

# AGENDA

## ELKHART COUNTY BOARD OF ZONING APPEALS

JUNE 19, 2008  
8:30 A.M.

DEPARTMENT OF PUBLIC SERVICES  
MEETING ROOMS A & B  
4230 ELKHART ROAD, GOSHEN, INDIANA

Roll Call

Approval of Minutes of the last regular meeting of the Elkhart County Board of Zoning Appeals held on the 15<sup>th</sup> day of May 2008.

Approval of Legal Ads published in the Elkhart Truth and the Goshen News ten days prior to the public hearings.

Elkhart County Zoning Ordinance to be entered as evidence for today's hearings.

Staff Reports to be entered as evidence for today's hearings.

Postponement of Business Items – Any person having business to come before the Board may request postponement or withdrawal of such at this time.

### SPECIAL USES

8:30 A.M.

(WOLGAMOOD)

- A. Petitioner: ***Karen Lehman*** (Page 7)  
Petition: for a Special Use for a bed and breakfast homestay in an R-2 district (Specifications F - #4.50).  
Location: Southeast corner of Main Street and Lawrence Street, 100 ft. West of State Street, being Lots 5, 6, & 7 of Middlebury (Original Town), common address of 302 S. Main Street in Middlebury Township. (20082002)
- B. Petitioner: ***Jody & Linda Corbin*** (Page 8)  
Petition: for a Special Use for a kennel for animal rescue with indoor and outdoor pens and runs (Specifications F - #15.00 & #15.10).  
Location: Southeast corner of CR 27 and US 20, common address of 57010 CR 27 in Jefferson Township, zoned A-1. (20081925)

- C. Petitioner: ***Jeff & Cindy Sawyer*** (Page 9)  
 Petition: for a renewal of an existing Special Use for a home workshop/business for fireplace sales and service (Specifications F - #45).  
 Location: North side of CR 28, 950 ft. East of CR 101, common address of 29301 CR 28 in Baugo Township, zoned A-1. (20081855)
- 9:00 A.M.     (MILLER)**
- D. Petitioner: ***Bruce McCrory (lessor) and Thomas Kroh AT & T Mobility (lessee)*** (Page 10)  
 Petition: for a Special Use for a wireless communications facility (Specifications F - #31.50).  
 Location: 1,133 ft. South off of CR 2, 730 ft. West of CR 5, common address of 29698 CR 2 in Cleveland Township, zoned A-1. (20081996)
- E. Petitioner: ***Lamar Hochstetler*** (Page 11)  
 Petition: for a Special Use for warehousing and storing of a tractor and semi trailer in an A-1 district (Specifications F - #44).  
 Location: Northeast corner of CR 48 and CR 127, 500 ft. West of CR 29, common address of 16953 CR 48 in Jackson Township. (20081986)
- 9:30 A.M.     (HOMAN)**
- F. Petitioner: ***Jerry & Eva Myers*** (Page 12)  
 Petition: for a Special Use for a beauty shop in an existing mobile home in an A-1 district (Specifications F - #46).  
 Location: North side of CR 40, 385 ft. West of CR 37, common address of 13099 CR 40 in Clinton Township. (20082000)
- G. Petitioner: ***Marvin Miller*** (Page 13)  
 Petition: for a Special Use for a home workshop/business for retail sales of livestock feed and farm supplies in an A-1 district (Specifications F - #45).  
 Location: South side of CR 48, 1/2 mile East of CR 133, common address of 13836 CR 48 in Benton Township. (20082006)
- H. Petitioner: ***Elkhart County Park & Recreation Department*** (Page 14)  
 Petition: for a Special Use for a public park (linear park) (Specifications F - #29).  
 Location: East side of CR 127, Northeast to CR 33 in Jefferson Township, zoned A-1. (20081998)
- 10:00 A.M.     (LANTZ)**
- I. Petitioner: ***Leonard Emery*** (Page 15)  
 Petition: for a renewal of an existing Special Use for warehousing and storing of one semi trailer and one semi tractor for a trucking business (Specifications F - #44).  
 Location: South side of CR 40, 800 ft. West of CR 27 in Elkhart Township, zoned A-1. (20081788)

J. Petitioner: ***Devon Schrock (land contract purchaser) and Tri County Land Trust (land contract holder)*** (Page 16)  
Petition: for an amendment to an existing Special Use for a kennel with outdoor pens and/or runs in an A-1 district to allow sixty (60) dogs (Specifications F - #15.10).  
Location: East side of CR 33, 2,100 ft. North of CR 22, common address of 58340 CR 33 in Middlebury Township. (20081846)

**10:30 A.M. (HESSER)**

K. Petitioner: ***Jeffrey Miller*** (Page 17)  
***\*\* (15 minutes petitioners – 15 minutes remonstrance) \*\****  
Petition: for a Special Use for a private off road track in an A-1 district (Specifications F - #59).  
Location: North side of CR 4, 2,000 ft. East of CR 1 in Cleveland Township. (20081994)

L. Petitioner: ***Maxim Ivanov (purchaser) and Scott Miller (seller)*** (Page 18)  
Petition: for a Special Use for warehousing and storing for mini storage units in an A-1 district (Specifications F - #44), for a 50 ft. Variance for the construction of mini storage units 70 ft. from the centerline of the right-of-way (Ordinance requires 120 ft.), and for a 108 sq. ft. Variance to allow for a 4 x 8 ft. double sided illuminated sign (Ordinance allows 20 sq. ft.).  
Location: East side of US 33, 1,000 ft. South of CR 42 in Jackson Township. (20081997)

**SPECIAL USE/VARIANCE** **11:00 A.M. (HOMAN)**

A. Petitioner: ***Jonathan Martin*** (Page 19)  
Petition: for a Special Use for a home workshop/business for a body repair shop (Specifications F - #45), and for a Developmental Variance to allow the total square footage of accessory structures (3,830) to exceed the total square footage in the primary structure (1,700), a difference of 2,130 sq. ft.  
Location: North side of SR 119, 2,200 ft. East of CR 7, common address of 26619 SR 119 in Union Township, zoned A-1. (20081999)

**APPEAL**

A. Petitioner: ***Gary D. Eby*** (Page 20)  
Petition: for an Appeal to allow for an addition to an existing accessory structure on property without a primary structure.  
Location: South side of John Street, 213 ft. East of CR 45, common address of 23830 John Street in Concord Township, zoned R-2. (20081963)

- B. Petitioner: ***Lynn Showalter*** (Page 21)  
 Petition: for an Appeal to allow for the construction of an addition to an existing residence on property not subdivided in accordance with the Subdivision Control Ordinance.  
 Location: South side of CR 24, 1,900 ft. West of CR 13, common address of 24334 CR 24 in Concord Township, zoned A-1. (20081939)

\*\*\*\*\* **LUNCH** \*\*\*\*\*

**APPEAL/VARIANCES**

**1:00 P.M.**      **(MILLER)**

- A. Petitioner: ***Deanna King*** (Page 22)  
 Petition: for an Appeal to allow for the construction of a residence on property not subdivided in accordance with the Subdivision Control Ordinance and for a 3 to 1 depth to width ratio Variance for said residence.  
 Location: North side of CR 28, 900 ft. West of CR 15 in Concord Township, zoned A-1. (20081881)

- B. Petitioner: ***DMB Custom Carpentry, Inc., David Bates*** (Page 23)  
 Petition: for an Appeal to allow for the construction of a residence on property not subdivided in accordance with the Subdivision Control Ordinance, for a 4 ft. lot width Variance (Ordinance requires 80 ft.), and a 2,000 sq. ft. lot area Variance (Ordinance requires 15,000 sq. ft.) to allow for said residence.  
 Location: South side of CR 22, 190 ft. East of Azelea Court in Concord Township, zoned R-1. (20081987)

**TABLED**

- A. Petitioner: ***Daniel R. Mullet*** (Page 24)  
**\*\**(PUBLIC HEARING CLOSED)*\*\***  
 Petition: for a Special Use for a home workshop/business for metal cutting, wood routing and tool sharpening business (Specifications F - #45) and for a Developmental Variance to allow the total square footage of accessory structures (4,064) to exceed the total square footage of the primary structure (2,310), a difference of 1,754 sq. ft.  
 Location: West side of CR 15, 1/4 mile South of CR 36, common address of 64297 CR 15 in Harrison Township, zoned A-1. (20081295)

**1:30 P.M.**      **(WOLGAMOOD)**

- B. Petitioner: ***Steve Adams*** (Page 25)  
**\*\**(PUBLIC HEARING OPEN)*\*\***  
 Petition: for a Use Variance for an amusement center in a M-1/R-1 district.  
 Location: West side of CR 105, 1,700 ft. South of Mishawaka Road, common address of 58095 CR 105 in Concord Township. (20081721)

C. Petitioner: ***Jorge Pizana*** (Page 26)  
**\*\**(PUBLIC HEARING CLOSED)*\*\***  
Petition: for an amendment to an existing Special Use for a private baseball diamond  
(Specifications F – #4) for an accessory building for storage.  
Location: North side of CR 146, 1,034 ft. East of SR 13 in Benton Township, zoned A-  
1. (20081506)

**ITEMS TRANSFERRED FROM HEARING OFFICER**

**AUDIENCE ITEMS**

**STAFF/BOARD ITEMS** (*time of review at the discretion of the Board of Zoning Appeals*)

**ADJOURNMENT**