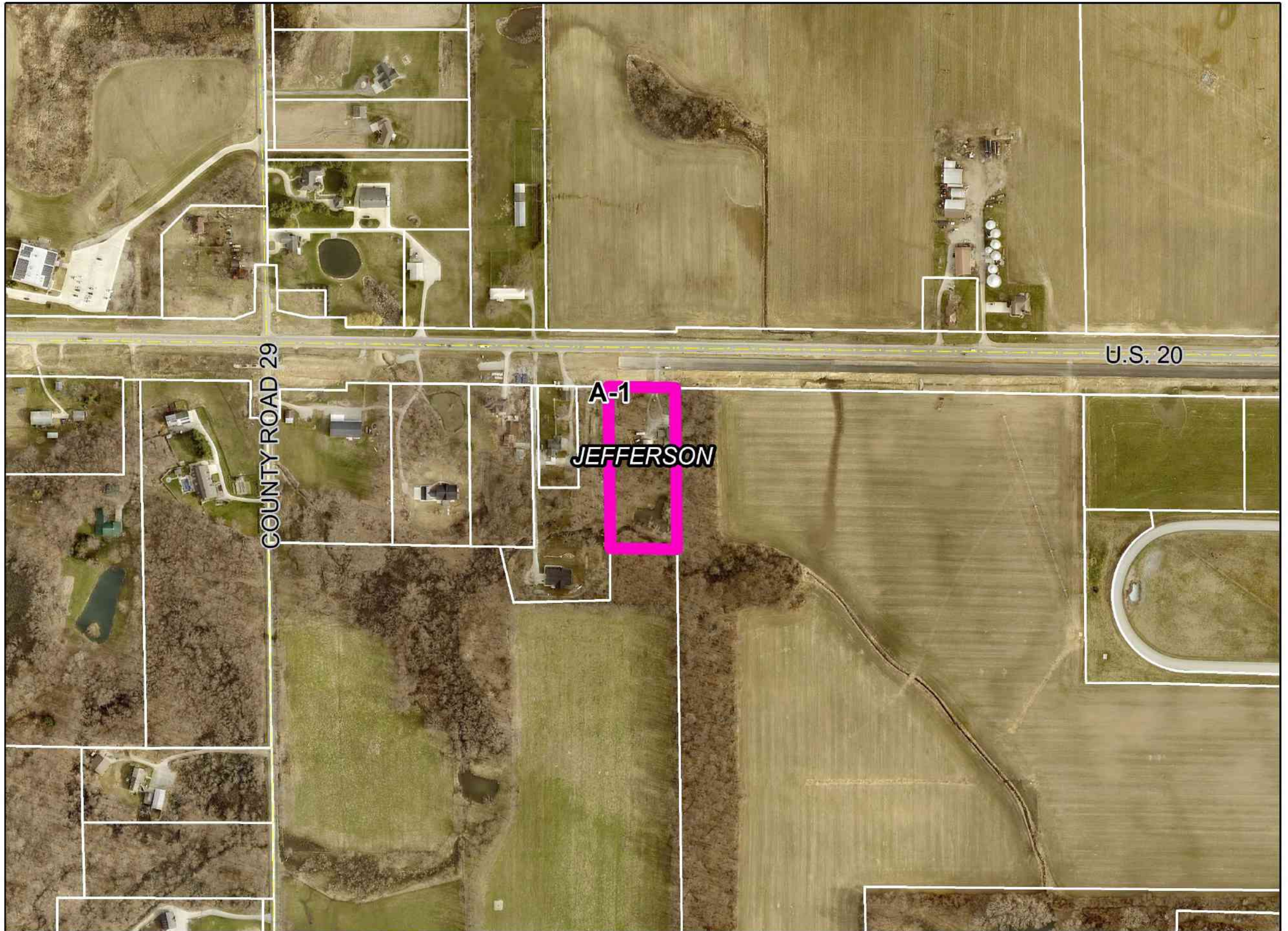


2021 Aerials

1 inch = 80 feet









Subject property



Building receiving addition



Looking north across US 20



Looking east

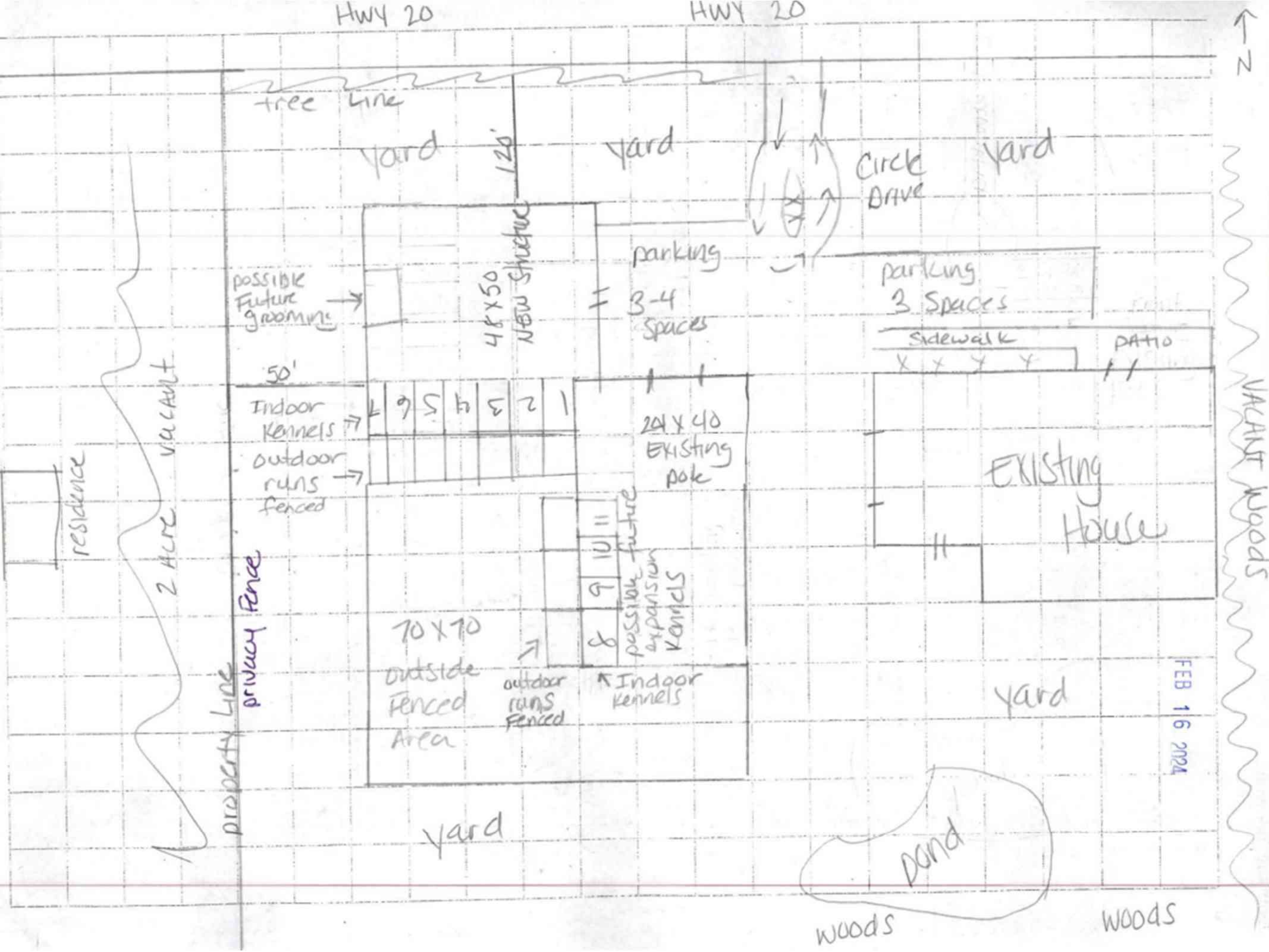


Looking west

HWY 20

HWY 20

↑
N



possible
Future
grooming

48x50
NEW STRUCTURE

parking
= 3-4
Spaces

Circle
Drive

parking
3 Spaces

Sidewalk
X X Y Y

PATIO
/ /

Indoor
Kennels
Outdoor
runs
fenced

1 2 3 4 5 6 7 8 9 10 11 12

24x40
EXISTING
pole

possible future
expansion
kennels

EXISTING
House

70x70
outside
Fenced
Area

outdoor
runs
Fenced

Indoor
Kennels

yard

yard

DOND
woods

woods

FEB 16 2024

BZA Staff Report

Prepared by the Department of Planning and Development

Hearing Date: March 21, 2024

Transaction Number: SUP-0072-2024.

Parcel Number(s): 20-15-23-226-008.000-018.

Existing Zoning: A-1.

Petition: for a Special Use for warehousing of a commercial vehicle & for a Developmental Variance to allow for the total square footage of accessory structures to exceed that allowed by right .

Petitioner: Aaron Lee Weaver & Mary Jane Weaver, Husband & Wife.

Location: West side of CR 127, 745 ft. South of CR 48 , in Jackson Township.

Site Description:

- Physical Improvement(s) – Residence, accessory structures.
- Proposed Improvement(s) –Accessory structures.
- Existing Land Use – Residential.
- Surrounding Land Use – Residential, agricultural.

History and General Notes:

- **1/29/24** – A complaint made for running a scrap yard and semi-truck parking was closed.
- **1/10/24** – A complaint made for junk and abandoned vehicles was closed.

Staff Analysis:

For a Special Use for warehousing of a commercial vehicle, staff finds that:

1. The Special Use will be consistent with the spirit, purpose, and intent of the Zoning Ordinance. Warehousing is allowed by special use in an A-1 zone.
2. The Special Use will not cause substantial and permanent injury to the appropriate use of neighboring property. The property is 3 acres and the petitioner is asking to store 2 commercial truck on his property.
3. The Special Use will substantially serve the public convenience and welfare by providing for a local transportation service.

BZA Staff Report (Continued)

Hearing Date: March 21, 2024

Staff recommends **APPROVAL** with the following condition(s) imposed:

1. The Elkhart County Advisory Board of Zoning Appeals approval shall not be effective until the Commitment form has been executed, recorded, and returned to the Elkhart County Advisory Board of Zoning Appeals staff for placement in the petition file.

Staff recommends **APPROVAL** with the following commitment(s) imposed:

1. The request is approved in accordance with the site plan submitted 02/12/2024 and as represented in the Special Use application.

For a Developmental Variance to allow for the total square footage of accessory structures to exceed that allowed by right, staff finds that:

1. Approval of the request will not be injurious to public health, safety, morals, or general welfare. The request is 1516 sq. ft. over what is allowed, and the proposed building will observe the correct setbacks to County Road 127.
2. Approval of the request will not cause substantial adverse effect on neighboring property. The property is in a residential and agricultural area and the property will remain residential in character.
3. Strict application of the terms of the Zoning Ordinance would result in an unnecessary hardship in the use of the property. The proposed accessory structure will allow for the storage of the commercial vehicles.

Staff recommends **APPROVAL** with the following condition(s) imposed:

1. A variance from the developmental standards of the Zoning Ordinance is void unless an Improvement Location Permit is issued within 1 year from the date of the grant and construction work completed within 1 year from the date of the issuance of the building permit (where required).
2. The request is approved in accordance with the site plan submitted 02/12/2024 and as represented in the Developmental Variance application.

PLAN COMMISSION & BOARD OF ZONING APPEALS

Special Use - Non Mobile Home

Elkhart County Planning & Development

Public Services Building

4230 Elkhart Road, Goshen, Indiana, 46526

Phone - (574) 971-4678

Fax - (574) 971-4578

Date: 02/12/2024

Meeting Date:

March 21, 2024

Board of Zoning Appeals Public Hearing

Transaction #:

SUP-0072-2024

Description: for a Special Use for warehousing and storage of commercial vehicles and for a Developmental Variance to allow for the total square footage of accessory structures to exceed that allowed by right

Contacts: Applicant

Aaron Lee Weaver & Mary
Jane Weaver, Husband & Wife
70151 Cr 127
IN SYRACUSE

Land Owner

Aaron Lee Weaver & Mary
Jane Weaver, Husband & Wife
70151 Cr 127
IN SYRACUSE

Site Address: 70151 Cr 127
SYRACUSE, IN 46567

Parcel Number: 20-15-23-226-008.000-018

Township: Jackson

Location: WEST SIDE OF CR 127, 745 FT. SOUTH OF CR 48

Subdivision:

Lot #

Lot Area: 3.08 Frontage: 292.01

Depth: 436.32

Zoning: A-1

NPO List:

Present Use of Property: RESIDENTIAL

Legal Description:

Comments: SEE IN COMPLIANCE CODE CASE CODE-0885-2023: RUNNING A SCRAP YARD & SEMI TRUCK PARKING
SEE IN COMPLIANCE CODE CASE CODE-0897-2023: JUNK & ABANDONED
PARCEL CREATED 5/13/2005 NO SUBDIVISION REQUIRED

Applicant Signature:



Department Signature:



Application

Site address: 70151 CR 127 Syracuse IN. 46567

Parcel number(s): 20-15-23-226-008. 000-018

Current property owner

Name: Aaron L Weaver

Address: 70151 CR 127 Syracuse IN. 46567

Phone: 574-538-7065

Email: Weaveraaron@yahoo.com

Other party

☐ Agent

☐ Buyer

☐ Land contract purchaser

☐ Lessee

Name: _____

Address: _____

Phone: _____

Email: _____

By signing below, I understand that if my application is approved, there may be conditions that will have to be met before approval is final and building permits can be started. I also understand that the conditions may include a commitment that the property owner is responsible for completing and returning.

Signature of current property owner or authorized agent: Aaron Weaver

Staff Use Only

Description: _____

Parcel creation date: 5-13-05

Subdivision required?

☐ Y

☒ N

If yes,

☐ AS

☐ Minor

☐ Major

Residential accessory breakdown, if applicable: Residence is 2200 w/200% is 4400

minus attached garage 576, detached garage 768, a shed 252 is 2804

minus proposed future building of 4,320 is over by 1516 sq ft.

Location: N S E (W) corner (side) end of CR 127

745

ft.

N (S) E W of

CR 48

in Jackson Township

Frontage: 292.01

Depth: 436.32

Area: 3.078 acres

Subdivision and lot number, if applicable: _____

Present use: A-1 Residential

Application

Site address: 20151 CR 127 Syracuse IN 46567
Parcel number(s): 20-15-23-226-008.000-018

Current property owner

Name: Aaron L. Weaver
Address: 20151 CR 127 Syracuse IN 46567
Phone: 574 538 7065 Email: weaverarlon@yahoo.com

Other party ☐ Agent ☐ Buyer ☐ Land contract purchaser ☐ Lessee

Name: _____
Address: _____
Phone: _____ Email: _____

By signing below, I understand that if my application is approved, there may be conditions that will have to be met before approval is final and building permits can be started. I also understand that the conditions may include a commitment that the property owner is responsible for completing and returning.

Signature of current property owner or authorized agent: Aaron L. Weaver

Staff Use Only

Description: _____

Parcel creation date: _____

Subdivision required? ☐ Y ☐ N If yes, ☐ AS ☐ Minor ☐ Major

Residential accessory breakdown, if applicable: _____

Location: N S E W corner side end of _____
_____ ft. N S E W of _____
in _____ Township

Frontage: _____ Depth: _____ Area: _____ acres

Subdivision and lot number, if applicable: _____

Present use: _____

Special Use — Questionnaire

Name: Aaron Weaver

1) Tell us what you want to do. I want to be able to park my trucks 2 in my own driveway

2) Tell us why this activity won't hurt your neighbors or the community. No danger or harm to anyone

3) Is there a subdivision covenant that says you can't do this activity? ☐ Y ☒ N
If yes, does the subdivision have an active homeowners' association? ☐ Y ☐ N

4) Will the activity create noise, vibration, smoke, dust, odor, heat, or glare? ☐ Y ☒ N If yes, fill out below.
Tell us what will create those things. Nothing but a truck running occasionally
Tell us how you'll reduce the impact of those things on neighbors. _____

5) Will there be buffering (fences, trees, shrubs, mounds)? ☒ Y ☐ N
If yes, tell us about it. There is a woods to the North Neighbor Terry and my house and pine tree's between the neighbor to the south of us William

6) Does the property need well and septic? Well: ☐ Y ☒ N Septic: ☐ Y ☒ N
Does the property need a new septic system? ☐ Y ☒ N
If a new septic system is needed, did the Health Department say there's enough space for it? ☐ Y ☐ N

7) Will the activity use buildings or additions? ☐ Y ☐ N If yes, fill out below.
Building or addition 1 Existing? ☐ Y ☐ N Size and height to the peak: _____
Tell us what you'll use it for. _____
Building or addition 2 Existing? ☐ Y ☐ N Size and height to the peak: _____
Tell us what you'll use it for. _____
Building or addition 3 Existing? ☐ Y ☐ N Size and height to the peak: _____
Tell us what you'll use it for. _____

8) Does this application include animals? ☐ Y ☒ N
If yes, tell us what kind and how many of each. _____

Next page ➡

Special Use — Questionnaire

- 9) Does this application include a business or nonprofit (church, school, other) based all or in part on this property? ☒ Y ☐ N If yes, fill out below.

How many employees do you have now? Full time: 1 Part time: _____

How many employees do you want? Full time: 1 Part time: _____

How many of the employees won't live onsite? 0

What will be the days and hours of operation on this property? Summer's I usually leave by 6 A.M. and usually home by 5 pm.

How many parking spaces do you have now? 2

How many parking spaces do you want? 2

Will there be outside storage or display areas on this property? ☒ Y ☐ N

If yes, tell us what will be stored outside or displayed. My truck's till I get a shop put up which I'm planning to do in the next year or 2

Will there be retail sales on this property? ☐ Y ☒ N

If yes, tell us what will be sold. _____

Approximately how many customers (clients, guests, students, members) will be on this property per day?

0

Will there be pickups or deliveries on this property? ☐ Y ☒ N If yes, fill out below.

Tell us how often. _____

Tell us the kind of vehicles used. _____

Does the application include signs? ☐ Y ☒ N If yes, fill out below.

Sign 1 Dimensions (length and width). _____

Existing? ☐ Y ☐ N Double faced? ☐ Y ☐ N

Electronic message board? ☐ Y ☐ N If no, lighted? ☐ Y ☐ N

Freestanding? ☐ Y ☐ N Wall mounted? ☐ Y ☐ N

Sign 2 Dimensions (length and width). _____

Existing? ☐ Y ☐ N Double faced? ☐ Y ☐ N

Electronic message board? ☐ Y ☐ N If no, lighted? ☐ Y ☐ N

Freestanding? ☐ Y ☐ N Wall mounted? ☐ Y ☐ N

Sign 3 Dimensions (length and width). _____

Existing? ☐ Y ☐ N Double faced? ☐ Y ☐ N

Electronic message board? ☐ Y ☐ N If no, lighted? ☐ Y ☐ N

Freestanding? ☐ Y ☐ N Wall mounted? ☐ Y ☐ N

- 10) Tell us anything else you want us to know. _____

Developmental Variance — Questionnaire

Name: Aaron Weaver

- 1) Tell us what you want to do. I would like to build a 60x72 pole building to park my trucks inside as well as maintaining them
- 2) Tell us why you can't change what you're doing so you don't need a variance. I have no desire to buy another piece of property just to have a place to park my trucks
- 3) Tell us why the variance won't hurt your neighbors or the community. I can't see how it would not more noise than a truck running occasionally

- 4) Does the property need well and septic? Well: ☐ Y ☒ N Septic: ☐ Y ☒ N
Does the property need a new septic system? ☐ Y ☒ N
If a new septic system is needed, did the Health Department say there's enough space for it? ☐ Y ☐ N

- 5) Does the application include variances to allow for buildings or additions? ☐ Y ☐ N If yes, fill out below.

Building or addition 1 Size and height to the peak: _____
Tell us what you'll use it for. _____

Building or addition 2 Size and height to the peak: _____
Tell us what you'll use it for. _____

Building or addition 3 Size and height to the peak: _____
Tell us what you'll use it for. _____

- 6) Does the application include a variance for a residence on property with no road frontage? ☐ Y ☐ N
If yes, fill out below.

Is the easement existing? ☐ Y ☐ N If the easement is existing, is it recorded? ☐ Y ☐ N

Tell us who owns (will own) the land under the easement. _____

Tell us how many parcels will use the easement. _____

- 7) Does the application include variances for signs? ☐ Y ☐ N If yes, fill out below.

Sign 1 Dimensions (length and width): _____

Existing? ☐ Y ☐ N Double faced? ☐ Y ☐ N

Electronic message board? ☐ Y ☐ N If no, lighted? ☐ Y ☐ N

Freestanding? ☐ Y ☐ N Wall mounted? ☐ Y ☐ N

Sign 2 Dimensions (length and width): _____

Existing? ☐ Y ☐ N Double faced? ☐ Y ☐ N

Electronic message board? ☐ Y ☐ N If no, lighted? ☐ Y ☐ N

Freestanding? ☐ Y ☐ N Wall mounted? ☐ Y ☐ N

Sign 3 Dimensions (length and width): _____

Existing? ☐ Y ☐ N Double faced? ☐ Y ☐ N

Electronic message board? ☐ Y ☐ N If no, lighted? ☐ Y ☐ N

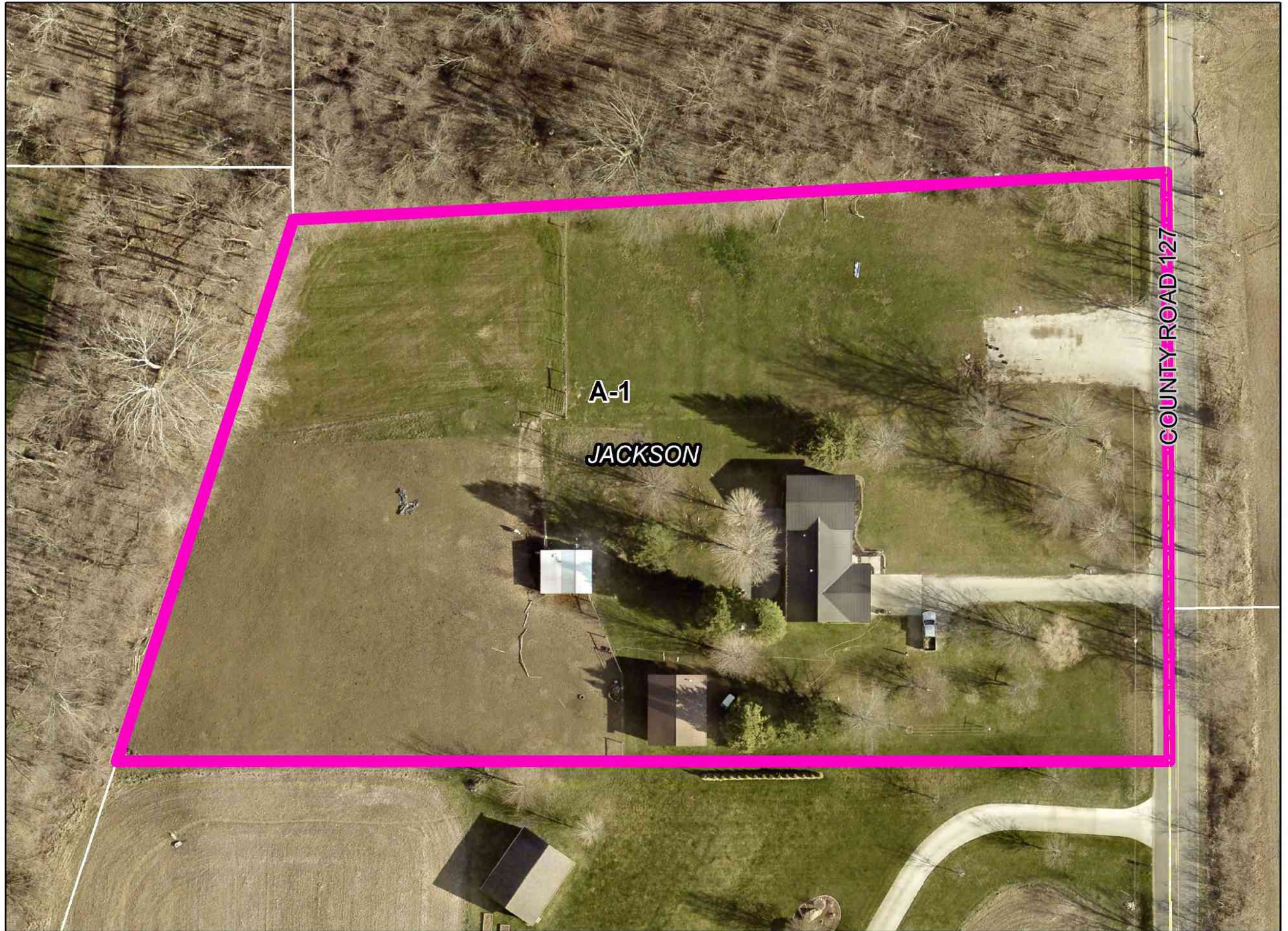
Freestanding? ☐ Y ☐ N Wall mounted? ☐ Y ☐ N

- 8) Does the application include a variance for parking spaces? ☐ Y ☐ N

If yes, tell us how many total there will be. _____

- 9) Tell us anything else you want us to know. _____

SUP-0072-2024



2021 Aerials

1 inch = 60 feet



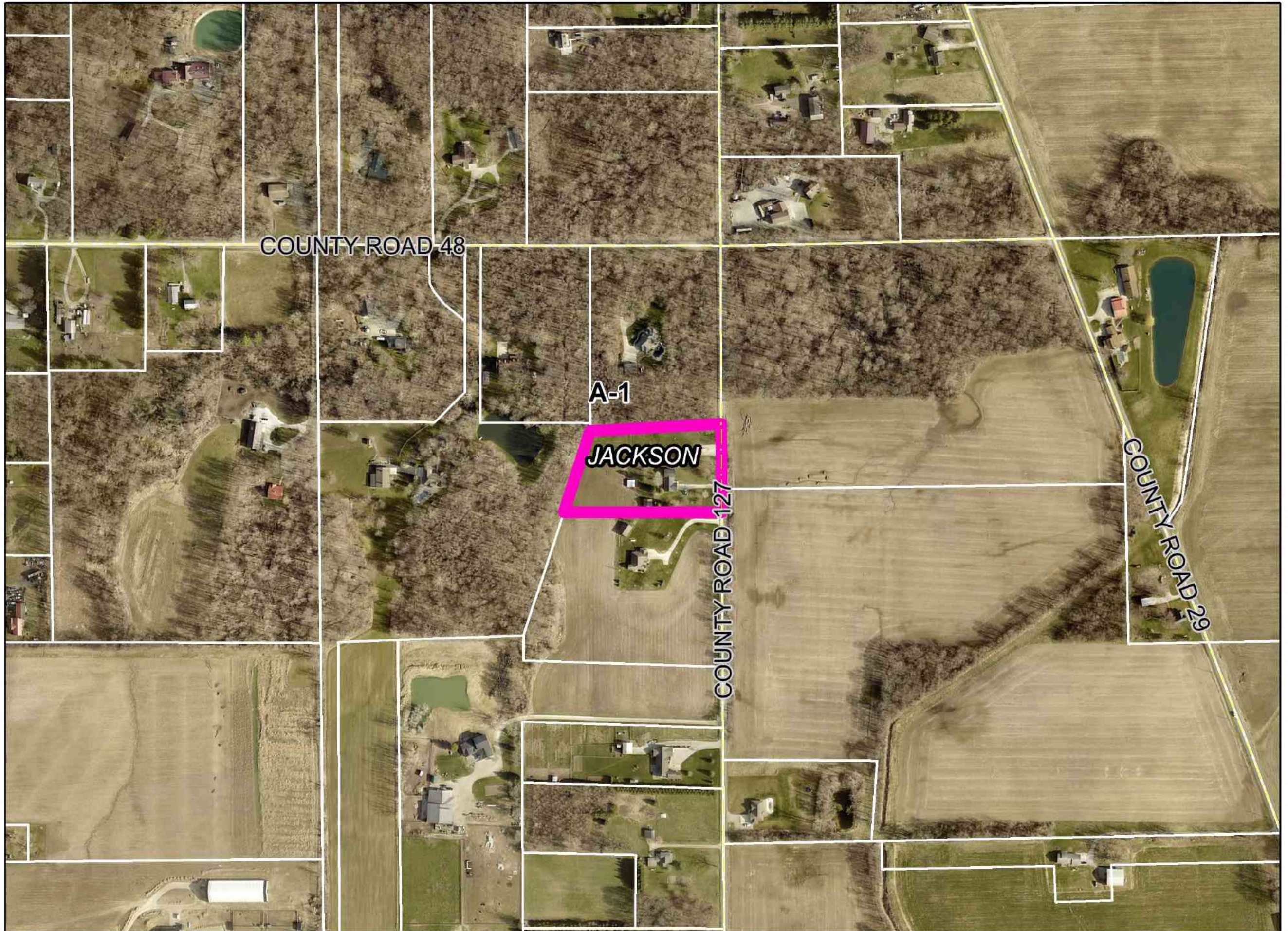
SUP-0072-2024



2021 Aerials

1 inch = 200 feet







Subject Property



Looking west



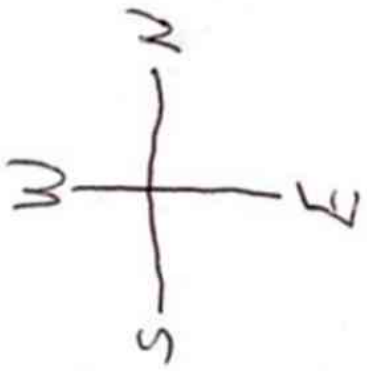
Looking east



Looking south

520

300 FT



1" = 100'
520'

Pony Barn
12' x 24'

12' x 24'
Garage

Horse.
75' x 125'

Proposed
Feature
Building
60' x 72'
25' to 30'
Stone
Drive
40' x 125'

75'

300' Front Yard

BZA Staff Report

Prepared by the Department of Planning and Development

Hearing Date: March 21, 2024

Transaction Number: SUP-0059-2024.

Parcel Number(s): 20-13-27-400-009.000-020.

Existing Zoning: A-1.

Petition: for a Use Variance to allow for the reconstruction of a second dwelling on a single zoning lot & for a Special Use for a home workshop/business for a powder coating business.

Petitioner: Wayne E. Borkholder & Irene Borkholder, Husband & Wife.

Location: East side of CR 100, 1,335 ft. South of CR 52, in Locke Township.

Site Description:

- Physical Improvement(s) – Two residences, accessory structures.
- Proposed Improvement(s) – Rebuild residence, accessory structure.
- Existing Land Use – Residential, agricultural.
- Surrounding Land Use – Residential, agricultural.

History and General Notes:

- None.

Staff Analysis:

For a Use Variance to allow for the reconstruction of a second dwelling on a single zoning lot, staff finds that:

1. The request will not be injurious to the public health, safety, morals, and general welfare of the community. The residences are existing, and the proposed replacement residence will be in the same position.
2. The use and value of the area adjacent to the subject property will not be affected in a substantially adverse manner. This is an existing configuration and the property has had no complaints.
3. A need for the Use Variance does arise from a condition that is peculiar to the property involved. The residences were built in 1880 and 1900, predating zoning in the county.
4. Strict enforcement of the terms of the Zoning Ordinance would constitute an unnecessary hardship if applied to the subject property. The placement of the residences would make it difficult to subdivide the property.
5. The Use Variance does not interfere substantially with the Elkhart County Comprehensive Plan. The property is residential and agricultural and will remain residential in character.

BZA Staff Report (Continued)

Hearing Date: March 21, 2024

Staff recommends **APPROVAL** with the following condition(s) imposed:

1. The Elkhart County Advisory Board of Zoning Appeals approval shall not be effective until the Commitment form has been executed, recorded, and returned to the Elkhart County Advisory Board of Zoning Appeals staff for placement in the petition file.

Staff recommends **APPROVAL** with the following commitment(s) imposed:

1. The request is approved in accordance with the site plan submitted 02/09/2024 and as represented in the Use Variance application.

For a Special Use for a home workshop/business for a powder coating business, staff finds that:

1. The Special Use will be consistent with the spirit, purpose, and intent of the Zoning Ordinance. A home workshop/business is allowed in the A-1 zone by special use.
2. The Special Use will not cause substantial and permanent injury to the appropriate use of neighboring property. This is a 76-acre parcel and the proposed business will be housed in buildings away from neighboring residences.
3. The Special Use will substantially serve the public convenience and welfare by providing for a local powder coating business.

Staff recommends **APPROVAL** with the following condition(s) imposed:

1. The Elkhart County Advisory Board of Zoning Appeals approval shall not be effective until the Commitment form has been executed, recorded, and returned to the Elkhart County Advisory Board of Zoning Appeals staff for placement in the petition file.

Staff recommends **APPROVAL** with the following commitment(s) imposed:

1. The request is approved in accordance with the site plan submitted 02/09/2024 and as represented in the Special Use application.

PLAN COMMISSION & BOARD OF ZONING APPEALS

Special Use - Non Mobile Home

Elkhart County Planning & Development

Public Services Building

4230 Elkhart Road, Goshen, Indiana, 46526

Phone - (574) 971-4678

Fax - (574) 971-4578

Date: 02/09/2024

Meeting Date:

March 21, 2024

Board of Zoning Appeals Public Hearing

Transaction #:

SUP-0059-2024

Description: a Special Use for a home workshop/business for a POWDER COATING BUSINESS and for a Use Variance to allow for a excessive square footage for accessory dwelling

Contacts: Applicant

Beechy Excavating Llc
8611 W 750 N
Etna Green, IN 46524

Land Owner

Wayne E. Borkholder & Irene
Borkholder H & W Borkholder
71772 Cr 100
Nappanee, IN 46550

Site Address: 71784 County Road 100
NAPPANEE, IN 46550

Parcel Number:

20-13-27-400-009.000-020

Township: Locke

Location: EAST SIDE OF CR 100, 2080 FT NORTH OF CR 52

Subdivision:

Lot #

Lot Area:

77.13

Frontage:

654.00

Depth:

2,620.00

Zoning: A-1

NPO List:

Present Use of Property: AG/RESIDENTIAL

Legal Description:

Comments: PARCEL CREATION DATE 9-6-74
BA-1238-2017 RENEWED DUE TO BE EXPIRED
ME-R-1722-2017

Applicant Signature:



Department Signature:



February 09, 2024 9:21 am

Application

Site address: 71784 CR 100

Parcel number(s): _____

Current property owner

Name: Joey Borkholder

Address: 71784 CR 100 Nappanee, IN. 46550

Phone: 574-780-8366 Email: _____

Other party ☒ Agent ☐ Buyer ☐ Land contract purchaser ☐ Lessee

Name: John Beechy

Address: 8611 W 750 N Etna Green, IN. 46524

Phone: 574-354-7690 Email: beechyexc@ibytax.com

By signing below, I understand that if my application is approved, there may be conditions that will have to be met before approval is final and building permits can be started. I also understand that the conditions may include a commitment that the property owner is responsible for completing and returning.

Signature of current property owner or authorized agent: 

Staff Use Only

Description: _____

Parcel creation date: _____

Subdivision required? ☐ Y ☐ N If yes, ☐ AS ☐ Minor ☐ Major

Residential accessory breakdown, if applicable: _____

Location: N S E W corner side end of _____,

_____ ft. N S E W of _____,

in _____ Township

Frontage: _____ Depth: _____ Area: _____ acres

Subdivision and lot number, if applicable: _____

Present use: _____

Special Use — Questionnaire

- 9) Does this application include a business or nonprofit (church, school, other) based all or in part on this property? ☒ Y ☐ N If yes, fill out below.

How many employees do you have now? Full time: 2 Part time: _____

How many employees do you want? Full time: 2 Part time: _____

How many of the employees won't live onsite? 1

What will be the days and hours of operation on this property? 6:00-2:00 PM - 5 days a week

How many parking spaces do you have now? 3

How many parking spaces do you want? 3

Will there be outside storage or display areas on this property? ☒ Y ☐ N

If yes, tell us what will be stored outside or displayed. Merchandise will be stored outside before and after powder coated.

Will there be retail sales on this property? ☐ Y ☒ N

If yes, tell us what will be sold. _____

Approximately how many customers (clients, guests, students, members) will be on this property per day?

4

Will there be pickups or deliveries on this property? ☒ Y ☐ N If yes, fill out below.

Tell us how often. 1-3 times a day

Tell us the kind of vehicles used. Pickup

Does the application include signs? ☐ Y ☒ N If yes, fill out below.

Sign 1 Dimensions (length and width). _____

Existing? ☐ Y ☐ N Double faced? ☐ Y ☐ N

Electronic message board? ☐ Y ☐ N If no, lighted? ☐ Y ☐ N

Freestanding? ☐ Y ☐ N Wall mounted? ☐ Y ☐ N

Sign 2 Dimensions (length and width). _____

Existing? ☐ Y ☐ N Double faced? ☐ Y ☐ N

Electronic message board? ☐ Y ☐ N If no, lighted? ☐ Y ☐ N

Freestanding? ☐ Y ☐ N Wall mounted? ☐ Y ☐ N

Sign 3 Dimensions (length and width). _____

Existing? ☐ Y ☐ N Double faced? ☐ Y ☐ N

Electronic message board? ☐ Y ☐ N If no, lighted? ☐ Y ☐ N

Freestanding? ☐ Y ☐ N Wall mounted? ☐ Y ☐ N

- 10) Tell us anything else you want us to know. The business will move to Gen Y Hitch this fall. That is who he works for now.

Special Use — Questionnaire

Name: _____

1) Tell us what you want to do. Variance for a Powder Coating business in the shop

2) Tell us why this activity won't hurt your neighbors or the community. Mostly, it's back off the road quite a bit. Not a lot of loud noise.

3) Is there a subdivision covenant that says you can't do this activity? ☐ Y ☒ N
If yes, does the subdivision have an active homeowners' association? ☐ Y ☐ N

4) Will the activity create noise, vibration, smoke, dust, odor, heat, or glare? ☒ Y ☐ N If yes, fill out below.
Tell us what will create those things. Generator will create some noise

Tell us how you'll reduce the impact of those things on neighbors. Generator is behind building for less noise for neighbors.

5) Will there be buffering (fences, trees, shrubs, mounds)? ☐ Y ☒ N
If yes, tell us about it. _____

6) Does the property need well and septic? Well: ☐ Y ☒ N Septic: ☐ Y ☒ N
Does the property need a new septic system? ☐ Y ☒ N
If a new septic system is needed, did the Health Department say there's enough space for it? ☐ Y ☐ N

7) Will the activity use buildings or additions? ☒ Y ☐ N If yes, fill out below.

Building or addition 1 Existing? ☒ Y ☐ N Size and height to the peak: 5,600 sq. ft. - 20' to peak
Tell us what you'll use it for. For Powder Coating business

Building or addition 2 Existing? ☒ Y ☐ N Size and height to the peak: 240 sq. ft. - 15' to peak
Tell us what you'll use it for. Generator for power for shop

Building or addition 3 Existing? ☐ Y ☐ N Size and height to the peak: _____
Tell us what you'll use it for. _____

8) Does this application include animals? ☐ Y ☒ N
If yes, tell us what kind and how many of each. _____

Next page ➡

Application

Site address: 71784 CR 100

Parcel number(s): _____

Current property owner

Name: Joey Borkholder

Address: 71784 CR 100 Nappanee, IN. 46550

Phone: 574-780-8366 Email: _____

Other party ☒ Agent ☐ Buyer ☐ Land contract purchaser ☐ Lessee

Name: John Beechy

Address: 8611 W 750 N Etna Green, IN. 46524

Phone: 574-354-7690 Email: beechyexc@ibytax.com

By signing below, I understand that if my application is approved, there may be conditions that will have to be met before approval is final and building permits can be started. I also understand that the conditions may include a commitment that the property owner is responsible for completing and returning.

Signature of current property owner or authorized agent: 

Staff Use Only

Description: _____

Parcel creation date: 9-6-74

Subdivision required? ☐ Y ☒ N If yes, ☐ AS ☐ Minor ☐ Major

Residential accessory breakdown, if applicable: _____

Location: N S E W corner side end of _____

_____ ft. N S E W of _____

in _____ Township

Frontage: _____ **Depth:** _____ **Area:** _____ acres

Subdivision and lot number, if applicable: _____

Present use: _____

Use Variance — Questionnaire

- 11) Does this application include a business or nonprofit (church, school, other) based all or in part on this property? ☐ Y ☒ N If yes, fill out below.

How many employees do you have now? Full time: _____ Part time: _____

How many employees do you want? Full time: _____ Part time: _____

How many of the employees won't live onsite? _____

What will be the days and hours of operation on this property? _____

How many parking spaces do you have now? _____

How many parking spaces do you want? _____

Will there be outside storage or display areas on this property? ☐ Y ☐ N

If yes, tell us what will be stored outside or displayed. _____

Will there be retail sales on this property? ☐ Y ☐ N

If yes, tell us what will be sold. _____

Approximately how many customers (clients, guests, students, members) will be on this property per day? _____

Will there be pickups or deliveries on this property? ☐ Y ☐ N If yes, fill out below.

Tell us how often. _____

Tell us the kind of vehicles used. _____

Does the application include signs? ☐ Y ☐ N If yes, fill out below.

Sign 1 Dimensions (length and width). _____

Existing? ☐ Y ☐ N Double faced? ☐ Y ☐ N

Electronic message board? ☐ Y ☐ N If no, lighted? ☐ Y ☐ N

Freestanding? ☐ Y ☐ N Wall mounted? ☐ Y ☐ N

Sign 2 Dimensions (length and width). _____

Existing? ☐ Y ☐ N Double faced? ☐ Y ☐ N

Electronic message board? ☐ Y ☐ N If no, lighted? ☐ Y ☐ N

Freestanding? ☐ Y ☐ N Wall mounted? ☐ Y ☐ N

Sign 3 Dimensions (length and width). _____

Existing? ☐ Y ☐ N Double faced? ☐ Y ☐ N

Electronic message board? ☐ Y ☐ N If no, lighted? ☐ Y ☐ N

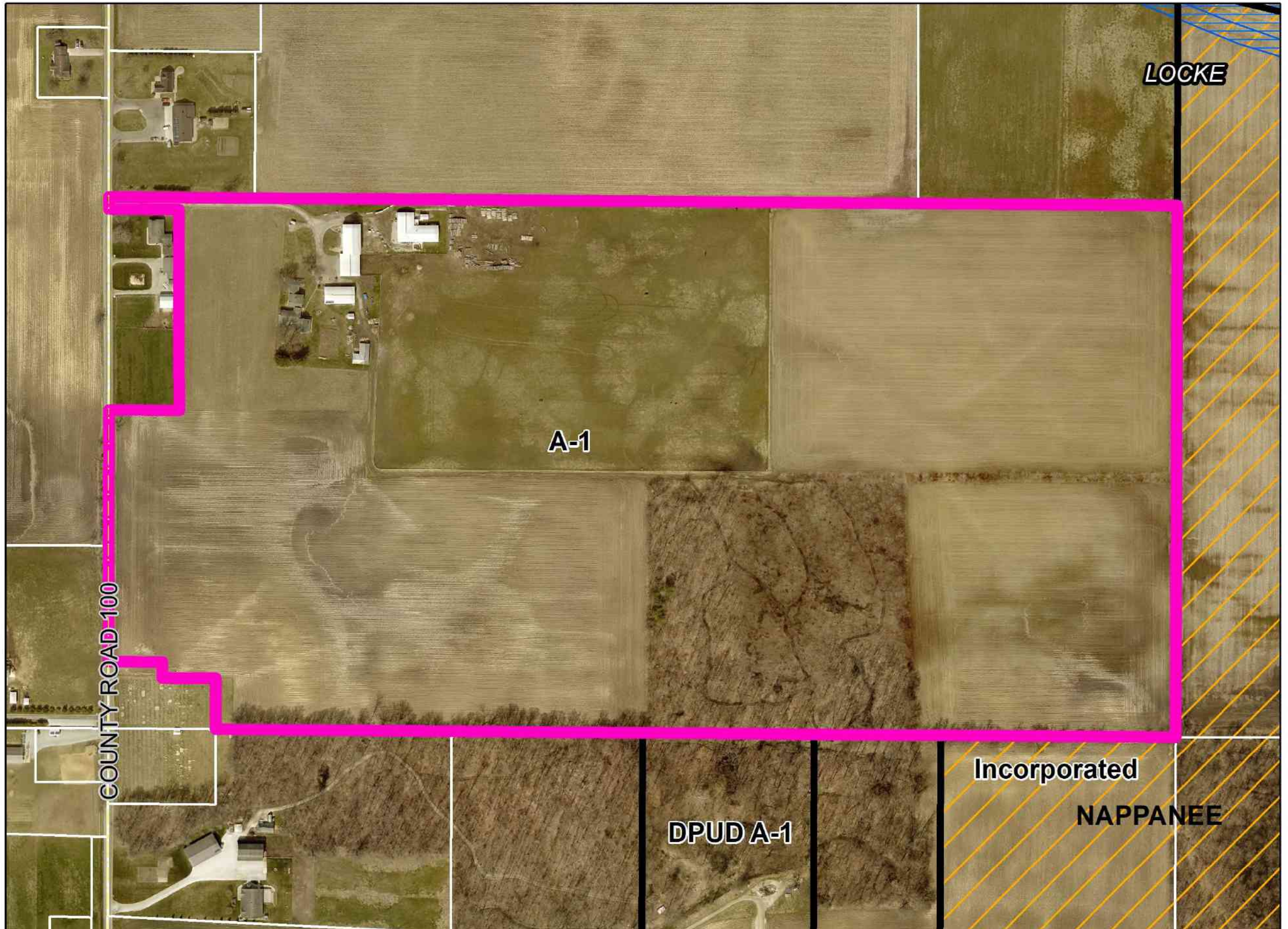
Freestanding? ☐ Y ☐ N Wall mounted? ☐ Y ☐ N

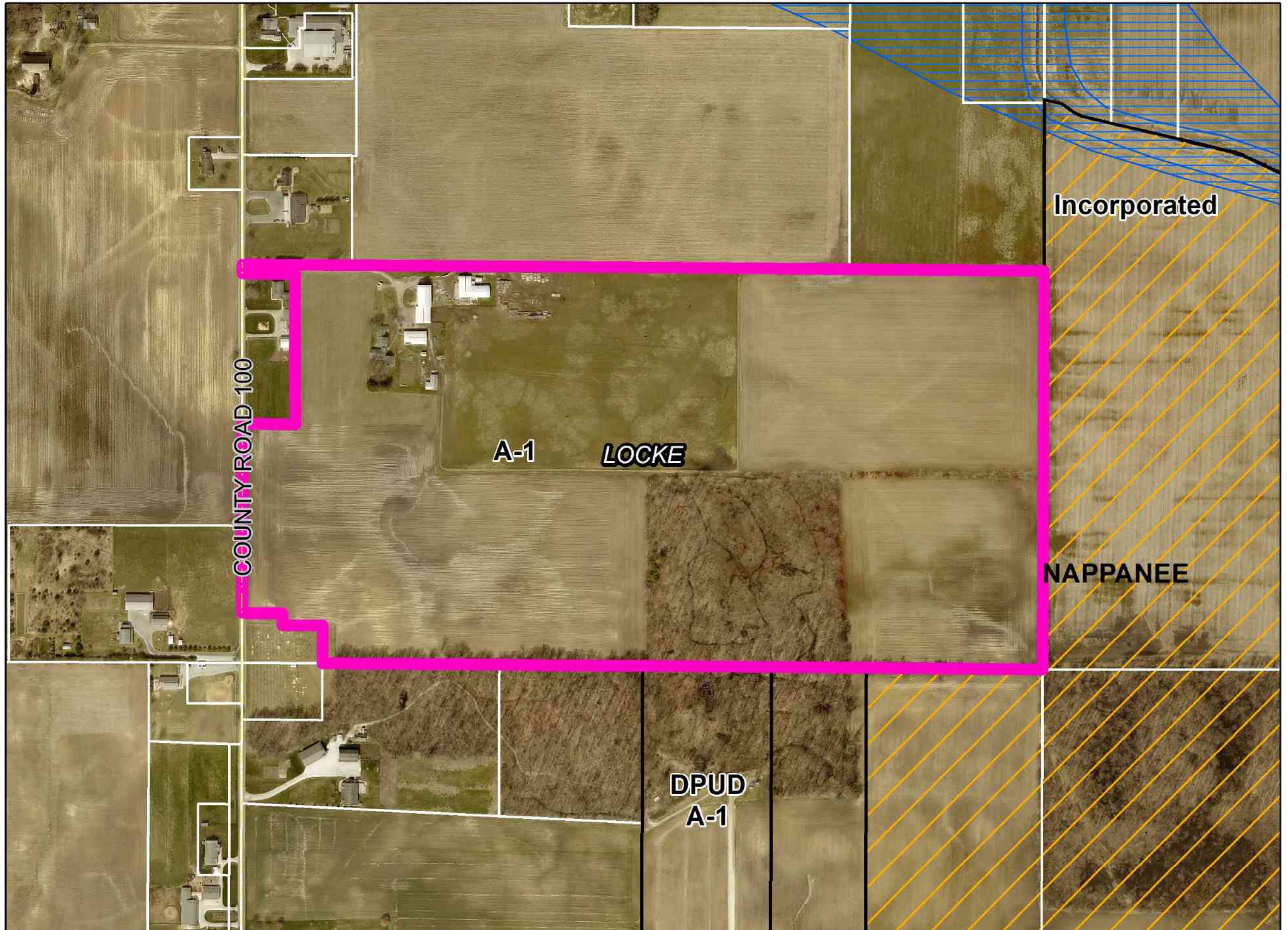
- 12) Tell us anything else you want us to know. The daddy house is old so there was no rule at that time about staying under 1000 sq. ft. so we would like to keep it the same size.

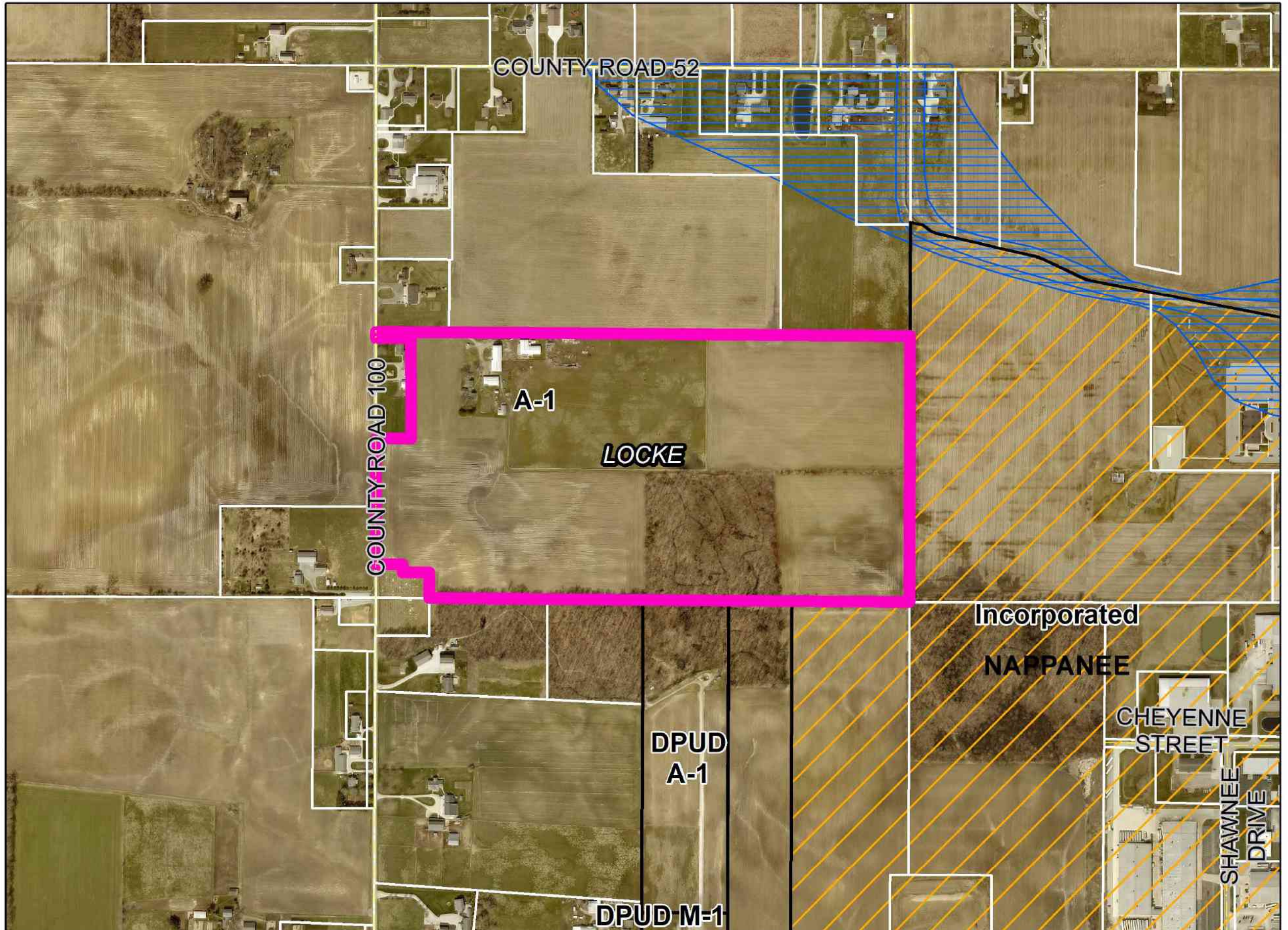
Use Variance — Questionnaire

Name: _____

- 1) Tell us what you want to do. Want to tear down the one house and build a new house.
- 2) Tell us why your case is different from other cases in the county so that a variance should be allowed. Excessive sq. footage for the daddy House.
- 3) Tell us why the variance won't hurt your neighbors or the community. The daddy House was that size for a long time and the new house won't get closer to neighbors.
- 4) Will the activity create noise, vibration, smoke, dust, odor, heat, or glare? ☒ Y ☐ N If yes, fill out below.
 Tell us what will create those things. We will be using excavating equipment and power tools.
 Tell us how you'll reduce the impact of those things on neighbors. Try to work under Ideal conditions.
- 5) Will there be buffering (fences, trees, shrubs, mounds)? ☐ Y ☒ N
 If yes, tell us about it. _____
- 6) Does the property need well and septic? Well: ☐ Y ☒ N Septic: ☒ Y ☐ N
 Does the property need a new septic system? ☒ Y ☐ N
 If a new septic system is needed, did the Health Department say there's enough space for it? ☒ Y ☐ N
- 7) Does what you want to do include buildings or additions? ☒ Y ☐ N If yes, fill out below.
Building or addition 1 Existing? ☒ Y ☐ N Size and height to the peak: 1,900 sq. ft. - 25' to peak
 Tell us what you'll use it for. Parents live in that house.
Building or addition 2 Existing? ☒ Y ☐ N Size and height to the peak: _____
 Tell us what you'll use it for. _____
Building or addition 3 Existing? ☐ Y ☐ N Size and height to the peak: _____
 Tell us what you'll use it for. _____
- 8) Is there a subdivision covenant that says you can't do this activity? ☐ Y ☒ N
 If yes, does the subdivision have an active homeowners' association? ☐ Y ☐ N
- 9) Does this application include an accessory structure without a residence at this time? ☐ Y ☒ N
 If yes, are there plans for a residence on this property? ☐ Y ☐ N If yes, fill out below.
 Tell us when it will be built. _____
 Tell us the approximate size. _____
- 10) Does this application include animals? ☐ Y ☒ N
 If yes, tell us what kind and the maximum number of each. _____









Subject Property



Looking west



Looking North



Looking south

