

AGENDA

ELKHART COUNTY BOARD OF ZONING APPEALS

OCTOBER 15, 2009
8:30 A.M.

DEPARTMENT OF PUBLIC SERVICES
MEETING ROOMS A & B
4230 ELKHART ROAD, 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 17th day of September 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.

SPECIAL USES

8:30 A.M. (HOMAN)

- A. Petitioner: ***Larry & Ann Flora*** **(Page 3)**
 Petition: for a Special Use for a wind turbine (Specifications F - #31.50).
 Location: Southwest corner of CR 11 & CR 44, common address of 68357 CR 11 in
 Union Township, zoned A-1. *(68357CountyRoad11-090918-1)*
- B. Petitioner: ***Osolo Township Volunteer Fire Department, Inc.*** **(Page 4)**
 Petition: for an amendment to an existing Special Use for a fire station to allow for the
 construction of an addition onto the fire station.
 Location: South side of Buddy Street, 160 ft. East of CR 11, common address of 24936
 Buddy Street in Osolo Township, zoned R-1. *(24936BuddySt-090921-1)*

C. Petitioner: **Tracy S. Silvers (buyer) and Renee Levin (seller)** (Page 5)
Petition: for a Special Use for a bed and breakfast homestay (Specifications F - #12.75).
Location: Southwest corner of CR 1 & CR 22, common address of 58599 CR 1 in Baugo Township, zoned A-1. (20092092)

9:00 A.M. (LANTZ)

D. Petitioner: **Concord Community Schools (East Side Elementary)** (Page 6)
Petition: for an amendment to an existing Special Use site plan for a school (Specifications F - #38) to allow for renovations to existing parking and drop-off area along CR 13.
Location: East side of CR 13, 2,000 ft. North of CR 18, common address of 57156 CR 13 in Concord Township, zoned R-1. (57156CR 13-090921-1)

E. Petitioner: **Poon and Pun, LLC** (Page 7)
Petition: for a Special Use for a wind turbine (Specifications F - #31.50).
Location: East side of SR 13, 1,400 ft. North of CR 2, common address of 50530 SR 13 in York Township, zoned M-2 CIUD. (50530State Road13-090918-1)

SPECIAL USE/VARIANCE

9:30 A.M. (WOLGAMOOD)

A. Petitioner: **Rudy Bontrager** (Page 8)
Petition: for a Special Use for a sawmill and timber frame preparations (Specifications F - #37) and a Developmental Variance to allow for the total square footage of accessory structures (5,200) to exceed the total square footage in the primary structure (2,400), a difference of 2,800 sq. ft.
Location: East side of CR 37, 1,215 ft. North of CR 46 in Benton Township, zoned A-1. (68276CR 37-090828-1)

B. Petitioner: **David & Michele Muir** (Page 9)
Petition: for a Special Use for a home workshop/business for winery, wine tasting, and retail sales (Specifications F - #45) and a Developmental Variance to allow the total square footage of accessory structures (3,664) to exceed the total square footage in the primary structure (1,476), a difference of 852 sq. ft.
Location: West side of SR 15, 190 ft. South of CR 112, common address of 55535 SR 15 in Jefferson Township, zoned A-1. (55535State Road 15-090921-1)

C. Petitioner: **Zion Evangelical Lutheran Church** (Page 10)
Petition: for a Special Use for a church (Specifications F - #48) and a Variance to allow an electronic message board sign to be located within 300 ft. of existing residence(s) (Ordinance requires 300 ft.).
Location: Northeast corner of CR 6 & CR 19 in Washington Township, zoned A-1. (CR 6-090921-1)

APPEALS

10:00 A.M. (MILLER)

A. Petitioner: *Edward & Deborah Knight* (Page 11)
Petition: for an Appeal to allow for the construction of an accessory structure without a primary residence.
Location: East side of Conrad Street, 140 ft. South of Ernest Street, being Lot 24 of Berry's 2nd Subdivision in Osolo Township, zoned R-1.
(Conrad Street-090902-1)

B. Petitioner: *Craig L. Stahly* (Page 12)
Petition: for an Appeal to allow for an existing accessory structure prior to the construction of a residence.
Location: South side of Stonecreek Court, 550 ft. South of Stonecreek Drive, East of CR 19, South of CR 18, common address of 57930 Stonecreek Court in Jefferson Township, zoned A-1.
(57930StonecreekCt-090921-1)

10:30 A.M. (HESSER)

C. Petitioner: *James and Chris Ulery* (Page 13)
Petition: for an Appeal to allow for the construction of an accessory structure on property without a residence.
Location: East side of Maplewood Drive, 1,375 ft. North of Lake Drive, being Lot 2 of Byrd Minor in Osolo Township, zoned R-2.
(-090916-1)

TABLED ITEM

A. Petitioner: *Glen & Leona Miller* (Page 14)
****PUBLIC HEARING CLOSED****
Petition: for a Special Use for a sawmill (Specifications F - #37).
Location: South side of CR 18, 500 ft. East of CR 33 North, common address of 15162 CR 18 in Middlebury Township, zoned A-1. (090806-15162CountyRoad 18-1)

ITEMS TRANSFERRED FROM HEARING OFFICER

AUDIENCE ITEMS

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

ADJOURNMENT