

AGENDA

ELKHART COUNTY BOARD OF ZONING APPEALS

MAY 19, 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 21st day of April 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.

SPECIAL USES

8:30 A.M. (HOMAN)

- A. Petitioner: **Melvin Chupp** (Page 4a)
 Petition: for a Special Use for an agricultural use for the keeping of horses on a tract of land containing three acres or less (Specifications F - #1).
 Location: West side of East County Line Road (CR 45), 1,560 ft. South of CR 32, common address of 61787 E. County Line Road in Clinton Township, zoned A-1. (61787ECountyLineRd-110418-1)
- B. Petitioner: **Middlebury Community Schools** (Page 5a)
 Petition: for an amendment to an existing Special Use for a school to allow for two press boxes/concession stands (Specifications F - #38).
 Location: Northwest corner of Northridge Drive & Wayne Street (CR 16), 800 ft. Northeast of US 20, common address of 56853 Northridge Drive in Middlebury Township, zoned A-1. (56853NorthridgeDr-110425-1)

C. Petitioner: ***Sugar Grove Church, Inc.*** (Page 6a)
Petition: for an amendment to an existing Special Use to allow for an addition, additional proposed storage, expansion of the parking lot and addition of baseball diamonds (Specifications F - #48).
Location: East side of Old CR 17, 250 ft. South of CR 118, common address of 58512 Old CR 17 in Concord Township, zoned A-1. (58512Old CR 17Rd1-110425-1)

9:00 A.M. (WOLGAMOOD)

D. Petitioner: ***Wyman D. Miller*** (Page 7a)
Petition: for an amendment to an existing Special Use for an agri-business (Specifications F - #56) for commercial repair of farm machinery and manufacturing of agricultural (cattle and hog) equipment to allow for an addition to the existing weld shop, one additional employee that lives outside the residence on site, a larger sign, and additional parking.
Location: Southeast corner of CR 22 & CR 31, common address of 15980 CR 22 in Middlebury Township, zoned A-1. (15980CR 22-110420-1)

E. Petitioner: ***Eric A. & Pamela J. Stover*** (Page 8a)
Petition: for a Special Use to allow for an agricultural use (keeping of chickens) on a tract of land containing three acres or less and in an R-1 district (Specifications F - #1).
Location: Southwest corner of Deerfield Drive & Mohawk Drive, 450 ft. North of CR 28, 750 ft. West of Old CR 17, being Lot 13 of Deerfield Subdivision, common address of 60921 Deerfield Drive in Concord Township. (60921Deerfield Drive-110425-1)

9:30 A.M. (MILLER)

F. Petitioner: ***Bobeck Acres, Inc. (lessor) and Insite Re, Inc. (lessee)*** (Page 9a)
Petition: for a Special Use for a wireless communications facility (Specifications F - #31.50).
Location: 350 ft. North off of South County Line Road, 4,100 ft. West of CR 43 in Benton Township, zoned A-1. (0SOUTH COUNTY LINE ROAD-110329-1)

G. Petitioner: ***Mervin Burkholder*** (Page 10a)
Petition: for a Special Use renewal for an agri-business for a farm repair shop (Specifications F - #56) and for an amendment to allow for retail sales and a larger sign.
Location: Northwest corner of CR 42 & SR 119 in Harrison Township, zoned A-1. (26253CR 42-110425-1)

H. Petitioner: ***Timothy Michael*** (Page 11a)
Petition: for a Special Use for warehousing and storing of commercial vehicles for a transport business (Specifications F - #44).
Location: Southwest corner of CR 44 & SR 13, common address of 12046 CR 44 in Benton Township, zoned A-1. (12046CR 44-110322-1)

10:00 A.M. (LANTZ)

- I. Petitioner: ***Donato & Florence DelPrete*** (Page 12a)
Petition: for a Special Use for an agricultural use in a M-2 zone (Specifications F - #1).
Location: 710 ft. West off of Maple Street, 2,470 ft. South of SR 120, common address of 707 Legion Street in Washington Township. (707Legion-110329-1)
- J. Petitioner: ***Elkhart Christian Academy*** (Page 13a)
Petition: for a Special Use for an existing school (Specifications F - #38).
Location: Northeast corner of CR 22 & CR 9, common address of 25943 CR 22 in Concord Township, zoned R-1 PUD. (25943CR 22-110421-2)

10:30 A.M. (HESSER)

- K. Petitioner: ***Marcus Yoder*** (Page 14a)
Petition: for a Special Use to allow for horses on a tract of land containing three acres or less (Specifications F - #1).
Location: Southeast side of Lakeside Drive, 1,100 ft. South of CR 34, being Lot 15 of Lake Side Homes 2nd Subdivision, common address of 63170 Lakeside Drive in Clinton Township, zoned A-1. (63170Lakeside Drive-110425-1)

USE VARIANCES

- A. Petitioner: ***Paul S. & Debra J. Hoffman*** (Page 15a)
Petition: for a Use Variance to allow for the construction of an accessory structure without a residence.
Location: 149 ft. West off of Holub Lane (West side of Lot 4 in Holub Subdivision), 335 ft. North of Hackett Road, 1,914 ft. East of SR 15, common address of 1211 Holub Lane in Elkhart Township, zoned R-1. (1211HolubLn-110420-1)
- B. Petitioner: ***Daniel & Diana Pysh*** (Page 16a)
Petition: for a Use Variance to allow for the construction of a second residence on a parcel.
Location: South side of SR 120, 550 ft. West of CR 43, common address of 10970 SR 120 in York Township, zoned A-1. (10970SR 120-110425-1)

11:00 A.M. (HOMAN)

- C. Petitioner: ***Mary Demerly*** (Page 17a)
Petition: for a Use Variance to allow for the construction of an accessory structure without a residence.
Location: North side of Walerko Drive, 370 ft. West of CR 5, being Lot 41 of Walerko Whispering Acres 2nd Subdivision, common address of 29215 Walerko Drive in Cleveland Township, zoned A-1. (0WALERKO-110421-1)

- D. Petitioner: **Thomas Zurek** (Page 18a)
Petition: for a Use Variance to allow for the construction of a residence on property served by an access easement.
Location: 281.17 ft. off the Northeast end of Heritage Way cul-de-sac, 2,410 ft. North of CR 18 in Jefferson Township, zoned A-1. (OHERITAGE WAY-110425-1)

USE VARIANCE/DEVELOPMENTAL VARIANCE 11:30 A.M. (WOLGAMOOD)

- A. Petitioner: **Joey W. & Kelly L. Cripe** (Page 19a)
Petition: for a Use Variance to allow for a residential use and construction of an accessory structure in an M-1 district, 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: Southwest corner of Warren Street and Grand Street, being Lots 25, 26, 27 and 28 of Mather's Addition, common address of 401 W. Warren Street in Middlebury Township. (401WWarrenSt-110419-1)

- B. Petitioner: **Delbert D. Borkholder** (Page 20a)
Petition: for a Use Variance to allow for the construction of a residence on property served by an access easement (Parcel A), for a Developmental Variance to allow the total square footage of accessory structures to exceed the total square footage in the primary structure, a 3 to 1 depth to width ratio Developmental Variance, and a 47 ft. lot width Variance (Ordinance requires 80 ft.) (Parcel B).
Location: 250 ft. Southeast off of Yarian Street, 600 ft. South of CR 50, 2,300 ft. East of CR 3, being West 33 ft. of Lot 68 of Eby's First Addition in Locke Township, zoned A-1. (OYARIAN STREET-110425-1)

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

- Acceptance of written commitment form for **Allen J. and Judith Kauffman** (Use Variance #56815CR 116-110114-1)

ADJOURNMENT