

# AGENDA

## **ELKHART COUNTY BOARD OF ZONING APPEALS**

*JANUARY 21, 2010*

*8:45 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 17<sup>th</sup> day of December 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 Report materials 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.

### **ELECTION OF OFFICERS**

#### **VARIANCE**

**8:45 A.M. (HOMAN)**

- A. Petitioner: *Ferman & Luetta Miller (buyers), Marvin & Erma Miller (Page 1)  
(sellers), Lynn & Mabel Miller (sellers), and Lamar & Nancy Schlabach  
(sellers)*
- Petition: for a 3 to 1 depth to width ratio Variance to allow for the construction of a residence.
- Location: South side of CR 22, 1,650 ft. East of CR 35 in Middlebury Township, zoned A-1. (CR 22-091221-1)

#### **USE VARIANCE/VARIANCE**

- A. Petitioner: *Gregory & Susan Oligea (Page 2)*
- Petition: for a Use Variance to allow for a second residence on a single zoning lot, a 4 ft. Variance from the east side property line (Ordinance Requires 10 ft.), a 5 ft. Variance from the rear property line (Ordinance requires 25 ft.) and a 100 sq. ft. ground floor area Variance (Ordinance requires 900 sq. ft.) for an existing structure to be converted into a residence.
- Location: North side of 6th Street, 800 ft. East of Division Street, common address of 13184 SR 120 in Jackson Township, zoned R-1. (188496thSt-091130-1)

**USE VARIANCES**

A. Petitioner: ***Robert & Shirley Tapp*** (Page 3)  
Petition: for a Use Variance to allow for a second residence on a single zoning lot.  
Location: South side of SR 120, 1,640 ft. East of CR 35, common address of 13184 SR 120 in York Township, zoned A-1. (13184SR 120-091217-1)

**9:15 A.M. (MILLER)**

B. Petitioner: ***Henry Jr. & Mary E. Schlabach*** (Page 4)  
Petition: for a Use Variance for a billboard in an A-1 district.  
Location: South side of SR 4, 2,190 ft. East of CR 35, common address of 13542 SR 4 in Clinton Township. (13542SR 4-091210-1)

C. Petitioner: ***Timothy Irons (LC Purchaser) and Dorothy Landon (LC Holder)*** (Page 5)  
Petition: for a Use Variance to allow for two residences on one parcel.  
Location: West side of SR 15 (Mottville Road), 905 ft. Southwest of Commerce Drive, common address of 905 SR 15 (Mottville Road) in Washington Township, zoned R-1. (905SR 15-091218-1)

**SPECIAL USE**

**9:45 A.M. (HESSER)**

A. Petitioner: ***Myron L. Yoder*** (Page 6)  
Petition: for a Special Use for warehousing and storing of construction equipment in an A-1 district.  
Location: North side of CR 38, 1,530 ft. East of CR 33, common address of 14695 CR 38 in Clinton Township. (14695CR 38-091210-1)

**SPECIAL USE/VARIANCE**

A. Petitioner: ***Middlebury KOA Campgrounds*** (Page 7)  
Petition: for an amendment to an existing Special Use for KOA Kampgrounds to allow for the construction of three new signs and to allow for two existing signs and a 21 ft. front yard Variance to allow for an existing sign 34 ft. from the centerline of SR 13 (Ordinance requires 55 ft.), and an 18 ft. Variance for an existing sign 37 ft. from the centerline of SR 13 (Ordinance requires 55 ft.)  
Location: Northwest corner of SR 13 and SR 120, common address of 52867 SR 13 in York Township, zoned A-1. (52867SR 13-091216-1)

**USE VARIANCE**

A. Petitioner: ***Milton J. Miller*** (Page 8)  
Petition: for a Use Variance to allow for a hotel/apartments in an R-1 zone.  
Location: East side of SR 15, 1,450 ft. North of Hackett Road, common address of 61168 SR 15 in Elkhart Township. (61168SR 15-091217-1)

**ITEMS TRANSFERRED FROM HEARING OFFICER**

**AUDIENCE ITEMS**

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

- *Commitment form for **David and Michele Muir** regarding **Special Use 55535SR 15-090921-1***

**ADJOURNMENT**