

# AGENDA

## ELKHART COUNTY BOARD OF ZONING APPEALS

MAY 16, 2013  
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 18<sup>th</sup> day of April 2013.

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 VARIANCE 8:30 A.M. (MILLER)

- A. Petitioner: ***John E. & Pamela S. Lehman*** (Page 4)  
Petition: for a 50 ft. lot width Developmental Variance (Ordinance requires 100 ft.) and for a 3 to 1 depth to width ratio Developmental Variance.  
Location: East side of CR 25, 3,200 ft. South of CR 50, common address of 70984 CR 25 in Jackson Township, zoned A-1. 70984CR 25-130422-1

### SPECIAL USES

- B. Petitioner: ***Wisler Yellow Creek Mennonite Church*** (Page 5)  
Petition: for a Special Use for an existing church and for an addition to said church (Specifications F - #48).  
Location: Northwest corner of CR 50 and CR 13, common address of 24039 CR 50 in Union Township, zoned A-1. 24039CR 50-130422-1

- C. Petitioner: ***Horacio H. & Martha A. Muro*** (Page 6)  
Petition: for a Special Use for a soccer field (Specifications F - #4).  
Location: South side of CR 38, 551 ft. East of CR 21, in Elkhart Township, zoned A-1. 00CR 38-130422-1

**9:00 A.M.      (CAMPANELLO)**

D.      Petitioner:      ***Sugar Grove Church of Goshen,***      **(Page 7)**  
                                 ***Rural Elkhart County, Indiana, Inc.***  
                                 Petition:      for an amendment to an existing Special Use for a church to allow for  
                                 additional parking (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 17-130422-1

E.      Petitioner:      ***Benjamin A. & Amy Jo Miller***      **(Page 8)**  
                                 Petition:      for a Special Use to allow for a wind turbine and solar panels (Specifications  
                                 F - #31.50).  
                                 Location:      West side of CR 35, 430 ft. North of Rosewood Drive, being Lot 4 of Old  
                                 Hickory Estates, common address of 57319 CR 35 in Middlebury Township,  
                                 zoned A-1.      57319CR 35-130422-1

**9:30 A.M.      (HOMAN)**

F.      Petitioner:      ***Barbara L. Herzberg***      **(Page 9)**  
                                 Petition:      for a Special Use for a commercial greenhouse in an A-1 district  
                                 (Specifications F - #12).  
                                 Location:      Northeast end of Via Giovanni, 500 ft. Northeast of Via Pisa, North of US  
                                 20 by-pass, East of CR 15, being Lot 37 of Kennedy Manor Second,  
                                 common address of 56576 Via Giovanni in Concord Township.  
                                 56576ViaGiovanni-130418-1

G.      Petitioner:      ***Trustees Brethren Church***      **(Page 10)**  
                                 Petition:      to repeal Special Use #20061697 for transitional housing for women  
                                 (Specifications F - #14) and for a Special Use for an existing church  
                                 (Specifications F - #48).  
                                 Location:      Northeast corner of CR 38 and CR 33 & the Northwest corner of CR 33 and  
                                 CR 38, common address of 64985 CR 33 in Clinton Township, zoned A-1.  
                                 64985CR 33-130422-1

H.      Petitioner:      ***Charles H. & Sharon Smith***      **(Page 11)**  
                                 Petition:      for a Special Use for an agricultural use for the keeping of farm animals on a  
                                 tract of land containing less than three acres in an A-1 district (Specifications  
                                 F - #1).  
                                 Location:      Southeast corner of CR 40 and CR 17, common address of 21970 CR 40 in  
                                 Elkhart Township.      21970CR 40-130423-1

**10:00 A.M.      (HESSER)**

I.      Petitioner:      ***George A. Jr. & Carolyn S. Reed Trustees (life estate)***      **(Page 12)**  
                                 Petition:      for a Special Use for a solar panel (Specifications F - #31.50).  
                                 Location:      North side of CR 48, 1,900 ft. East of SR 19, common address of 27681 CR  
                                 48 in Union Township, zoned A-1.      27681CR 48-130422-1

- J. Petitioner: ***Sujely Borjas and The Macrino Vazquez & Juana Vazquez Revocable Trust dated August 3, 2007*** (Page 13)  
 Petition: for an amendment to an existing Special Use for an agricultural use for the keeping of five horses, fifteen cattle, ten goats, and ten chickens in an R-2 district (Specifications F - #1) to allow racing and training of horses (Specifications F - #4.00).  
 Location: West side of CR 11, 735 ft. South of State Line Road, common address of 50739 CR 11 in Osolo Township. 50739CR 11-130422-1

**SPECIAL USE/DEV. VARIANCE** **10:30 A.M.** **(WOLGAMOOD)**

- K. Petitioner: ***Manolo & Kathryn J. Dosal*** (Page 14)  
 Petition: for a Special Use for a home workshop/business for storage of masonry equipment (Specifications F - #45), for a Developmental Variance to allow for the total square footage of accessory structures to exceed the total square footage in the primary structure, and for a 5 ft. Developmental Variance to allow for the construction of an accessory structure with a height of 30 ft. (Ordinance allows 25 ft.).  
 Location: East side of SR 19, 450 ft. South of CR 36, common address of 64084 SR 19 in Harrison Township, zoned A-1. 64084SR 19-130422-1

- L. Petitioner: ***Larry J. & Mary A. Lehman*** (Page 15)  
 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) and for a 12 ft. Developmental Variance to allow for the construction of a storage building 63 ft. from centerline of the right-of-way of CR 13 (Ordinance requires 75 ft.) 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: East side of CR 13, 780 ft. North of South County Line Road, common address of 72898 CR 13 in Union Township, zoned A-1. 72898CR 13-130422-2

**SPECIAL USE/USE VARIANCE**

- M. Petitioner: ***Brent E. & Ashley R. Reed*** (Page 16)  
 Petition: for a Use Variance to allow for the construction of a second dwelling on a single zoning lot and for a Special Use for a solar panel (Specifications F - #31.50).  
 Location: North side of CR 48, 1,050 ft. East of SR 19, common address of 27615 CR 48 in Union Township, zoned A-1. 27615CR 48-130422-1

**USE VARIANCES** **11:00 A.M.** **(MILLER)**

- N. Petitioner: ***Calvin S. Lambright*** (Page 17)  
 Petition: for an amendment to an existing Use Variance for a furniture store to allow for construction of a storage building.  
 Location: North side of CR 34, 1,300 ft. West of CR 45, common address of 10275 CR 34 in Clinton Township, zoned A-1. 10275CR 34-130422-1

O. Petitioner: ***Shreve Family Revocable Living Trust (seller) and Ray E. & Karen R. Manley (buyers)*** (Page 18)  
Petition: for a Use Variance to allow for the construction of an accessory structure at the same time as the construction of the primary structure (residence and attached garage).  
Location: East side of Park Side Drive, 950 ft. South of Autumnview Lane, South of Edgewood Blvd., 825 ft. East of CR 13, 500 ft. South of CR 24 being Lot 24 of Yellow Creek Trails Phase 2, common address of 59778 Park Side Drive in Concord Township, zoned R-1. 59778PARK SIDE DRIVE-130422-1

**11:30 A.M. (HESSER)**

P. Petitioner: ***Margaret A. Penrod, Trustee of the Margaret A. Penrod Family Revocable Living Trust of August 12, 2002 407 Depot Street, Bristol, IN 46507*** (Page 19)  
Petition: for a Use Variance to allow a residential use in an M-1 District.  
Location: South side of Depot Street, 175 ft. East of Maple Street, common address of 407 Depot Street in Washington Township. 407DepotSt-130418-1

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

- Zoning Ordinance update

**ADJOURNMENT**