

AGENDA

ELKHART COUNTY BOARD OF ZONING APPEALS

SEPTEMBER 18, 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 21st day of August 2014.

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: ***Thrash Properties LLC*** (Page 7)
Petition: for a 15 ft. Developmental Variance to allow for the construction of a paint shop facility 60 ft. from centerline of the right-of-way of LaRue Street (Ordinance requires 75 ft.), a 20 ft. Developmental Variance to allow for said facility 100 ft. from centerline of the right-of-way of Old US 33 (Ordinance requires 120 ft.), a 13 ft. Developmental Variance to allow for said facility 12 ft. from the East property line (Ordinance requires 25 ft.), and a 5 ft. Developmental Variance to allow for said facility 20 ft. from the West property line (Ordinance requires 25 ft.).
Location: North side of Old US 33 and South side of LaRue Street, 800 ft. East of CR 3, being Lots 3 and part of 4 of Interurban Park, common address of 28827 Old US 33 in Baugo Township, zoned M-2. 28827OLD US 33-140821-1
- B. Petitioner: ***ECB Real Estate Holdings, LLC*** (Page 8)
Petition: for a 43 ft. lot width Developmental Variance to allow for the construction of a house with attached storage building (Ordinance requires 100 ft.) and for a 3 to 1 depth to width ratio Developmental Variance to allow for said construction.
Location: West side of CR 43, 1,300 ft. South of SR 120, in York Township, zoned A-1. 000CR 43-140826-1

SPECIAL USES

9:00 A.M. (WOLGAMOOD)

C. Petitioner: ***Tri County Land Trustee Corp, Attn: Paul Schwartz*** (Page 9)
Petition: for an amendment to an existing Special Use for a commercial greenhouse to allow for the construction of an additional greenhouse in an A-1 district (Specifications F - #12).
Location: East side of SR 13, 1,150 ft. North of CR 26, common address of 59800 SR 13 in Middlebury Township. 59800SR 13-140821-1

D. Petitioner: ***Ervin E. Heatwole (buyer) and*** (Page 10)
Darin J. & Beth Miller (sellers)
Petition: for a Special Use for an agri-business for a custom meat processing business (Specifications F - #56).
Location: Northwest corner of CR 15 and US 6, common address of 72155 CR 15 in Union Township, zoned A-1. 72155CR 15-140821-1

9:30 A.M. (HESSER)

E. Petitioner: ***Brian & Regina Willard*** (Page 11)
Petition: for a Special Use for warehousing and storing of seed in an A-1 district (Specifications F - #44).
Location: South side of CR 42, 545 ft. East of CR 37, in Benton Township. CR 42-140821-1

F. Petitioner: ***Lavern S. & Kathryn K. Whetstone*** (Page 12)
Petition: for a Special Use renewal for an existing kennel with indoor pens and outdoor runs in an A-1 district (Specifications F - #15.00 and 15. 10) and an amendment to the existing Special Use to remove the renewal requirement.
Location: South side of CR 22, 275 ft. West of CR 35, common address of 14304 CR 22 in Middlebury Township. 14304CR 22-140822-1

10:00 A.M. (HOMAN)

G. Petitioner: ***Levi A. Stutzman, Trustee, and Debra E. Stutzman,*** (Page 13)
Trustee of the Stutzman Family Revocable Living Trust of March 20, 2005 (1/2) and Ernest S. Schrock, Trustee, and Emma H. Schrock, Trustee of the Schrock Family Revocable Living Trust of April 11, 2005 (1/2)
Petition: for a Special Use for a home workshop/business for making crates for barn ventilation systems (Specifications F #45).
Location: North side of CR 38, ½ mile East of CR 33, common address of 14513 CR 38 in Clinton Township, zoned A-1. 14513CR 38-140821-1

H. Petitioner: ***Roland L. & Elizabeth Ann Martin*** (Page 14)
Petition: for an amendment to an existing Special Use for commercial greenhouses in an A-1 district, to allow for construction of two additional greenhouses (Specifications F - #12).
Location: West side of CR 15, ½ mile South of CR 44, common address of 68417 CR 15 in Union Township. 68417CR 15-140812-1

10:30 A.M. (CAMPANELLO)

- I. Petitioner: ***Merlyn M. & Ella Mae Martin*** (Page 15)
Petition: for a Special Use for an agri-business (Specifications F - #56) for farm tractor/implement repair.
Location: Southeast corner of CR 38 and CR 9, common address of 25720 CR 38 in Harrison Township, zoned A-1. 25720CR 38-140822-1
- J. Petitioner: ***Tri County Land Trustee Corp/Marlin & Rosetta Miller*** (Page 16)
Petition: for an amendment to existing Special Uses from commercial greenhouse (Specifications F - #12) and home workshop/business for the sale of bird houses and supplies (Specifications F - #45) to a Special Use for a home workshop/business for making machining metal parts (Specifications F - #45).
Location: West side of CR 33, 1,400 ft. South of CR 20, common address of 59279 CR 33 in Middlebury Township, zoned A-1. 59279CR 33-140825-1

SPECIAL USES/DEV. VARIANCES

11:00 A.M. (MILLER)

- K. Petitioner: ***Clinton Township of Elkhart County*** (Page 17)
Petition: for an amendment to an existing Special Use for a fire station (Specifications F - #27) to allow for the addition of fire truck storage area and a 15 ft. Developmental Variance to allow for the construction of said addition 60 ft. from centerline of the right-of-way (Ordinance requires 75 ft.).
Location: South side of Elm Street, 200 ft. East of SR 13, 3,600 ft. South of CR 40, common address of 500 Carriage Lane (Elm Street) in Clinton Township, zoned M-1. 500CARRIAGE LANE (ELM STREET)-140813-1
- L. Petitioner: ***Faus Groom and Room LLC*** (Page 18)
Petition: for a Special Use renewal for an existing mobile home being used for dog training purposes, for a site plan amendment for existing Special Use, for a Developmental Variance for a kennel on less than three acres, for a 150 ft. Developmental Variance for a 50 ft. setback from the nearest principal residence not occupied by the kennel operator (Ordinance requires 200 ft.), and for a 40 ft. Developmental Variance for a 10 ft. setback from any other property line (Ordinance requires 50 ft.) .
Location: West side of CR 11, 187 ft. South of Indiana Toll Road, North of CR 6, being Lot 2 of Windsong Minor, common address of 52677 CR 11 in Osolo Township, zoned A-1. 52677CR 11-140826-1

11:30 A.M. (WOLGAMOOD)

- M. Petitioner: ***Orla H. & Erma L. Yoder*** (Page 19)
Petition: for a renewal of an existing Special Use for a home workshop/business for a woodworking shop (Specifications F - #45) and an amendment to the Special Use to allow for the construction of an addition to an existing building for a shop, and for a Developmental Variance to allow the total square footage of accessory structures to exceed the total square footage in the primary structure (residence).

Location: East side of SR 13, 2,200 ft. South of CR 38, common address of 65438 SR 13 in Clinton Township, zoned A-1. 65438SR 13-140815-1

USE VARIANCES

N. Petitioner: **Brian Zimmerman** (Page 20)
Petition: for a Use Variance to allow for warehousing and storing of construction material and equipment in an R-1 zone.
Location: North side of CR 20, 750 ft. East of US 20 bypass, being Lot 1 of Cozy Corner, common address of 25227 CR 20 in Concord Township. 25227CR 20-140723-1

12:00 P.M. (HESSER)

O. Petitioner: **John S. Turk and Diana L. Gibson (landowners) and Karen Dahmen (business owner/operator)** (Page 21)
Petition: for a Use Variance to allow for a heating, air conditioning, and refrigeration office and dispatching business.
Location: South side of CR 4, 2,536 ft. East of CR 13, common address of 23522 CR 4 in Osolo Township, zoned A-1. 23522CR 4-140806-1

TRANSFER FROM HEARING OFFICER

P. Petitioner: **William E. & Claudia Landow** (Page 22)
Petition: for a Developmental Variance to create a buildable parcel with zero frontage and served by an access easement.
Location: 650 ft. South off of CR 126, 156 ft. East of Fawn River Road, South of CR 26, common address of 21144 CR 126 Unit 3 in Jefferson Township, zoned A-1. 21144CR 126-140714-1

TABLED ITEM

Q. Petitioner: **Church of God in Christ Mennonite, Northern Indiana Congregation, Inc.** (Page 23)
****PUBLIC HEARING CLOSED****
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

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

- Cobus Green –95-28920 - major/minor change for a site plan amendment for an existing Special Use.
- Comunidad Christian Adulam – 20051560 – major/minor change for an addition to a church with an existing Special Use.

ADJOURNMENT