

AGENDA

ELKHART COUNTY BOARD OF ZONING APPEALS HEARING OFFICER

APRIL 17, 2024
9:00 A.M.

ADMINISTRATION BUILDING
MEETING ROOMS 104, 106, & 108
117 N. 2nd STREET, GOSHEN, INDIANA

Call to Order

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

DEVELOPMENTAL VARIANCES

9:00 A.M.

- A. Petitioner: ***Delmar D. Bontrager & Emily E. Bontrager, Husband & Wife*** (Page 1)
Petition: for a Developmental Variance to allow for the construction of a residence on property with no road frontage served by an access easement.
Location: West end of the easement, 795 ft. West of CR 37, 3,295 ft. South of SR 120, in York Township, zoned A-1. DV-0147-2024
- B. Petitioner: ***The Miller Family Revocable Living Trust*** (Page 2)
Petition: for a Developmental Variance to allow for the construction of a residence on property with no road frontage served by an access easement on proposed lot 2, for a 7:1 depth-to-width-ratio Developmental Variance, and for a 25 ft. lot-width Developmental Variance (Ordinance requires 100 ft.) to allow for the construction of a residence on proposed lot 3.
Location: South side of CR 126, 1,110 ft. East of SR 15, in Jefferson Township, zoned A-1. DV-0170-2024
- C. Petitioner: ***Steven L. Keyser*** (Page 3)
Petition: for a 7:1 depth-to-width ratio Developmental Variance and for a 57 ft. lot-width Developmental Variance (Ordinance requires 100 ft.) to allow for an existing residence.
Location: South side of CR 16, 945 ft. West of SR 19 (Nappanee St.), common address of 28178 CR 16 in Baugo Township, zoned R-2. DV-0165-2024

- D. Petitioner: ***Jeff Simons & Barb Simons, Husband & Wife*** (Page 4)
 Petition: for a 30 ft. Developmental Variance (Ordinance requires 120 ft.) to allow for an existing residence 90 ft. from the centerline of the right-of-way and for a Developmental Variance to allow for the total square footage of accessory structures to exceed that allowed by right.
 Location: North side of SR 120, 810 ft. East of CR 17, common address of 21751 SR 120 in Washington Township, zoned R-1. DV-0167-2024
- E. Petitioner: ***Michael P. Cheney & Lucinda M. Cheney, Husband & Wife*** (Page 5)
 Petition: for a 2 ft. Developmental Variance (Ordinance requires 5 ft.) to allow for an addition to an existing accessory structure 3 ft. from the east side property line and for a 10 ft. Developmental Variance (Ordinance requires 50 ft.) to allow for an existing accessory structure 40 ft. from the centerline of the right-of-way.
 Location: South side of North Shore Dr., 2,090 ft. West of CR 11, common address of 25130 North Shore Dr. in Osolo Township, zoned R-2. DV-0168-2024
- F. Petitioner: ***Wal-Mart Stores East, Lp*** (Page 6)
 Petition: for a 224 sq. ft. Developmental Variance (Ordinance allows 300 sq. ft.) to allow for 524 sq. ft. of wall signage.
 Location: South side of Old US 20, 805 ft. East of Ash Rd., common address of 30830 Old US 20 in Cleveland Township, zoned M-1. DV-0171-2024

MOBILE HOME SPECIAL USES/ DEVELOPMENTAL VARIANCES

- G. Petitioner: ***David D. Fore*** (Page 7)
 Petition: for a Special Use for an existing mobile home, for a Developmental Variance to allow for an existing mobile home within 300 ft. of a residence, for a 10 ft. Developmental Variance (Ordinance requires 10 ft.) to allow for an existing mobile home 0 ft. from the east side property line, and for a Developmental Variance to allow for the total square footage of accessory structures to exceed that allowed by right.
 Location: South side of CR 8, 1,375 ft. East of CR 27, common address of 16730 CR 8 in Washington Township, zoned A-1. SUP-0163-2024
- H. Petitioner: ***David Fore*** (Page 8)
 Petition: for a Special Use for an existing mobile home and for a Developmental Variance to allow for an existing mobile home within 300 ft. of a residence.
 Location: East side of Paul St., 565 ft. North of CR 20 (Mishawaka Rd.), common address of 57596 Paul St. in Baugo Township, zoned R-2. SUP-0164-2024

TABLED

- I. Petitioner: ***Randy Vance, Jerry M. Bethel, Sr. & Brenda Bethel, Husband & Wife (Land Contract Holders) & Randy Vance & Jessica Hubbel (Land Contract Purchasers)*** (Page 9)
 Petition: for a 30 ft. Developmental Variance (Ordinance requires 120 ft.) to allow for an existing residence and the construction of a porch addition 90 ft. from the centerline of the right-of-way.
 Location: South side of US 6, 2,510 ft. West of CR 15, common address of 23454 US 6 in Union Township, zoned A-1. DV-0057-2024

Hearing Officer Staff Report

Prepared by the Department of Planning and Development

Hearing Date: April 17, 2024

Transaction Number: DV-0147-2024.

Parcel Number(s): Part of 20-04-28-400-014.000-032.

Existing Zoning: A-1.

Petition: for a Developmental Variance to allow for the construction of a residence on property with no road frontage served by an access easement.

Petitioner: Delmar D. Bontrager & Emily E. Bontrager, Husband & Wife.

Location: West end of the easement, 795 ft. West of CR 37, 3,295 ft. South of SR 120, in York Township.

Site Description:

- Physical Improvement(s) – None.
- Proposed Improvement(s) – Residence and accessory structures.
- Existing Land Use – Agricultural.
- Surrounding Land Use – Agricultural, residential

History and General Notes:

- None

Staff Analysis:

Staff finds that:

1. Approval of the request will not be injurious to public health, safety, morals, or general welfare. The variance maximizes agricultural and residential land use.
2. Approval of the request will not cause substantial adverse effects on neighboring property. This will be a proposed 9-acre property in a low-density residential and agricultural area, and the proposed lots will remain residential and agricultural in character.
3. Strict application of the terms of the Zoning Ordinance would result in an unnecessary hardship in the use of the property. Without the benefit of the variance, the property could not be used for residential use and the subdivision could not be completed.

Hearing Officer Staff Report (Continued)

Hearing Date: April 17, 2024

Staff recommends **APPROVAL** with the following condition(s) imposed:

1. A variance from the developmental standards of the Zoning Ordinance is void unless an Improvement Location Permit is issued within 180 calendar days from the date of the grant and construction work completed within 1 year from the date of the issuance of the building permit (where required).
2. The request is approved in accordance with the site plan submitted 3/12/2024 and as represented in the Developmental Variance application.
3. A subdivision is required.

DV-0147-2024

PLAN COMMISSION & BOARD OF ZONING APPEALS

Elkhart County Planning & Development
Public Services Building
4230 Elkhart Road, Goshen, Indiana, 46526
Phone - (574) 971-4678
Fax - (574) 971-4578

Developmental Variance - Developmental Variance

Date: 03/12/2024 Meeting Date: April 17, 2024 Transaction #: DV-0147-2024
Board of Zoning Appeals Public Hearing

Description: for a Developmental Variance to allow for the construction of a residence on property with no road frontage served by an access easement

Contacts: <u>Applicant</u>	<u>Land Owner</u>	<u>Private Surveyor</u>
Advanced Land Surveying Of Northern Indiana, Inc. 17120 County Road 46 New Paris, IN 46553	Delmar D & Emily E Bontrager H & W 7905 W 450 N Shipshewana, IN 46565	Advanced Land Surveying Of Northern Indiana, Inc. 17120 County Road 46 New Paris, IN 46553

Site Address: 00000 County Road 37 MIDDLEBURY, IN 46540	Parcel Number: Part of 20-04-28-400-014.000-032
--	---

Township: York
Location: WEST SIDE OF CR 37, 3295 FT SOUTH SR 120

Subdivision: Lot #

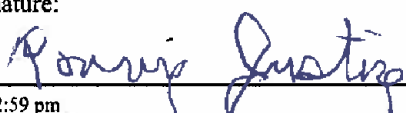
Lot Area: 16.11 Frontage: 0.00 Depth: 1,007.00

Zoning: A-1 NPO List:

Present Use of Property: AG

Legal Description:

Comments: PARCEL CREATION DATE 9-14-2006
WILL NEED AN ADMIN SUB ON BOTH SPLIT TO BE ABLE TO BUILD A RESIDENCE.
WATCH FOR PARCEL SPLIT- WELL BE SPLIT INTO 2- 8 ACRES PARCELS ES

Applicant Signature:


Department Signature:

Application

Site address: COUNTY ROAD 37, MIDDLEBURY, IN 46540

Parcel number(s): 20-04-28-400-014.000-032

Current property owner

Name: DELMAR D. and EMILY E. BONTRAGER

Address: 7905 W 450 N, SHIPSHEWANA, IN 46565

Phone: _____

Email: _____

Other party

Agent

Buyer

Land contract purchaser

Lessee

Name: Ronnie Justice P.S. / Advanced Land Surveying

Address: 17120 County Road 46

Phone: 574-849-4728

Email: ron@advancedlandsurveying.net

By signing below, I understand that if my application is approved, there may be conditions that will have to be met before approval is final and building permits can be started. I also understand that the conditions may include a commitment that the property owner is responsible for completing and returning.

Signature of current property owner or authorized agent: Ronnie Justice

Staff Use Only

Description: _____

Parcel creation date: _____

Subdivision required? Y N If yes, AS Minor Major

Residential accessory breakdown, if applicable: _____

Location: N S E W corner side end of _____,
_____ ft. N S E W of _____,
in _____ Township

Frontage: _____ **Depth:** _____ **Area:** _____ acres

Subdivision and lot number, if applicable: _____

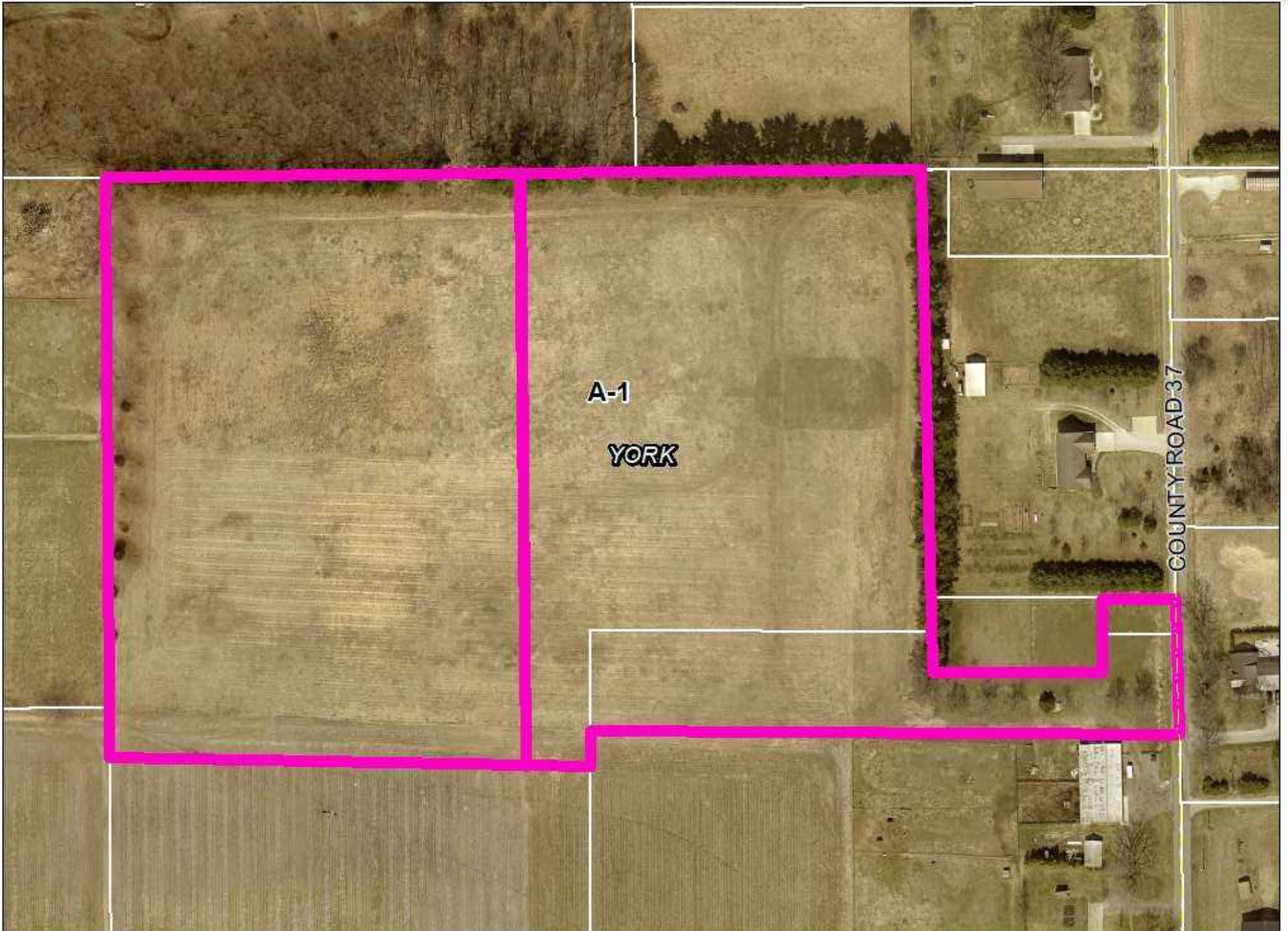
Present use: _____

Developmental Variance — Questionnaire

Name: MARCUDELMAR D. and EMILY E. BONTRAGER

- 1) Tell us what you want to do. .BUILD A NEW HOUSE AND BARN ON A 9.00 ACRE PARCEL OF LAND WITH NO ROAD FRONTAGE AFTER I SELL MY FRONT 9.00 ACRES OF MY 18 ACRE PARCEL
- 2) Tell us why you can't change what you're doing so you don't need a variance. I HAVE AN INTERSETED PARTY WHO BOUGHT THE FRONT HALF TO BUILD ON WE WILL SHARE THE DRIVE
- 3) Tell us why the variance won't hurt your neighbors or the community. the area is residential and agricultural with farm ground to the west and south. this will not interfere with adjoining use
- 4) Does the property need well and septic? Well: Y N Septic: Y N
Does the property need a new septic system? Y N
If a new septic system is needed, did the Health Department say there's enough space for it? Y N
- 5) Does the application include variances to allow for buildings or additions? Y N If yes, fill out below.
Building or addition 1 Size and height to the peak: _____
Tell us what you'll use it for. _____
Building or addition 2 Size and height to the peak: _____
Tell us what you'll use it for. _____
Building or addition 3 Size and height to the peak: _____
Tell us what you'll use it for. _____
- 6) Does the application include a variance for a residence on property with no road frontage? Y N
If yes, fill out below.
Is the easement existing? Y N If the easement is existing, is it recorded? Y N
Tell us who owns (will own) the land under the easement. buyer of lfront 9 acres
Tell us how many parcels will use the easement. 2
- 7) Does the application include variances for signs? Y N If yes, fill out below.
Sign 1 Dimensions (length and width): _____
Existing? Y N Double faced? Y N
Electronic message board? Y N If no, lighted? Y N
Freestanding? Y N Wall mounted? Y N
Sign 2 Dimensions (length and width): _____
Existing? Y N Double faced? Y N
Electronic message board? Y N If no, lighted? Y N
Freestanding? Y N Wall mounted? Y N
Sign 3 Dimensions (length and width): _____
Existing? Y N Double faced? Y N
Electronic message board? Y N If no, lighted? Y N
Freestanding? Y N Wall mounted? Y N
- 8) Does the application include a variance for parking spaces? Y N
If yes, tell us how many total there will be. _____
- 9) Tell us anything else you want us to know. I have been contracted to do an Administrative on the front 9 acres. owner is in process of deeding off front 9 acres

DV-0147-2024

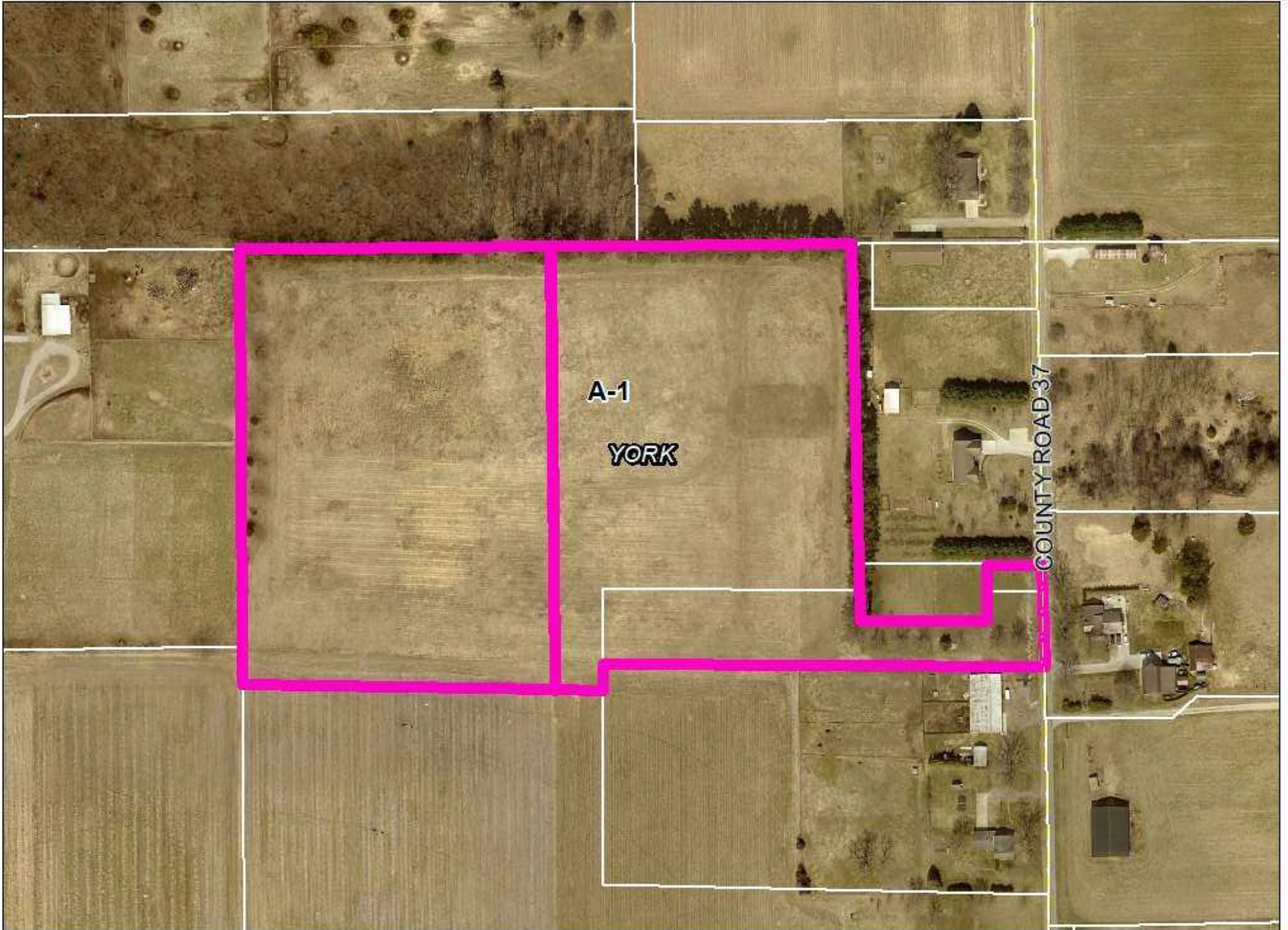


A-1

YORK

COUNTY ROAD 37

DV-0147-2024

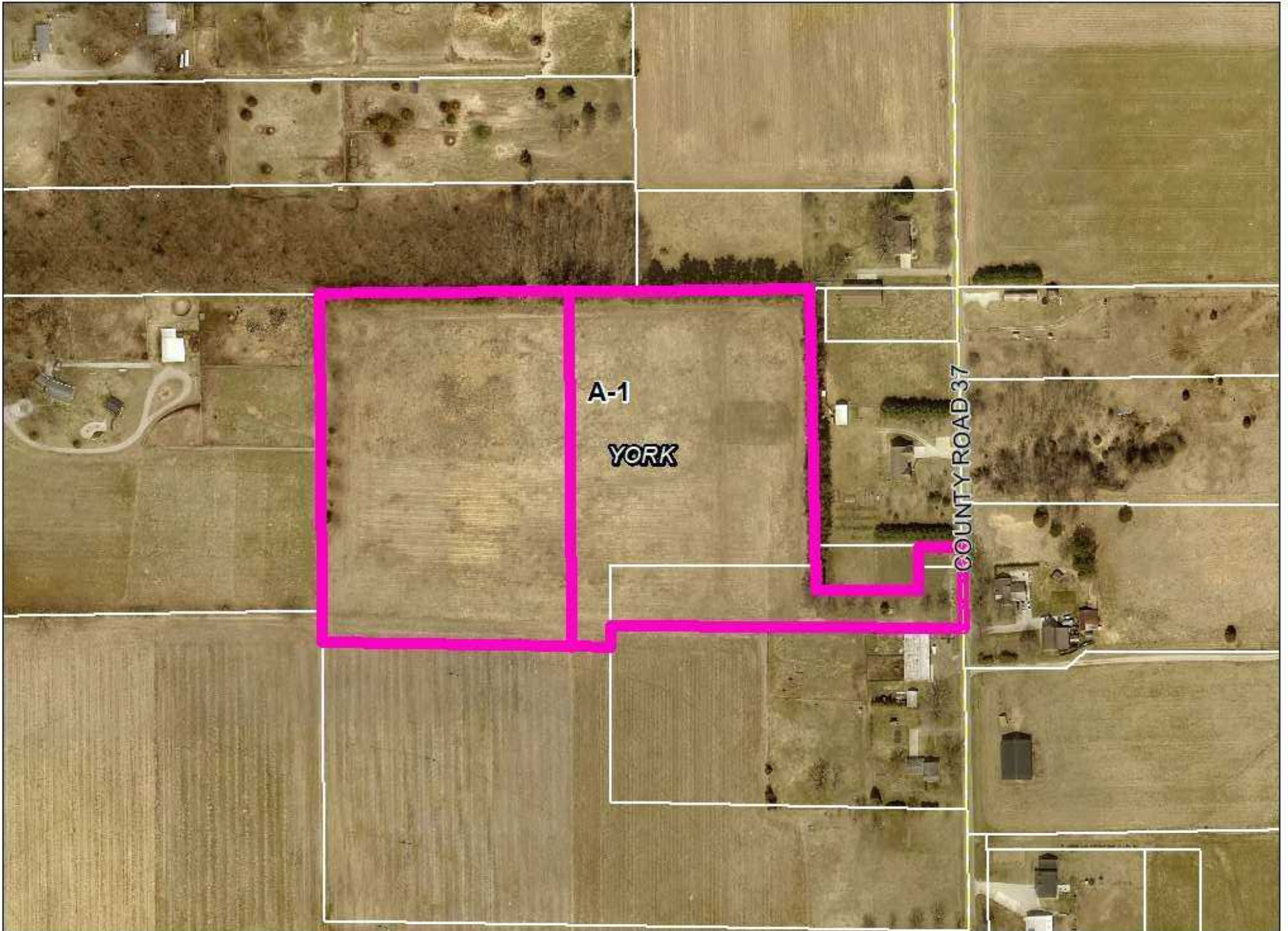


2021 Aerials

1 inch = 200 feet



DV-0147-2024



2021 Aerials

1 inch = 250 feet





Looking west toward property



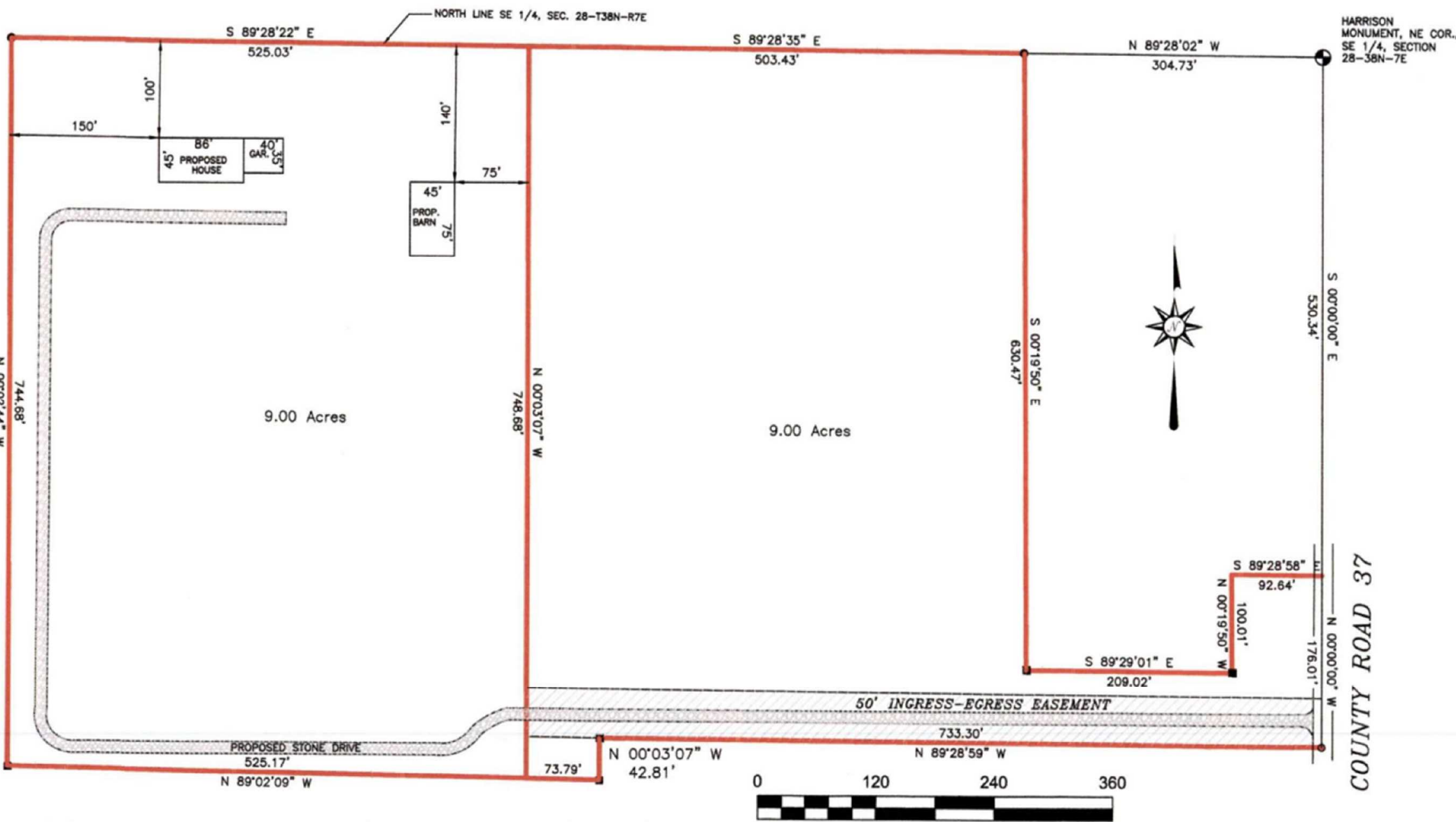
Looking east



Looking north



Looking south



COUNTY ROAD 37

Hearing Officer Staff Report

Prepared by the Department of Planning and Development

Hearing Date: April 17, 2024

Transaction Number: DV-0170-2024.

Parcel Number(s): Part of 20-07-34-300-021.000-019.

Existing Zoning: A-1.

Petition: for a Developmental Variance to allow for the construction of a residence on property with no road frontage served by an access easement on proposed lot 2 and for a 7:1 depth-to-width-ratio Developmental Variance and a 25 ft. lot width Developmental Variance (Ordinance requires 100 ft.) to allow for the construction of a residence on proposed lot 3.

Petitioner: The Miller Family Revocable Living Trust.

Location: South side of CR 126, 1,110 ft. East of SR 15, in Jefferson Township.

Site Description:

- Physical Improvement(s) – None.
- Proposed Improvement(s) – Residence and accessory structures.
- Existing Land Use – Agricultural.
- Surrounding Land Use – Agricultural, residential

History and General Notes:

- None

Staff Analysis:

Staff finds that:

1. Approval of the request will not be injurious to public health, safety, morals, or general welfare. The variances will maximize agricultural and residential land use for the proposed large lot minor subdivision.
2. Approval of the request will not cause substantial adverse effects on neighboring property. This development will be a proposed 3-lot subdivision in a low-density residential and agricultural area, and the proposed lots will remain residential and agricultural in character.
3. Strict application of the terms of the Zoning Ordinance would result in an unnecessary hardship in the use of the property. Without the benefit of the variances, the proposed lots could not be used for residential use and the 3-lot subdivision could not be completed.

Hearing Officer Staff Report (Continued)

Hearing Date: April 17, 2024

Staff recommends **APPROVAL** with the following condition(s) imposed:

1. A variance from the developmental standards of the Zoning Ordinance is void unless an Improvement Location Permit is issued within 180 calendar days from the date of the grant and construction work completed within 1 year from the date of the issuance of the building permit (where required).
2. The request is approved in accordance with the site plan submitted 3/18/2024 and as represented in the Developmental Variance application.
3. A subdivision is required.

PLAN COMMISSION & BOARD OF ZONING APPEALS

Elkhart County Planning & Development
Public Services Building
4230 Elkhart Road, Goshen, Indiana, 46526
Phone - (574) 971-4678
Fax - (574) 971-4578

Developmental Variance - Developmental Variance

Date: 03/18/2024 Meeting Date: April 17, 2024
Board of Zoning Appeals Public Hearing Transaction #: DV-0170-2024

Description: for a Developmental Variance to allow for the construction of a residence on property with no road frontage served by an access easement ON PROPOSED LOT 2 AND for a 7:1 depth-to-width-ratio Developmental Variance to allow for the construction of a residence ON PROPOSED LOT 3

<u>Applicant</u>	<u>Land Owner</u>	<u>Private Surveyor</u>
Advanced Land Surveying Of Northern Indiana, Inc. 17120 County Road 46 New Paris, IN 46553	Miller Family Revocable Living Trust 59661 State Road 15 Goshen, IN 46528	Advanced Land Surveying Of Northern Indiana, Inc. 17120 County Road 46 New Paris, IN 46553

Site Address: 00000 County Road 126 GOSHEN, IN 46528	Parcel Number: 20-07-34-300-021.000-019
---	---

Township: Jefferson
Location: SOUTH SIDE OF CR 126, 900 FT EAST OF STATE ROAD 15

Subdivision: Lot #

Lot Area: 24.00 Frontage: 457.00 Depth: 1,521.00

Zoning: A-1 NPO List:

Present Use of Property: VACANT

Legal Description:

Comments: PARCEL CREATION DATE 5-13-11- RONNIE JUSTICE WILL BE DOING THE 3 LOT MINOR SUBDIVISION AT A LATER DATE.

Applicant Signature:
R Ronnie Justice

Department Signature:
Elizabeth...

Application

Site address: VACANT LAND COUNTY ROAD 126, GOSHEN, IN 46528

Parcel number(s): 20-07-34-300-021.000-019

Current property owner

Name: THE MILLER FAMILY REVOCABLE LIVING TRUST, JOSEPH J. & NOREEN M. MILLER

Address: 59661 STATE ROAD 15, GOSHEN, IN 46528

Phone: 574 238-1876

Email: Joem4965@gmail.com

Other party

Agent

Buyer

Land contract purchaser

Lessee

Name: Ronnie Justice P.S. / Advanced Land Surveying

Address: 17120 County Road 46

Phone: 574-849-4728

Email: ron@advancedlandsurveying.net

By signing below, I understand that if my application is approved, there may be conditions that will have to be met before approval is final and building permits can be started. I also understand that the conditions may include a commitment that the property owner is responsible for completing and returning.

Signature of current property owner or authorized agent: _____

Staff Use Only

Description: _____

Parcel creation date: _____

Subdivision required? Y N If yes, AS Minor Major

Residential accessory breakdown, if applicable: _____

Location: N S E W corner side end of _____ ,
_____ ft. N S E W of _____ ,
in _____ Township

Frontage: _____ **Depth:** _____ **Area:** _____ acres

Subdivision and lot number, if applicable: _____

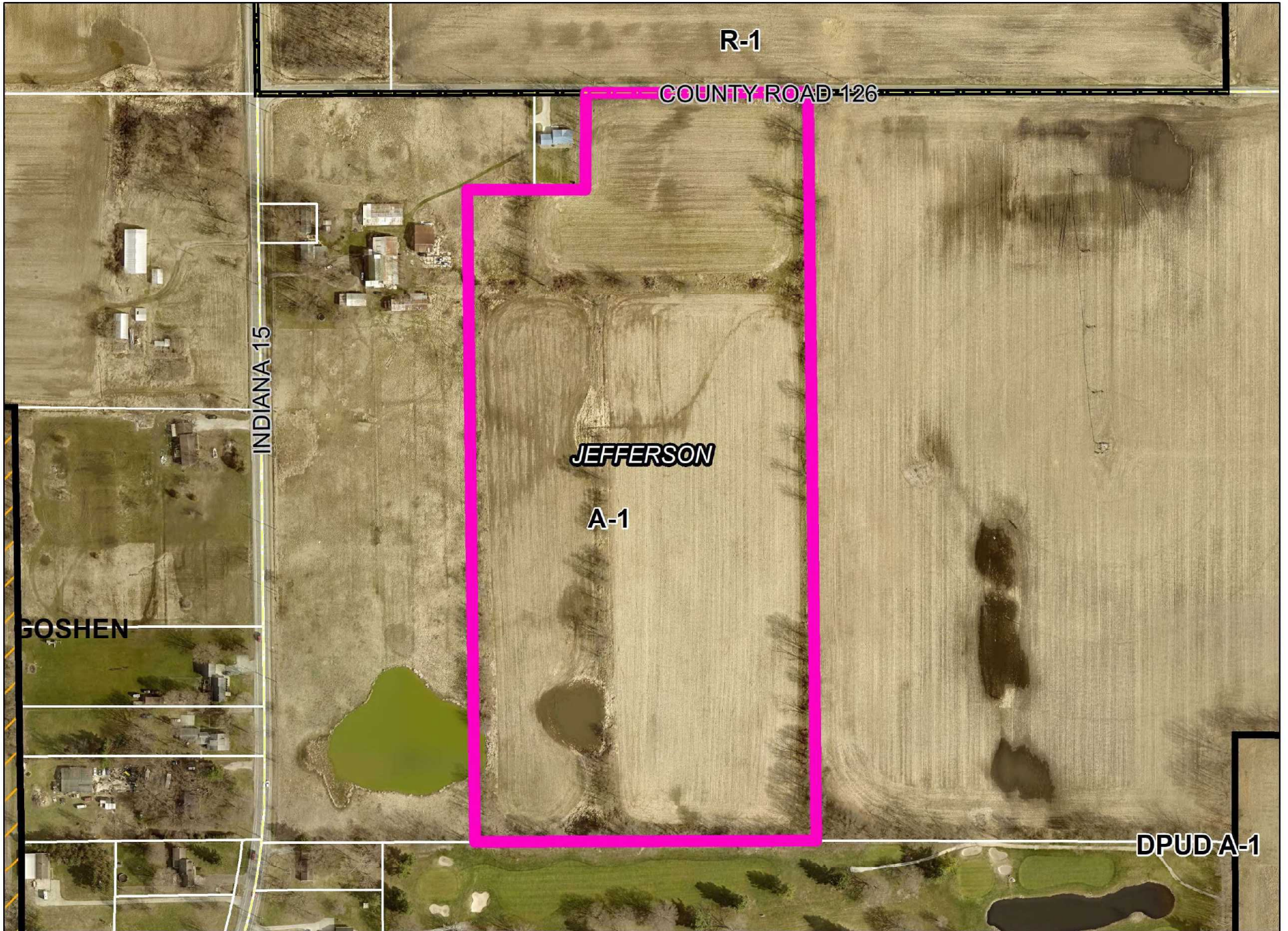
Present use: _____

Developmental Variance — Questionnaire

Name: _____

- 1) Tell us what you want to do. DO A THREE LOT MINOR SUBDIVISION ON A 24 ACRE PARCEL OF LAND. A DRIVEWAY ON THE EAST SIDE WILL BE FOR LOT 2 AND 3 THEREFORE LOT 2 WILL NEED A ZERO ROAD FRONTAGE VARIANCE. LOT 3 WILL NEED A 25' ROAD FRONTAGE VARIANCE AND A 7:1 WIDTH TO DEPTH RATIO VARIANCE
- 2) Tell us why you can't change what you're doing so you don't need a variance. WE OWN THIS LAND AND WOULD LIKE TO BUILD ON IT
- 3) Tell us why the variance won't hurt your neighbors or the community. the area is residential and agricultural with farm ground to the North and East. this will not interfere with adjoining use
- 4) Does the property need well and septic? Well: Y N Septic: Y N
Does the property need a new septic system? Y N
If a new septic system is needed, did the Health Department say there's enough space for it? Y N
- 5) Does the application include variances to allow for buildings or additions? Y N If yes, fill out below.
Building or addition 1 Size and height to the peak: to be determined
Tell us what you'll use it for. residential
Building or addition 2 Size and height to the peak: _____
Tell us what you'll use it for. _____
Building or addition 3 Size and height to the peak: _____
Tell us what you'll use it for. _____
- 6) Does the application include a variance for a residence on property with no road frontage? Y N
If yes, fill out below.
Is the easement existing? Y N If the easement is existing, is it recorded? Y N
Tell us who owns (will own) the land under the easement. Owner of lot 3
Tell us how many parcels will use the easement. 2
- 7) Does the application include variances for signs? Y N If yes, fill out below.
Sign 1 Dimensions (length and width): _____
Existing? Y N Double faced? Y N
Electronic message board? Y N If no, lighted? Y N
Freestanding? Y N Wall mounted? Y N
Sign 2 Dimensions (length and width): _____
Existing? Y N Double faced? Y N
Electronic message board? Y N If no, lighted? Y N
Freestanding? Y N Wall mounted? Y N
Sign 3 Dimensions (length and width): _____
Existing? Y N Double faced? Y N
Electronic message board? Y N If no, lighted? Y N
Freestanding? Y N Wall mounted? Y N
- 8) Does the application include a variance for parking spaces? Y N
If yes, tell us how many total there will be. _____
- 9) Tell us anything else you want us to know. Developer will build on lot 3. Lots 1 and 2 to be determined

DV-0170-2024



R-1

COUNTY ROAD 126

INDIANA 15

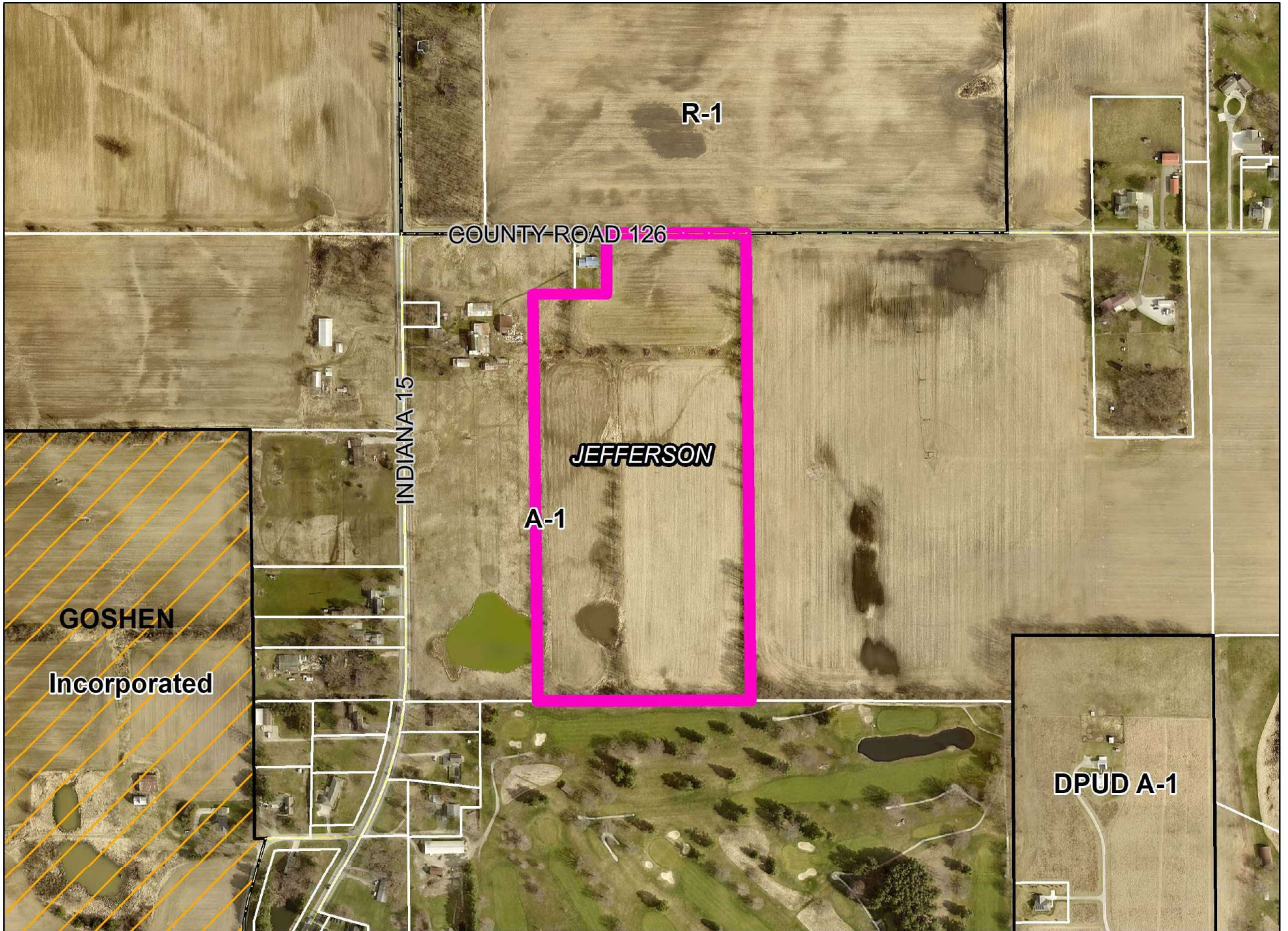
JEFFERSON

A-1

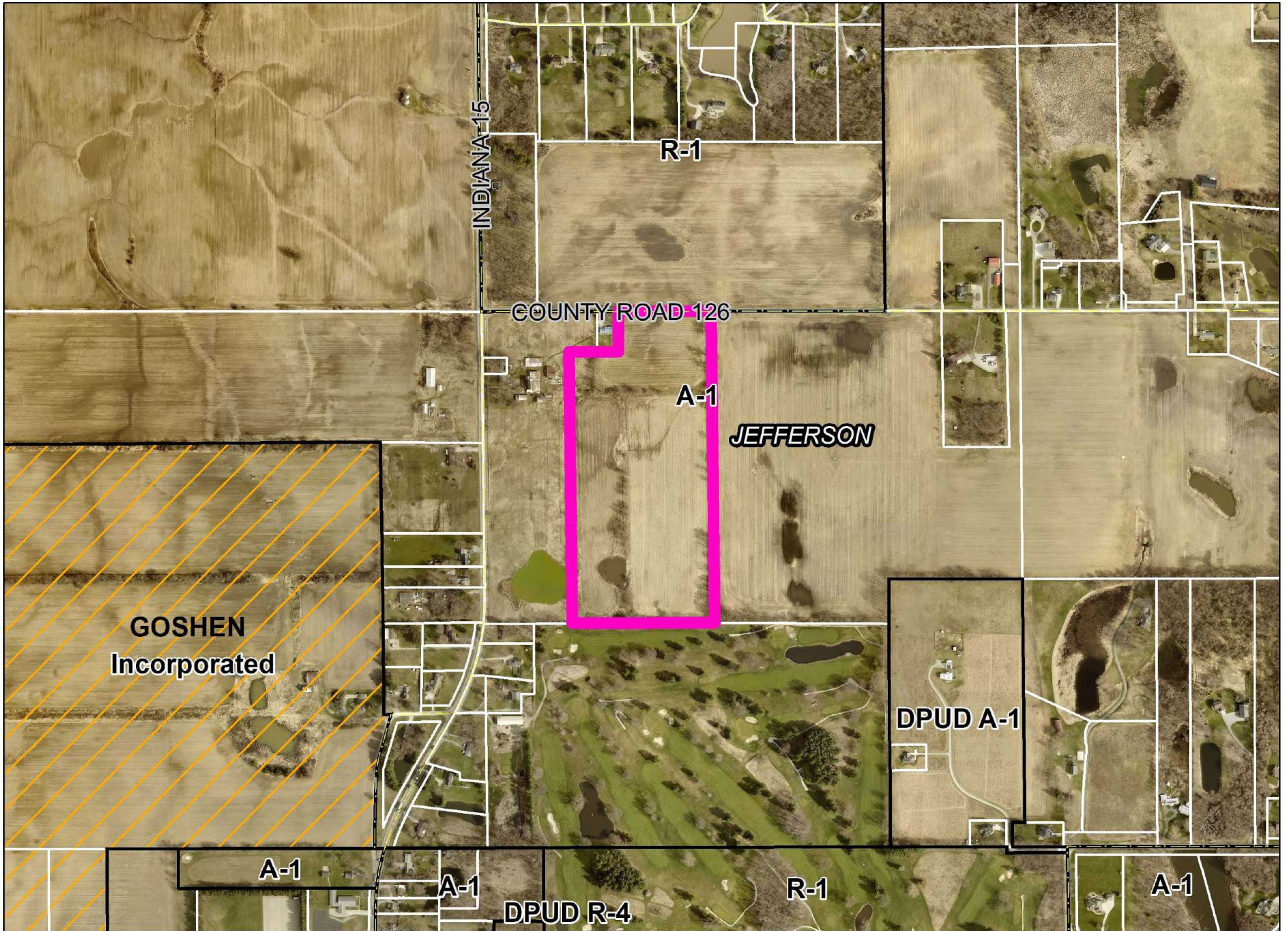
GOSHEN

DPUD A-1





DV-0170-2024



2021 Aerials

1 inch = 600 feet





Looking south toward property



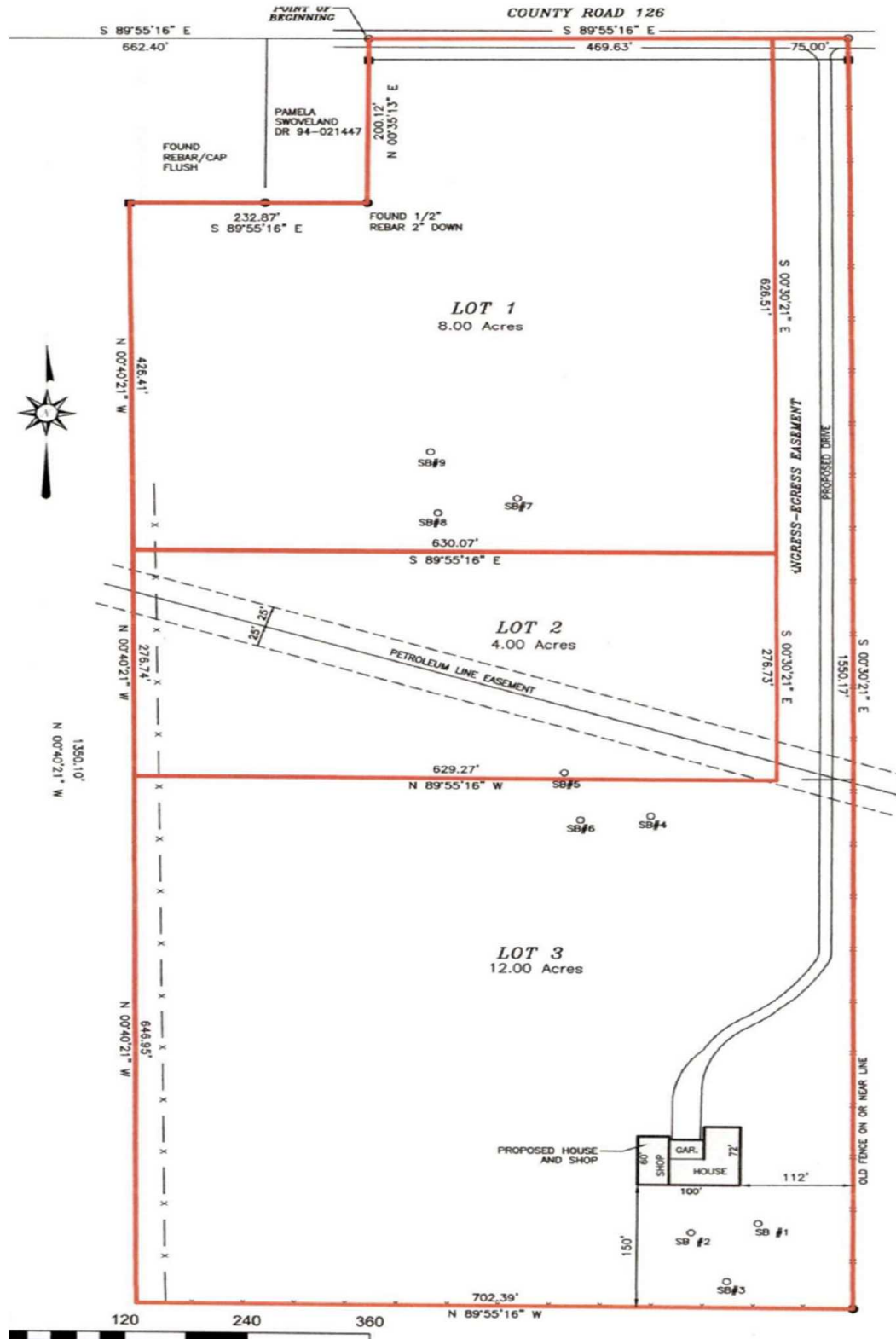
Looking north



Looking east



Looking west



Hearing Officer Staff Report

Prepared by the Department of Planning and Development

Hearing Date: April 17, 2024

Transaction Number: DV-0165-2024.

Parcel Number(s): 20-05-12-426-016.000-001.

Existing Zoning: R-2.

Petition: for a 7:1 depth-to-width ratio Developmental Variance and for a 57 ft. lot-width Developmental Variance (Ordinance requires 100 ft.) to allow for an existing residence.

Petitioner: Steven L. Keyser.

Location: South side of CR 16, 945 ft. West of SR 19 (Nappanee St.), in Baugo Township.

Site Description:

- Physical Improvement(s) – Residence and accessory structures.
- Proposed Improvement(s) – Accessory structure.
- Existing Land Use – Residential.
- Surrounding Land Use – Residential, open space

History and General Notes:

- Parcel was created in 1961.

Staff Analysis:

Staff finds that:

1. Approval of the request will not be injurious to public health, safety, morals, or general welfare. Previous splits resulted in the current amount of road frontage and depth.
2. Approval of the request will not cause substantial adverse effects on neighboring property. This is a 3.31-acre property in a low-density residential pocket surrounded by moderately dense residential area, and the property will remain residential in character.
3. Strict application of the terms of the Zoning Ordinance would result in an unnecessary hardship in the use of the property. Without the benefit of the variance, the property would be non-conforming, and the proposed new accessory structure could not be built.

Hearing Officer Staff Report (Continued)

Hearing Date: April 17, 2024

Staff recommends **APPROVAL** with the following condition(s) imposed:

1. A variance from the developmental standards of the Zoning Ordinance is void unless an Improvement Location Permit is issued within 180 calendar days from the date of the grant and construction work completed within 1 year from the date of the issuance of the building permit (where required).
2. The request is approved in accordance with the site plan submitted 3/15/2024 and as represented in the Developmental Variance application.

PLAN COMMISSION & BOARD OF ZONING APPEALS

Elkhart County Planning & Development
Public Services Building
4230 Elkhart Road, Goshen, Indiana, 46526
Phone - (574) 971-4678
Fax - (574) 971-4578

DV-0165-2024

Developmental Variance - Developmental Variance

Date: 03/15/2024 Meeting Date: April 17, 2024
Board of Zoning Appeals Public Hearing Transaction #: DV-0165-2024

Description: for a 57 ft. lot-width Developmental Variance (Ordinance requires 100 ft.) to allow for the construction of an accessory structure

Contacts: Applicant	Land Owner
Steven Keyser	Steven Keyser
28178 Cr 16	28178 Cr 16
Elkhart, IN 46516	Elkhart, IN 46516

Site Address: 28178 County Road 16 ELKHART, IN 46516	Parcel Number: 20-05-12-426-016.000-001
---	---

Township: Baugo
Location: SOUTH SIDE OF CR 16, 945 FT. WEST OF SR 19

Subdivision:	Lot #
--------------	-------

Lot Area: 3.31	Frontage: 43.00	Depth: 51-4000
----------------	-----------------	----------------

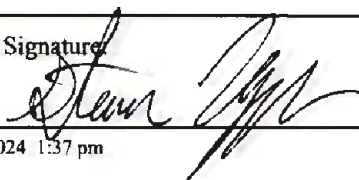
Zoning: R-2	NPO List:
-------------	-----------

Present Use of Property: RESIDENTIAL

Legal Description:

Comments: PARCEL CREATION DATE 3-1-61 NO SUBDIVISION IS NEEDED
RESIDENCE IS 2,028 SQ. FT. WITH 200% IS 4,056 SQ. FT. MINUS AN ATTACHED GARAGE OF 864 SQ. FT., A
DETACHED GARAGE OF 432 SQ. FT., A LEAN-TO OF 264 SQ. FT., AND A CANOPY OF 96 SQ. FT. LEAVES 2,400 SQ. FT.
MINUS THE PROPOSED NEW ACCESSORY STRUCTURE OF 2,400 SQ. FT. LEAVES 0 SQ. FT. OF BUILDABLE
ACCESSORY STORAGE SPACE

Applicant Signature:



Department Signature:

Application

Site address: 28178 Cr. 16 Elkhart IN. 46516

Parcel number(s): 20-05-12-426-016 2.18 acres

Current property owner

426-020 .97 acres
426-019 .164 acres / 3.314

Name: Steven Lee Keyser

Address: 28178 Cr. 16 Elkhart IN. 46516

Phone: (574) 206-5378 Email: Keysermowing@gmail.com

Other party Agent Buyer Land contract purchaser Lessee

Name: _____

Address: _____

Phone: _____ Email: _____

By signing below, I understand that if my application is approved, there may be conditions that will have to be met before approval is final and building permits can be started. I also understand that the conditions may include a commitment that the property owner is responsible for completing and returning.

Signature of current property owner or authorized agent: Steven Lee Keyser

Road Frontage 46'
~~Accessory Dwelling~~

Staff Use Only

Description: for a 54' lot-width Dev Var (Ord Requires 100 ft) to allow for an existing residence

Parcel creation date: 3-1-62

Subdivision required? Y N If yes, AS Minor Major

Residential accessory breakdown, if applicable: Residence is 2078 w/ 200% 4,056 minus an attached garage 864, detached garage 932, lean-to 264, and a 966 sq ft of minus the proposed new accessory building of 2900 leaves 0 sq ft.

Location: N (S) E W corner (side) end of CR 16,
945 ft. N S E (W) of SR 19,
in Baugo Township

Frontage: 43 Depth: 514 Area: 3.31 acres

Subdivision and lot number, if applicable: _____

Present use: Residential

Developmental Variance — Questionnaire

Name: Steven Lee Keyser

1) Tell us what you want to do. build an accessory Garage.

2) Tell us why you can't change what you're doing so you don't need a variance.

3) Tell us why the variance won't hurt your neighbors or the community. cannot be seen by the road, minimal impact on neighbors if any.

4) Does the property need well and septic? Well: Y N Septic: Y N
Does the property need a new septic system? Y N
If a new septic system is needed, did the Health Department say there's enough space for it? Y N

5) Does the application include variances to allow for buildings or additions? Y N If yes, fill out below.

Building or addition 1 Size and height to the peak: 40' x 60'
Tell us what you'll use it for. Storage building

Building or addition 2 Size and height to the peak: _____
Tell us what you'll use it for. _____

Building or addition 3 Size and height to the peak: _____
Tell us what you'll use it for. _____

6) Does the application include a variance for a residence on property with no road frontage? Y N
If yes, fill out below.

Is the easement existing? Y N If the easement is existing, is it recorded? Y N
Tell us who owns (will own) the land under the easement. _____
Tell us how many parcels will use the easement. _____

7) Does the application include variances for signs? Y N If yes, fill out below.

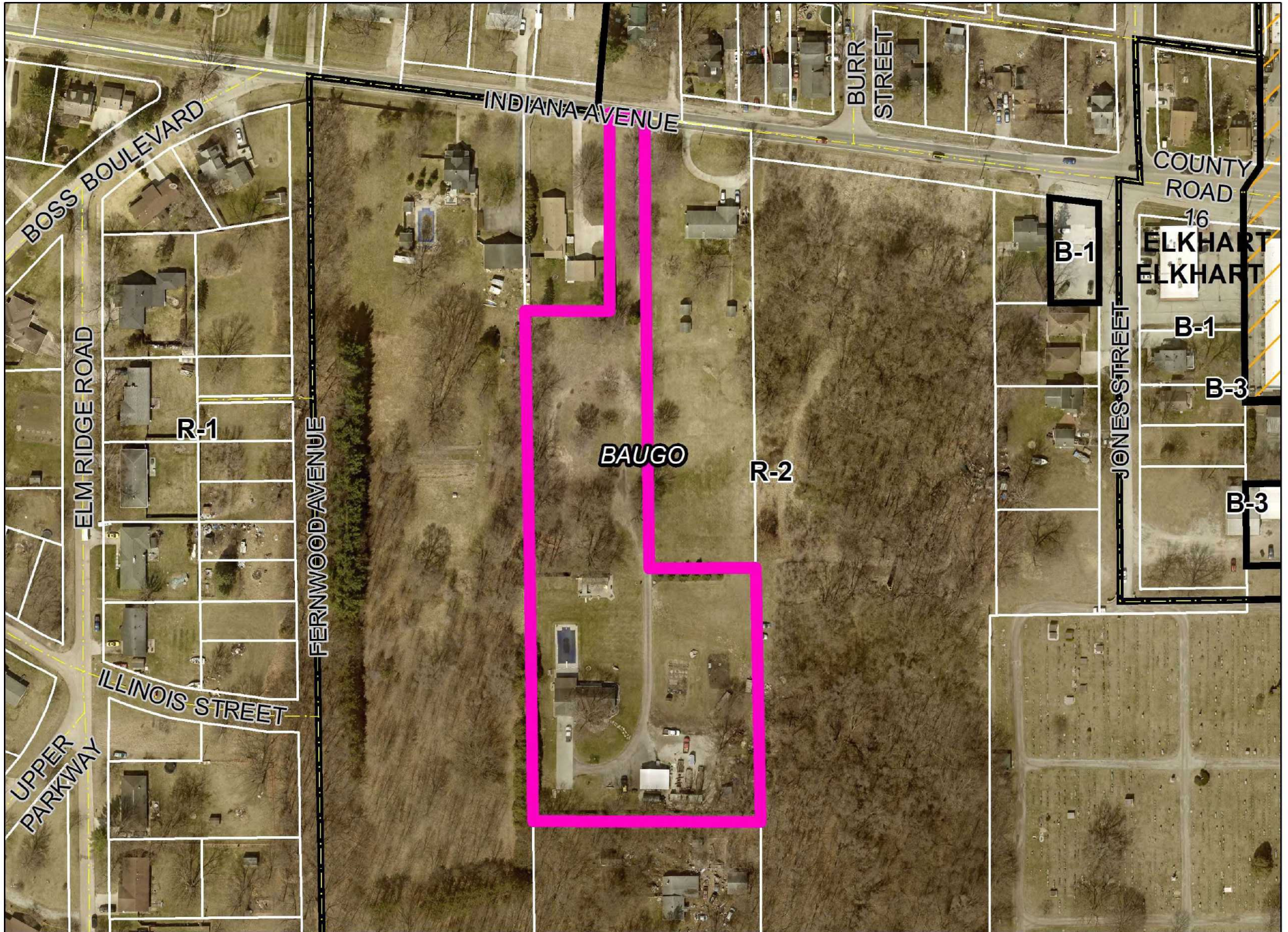
Sign 1 Dimensions (length and width): _____
Existing? Y N Double faced? Y N
Electronic message board? Y N If no, lighted? Y N
Freestanding? Y N Wall mounted? Y N

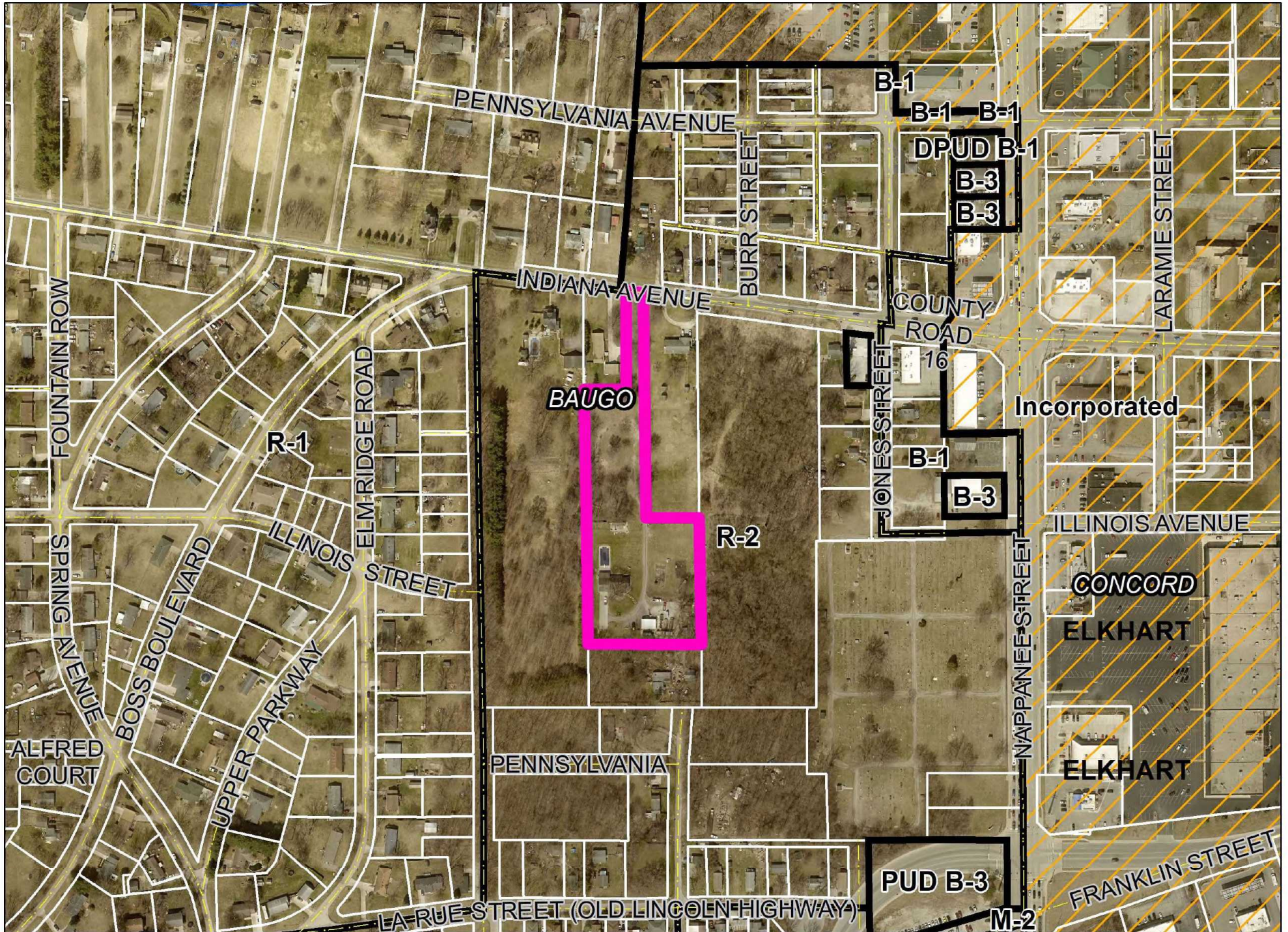
Sign 2 Dimensions (length and width): _____
Existing? Y N Double faced? Y N
Electronic message board? Y N If no, lighted? Y N
Freestanding? Y N Wall mounted? Y N

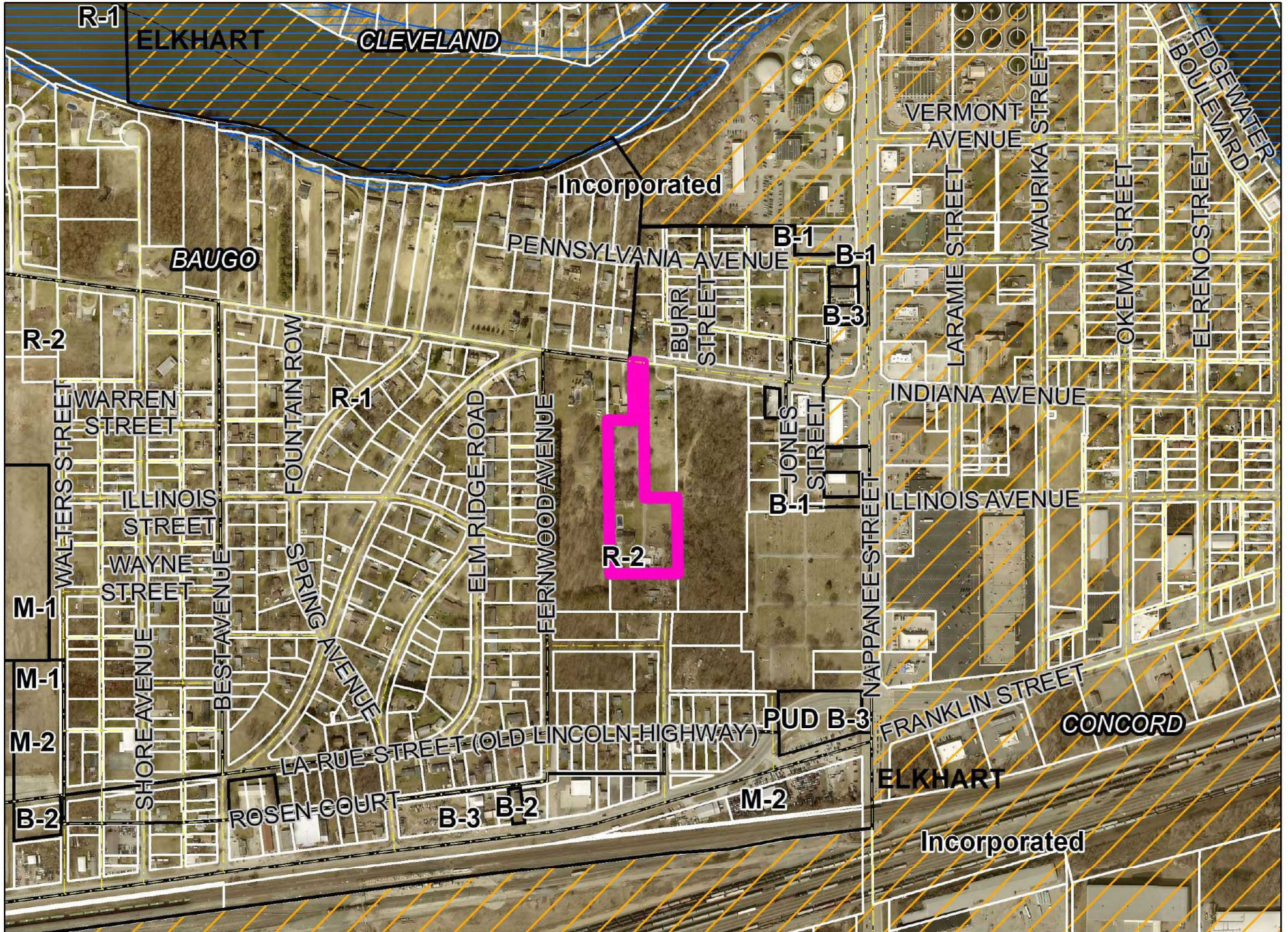
Sign 3 Dimensions (length and width): _____
Existing? Y N Double faced? Y N
Electronic message board? Y N If no, lighted? Y N
Freestanding? Y N Wall mounted? Y N

8) Does the application include a variance for parking spaces? Y N
If yes, tell us how many total there will be. _____

9) Tell us anything else you want us to know. _____









Looking south toward property



Looking north



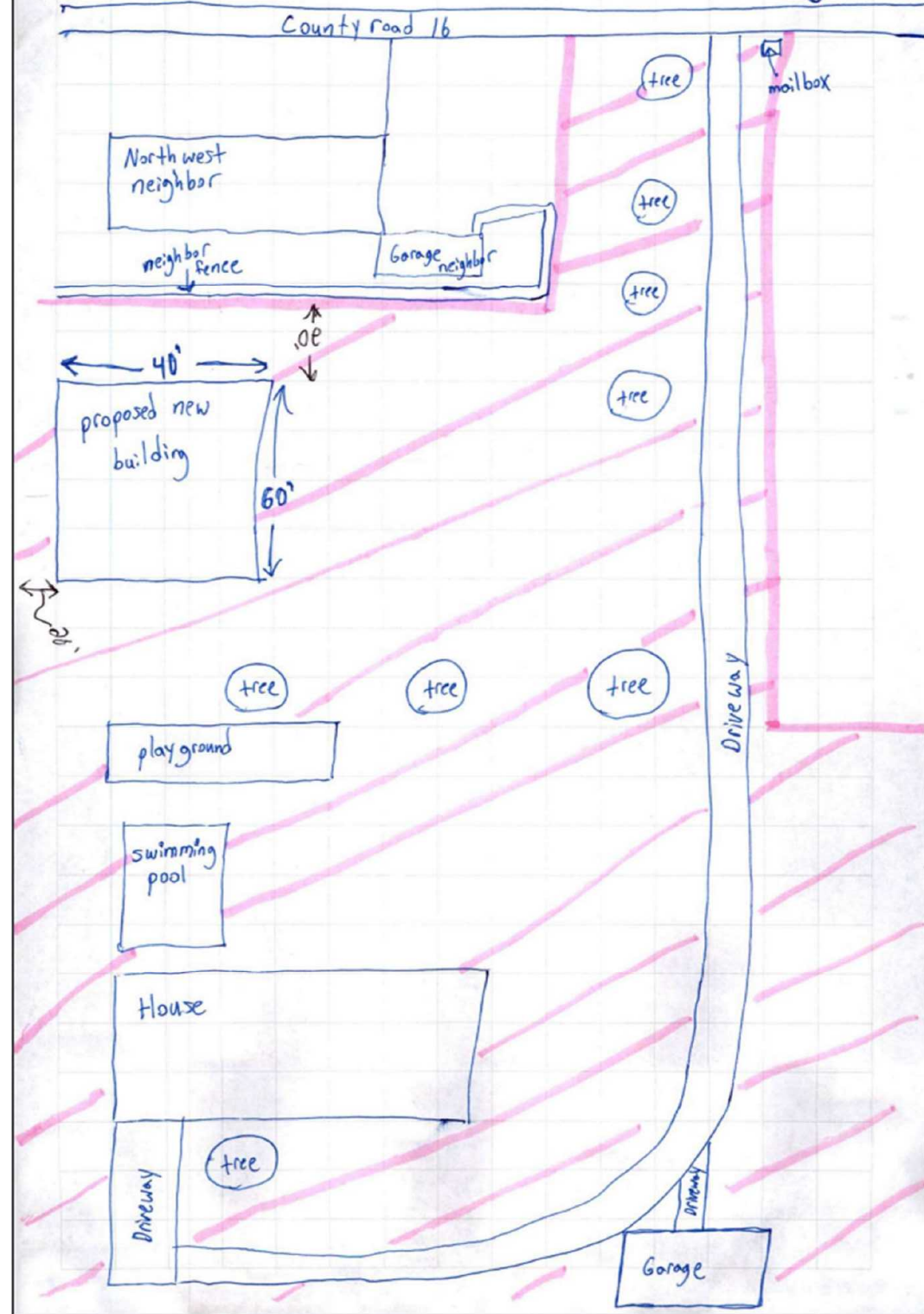
Looking east



Looking west

Highlight area
3.34 acres

MAR 15 2024



Hearing Officer Staff Report

Prepared by the Department of Planning and Development

Hearing Date: April 17, 2024

Transaction Number: DV-0167-2024.

Parcel Number(s): 20-03-31-176-005.000-030.

Existing Zoning: R-1.

Petition: For a 30 ft. Developmental Variance (Ordinance requires 120 ft.) to allow for an existing residence 90 ft. from the centerline of the right-of-way and for a Developmental Variance to allow for the total square footage of accessory structures to exceed that allowed by right.

Petitioner: Jeff Simons & Barb Simons, Husband & Wife.

Location: North side of SR 120, 810 ft. east of CR 17, in Washington Township.

Site Description:

- Physical Improvement(s) – Residence, 2 sheds.
- Proposed Improvement(s) – Detached garage.
- Existing Land Use – Residential.
- Surrounding Land Use – Residential.

History and General Notes:

- **February 27, 1975** – The BZA approved a Special Use for the keeping of 2 horses.
- The petitioner states that a shed will be moved to accommodate the proposed garage. Relocation and new construction both require building permits.

Staff Analysis:

Staff finds that:

4. Approval of the request will not be injurious to public health, safety, morals, or general welfare. The proposed garage replaces a 320 sq. ft. shed in approximately the same location, and there will be little change to the appearance of the property. The existing residence has been in its position since 1953 with no safety impact.
5. Approval of the request will not cause substantial adverse effect on neighboring property. The proposed garage observes all required setbacks, and no changes to the residence are proposed at this time.
6. Strict application of the terms of the Zoning Ordinance would result in an unnecessary hardship in the use of the property. The residence lacks an attached garage, and its small size results in a low storage limit.

Hearing Officer Staff Report (Continued)

Hearing Date: April 17, 2024

Staff recommends **APPROVAL** with the following condition(s) imposed:

1. Variances from the developmental standards of the Zoning Ordinance are void unless an Improvement Location Permit is issued within 180 calendar days from the date of the grant and construction work completed within 1 year from the date of the issuance of the building permit (where required).
2. A revised site plan must be submitted for staff approval showing the centerline of SR 120 and the final locations of the 2 existing sheds.
3. The request is approved in accordance with the revised site plan to be submitted for staff approval and as represented in the Developmental Variance application.

PLAN COMMISSION & BOARD OF ZONING APPEALS

Elkhart County Planning & Development
Public Services Building

4230 Elkhart Road, Goshen, Indiana, 46526

Phone - (574) 971-4678

Fax - (574) 971-4578

Developmental Variance - Developmental Variance

DV-0167-2024

Date: 03/15/2024 Meeting Date: April 17, 2024
Board of Zoning Appeals Public Hearing Transaction #: DV-0167-2024

Description: for a 30 ft. Developmental Variance (Ordinance requires 120 ft.) to allow for an existing residence 90 ft. from the centerline of the right- of-way and for a Developmental Variance to allow for the total square footage of accessory structures to exceed that allowed by right

<u>Applicant</u> Jeff Simons & Barb Simons, Husband & Wife 21751 Sr 120 Elkhart, IN 46516	<u>Land Owner</u> Jeff Simons & Barb Simons, Husband & Wife 21751 Sr 120 Elkhart, IN 46516
---	--

Site Address: 21751 State Road 120
ELKHART, IN 46516

Parcel Number: 20-03-31-176-005.000-030

Township: Washington
Location: NORTH SIDE OF SR 120, 810 FT. EAST OF CR 17

Subdivision: RIVERVIEW PLACE Lot # 15 & 16

Lot Area: 2.01 Frontage: 100.00 Depth: 893.44

Zoning: R-1 NPO List:

Present Use of Property: RESIDENTIAL

Legal Description:

Comments: SEE APPROVED SPECIAL USE 75-565: SPECIAL USE FOR HORSE
RESIDENCE IS 1,080 SQ. FT. WITH 110% IS 1,188 SQ. FT. MINUS 2 SHEDS OF 320 SQ. FT. AND 96 SQ. FT. LEAVES 722
SQ. FT. MINUS THE PROPOSED NEW ACCESSORY STRUCTURE OF 1,280 SQ. FT. IS OVER BY 588 SQ. FT.

Applicant Signature:



Department Signature:



March 15, 2024 2:08 pm

Application

Site address: 21751 S.R. 120, Elkhart, IN, 46516

Parcel number(s): 20-03-31-176-005.000-030

Current property owner

Name: Jeff Simons

Address: 21751 S.R. 120, Elkhart, IN, 46516

Phone: 574-361-5906 Email: jws.investments@gmail.com

Other party

- Agent
- Buyer
- Land contract purchaser
- Lessee

Name: _____

Address: _____

Phone: _____ Email: _____

By signing below, I understand that if my application is approved, there may be conditions that will have to be met before approval is final and building permits can be started. I also understand that the conditions may include a commitment that the property owner is responsible for completing and returning.

Signature of current property owner or authorized agent: _____

Staff Use Only

Description: _____

Parcel creation date: _____

Subdivision required? Y N If yes, AS Minor Major

Residential accessory breakdown, if applicable: Residence is 1,080 sq.ft. w/ 110% is 1,188 minus ^{two} sheds of 320 & 96 leaves 772 sq.ft. minus the proposed new detached building of 1,280 sq.ft. is over by 588 sq.ft.

Location: (N) S E W corner (side) end of SR 120, 810 ft. N S (E) W of CR 17, in Washington Township

Frontage: 100 **Depth:** 893.44 **Area:** 2.014 acres

Subdivision and lot number, if applicable: Riverview PL, lots 15 & 16

Present use: Residential

Developmental Variance — Questionnaire

Name: Jeff Simons

1) Tell us what you want to do. Build new 32' x 40' garage and move existing 16' x 24' garage

2) Tell us why you can't change what you're doing so you don't need a variance. need garage and storage space

3) Tell us why the variance won't hurt your neighbors or the community. I have two acres of wooded property.

4) Does the property need well and septic? Well: Y N Septic: Y N
Does the property need a new septic system? Y N
If a new septic system is needed, did the Health Department say there's enough space for it? Y N

5) Does the application include variances to allow for buildings or additions? Y N If yes, fill out below.

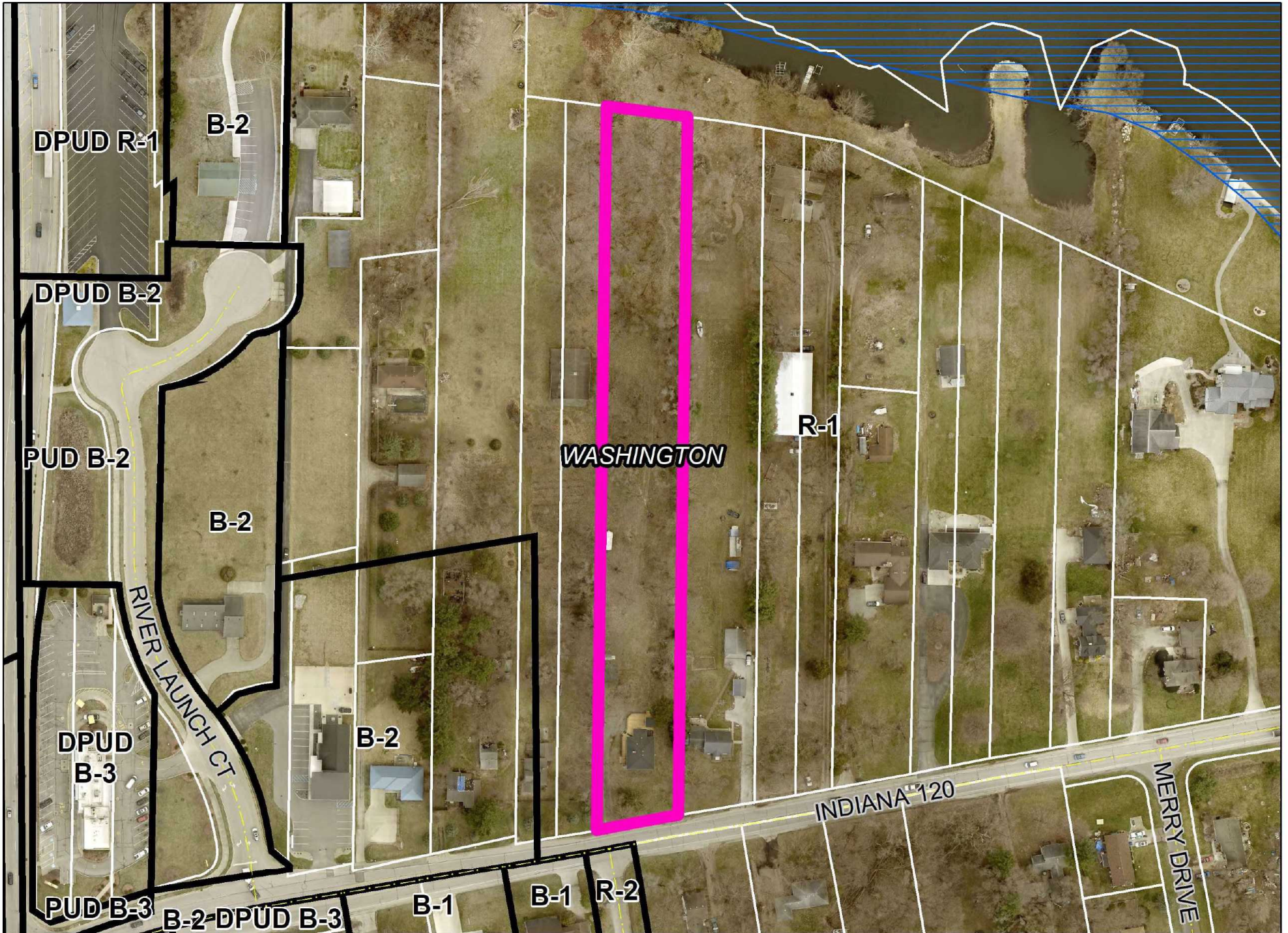
Building or addition 1 Size and height to the peak: 32' x 40'
Tell us what you'll use it for. Personal Storage
Building or addition 2 Size and height to the peak: _____
Tell us what you'll use it for. _____
Building or addition 3 Size and height to the peak: _____
Tell us what you'll use it for. _____

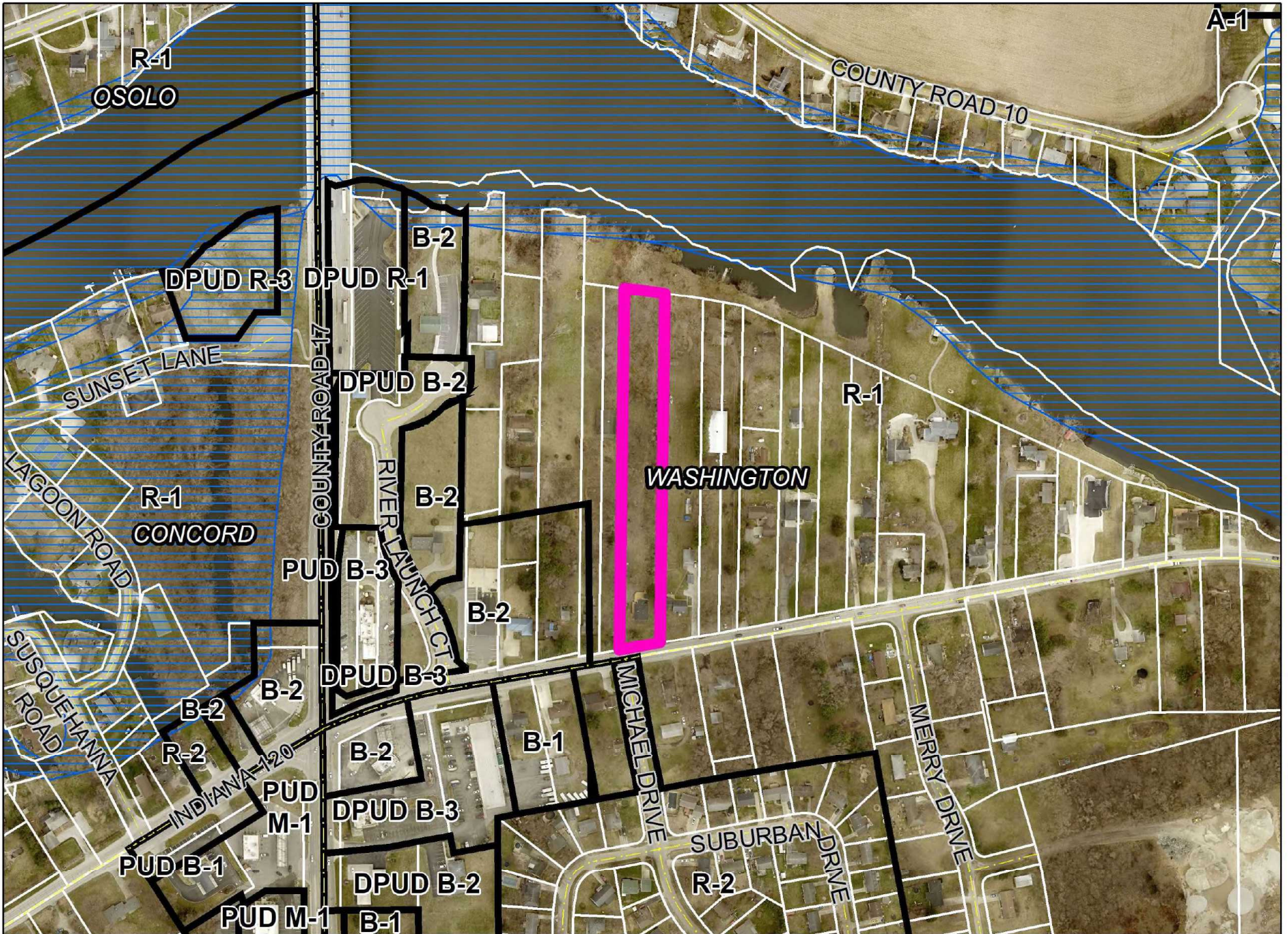
6) Does the application include a variance for a residence on property with no road frontage? Y N
If yes, fill out below.
Is the easement existing? Y N If the easement is existing, is it recorded? Y N
Tell us who owns (will own) the land under the easement. N/A
Tell us how many parcels will use the easement. _____

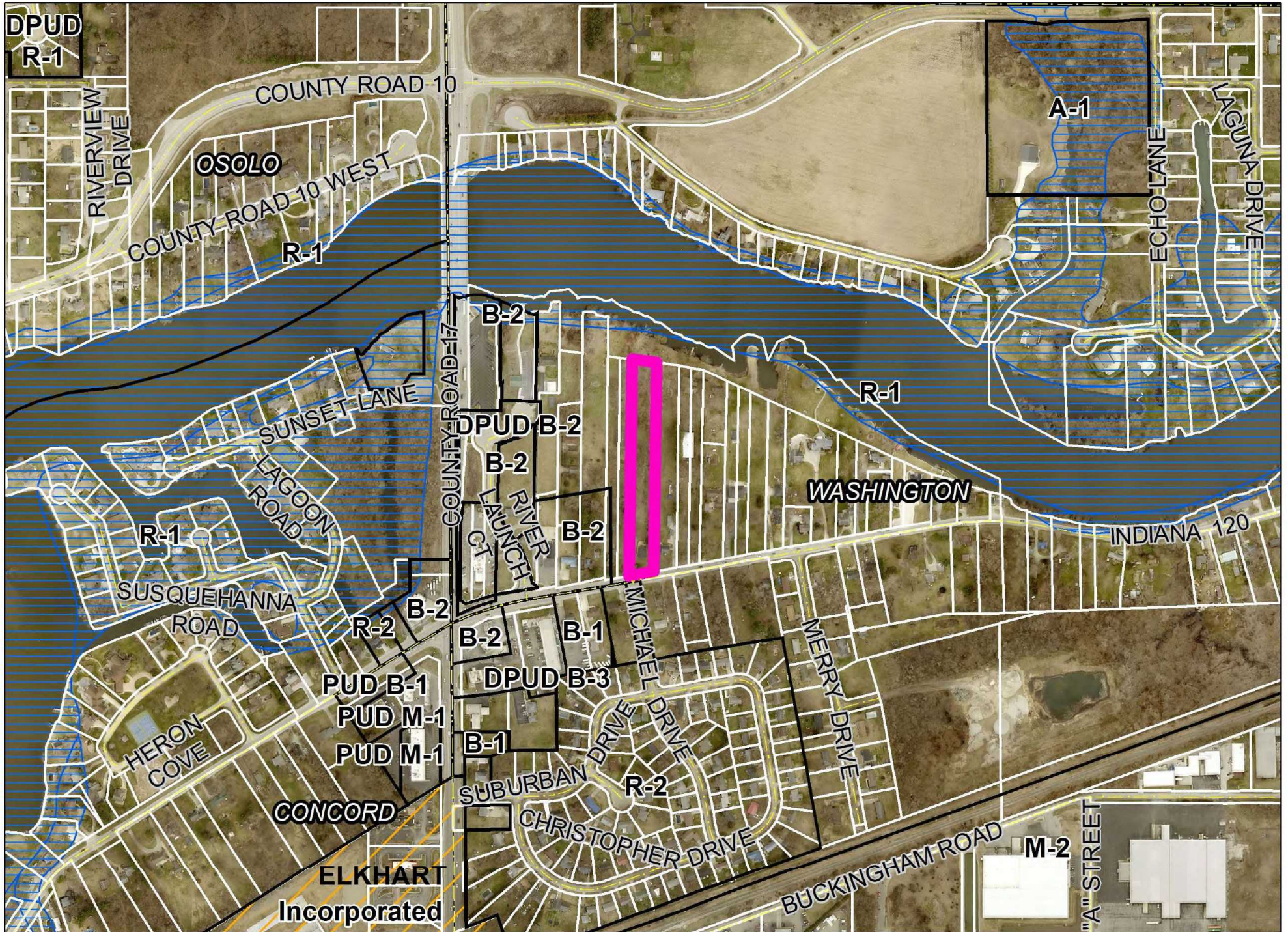
7) Does the application include variances for signs? Y N If yes, fill out below. N/A
Sign 1 Dimensions (length and width): _____
Existing? Y N Double faced? Y N
Electronic message board? Y N If no, lighted? Y N
Freestanding? Y N Wall mounted? Y N N/A
Sign 2 Dimensions (length and width): _____
Existing? Y N Double faced? Y N
Electronic message board? Y N If no, lighted? Y N
Freestanding? Y N Wall mounted? Y N N/A
Sign 3 Dimensions (length and width): _____
Existing? Y N Double faced? Y N
Electronic message board? Y N If no, lighted? Y N
Freestanding? Y N Wall mounted? Y N N/A

8) Does the application include a variance for parking spaces? Y N
If yes, tell us how many total there will be. N/A

9) Tell us anything else you want us to know. _____









Subject property



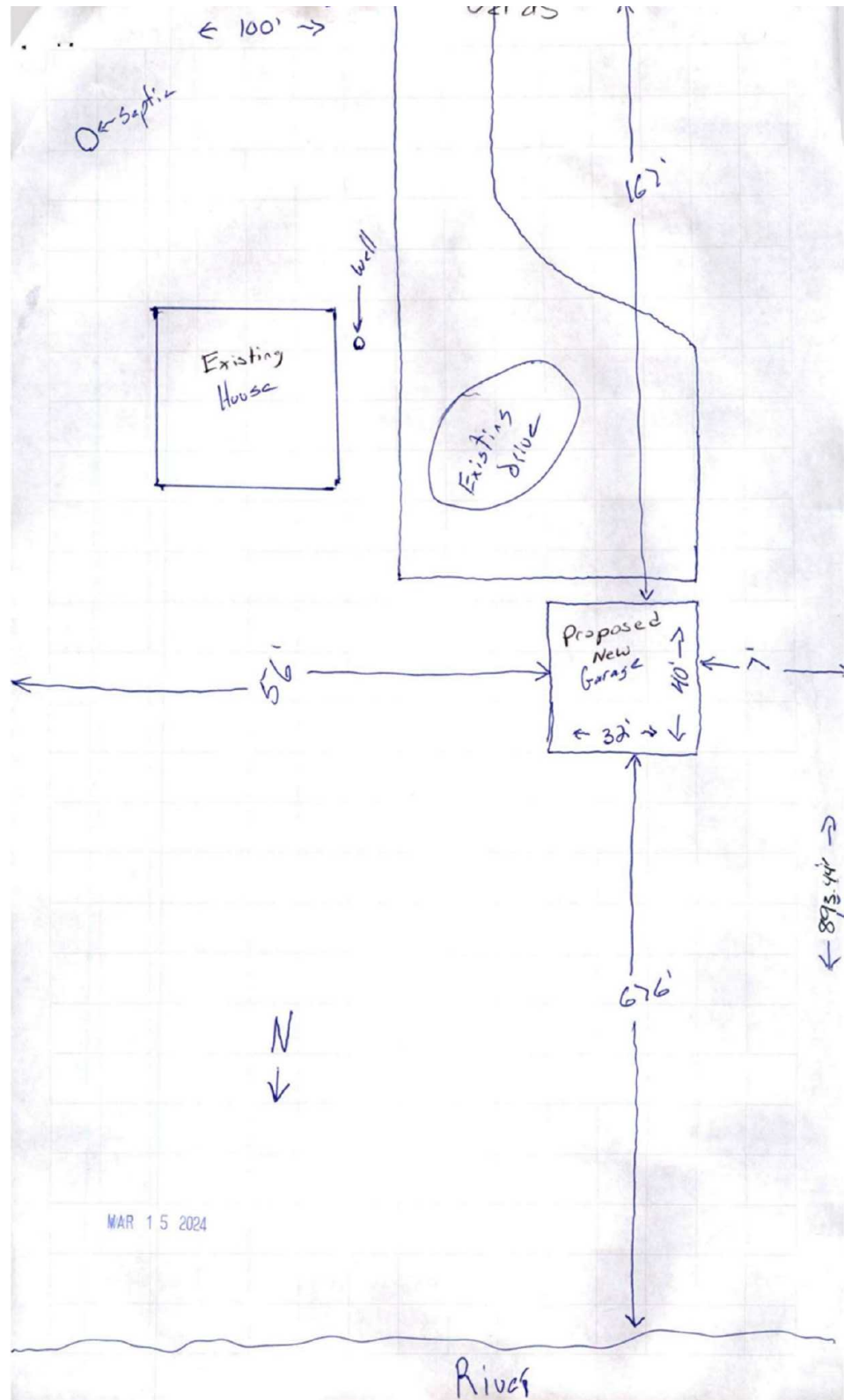
Facing east



Facing west



Facing south across SR 120



Hearing Officer Staff Report

Prepared by the Department of Planning and Development

Hearing Date: April 17, 2024

Transaction Number: DV-0168-2024.

Parcel Number(s): 20-02-09-477-003.000-026.

Existing Zoning: R-2.

Petition: For a 2 ft. Developmental Variance (Ordinance requires 5 ft.) to allow for an addition to an existing accessory structure 3 ft. from the east side property line and for a 10 ft. Developmental Variance (Ordinance requires 50 ft.) to allow for the existing accessory structure 40 ft. from the centerline of the right-of-way.

Petitioner: Michael P. Cheney & Lucinda M. Cheney, Husband & Wife.

Location: South side of North Shore Dr., 2,090 ft. west of CR 11, in Osolo Township.

Site Description:

- Physical Improvement(s) – Residence, detached garage, shed.
- Proposed Improvement(s) – Addition to detached garage.
- Existing Land Use – Residential.
- Surrounding Land Use – Residential.

History and General Notes:

- None.

Staff Analysis:

Staff finds that:

1. Approval of the request will not be injurious to public health, safety, morals, or general welfare. This is a dense lake neighborhood with many older nonconforming structures, and the existing garage has observed these setbacks since 1954 with no impact on safety or welfare.
2. Approval of the request will not cause substantial adverse effect on neighboring property. The addition will encroach no farther into the side setback than the existing structure.
3. Strict application of the terms of the Zoning Ordinance would result in an unnecessary hardship in the use of the property. Strict application would require unnecessary relocation or partial removal.

Hearing Officer Staff Report (Continued)

Hearing Date: April 17, 2024

Staff recommends **APPROVAL** with the following condition(s) imposed:

1. Variances from the developmental standards of the Zoning Ordinance are void unless an Improvement Location Permit is issued within 180 calendar days from the date of the grant and construction work completed within 1 year from the date of the issuance of the building permit (where required).
2. The request is approved in accordance with the site plan submitted 3/15/2024 and as represented in the Developmental Variance application.

PLAN COMMISSION & BOARD OF ZONING APPEALS

Elkhart County Planning & Development
Public Services Building
4230 Elkhart Road, Goshen, Indiana, 46526
Phone - (574) 971-4678
Fax - (574) 971-4578

Developmental Variance - Developmental Variance

Date: 03/15/2024 Meeting Date: April 17, 2024 Transaction #: DV-0168-2024
Board of Zoning Appeals Public Hearing

Description: for a 2 ft. Developmental Variance (Ordinance requires 5 ft.) to allow for an addition to an existing accessory structure 3 ft. from the east side property line and for a 10 ft. Developmental Variance (Ordinance requires 50 ft.) to allow for an existing accessory structure 40 ft. from the centerline of the right-of-way

Contacts: Applicant Michael P. Cheney And Lucinda M. Cheney H & W
25130 N. Shore Dr. Elkhart, IN 46514
Land Owner Michael P. Cheney And Lucinda M. Cheney H & W
25130 N. Shore Dr. Elkhart, IN 46514

REVISED
3-28-2024 KB

Site Address: 25130 North Shore Drive ELKHART, IN 46514 Parcel Number: 20-02-09-477-003.000-026

Township: Osolo Location: SOUTH SIDE OF NORTH SHORE DR, 2,090 FT WEST OF CR 11

Subdivision: DOLPH'S NORTH SIDE SD Lot # 3

Lot Area: 0.34 Frontage: 65.00 Depth: 120.00

Zoning: R-2, R-2 NPO List:

Present Use of Property: RESIDENTIAL

Legal Description:

Comments: PERMIT #BR-0539-2023 FOR ADDITION TO RESIDENCE HAS BEEN COMPLETED
RESIDENCE = 1,901 SQ FT X 110% = 2,091 SQ FT, MINUS 80 (SHED) AND 528 (DETACHED GARAGE), PROPOSED BUILDING IS 4.6 X 13.7 = 337 SQ FT, LEAVING 1,146 SQ FT AVAILABLE FOR PERSONAL STORAGE

Applicant Signature: Department Signature:

Developmental Variance — Questionnaire

Name: Michael Cheney

1) Tell us what you want to do. Add 13'7" length to rear of detached garage

2) Tell us why you can't change what you're doing so you don't need a variance. It is not economically reasonable to move the existing garage and foundation.

3) Tell us why the variance won't hurt your neighbors or the community. The garage will not be closer to the property line than current garage.

4) Does the property need well and septic? Well: Y N Septic: Y N
Does the property need a new septic system? Y N
If a new septic system is needed, did the Health Department say there's enough space for it? Y N

5) Does the application include variances to allow for buildings or additions? Y N If yes, fill out below.

Building or addition 1 Size and height to the peak: 24'6" x 13'7" x 16' high
Tell us what you'll use it for. Car, boat, trailer storage

Building or addition 2 Size and height to the peak: _____
Tell us what you'll use it for. _____

Building or addition 3 Size and height to the peak: _____
Tell us what you'll use it for. _____

6) Does the application include a variance for a residence on property with no road frontage? Y N
If yes, fill out below.
Is the easement existing? Y N If the easement is existing, is it recorded? Y N
Tell us who owns (will own) the land under the easement. _____
Tell us how many parcels will use the easement. _____

7) Does the application include variances for signs? Y N If yes, fill out below.

Sign 1 Dimensions (length and width): _____
Existing? Y N Double faced? Y N
Electronic message board? Y N If no, lighted? Y N
Freestanding? Y N Wall mounted? Y N

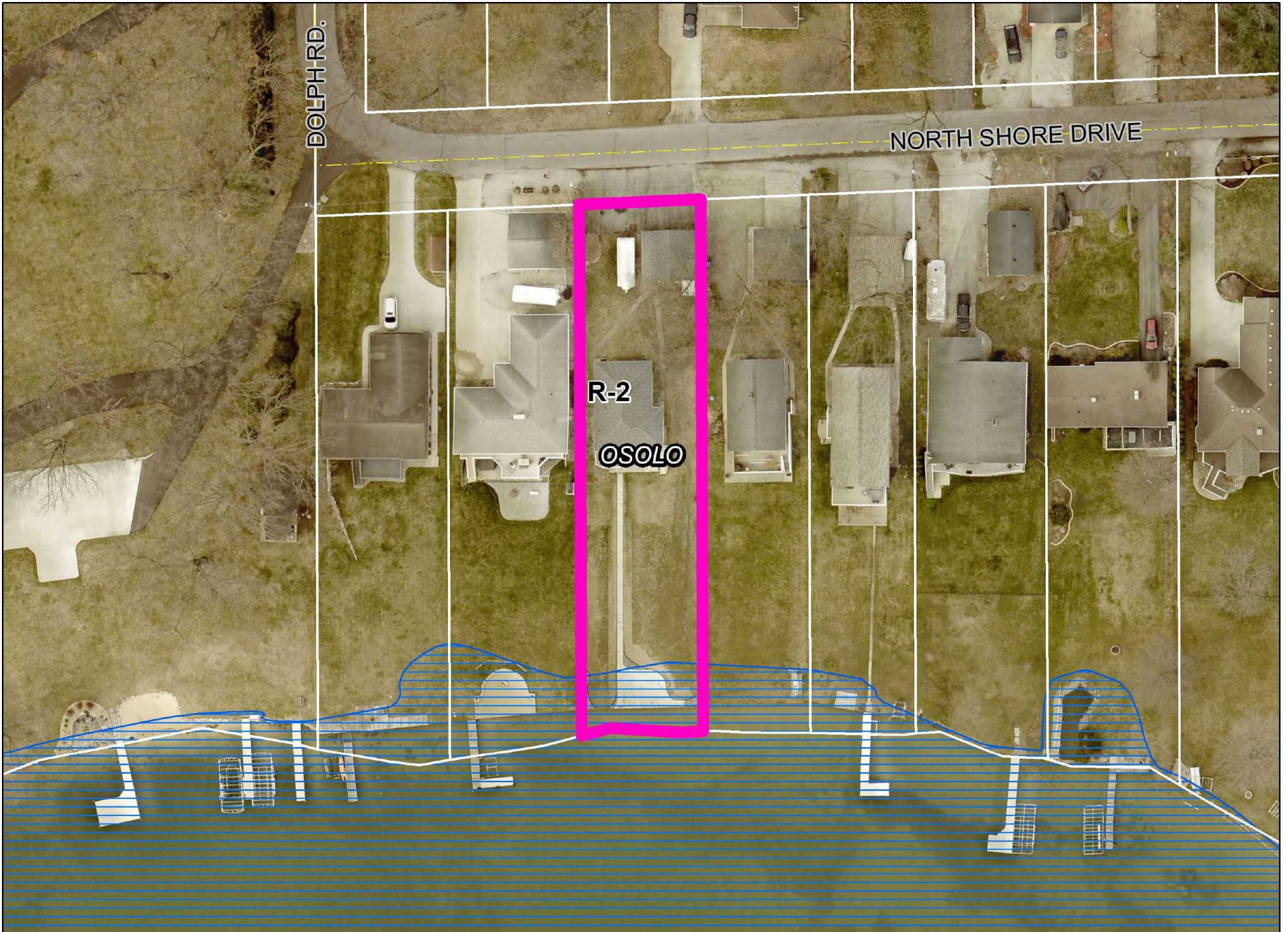
Sign 2 Dimensions (length and width): _____
Existing? Y N Double faced? Y N
Electronic message board? Y N If no, lighted? Y N
Freestanding? Y N Wall mounted? Y N

Sign 3 Dimensions (length and width): _____
Existing? Y N Double faced? Y N
Electronic message board? Y N If no, lighted? Y N
Freestanding? Y N Wall mounted? Y N

8) Does the application include a variance for parking spaces? Y N
If yes, tell us how many total there will be. _____

9) Tell us anything else you want us to know. Exterior of existing garage will be updated to match addition and home.

DV-0168-2024

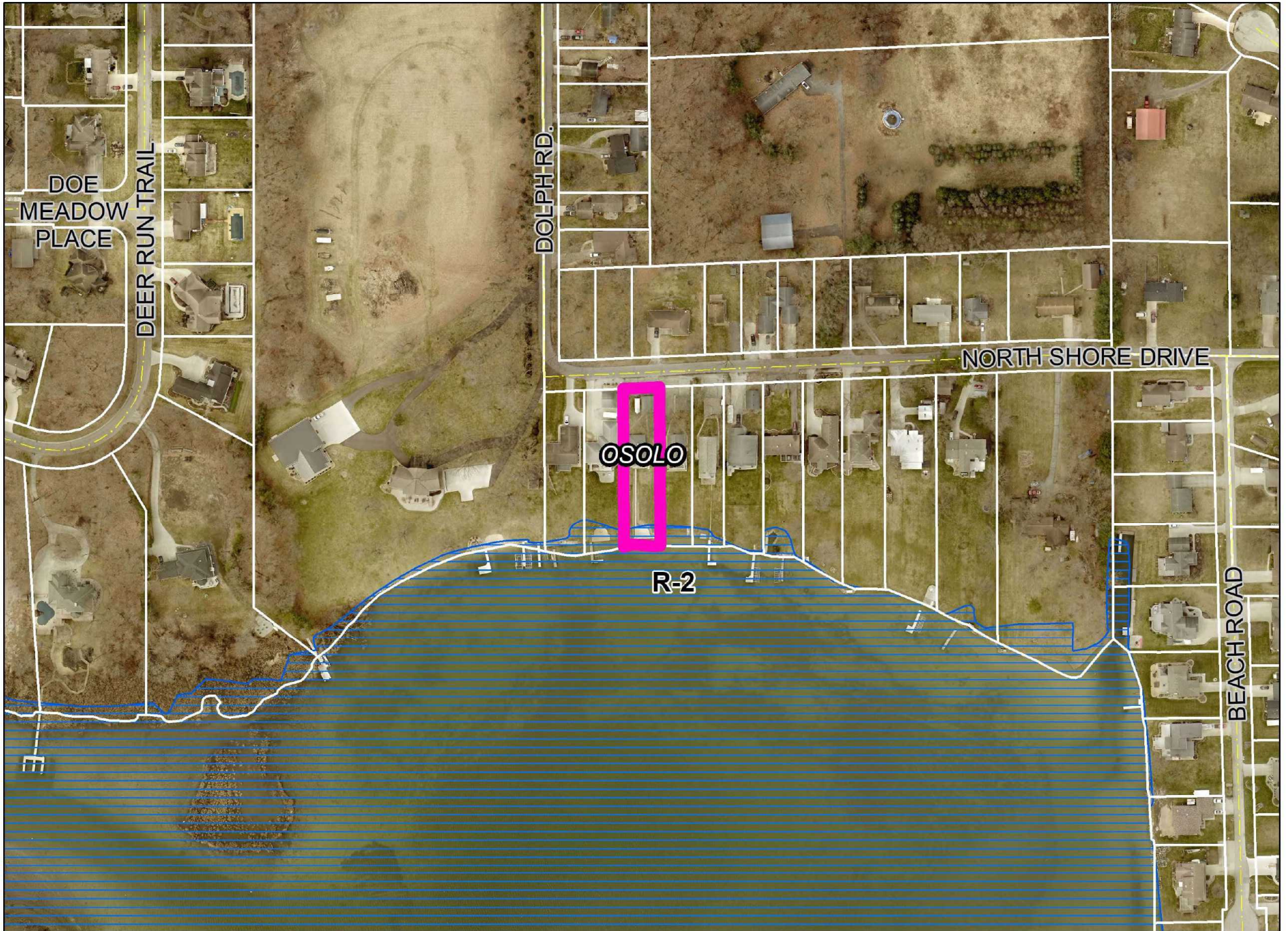


2021 Aerials

1 inch = 60 feet



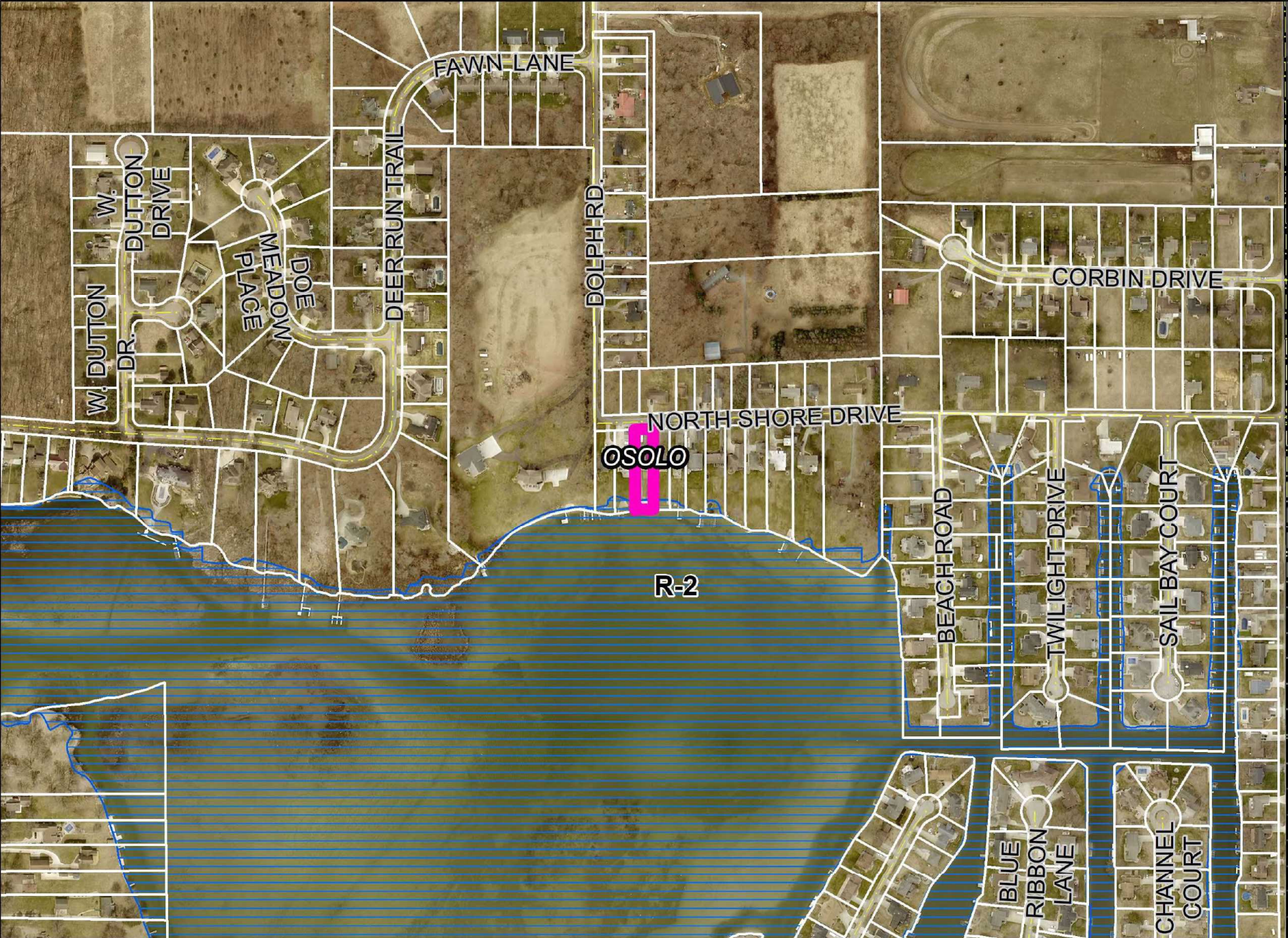
DV-0168-2024



2021 Aerials

1 inch = 200 feet







Subject property



Subject property



Facing west



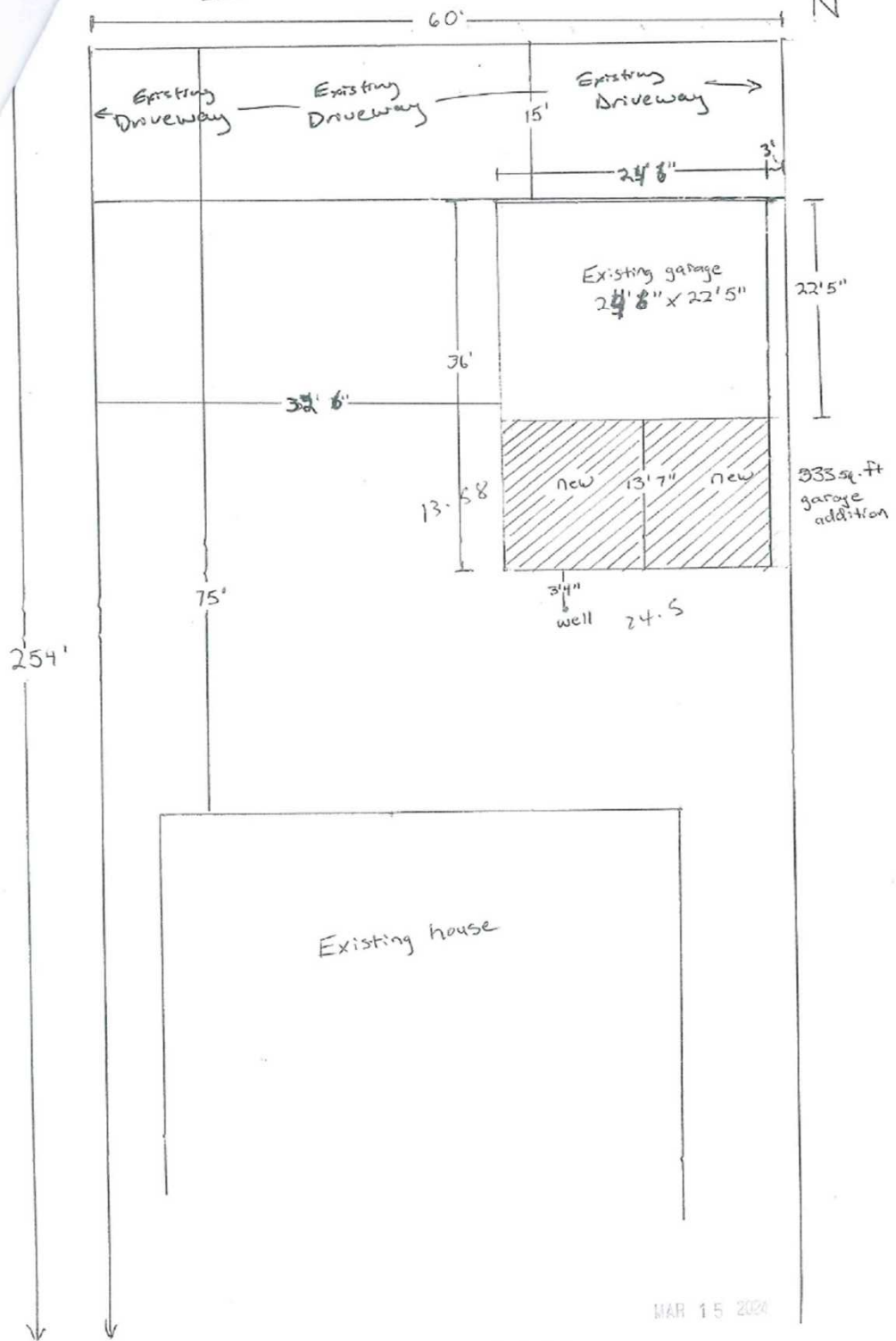
Facing east



Facing north across Dolph Rd.

23100 North
Elkhart IN 46514

N



MAR 15 2024

Simanton Little lake

Hearing Officer Staff Report

Prepared by the Department of Planning and Development

Hearing Date: April 17, 2024

Transaction Number: DV-0171-2024.

Parcel Number(s): 20-05-03-301-016.000-005.

Existing Zoning: M-1.

Petition: For a 224 sq. ft. Developmental Variance (Ordinance allows 300 sq. ft.) to allow for 524 sq. ft. of wall signage.

Petitioner: Wal-Mart Stores East, LP.

Location: South side of Old US 20, 805 ft. east of Ash Rd., in Cleveland Township.

Site Description:

- Physical Improvement(s) – Major retail store, parking, retention.
- Proposed Improvement(s) – Wall signage.
- Existing Land Use – Commercial.
- Surrounding Land Use – Commercial, dense residential.

History and General Notes:

- The wall signage update is concurrent with a permit for an addition and remodeling from January 2024.

Staff Analysis:

Staff finds that:

1. Approval of the request will not be injurious to public health, safety, morals, or general welfare. The requested amount of signage is a reduction from the existing, and nothing is proposed that would injure public health or welfare.
2. Approval of the request will not cause substantial adverse effect on neighboring property. The requested amount of signage is within the character of any Walmart or similar store, and the neighboring property is already either commercial or dense residential.
3. Strict application of the terms of the Zoning Ordinance would result in an unnecessary hardship in the use of the property. The Zoning Ordinance limit for wall signage does not account for a major retail store on a large parcel where approximately 16 modest wall signs are required for typical branding and wayfinding.

Hearing Officer Staff Report (Continued)

Hearing Date: April 17, 2024

Staff recommends **APPROVAL** with the following condition(s) imposed:

1. A variance from the developmental standards of the Zoning Ordinance is void unless an Improvement Location Permit is issued within 180 calendar days from the date of the grant and construction work completed within 1 year from the date of the issuance of the building permit (where required).
2. The request is approved in accordance with the site plan submitted 3/18/2024 and as represented in the Developmental Variance application.

PLAN COMMISSION & BOARD OF ZONING APPEALS

Elkhart County Planning & Development
Public Services Building

4230 Elkhart Road, Goshen, Indiana, 46526

Phone - (574) 971-4678

Fax - (574) 971-4578

Developmental Variance - Developmental Variance

DV-0171-2024

Date: 03/18/2024 Meeting Date: April 17, 2024 Transaction #: DV-0171-2024
Board of Zoning Appeals Public Hearing

Description: for a 224 sq. ft. Developmental Variance (Ordinance allows 300 sq. ft.) to allow for 524 sq. ft. of wall signage.

Contacts: Applicant	Authorized Agent	Land Owner
Wd Partners 7007 Discovery Blvd Dublin, OH 43017	Wd Partners 7007 Discovery Blvd Dublin, OH 43017	Wal-Mart Stores East, Lp 702 Sw 8Th St. Bentonville, AR 72716

Site Address: 30830 Old Us 20 ELKHART, IN 46514	Parcel Number: 20-05-03-301-016.000-005
--	---

Township: Cleveland
Location: SOUTH SIDE OF OLD US 20, 805 FT. EAST OF ASH ROAD

Subdivision:	Lot #
--------------	-------

Lot Area: 23.71	Frontage: 977.34	Depth: 891.97
-----------------	------------------	---------------

Zoning: M-1	NPO List:
-------------	-----------

Present Use of Property: COMMERCIAL

Legal Description:

Comments: CURRENT SIGNS DID NOT HAVE DEVELOPMENTAL VARIANCE. OVERALL SQ. FOOTAGE OF PROPOSED SIGNS WILL BE SMALLER, BUT STILL NEEDS VARIANCE.
TWO OPEN PERMITS FOR REMODEL (BC-0161-2024) AND GENERATOR (ELEC-C-0437-2024).

Applicant Signature: <i>Ben Dariano</i>	Department Signature: <i>[Signature]</i>
--	---

March 18, 2024 11:52 am

Developmental Variance — Questionnaire

Name: Ben Dariano, Signage variance for Walmart, Elkhart IN

1) Tell us what you want to do. Walmart wishes to modify their current wall signage package & reduce from 685.77 SQFT to 523.20 SQFT. This is provide better wayfinding & directional signage to customers on the site. The front facade alone is being reduced by nearly 200 SQFT and the new signage is auto area.

2) Tell us why you can't change what you're doing so you don't need a variance. The proposed signage is the minimum necessary to allow for propser wayfinding on the site.

3) Tell us why the variance won't hurt your neighbors or the community. This is an existing store & the reduction in total signage will have no affect upon the community as it is less than the existing signage

4) Does the property need well and septic? Well: [] Y [x] N Septic: [] Y [x] N Does the property need a new septic system? [] Y [x] N If a new septic system is needed, did the Health Department say there's enough space for it? [] Y [x] N

5) Does the application include variances to allow for buildings or additions? [] Y [x] N If yes, fill out below. Building or addition 1 Size and height to the peak: Tell us what you'll use it for. Building or addition 2 Size and height to the peak: Tell us what you'll use it for. Building or addition 3 Size and height to the peak: Tell us what you'll use it for.

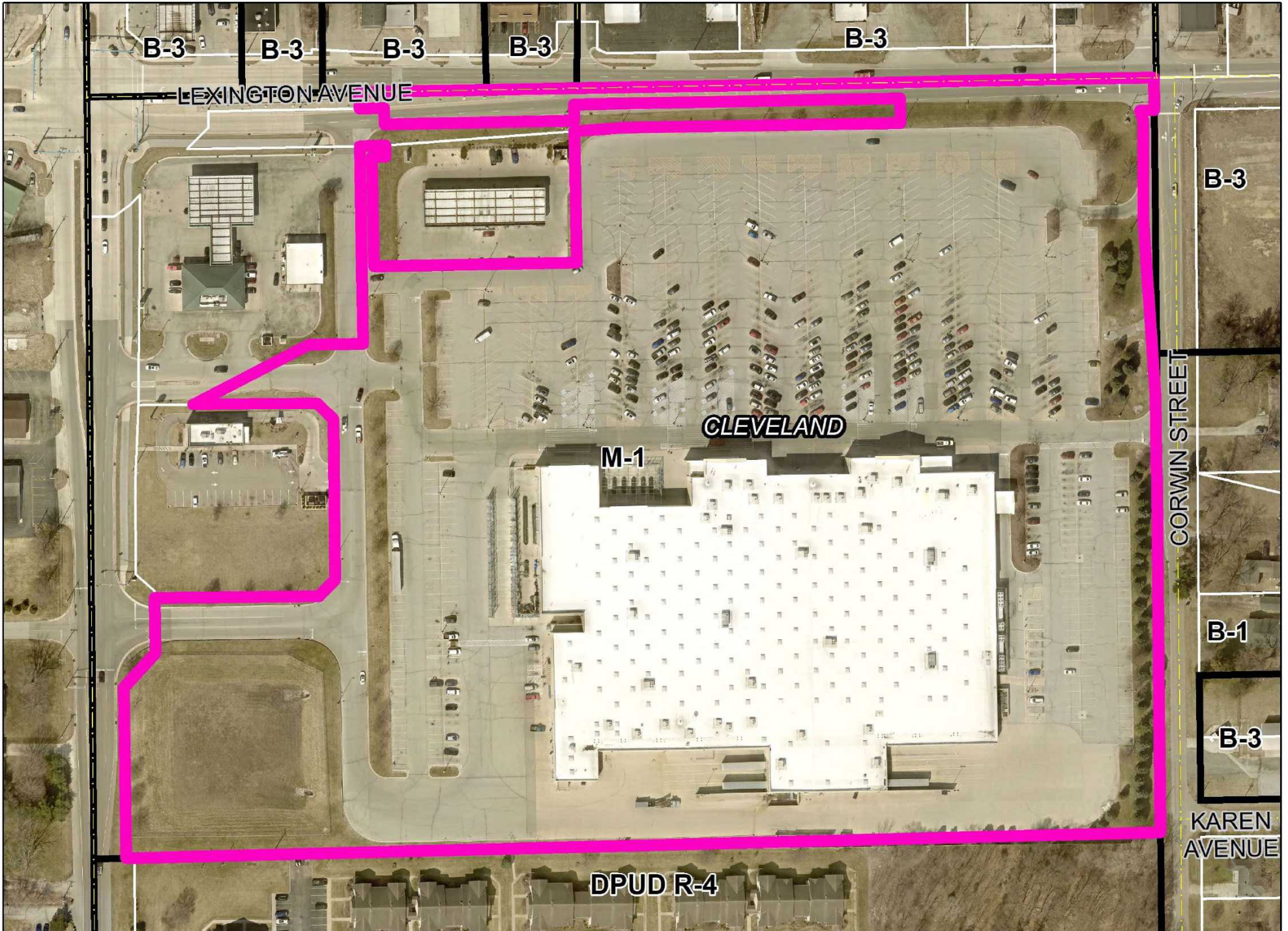
6) Does the application include a variance for a residence on property with no road frontage? [] Y [x] N If yes, fill out below. Is the easement existing? [] Y [] N If the easement is existing, is it recorded? [] Y [] N Tell us who owns (will own) the land under the easement. Tell us how many parcels will use the easement.

7) Does the application include variances for signs? [x] Y [] N If yes, fill out below. Sign 1 Dimensions (length and width): See attached sheets Existing? [] Y [] N Double faced? [] Y [x] N Electronic message board? [] Y [] N If no, lighted? [] Y [] N Freestanding? [] Y [] N Wall mounted? [] Y [] N Sign 2 Dimensions (length and width): Existing? [] Y [] N Double faced? [] Y [] N Electronic message board? [] Y [] N If no, lighted? [] Y [] N Freestanding? [] Y [] N Wall mounted? [] Y [] N Sign 3 Dimensions (length and width): Existing? [] Y [] N Double faced? [] Y [] N Electronic message board? [] Y [] N If no, lighted? [] Y [] N Freestanding? [] Y [] N Wall mounted? [] Y [] N

8) Does the application include a variance for parking spaces? [] Y [x] N If yes, tell us how many total there will be.

9) Tell us anything else you want us to know. Walmart is proposing an overall reduction in signage SQFT, from 685.77 SQFT to 523.20 SQFT.

DV-0171-2024



B-3

B-3

B-3

B-3

B-3

LEXINGTON AVENUE

B-3

CLEVELAND

M-1

CORWIN STREET

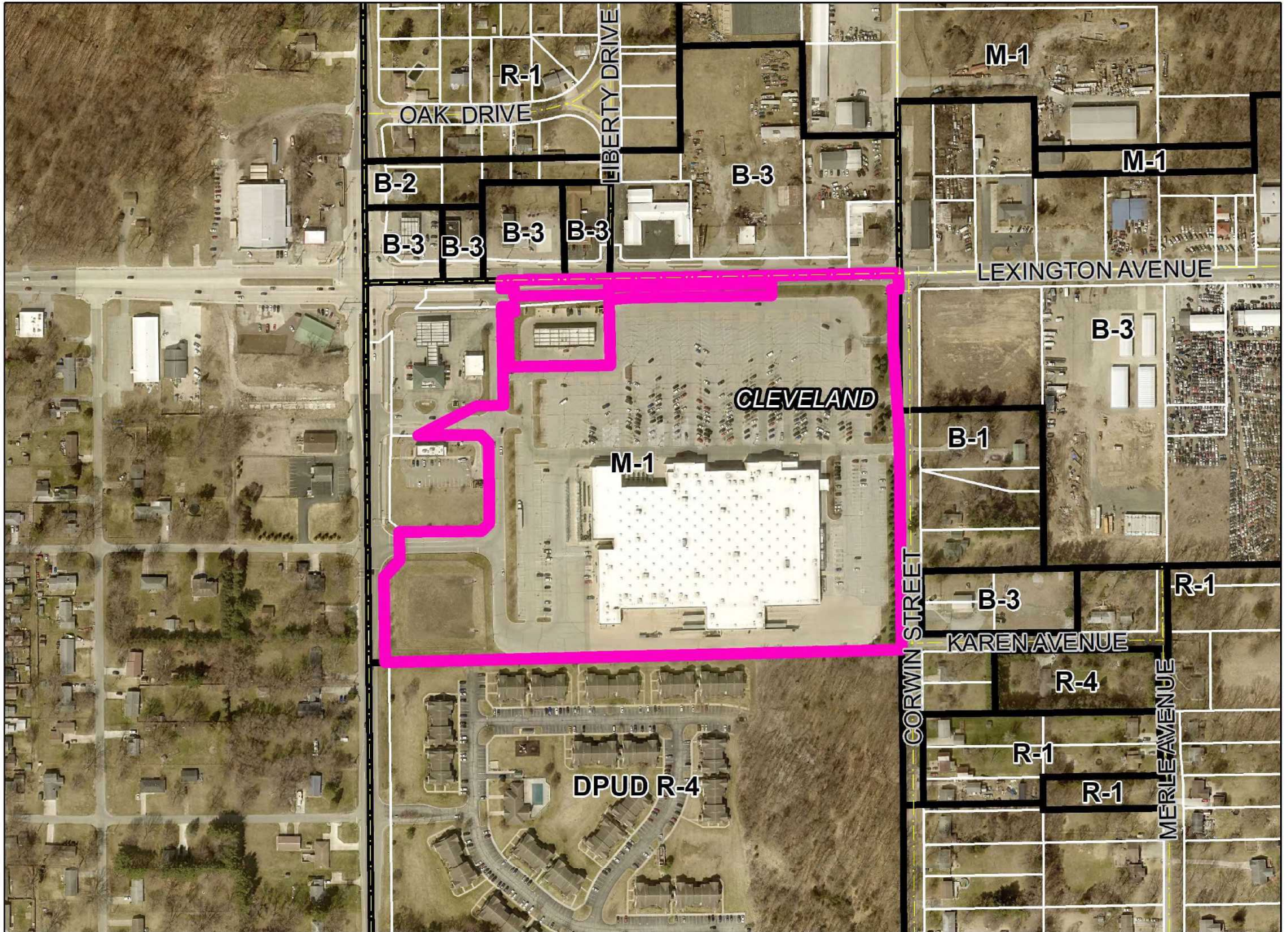
B-1

B-3

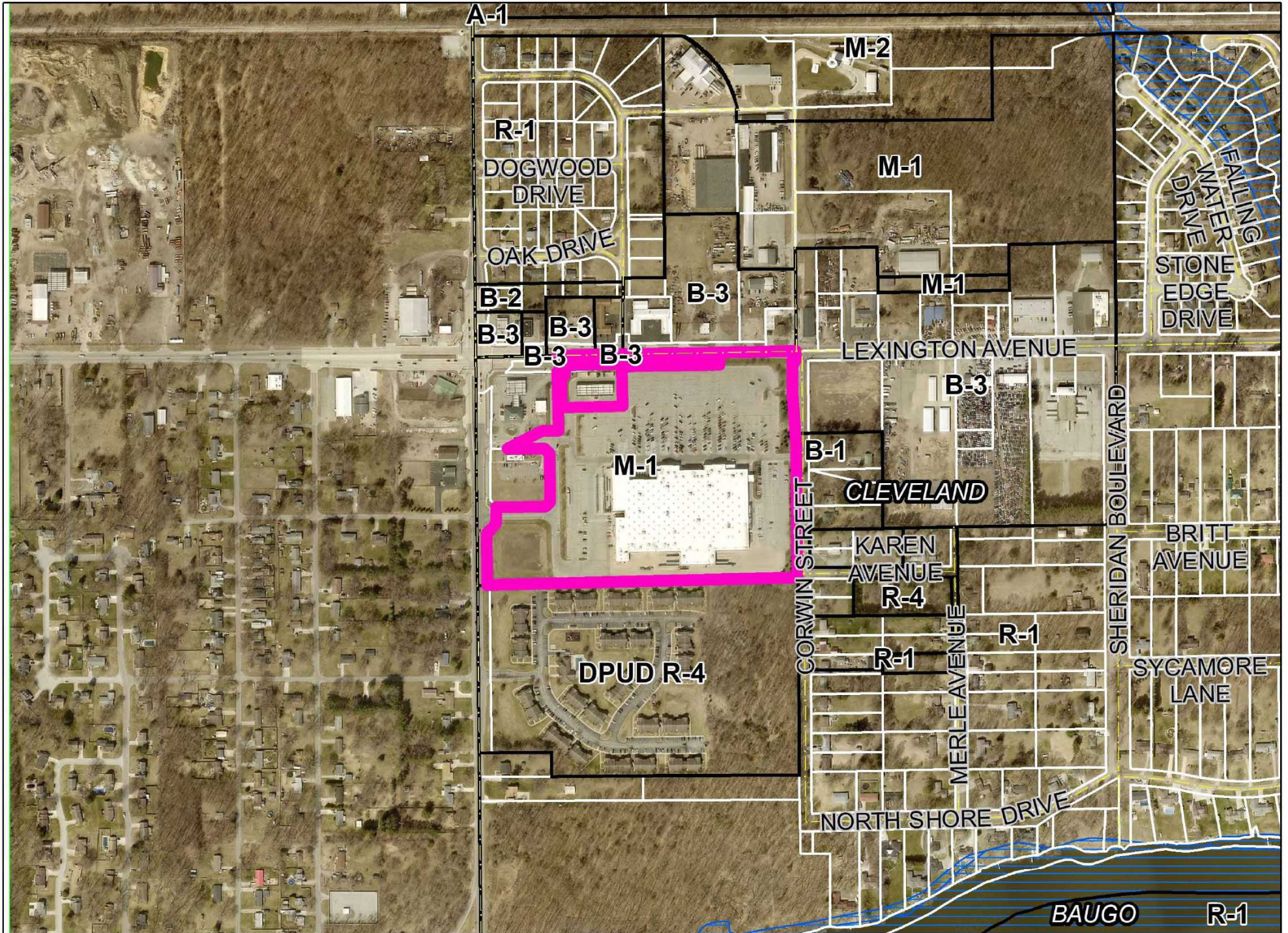
KAREN AVENUE

DPUD R-4





DV-0171-2024



2021 Aerials

1 inch = 500 feet





East side of the building



North side of the building, east end



North side of the building, west end



West side of the building



Facing east



Facing west



Facing north across Old US 20

Hearing Officer Staff Report

Prepared by the Department of Planning and Development

Hearing Date: April 17, 2024

Transaction Number: SUP-0163-2024.

Parcel Number(s): 20-03-25-300-031.000-030.

Existing Zoning: A-1.

Petition: for a Special Use for an existing mobile home, for a Developmental Variance to allow for an existing mobile home within 300 ft. of a residence, for a 10 ft. Developmental Variance (Ordinance requires 10 ft.) to allow for an existing mobile home 0 ft. from the east side property line, and for a Developmental Variance to allow the total square footage of accessory structures to exceed that allowed by right.

Petitioner: David D. Fore.

Location: South side of CR 8, 1,375 ft. East of CR 27, in Washington Township.

Site Description:

- Physical Improvement(s) – Mobile home, accessory structure.
- Proposed Improvement(s) – None.
- Existing Land Use – Residential.
- Surrounding Land Use – Residential.

History and General Notes:

- **October 20, 1983** – A Special Use for a mobile home was granted.
- The property has been inspected multiple since then, passing each inspection.

Staff Analysis:

For a Special Use for an existing mobile home, staff finds that:

1. The Special Use will be consistent with the spirit, purpose, and intent of the Zoning Ordinance. A mobile home is allowed in the A-1 zone with a special use.
2. The Special Use will not cause substantial and permanent injury to the appropriate use of neighboring property. The mobile home is existing and has no complaints.
3. The Special Use will substantially serve the public convenience and welfare by providing an affordable living option.

Hearing Officer Staff Report (Continued)

Hearing Date: April 17, 2024

Staff recommends **APPROVAL** with the following condition(s) imposed:

1. The request is approved subject to Staff renewal every three (3) years and with a one (1) year review to verify compliance with the following:
 - a. The mobile home shall be adequately stabilized and skirted and have tie-downs installed.
 - b. The water supply and sewage disposal system shall be installed in accordance with County Health Department specifications.
 - c. Adequate provisions for storage shall be provided at all times to eliminate exterior storage of personal property, tools, and vehicles, except licensed motor vehicles.
 - d. At all times, the premises shall be kept free of abandoned junk vehicles and parts thereof as described by Indiana State Law.
2. A revised site plan must be submitted for staff approval showing all setbacks for the mobile home and accessory structure.

For a Developmental Variance to allow for an existing mobile home within 300 ft. of a residence, for a 10 ft. Developmental Variance (Ordinance requires 10 ft.) to allow for an existing mobile home 0 ft. from the east side property line, and for a Developmental Variance to allow the total square footage of accessory structures to exceed that allowed by right:

1. Approval of the request will not be injurious to public health, safety, morals, or general welfare. The mobile home is buffered from County Road 8. The additional storage space allows for less outdoor storage.
2. Approval of the request will not cause substantial adverse effect on neighboring property. The mobile home is existing with no complaints from neighbors. The neighborhood is residential in character and the accessory structure does not change the character of the property.
3. Strict application of the terms of the Zoning Ordinance would result in an unnecessary hardship in the use of the property. The property could not continue to have a mobile home without the variance.

Staff recommends **APPROVAL** with the following condition(s) imposed:

1. A variance from the developmental standards of the Zoning Ordinance is void unless an Improvement Location Permit is issued within 180 calendar days from the date of the grant and construction work completed within 1 year from the date of the issuance of the building permit (where required).
2. The request is approved in accordance with the site plan submitted 03/15/2024 and as represented in the Developmental Variance application.

PLAN COMMISSION & BOARD OF ZONING APPEALS

Elkhart County Planning & Development
Public Services Building
4230 Elkhart Road, Goshen, Indiana, 46526
Phone - (574) 971-4678
Fax - (574) 971-4578

Special Use - Mobile Home

Date: 03/15/2024 Meeting Date: April 17, 2024
Board of Zoning Appeals Public Hearing Transaction #: SUP-0163-2024

Description: for a Special Use for an existing mobile home

Contacts: <u>Applicant</u>	<u>Land Owner</u>
David Fore	David Fore
16403 Cr 108	16403 Cr 108
Bristol, IN 46507	Bristol, IN 46507

Site Address: 16730 County Road 8 BRISTOL, IN 46507	Parcel Number: 20-03-25-300-031.000-030
--	---

Township: Washington
Location: SOUTH SIDE OF CR 8,1375 FT EAST OF CR 27

Subdivision:	Lot #
--------------	-------

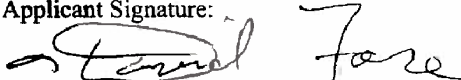
Lot Area: 0.60	Frontage: 100.00	Depth: 263.00
----------------	------------------	---------------

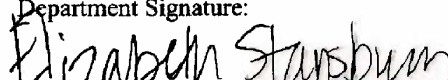
Zoning: A-1	NPO List:
-------------	-----------

Present Use of Property: RESIDENTIAL

Legal Description:

Comments: PARCEL CREATION DATE 12/17/2008
PREVIOUS SPECIAL USE FOR MOBILE HOMES:
0169-2020
0113-2017
8-140213-1
83-144-SU
81-72-SU

Applicant Signature: 

Department Signature: 

Application

Site address: 16730 CR 8

Parcel number(s): _____

Current property owner

Name: David Fore

Address: 16403 CR-108 Bristol IN 46507

Phone: 574-848-4193 Email: middleburyseptic@yahoo.com

Other party

Agent Buyer Land contract purchaser Lessee

Name: Margie Fore

Address: 16403 CR 108 Bristol, IN 46507

Phone: 574/848-4193 Email: SAME

By signing below, I understand that if my application is approved, there may be conditions that will have to be met before approval is final and building permits can be started. I also understand that the conditions may include a commitment that the property owner is responsible for completing and returning.

Signature of current property owner or authorized agent: David Fore

Staff Use Only

Description: _____

Parcel creation date: _____

Subdivision required? Y N If yes, AS Minor Major

Residential accessory breakdown, if applicable: _____

Location: N S E W corner side end of _____,
_____ ft. N S E W of _____,
in _____ Township

Frontage: _____ Depth: _____ Area: _____ acres

Subdivision and lot number, if applicable: _____

Present use: _____

Special Use — Questionnaire

Name: David Fore

1) Tell us what you want to do. continue to rent the property

2) Tell us why this activity won't hurt your neighbors or the community. Its right against a mobile home park and fits in with the neighborhood

3) Is there a subdivision covenant that says you can't do this activity? Y N
If yes, does the subdivision have an active homeowners' association? Y N

4) Will the activity create noise, vibration, smoke, dust, odor, heat, or glare? Y N If yes, fill out below.
Tell us what will create those things. _____
Tell us how you'll reduce the impact of those things on neighbors. _____

5) Will there be buffering (fences, trees, shrubs, mounds)? Y N
If yes, tell us about it. _____

6) Does the property need well and septic? Well: Y N Septic: Y N
Does the property need a new septic system? Y N
If a new septic system is needed, did the Health Department say there's enough space for it? Y N

7) Will the activity use buildings or additions? Y N If yes, fill out below.
Building or addition 1 Existing? Y N Size and height to the peak: _____
Tell us what you'll use it for. _____
Building or addition 2 Existing? Y N Size and height to the peak: _____
Tell us what you'll use it for. _____
Building or addition 3 Existing? Y N Size and height to the peak: _____
Tell us what you'll use it for. _____

8) Does this application include animals? Y N
If yes, tell us what kind and how many of each. _____

Next page ➡



Special Use — Questionnaire

9) Does this application include a business or nonprofit (church, school, other) based all or in part on this property? Y N If yes, fill out below.

How many employees do you have now? Full time: _____ Part time: _____

How many employees do you want? Full time: _____ Part time: _____

How many of the employees won't live onsite? _____

What will be the days and hours of operation on this property? _____

How many parking spaces do you have now? _____

How many parking spaces do you want? _____

Will there be outside storage or display areas on this property? Y N

If yes, tell us what will be stored outside or displayed. _____

Will there be retail sales on this property? Y N

If yes, tell us what will be sold. _____

Approximately how many customers (clients, guests, students, members) will be on this property per day? _____

Will there be pickups or deliveries on this property? Y N If yes, fill out below.

Tell us how often. weekly

Tell us the kind of vehicles used. Willis Trash SVC

Does the application include signs? Y N If yes, fill out below.

Sign 1 Dimensions (length and width). 14x70

Existing? Y N Double faced? Y N

Electronic message board? Y N If no, lighted? Y N

Freestanding? Y N Wall mounted? Y N

Sign 2 Dimensions (length and width). _____

Existing? Y N Double faced? Y N

Electronic message board? Y N If no, lighted? Y N

Freestanding? Y N Wall mounted? Y N

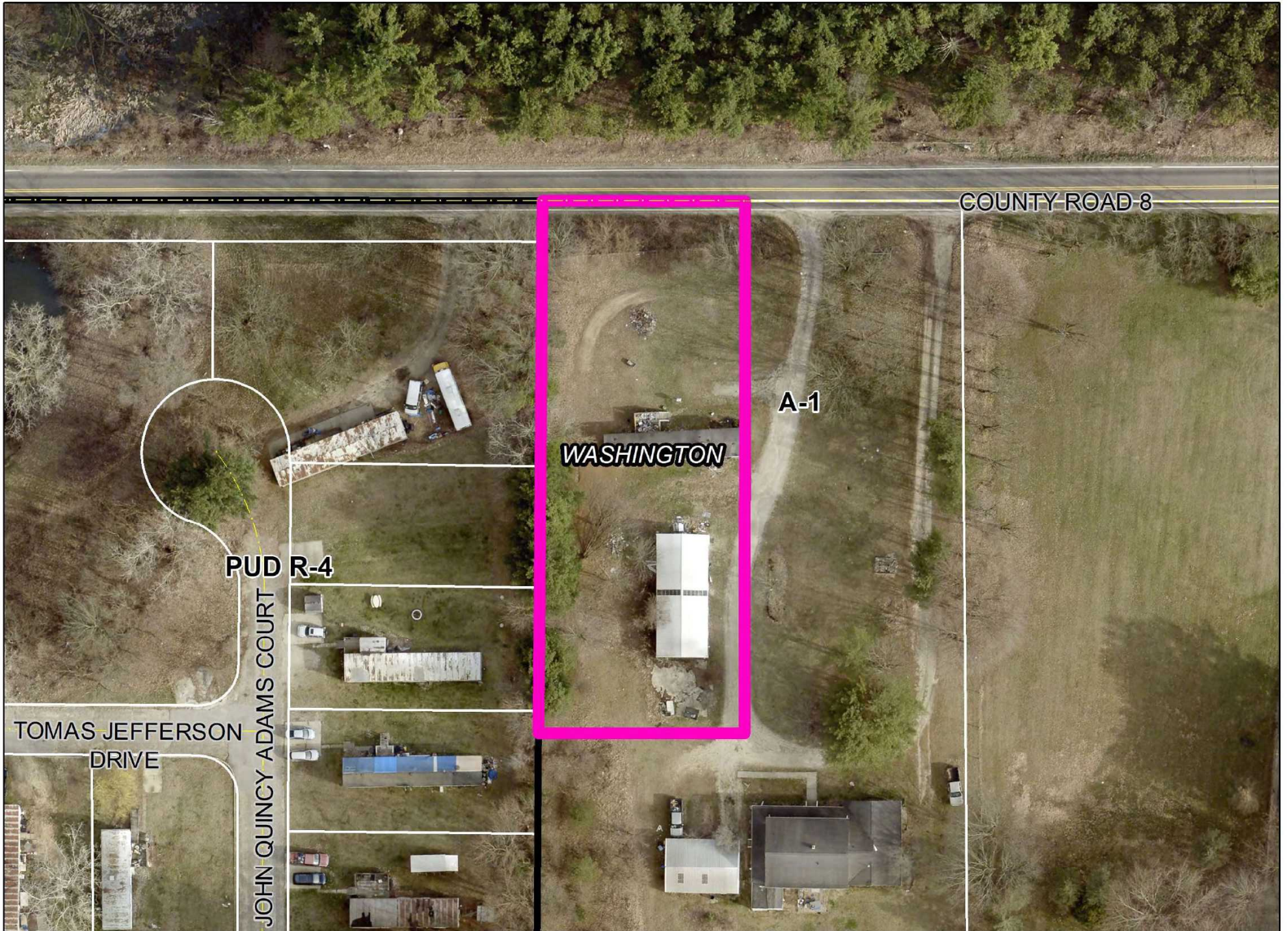
Sign 3 Dimensions (length and width). _____

Existing? Y N Double faced? Y N

Electronic message board? Y N If no, lighted? Y N

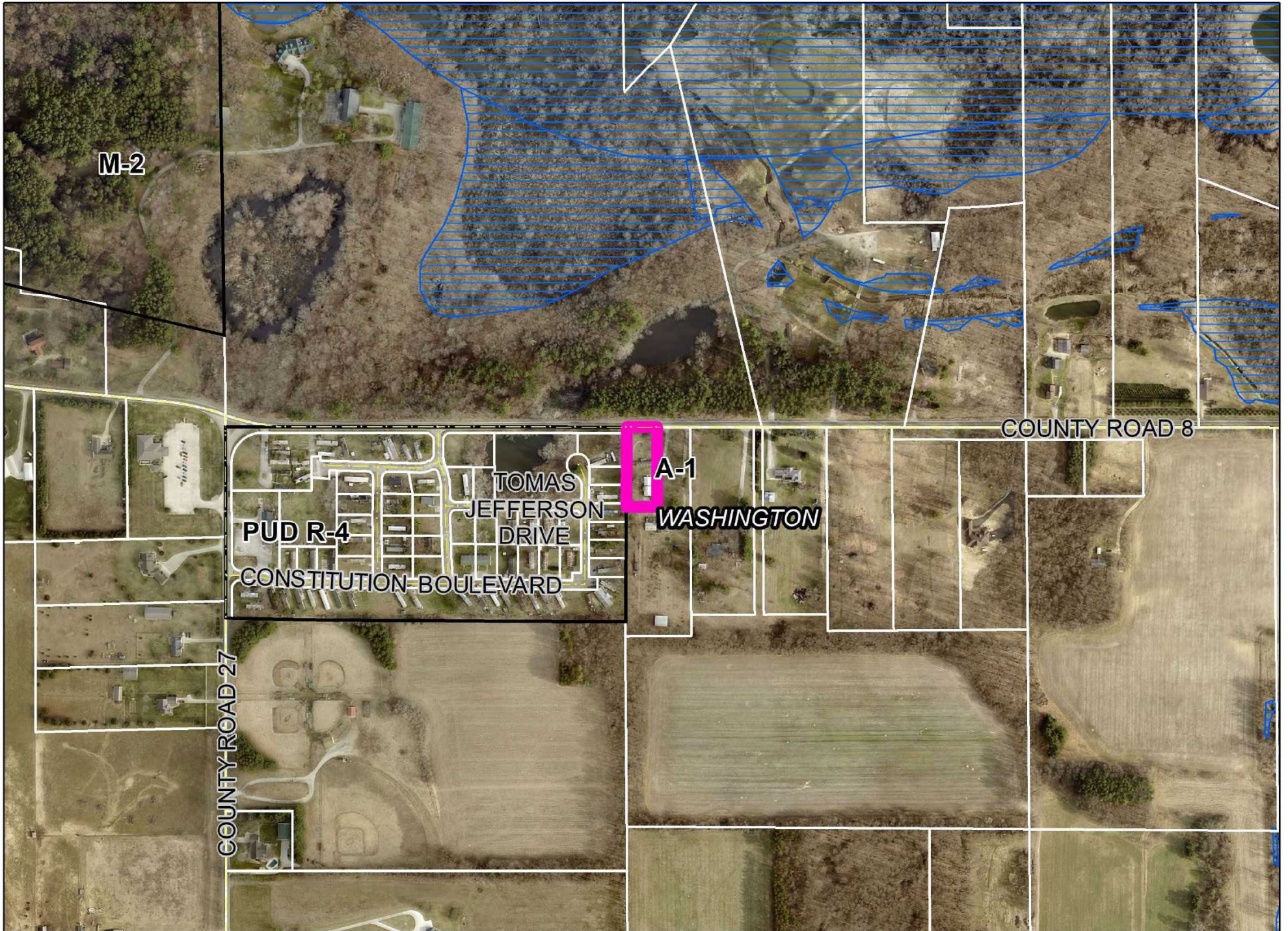
Freestanding? Y N Wall mounted? Y N

10) Tell us anything else you want us to know. _____





SUP-0163-2024



M-2

PUD R-4

A-1

TOMAS
JEFFERSON
DRIVE

WASHINGTON

CONSTITUTION BOULEVARD

COUNTY ROAD 8

COUNTY ROAD 27

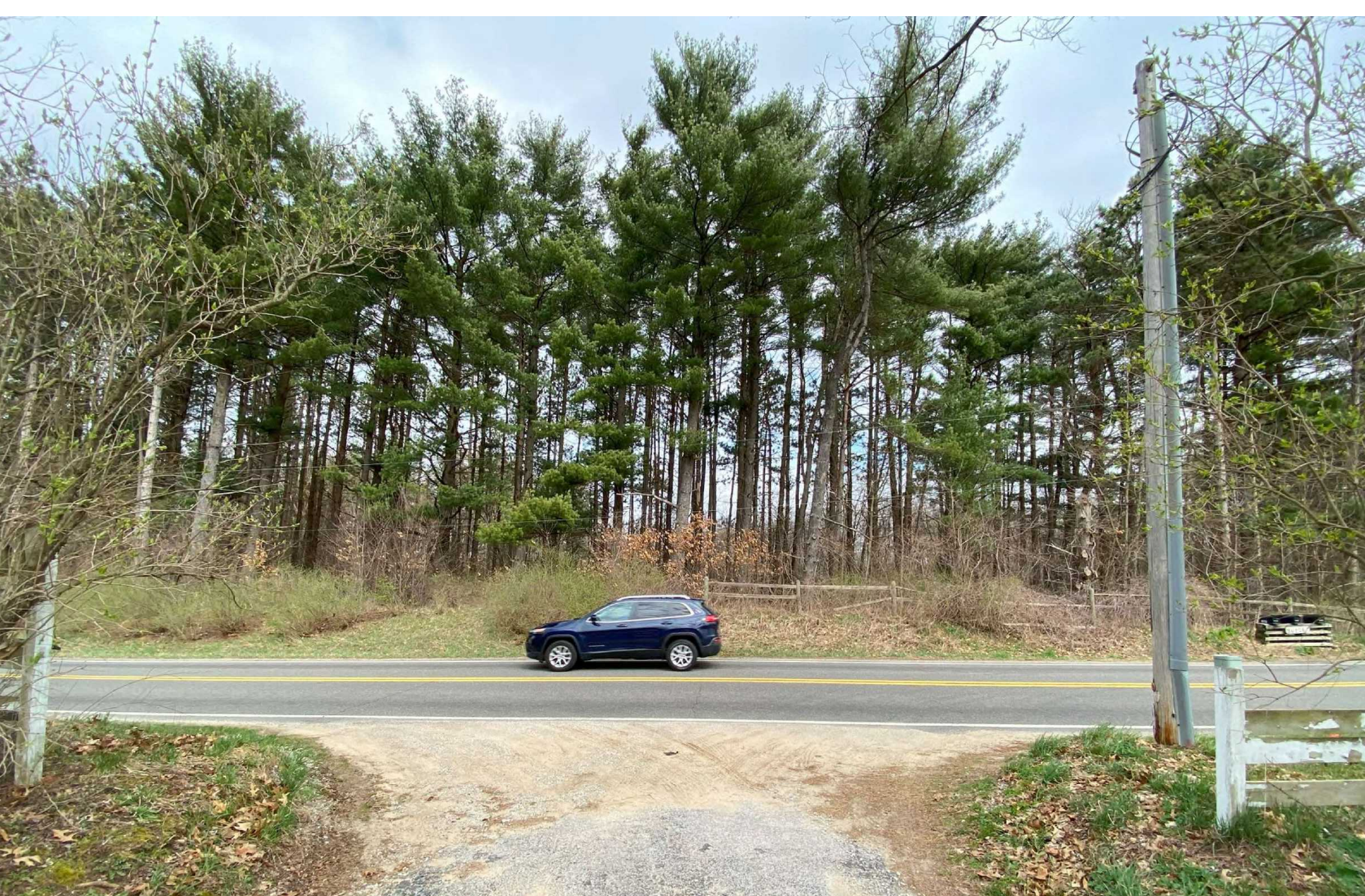




Subject Property



Looking north



Looking west

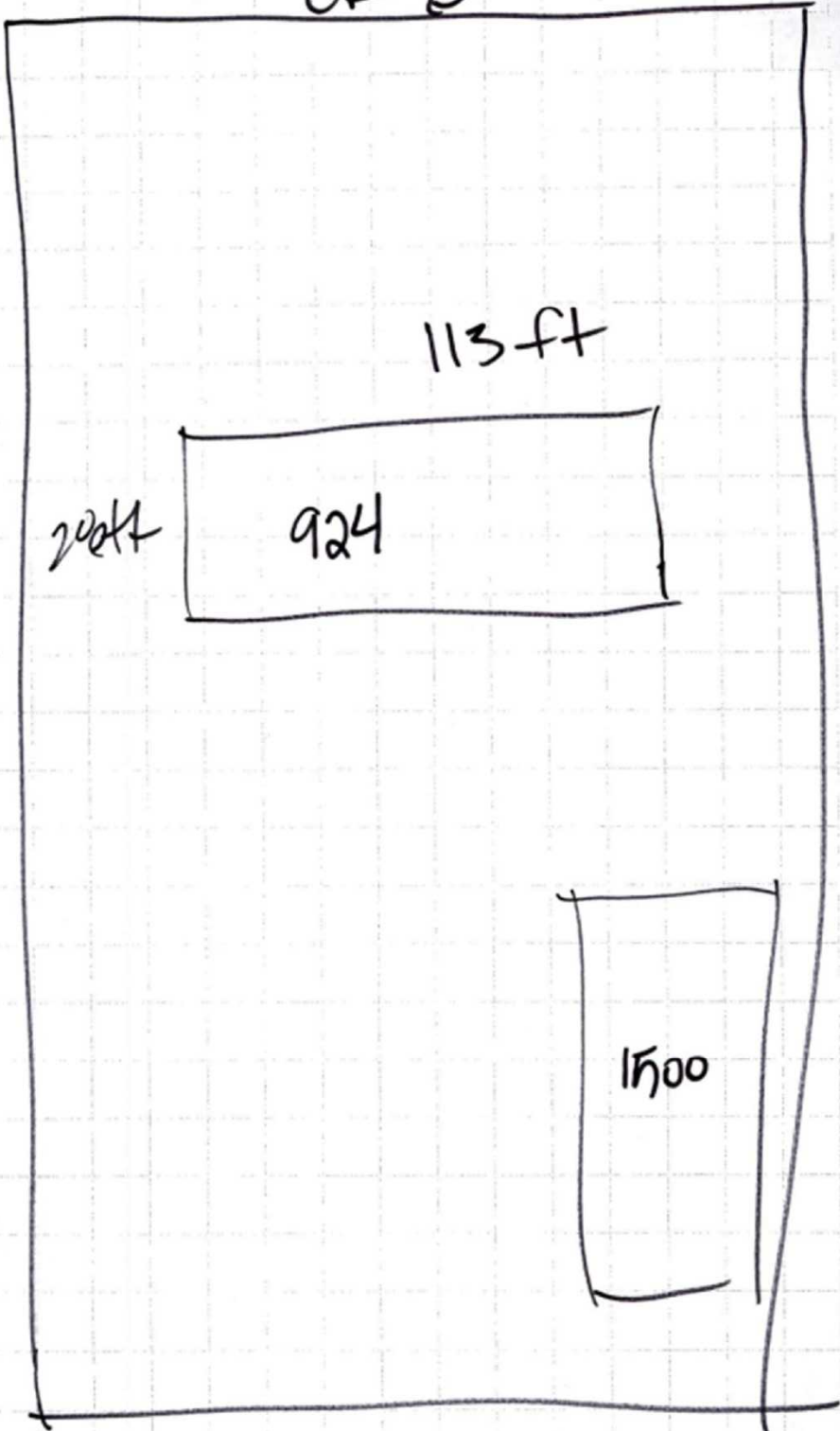


Looking south



Subject Property

CR 8



Hearing Officer Staff Report

Prepared by the Department of Planning and Development

Hearing Date: April 17, 2024

Transaction Number: SUP-0164-2024.

Parcel Number(s): 20-05-13-404-005.000-001.

Existing Zoning: R-2.

Petition: for a Special Use for an existing mobile home and for a Developmental Variance to allow for an existing mobile home within 300 ft. of a residence.

Petitioner: David Fore.

Location: East side of Paul St., 565 ft. North of CR 20 (Mishawaka Rd.), in Baugo Township.

Site Description:

- Physical Improvement(s) – Mobile home, accessory structure.
- Proposed Improvement(s) – None.
- Existing Land Use – Residential.
- Surrounding Land Use – Residential.

History and General Notes:

- **October 16, 1980** – A special use was granted for a mobile home.
- The property has been inspected multiple times since then, passing each inspection.

Staff Analysis:

For a Special Use for an existing mobile home, staff finds that:

1. The Special Use will be consistent with the spirit, purpose, and intent of the Zoning Ordinance. A mobile home is allowed by special use in the R-2 zone.
2. The Special Use will not cause substantial and permanent injury to the appropriate use of neighboring property. The neighborhood has several mobile homes and this is an existing use.
3. The Special Use will substantially serve the public convenience and welfare by providing an affordable housing option.

Hearing Officer Staff Report (Continued)

Hearing Date: April 17, 2024

Staff recommends **APPROVAL** with the following condition(s) imposed:

1. The request is approved subject to Staff renewal every three (3) years and with a one (1) year review to verify compliance with the following:
 - a. The mobile home shall be adequately stabilized and skirted and have tie-downs installed.
 - b. The water supply and sewage disposal system shall be installed in accordance with County Health Department specifications.
 - c. Adequate provisions for storage shall be provided at all times to eliminate exterior storage of personal property, tools, and vehicles, except licensed motor vehicles.
 - d. At all times, the premises shall be kept free of abandoned junk vehicles and parts thereof as described by Indiana State Law.
2. The request is approved in accordance with the site plan submitted 03/15/2024 and as represented in the Special Use application.

For a Developmental Variance to allow for an existing mobile home within 300 ft. of a residence, staff finds that:

1. Approval of the request will not be injurious to public health, safety, morals, or general welfare. The mobile home follows the correct setbacks to Paul Street.
2. Approval of the request will not cause substantial adverse effect on neighboring property. The mobile home is existing and is buffered from neighboring residences.
3. Strict application of the terms of the Zoning Ordinance would result in an unnecessary hardship in the use of the property. The property could not continue to have a mobile home without the variance.

Staff recommends **APPROVAL** with the following condition(s) imposed:

1. A variance from the developmental standards of the Zoning Ordinance is void unless an Improvement Location Permit is issued within 180 calendar days from the date of the grant and construction work completed within 1 year from the date of the issuance of the building permit (where required).
2. The request is approved in accordance with the site plan submitted 03/15/2024 and as represented in the Developmental Variance application.

PLAN COMMISSION & BOARD OF ZONING APPEALS

Elkhart County Planning & Development
Public Services Building
4230 Elkhart Road, Goshen, Indiana, 46526
Phone - (574) 971-4678
Fax - (574) 971-4578

Special Use - Mobile Home

Date: 03/15/2024 Meeting Date: April 17, 2024
Board of Zoning Appeals Public Hearing Transaction #: SUP-0164-2024

Description: for a Special Use for a mobile home.

Contacts: Applicant	Land Owner
David Fore	David Fore
16403 Cr 108	16403 Cr 108
Bristol, IN 46507	Bristol, IN 46507

Site Address: 57596 Paul Street ELKHART, IN 46517	Parcel Number: 20-05-13-404-005.000-001
--	---

Township: Baugo
Location: EAST SIDE OF PAUL ST., 565 FT. NORTH OF CR 20

Subdivision: REVISED LOCUST GROVE Lot # 28 & 29

Lot Area: 0.31 Frontage: 100.00 Depth: 136.00

Zoning: R-2 NPO List:

Present Use of Property: RESIDENTIAL

Legal Description:

Comments: 80-134-SU, SUP-0168-2020, SUP-0149-2017, ELEC-R-2018

Applicant Signature:
X David Fore

Department Signature:
Ann M Weiss

Meeting held at
County
Administration Bldg.
117 N. 2nd St.
Goshen, IN 46526
Meeting rooms
104, 106 & 108

Application

Site address: 57596 PAUL ST.
Parcel number(s): 20-05-13-404-005.000-001

Current property owner

Name: DAVID FORE
Address: 16403 CR 108
Phone: 574-848-4193 Email: middleburyseptic@yahoo.com

Other party Agent Buyer Land contract purchaser Lessee

Name: Margie FORE
Address: 16403 CR 108 BRISTOL, IN 46307
Phone: 574-848-4193 Email: SAME

By signing below, I understand that if my application is approved, there may be conditions that will have to be met before approval is final and building permits can be started. I also understand that the conditions may include a commitment that the property owner is responsible for completing and returning.

Signature of current property owner or authorized agent: X David Fore

Staff Use Only

Description: For a special use for a mobile home.

Parcel creation date: N/A

Subdivision required? Y N If yes, AS Minor Major

Residential accessory breakdown, if applicable: _____

Location: N S W corner side end of PAUL ST.
565 ft. N S E W of CR 20
in BANGOR Township

Frontage: 100 FT. Depth: 136 FT. Area: 0.314 acres

Subdivision and lot number, if applicable: REVISED LOCUST GROVE LOT 28+29.

Present use: _____

Special Use for a Mobile Home — Questionnaire

Name: David Fore

1) Is there an existing main residence already on the property? Y N

If yes, tell us who will live in the existing main residence. Tenant

2) Tell us who will live in the mobile home. Tenant

3) Is the mobile home needed because of a hardship like poor health, age, or an emergency? Y N

If yes, tell us about it.

4) Tell us why the mobile home won't hurt your neighbors or the community. many mobile homes in the neighborhood. Helps to provide a quality rental

5) Does the mobile home need its own well and septic? Well: Y N Septic: Y N

Does the mobile home need a new septic system? Y N

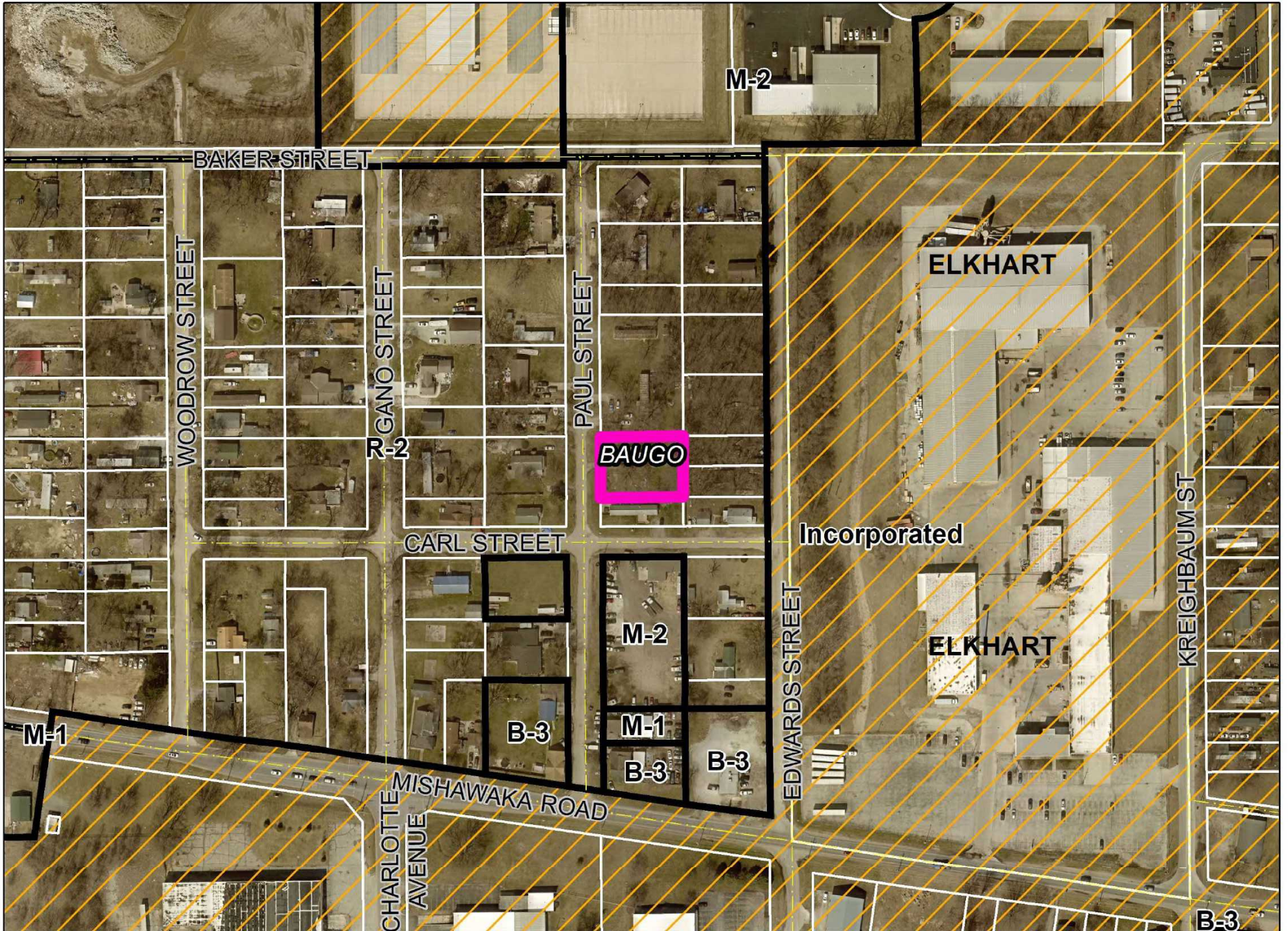
If yes, did the Health Department say there's enough space for it? Y N

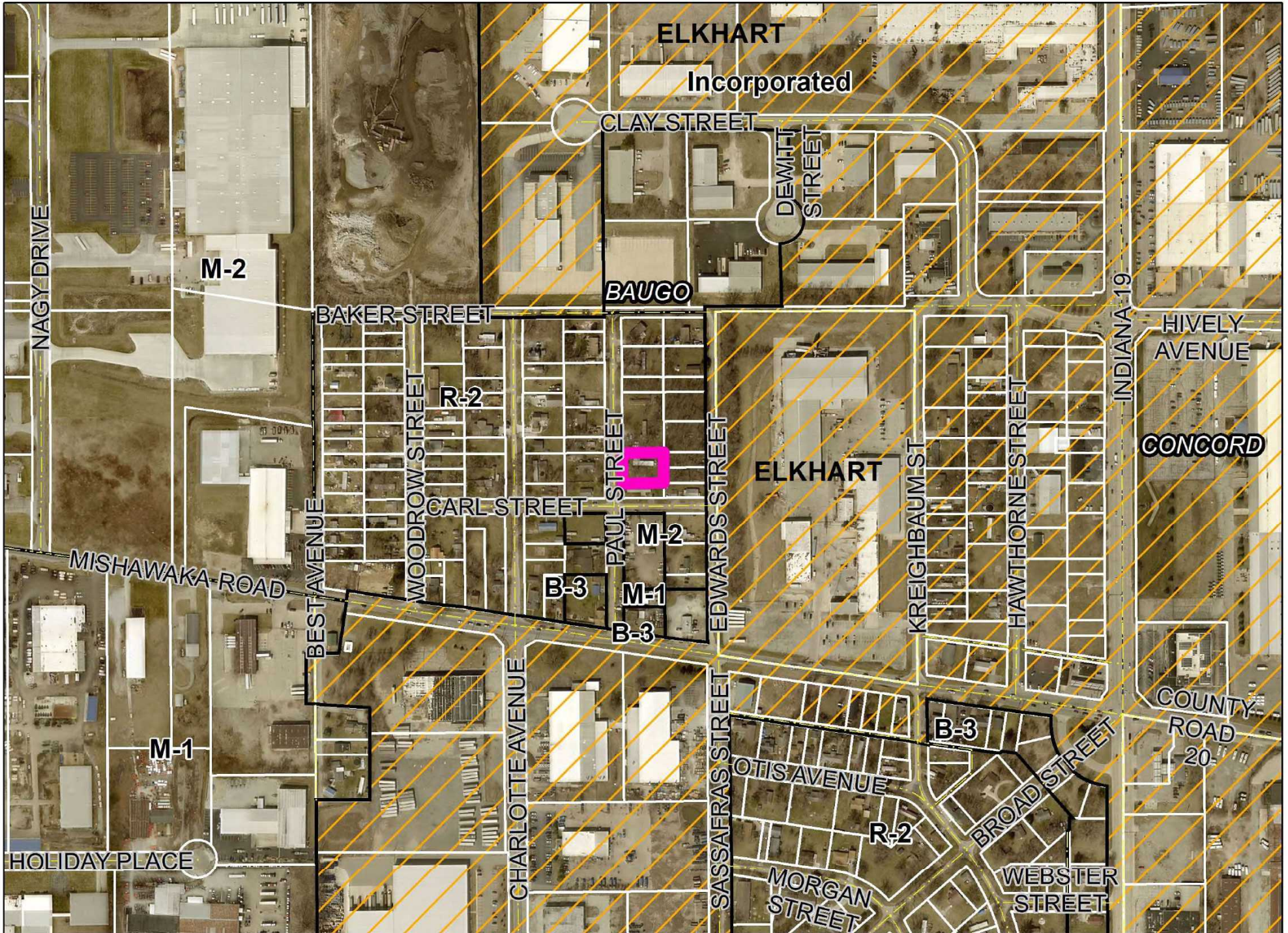
6) Tell us the size of the mobile home. 14 X 70

7) Tell us the year of the mobile home. 1990

8) Tell us anything else you want us to know.









Subject property



Looking north



Looking west



Looking south

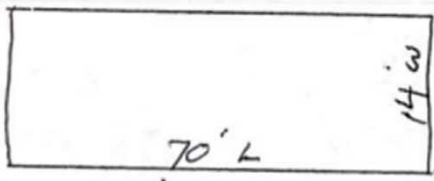
57596 Paul St

North property Ln



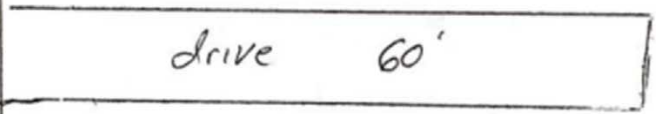
60'

30'



35'

MAR 15 2024



drive 60'

Well 10-35'

100 ft East Line

Septic



24'

18'

(Not drawn to scale)

Hearing Officer Staff Report

Prepared by the Department of Planning and Development

Hearing Date: March 20, 2024

Transaction Number: DV-0057-2024.

Parcel Number(s): 20-14-35-251-001.000-028, 20-14-35-251-002.000-028.

Existing Zoning: A-1.

Petition: for a 30 ft. Developmental Variance (Ordinance requires 120 ft.) to allow for an existing residence and the construction of a porch addition 90 ft. from the centerline of the right-of-way.

Petitioner: Randy Vance, Jerry M. Bethel, Sr. & Brenda Bethel, Husband & Wife (Land Contract Holders) & Randy Vance & Jessica Hubbel (Land Contract Purchasers).

Location: South side of US 6, 2,510 ft. West of CR 15, in Union Township.

Site Description:

- Physical Improvement(s) – Residence, accessory structure.
- Proposed Improvement(s) – Porch.
- Existing Land Use – Residential.
- Surrounding Land Use – Residential, agricultural.

History and General Notes:

- **January 17, 2024** – a complaint for having junk in the yard was opened.
- **January 26, 2024** – a complaint for building without a permit was opened.
- **March 20, 2024** – The Hearing Officer tabled this petition.

Staff Analysis:

Staff finds that:

4. Approval of the request will not be injurious to public health, safety, morals, or general welfare. The added encroachment to state road 6 will not limit visibility.
5. Approval of the request will not cause substantial adverse effect on neighboring property. The neighboring properties are agricultural and there is little housing density in the area.
6. Strict application of the terms of the Zoning Ordinance would result in an unnecessary hardship in the use of the property. Abutting to a state road and the location of the house limits the buildable area.

Hearing Officer Staff Report (Continued)

Hearing Date: March 20, 2024

Staff recommends **APPROVAL** with the following condition(s) imposed:

1. A variance from the developmental standards of the Zoning Ordinance is void unless an Improvement Location Permit is issued within 180 calendar days from the date of the grant and construction work completed within 1 year from the date of the issuance of the building permit (where required).
2. A recorded deed is required showing all the petitioner's property on one deed and in one name.
3. A revised site plan is required showing the full property with the proposed porch dimensions and setbacks to the road to be placed in the petition file.
4. The request is approved in accordance with the revised site plan to be submitted for staff approval and as represented in the Developmental Variance application.

Developmental Variance — Questionnaire

Name: _____

1) Tell us what you want to do. Add Enclosed Porch

2) Tell us why you can't change what you're doing so you don't need a variance. I CANT PICK up road and move

3) Tell us why the variance won't hurt your neighbors or the community. only have one neighbor road my Porch would Block nothing

4) Does the property need well and septic? Well: Y N Septic: Y N
Does the property need a new septic system? Y N
If a new septic system is needed, did the Health Department say there's enough space for it? Y N

5) Does the application include variances to allow for buildings or additions? Y N If yes, fill out below.

Building or addition 1 Size and height to the peak: Bed room
Tell us what you'll use it for. _____

Building or addition 2 Size and height to the peak: Enclosed Porch
Tell us what you'll use it for. _____

Building or addition 3 Size and height to the peak: _____
Tell us what you'll use it for. _____

6) Does the application include a variance for a residence on property with no road frontage? Y N
If yes, fill out below.
Is the easement existing? Y N If the easement is existing, is it recorded? Y N
Tell us who owns (will own) the land under the easement. _____
Tell us how many parcels will use the easement. _____

7) Does the application include variances for signs? Y N If yes, fill out below.

Sign 1 Dimensions (length and width): _____
Existing? Y N Double faced? Y N
Electronic message board? Y N If no, lighted? Y N
Freestanding? Y N Wall mounted? Y N

Sign 2 Dimensions (length and width): _____
Existing? Y N Double faced? Y N
Electronic message board? Y N If no, lighted? Y N
Freestanding? Y N Wall mounted? Y N

Sign 3 Dimensions (length and width): _____
Existing? Y N Double faced? Y N
Electronic message board? Y N If no, lighted? Y N
Freestanding? Y N Wall mounted? Y N

8) Does the application include a variance for parking spaces? Y N
If yes, tell us how many total there will be. _____

9) Tell us anything else you want us to know. _____

DV-0057-2024

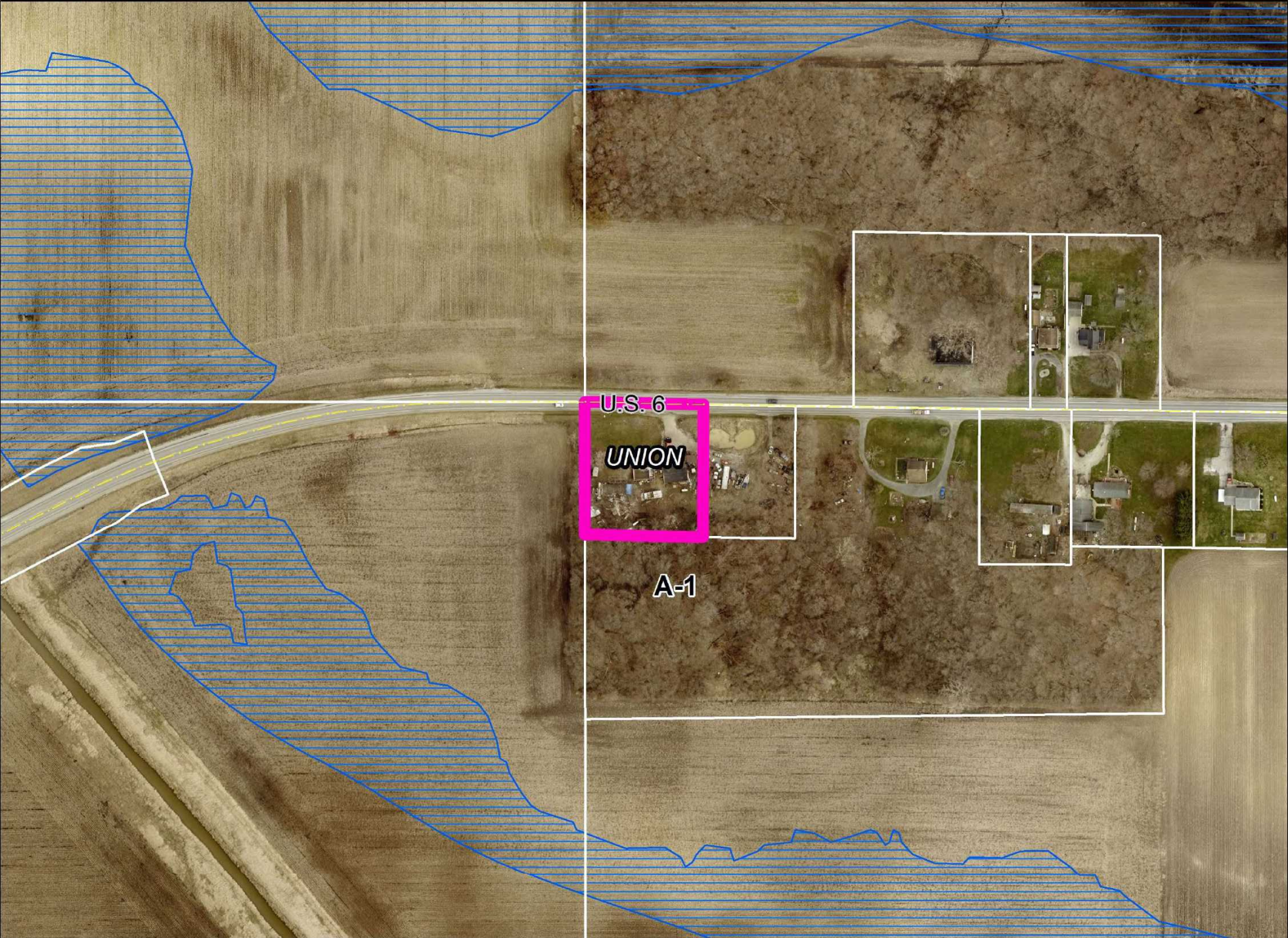


U.S. 6

A-1

UNION







U.S. 6

UNION

COUNTY ROAD 56





Subject Property



Looking west



Looking east



Looking north

U.S. 6

90 ft

251-001

251-002

26 ft

Porch Addition

shed

pool

Home

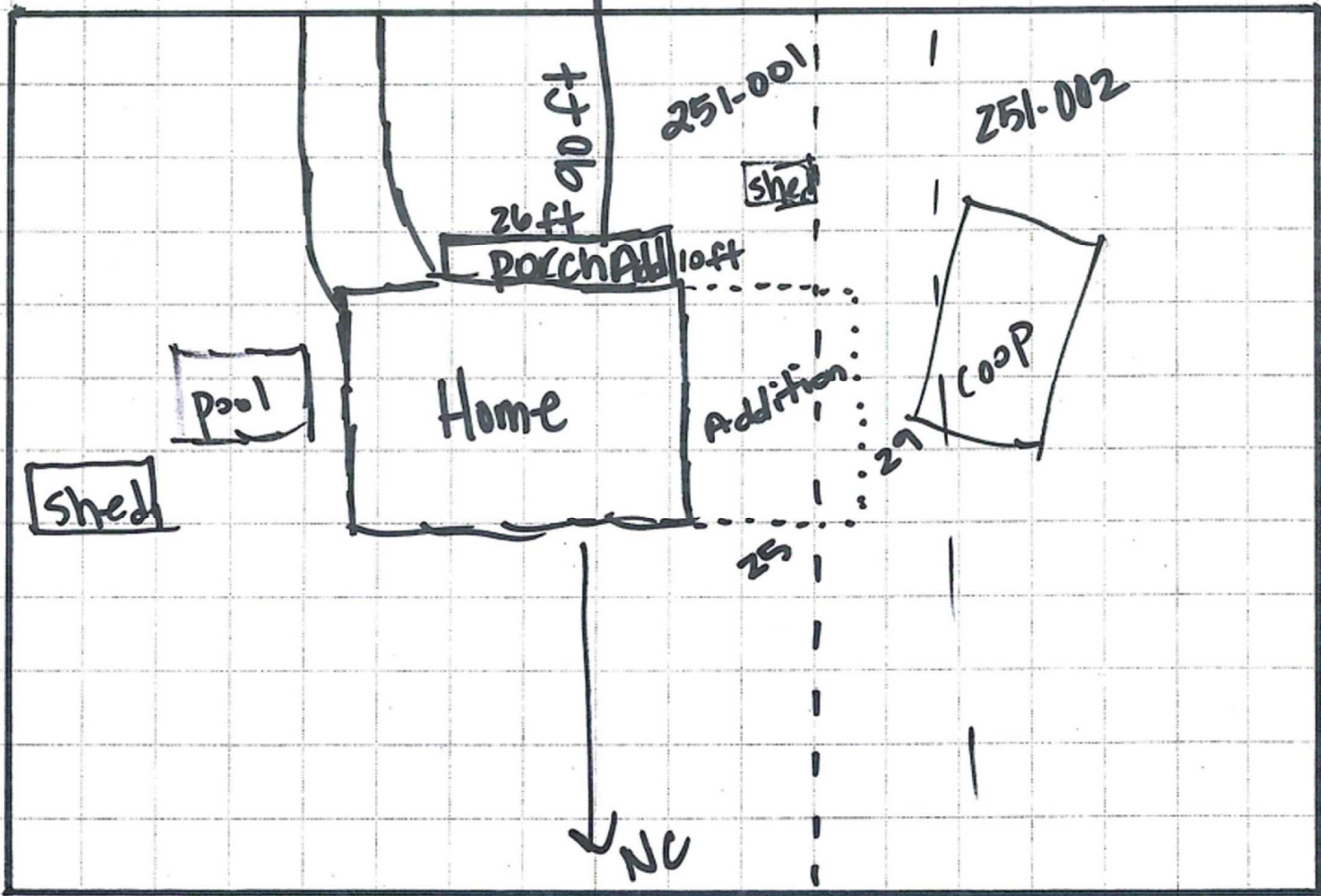
Addition

coop

shed

25

NC



Hearing Officer Staff Report

Prepared by the Department of Planning and Development

Hearing Date: March 20, 2024

Transaction Number: DV-0063-2024.

Parcel Number(s): 20-14-32-476-013.000-028.

Existing Zoning: A-1.

Petition: for a Developmental Variance to allow for the construction of a residence on property with no road frontage served by an access easement.

Petitioner: Dale L. Miller & Judy D. Miller, Husband & Wife.

Location: Northeast side of the easement, 1,380 ft. West of CR 9, 2,650 ft. South of US 6, in Union Township.

Site Description:

- Physical Improvement(s) – None.
- Proposed Improvement(s) – Single-Family Residence.
- Existing Land Use – Agricultural.
- Surrounding Land Use – Agricultural & Residential.

History and General Notes:

- **October 17, 2018** – The Hearing Officers approved a development variance to allow for the construction of a residence with no road frontage on a 4.5-acre parent parcel (DV-0609-2018)
- **December 27, 2018** – An administrative subdivision was approved by staff on a 4.5-acre parent parcel (AS-2697-2018).
- The proposed property configuration is comprised part of a parent and adjacent parcels.
- **March 20, 2024** – The Hearing Officer tabled this petition.

Staff Analysis:

Staff finds that:

7. Approval of the request will not be injurious to public health, safety, morals, or general welfare. The proposed configuration is the result of previous land splits including an administrative subdivision and cleans up a non-conforming accessory use / structure on the adjacent parcel.
8. Approval of the request will not cause substantial adverse effect on neighboring property. This will be a 3.15-acre property in a low-density residential and agricultural area, and the property will remain residential and agricultural in character.
9. Strict application of the terms of the Zoning Ordinance would result in an unnecessary hardship in the use of the property. Without the benefit of the variance, the property could not be used for residential use and would be nonconforming.

Hearing Officer Staff Report (Continued)

Hearing Date: March 20, 2024

Staff recommends **APPROVAL** with the following condition(s) imposed:

1. A variance from the developmental standards of the Zoning Ordinance is void unless an Improvement Location Permit is issued within 180 calendar days from the date of the grant and construction work completed within 1 year from the date of the issuance of the building permit (where required).
2. The request is approved in accordance with the site plan submitted 2/9/2024 and as represented in the Developmental Variance application.
3. A subdivision is required.

PLAN COMMISSION & BOARD OF ZONING APPEALS

Elkhart County Planning & Development
Public Services Building
4230 Elkhart Road, Goshen, Indiana, 46526
Phone - (574) 971-4678
Fax - (574) 971-4578

Developmental Variance - Developmental Variance

DV-0063-2024

Date: 02/09/2024 Meeting Date: March 20, 2024 Transaction #: DV-0063-2024
Board of Zoning Appeals Public Hearing

Description: for a Developmental Variance to allow for the construction of a residence on property with no road frontage served by an access easement

Contacts: Applicant	Land Owner	Private Surveyor
Advanced Land Surveying Of Northern Indiana, Inc. 17120 County Road 46 New Paris, IN 46553	Dale L Miller & Judy D Miller H&W 72977 County Road 9 Nappanee, IN 46550	Advanced Land Surveying Of Northern Indiana, Inc. 17120 County Road 46 New Paris, IN 46553

Site Address: 72963 County Road 9 NAPPANEE, IN 46550	Parcel Number: Part of 20-14-32-400-014.000-028 Part of 20-14-32-476-001.000-028
---	---

Township: Union
Location: WEST SIDE OF CR 29, 2650 SOUTH OF US 6

Subdivision:	Lot #
--------------	-------

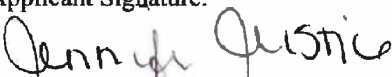
Lot Area: 3.15	Frontage: 0.00	Depth:
----------------	----------------	--------

Zoning: A-1	NPO List:
-------------	-----------

Present Use of Property: RESIDENTIAL & VACANT LAND

Legal Description:

Comments: SEE PREVIOUS DV-0609-2018 APPROVED ON 10/17/2018 FOR NO ROAD FRONTAGE, AND AS-2697-2018 FOR NEW RESIDENCE. PER JENNIFER AT ADV LAND SURV, JASON SAID SUBDIVISION IS NOT NEEDED - KB 2/9/2024 (JASON NOT HERE TO VERIFY)
BOTH PARCELS HAVE CREATION DATE OF 3/1/1967

Applicant Signature:


Department Signature:


Application

Site address: 72963 County Road 9, Nappanee, IN 46550

Parcel number(s): Part of 20-14-32-476-001.000-028, Part of 20-14-32-400-014.000-028

Current property owner

*4.5 acres
3/1/1967*

*2.13 acres
3/1/1967*

Name: Dale L. and Judy D. Miller

Address: 72963 County Road 9, Nappanee, IN 46550

Phone: 574-773-0220

Email: dale.miller86@icloud.com

Other party

- Agent Buyer Land contract purchaser Lessee

Name: Ronnie Justice P.S. / Advanced Land Surveying

Address: 17120 County Road 46, New Paris, IN 46553

Phone: 574-849-4728

Email: ron@advancedlandsurveying.net

By signing below, I understand that if my application is approved, there may be conditions that will have to be met before approval is final and building permits can be started. I also understand that the conditions may include a commitment that the property owner is responsible for completing and returning.

Signature of current property owner or authorized agent: *Ronnie Justice*

Staff Use Only

Description: _____

Parcel creation date: _____

Subdivision required? Y N *Per Jason*
If yes, AS Minor Major

Residential accessory breakdown, if applicable: _____

Location: N S E W corner side end of _____ ,
_____ ft. N S E W of _____ ,
in Union Township

Frontage: 0 Depth: _____ Area: 6.63 acres
split - 3.15

Subdivision and lot number, if applicable: _____

Present use: _____

Developmental Variance — Questionnaire

Name: Dale L. and Judy D. Miller

- 1) Tell us what you want to do. Creation of new parcel for dawdy house that will have zero road frontage.
- 2) Tell us why you can't change what you're doing so you don't need a variance. Parent parcel has zero road frontage variance already; variance is needed for newly created parcel
- 3) Tell us why the variance won't hurt your neighbors or the community. Zero road frontage variance currently exists on parent parcel; no new easement/driveway will be created as both parcels will use same drive
- 4) Does the property need well and septic? Well: Y N Septic: Y N
Does the property need a new septic system? Y N
If a new septic system is needed, did the Health Department say there's enough space for it? Y N
- 5) Does the application include variances to allow for buildings or additions? Y N If yes, fill out below.
Building or addition 1 Size and height to the peak: _____
Tell us what you'll use it for. Dawdy house
Building or addition 2 Size and height to the peak: _____
Tell us what you'll use it for. _____
Building or addition 3 Size and height to the peak: _____
Tell us what you'll use it for. _____
- 6) Does the application include a variance for a residence on property with no road frontage? Y N
If yes, fill out below.
Is the easement existing? Y N If the easement is existing, is it recorded? Y N
Tell us who owns (will own) the land under the easement. Dale L. & Judy D. Miller / RTN Corp.
Tell us how many parcels will use the easement. 3
- 7) Does the application include variances for signs? Y N If yes, fill out below.
Sign 1 Dimensions (length and width): _____
Existing? Y N Double faced? Y N
Electronic message board? Y N If no, lighted? Y N
Freestanding? Y N Wall mounted? Y N
Sign 2 Dimensions (length and width): _____
Existing? Y N Double faced? Y N
Electronic message board? Y N If no, lighted? Y N
Freestanding? Y N Wall mounted? Y N
Sign 3 Dimensions (length and width): _____
Existing? Y N Double faced? Y N
Electronic message board? Y N If no, lighted? Y N
Freestanding? Y N Wall mounted? Y N
- 8) Does the application include a variance for parking spaces? Y N
If yes, tell us how many total there will be. _____
- 9) Tell us anything else you want us to know. Per Jason in planning, minor subdivision is not needed.

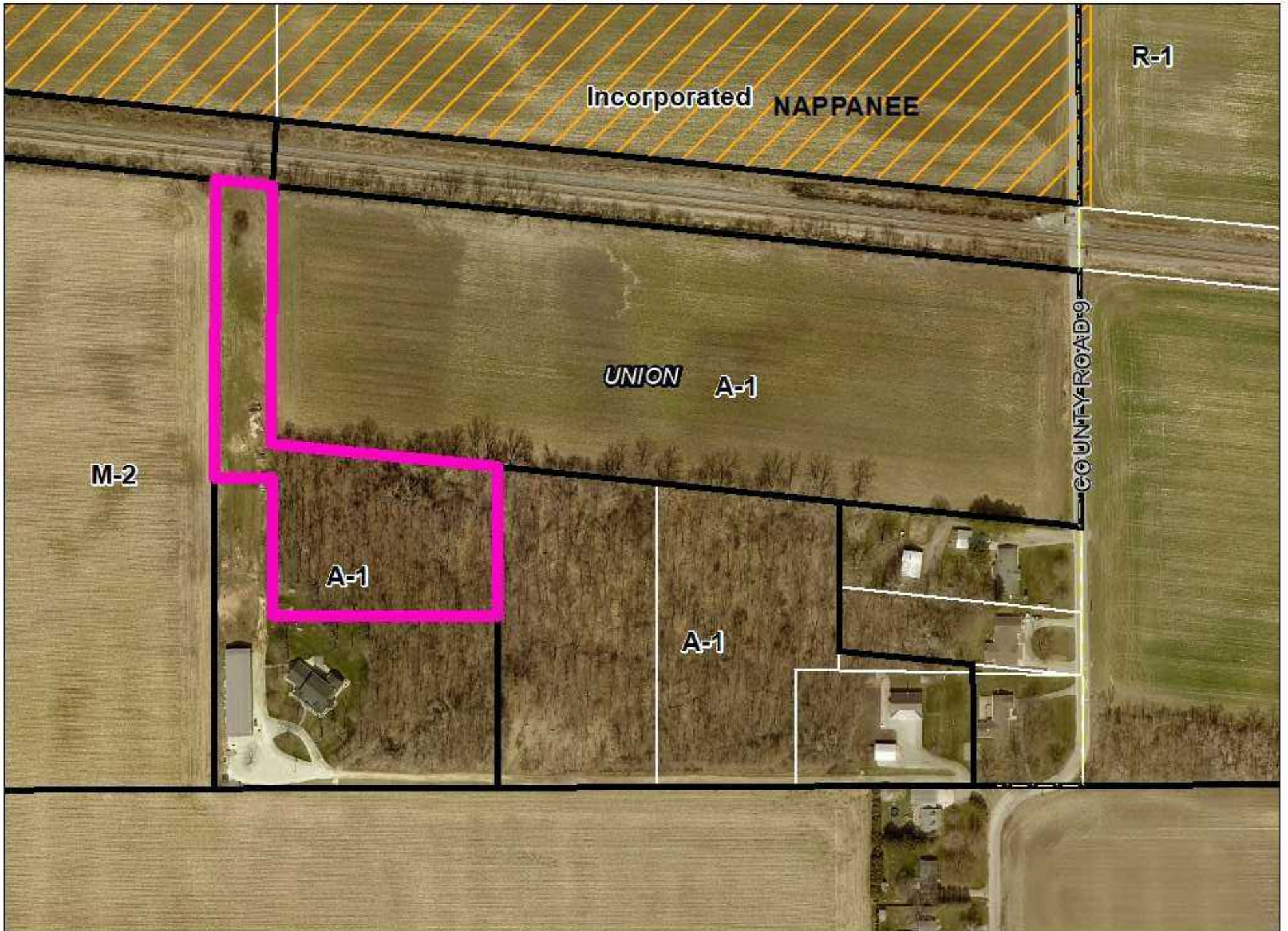
DV-0063-2024

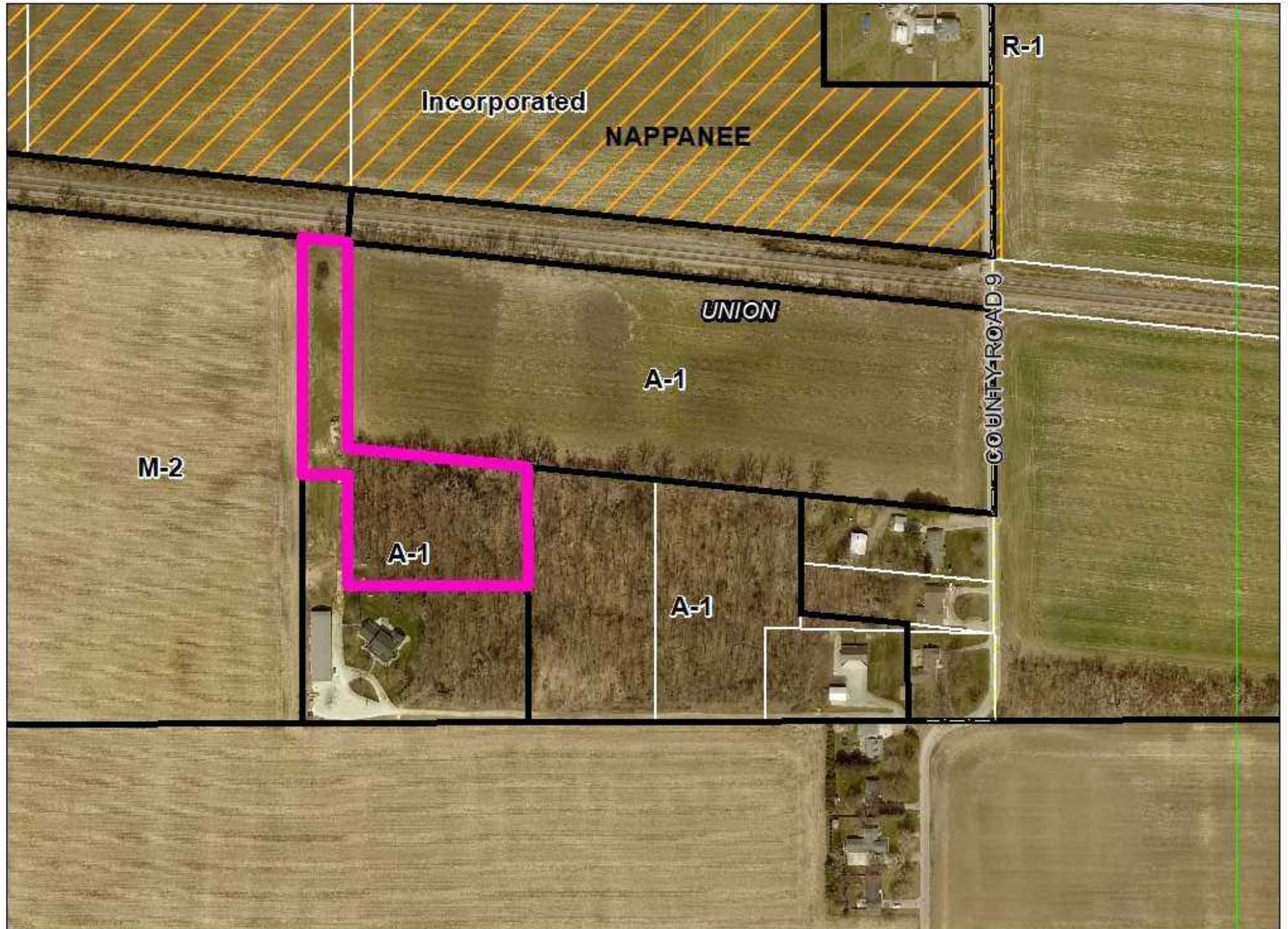


2021 Aerials

1 inch = 150 feet





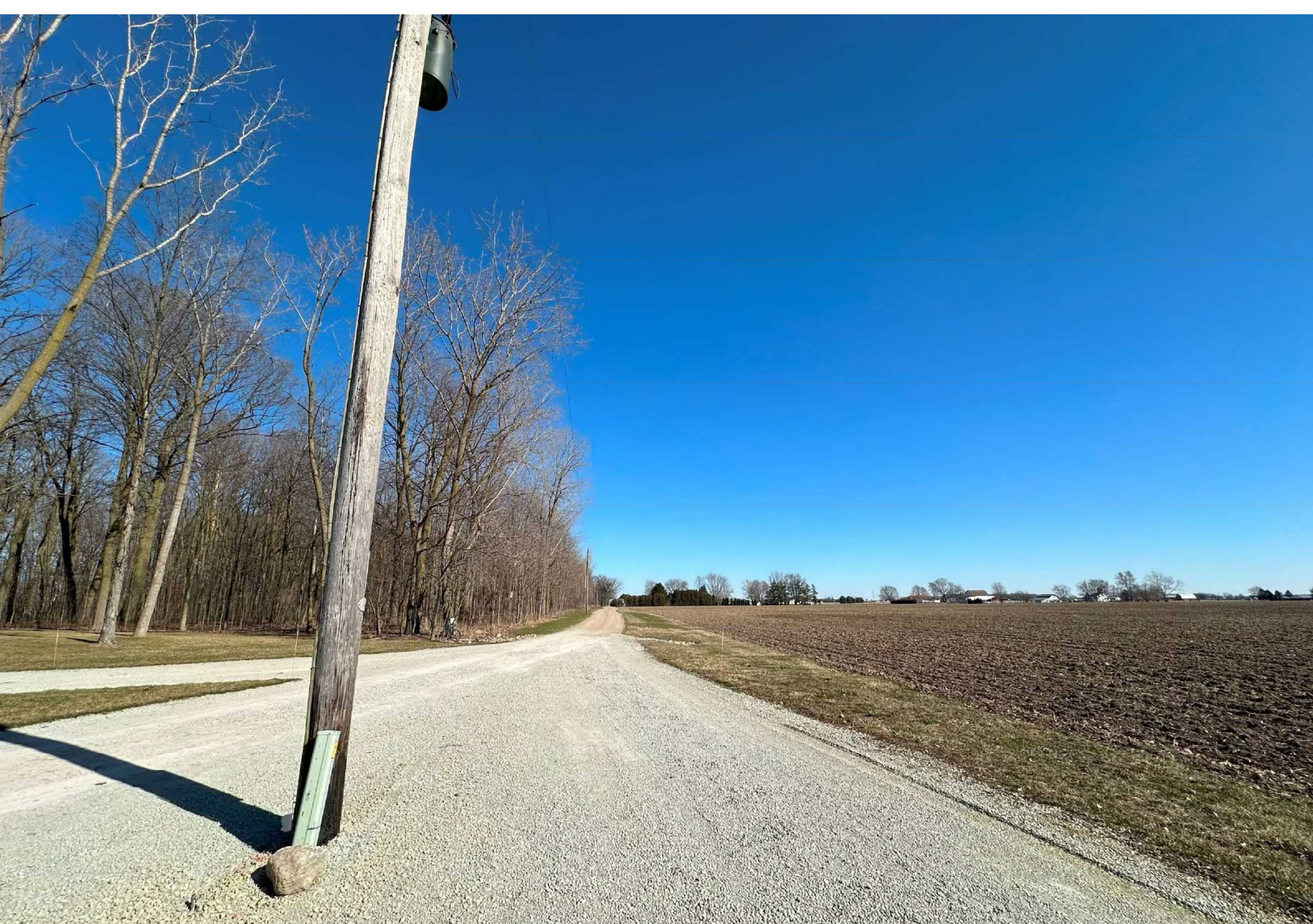




Looking north toward subject property



Looking south



Looking east



Looking west

FEB - 9 2024

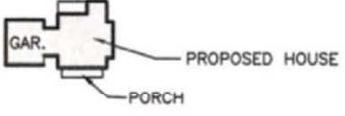
RTN CORPORATION
INST. # 2005-30122

FOUND 1" PIPE
(MBW) 3" DOWN

FOUND REBAR
3" DOWN

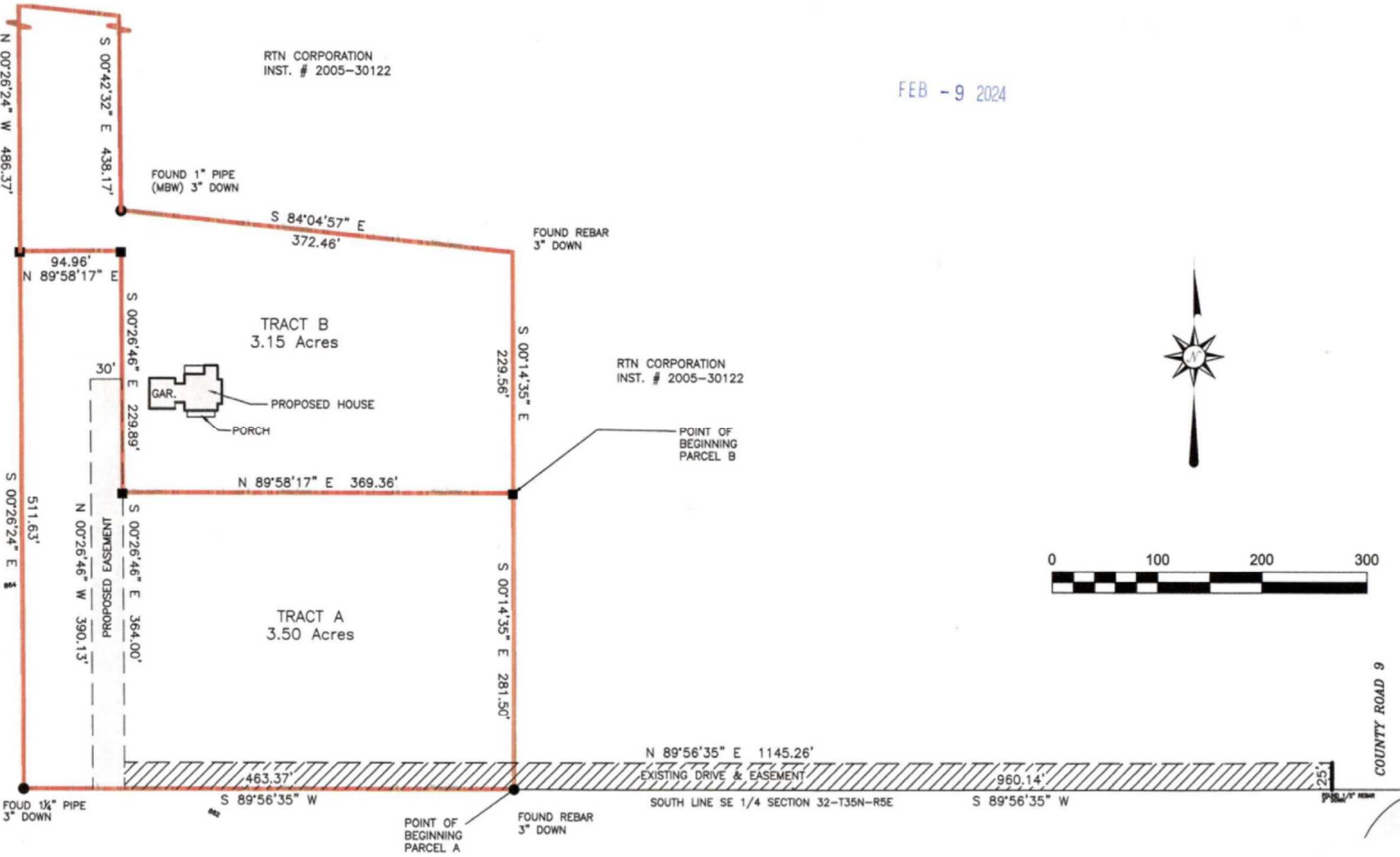
TRACT B
3.15 Acres

RTN CORPORATION
INST. # 2005-30122



POINT OF
BEGINNING
PARCEL B

TRACT A
3.50 Acres



COUNTY ROAD 9