

AGENDA

ELKHART COUNTY BOARD OF ZONING APPEALS

DECEMBER 15, 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 regular meetings of the Elkhart County Board of Zoning Appeals held on the 15th day of September 2011 and the 18th day of November 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.

(HESSER)

A. Petitioner: *Clarence & Anna Miller (landowners) and Jeffery A. & Meribeth Miller (landowners)* (Page 2a)

Petition: for a Developmental Variance to allow for an existing residence and the construction of a detached accessory building on property served by and access easement, for a 5 ft. Developmental Variance to allow construction of said detached accessory building 5 ft. from the rear property line (Ordinance requires 10 ft.), and a Developmental Variance to allow for the total square footage of accessory structures to exceed the total square footage in the primary structure.

Location: West off of CR 18 a distance of 515 ft., then South a distance of 260 ft., 668 ft. South of US 20, common address of 12028 CR 18 in Middlebury Township, zoned A-1. (12028 CR18-111118-1)

B. Petitioner: **Scott & Dawn Briskie (buyers) and Tamela L. Osborn (seller)** (Page 3a)
 Petition: for a 72 ft. Developmental Variance to allow for the construction of an addition to an existing building for a quilt store 48 ft. from centerline of the right-of-way of SR 13 (Main St) (Ordinance requires 120 ft.), for a 1 ft. Developmental Variance to allow for said addition 9 ft. from the south side property line (Ordinance requires 10 ft.), for a 7 ft. Developmental Variance to allow for said addition & existing building 3 ft. from the north property line (Ordinance requires 10 ft.), for a 9 ft. Developmental Variance to allow for the existing building 6 ft. from the east rear property line (Ordinance requires 15 ft.), for a lot coverage Developmental Variance to allow 62 percent coverage (Ordinance allows 50 percent), and for a Developmental Variance to allow for no on-site parking (Ordinance requires 18 spaces).
 Location: East side of Main Street (SR 13), 150 ft. South of Berry Street, being part of Lots 6, 7, 8 & 9 of the Original Plat of Middlebury, common address of 204 S. Main St. in Middlebury Township, zoned B-1. (204SMainSt-111118-1)

C. Petitioner: **Jean A. Martin & Anita R. Martin (lessors) and Mary Jane Weaver (lessee)** (Page 4a)
 Petition: for a 38 ft. Developmental Variance to allow for an existing building 82 ft. from centerline of the right-of-way of SR 119 (Ordinance requires 120 ft.), and a 54 ft. Developmental Variance to allow for the construction of a storage shed 66 ft. from centerline of the right-of-way of SR 119 (Ordinance requires 120 ft.).
 Location: South side of CR 40, 530 ft. West of the intersection of CR 40 and SR 119, North side of SR 119, 630 ft. Southwest of the intersection of SR 119 and CR 40, being Lots 3 & 4 of Martin’s Southwest Estates, common address of 24856 CR 40 in Harrison Township, zoned B-2. (24856CR 40-111114-1)

SPECIAL USES

9:00 A.M. (CAMPANELLO)

D. Petitioner: **Jimtown Historical Museum, Inc.** (Page 5a)
 Petition: for an amendment to an existing Special Use site plan for a museum and community center to allow for the construction of a storage unit (Specifications F - #28).
 Location: 600 ft. East off of CR 3, North of US 20 bypass, 1,350 ft. North of CR 26, common address of 59710 CR 3 in Baugo Township, zoned A-1. (59710CR 3-111118-1)

E. Petitioner: **Glen & Julie Ann Hostetler** (Page 6a)
 Petition: for a Special Use for a bed and breakfast homestay in an A-1 district, and for a Developmental Variance to allow for a double faced sign with six square feet per side (Ordinance standard allows four square feet per side) (Specifications F - #4.50).
 Location: South side of CR 38, 1,250 ft. East of CR 3, common address of 28718 CR 38 in Olive Township. (28718CR 38-111121-1)

9:30 A.M. (WOLGAMOOD)

F. Petitioner: ***Middlebury Solar, LLC (buyer) and Wagner Land Development Co., Inc. (seller)*** (Page 7a)
Petition: for a Special Use to allow the construction and operations of a solar photovoltaic electric generating facility (Specifications F - #31.50).
Location: East side of the intersection of SR 13/CR 12, a distance of 635 ft., in York Township, zoned M-1. (0CR 12-111118-1)

G. Petitioner: ***D & M Rentals, LLC (owners) and Tim Scott (renter/business operator)*** (Page 8a)
Petition: for a Special Use for warehousing and storing of equipment for a roofing business in an A-1 district (Specifications F - #44) .
Location: West side of SR 15 and 1/4 mile North of CR 24, common address of 59343 SR 15 in Jefferson Township, zoned A-1. (59343SR 111121-1)

10:00 A.M. (MILLER)

H. Petitioner: ***Culver Duck Farms, Inc., Herbert R. Culver Revocable Trust and Culver Duck Farm, Inc., an In Corp*** (Page 9a)
Petition: for a Special Use for a renewable energy facility/anaerobic digester (Specifications F - #31.50).
Location: North side of CR 10, 2,000 ft. East of CR 39, common address of 12215 CR 10 in York Township, zoned A-1. (12215CR 10-111031-1)

SPECIAL USES/DEVELOPMENTAL VARIANCES

I. Petitioner: ***Middlebury Township Building Corp. (lessor) and Middlebury Township/Middlebury Fire Department (lessee)*** (Page 10a)
Petition: for an amendment to an existing Special Use site plan for a fire station, emergency medical services, and general governmental offices (Specifications F - #27 and #52) to allow for the construction of a storage building, and a 4 ft. Developmental Variance to construct said building 6 ft. from the North side property line (Ordinance requires 10 ft.), and a 28 ft. Developmental Variance to allow said building 27 ft. from centerline of the right-of-way of North Brown Street (Ordinance requires 55 ft.).
Location: Northwest corner of N. Main St. (SR 13) and Bristol Ave. and Northeast corner of Brown St. and Bristol Ave., common address of 117 N. Main St. in Middlebury Township, zoned B-2. (117NMainSt-111118-1)

10:30 A.M. (HOMAN)

J. Petitioner: ***Norman E. Lehman (buyer) and Tri-County Land Trustee Corporation (seller)*** (Page 11a)

Petition: for an amendment to the site plan and conditions of an existing Special Use for a home workshop/business for a retail store (Specifications F - #45), and for a Developmental Variance to allow for the total square footage of accessory structures to exceed the total square footage in the primary structure.

Location: North side of CR 16, 1,900 ft. East of CR 116, common address of 11401 CR 16 in Middlebury Township, zoned A-1. (11401CR 106-111121-1)

TABLED ITEMS

K. Petitioner: ***Jimmie J. & Lynne E. Houston*** (Page 12a)

Petition: for a Special Use to allow for an agricultural use (storage of farm equipment) on property containing three acres or less (Specifications F - #1).

Location: East side of Walnut Street, 250 ft. South of 1st Street, and South of CR 46, common address of 68632 Walnut St. in Jackson Township, zoned A-1. (68632WalnutSt-111012-1)

L. Petitioner: ***Alliance Industries (buyer) and Sommers Farm, LLP (seller)*** (Page 13a)

Petition: for a Special Use for installation of solar panels (Specifications F - #31.50).

Location: West side of CR 19, 750 ft. South of CR 50 in Jackson Township, zoned A-1. (CR 19-111024-1)

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

- Agreement for Legal Services for 2012

ADJOURNMENT