

AGENDA

ELKHART COUNTY BOARD OF ZONING APPEALS

AUGUST 21, 2014
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 17th day of July 2014.

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.

DEVELOPMENTAL VARIANCES

8:30 A.M.

(MILLER)

- A. Petitioner: ***Perry L. & Carolyn W. Miller*** (Page 8)
Petition: for a 3 to 1 depth to width ratio Developmental Variance and a 40 ft. lot width Developmental Variance to allow for the existing residence, existing accessory and agricultural building and to allow for the construction of an agricultural/personal storage building.
Location: East side of CR 37, 1,290 ft. North of CR 34, common address of 62780 CR 37 in Clinton Township, zoned A-1. 62780CR 37-140721-1
- B. Petitioner: ***Lynn D. & Linda K. Helmuth*** (Page 9)
Petition: for a Developmental Variance to allow for a kennel on property less than three acres.
Location: West side of SR 13, 990 ft. North of CR 24, common address of 59285 SR 13 in Middlebury Township, zoned A-1. 59285SR 13-140714-2

9:00 A.M. (WOLGAMOOD)

- C. Petitioner: ***Jennifer A. Hilliard*** (Page 10)
Petition: for a Developmental Variance to allow for the construction of a detached garage 35 ft. from centerline of the right-of-way of Ideal Beach Road (Ordinance requires 50 ft.).
Location: North side of Ideal Beach Road, 170 ft. East of Ideal Beach Road Curve, 586 ft. North of Heaton Vista, being Lots 10 & 11 of Ideal Beach, common address of 52256-2 Ideal Beach Rd. in Osolo Township, zoned R-2.
52256-2Ideal BeachRd-140717-1

- D. Petitioner: ***Kyle Swartz (buyer) and Jean VanSkyhock (seller)*** (Page 11)
Petition: for a 3 to 1 depth to width ratio Developmental Variance to allow for the construction of a residence.
Location: East side of CR 27, 1,280 ft. South of CR 108, in Washington Township, zoned A-1.
CR 27-140721-1

SPECIAL USES

9:30 A.M. (CAMPANELLO)

- E. Petitioner: ***Powell & Edna J. Gagich*** (Page 12)
Petition: for a renewal of an existing Special Use for warehousing and storing of concrete forms, vehicles, and miscellaneous concrete supplies in an A-1 district (Specifications F - #44).
Location: West side of CR 35, 2,080 ft. North of SR 120, common address of 52625 CR 35 in York Township.
52625CR 35-140721-1

- F. Petitioner: ***Ernest J. & Ada M. Yoder*** (Page 13)
Petition: for a Special Use to allow for an agricultural use (keeping of two horses in an existing structure and storage of hay in an existing structure) on property containing less than three acres (Specifications F - #1).
Location: East side of CR 37, 300 ft. North of CR 20, common address of 58954 CR 37 in Middlebury Township, zoned A-1.
58954CR 37-140718-1

10:00 A.M. (HOMAN)

- G. Petitioner: ***Sunnyside Mennonite Church Trustees of*** (Page 14)
Petition: for an amendment to the site plan of an existing Special Use for a church (Specifications F - #48).
Location: Southwest corner of Sunnyside and CR 13, being Lots 4, 5, 7, 8, & 19-34 of Waterman Place, common address of 23786 Sunnyside Ave. in Concord Township, zoned R-2.
23786SunnysideAve-140721-1

- H. Petitioner: ***STCR Real Estate, LLC*** (Page 15)
Petition: for a Special Use for a wireless communications facility (Specifications F - #31.50).
Location: East side of SR 13, 620 ft. North of SR 120, common address of 52886 SR 13 in York Township, zoned B-3 PUD.
52886SR 13-140717-2

10:30 A.M. (HESSER)

I. Petitioner: ***Lavern D. & Linda M. Lambright*** (Page 16)
Petition: for a Special Use for an agricultural use for the keeping of horses on a tract of land containing less than three acres (Specifications F - #1).
Location: North side of CR 22, 161 ft. East of CR 35, in Middlebury Township, zoned A-1. 000CR 22-140721-1

J. Petitioner: ***Gilbert N. Schrock & Edith Schrock*** (Page 17)
Petition: for a Special Use for a home workshop/business to allow sales of shrimp grown onsite (Specifications F - #45).
Location: East side of CR 19, 1,150 ft. North of CR 50, common address of 70244 CR 19 in Jackson Township, zoned A-1. 70244CR 19-140716-1

SPECIAL USE/DEV. VARIANCES

11:00 A.M.

K. Petitioner: ***Glen Frye & Joyce Frye*** (Page 18)
Petition: for a Special Use for a home workshop/business for metalwork and fabrication (Specifications F - #45) 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 side of SR 13, 1,450 ft. North of CR 10, common address of 54225 SR 13 in York Township, zoned A-1. 54225SR 13-140721-1

L. Petitioner: ***Manuel Perez (buyer) and Gordy, Inc. (seller)*** (Page 19)
Petition: for a Special Use for a church (Specifications F - #48) and for a 70 ft. Developmental Variance to allow an existing structure 50 ft. from centerline of Toledo Road (US 20) (Ordinance requires 120 ft.).
Location: South side of Toledo Road (US 20), 300 ft. West of Silver Crest Drive, common address of 1725 Toledo Road in Concord Township, zoned B-3 & R-1. 1725ToledoRD-140721-1

11:30 A.M.

M. Petitioner: ***Andrew R. & Lorinda K. Miller*** (Page 20)
Petition: for a Special Use for a home workshop/business to build cabinets and furniture (Specifications F - #45), for a 16 sq. ft. Developmental Variance to allow for the placement of a sign 20 sq. ft. per side (Ordinance allows maximum 4 sq. ft. per side), for a 2 ft. Developmental Variance for said sign to be 6 ft. in height (Ordinance allows maximum 4 ft. in height), and for a 15 ft. Developmental Variance for said sign to be 40 ft. from centerline of the right-of-way (Ordinance requires 55 ft.).
Location: North side of CR 54, 1,700 ft. East of CR 11, common address of 24675 CR 54 in Union Township, zoned A-1. 24675CR 54-140718-1

USE VARIANCE

N. Petitioner: **Brian J. & Jamie L. Breniser** (Page 21)
Petition: for a Use Variance to allow for the construction of a second dwelling on a parcel.
Location: South side of CR 20, 1,200 ft. West of CR 43, common address of 11200 CR 20 in Middlebury Township, zoned A-1. 11200CR 20-140714-1

LUNCH

12:00 P.M.

TABLED ITEMS

1:30 P.M. (MILLER)

O. Petitioner: **Cornerstone Mennonite Church, Inc (buyer) and Kenneth L. Martin Trust (seller)** (Page 22)
****PUBLIC HEARING OPEN****
Petition: for an amendment to an existing Special Use for a church to allow the establishment of a cemetery (Specifications F - #6).
Location: South side of CR 44, ½ mile East of CR 11, in Union Township, zoned A-1. 000CR 44-140623-1

P. Petitioner: **Jaime Diaz De Leon** (Page 23)
Petition: for a 8 ft. Developmental Variance to allow for an existing accessory building 2 ft. from the East rear property line (Ordinance requires 10 ft.) and for a 3 ft. Developmental Variance to allow for said accessory building 2 ft. from the South side property line (Ordinance requires 5 ft.).
Location: East side of Santa Anita St., 178 ft. North of Byrd Ave., being Lot 189 and South 10 ft. of Lot 188 of Riverdale, common address of 57980 Santa Anita St. in Concord Township, zoned R-1. 57980Santa AnitaSt-140623-1

2:00 P.M. (HOMAN)

Q. Petitioner: **Church of God in Christ Mennonite, Northern Indiana Congregation, Inc.** (Page 24)
Petition: for an amendment to an existing Special Use for a church (Specifications F - #48) to add a cemetery.
Location: East side of CR 113, 1,115 ft. North of Stonegate, common address of 60536 CR 113 in Concord Township, zoned A-1. 60536CR 113-140620-1

APPEAL

R. Petitioner: **James Gordan Conklin, Jr. & Christine A. Conklin** (Page 25)
Petition: for an Appeal from the zoning administrator’s decision.
Location: North side of Heaton Vista, 550 ft. South of 3rd Street, 700 ft. East of CR 113, North of CR 6, being Lot 30 of Heaton Park, common address of 23019 Heaton Vista in Osolo Township, zoned R-2. 23019HeatonVista-140627-1

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

- *Osolo Township Fire Department - 79-174-SU – for a major/minor change to remove a roof-mounted telecommunications tower and replace it with a free-standing tower.*

- *Steven Rodman – CR27-140421-1 – for a major/minor change for an extension of ILP deadline for a Developmental Variance.*

ADJOURNMENT