

AGENDA

ELKHART COUNTY BOARD OF ZONING APPEALS

DECEMBER 17, 2015

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 19th day of November 2015.

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: ***Nathan E. & Tracey L. Mort*** (Page 4)
Petition: for a Developmental Variance to allow for the total square footage of an accessory dwelling to exceed what is allowed by Ordinance.
Location: South side of CR 24, West of CR 1, common address of 30408 CR 24 in Baugo Township, zoned A-1. 30408CR 24-151116-1
- B. Petitioner: ***Donald & Janet Ganger*** (Page 5)
Petition: for a 61 ft. lot width Developmental Variance (Ordinance requires 100 ft.) to allow for the construction of a residence (proposed Parcel 1), a 74 ft. lot width Variance to allow for an existing residence (proposed Parcel 2), a 7 to 1 depth to width ratio Variance (proposed Parcels 1-3), a Developmental Variance to allow for the construction of a residence and existing mobile home on property served by an access easement (proposed Parcel 1 & 3), and a Developmental Variance to allow for mobile home within 300 ft. of an existing residence (proposed Parcel 3).
Location: North side of CR 44, 2,450 ft. West of CR 31, common address of 16443 CR 44 in Jackson Township, zoned A-1. 16443County Road 44-151116-1

SPECIAL USES

- C. Petitioner: ***Board of Commissioners of the County of Elkhart (owner) and Elkhart County Sheriff's Department (operator)*** (Page 6)

Petition: for an amendment to an existing Special Use for a firearm range and training facility for law enforcement officers to remove restrictions concerning the time of day or night and the number of days per year firearm training can occur.
Location: Northwest corner of CR 9 and CR 26, common address of 59881 CR 9 in Concord Township, zoned A-1. 59881CR 9-151105-1

9:00 A.M. (WEIRICK)

D. Petitioner: ***Triple Bend School Board (buyer) and Marvin & Norma J. Nisley (sellers)*** (Page 7)
Petition: for a Special Use for a school in an A-1 district.
Location: Northeast curve of CR 116, 2,500 ft. West of CR 43, common address of CR 116 in Middlebury Township. CR 116-151106-1

E. Petitioner: ***Lisa K. Gardner (buyer) and Robert D. & Emma J. Jones (sellers)*** (Page 8)
Petition: for a Special Use for a home workshop/business for a dog grooming business.
Location: Northeast side of CR 20, 1,000 ft. East of CR 111, common address of 24643 CR 20 in Concord Township, zoned R-1. 24643CR 20-151116-1

SPECIAL USE/DEV. VARIANCE **9:30 A.M. (CAMPANELLO)**

F. Petitioner: ***Matthew Miller*** (Page 8)
Petition: for a renewal of an existing Special Use for a home workshop/business for a construction business and for a Developmental Variance to allow for a 20 sq. ft. sign (Ordinance allows 4 sq. ft.).
Location: East side of CR 33, 1,150 ft. South of US 33, common address of 68548 CR 33 in Benton Township, zoned A-1. 68548CR 33-151028-1

USE VARIANCES

G. Petitioner: ***Calvin J. and Joann Mullet*** (Page 9)
Petition: for an amendment to an existing Use Variance to allow additional employees and an addition to existing woodworking shop.
Location: Southeast side of CR 28, 1,800 ft. Southwest of CR 37, common address of 13320 CR 28 in Middlebury Township, zoned A-1. 13320CR 28-151112-1

H. Petitioner: ***David Stalter*** (Page 10)
Petition: for a Use Variance for automotive repair.
Location: North side of SR 119, 2,400 ft. East of CR 15, common address of 22625 State Road 119 in Harrison Township, zoned A-1. 22625State119Rd-151116-2

SHOW CAUSE HEARINGS

10:00 A.M. (HESSER)

- I. Petitioner: ***Jorge H. & Teresa Pizana (land contract holders)*** (Page 11)
and Claudia V. Granados (land contract purchaser)
Petition: for a requested rescission of a Special Use for failure to comply with conditions(s) and/or commitment(s) imposed by the Board of Zoning Appeals.
Location: North side of CR 146, 1,300 ft. East of SR 13, common address of 11267 CR 146 in Benton Township, zoned A-1. 11267CR 146-150316-2
- J. Petitioner: ***Nathan R. & Janice Books (lessors) and*** (Page 12)
Studio 7 Tattoo (Chris Kaercher) (lessee)
Petition: for a requested rescission of a Special Use for failure to comply with condition(s) and/or commitment(s) imposed by the Board of Zoning Appeals.
Location: North side of Old US 33 and South side of Rosen Court, 275 ft. East of Best Avenue, common address of 28445 Old US 33 in Baugo Township, zoned B-3. 28445OLD US 33-140324-1
- K. Petitioner: ***Noah Lace & Mara A. Strebs*** (Page 13)
Petition: for a requested rescission of a Developmental Variance for failure to comply with condition(s) and/or commitment(s) imposed by the Board of Zoning Appeals.
Location: North side of CR 16, 1,000 ft. East of CR 1, common address of 29683 CR 16 in Baugo Township, zoned R-1. 29683CR 16-140519-1
- L. Petitioner: ***Avery L. Aragona & Samuel L. Burns*** (Page 14)
Petition: for a requested rescission of a Special Use Renewal for failure to comply with condition(s) and/or commitment(s) imposed by the Board of Zoning Appeals.
Location: South side of CR 20, 400 ft. West of CR 31, common address of 16084 CR 20 in Jefferson Township, zoned A-1. 16084CR 20-141112-1
- M. Petitioner: ***William E. & Claudia Landow*** (Page 15)
Petition: for a requested rescission of a Developmental Variance for failure to comply with condition(s) and/or commitment(s) imposed by the Board of Zoning Appeals.
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

N. Petitioner: ***David J. Stahly, Trustee, David J. Stahly Living Trust & John I. Stahly Testamentary Trust (lessor) and ERS Telecom Properties (lessee)*** (Page 16)

Petition: for a requested rescission of a Special Use for failure to comply with condition(s) and/or commitment(s) imposed by the Board of Zoning Appeals.

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

O. Petitioner: ***ECB Real Estate Holdings, LLC*** (Page 17)

Petition: for a requested rescission of a Developmental Variance for failure to comply with condition(s) and/or commitment(s) imposed by the Board of Zoning Appeals.

Location: West side of CR 43, 1,300 ft. South of SR 120, common address of 10900 SR 120 in York Township, zoned A-1. 000CR 43-141020-1

TABLED ITEM

P. Petitioner: ***Harvest Ministries A Church Association*** (Page 18)

Petition: for a requested rescission of a Special Use for failure to comply with condition(s) and/or commitment(s) imposed by the Board of Zoning Appeals.

Location: East side of CR 1, 700 ft. North of CR 12, common address of 54820 CR 1 in Cleveland Township, zoned A-1. 54820CR 1-130322-1

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

- 2016 Agreement for legal services for Attorney Kolbus.

ADJOURNMENT