

# AGENDA

## ELKHART COUNTY BOARD OF ZONING APPEALS

JUNE 18, 2009  
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 21st day of May 2009.

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.

### USE VARIANCE/VARIANCE

8:30 A.M.

(HESSER)

- A. Petitioner: **Gary & Linda Eby** (Page 6)  
Petition: for a Use Variance to allow for warehousing and storing in an R-2 district for a plumbing contractor business, and for a 32 ft. Variance to allow for the construction of a storage building 43 ft. from centerline of the right-of-way of CR 45 (Ordinance requires 75 ft.).  
Location: Northeast corner of CR 45 & Mary Street, 700 ft. Northwest of CR 13, being lots 74, 75, & 76 of Sunny Side 2nd, common address of 23833 CR 45 in Concord Township. (20091711)

### USE VARIANCES

- A. Petitioner: **Rick Stevens** (Page 7)  
Petition: for a Use Variance for a sewing business.  
Location: East side of CR 35, 1,650 ft. South of SR 120, common address of 53316 CR 35 in York Township, zoned A-1. (20091748)

- B. Petitioner: **Jason R. Watts** (Page 8)  
Petition: for a Use Variance for a private off road track to ride ATV's in an R-1 district.  
Location: South side of CR 16, 1,250 ft. West of CR 3, common address of 29230 CR 16 in Baugo Township. (20091747)

**SPECIAL USES**

**9:00 A.M.** **(LANTZ)**

- A. Petitioner: **Cornelia Varga** (Page 9)  
Petition: for a Special Use for an agricultural use for the keeping of three (3) chickens on a tract of land containing three acres or less and in an R-1 district (Specifications F - #1).  
Location: North side of Edwards Road, 575 ft. East of Pleasant Place, common address of 26763 Edwards Road in Osolo Township. (20091699)
- B. Petitioner: **Mark & Paula Steiner** (Page 10)  
Petition: for a Special Use to allow for a wind turbine including a 55 ft. pole (Specifications F - #31.50).  
Location: East side of Ash Road, 1,113 ft. South of CR 40, being lot 8 of Stickel, common address of 66208 Ash Road in Olive Township, zoned A-1. (20091753)

**9:30 A.M.** **(WOLGAMOOD)**

- C. Petitioner: **Robert & Virginia Grimshaw** (Page 11)  
Petition: for a Special Use for a roadside stand for the sale by the owner/producer of fruits, vegetables and plant nursery products raised on the premises (Specifications F - #54).  
Location: Southeast corner of US 6 and CR 133, common address of 14394 US 6 in Benton Township, zoned A-1. (20091750)
- D. Petitioner: **Derrick & Kelli Hendricks** (Page 12)  
Petition: for a Special Use for an agricultural use for the keeping of three (3) goats on a tract of land containing less than three acres in an R-1 district (Specifications F - #1).  
Location: North side of Willowbend Boulevard, 820 ft. West of CR 14, being lot 39 of Whispering Valley 6th, common address of 19911 Willowbend Boulevard in Jefferson Township. (20091662)

**APPEAL**

- A. Petitioner: **Neil & Stacy Stewart** (Page 13)  
Petition: for an Appeal to allow for the construction of an accessory structure prior to the construction of a residence.  
Location: East side of SR 13, 2,914 ft. South of SR 120, being lot 3 of Anchor Ridge DPUD, common address of 53560 SR 13 in York Township, zoned DPUD A-1. (20091715)

**TABLED ITEMS**

**10:00 A.M. (HOMAN)**

A. Petitioner: ***Ora Lehman*** (Page 14)

**\*\* (PUBLIC HEARING CLOSED) \*\***

Petition: for a Special Use to board agricultural animals and operate an arena for instructions of 4-H members.

Location: South side of CR 18, 1,622 ft. West of CR 31, common address of 16482 CR 18 in Jefferson Township, zoned A-1. (20091537)

B. Petitioner: ***Alan G. Esko*** (Page 15)

**\*\* (PUBLIC HEARING CLOSED) \*\***

Petition: for a Special Use for warehousing and storing/construction storage yard for a landscaping and lawn service business, including leaf composting in an A-1 district (Specifications F - #44).

Location: North side of CR 2, 1,200 ft. West of CR 5, common address of 29813 CR 2 in Cleveland Township. (20091492)

C. Petitioner: ***Nelson & Esther Lehman*** (Page 16)

Petition: for a Special Use for a home workshop/business for a variety store, coffee shop, and bakery (Specifications F - #45), and for a Developmental Variance to allow the total square footage of accessory structures (3,984) to exceed the total square footage in the primary structure (2,520), a difference of 1,464 sq. ft.

Location: West side of CR 31, 380 ft. South of CR 36, common address of CR 31 in Elkhart Township, zoned A-1. (20091534)

**ITEMS TRANSFERRED FROM HEARING OFFICER**

**AUDIENCE ITEMS**

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

- Review of Special Use #20083138 for Edward Miller

**ADJOURNMENT**