

# AGENDA

## ELKHART COUNTY BOARD OF ZONING APPEALS

SEPTEMBER 16, 2010

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 19<sup>th</sup> day of August 2010.

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.

### **SPECIAL USES**

**8:30 A.M.**

**(MILLER)**

- A. Petitioner: ***Tri County Land Trustee Corp/Marlin & Rosetta Miller*** (Page 8a)  
Petition: for a Special Use for a commercial greenhouse in an A-1 district (Specifications F - #12), and a Special Use for a home workshop/business for the sale of bird houses and supplies (Specifications F - #45).  
Location: West side of CR 33, 1,400 feet South of CR 20, common address of 59279 CR 33 in Middlebury Township. (59279County Road33-100820-1)
- B. Petitioner: ***R & Y Farms (owner) and Melissa Jackson (operator)*** (Page 9a)  
Petition: for a Special Use for a beauty shop (Specifications F - #46).  
Location: West side of CR 31, 2,600 ft. South of CR 36, common address of 64475 CR 31 in Elkhart Township, zoned A-1. (64475 CR 31-100823-1)

C. Petitioner: **Mark Osler** (Page 10a)  
Petition: for a Special Use for the extraction and sale of gravel, sand or other raw materials (Specifications F - #10.00).  
Location: East side of CR 101, 2,300 ft. North of CR 28, common address of 60550 CR 101 in Baugo Township, zoned A-1. (60550CR 101-100823-1)

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

D. Petitioner: **Robertson Chomphanuvong (owner) and Soukahn Keovilayvong (co-owner)** (Page 11a)  
Petition: for a Special Use for a church (Specifications F - #48).  
Location: North side of US 20, 500 feet West of CR 27, common address of 17341 US Highway 20 in Jefferson Township, zoned A-1. (17341Us Highway20-100819-1)

E. Petitioner: **Richard Grubb** (Page 12a)  
Petition: for a Special Use for a home workshop/business to build, repair and sell utility trailers and car hauling trailers (Specifications F - #45), and for a Developmental Variance to allow the total square footage of accessory structures to exceed the total square footage in the primary structure.  
Location: East side of SR 13, 1,050 ft. North of CR 12, common address of 54812 SR 13 in York Township, zoned A-1. (54812SR 13-100812-1)

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

F. Petitioner: **Baugo School Building Corp. (lessor) and Faith Community Church (lessee)** (Page 13a)  
Petition: for an amendment to an existing Special Use for Harley Hoben Community School to allow for a church.  
Location: Southwest corner of CR 16 and CR 1, common address of 30046 CR 16 in Baugo Township, zoned R-1. (30046CR 16-100823-1)

G. Petitioner: **Mark Slabaugh, AMMF Trustee Corp.** (Page 14a)  
Petition: for a renewal of a Special Use for an agri-business in an A-1 district for a custom livestock/meat processing facility (Specifications F - #56), and for and amendment to allow for the placement of a 10 ft. by 14 ft. portable cooler and for the duration of the Special Use to be indefinite.  
Location: East side of CR 101, 1,100 ft. South of US 6, common address of 72700 CR 101 in Locke Township. (72700CR 101-100823-1)

**USE VARIANCES**

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

A. Petitioner: **Christopher & Sara Trovatore (buyers) and Wayne D. & Anne T. Kehler (sellers)** (Page 15a)  
Petition: for a Use Variance to allow for the construction of a residence on property served by an access easement.  
Location: South side of CR 36, 2,000 ft. West of CR 21, common address of 20360 CR 36 in Elkhart Township, zoned A-1. (20360CR 36-100823-1)

B. Petitioner: **Joshua A. Satoski (buyer) and Raymond & Rosalie Olszewski (sellers)** (Page 16a)  
Petition: for a Use Variance to allow for the construction of an accessory structure prior to the construction of a residence.  
Location: South side of US 6, 2,672 ft. West of SR 13 in Benton Township, zoned A-1. (OUS 6-100823-1)

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

C. Petitioner: **Ernest L. & Pollyanna Stutzman** (Page 17a)  
Petition: for a Use Variance to allow for the construction of a second dwelling on a single zoning lot.  
Location: Southeast corner of CR 28 and CR 43, common address of 10720 County Road 28 in Middlebury Township, zoned A-1. (107920County Road28-100823-1)

D. Petitioner: **Joyce E. Parker (landowner) and Matthew Nettrouer (business operator)** (Page 18a)  
Petition: for a Use Variance to allow for a small engine repair shop in an A-1 zone.  
Location: South side of CR 20, 670 ft. West of Sunlit Boulevard, common address of 19554 CR 20 in Jefferson Township. (19554CR 20-100823-1)

**TABLED ITEM**

A. Petitioner: **Lavern & Kathryn Whetstone** (Page 19a)  
\*\* (PUBLIC HEARING WAS CLOSED) \*\*  
Petition: for a Special Use for a kennel with indoor pens and outdoor runs in an A-1 district (Specifications F - #15.00 & #15.10).  
Location: South side of CR 22, 200 ft. West of CR 35 North, 900 ft. South of CR 18, common address of 14304 CR 22 in Middlebury Township. (14304CR 22-100706-1)

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

➤ Rose Watson – Review of Special Use (20092091) for an addiction clinic in an A-1 zone.

**ADJOURNMENT**