

# AGENDA

## ELKHART COUNTY BOARD OF ZONING APPEALS

NOVEMBER 19, 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 15<sup>th</sup> day of October 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:     ***JEM Holdings, LLC***     **(Page 4)**  
       Petition:         for a 40 ft. Developmental Variance to allow for the construction of a manufacturing building 10 ft. from an A-1 zone boundary (Ordinance requires 50 ft.).  
       Location:        Northeast corner of Elm Street and Wabash, 700 ft. East of N. Benton Street (SR 13), common address of 308 N. Wabash in Clinton Township, zoned M-1.     308N. WABASH-151012-1
- B.     Petitioner:     ***Joseph L. Miller and Marilyn Miller***     **(Page 5)**  
       Petition:         for a 542 sq. ft. Developmental Variance to allow for the conversion of a primary dwelling to an accessory dwelling with 1,742 sq. ft. of finished area.  
       Location:        East side of SR 13, 1,500 ft. North of CR 44, common address of 67600 SR 13 in Benton Township, zoned A-1.     67600SR 13-151002-1
- C.     Petitioner:     ***David E. & Jennifer L. Berkey***     **(Page 6)**  
       Petition:         for a 25 ft. Developmental Variance to allow for the construction of an addition to an existing manufacturing building 25 ft. from the South property line (Ordinance requires 50 ft.).  
       Location:        North side of CR 146, 468 ft. West of CR 23, common address of 19149 CR 146 in Jackson Township, zoned M-1.     19149CR 146-151009-1

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

- D. Petitioner: ***Alan D. & Joellen K. Sands*** (Page 7)  
Petition: for a 7 to 1 depth to width ratio Developmental Variance and for a 50 ft. lot width Developmental Variance (Ordinance requires 100 ft.) to allow for the construction of a residence.  
Location: East side of CR 31, 400 ft. North of CR 44, in Benton Township, zoned A-1.  
CR 31-151012-1
- E. Petitioner: ***Clarence J. & Gretchen D. Yoder*** (Page 8)  
Petition: for a Developmental Variance to allow an existing residence on property served by an access easement.  
Location: 1,000 ft. North of CR 28 and 300 ft. East of Zollinger Road, common address of 18425 CR 28 in Jefferson Township, zoned A-1.  
18425CR 28-150012-1

**SPECIAL USES**

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

- F. Petitioner: ***Trails of Adventure, Inc.*** (Page 9)  
Petition: for an amendment to an existing Special Use for KOA Campgrounds to allow for the construction of a building for firewood storage.  
Location: Northwest corner of SR 13 and SR 120, common address of 52867 SR 13 in York Township, zoned A-1.  
52867SR 13-151012-1
- G. Petitioner: ***Sundberg & Sundberg (buyer) and E & C LLC (seller)*** (Page 10)  
Petition: for a Special Use for a school.  
Location: South side of CR 6, 490 ft. West of Old Farm Road, 1/2 mile West of CR 10, common address of 30380 CR 6 in Cleveland Township, zoned A-1.  
30380CR 6-151012-1

**SPECIALUSE/DEV. VARIANCE**

- H. Petitioner: ***Five H Ranch Inc., An In Corp*** (Page 11)  
Petition: for a Special Use for a wireless communications facility and a 56 ft. Developmental Variance to allow for the placement of a 140 ft. communications tower 84 ft. from the North side property line (Ordinance requires 140 ft.).  
Location: East side of CR 3, 450 ft. South of CR 20 (Mishawaka Road), common address of 57678 CR 3 in Baugo Township, zoned M-1.  
57678CR 3-151008-1

**USE VARIANCE**

**10:00 A.M. (HOMAN)**

- I. Petitioner: ***John Berkey and Patricia Berkey*** (Page 12)  
Petition: for a Use Variance to allow for the construction of an accessory structure without a residence.  
Location: South side of Ideal Beach Road, 145 ft. East of Heaton Vista, and North side of East/West alley, 100 ft. East of Heaton Vista and 130 ft. South of Ideal Beach Road; 661 ft. Southeast of Third Street; 750 ft. East of CR 113, being Lot 3 of Ideal Beach 3rd Add., in Osolo Township, zoned R-2.  
00000HEATON VISTA-151012-1

**SHOW CAUSE HEARINGS**

J. Petitioner: ***Timmy Jones***  
Petition: for a requested rescission of Special Use for failure to comply with condition(s) and/or commitment(s) imposed by the Board of Zoning Appeals.  
Location: South side of Vista Dr., 300 ft., West of Ardmore Drive, North of Woodridge Dr., West of CR 9, common address of 26150 Vista Lane in Concord Township, zoned R-1. 26150VistaLn-130517-1

K. Petitioner: ***Harvest Ministries A Church Association***  
Petition: for a requested rescission of 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

**10:30 A.M. (HESSER)**

L. Petitioner: ***Ines Ambriz***  
Petition: for a requested rescission of Special Use for failure to comply with condition(s) and/or commitment(s) imposed by the Board of Zoning Appeals.  
Location: East side of Woodrow Street, 149 ft. North of Carl Street, North of CR 20, common address of 57588 Woodrow Street in Baugo Township, zoned R-2. 57588WoodrowSt-130628-1

M. Petitioner: ***William Christopher & Christina A. Rogers***  
Petition: for a requested rescission of Special Use for failure to comply with condition(s) and/or commitment(s) imposed by the Board of Zoning Appeals.  
Location: West side of Clinton Street, 180 ft. South of 3rd Street, common address of 68455 Clinton Street in Jackson Township, zoned R-3. 68455ClintonSt-130325-1

N. Petitioner: ***Benjamin A. & Amy Jo Miller***  
Petition: for a requested rescission Special Use for failure to comply with condition(s) and/or commitment(s) imposed by the Board of Zoning Appeals.  
Location: West side of CR 35, 430 ft. North of Rosewood Drive, common address of 57319 CR 35 in Middlebury Township, zoned A-1. 57319CR 35-130422-1

**TABLED ITEM**

O. Petitioner: ***Lar-Lee, Inc. (lessor) and Central States Tower (lessee)*** (Page 13)  
Petition: for a Special Use for a wireless communication facility and a 90 ft. Developmental Variance to allow for the placement of a tower 65 ft. from the North property line (Ordinance requires 155 ft., height of tower).  
Location: Northwest corner of CR 138 and CR 31, in Elkhart Township, zoned M-2. CR 138-150827-1

**DISMISSAL**

P.     Petitioner:    *Brian J. & Jamie L. Breniser*  
       Petition:     for a requester dismissal of Use Variance.  
       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

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

**ADJOURNMENT**