

# AGENDA

## ELKHART COUNTY BOARD OF ZONING APPEALS

MAY 18, 2017

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 20<sup>th</sup> day of April 2017.

Elkhart County Zoning Ordinance and Staff Report materials are to be entered as evidence for today's hearings.

### DEVELOPMENTAL VARIANCE

8:30 A.M.

(HESSER)

- A. Petitioner: ***Boyd P. & Krista L. Smith (Buyers) & Steven B. & Cathy D. Bartow (Sellers)*** (Page 7)  
Petition: for a Developmental Variance to allow for an accessory dwelling in an existing building to exceed the square footage allowed (Ordinance allows for 1,000 sq. ft.) and for a Developmental Variance to allow for a two story accessory dwelling (Ordinance allows a single story).  
Location: South side of CR 42, 700 ft. South of CR 27, common address of 18200 CR 42 in Elkhart Township, zoned A-1, R-4. DV-0255-2017

### SPECIAL USES

- B. Petitioner: ***John Fisette & Tiffany Allison*** (Page 8)  
Petition: for a Special Use for a home workshop/business for a detail shop.  
Location: Northwest corner of Newcastle Dr. & Kerryhaven Dr., North of CR 108, East of CR 1, common address of 29561 Newcastle Dr. in Cleveland Township, zoned R-1. SUP-0243-2017
- C. Petitioner: ***Donald J. & Ruth E. Hostetler (Land Contract Holders) & Nelson M. & Irene J. Martin (Land Contract Purchasers)*** (Page 9)  
Petition: for a Special Use for a ground mounted solar array.  
Location: South side of CR 38, 1,730 ft. West of CR 37, common address of 13332 CR 38 in Clinton Township, zoned A-1. SUP-0245-2017

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

D. Petitioner: ***Timothy Roy & Cheryl A. Martin*** (Page 10)  
Petition: for a Special Use for a home workshop/business for the sale of dairy products.  
Location: Southeast corner of Ash Rd. & CR 26, common address of 60020 Ash Rd. in Baugo Township, zoned A-1. SUP-0247-2017

E. Petitioner: ***William D. & Sally A. Stephens*** (Page 11)  
Petition: for a Special Use for an agricultural use for the keeping of goats and miniature horses.  
Location: North side of Medford St., 1,100 ft. West of CR 11, common address of 25163 Medford St. in Osolo Township, zoned R-1. SUP-0254-2017

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

F. Petitioner: ***Lamar M. & Roseanna J. Hochstetler*** (Page 12)  
Petition: for a Special Use for a home workshop/business for wheel polishing.  
Location: Northeast corner of CR 48 & CR 127, common address of 16953 CR 48 in Jackson Township, zoned A-1. SUP-0251-2017

G. Petitioner: ***Warren D. & Linda L. Bontrager*** (Page 13)  
Petition: for a Special Use to allow for ground mounted solar arrays.  
Location: North side of CR 38, 1,100 ft. West of CR 21, common address of 20211 CR 38 in Elkhart Township, zoned A-1. SUP-0248-2017

H. Petitioner: ***Howard Turlin*** (Page 14)  
Petition: for a Special Use for a home workshop/business for lawnmower repair.  
Location: North side of Medford St., 300 ft. West of CR 11, common address of 25057 Medford St. in Osolo Township, zoned R-1. SUP-0250-2017

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

I. Petitioner: ***Grace Community Church of Goshen Indiana, Inc.*** (Page 15)  
Petition: for an amendment to an existing Special Use for a church to add property and for future building expansions.  
Location: Southwest corner of CR 36 & CR 21, common address of 20076 CR 36 in Elkhart Township, zoned A-1. SUP-0260-2017

J. Petitioner: ***Devon & Neda Fern Lehman*** (Page 16)  
Petition: for an amendment to an existing Special Use for warehousing and storing of concrete building forms and bundled plastic granules to allow for warehousing and storing of recreational vehicles and automobiles and for a Special Use for a home workshop/business to allow for an auto repair (body shop) business.  
Location: East side of CR 27, 1,400 ft. North of CR 126, common address of 60226 CR 27 in Jefferson Township, zoned A-1. SUP-0266-2017

**SPECIAL USE/DEV.VARIANCES**

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

K. Petitioner: ***MS Investments Corporation*** (Page 17)  
 Petition: for a Special Use for a wireless communications facility, for a 75 ft. Developmental Variance to allow for the construction of a wireless communications facility 25 ft. from the North property line (Ordinance requires 100 ft.), and for a 22 ft. Developmental Variance to allow for the construction of a wireless communications facility 78 ft. from the West property line (Ordinance requires 100 ft.).  
 Location: West of CR 9, 175 ft. South of Miner Rd., common address of 53729 CR 9 in Osolo Township, zoned M-1. SUP-0257-2017

L. Petitioner: ***Daniel H. & Elsie M. Hochstetler*** (Page 18)  
 Petition: for a Special Use to allow for an agricultural use for the keeping of animals on a tract of land containing less than three acres, for a Developmental Variance to allow for the total square footage of accessory structures to exceed the total square footage in the primary structure, and for a 2 ft. Developmental Variance to allow for the construction of a detached accessory structure 5 ft. from the East property line (Ordinance requires 7 ft. based on the height of the proposed building) .  
 Location: South side of SR 4, 1,100 ft. West of SR 13, common address of 12712 SR 4 in Clinton Township, zoned A-1. SUP-0258-2017

**USE VARIANCE/DEV. VARIANCES**

M. Petitioner: ***Timothy & Patricia Bryant*** (Page 19)  
 Petition: for a Use Variance to allow for the construction of a second dwelling on a parcel, for a 19 ft. Developmental Variance to allow for the construction of a residence 56 ft. from the center line of the right-of-way of CR 2 (Ordinance requires 75 ft.), and for a 3 ft. Developmental Variance to allow for the construction of a residence 7 ft. from the property line (Ordinance requires 10 ft.).  
 Location: North side of CR 2, 1,100 ft. East of CR 35, common address of 13433 CR 2 in York Township, zoned A-1. UV-0249-2017

**11:00 A.M. (HESSER)**

N. Petitioner: ***Levon & Mary E. Brubacher 1/2 Kamron Brubacher 1/2 Jt. Ten*** (Page 20)  
 Petition: for a Use Variance for warehousing and storing of three commercial vehicles and for a 17 ft. Developmental Variance to allow for the construction of an attached garage 33 ft. from the centerline of the right-of-way of High St. (Ordinance requires 50 ft.).  
 Location: Southeast corner of Elkhart St. and High St., 1,928 ft. South of CR 40, common address of 400 S. Elkhart St. in Olive Township, zoned R-1. SUP-0235-2017

**USE VARIANCE**

O. Petitioner: *D & M Rentals, LLC* (Page 21)  
Petition: for a Use Variance to allow for an accessory dwelling on property without the owner residing in the primary dwelling.  
Location: East side of CR 27, 2,200 ft. North of CR 126, common address of 60066 CR 27 in Jefferson Township, zoned A-1. UV-0259-2017

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

- *Major or Minor change – Special Use - Michelle R. Steigmeyer (SUP-0246-2016) – Site Plan Amendment.*

**ADJOURNMENT**