

# AGENDA

## ELKHART COUNTY BOARD OF ZONING APPEALS

AUGUST 18, 2011  
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 21<sup>st</sup> day of July 2011.

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

Elkhart County Zoning Ordinance and Staff Report materials are 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.

### DEVELOPMENTAL VARIANCES

8:30 A.M.

(HOMAN)

- A. Petitioner: ***Square 1 Builders*** (Page 4a)  
Petition: for a 5 ft. Developmental Variance to allow for the construction of a residence 25 ft. from the front property line (Plat requires 30 ft.).  
Location: Southeast end of Moonstone Lane cul-de-sac, 349 ft. East of Garnet Lane, East side of CR 21, being Lot 36 of Emerald Chase Section Three, common address of 20024 Moonstone Lane in Jefferson Township, zoned A-1.  
(20024MoonstoneLn-110621-1)
- B. Petitioner: ***Kenneth & Amanda Miller*** (Page 5a)  
***(owners of proposed Lot 2) and***  
***Michael R. & Corrina Troyer (owners of proposed Lot 1)***  
Petition: for 3 to 1 depth to width ratio Developmental Variances to allow for excising residences on Lots 1 and 2 of proposed Troyer-Miller Minor Subdivision.  
Location: North side of CR 38, 2,150 ft. East of CR 43, common address of 10575 CR 38 in Clinton Township, zoned A-1.  
(10575CR 38-110725-1)

**SPECIAL USES**

A. Petitioner: ***Ruth M. Dilley*** (Page 6a)  
Petition: for a Special Use for an agricultural use (keeping of horses) on a tract of land containing three acres or less (Specifications F - #1).  
Location: Northwest corner of CR 10 and CR 1 in Cleveland Township, zoned A-1. (29666CR 10-1107255-1)

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

B. Petitioner: ***Steven S. Kauffman (lessor) and Verizon Wireless (lessee)*** (Page 7a)  
Petition: for a Special Use of a wireless communications facility (Specifications F - #13.50).  
Location: South side of US 20, 1,745 ft. West of CR 33 in Middlebury Township, zoned A-1. (US 20-110715-1)

C. Petitioner: ***Phillip T. & Dara L. Shank (buyers) and James I. & Erika Miller (sellers)*** (Page 8a)  
Petition: for a Special Use for a home workshop/business for a vending business (Specifications F - #45).  
Location: South side of CR 26, 2,200 ft. East of CR 11, common address of 24596 CR 26 in Concord Township, zoned A-1 PUD. (24596CR 10-110725-1)

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

D. Petitioner: ***Jonathan W. & Elsie Miller*** (Page 9a)  
Petition: for a Special Use for a saw mill in an A-1 district (Specifications F - #37).  
Location: North side of CR 10, 1,900 ft. East of CR 43, common address of 10135 CR 10 in York Township. (10135CR 10-110725-1)

E. Petitioner: ***Peter J. O'Neil (buyer) and Judy Pruski (seller)*** (Page 10a)  
Petition: for a Special Use for an agricultural use (keeping of horses, cows, pigs, sheep, goats, chicken and turkeys) in an R-1 district (Specifications F - #1).  
Location: East side of CR 13, 2,500 ft. South of CR 18, common address of 58016 CR 13 in Concord Township. (58016CR 13-110722-1)

F. Petitioner: ***Michiana Korean Church Inc., An In Corp.*** (Page 11a)  
Petition: for an amendment to an existing Special Use for a church and to amend the existing site plan (Specifications F - #48).  
Location: Southwest side of CR 10, 900 ft. Southeast of CR 1, common address of 29400 CR 10 in Cleveland Township, zoned A-1. (29400CR 10-110721-1)

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

G. Petitioner: ***Mark A. & Sueanna Stoltzfus*** (Page 12a)  
Petition: for a Special Use for a privately owned recreational building/facility (Specifications F - #20).  
Location: North side of CR 14, 3,300 ft. East of SR 13 (Main Street) in Middlebury Township, zoned A-1. (CR 14-110712-1)

**SPECIAL USE/DEVELOPMENTAL VARIANCE**

A. Petitioner: ***David A. Stewart (landowner) and Danielle Stewart/Pro Choice Powersports (business operator)*** (Page 13a)

Petition: for a Special Use for a home workshop/business for motorcycle, ATV, and marine service, and sales of parts, accessories, and clothing (Specifications F - #45), Developmental Variance for one wall sign 4 ft. x 12 ft. and one free standing sign 3 ft. x 2 ft. 8 in. (Definition home workshop maximum one sign with 4 sq. ft.), Special Use for a private off road track (Specifications F - #59), and Developmental Variance for said track to be within 1,000 ft. from any residential use (Specifications F - #59).

Location: South side of CR 4, 1,150 ft. East of CR 15, common address of 22274 CR 4 in Osolo Township, zoned GPUD-E-3. (22274CR 4-110707-1)

**USE VARIANCE**

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

A. Petitioner: ***Yoder Holding Company, LLC*** (Page 14a)

Petition: for renewal of a Use Variance for a woodworking shop and an amendment to the site plan.

Location: East side of CR 100, 650 ft. South of CR 52, common address of 71596 CR 100 in Locke Township, zoned A-1. (71596CR 100-110725-2)

**TABLED ITEMS**

A. Petitioner: ***John & Tammy Moore*** (Page 15a)

***\*\* (PUBLIC HEARING REMAINED OPEN) \*\****

Petition: for a Special Use for warehousing and storing of trucks, trailers and machinery for a snow plowing, property maintenance and light excavating service business in an A-1 district (Specifications F - #44).

Location: East side of Ash Road, 530 ft. North of CR 28, common address of 60904 Ash Road in Baugo Township. (60904AshRd-110621-1)

B. Petitioner: ***R & Y Farms*** (Page 16a)

***\*\* (NO HEARING) \*\****

Petition: for a Special Use for warehousing and storing of commercial trucks and trailers in an “A” district (Specifications F - #44).

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. (64475CR 31-110616-1)

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

- *Andrew D. & Bridgette Stump – review of Appeal 20063247*
- *Discussion of Use Variance requests for a second residence on a single zoning parcel*
- *Discussion of raising fish in M-2 zoning districts*

**ADJOURNMENT**