

# AGENDA

## ELKHART COUNTY BOARD OF ZONING APPEALS

MAY 15, 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 17<sup>th</sup> day of April 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.

### **SPECIAL USES**

**8:30 A.M.**     **(WOLGAMOOD)**

- A.     Petitioner:     *David J. Stahly, Trustee, David J. Stahly Living Trust & John I. Stahly Testamentary Trust (lessor) and ERS Telecom Properties (lessee)*     **(Page 2)**
- Petition:     for a Special Use for a wireless communications facility (Specifications F - #31.50).
- Location:     West side of SR 19, 275 ft. North of CR 52; North side of CR 52, 845 ft. West of SR 19, common address of 71346 SR 19 in Locke Township, zoned R-1.     71346SR 19-140421-1
- B.     Petitioner:     *Daniel J. & Susan D. Yoder (buyer) and Paul T. Gess & Marilyn D. Gess (sellers)*     **(Page 3)**
- Petition:     for a Special Use for a commercial greenhouse in an A-1 district (Specifications F - #12).
- Location:     West side of CR 31, .17 miles South of CR 36, common address of 64165 CR 31 in Elkhart Township.     64165CR 31-140414-1

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

C. Petitioner: ***Old Brethren Church*** (Page 4)  
Petition: for an amendment to an existing Special Use for a church to allow for the construction of an addition to the existing church.  
Location: South side of CR 38, 1,500 ft. West of CR 9, common address of 26300 CR 38 in Harrison Township, zoned A-1. 26300CR 38-140421-1

D. Petitioner: ***Jacob W. & Leah M. Crist*** (Page 5)  
Petition: for a Special Use for warehousing and storing of construction equipment and inventory for a plumbing, heating and electrical contractor business in an A-1 district (Specifications F - #44).  
Location: West side of CR 13, 2,600 ft. South of CR 44, common address of 68489 CR 13 in Union Township. 68489CR 13-140417-1

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

E. Petitioner: ***Earthmovers Landfill, LLC, a Delaware Limited Liability Company*** (Page 6)  
Petition: for an amendment to an existing Special Use for a landfill by adding 5.369 acres to the East side of the existing Special Use, and permitting the extraction of gravel, sand, or other raw materials.  
Location: South side of CR 26, 2,500 ft. East of CR 7, common address of 26488 CR 26 in Concord Township, zoned A-1. 26488CR 26-140421-1

F. Petitioner: ***Greg W. Cunningham*** (Page 7)  
Petition: for an amendment to a Special Use for a home workshop/business to construct a 24 ft. x 30 ft. accessory storage building for 90 percent personal storage and 10 percent business storage.  
Location: North side of CR 28, 1,191 ft. West of CR 101, common address of 29731 CR 28 in Baugo Township, zoned A-1. 29731CR 28-140417-1

**SPECIAL USE/DEV. VARIANCE 10:00 A.M. (HESSER)**

G. Petitioner: ***Ryan S. & Teresa K. Penner*** (Page 8)  
Petition: for a Special Use for a commercial greenhouse in an A-1 district (Specifications F - #12), a 40 ft. Developmental Variance to allow said greenhouse to be 35 ft. from centerline of the right-of-way of CR 50 (Ordinance requires 75 ft.) and a 5 ft. Developmental Variance to allow said greenhouse to be 5 ft. from the North rear property line (Ordinance requires 10 ft.).  
Location: Northeast corner of CR 50 and CR 17, common address of 21969 CR 50 in Jackson Township. 21969CR 50-140421-1

**USE VARIANCE**

H. Petitioner: ***Wallbach LLC, an Indiana Limited Liability Company (lessor) and Chris Higgins (lessee)*** (Page 9)  
Petition: for a Use Variance to allow for a wholesale nano brewery in a B-2 district.  
Location: East side of Main Street (SR 13) and West side of State Street, 115 ft. South of Warren Street, being part of Lots 6, 7, 8, 9 and 10 of Middlebury (Original Town), common address of 106 S. Main Street in Middlebury Township.  
106SMAIN STREETSt-140421-1

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

I. Petitioner: ***Steven R. Rodman (buyer) and Bradley S. & Jennifer L. Rodman (sellers)*** (Page 10)  
Petition: for a Use Variance to allow for the construction of a residence on property not subdivided in accordance with the Subdivision Control Ordinance and a 3 to 1 depth to width ratio Developmental Variance.  
Location: West side of CR 27, 312 ft. South of CR 42, in Jackson Township, zoned A-1.  
CR 27-140421-1

J. Petitioner: ***Warren L. Logan & Joan E. Logan*** (Page 11)  
Petition: for a Use Variance to allow for the construction of an accessory structure without a residence and for a 30 ft. Developmental Variance to allow for the construction of an accessory structure 20 ft. from centerline of the right-of-way (Ordinance requires 50 ft.).  
Location: Northwest corner of North-South alley and an East-West alley 194 ft. West of East County Line Road, 705 ft. North of CR 4, being Lots 1 & 2 of Roderick’s 2nd Add. To Fruit Grove, in York Township, zoned R-2.  
00EAST COUNTY LINE ROAD-140416-1

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

**ADJOURNMENT**