

AGENDA

ELKHART COUNTY BOARD OF ZONING APPEALS

DECEMBER 19, 2019
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 November 2019.

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

SPECIAL USES

8:30 A.M. (LYON)

- A. Petitioner: *Felicia F. Grabill* (Page 11)
 Petition: for a Special Use for an agricultural use for the keeping of animals on a tract of land containing less than 3 acres.
 Location: East side of Kimberly Dr., 335 ft. North of Gregory Dr., West of Meadow Glen Dr. (Tower Rd.), North of Old US 33, common address of 56932 Kimberly Dr. in Baugo Township, zoned R-1. SUP-0805-2019
- B. Petitioner: *Raymundo C. Rodriguez & Elizabeth G. Rodriguez, Husband & Wife* (Page 12)
 Petition: for a Special Use for a ground-mounted solar array.
 Location: West side of Homer Ave., 2,700 ft. South of Hively Ave., common address of 58029 Homer Ave. in Concord Township, zoned R-1. SUP-0821-2019
- C. Petitioner: *Merle J. Yutzy & Megan E. Yutzy (Buyers) & Herbert L. Miller & Mary H. Miller, Husband & Wife (Sellers)* (Page 13)
 Petition: for a Special Use for a home workshop/business for a wood finishing business.
 Location: West side of CR 3, 1,600 ft. North of CR 44, common address of 67619 CR 3 in Locke Township, zoned A-1. SUP-0849-2019

9:00 A.M. (MILLER)

- D. Petitioner: ***Melvin J. Bontrager & Linda L. Bontrager, Husband & Wife*** (Page 14)
Petition: for a Special Use for an agricultural use for the keeping of animals on a tract of land containing less than 3 acres.
Location: South side of US 20, 460 ft. West of CR 33, common address of 15336 US 20 in Middlebury Township, zoned A-1. SUP-0827-2019
- E. Petitioner: ***Keith Yoder & Kimberly Yoder, Husband & Wife*** (Page 15)
Petition: for a Special Use for a ground-mounted solar array.
Location: West side of CR 37, 1,580 ft. South of CR 137, common address of 72803 CR 37 in Benton Township, zoned A-1. SUP-0850-2019
- F. Petitioner: ***Michael Bird & Jamie L. Bird, Husband & Wife*** (Page 16)
Petition: for a Special Use for a home workshop/business for a reflexology business.
Location: North side of Briarhill Dr., 1,760 ft. West of Old CR 17, North of CR 26, common address of 22581 Briarhill Dr. in Concord Township, zoned R-1. SUP-0843-2019

9:30 A.M. (ATHA)

- G. Petitioner: ***Michael Wass & Juanita Wass, Husband & Wife*** (Page 17)
Petition: for a Special Use for a ground-mounted solar array.
Location: West side of CR 115, 2,020 ft. South of CR 18, common address of 57833 CR 115 in Concord Township, zoned A-1. SUP-0834-2019
- H. Petitioner: ***Fairfield School Building Corporation*** (Page 18)
Petition: for an Amendment to an existing Special Use for a school to allow for a new electronic message center.
Location: Northeast corner of US 33 & CR 31, common address of 67530 US 33 in Benton Township, zoned A-1. SUP-0846-2019
- I. Petitioner: ***David R. Kuhns & Marlene J. Miller, Joint Tenants with Rights of Survivorship & Brian P. Stutzman & Alane D. Stutzman, Husband & Wife*** (Page 19)
Petition: for a Special Use for an agricultural use for the keeping of animals on a tract of land containing less than 3 acres.
Location: North side of CR 46, 2,880 ft. West of CR 31, common address of 16541 CR 46 & 16509 CR 46 in Jackson Township, zoned A-1. SUP-0837-2019

USE VARIANCE/DEVELOPMENTAL VARIANCE 10:00 A.M. (CAMPANELLO)

- J. Petitioner: ***The Maple House, LLC*** (Page 20)
Petition: for a Use Variance to allow for two existing dwellings on a zoning lot, for a 25 ft. Developmental Variance (Ordinance requires 50 ft.) to allow for an existing accessory dwelling up to the right-of-way of Brown St., for a 5 ft. Developmental Variance (Ordinance requires 10 ft.) to allow for an existing attached garage 5 ft. from the north side property line, for a 7 ft. Developmental Variance (Ordinance requires 10 ft.) to allow for an existing accessory dwelling 3 ft. from the south side property line, for a 77 ft.

Developmental Variance (Ordinance requires 120 ft.) to allow for an existing primary dwelling 43 ft. from the centerline of the right-of-way of Main St. (SR 13), and for an 8 ft. Developmental Variance (Ordinance requires 10 ft.) to allow for an existing primary dwelling 2 ft. from the north side property line.
Location: West side of Main St. (SR 13), East side of Brown St., 200 ft. South of Lawrence St., common address of 307 S. Main St. in Middlebury Township, zoned R-1. UV-0848-2019

USE VARIANCE

K. Petitioner: ***Rebecca S. Swihart*** (Page 21)
Petition: for a Use Variance to allow for the construction of an accessory structure without a residence on proposed lot 1.
Location: South side of CR 28, 1,700 ft. West of CR 22, common address of 18190 CR 28 in Elkhart Township, zoned A-1. UV-0819-2019

TABLED

L. Petitioner: ***Ranulfo Mejia*** (Page 22)
Petition: for a Special Use for a ground-mounted solar array.
Location: East side of CR 25, 1,800 ft. South of CR 46, common address of 68810 CR 25 in Jackson Township, zoned A-1. SUP-0725-2019

M. Petitioner: ***LEJN, LLC*** (Page 23)
Petition: for a Use Variance to allow for the sale of construction equipment and pre-built storage buildings and for a Special Use for warehousing and storage of RVs, construction equipment, and pre-built storage buildings.
Location: Southwest corner of SR 13 (Main St.) & CR 12, common address of 55065 SR 13 in Middlebury Township, zoned A-1. SUP-0762-2019

SHOW CAUSE HEARINGS

10:30 A.M. (HESSER)

N. Petitioner: ***Dana & Lori Bontrager*** (Page 24)
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 CR 33, 2,000 ft. South of CR 20, common address of 59285 CR 33 in Middlebury Township, zoned A-1. SUP-0751-2018

O. Petitioner: ***Alyssa M. Williams*** (Page 25)
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 Frances Ave., South of Hively, common address of 57705 Frances Ave. in Concord Township, zoned R-1. SUP-0932-2017

P. Petitioner: ***Brenda Kaye Frascetti*** (Page 26)
Petition: for a requested rescission of a Use Variance for failure to comply with condition(s) and/or commitment(s) imposed by the Board of Zoning Appeals.
Location: North side of Lakeview Dr., 1,055 ft. West of Cassopolis St. (SR 19), common address of 26603 Lakeview Dr. in Osolo Township, zoned R-2. UV-0690-2018

Q. Petitioner: ***Richard A. & Rosetta F. Mast*** (Page 27)
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 13, 1,280 ft. North of CR 40, common address of 65730 SR 13 in Clinton Township, zoned A-1. SUP-0212-2018

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

ADJOURNMENT