

AGENDA

ELKHART COUNTY BOARD OF ZONING APPEALS

DECEMBER 19, 2024
9:00 A.M.

ADMINISTRATION BUILDING
MEETING ROOMS 104, 106, & 108
117 N. 2nd STREET, 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 2024.

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

SPECIAL USE

9:00 A.M. (CRAMER)

- A. Petitioner: ***Bradley D. Metzger & Laina K. Metzger, Husband & Wife*** (Page 10)
Petition: for a Special Use for a retail greenhouse.
Location: North side of CR 46, 1,910 ft. West of SR 19, common address of 28371 CR 46 in Locke Township, zoned A-1. SUP-0824-2024

SPECIAL USE/DEVELOPMENTAL VARIANCES

- B. Petitioner: ***Shaun D. Hilty & Frances H. Hilty, Husband & Wife*** (Page 11)
Petition: for a Special Use for a home workshop/business for a vehicle wrap and sign making business and for a 20 ft. Developmental Variance (Ordinance requires 120 ft.) to allow for an existing building 100 ft. from the centerline of the right-of-way.
Location: East side of SR 19, 1,400 ft. South of CR 36, common address of 64254 SR 19 in Harrison Township, zoned A-1. SUP-0811-2024
- C. Petitioner: ***Devon E. Miller & Kaylene L. Miller, Husband & Wife*** (Page 12)
Petition: for a Special Use for a home workshop/business for a garage door repair/installation business, and for a Developmental Variance to allow for 6 outside employees (Ordinance allows 4).
Location: South side of CR 12, 2,450 ft. West of CR 8, common address of 13528 CR 12 in Middlebury Township, zoned A-1. SUP-0834-2024

D. Petitioner: ***Tek-Pro Commercial Roofing LLC*** (Page 13)
Petition: for a Special Use for a contractor office & yard for a roofing business, for a Developmental Variance to allow for the total square footage of accessory structures to exceed that allowed by right, and for a Developmental Variance to allow for 6 outside employees (Ordinance allows 4).
Location: West side of SR 19, 2,465 ft. North of CR 46, common address of 68547 SR 19 in Middlebury Township, zoned A-1. SUP-0842-2024

9:30 A.M. (HESSER)

E. Petitioner: ***Wendell Martin & Phyllis Martin, Husband & Wife (Buyers) & Carlyle Martin & Barbara Martin, Husband & Wife (Sellers)*** (Page 14)
Petition: for an amendment to an existing Special Use for a home workshop/business for a post laminating business to allow for a new building 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 40, 1,640 ft. East of CR 9, common address of 25672 CR 40 in Harrison Township, zoned A-1. SUP-0841-2024

USE VARIANCE/DEVELOPMENTAL VARIANCE

F. Petitioner : ***Lonnie Bontrager (Buyer) & Octavio Ramos (Seller)*** (Page 15)
Petition: for a Use Variance to allow for 4 dwelling units and for a 46,496 sq. ft. lot-area Developmental Variance (Ordinance requires 30,000 sq. ft. per duplex) to allow for 2 existing duplexes.
Location: South side of Morgan St., 950 ft. Southeast of CR 20, common address of 28197 Morgan St. in Baugo Township, zoned R-2. UV-0843-2024

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

- Recission – Special Use – Tek-Pro (SUP-0355-2017) – request to rescind Special Use for an Agri-business located at 68547 SR 19, Nappanee, IN.
- 2025 Agreement for Legal Services for Attorney Kolbus.

ADJOURNMENT

The Elkhart County Board of Zoning Appeals is meeting on Thursday, December 19, 2024, at **9:00 a.m.** in Rooms 104, 106, & 108 of the Administration Building, Goshen, Indiana. Pursuant to advice of the Indiana Public Access Counselor, general public comment will not be permitted at this public meeting on non-public hearing matters. To the extent you wish to make comment remotely during any public hearings scheduled during this public meeting, please call (574) 971-4678 to learn how to remotely submit your public comment for the public hearing. The public is encouraged to attend the meeting remotely by going to www.elkhartcountyplanninganddevelopment.com at **9:00 a.m.** on December 19, 2024. If you have further questions regarding how to remotely attend the public meeting please call (574) 971-4678.
<https://elkhartcountyin.webex.com/elkhartcountyin/j.php?MTID=mbb02709b73824cc9d67f2b786f288815>

BZA MINUTES
ELKHART COUNTY BOARD OF ZONING APPEALS MEETING
HELD ON THE 21st DAY OF NOVEMBER 2024 AT 9:00 A.M.
MEETING ROOMS 104, 106, & 108 – ADMINISTRATION BUILDING
117 N. 2nd STREET, GOSHEN, INDIANA

1. The regular meeting of the Elkhart County Board of Zoning Appeals was called to order by the Chairperson, Randy Hesser. Staff members present were Mae Kratzer, Plan Director; Jason Auvil, Zoning Administrator; Danielle Richards, Planner; and James W. Kolbus, Attorney for the Board.

Roll Call.

Present: Deb Cramer, Steve Warner, Ron Norman, Roger Miller, Randy Hesser

Absent: David Miller, John Gardner.

2. A motion was made and seconded (*Norman/Cramer*) that the minutes of the regular meeting of the Board of Zoning Appeals held on the 17th day of October 2024 be approved as read. The motion was carried with a unanimous roll call vote.

3. A motion was made and seconded (*Norman/Miller*) that the Board accepts the Zoning Ordinance and Staff Report materials as evidence into the record and the motion was carried with a unanimous roll call vote.

4. The application of *Max Sweers* for a Special Use for a retail greenhouse on property located on the South side of CR 2, 1,810 ft. East of CR 21, common address of 00000 CR 2 in Washington Township, zoned A-1, came on to be heard.

Mr. Auvil presented the Staff Report/Staff Analysis, which is attached for review as *Case #SUP-0670-2024*.

There were seven neighboring property owners notified of this request.

Dewey Thrash, 50635 CR 3, Elkhart was present representing the petitioner. Mr. Thrash stated that Mr. Sweers wants to put a greenhouse on the property for a small retail purpose. Mrs. Cramer asked about the operation hours for the retail business. Mr. Thrash stated that it would not start out as retail, but if it did become a retail business, the hours of operation would be from 8 a.m. to 5 p.m. as stated on the application. Mr. Warner asked about delivery trucks, and Mr. Thrash stated that they would provide a driveway and turn-around for delivery trucks. He continued saying that there would not be a lot of delivery traffic. Mr. Hesser asked if the petitioner plans to put a home on the property. Mr. Thrash responded that in the future Mr. Sweers would like to put a home on the back half of the property.

Sally Boyer, 19261 CR 2, Bristol, was present in remonstrance. She began by stating that she lives right across the street for Mr. Sweer's property, and she and her husband have lived there for over 40 years. She continued saying they are very concerned about a retail space in a residential neighborhood. She also stated that she is very interested in keeping the area a rural lakeside community for her family and future families. She then stated her concern about the impact to the wildlife habitat. She voiced another concern that there may be an increase in traffic affecting the safety of the community. She continued by stating that there is also a concern about what a retail space would do to property resale values.

Ray Cacini, 50854 Cornwall Rd., Bristol, was also present in remonstrance. He stated his main concern is that having one retail business on CR 2 would open the possibility for other commercial type businesses. Mr. Warner asked Mr. Cacini if there are any other retail businesses in the area, and he replied none that he is aware of in the 45 years that he has lived in the area.

Bill Paris, 50725 E. Indiana Lake Rd., Bristol, was also present in remonstrance. He stated that there have been other greenhouses within a 2-mile radius that have closed, because they could not make a go of it. Mr. Paris continued by saying that when a business closes it affects everyone in the neighborhood.

Mr. Thrash came back to the podium to address the concerns regarding the retail greenhouse. He continued by saying that nobody likes change. He also stated that Mr. Sweers has a dream of turning his plant hobby into a business, and that is why he purchased this property. Mr. Warner asked Mr. Thrash how far back from the road the greenhouse would be. Mr. Thrash replied that it would be roughly 650 ft. from the road.

Ray Sweers, 70639 Wayne St., Union, MI spoke in favor of the petition via the Webex. He started by saying that Max is his son, and he is very excited about having a retail greenhouse. He continued by saying initially his focus will be online sales of plants. Mr. Sweers also stated his son intends to build a home, on this site in the future. He continued by saying he intends to help his son Max set up the business. He also added that a greenhouse being built will enhance the beauty of the neighborhood. Mr. Hesser asked Mr. Sweers why the petitioner asked for such a large operation on the application, because he seems to only really want one greenhouse. Mr. Sweers responded they wanted to have the possibility of future growth, and they were advised to include possible future greenhouses for future expansion. Mr. Norman asked if there was a timeline for the extra greenhouses. Mr. Sweers responded by saying that it may never happen, but if it does, it will be way down the road.

The public hearing was closed at this time.

Mr. Norman asked staff if this request would even come to the Board if it was not a retail business. Mr. Auvil stated no it would not. He continued by saying that when a petitioner comes to the counter that the staff encourages them to show a max buildout, so they won't have to come back to the Board.

The Board examined said request, and after due consideration and deliberation:

Motion: Action: Approve, **Moved by** Steve Warner, **Seconded by** Roger Miller that the Board adopt the Staff Analysis as the Findings and Conclusions of the Board, and based upon these, further moved that this request for a Special Use for a retail greenhouse be approved with the following conditions imposed:

1. The Elkhart County Advisory Board of Zoning Appeals approval shall not be effective until the Commitment form has been executed, recorded and returned to the Elkhart County Advisory Board of Zoning Appeals staff for placement in the petition file.
2. A subdivision is required.

The following commitments were imposed:

1. The request is approved in accordance with the site plan submitted (dated 9/20/2024) and as represented in the Special Use application.
2. Back in or backing out of semi tractor trailers from/onto CR 2 is prohibited.

Vote: Motion carried by unanimous roll call vote (**summary:** Yes = 5).

Yes: Deb Cramer, Steve Warner, Ron Norman, Roger Miller, Randy Hesser.

5. The application of *Danny L. Yoder & Vonda S. Yoder, as Trustees of the Danny L. Yoder & Vonda S. Yoder Joint Revocable Trust* for a Special Use for a home workshop/business for a taxidermy business on property located on the East side of CR 8, 830 ft. South of CR 10, common address of 54644 CR 8 in York Township, zoned A-1, came on to be heard.

Mr. Auvil presented the Staff Report/Staff Analysis, which is attached for review as *Case #SUP-0732-2024*.

There were 16 neighboring property owners notified of this request.

Danny Yoder, 54644 CR 8, Middlebury, was present for this request. Mr. Yoder stated that he wants to continue the taxidermy business that he started over 20 years ago on this property. He continued by saying that the traffic level will be low and not very noticeable. Mr. Hesser asked if he will just be doing game heads, and if so, how will he dispose of the carcass. Mr. Yoder responded he would have a dumpster, that will be taken to the landfill.

There were no remonstrators present.

The public hearing was closed at this time.

The Board examined said request, and after due consideration and deliberation:

Motion: Action: Approve, **Moved by** Steve Warner, **Seconded by** Deb Cramer that the Board adopt the Staff Analysis as the Findings and Conclusions of the Board, and based upon these, further moved that this request for a Special Use for a home workshop/business for a taxidermy business be approved with the following condition imposed:

1. The Elkhart County Advisory Board of Zoning Appeals approval shall not be effective until the Commitment form has been executed, recorded and returned to the Elkhart County Advisory Board of Zoning Appeals staff for placement in the petition file.

The following commitment was imposed:

1. The request is approved in accordance with the site plan submitted (dated 10/11/2024) and as represented in the Special Use application.

Vote: Motion carried by unanimous roll call vote (**summary:** Yes = 5).

Yes: Deb Cramer, Steve Warner, Ron Norman, Roger Miller, Randy Hesser.

6. The application of *Lavon J. Miller & Anita D. Miller, Husband & Wife* for a Special Use for a home workshop/business for a woodworking business and for a Developmental Variance to allow for the total square footage of accessory structures to exceed that allowed by right on property located on the West side of CR 43, 1,460 ft North of CR 34, common address of 62739 CR 43 in Clinton Township, zoned A-1, came on to be heard.

Mr. Auvil presented the Staff Report/Staff Analysis, which is attached for review as *Case #SUP-0745-2024*.

There were eight neighboring property owners notified of this request.

Lavon Miller, 10328 CR 24, Middlebury was present for this request. Mr. Lavon Miller started by saying he has been building cabinetry for 6 years, and he wants to build a house, barn and shop to continue his cabinetry building business. Mr. Warner asked if there is a turnaround for

semi-trailers, and Mr. Lavon Miller stated yes, but there should be very little semi-trailer activity for the business.

There were no remonstrators present.

The public hearing was closed at this time.

The Board examined said request, and after due consideration and deliberation:

Motion: Action: Approve, **Moved by** Steve Warner, **Seconded by** Deb Cramer that the Board adopt the Staff Analysis as the Findings and Conclusions of the Board, and based upon these, further moved that this request for a Special Use for a home workshop/business for a woodworking business be approved with the following condition imposed:

1. The Elkhart County Advisory Board of Zoning Appeals approval shall not be effective until the Commitment form has been executed, recorded and returned to the Elkhart County Advisory Board of Zoning Appeals staff for placement in the petition file.

The following commitments were imposed:

1. The request is approved in accordance with the site plan submitted (dated 10/11/2024) and as represented in the Special Use application.
2. Backing in or backing out of semi tractor trailers from/onto CR 43 is prohibited.

Further, the motion also included that a Developmental Variance to allow for the total square footage of accessory structures to exceed that allowed by right be approved with the following conditions imposed:

1. Variances from the developmental standards of the Development 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 (dated 10/11/2024) and as represented in the Developmental Variance application.

Note: Motion carried by unanimous roll call vote (**summary:** Yes = 5).

Yes: Deb Cramer, Steve Warner, Ron Norman, Roger Miller, Randy Hesser.

7. The application of *Cleason Martin & Karen Martin, Husband & Wife* for a Special Use for an agricultural use for the keeping of animals on a tract of land containing less than 3 acres, for a Developmental Variance to allow for the total square footage of accessory structures to exceed that allowed by right, and for a 19 ft. Developmental Variance (Ordinance requires 75 ft.) to allow for an existing residence 56 ft. from the centerline of the right-of-way on property located on the West side of CR 11, 2,460 ft. South of CR 32, common address of 63465 CR 11 in Harrison Township, zoned A-1, came on to be heard.

Mr. Auvil presented the Staff Report/Staff Analysis, which is attached for review as *Case #SUP-0768-2024*.

There were seven neighboring property owners notified of this request.

Cleason Martin, 25630 CR 36, Goshen was present for this request. Mr. Martin stated that he wants to have a barn and eventually have a horse on the property. Mr. Hesser asked how far he lives from the CR 11 address for the petition, and he responded that he lives about 1 mile away.

Mrs. Cramer asked Mr. Martin if someone will be living on the property, and he responded his son will eventually. Mrs. Cramer continued by saying that the questionnaire/application indicated that he wanted a horse and 3 cows. Mr. Martin stated he only intends to have 1 horse at this time. Mr. Miller asked Mr. Martin what he planned to do with the manure produced by the horse. He responded it will be composted in the garden.

There were no remonstrators present.

The public hearing was closed at this time.

Mr. Hesser suggested the Board limit the total number of animals to 3 adult animals.

The Board examined said request, and after due consideration and deliberation:

Motion: Action: Approve, **Moved by** Steve Warner, **Seconded by** Deb Cramer that the Board adopt the Staff Analysis as the Findings and Conclusions of the Board, and based upon these, further moved that this request for a Special Use for an agricultural use for the keeping of animals on a tract of land containing less than 3 acres be approved with the following condition imposed:

1. The Elkhart County Advisory Board of Zoning Appeals approval shall not be effective until the Commitment form has been executed, recorded and returned to the Elkhart County Advisory Board of Zoning Appeals staff for placement in the petition file.

The following commitments were imposed:

1. The request is approved in accordance with the site plan submitted (dated 10/14/2024) and as represented in the Special Use application.
2. The request is approved with a maximum of three (3) adult animals (cows or horses), at any one time.

Further the motion also included that a Developmental Variance to allow for the total square footage of accessory structures to exceed that allowed by right, and for a 19 ft. Developmental Variance (Ordinance requires 75 ft.) to allow for an existing residence 56 ft. from the centerline of the right-of-way be approved with the following conditions imposed:

1. Variances from the developmental standards of the Development 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).
3. The request is approved in accordance with the site plan submitted (dated 10/14/2024) and as represented in the Developmental Variance application.

Vote: Motion carried by unanimous roll call vote (**summary:** Yes = 5).

Yes: Deb Cramer, Steve Warner, Ron Norman, Roger Miller, Randy Hesser.

8. The application of **Kevin L. Bontrager & Eva Bontrager, Husband & Wife** for a Special Use for a home workshop/business for a woodworking shop, for a Developmental Variance to allow for the total square footage for accessory structures to exceed that allowed by right, and for a Developmental Variance to allow for 8 outside employees (Ordinance allows 4) on property located on the Northwest corner of CR 28 & CR 37, common address of 13063 CR 28 in Middlebury Township, zoned A-1, came on to be heard.

Mr. Auvil presented the Staff Report/Staff Analysis, which is attached for review as Case #SUP-0754-2024.

There were 11 neighboring property owners notified of this request.

David Bontrager, 59811 CR 37, Middlebury, was present representing the petitioner. Mr. Bontrager stated the state wants them to move the fence on the East side of the building to accommodate a driveway and give access to emergency vehicles. He continued saying that the petitioner needs to add on to the existing building to accommodate the woodworking business. Mr. Hesser stated that the petitioner seems to be pushing the envelope with the size of a home workshop/business and the number of employees being requested. Mr. Bontrager replied by saying the petitioner wishes to start out with a smaller number of employees but requested more for future growth.

There were no remonstrators present.

The public hearing was closed at this time.

The Board examined said request, and after due consideration and deliberation:

Motion: Action: Approve, **Moved by** Randy Hesser, **Seconded by** Steve Warner that the Board adopt the Staff Analysis as the Findings and Conclusions of the Board, and based upon these, further moved that this request for a Special Use for a home workshop/business for a woodworking shop be approved with the following condition imposed:

1. The Elkhart County Advisory Board of Zoning Appeals approval shall not be effective until the Commitment form has been executed, recorded and returned to the Elkhart County Advisory Board of Zoning Appeals staff for placement in the petition file.

The following commitments were imposed:

1. The request is approved in accordance with the site plan submitted (dated 10/14/2024) and as represented in the Special Use application.
2. Backing in or backing out of semi tractor trailers from/onto CR 28 & CR 37 is prohibited.

Further the motion also included that a Developmental Variance to allow for the total square footage for accessory structures to exceed that allowed by right, and for a Developmental Variance to allow for 8 outside employees (Ordinance allows 4) be approved with the following conditions imposed:

1. Variances from the developmental standards of the Development 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 (dated 10/14/2024) and as represented in the Developmental Variance application.

Vote: Motion carried by unanimous roll call vote (**summary:** Yes = 5).

Yes: Deb Cramer, Steve Warner, Ron Norman, Roger Miller, Randy Hesser.

9. The application of *The Town of Bristol, Indiana* for an Amendment to an existing Special Use for a sewage treatment plant to allow for the construction of new structures and for a 35 ft. Developmental Variance (Ordinance requires 120 ft.) to allow for the construction of new

structures 85 ft. from the centerline of the right-of-way on property located on the North side of Vistula St. (SR 120), 4,300 ft. West of Division St. (SR 15), common address of 1300 W. Vistula St. in Washington Township, zoned R-1 & R-2, came on to be heard.

Mr. Auvil presented the Staff Report/Staff Analysis, which is attached for review as *Case #SUP-0771-2024*.

There were 50 neighboring property owners notified of this request.

Amy Mendoza, 100 E. Wayne St, South Bend, was present for this request. Ms. Mendoza stated this project will be a total replacement of the existing wastewater treatment plant. She explained the Town of Bristol came to get a permit for the project; it was flagged, and the Special Use was requested. Mr. Hesser asked Ms. Mendoza if they were replacing everything on the current wastewater treatment plant. She stated yes, but there will be no interruption in service. She continued by saying the new treatment plant will be more efficient and accommodate the necessary future needs of the Town of Bristol.

There were no remonstrators present.

The public hearing was closed at this time.

The Board examined said request, and after due consideration and deliberation:

Action: Approve, **Moved by** Randy Hesser, **Seconded by** Ron Norman that the Board adopt the Staff Analysis as the Findings and Conclusions of the Board, and based upon these, further moved that this request for an Amendment to an existing Special Use for a sewage treatment plant to allow for the construction of new structures be approved with the following condition imposed:

1. The Elkhart County Advisory Board of Zoning Appeals approval shall not be effective until the Commitment form has been executed, recorded and returned to the Elkhart County Advisory Board of Zoning Appeals staff for placement in the petition file.

The following commitment was imposed:

1. The request is approved in accordance with the site plan submitted (dated 10/15/2024) and as represented in the Special Use amendment application.

Further the motion also included that a 35 ft. Developmental Variance (Ordinance requires 120 ft.) to allow for the construction of new structures 85 ft. from the centerline of the right-of-way be approved with the following conditions imposed:

1. A variance from the developmental standards of the Development 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 (dated 10/15/2024) and as represented in the Developmental Variance application.

Motion: Vote: Motion carried by unanimous roll call vote (**summary:** Yes = 5).

Yes: Deb Cramer, Steve Warner, Ron Norman, Roger Miller, Randy Hesser.

10. Mr. Auvil presented a staff item to rescind (SUP-0462-2017) a Special Use for RV Storage and shipping.

The Board examined said request, and after due consideration and deliberation:

Motion: Action: Approve, **Moved by** Randy Hesser, **Seconded by** Steve Warner that the Board approve the request for rescission.

Vote: Motion carried by unanimous roll call vote (**summary:** Yes = 5).

Yes: Deb Cramer, Steve Warner, Ron Norman, Roger Miller, Randy Hesser.

11. Mr. Auvil presented a staff item for a minor change to (SUP-0001-2024) for removal of condition #2 from the Special Use for an existing garden supplies business. The condition did not need to be on the Special Use (SUP-0001-2024) as it had been rescinded previously.

The Board examined said request, and after due consideration and deliberation:

Motion: Action: Approve, **Moved by** Steve Warner, **Seconded by** Roger Miller that the Board approved the request as a minor change.

Vote: Motion carried by unanimous roll call vote (**summary:** Yes = 5).

Yes: Deb Cramer, Steve Warner, Ron Norman, Roger Miller, Randy Hesser.

12. The meeting was adjourned at 10:08 a.m.

Respectfully submitted,

Jean Boyer, Recording Secretary

Randy Hesser, Chairman

Ron Norman, Secretary

BZA Staff Report

Prepared by the Department of Planning and Development

Hearing Date: December 19, 2024

Transaction Number: SUP-0824-2024.

Parcel Number(s): 20-13-12-451-001.000-020.

Existing Zoning: A-1.

Petition: for a Special Use for a retail greenhouse.

Petitioner: Bradley D. Metzger & Laina K. Metzger, Husband & Wife.

Location: North side of CR 46, 1,910 ft. West of SR 19, in Locke Township.

Site Description:

- Physical Improvement(s) – Residence, accessory buildings, AG buildings.
- Proposed Improvement(s) – Commercial building & greenhouses.
- Existing Land Use – Residential, agricultural.
- Surrounding Land Use – Residential, agricultural.

History and General Notes:

- None.

Staff Analysis:

Staff finds that:

1. The Special Use will be consistent with the spirit, purpose, and intent of the Development Ordinance. A Special Use for a retail greenhouse is allowed in the A-1 zoning district.
2. The Special Use will not cause substantial and permanent injury to the appropriate use of neighboring property. This is a 78.91-acre parcel in a low-density residential and agricultural area, and the property will remain agricultural in character.
3. The Special Use will substantially serve the public convenience and welfare by providing a local source of plants.

BZA Staff Report (Continued)

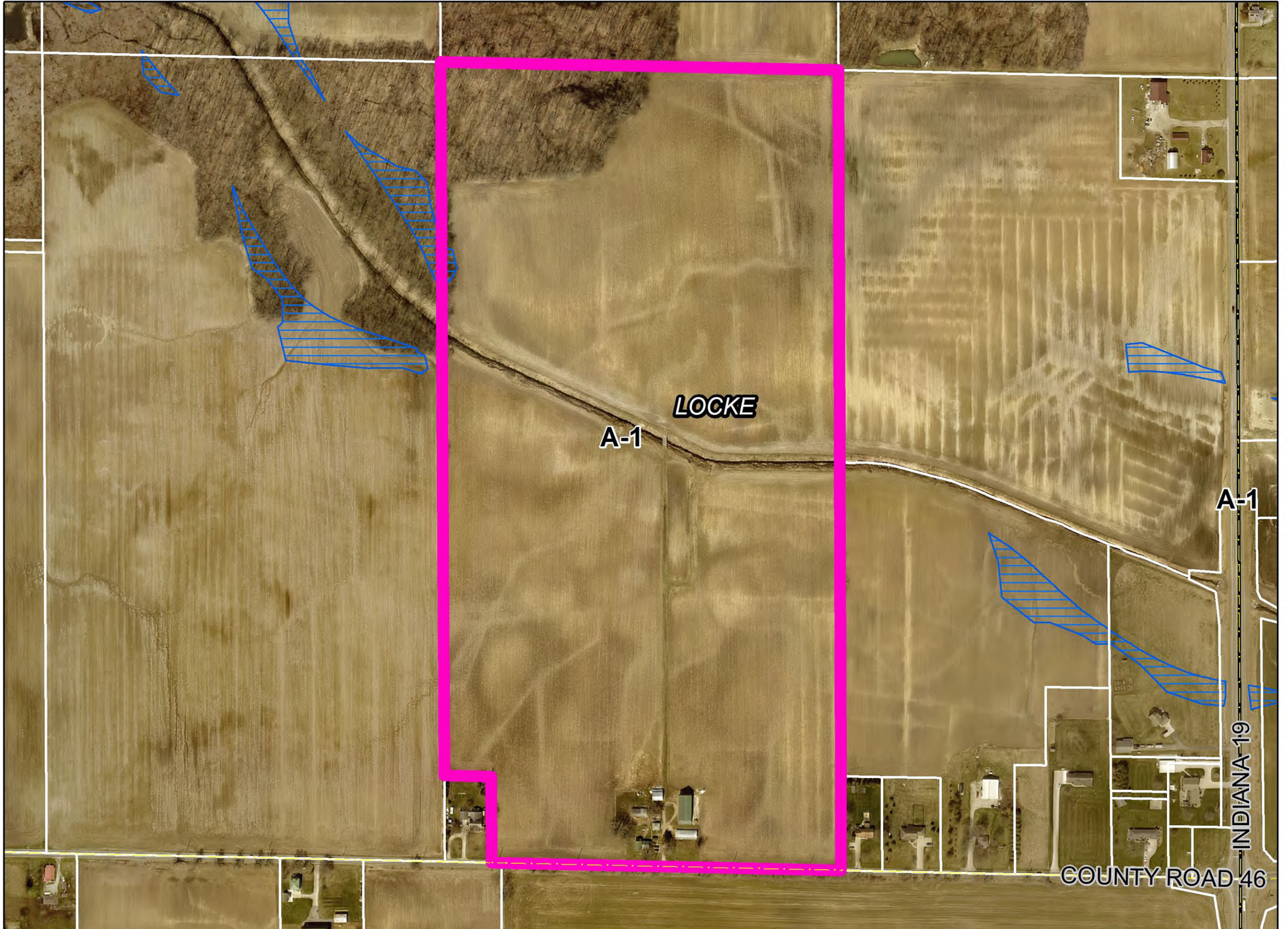
Hearing Date: December 19, 2024

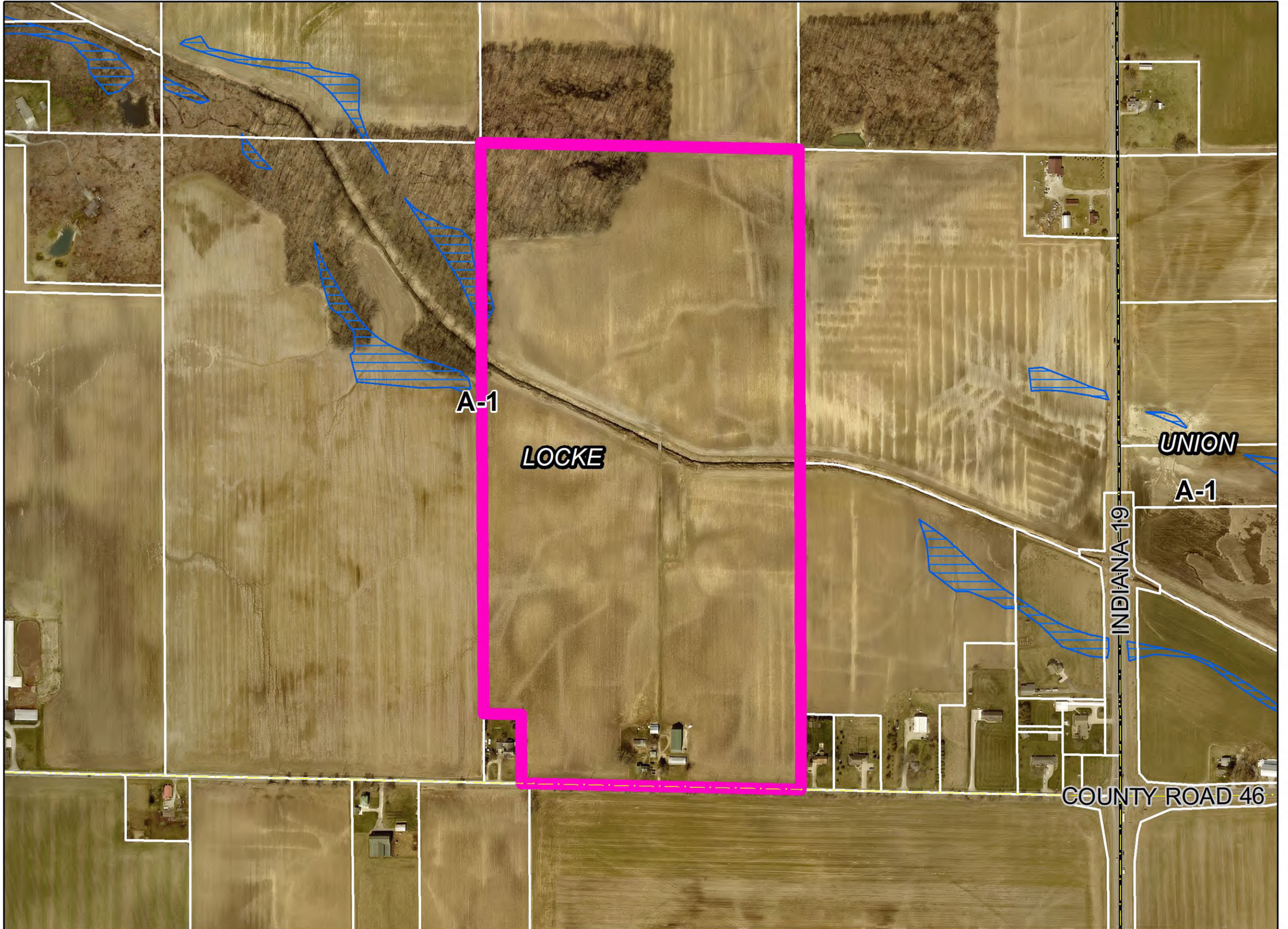
Staff recommends **APPROVAL** with the following condition(s) imposed:

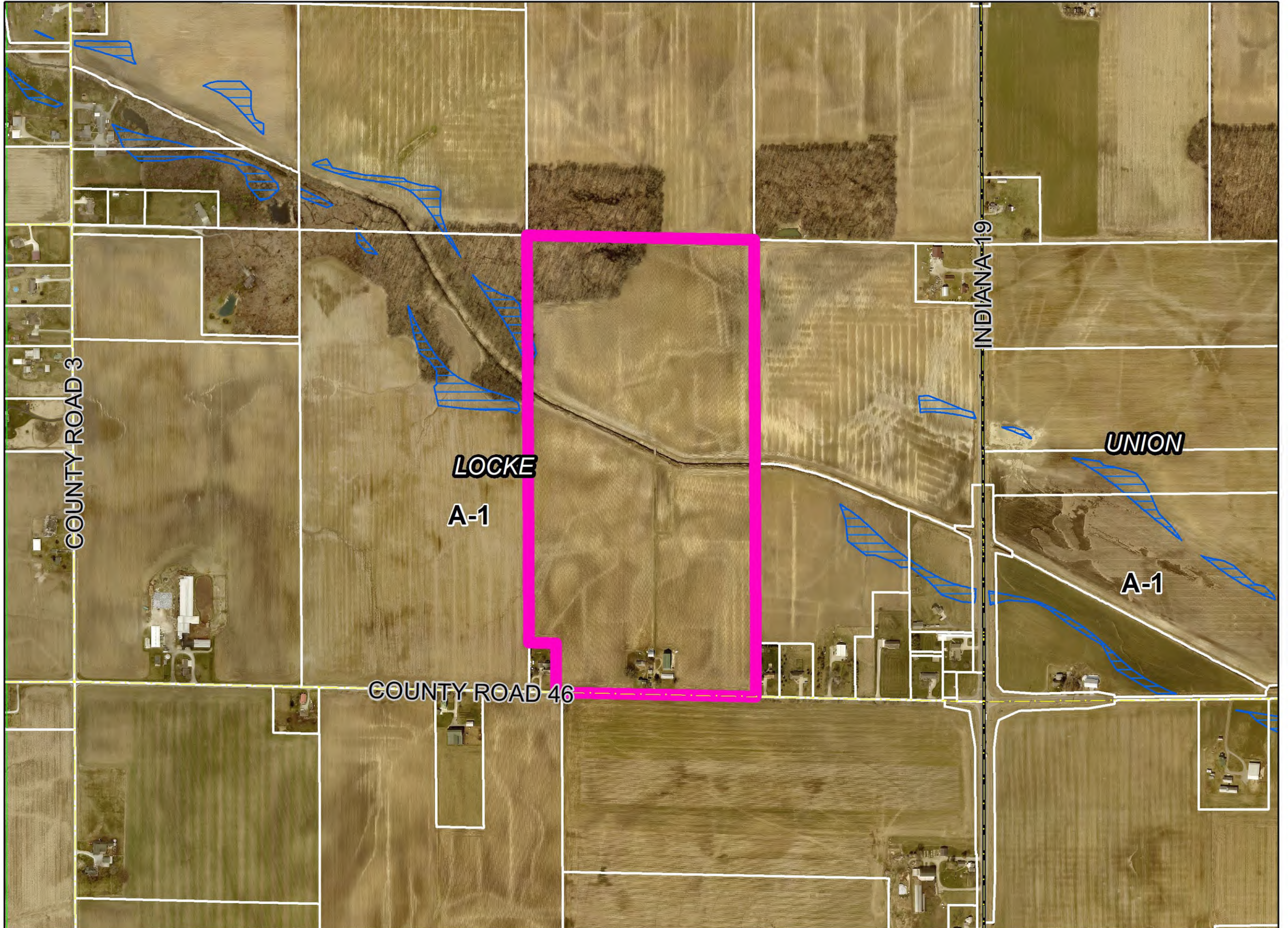
1. The Elkhart County Advisory Board of Zoning Appeals approval shall not be effective until the Commitment form has been executed, recorded, and returned to the Elkhart County Advisory Board of Zoning Appeals staff for placement in the petition file.

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

1. The request is approved in accordance with the site plan submitted on 11/12/2024 and as represented in the Special Use application.









Facing north towards subject property



Facing south



Facing east



Facing west

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 - Non Mobile Home

SUP-0824-2024

Date: 11/12/2024

Meeting Date:

December 19, 2024

Board of Zoning Appeals Public Hearing

Transaction #:

SUP-0824-2024

Description: for a Special Use for a retail greenhouse

Contacts: Applicant

Adam Metzger
28371 County Road 46
Nappanee, IN 46550

Land Owner

Bradley D. Metzger And Laina
K. Metzger, Husband And
Wife
29156 Cr 146
Nappanee, IN 46550

Site Address: 28371 County Road 46
Nappanee, IN 46550

Parcel Number: 20-13-12-451-001.000-020

Township: Locke

Location: NORTH SIDE OF CR 46, 1,910 FT. WEST OF SR 19

Subdivision:

Lot #

Lot Area: 78.91 Frontage: 1,910.00

Depth: 2,354.00

Zoning:

NPO List:

Present Use of Property: RESIDENTIAL/AGRICULTURAL

Legal Description:

Comments: PARCEL CREATED 1/18/1991
RESIDENCE = 1,520 SQ FT X 200% = 3,040 SQ FT, MINUS 441 SQ FT (DETACHED GARAGE) LEAVES 2,559 SQ FT
AVAILABLE. 24 X 16 PROPOSED BUILDING FOR RETAIL SALES IS 384 SQ FT.
GREENHOUSE #1 IS 80 X 30, FUTURE GREENHOUSE (#2) IS 96 X 30

Applicant Signature:

Department Signature:

Application

Site address: 28371 Co Rd 46

Parcel number(s): 20-13-12-451-001.000-020

Current property owner

Name: Bradley D or Laina K Metzger

Address: 29156 Co Rd 146 Nappanee IN 46550

Phone: (574) 862-4051 Email: N/A

Other party

Agent Buyer Land contract purchaser Lessee

Name: Adam Metzger

Address: 28371 Co Rd 46 Nappanee IN 46550

Phone: 574-354-6064 Email: N/A

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: *Adam Metzger*

Staff Use Only

Description: for a special use for a retail greenhouse

Parcel creation date: 1/18/1991

Subdivision required? Y N If yes, AS Minor Major

Residential accessory breakdown, if applicable: Res = 1,520 x 200% = 3,040

Location: (N) S E W corner (side) end of CR 46,
1,910 ft. N S E (W) of SR 19,
in Locke Township

Frontage: 1,152 Depth: 2,354.75 Area: 78.91 acres

Subdivision and lot number, if applicable: _____

Present use: Residential / Agricultural

Special Use — Questionnaire

Name: Adam Metzger

1) Tell us what you want to do. Build another Green house and small Building. Building will be used for Storage most of the year. mid march - July^{1st} will be used for Retail Sales

2) Tell us why this activity won't hurt your neighbors or the community. Because we are Raising flowers and plants for them to Grow in their Gardens.

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. NA

Tell us how you'll reduce the impact of those things on neighbors. NA

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: 30'x70' H 15'
Tell us what you'll use it for. This is a Green house for Growing plants
Building or addition 2 Existing? Y N Size and height to the peak: 30x80' H 14'
Tell us what you'll use it for. This is a Green house for Growing plants
Building or addition 3 Existing? Y N Size and height to the peak: 16'x24' H 13'
Tell us what you'll use it for. Storage and cash Register

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

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: 1 Part time: _____

How many employees do you want? Full time: _____ Part time: 1

How many of the employees won't live onsite? No employees will live onsite

What will be the days and hours of operation on this property? 8am to 5pm Mon-Sat

How many parking spaces do you have now? 2

How many parking spaces do you want? 5

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

If yes, tell us what will be stored outside or displayed. We will probably have a Small Rack or Table for Displaying flowers (5'x10')?

Will there be retail sales on this property? Y N

If yes, tell us what will be sold. Potted flowers and Vegetable Plants

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

10

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

Tell us how often. 6 to 12 Times Per Year

Tell us the kind of vehicles used. Fedex or ups Truck

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

Sign 1 Dimensions (length and width). 30"x24"

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). NA

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). NA

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. _____

NOV 12 2024

1100' Approx

Approx 1350'

1375' Approx

500' Approx

1600' Approx

425' Approx

150

cut

240.5

325

Lean to
Com Crib

27

32 1/2
224
CL

Existing

Chicken House / Storage

24

49

172

20 1/2

Existing Home

26 1/2
1752
Sq Ft

Garaged Area

32 1/2

60
CL

20 1/2

14

10

89
CL

CL of CR 46

Garage

22

126 CL
Storage

Ex-isting Drive

Existing Parking

8 mini Barn

16

88
CL

24' x 30'
SIGN
15' from Road

Bldg 1
Existing Greenhouse

147
CL

Burn

40'

80'

41

Proposed Driveway

96
CL

Proposed Bldg 3
Storage / Related

24

16

Proposed Bldg 2
Parking

90
CL

45
CL

Proposed Bldg 2

30'

76'
CL

96'

80'

3.50'

30

Proposed Greenhouse in next layout

3.50'

30

3.50'

30

BZA Staff Report

Prepared by the Department of Planning and Development

Hearing Date: December 19, 2024

Transaction Number: SUP-0811-2024.

Parcel Number(s): 20-10-19-151-001.000-016.

Existing Zoning: A-1.

Petition: for a Special Use for a home workshop/business for a vehicle wrap and sign making business and for a 20 ft. Developmental Variance (Ordinance requires 120 ft.) to allow for an existing building 100 ft. from the centerline of the right-of-way.

Petitioner: Shaun D. Hilty & Frances H. Hilty, Husband & Wife.

Location: East side of SR 19, 1,400 ft. South of CR 36, in Harrison Township.

Site Description:

- Physical Improvement(s) – Residence, detached accessory structures.
- Proposed Improvement(s) – None.
- Existing Land Use – Residential, agricultural.
- Surrounding Land Use – Residential, agricultural, Warehousing of excavation equipment.

History and General Notes:

- None.

Staff Analysis:

for a Special Use for a home workshop/business for a vehicle wrap and sign making business, staff finds that:

1. The Special Use will be consistent with the spirit, purpose, and intent of the Development Ordinance. A home workshop/business is allowed by Special Use in the A-1 zoning district.
2. The Special Use will not cause substantial and permanent injury to the appropriate use of neighboring property. This is a 5.33-acre residential property in a low-density area and will remain residential in character. There are other, more extensive, home workshop/businesses in the area and this will not cause safety or health issues for neighboring properties.
3. The Special Use will substantially serve the public convenience and welfare by providing a local sign making and vehicle wrapping business.

BZA Staff Report (Continued)

Hearing Date: December 19, 2024

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

1. The Elkhart County Advisory Board of Zoning Appeals approval shall not be effective until the Commitment form has been executed, recorded, and returned to the Elkhart County Advisory Board of Zoning Appeals staff for placement in the petition file.

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

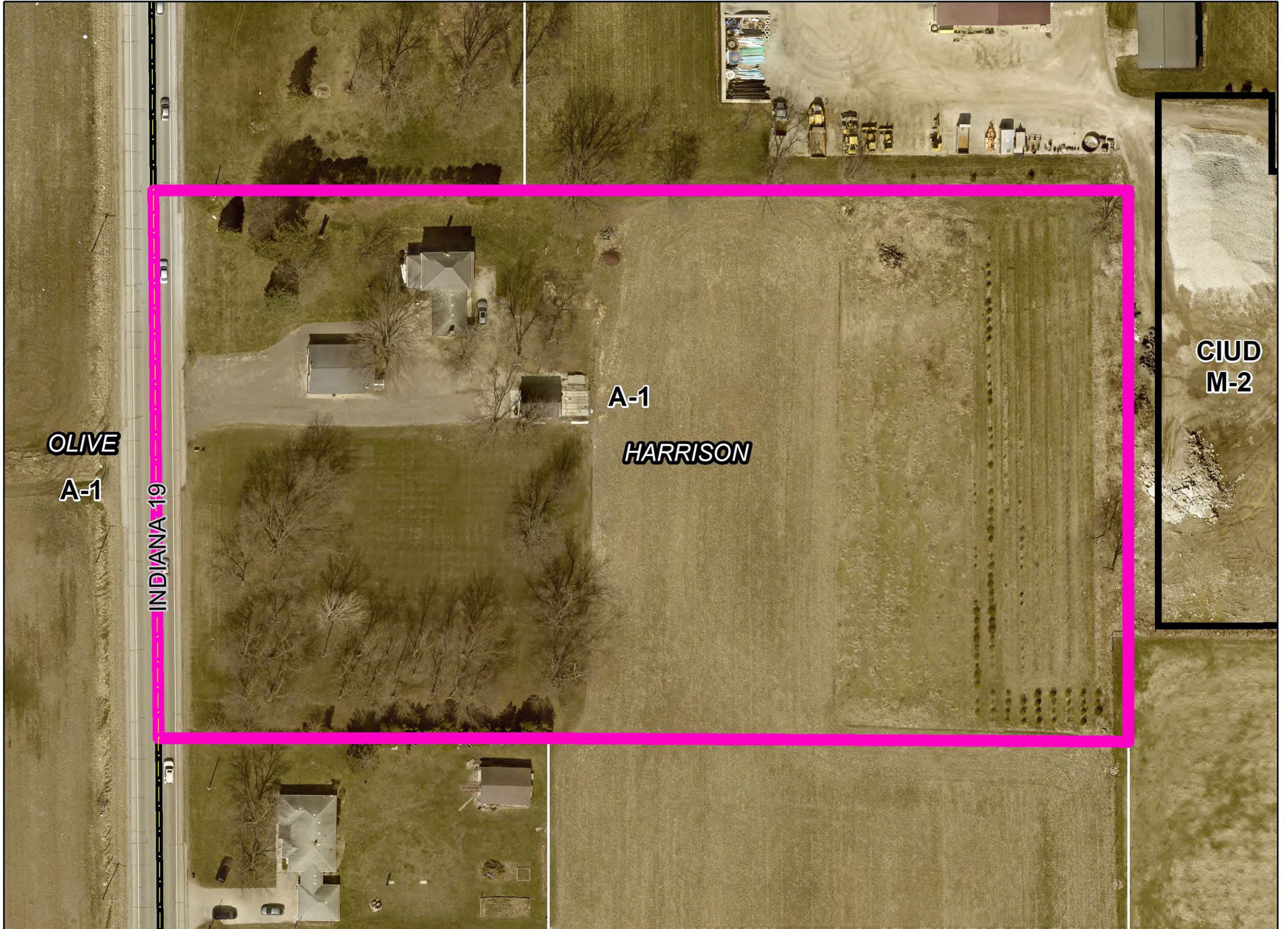
1. The request is approved in accordance with the site plan submitted (dated 11/4/2024) and as represented in the Special Use application.

for a 20 ft. Developmental Variance (Ordinance requires 120 ft.) to allow for an existing building 100 ft. from the centerline of the right-of-way, staff finds that:

1. Approval of the request will not be injurious to public health, safety, morals, or general welfare. The detached accessory structure exists and there have been no complaints of sight distance being affected by its location.
2. Approval of the request will not cause substantial adverse effect on neighboring property. This is a medium sized 5-acre parcel, and the detached accessory structure has been in this same location since the 1900's.
3. Strict application of the terms of the Development Ordinance would result in an unnecessary hardship in the use of the property. Without the use of the variance the building would have to be torn down and rebuilt in another location.

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

1. A variance from the developmental standards of the Development 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 (dated 11/4/2024) and as represented in the Developmental Variance application.



OLIVE
A-1

INDIANA 19

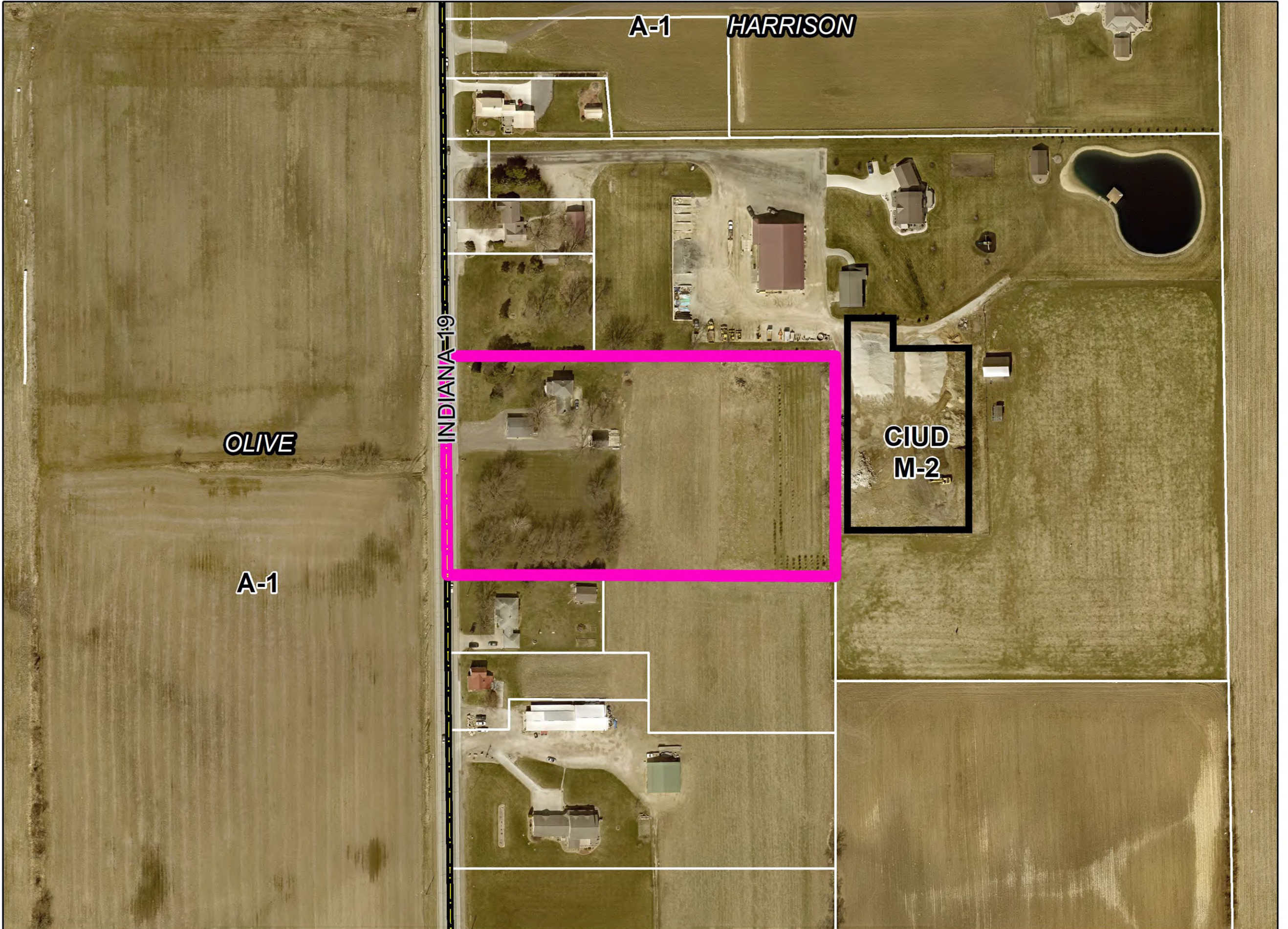
A-1

HARRISON

CIUD
M-2



SUP-0811-2024



A-1

HARRISON

OLIVE

INDIANA-19

CIUD
M-2

A-1



SUP-0811-2024





Subject property facing East



Subject property, Northeast towards shop



Facing South



Facing North



Facing West

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 - Non Mobile Home

SUP-0811-2024

Date: 11/04/2024 Meeting Date: December 19, 2024
Board of Zoning Appeals Public Hearing Transaction #: SUP-0811-2024

Description: for a Special Use for a home workshop/business for a vehicle wrap business and for a 20 ft. Developmental Variance (Ordinance requires 120 ft.) to allow for an existing building 100 ft. from the centerline of the right-of-way

Contacts: Applicant Land Owner
Shaun D. Hilty And Frances H. Shaun D. Hilty And Frances H.
Hilty, Husband And Wife Hilty, Husband And Wife
64254 Sr 19 64254 Sr 19
Goshen, IN 46526 Goshen, IN 46526

Site Address: 64254 State Road 19 Parcel Number: 20-10-19-151-001.000-016
Goshen, IN 46526

Township: Harrison
Location: East Side Of Sr 19, 1,400 Feet South Of County Road 36

Subdivision: Lot #

Lot Area: 5.33 Frontage: 361.51 Depth: 627.00

Zoning: NPO List:

Present Use of Property: RESIDENTIAL

Legal Description:

Comments: PERMIT #BR-2666-2021 FOR DOG KENNEL WAS NEVER ISSUED, OR APPROVED BY ECHD - CHANGED TO EXPIRED - KB 11/4/2024
PARCEL CREATION DATE IS PRIOR TO 3/1/1962 (FRONT 2.17 ACRES)
RESIDENCE = 2,088 SQ FT X 200% 4,176 SQ FT, MINUS 1,200 (SHOP), AND 432 (SHED), LEAVES 2,544 SQ FT AVAILABLE FOR PERSONAL STORAGE.
PROPERTY OWNER HAS STATED THESE ARE THE ONLY 3 BUILDINGS ON THE PROPERTY (DOES NOT REFLECT THE SAME AS AUDITOR'S CARDS)

Applicant Signature:

Department Signature:

Application

Site address: 64254 State Road 19 Goshen IN 46526

Parcel number(s): 20-10-19-151-001

Current property owner

Name: Shawn Hilty

Address: 64254 SR 19 Goshen IN 46526

Phone: 574-312-9694 Email: lightningledsales@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: Shawn Hilty

Staff Use Only

Description: Home workshop business
DN for setback on SR 19 (120 ft)

Parcel creation date: _____

Subdivision required? Y N If yes, AS Minor Major

Residential accessory breakdown, if applicable: 2,088 x 200%

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

Frontage: 361.51 **Depth:** 627 **Area:** 5.333 acres

Subdivision and lot number, if applicable: _____

Present use: _____

Special Use — Questionnaire

Name: Shaun Hitty - Lightning Auto & Graphics

1) Tell us what you want to do. I design and make signs and vehicle wraps. I would like permission to do this out of my shop on my residence.

2) Tell us why this activity won't hurt your neighbors or the community. Everything is done inside the building and traffic will be minimal. Some of my work is mobile so I won't even be here every day.

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. There are evergreen trees on both sides of the property (North and South)

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: 30' x 40' x 16' tall
Tell us what you'll use it for. This would be my shop for making signs, wrapping cars.
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. _____

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: 0 Part time: 0

How many employees do you want? Full time: 0 Part time: 1

How many of the employees won't live onsite? 1

What will be the days and hours of operation on this property? 7:00 am - 5:00 pm

Mon-Fri 9:00-12:00 saturday

How many parking spaces do you have now? 3

How many parking spaces do you want? 3

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?

1-2 people per day

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

Tell us how often. 1-2 per day

Tell us the kind of vehicles used. pickups, cars

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

Sign 1 Dimensions (length and width). 8' long x 4' tall

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). 2' tall by 3' wide

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. _____

Application

Site address: 64254 SR 19 Goshen IN 46526

Parcel number(s): _____

Current property owner

Name: Shaun Hilty

Address: 64254 SR 19 Goshen IN 46526

Phone: 574-312-9694 Email: lightningled.sales@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: Shaun Hilty

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: Shaun Hilty - Lightning Auto & Graphics

1) Tell us what you want to do. I would like to use my existing shop to make and install signs and wraps.

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

3) Tell us why the variance won't hurt your neighbors or the community. It is hidden by evergreens on both sides of the property. It has no noise, dust, ect leaving the building.

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: 30' x 40' w/ 16' peak
Tell us what you'll use it for. This will be my sign + wrap shop
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. _____

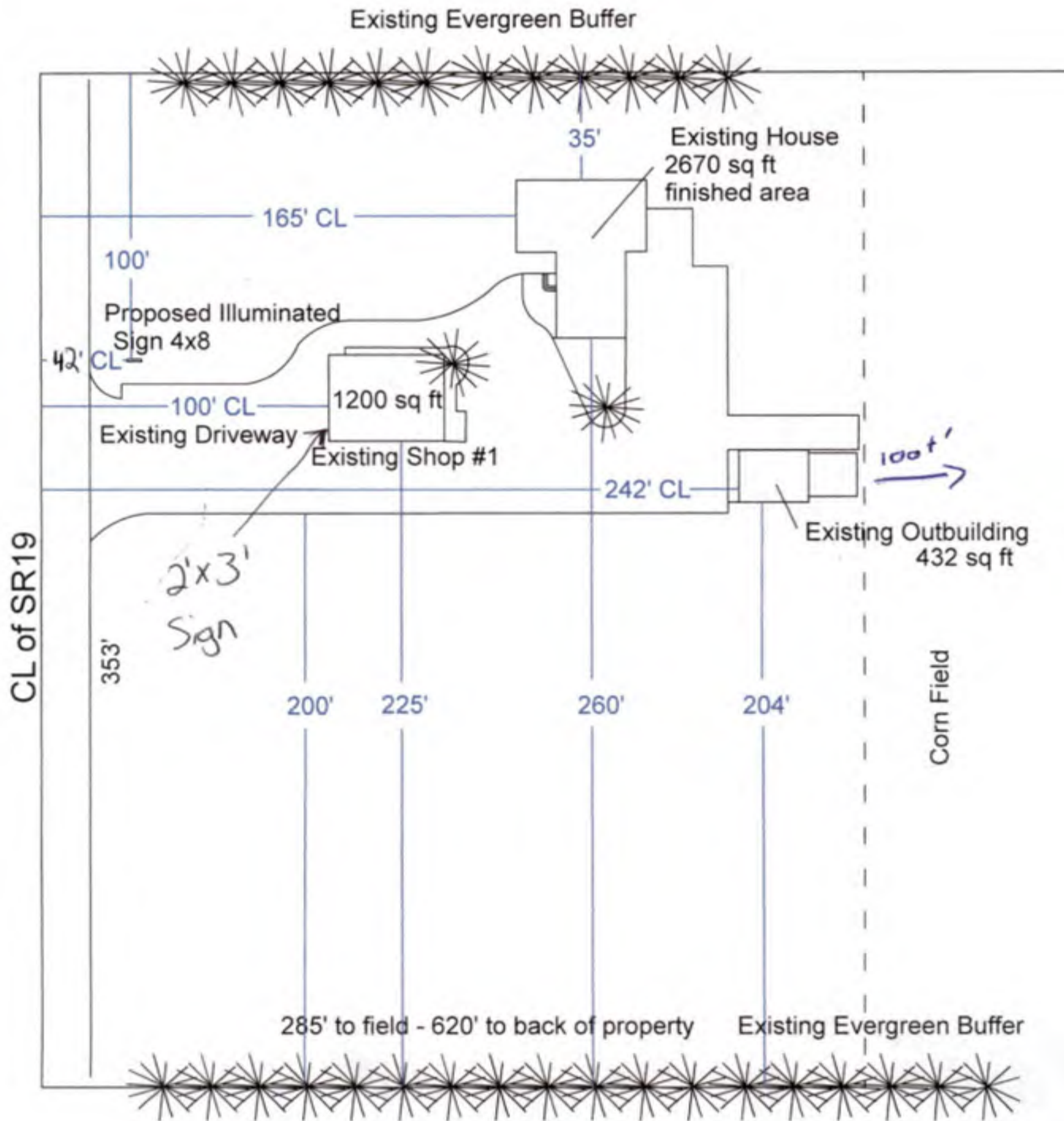
makeitawrap.com



7-5 Mon-Fri

9-12 Sat

574-312-9694



BZA Staff Report

Prepared by the Department of Planning and Development

Hearing Date: December 19, 2024

Transaction Number: SUP-0834-2024.

Parcel Number(s): 20-08-04-100-032.000-034.

Existing Zoning: A-1.

Petition: for a Special Use for a home workshop/business for a garage door repair/installation business and for a Developmental Variance to allow for 6 outside employees (Ordinance allows 4).

Petitioner: Devon E. Miller & Kaylene L. Miller, Husband & Wife.

Location: South side of CR 12, 2,450 ft. West of CR 8, in Middlebury Township.

Site Description:

- Physical Improvement(s) – Residence, agricultural barn, detached accessory structures.
- Proposed Improvement(s) – None.
- Existing Land Use – Residential, agricultural.
- Surrounding Land Use – Residential, agricultural.

History and General Notes:

- None.

Staff Analysis:

for a Special Use for a home workshop/business for a garage door repair/installation business, staff finds that:

1. The Special Use will be consistent with the spirit, purpose, and intent of the Development Ordinance. The home workshop/business is allowed by Special Use in the A-1 zone. This business has been running for a few years and has no complaints from neighboring property owners.
2. The Special Use will not cause substantial and permanent injury to the appropriate use of neighboring property. This is an 11.95-acre residential and agricultural property in a medium-density area and will remain residential and agricultural in character. As most of the business is done off-site there is little disruption to the neighboring properties.
3. The Special Use will substantially serve the public convenience and welfare by providing a local overhead garage door business that is affordable to the community.

BZA Staff Report (Continued)

Hearing Date: December 19, 2024

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

1. The Elkhart County Advisory Board of Zoning Appeals approval shall not be effective until the Commitment form has been executed, recorded, and returned to the Elkhart County Advisory Board of Zoning Appeals staff for placement in the petition file.
2. A new recorded deed is needed that is less and excepting parcel number 20-08-04-100-038.000-034.

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

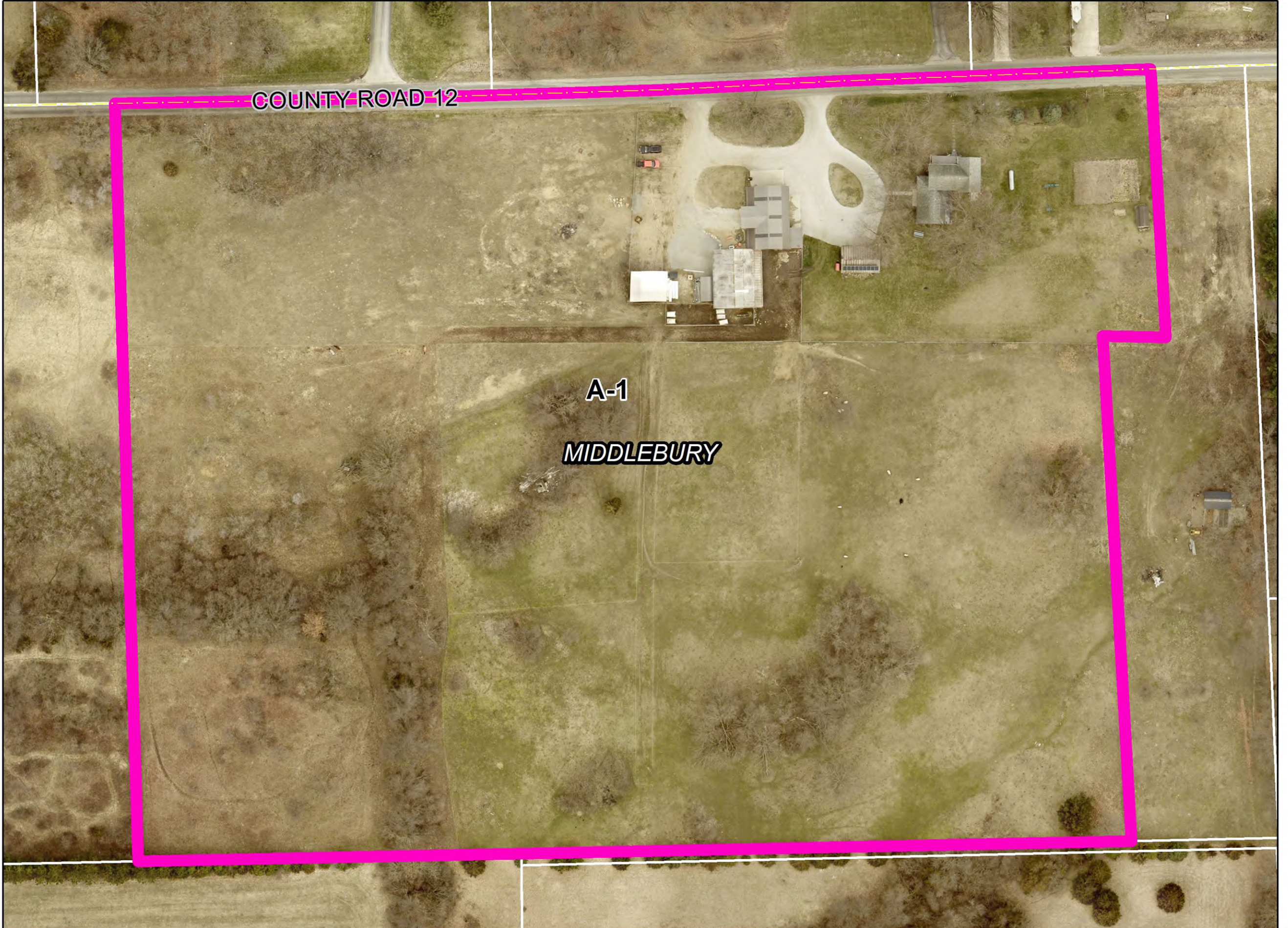
1. The request is approved in accordance with the site plan submitted (dated 11/15/2024) and as represented in the Special Use application.
2. No backing onto or off of CR 12 with semi tractor trailers.

for a Developmental Variance to allow for 6 outside employees (Ordinance allows 4), staff finds that:

1. Approval of the request will not be injurious to public health, safety, morals, or general welfare. The health, safety, morals, and general welfare of neighboring properties will not be affected by allowing two additional employees. This roadway is sparsely used, and the extra vehicles will only be during the morning and afternoon commutes.
2. Approval of the request will not cause substantial adverse effect on neighboring property. This is an almost 12-acre parcel in a residential and agricultural area. The buildings are all existing and the addition of two extra employees will not cause the neighborhood any undo hardships.
3. Strict application of the terms of the Development Ordinance would result in an unnecessary hardship in the use of the property. The applicant would not be able to do the scope of work within a diligent timeline without the extra employees.

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

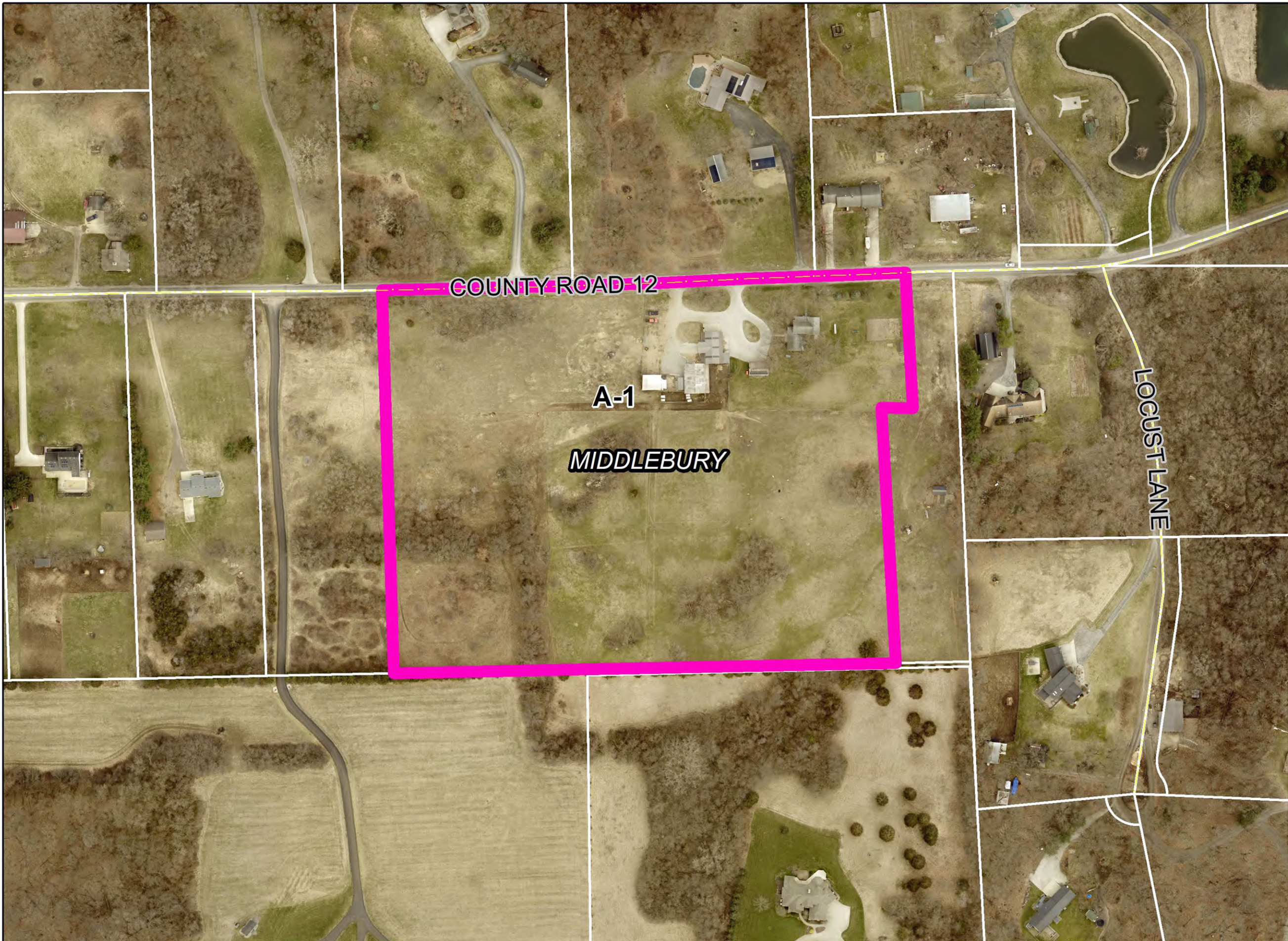
1. A variance from the developmental standards of the Development Ordinance is void unless an Improvement Location Permit is issued within 180 calendar days from the date of the grant and construction work completed within 1 year from the date of the issuance of the building permit (where required).
2. The request is approved in accordance with the site plan submitted (dated 11/15/2024) and as represented in the Developmental Variance application.



COUNTY ROAD 12

A-1

MIDDLEBURY





A-1

A-1

COUNTY ROAD 12

MIDDLEBURY

LOGUST LANE

WILLOW STREET

ALVERSTONE DRIVE WEST

DPUD A-1

CEDAR CREEK DRIVE





Southeast half of subject property



Southwest half of subject property



Looking West



Looking East



Looking North

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

SUP-0834-2024

Special Use - Non Mobile Home

Date: 11/15/2024 Meeting Date: December 19, 2024
Board of Zoning Appeals Public Hearing Transaction #: SUP-0834-2024

Description: for a Special Use for a home workshop/business for a garage door repair/installation business, and for a Developmental Variance to allow for 6 outside employees (ordinance allows 4)

Contacts: <u>Applicant</u>	<u>Land Owner</u>
Miller Devon E & Kaylene L	Miller Devon E & Kaylene L
Miller Husband And Wife	Miller Husband And Wife
13528 Cr 12	13528 Cr 12
Middlebury, IN 46540	Middlebury, IN 46540

Site Address: 13528 County Road 12 Middlebury, IN 46540	Parcel Number: 20-08-04-100-032.000-034
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Township: Middlebury
Location: South Side of CR 12, West of CR 8

Subdivision:	Lot #
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Lot Area: 11.95	Frontage: 854.00	Depth: 644.00
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Zoning: A-1	NPO List:
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Present Use of Property: RESIDENTIAL/AGRICULTURAL

Legal Description:

Comments: PARCEL CREATION DATE 9/23/2024
RESIDENTIAL BREAKDOWN: 2500 SF X 200%=5,000 SF MINUS 200 SF SHED, 384 SF OFFICE, 1200 BUSINESS SHED, 620 SF "CARPORT" 128 SF GARDEN SHED, 1500 SF FORMER AG BARN TURNED BUSINESS STORAGE = 968 SF LEFT FOR PERSONAL STORAGE.
PER LAURA, NEED NEW DEED LESS AND EXCEPTING 20-08-04-100-038.000-034. OK TO PROCEED WITH SUBMISSION BUT NEED NEW DEED BEFORE COMMITMENT IS SENT OUT.
BR-0461-2024 BUILT AS AG TO BE USED AS BUSINESS STORAGE
BR-0462-2024 - JM 11/15/2024

Applicant Signature:	Department Signature:
----------------------	-----------------------

Application

Site address: 13528 county Road 12 Middlebury IN 46540

Parcel number(s): 20-08-04-160-032-006-034

Current property owner

Name: Devon E Miller

Address: 13528 CR 12 Middlebury IN 46540

Phone: 574-328-2522 Email: Devon@SchrockDoors.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: for a Special Use for a home workshop/business
for a garage door ~~bus~~ repair/installation business, ^{NO} for a Developmental
Variance to allow for 6 outside employees (Ordinance allows 4)

Parcel creation date: over 3 acres with existing residence

Subdivision required? Y N If yes, AS Minor Major

Residential accessory breakdown, if applicable: See attached sheet

Location: N SE W corner side end of CR 12
2535 ft. N S E W of CR 8
in _____ Township

Frontage: 854 SF Depth: 644 ft Area: 11.954 acres

Subdivision and lot number, if applicable: _____

Present use: Residential + Ag

Special Use — Questionnaire

Name: Devon Miller

1) Tell us what you want to do. Have schrock overhead doors on this property. Home Business to store business property on residential property. Community may come to property to pickup hardware.

2) Tell us why this activity won't hurt your neighbors or the community. There is minimal noise and we want to be a good service to the community by fixing there overhead doors at a fair price

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. Smoke we burn our cardboard that the panels are wrapped in
Tell us how you'll reduce the impact of those things on neighbors. we got a burn Hopper with a chimney so it keep ash and smoke in here

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: 30x50 peak 16'5"
Tell us what you'll use it for. Storage
Building or addition 2 Existing? Y N Size and height to the peak: 25x48 peak 16'9"
Tell us what you'll use it for. Storage
Building or addition 3 Existing? Y N Size and height to the peak: 15'x24 peak 11'2"
Tell us what you'll use it for. office

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: 4 Part time: _____

How many employees do you want? Full time: 6 Part time: _____

How many of the employees won't live onsite? 6

What will be the days and hours of operation on this property? Our hours are from 6-2:??

How many parking spaces do you have now? 4

How many parking spaces do you want? 4

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

If yes, tell us what will be stored outside or ~~displayed~~ old garage door panels & tracks that we take out

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. 1 1/2 times a week

Tell us the kind of vehicles used. Box trucks, simi, Ups,

Does the application include 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

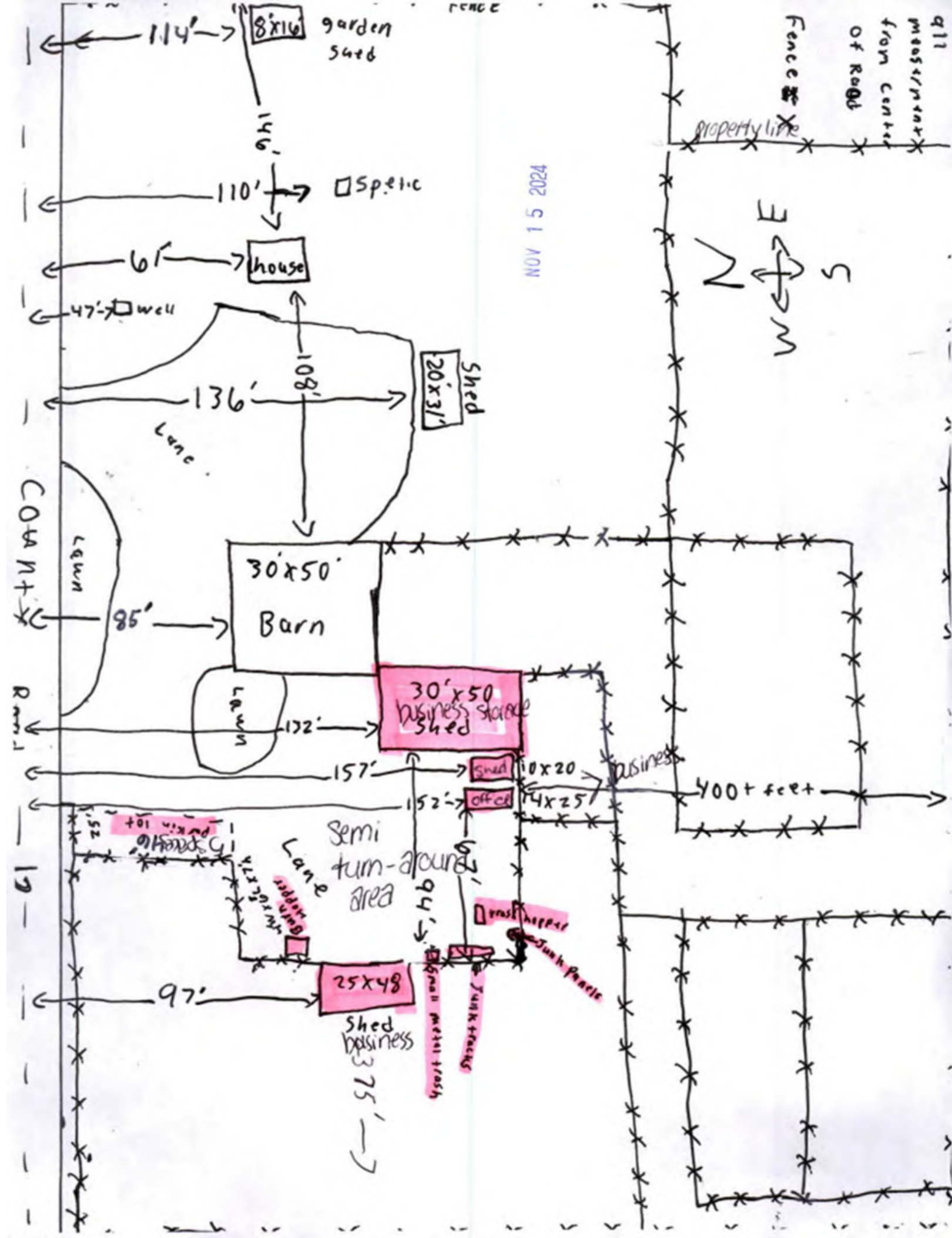
Sign 3 Dimensions (length and width). _____

Existing? Y N Double faced? Y N

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

Freestanding? Y N Wall mounted? Y N

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



BZA Staff Report

Prepared by the Department of Planning and Development

Hearing Date: December 19, 2024

Transaction Number: SUP-0842-2024.

Parcel Number(s): 20-13-12-426-002.000-020.

Existing Zoning: A-1.

Petition: for a Special Use for a contractor office & yard for a roofing business, for a Developmental Variance to allow for the total square footage of accessory structures to exceed that allowed by right, and for a Developmental Variance to allow 6 outside employees (Ordinance allows 4).

Petitioner: Tek-Pro Commercial Roofing LLC.

Location: West side of SR 19, 2,465 ft. North of CR 46, in Locke Township.

Site Description:

- Physical Improvement(s) – Residence, detached accessory structure and agricultural barn.
- Proposed Improvement(s) – None.
- Existing Land Use – Residential, agricultural.
- Surrounding Land Use – Residential, agricultural.

History and General Notes:

- **June 15, 2017** – A Special Use for an Agri-Business was approved (SUP-0355-2017).
- **November 11, 2021** – A complaint was filed of a trailer factory being run out of a barn. Resolved (CODE-0436-2021).
- **September 18, 2024** – A 42 ft. Developmental Variance (Ordinance requires 120 ft.) to allow for the construction of an attached garage 78 ft. from the centerline of the right-of-way and a 45 ft. Developmental Variance (Ordinance requires 120 ft.) to allow for an existing residence 75 ft. from the centerline of the right-of-way were granted by the Hearing Officer (DV-0568-2024).

Staff Analysis:

for a Special Use for a contractor office & yard for a roofing business, staff finds that:

1. The Special Use will be consistent with the spirit, purpose, and intent of the Development Ordinance. A contractor office and yard is allowed in the A-1 zone by Special Use.
2. The Special Use will not cause substantial and permanent injury to the appropriate use of neighboring property. This is a 3-acre residential and agricultural property in a low-density agricultural and residential area and will remain residential in character. The business will take place mainly at the customer's site and will not cause injury to neighboring properties.
3. The Special Use will substantially serve the public convenience and welfare by providing a local roofing service to the public.

BZA Staff Report (Continued)

Hearing Date: December 19, 2024

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

1. The Elkhart County Advisory Board of Zoning Appeals approval shall not be effective until the Commitment form has been executed, recorded, and returned to the Elkhart County Advisory Board of Zoning Appeals staff for placement in the petition file.

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

1. The request is approved in accordance with the site plan submitted (dated 11/18/2024) and as represented in the Special Use application.
2. No backing onto or off of SR 19 with semi tractor trailers or flatbeds.

for a Developmental Variance to allow for the total square footage of accessory structures to exceed that allowed by right and for a Developmental Variance to allow 6 outside employees (Ordinance allows 4), staff finds that:

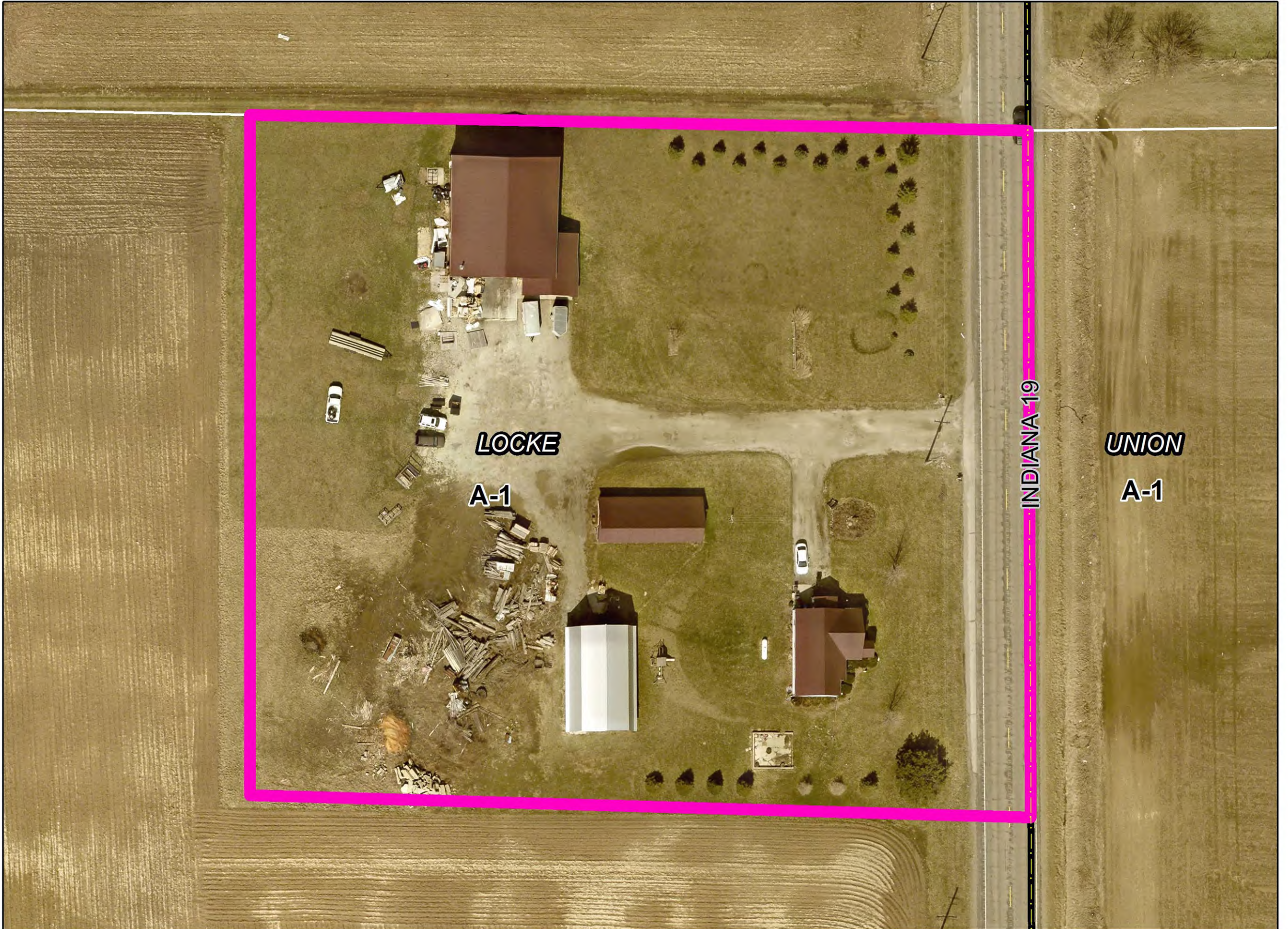
1. Approval of the request will not be injurious to public health, safety, morals, or general welfare. This is a state road that is regularly trafficked with commuters and having two extra employees coming to the property will not cause health, safety or general welfare risks to neighbors.
2. Approval of the request will not cause substantial adverse effect on neighboring property. The request is 790 sq. ft., or 16%, over what is allowed, and the structures meet all other development requirements. The buildings exist and do not hinder adjacent properties in any way.
3. Strict application of the terms of the Development Ordinance would result in an unnecessary hardship in the use of the property. The excess storage space will eliminate the need for outdoor storage and allowing the extra employees will allow efficient business operations.

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

1. Variances from the developmental standards of the Development 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 (dated 11/18/2024) and as represented in the Developmental Variance application.

Staff Analysis continued:

Staff recommends that SUP-0355-2017 be rescinded. The agri-business has been out of operation and the petitioner requests it be rescinded.



LOCKE

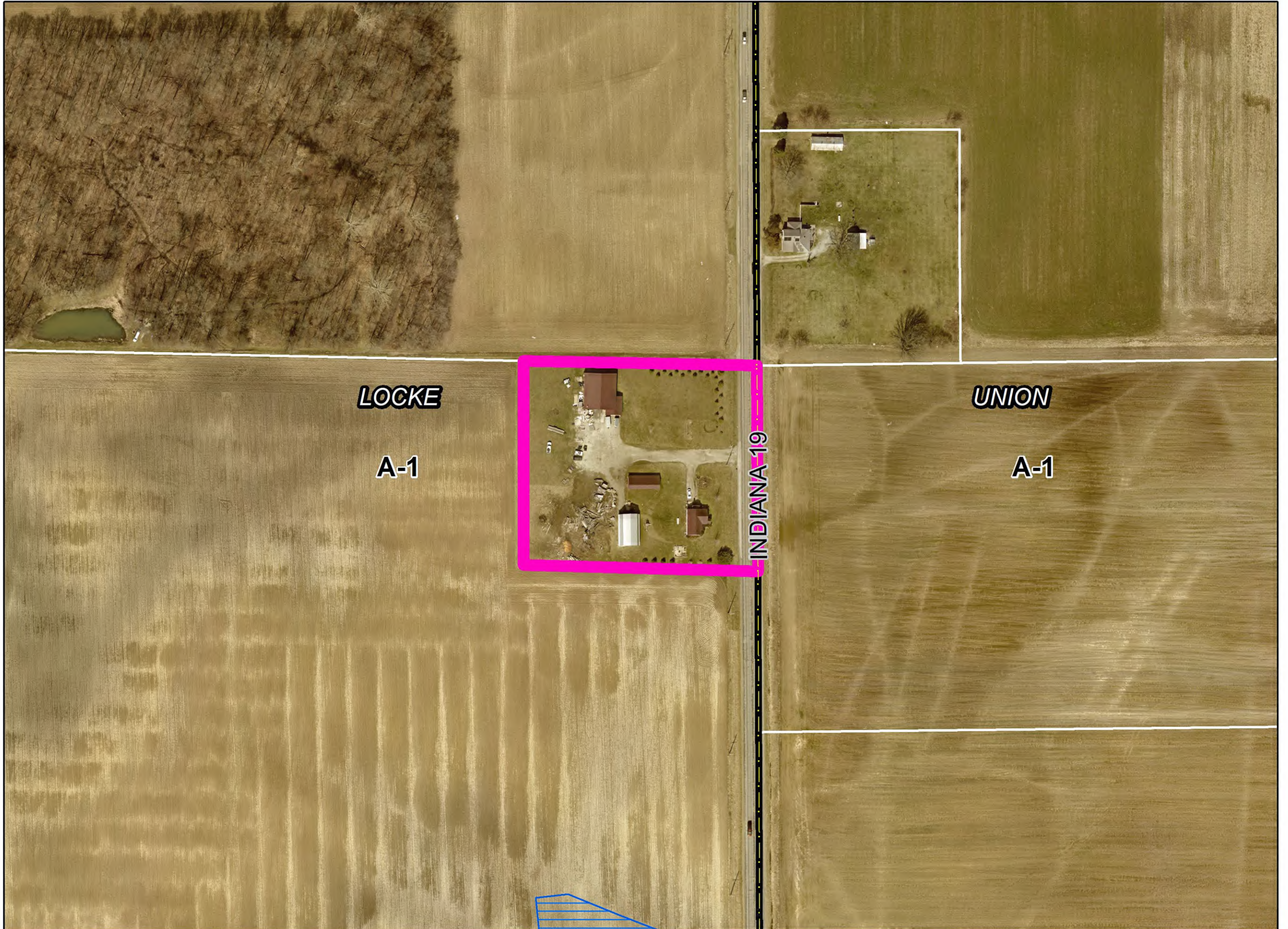
A-1

INDIANA 19

UNION

A-1









Looking West towards subject property



Subject property facing towards workshop



Looking North



Looking South



Looking East

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 - Non Mobile Home

SUP-0842-2024

Date: 11/18/2024

Meeting Date:

December 19, 2024

Board of Zoning Appeals Public Hearing

Transaction #:

SUP-0842-2024

Description: FOR A SPECIAL USE FOR A CONTRACTOR OFFICE AND YARD FOR A ROOFING BUSINESS AND FOR A DEVELOPMENTAL VARIANCE TO ALLOW FOR THE TOTAL SQUARE FOOTAGE OF ACCESSORY STRUCTURES TO EXCEED THAT ALLOWED BY RIGHT

Contacts: Applicant

Land Owner

Tek-Pro Commercial Roofing

Tek-Pro Commercial Roofing

Llc

Llc

68905 State Road 19

68905 State Road 19

Nappanee, IN 46550

Nappanee, IN 46550

Site Address: 68547 State Road 19
Nappanee, IN 46550

Parcel Number: 20-13-12-426-002.000-020

Township: Locke

Location: WEST SIDE OF SR 19, 2,465 FT. NORTH OF CR 46

Subdivision:

Lot #

Lot Area: 3.01 Frontage: 340.00 Depth: 386.00

Zoning: A-1

NPO List:

Present Use of Property: RESIDENTIAL

Legal Description:

Comments: SEE SPECIAL USE SUP-0355-2017 APPROVED 6-15-2017
SEE DEVELOPMENTAL VARIANCE DV-0568-2024 APPROVED ON 9-18-2024
LETTER RESCINDING SUP-0355-2017 SUBMITTED 11-18-2024
PARCEL CREATION DATE 11-23-2015 JB
DWELLING 2498 X 200% = 4996 SF MINUS BARN 1785 SF MINUS BARN 3273 SF = -62 SF MINUS PROPOSED DET GRG
837 SF = -899 SF.

Applicant Signature:

Department Signature:

Application

Site address: 68547 State Road 19 Nappanee IN 46550

Parcel number(s): _____

Current property owner

Name: Tek-Pro commercial roofing LLC

Address: 68905 State Road 19 Nappanee IN 46550

Phone: 574-202-9868 Email: Pancholopez@tekproroofing.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: [Signature]

Staff Use Only

Description: for a special use for a ~~roofing~~ contractor office and yard for a roofing business and for a Developmental Variance to allow for the total square footage of accessory structures
SUP-0355-2017 Appr 6/15/2017 to exceed that allowed
DV-0568-2024 Appr 9/18/2024 by right.

Parcel creation date: 11/23/2015

Subdivision required? Y N If yes, AS Minor Major

Residential accessory breakdown, if applicable: Res = 2,498 sq ft x 200% = 4,996 sq ft

Location: N S E (W) corner (side) end of SR 19
2,465 ft. N (S) E W of CR 44
in Locke Township

Frontage: 340 Depth: 386 Area: 3.01 acres

Subdivision and lot number, if applicable: -

Present use: Residential

Special Use — Questionnaire

Name: Tek-Pro

1) Tell us what you want to do. Use 3'273 sqft building to store roofing materials, tools, and equipment. Rent house to a lessee. Use 1'785 sqft barn as Mixed Storage: 70% business, 30% personal. Use 1,029 sqft chicken barn for agricultural use

2) Tell us why this activity won't hurt your neighbors or the community. There are no adjacent residential neighbors. Our activities on the property are limited to storing, loading, unloading materials. These processes are not noisy, disruptive, etc.

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: 3'273 sqft
Tell us what you'll use it for. Material, tool, and equipment storage - 100% business

Building or addition 2 Existing? Y N Size and height to the peak: 1'785 sqft
Tell us what you'll use it for. Mixed storage: 70% business, 30% personal

Building or addition 3 Existing? Y N Size and height to the peak: 1'262 sqft
Tell us what you'll use it for. house to be rented

Chicken Barn → 1,029 sqft
Agricultural use

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: 7 Part time: 1

How many employees do you want? Full time: 10 Part time: 1

How many of the employees won't live onsite? 0

What will be the days and hours of operation on this property? Monday - Friday 7:00 am - 3:00 PM

How many parking spaces do you have now? 8

How many parking spaces do you want? 8

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?

None, the building will be for storage, loading & unloading only

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

Tell us how often. Bi-monthly (6-8 per year)

Tell us the kind of vehicles used. Straight Truck: larger truck with flatbed

Does the application include 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

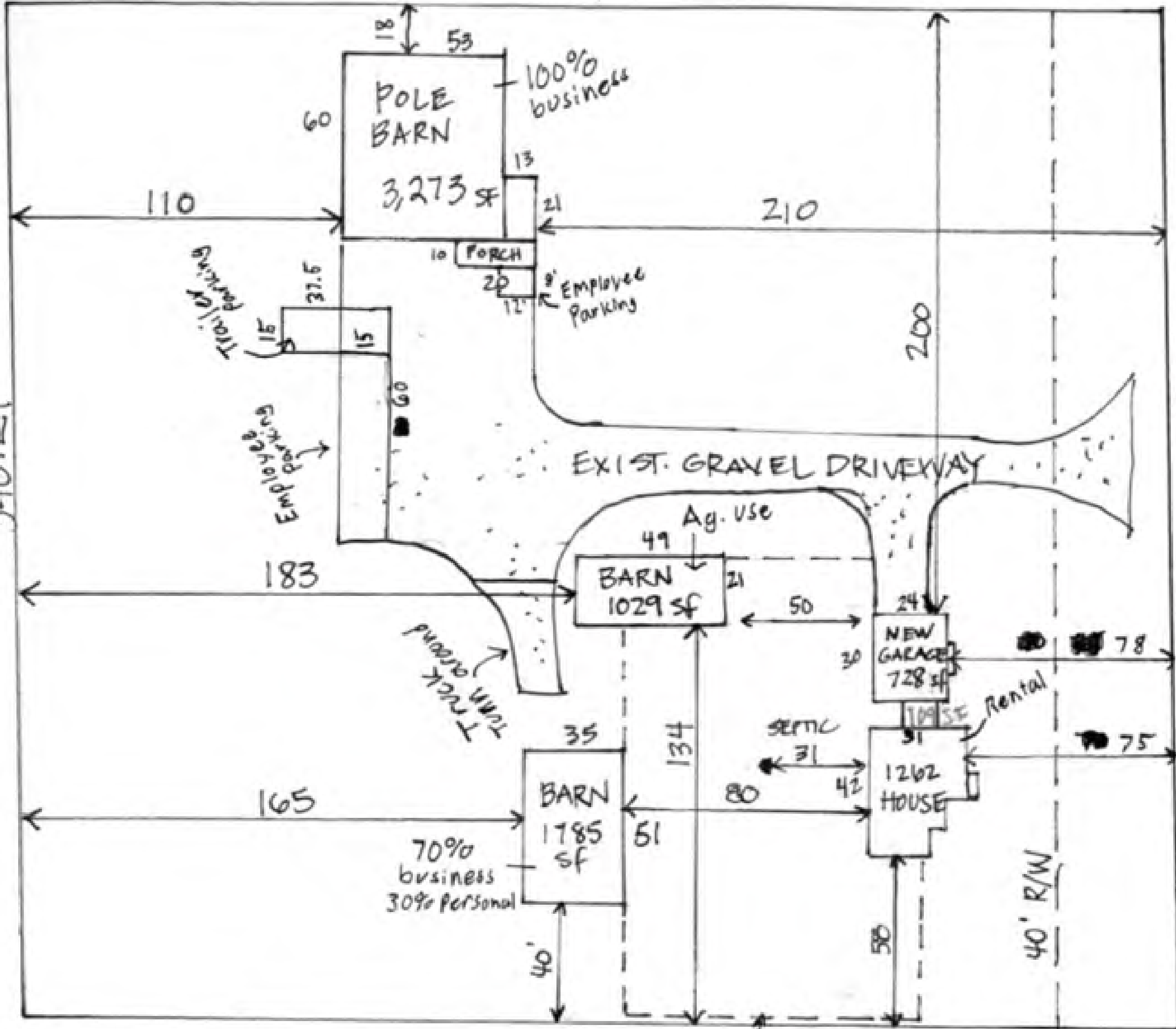
Freestanding? Y N Wall mounted? Y N

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

386

U1

340.29



386

Picket Fence

340

CL of SR 19

BZA Staff Report

Prepared by the Department of Planning and Development

Hearing Date: December 19, 2024

Transaction Number: SUP-0841-2024.

Parcel Number(s): 20-10-33-100-004.000-016.

Existing Zoning: A-1.

Petition: for an amendment to an existing Special Use for a home workshop/business for a post laminating business to allow for a new building and for a Developmental Variance to allow for the total square footage of accessory structures to exceed that allowed by right.

Petitioner: Wendell Martin & Phyllis Martin, Husband & Wife (Buyers), & Carlyle Martin & Barbara Martin, Husband & Wife (Sellers).

Location: South side of CR 40, 1,640 ft. East of CR 9, in Harrison Township.

Site Description:

- Physical Improvement(s) – Residence, detached accessory and agricultural buildings.
- Proposed Improvement(s) – Detached accessory structure.
- Existing Land Use – Residential, agricultural.
- Surrounding Land Use – Residential, agricultural.

History and General Notes:

- **July 21, 2022** – A Special Use for a home workshop/business for a post laminating business and a Developmental Variance to allow for the total square footage of accessory structures to exceed that allowed by right were granted by the Board of Zoning Appeals (DV-0490-2022).

Staff Analysis:

for an amendment to an existing Special Use for a home workshop/business for a post laminating business to allow for a new building, staff finds that:

1. The Special Use Amendment will be consistent with the spirit, purpose, and intent of the Development Ordinance. This is an existing home workshop/business, and the amendment is to allow for a new building to be constructed to accommodate more storage space.
2. The Special Use Amendment will not cause substantial and permanent injury to the appropriate use of neighboring property. This is a large 40-acre, residential and agricultural, parcel in a low-density area, and it will remain residential and agricultural in character. The petitioner will be taking down a detached building, therefore the new building will not make the site seem clustered.
3. The Special Use Amendment will substantially serve the public convenience and welfare by continuing to offer a local laminating business.

BZA Staff Report (Continued)

Hearing Date: December 19, 2024

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

1. The Elkhart County Advisory Board of Zoning Appeals approval shall not be effective until the Commitment form has been executed, recorded, and returned to the Elkhart County Advisory Board of Zoning Appeals staff for placement in the petition file.

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

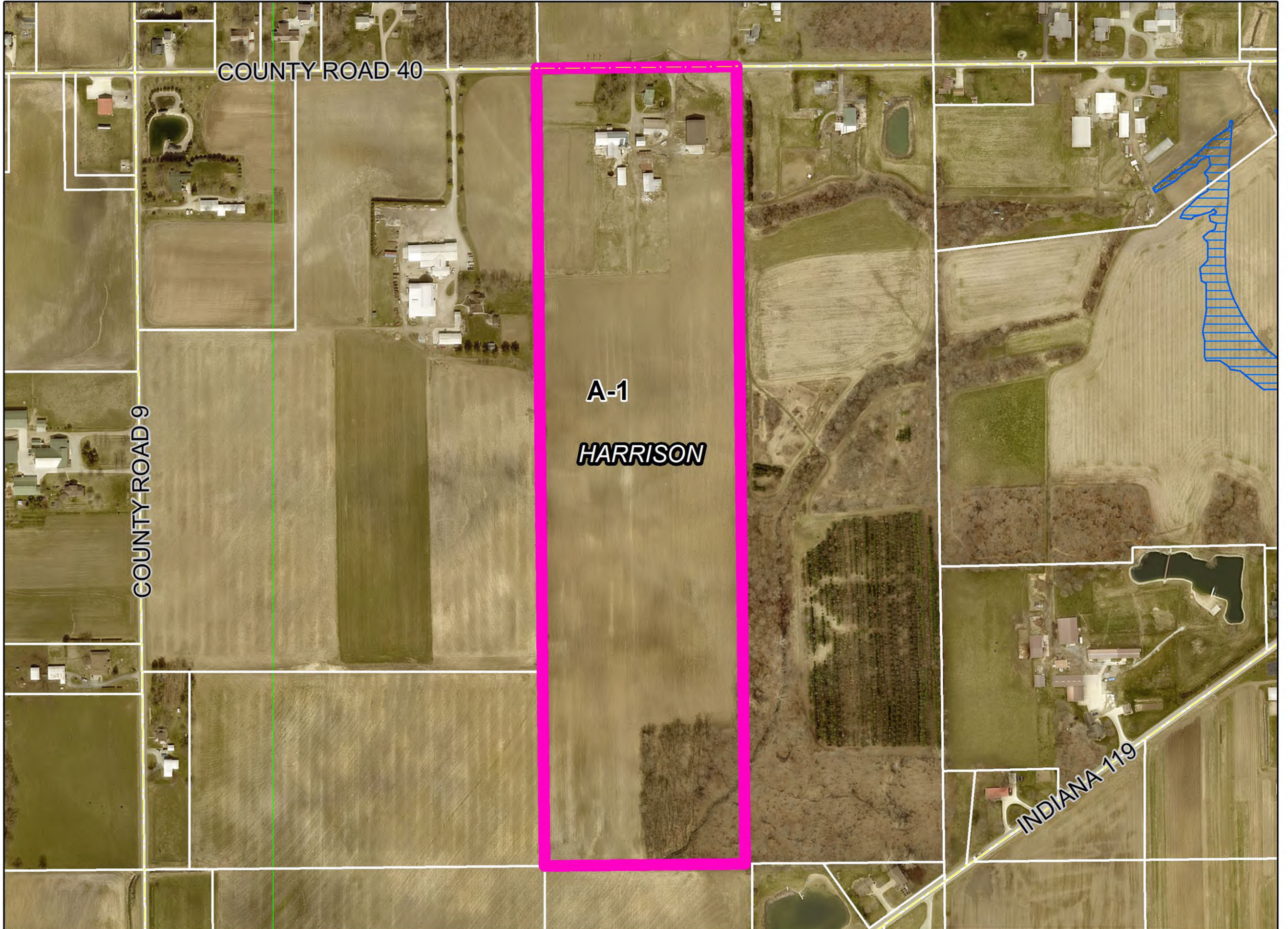
1. The request is approved in accordance with the site plan submitted (dated 11/18/2024) and as represented in the Special Use application.
2. No backing onto or off of CR 40 with semi tractor trailers.

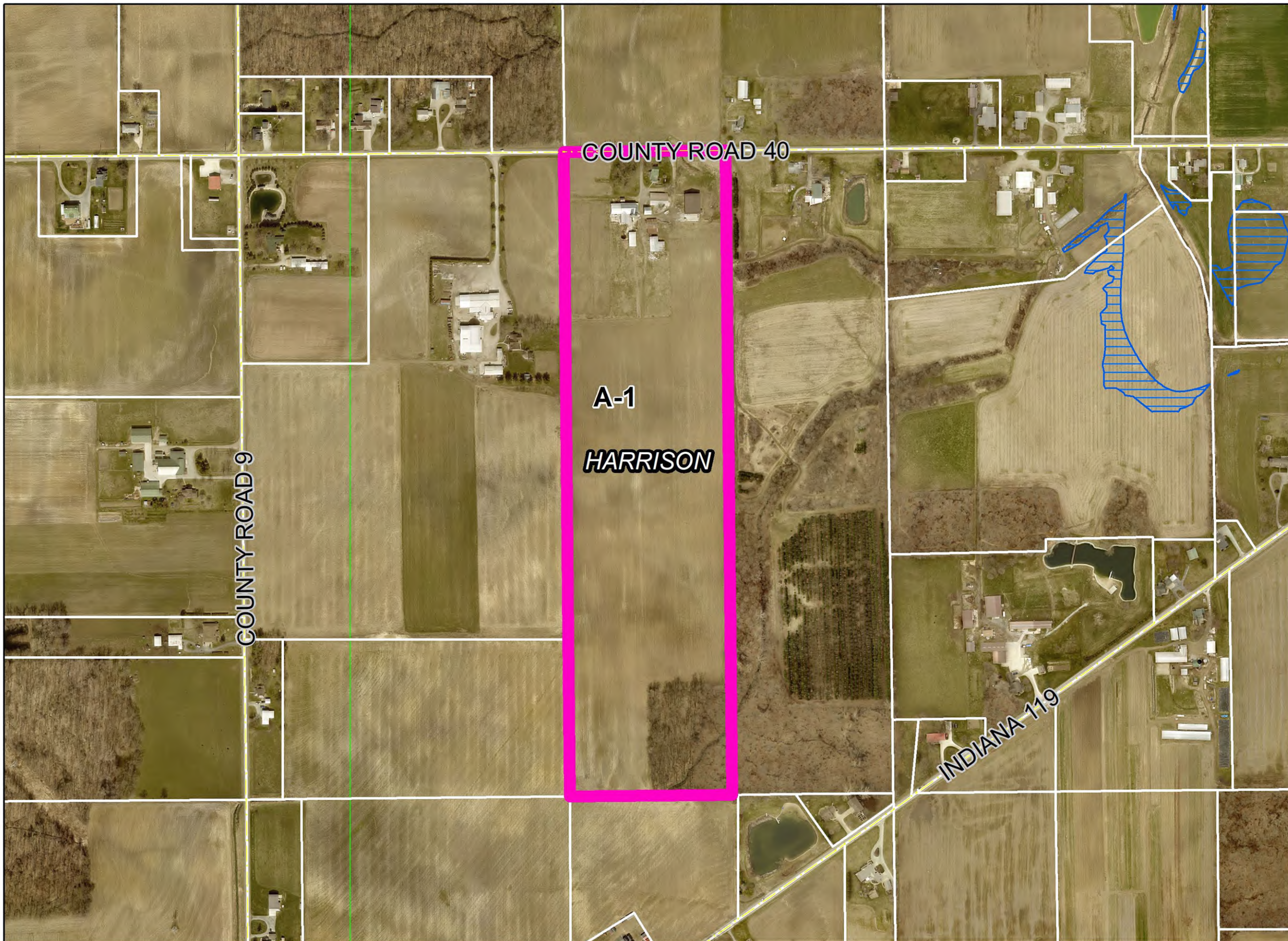
for a Developmental Variance to allow for the total square footage of accessory structures to exceed that allowed by right, staff finds that:

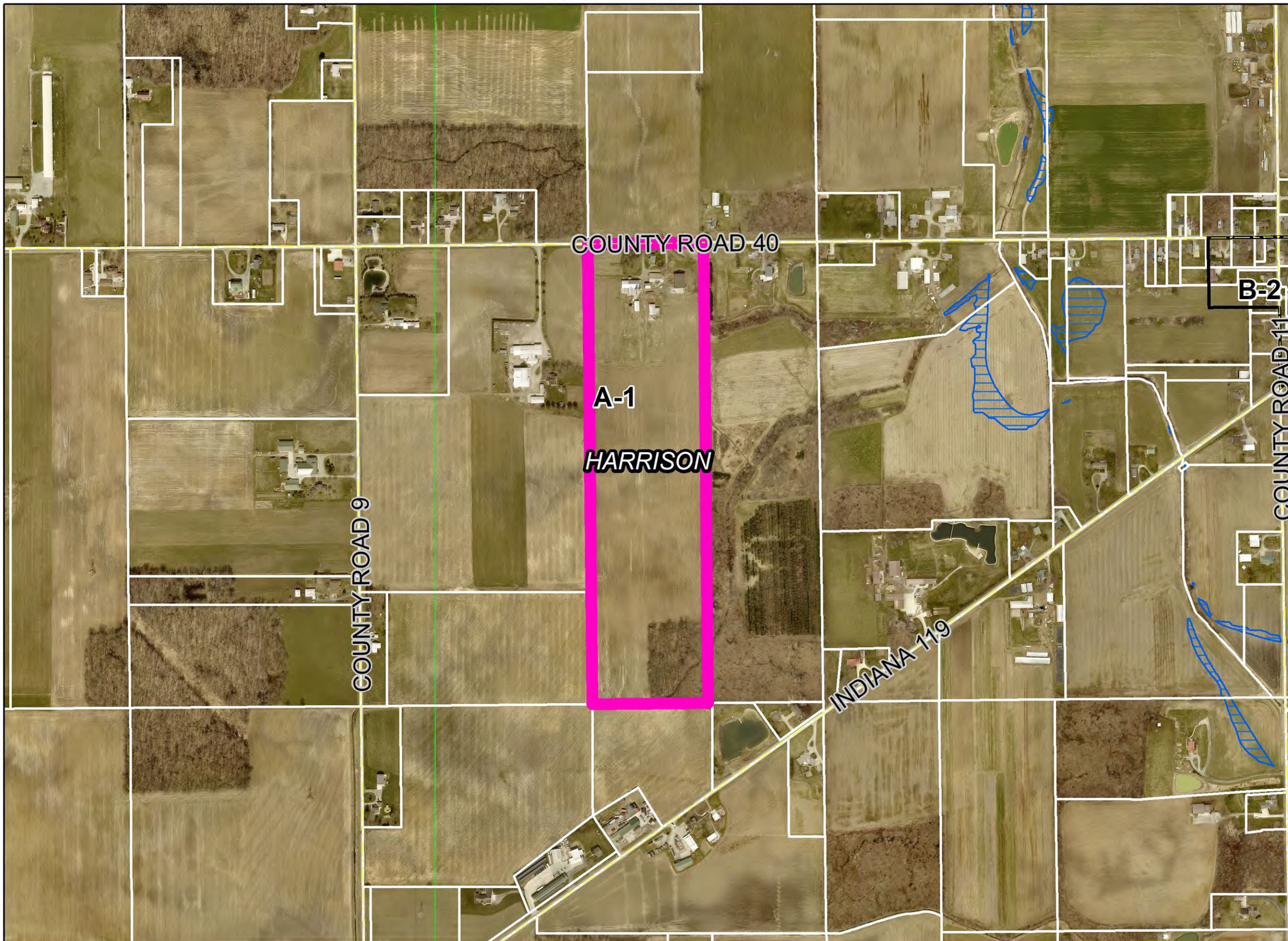
1. Approval of the request will not be injurious to public health, safety, morals, or general welfare. All other development standards are met.
2. Approval of the request will not cause substantial adverse effect on neighboring property. The request is 5,030 sq. ft., or 96 percent, over what is allowed and there will be little change to the appearance of the property as the new structure will be placed in close proximity to existing buildings.
3. Strict application of the terms of the Development Ordinance would result in an unnecessary hardship in the use of the property. Without the use of the variance the petitioner would have a hardship in keeping all storage inside current buildings.

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

1. A variance from the developmental standards of the Development 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 (dated 11/18/2024) and as represented in the Developmental Variance application.









West half of Subject property, facing South



East half of Subject property, facing South



Facing East



Facing west



Facing North

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 Amendment - Non Mobile Home

SUP-0841-2024

Date: 11/18/2024 Meeting Date: December 19, 2024
Board of Zoning Appeals Public Hearing Transaction #: SUP-0841-2024

Description: for an Amendment to an existing Special Use for a home workshop/business for post laminating business to allow for a new building and for a Developmental Variance to allow for the total square footage of accessory structures to exceed that allowed by right.

Contacts: <u>Applicant</u>	<u>Authorized Agent</u>	<u>Land Owner</u>
Carlyle & Barbara C/O Wendell & Phyllis Martin 25672 County Road 40 Goshen, IN 46526	Carlyle & Barbara C/O Wendell & Phyllis Martin 25672 County Road 40 Goshen, IN 46526	Carlyle & Barbara C/O Wendell & Phyllis Martin 25672 County Road 40 Goshen, IN 46526

Site Address: 25672 County Road 40 Goshen, IN 46526	Parcel Number: 20-10-33-100-004.000-016
--	---

Township: Harrison
Location: South Side Of County Road 40, 1, 640 ft. East Of County Road 9

Subdivision:	Lot #
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Lot Area: 40.00	Frontage: 660.00	Depth: 2,606.00
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Zoning: A-1	NPO List:
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Present Use of Property: RESIDENTIAL/AGRICULTURAL/HOMEWORK SHOP

Legal Description:

Comments: PARCEL CREATION DATE 3/1/1962
RESIDENTIAL DWELLING AREA 2,432 SQFT X 200% = 4,864 SQFT MINUS WORKSHOP 4,800 SQFT, 1,430 SQFT POLE BARN = -1,430 SQFT MINUS NEW PROPOSED STRUCTURE 72 X 50 3,600 SQFT = -5,030 SQFT AVAILABLE PERSONAL STORAGE.
SEE DV-0490-2022, BR-1036-2019, BR-2045-2022, ME-R-2048-2024, BR-2272-2024.

Applicant Signature:

Department Signature:

HARRISON

4230 Elkhart Road
Goshen, Indiana 46526

Elkhart County
Planning & Development

(574) 971-4678
DPS@ElkhartCounty.com

Application

Site address: 25672 CR 40 Goshen IN 46526

Parcel number(s): _____

Current property owner

Name: Carlyle Martin

Address: 46227 CR 9 Goshen IN 46526

Phone: 574-862-1320 Email: _____

Other party Agent Buyer Land contract purchaser Lessee

Name: Wendall Martin

Address: 25672 CR 40 Goshen IN 46526

Phone: 574-862-1663 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: _____

Carlyle Martin

Staff Use Only

Description: for an Amendment to an existing Special Use for a home workshop/business for post laminating business and to allow for a new building. and for a Developmental Variance to allow for the total square footage of accessory structures to exceed that allowed by right.

Parcel creation date: Per: 3/1/1962

Subdivision required? Y N If yes, AS Minor Major

Residential accessory breakdown, if applicable: _____

Location: N (S) E W corner (side) end of CR 40
11640 Ft. ft. N S (E) W of CR 9
in HARRISON Township

Frontage: 660 Depth: 2,1606 Area: 40 acres

Subdivision and lot number, if applicable: N/A

Present use: AG + RESIDENTIAL / Workshop.

Developmental Variance — Questionnaire

Name: Wendall Martin ~~(25x30)~~ 75%

1) Tell us what you want to do. building a 50' x 72' Lumber storage and personal storage ~~(25x30)~~ 25%

2) Tell us why you can't change what you're doing so you don't need a variance. We need the lumber storage to improve the efficiency of our home work shop business

3) Tell us why the variance won't hurt your neighbors or the community. demoing two very ugly buildings - so it is actually making a huge face lift for our 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: 50' x 72' Peak 22'
Tell us what you'll use it for. Lumber 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. _____

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: 1 Part time: 1

How many employees do you want? Full time: 1 Part time: 1

How many of the employees won't live onsite? 2

What will be the days and hours of operation on this property? ~~Monday thru~~
5 day a week Monday thru Friday 7:00^{AM} to 4:30 PM

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. 2 times a week

Tell us the kind of vehicles used. Pickup + truck

Does the application include 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

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

Special Use — Questionnaire

Name: Wendall Martin

1) Tell us what you want to do. ~~de moored~~
building a 50' x 72' lumber storage 2700 sq ft
and personal storage 900 sq ft.

2) Tell us why this activity won't hurt your neighbors or the community,
noan storage I can get rid of outside storage

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. _____

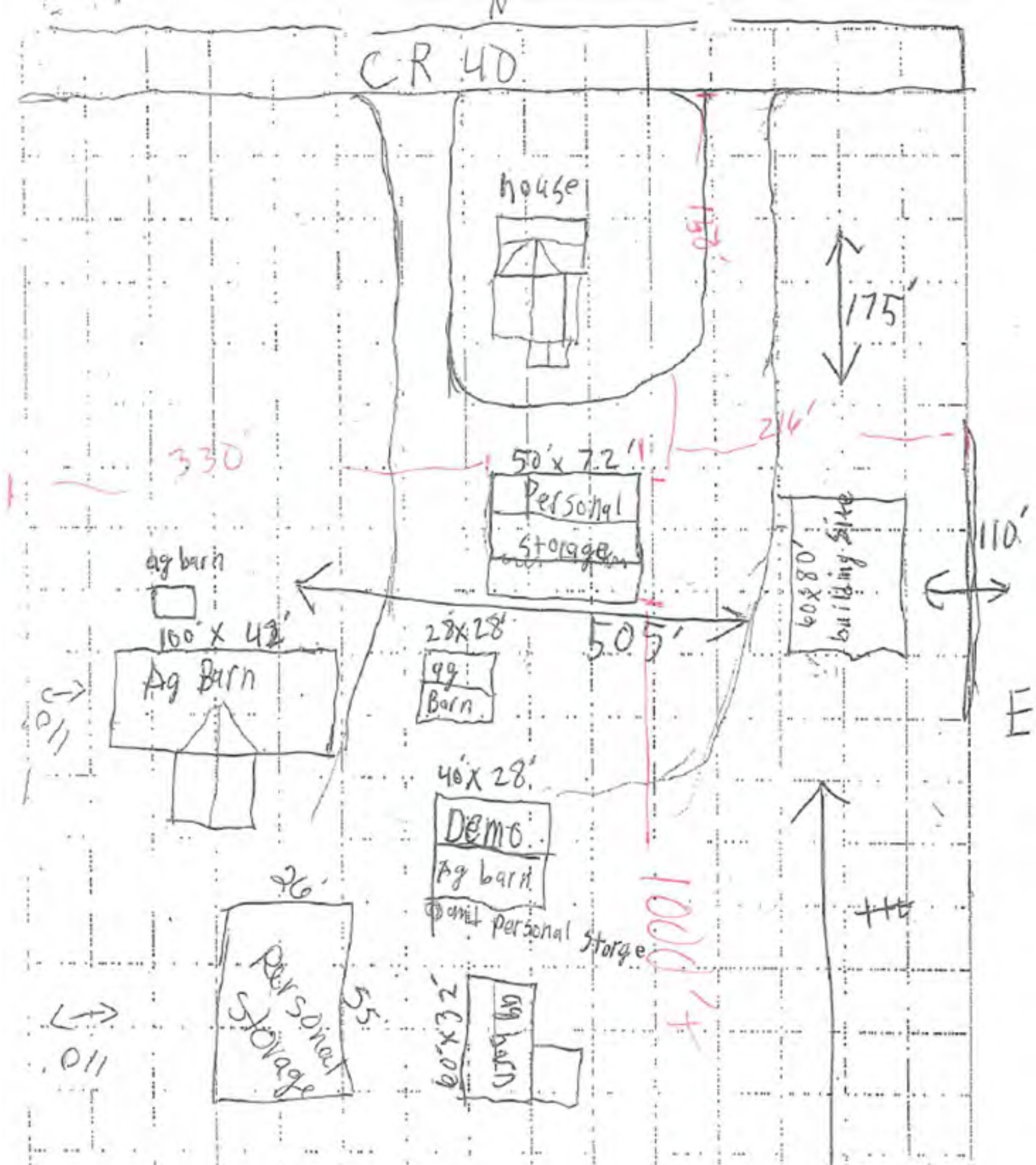
5) Will there be buffering (fences, trees, shrubs, mounds)? Y N
If yes, tell us about it. _____

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: 60' x 80' 30'
Tell us what you'll use it for. home work shop business
Building or addition 2 Existing? Y N Size and height to the peak: 50' x 72' 22'
Tell us what you'll use it for. lumber storage and personal storage
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 ➡



BZA Staff Report

Prepared by the Department of Planning and Development

Hearing Date: December 19, 2024

Transaction Number: UV-0843-2024.

Parcel Number(s): 20-05-13-478-002.000-001.

Existing Zoning: R-2.

Petition: for a Use Variance to allow for 4 dwelling units and for a 46,496 sq. ft. lot-area Developmental Variance (Ordinance requires 30,000 sq. ft. per duplex) to allow for 2 existing duplexes.

Petitioner: Lonnie Bontrager (Buyer) & Octavio Ramos (Seller).

Location: South side of Morgan St., 950 ft. Southeast of CR 20, in Baugo Township.

Site Description:

- Physical Improvement(s) – Two duplexes.
- Proposed Improvement(s) – None.
- Existing Land Use – Residential.
- Surrounding Land Use – Residential. Manufacturing.

History and General Notes:

- The house and garage were built in 1986 and 1987.
- The house and garage were illegally converted into duplexes sometime after 1998.
- **February 8, 2024** – The property owner received an electrical reconnection permit for the structures (ELEC-R-0234-2024).
- **October 17, 2024** – The BZA denied the Use Variance for 4 dwelling units, denied the Developmental Variance for lot area, but approved front and side setback Developmental Variances. The BZA also waived the 6-month waiting period to refile the denied requests.

Staff Analysis:

For a Use Variance to allow for 4 (four) dwelling units, staff finds that:

1. The request will be injurious to the public health, safety, morals, and general welfare of the community. As the structures were converted without permits, it is unclear if the structures meet all the various building and environmental codes, including well and septic requirements.
2. The use and value of the area adjacent to the subject property will not be affected in a substantially adverse manner. This is a 0.31-acre or 13,503.6 ft² parcel in a dense residential area and the property will remain residential in character.
3. A need for the Use Variance does not arise from a condition that is peculiar to the property involved. The house and garage were converted illegally into duplexes without permits.
4. Strict enforcement of the terms of the Development Ordinance would not constitute an unnecessary hardship if applied to the subject property. The property could be restored to one single-family residence and one accessory structure. The property would be allowed to have one duplex and accessory structure with the appropriate developmental variance. Or the property owner can request city utilities run to the property and resubmit the appropriate developmental variances.
5. The Use Variance does not interfere substantially with the Elkhart County Comprehensive Plan.

Staff recommends **DENIAL**.

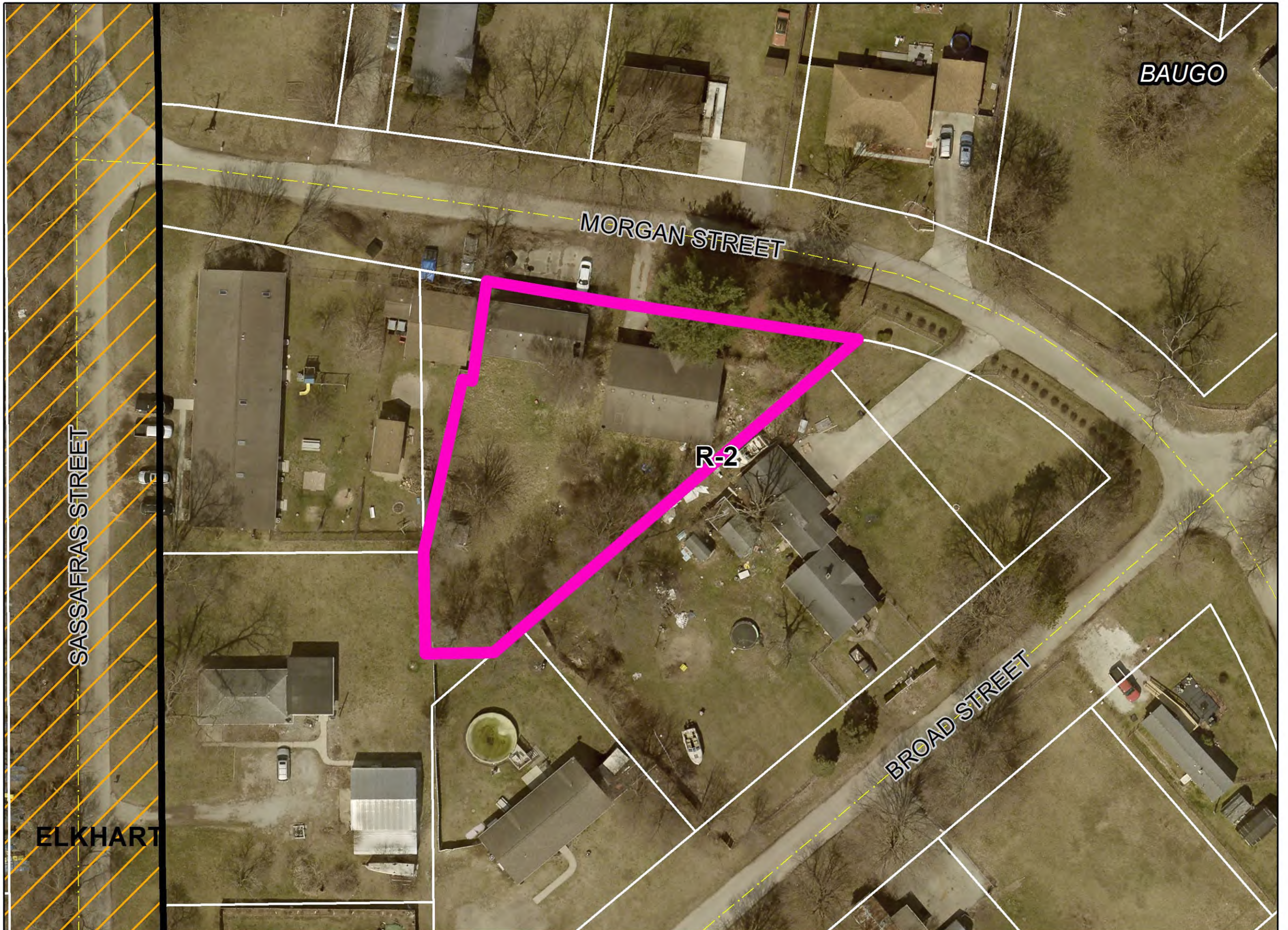
BZA Staff Report (Continued)

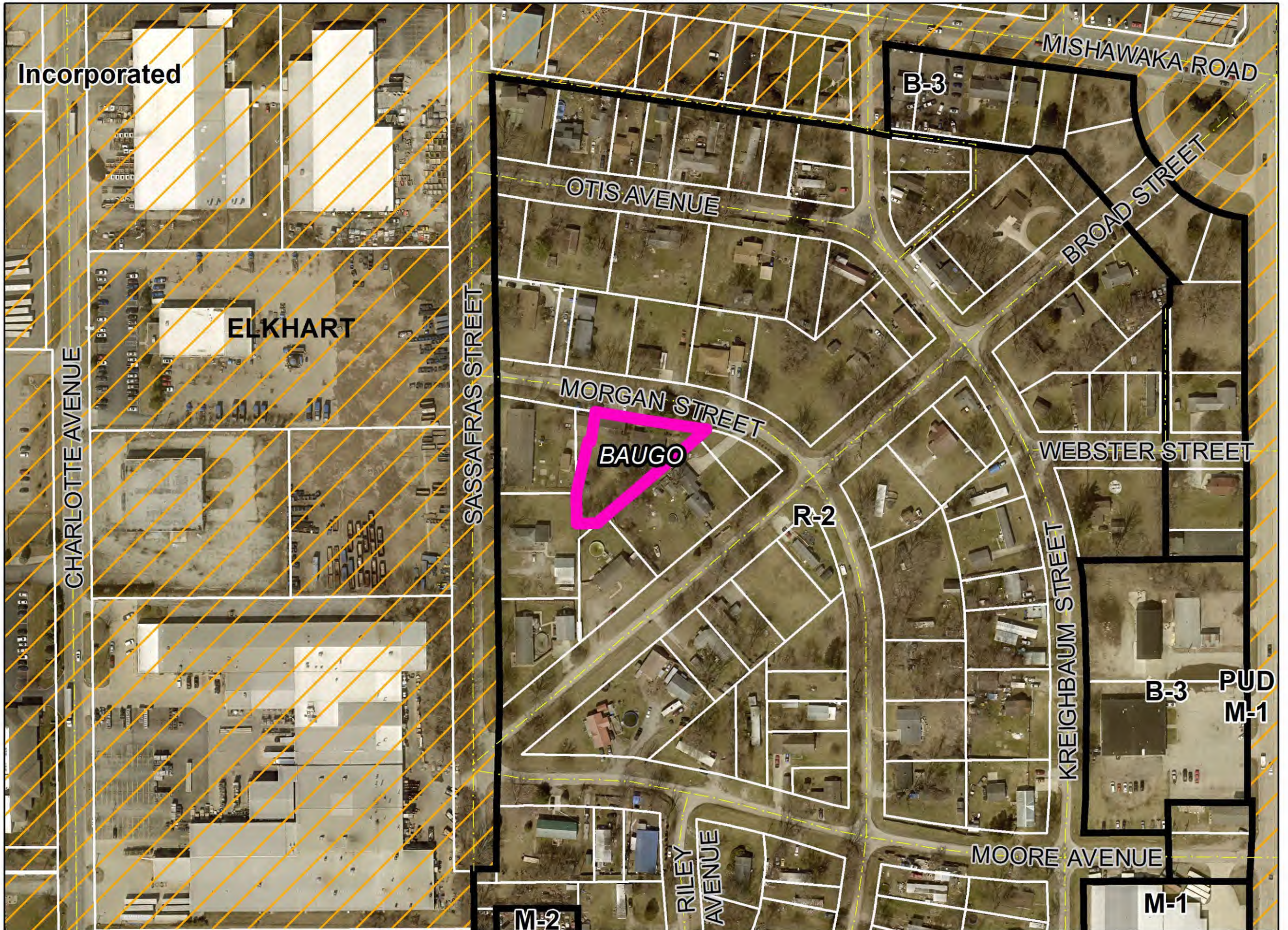
Hearing Date: December 19, 2024

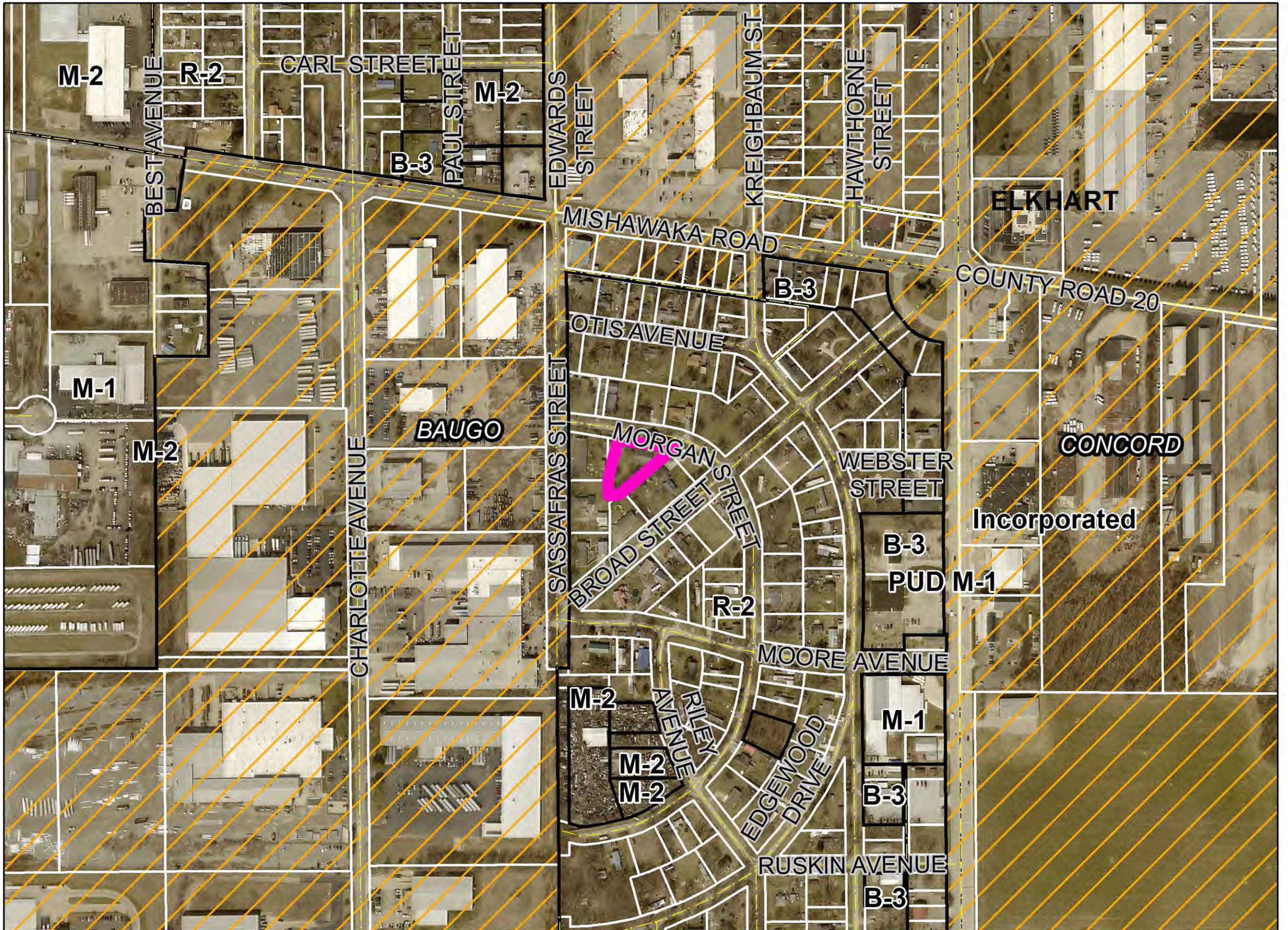
For a 46,496 sq. ft. lot area Developmental Variance (Ordinance requires 30,000 sq. ft. per duplex) to allow for two (2) existing duplexes, staff finds that:

1. Approval of the request will be injurious to public health, safety, morals, or general welfare. As the structures were converted without permits, it is unclear if the structures meet all the various building and environmental codes, including well and septic requirements.
2. Approval of the request will cause substantial adverse effects on neighboring property. This is a 0.31-acre or 13,503.6 ft² parcel in a dense residential area. Increases in density result in diminished resources, infrastructure strain, and traffic congestion.
3. Strict application of the terms of the Development Ordinance would not result in an unnecessary hardship in the use of the property. The existing structures could be converted back to a legal conforming dwelling and accessory structure.

Staff recommends **DENIAL**.









Subject property facing North



Facing South



Facing East



Facing West

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

Use Variance - Use Variance

UV-0843-2024

Date: 11/18/2024

Meeting Date: December 19, 2024
Board of Zoning Appeals Public Hearing

Transaction #: UV-0843-2024

Description: for a Use Variance to allow for 4 (four) dwelling units

<u>Applicant</u>	<u>Authorized Agent</u>	<u>Contract Purchaser</u>	<u>Land Owner</u>
Octavio Ramos (Seller) Po Box 399 Goshen, IN 46527	Samuel L Bolinger 803 Calhoun Street Fort Wayne, IN 46802	Lonnie Bontrager (Buyer) 3230 S 150 W Lagrange, IN 46761	Octavio Ramos (Seller) Po Box 399 Goshen, IN 46527

Site Address: 28197 Morgan St
Elkhart, IN 46517

Parcel Number: 20-05-13-478-002.000-001

Township: Baugo
Location: South Side Of Morgan St, Between Sassafra & Broad & W Of Sr 19, S Of County Road 20

Subdivision: BON-AIR VISTA

Lot # LOT 9 EX W PT & LOTS 10 & 11

Lot Area: 0.31 Frontage: 186.00 Depth: 187.00

Zoning: R-2

NPO List:

Present Use of Property: RESIDENTIAL

Legal Description:

Comments: PACKET WAS SENT IN VIA DPS E-MAIL. PER JASON, COPY ORIGINAL USE VARIANCE (#UV-0585-2024), WHICH WAS DENIED (FOR 4 DUPLEXES), DV FOR SETBACKS ON EXISTING DUPLEX WAS APPROVED, AND 6 MONTH WAITING PERIOD TO REFILE WAS WAIVED.
NOTES FROM ORIGINAL SUBMITTAL:
APPLICATION WAS MAILED INTO OUR OFFICE.
STAFF WILL BE ASKING FOR A REVISED SITE PLAN (NO SETBACKS AND NOT TO SCALE ON HOUSES) 8-19-2024 JB
REVISED SITE PLAN ATTACHED 9-16-2024 JB

Applicant Signature:

Department Signature:

Application

Site address: 28197 Morgan Street Lot 9

Parcel number(s): 20-05-13-478-002.000- Elkhart, IN
001 46517

Current property owner

Name: © Flavio J Ramos

Address: 28197 Morgan Street Lot 9 Elkhart, IN 46517

Phone: 574 903 8011 Email: NA

Other party Agent Buyer Land contract purchaser Lessee

Name: Lonnie Bontrager

Address: 3230 S 150 W LaGrange IN 46761

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: *Flavio Ramos*

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: _____

Use Variance - Questionnaire

Name: 0 ctavio R Ramos

1) Tell us what you want to do. update + improved real estate.

2) Tell us why your case is different from other cases in the county so that a variance should be allowed. The real estate has been in the same condition of layout for over 38 years. This is an update of the building

3) Tell us why the variance won't hurt your neighbors or the community. The neighbors approve of it. The outcome would enhance, + as the value of the community.

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. A more useful + productive piece of real estate with a value increase / taxes basis.

Tell us how you'll reduce the impact of those things on neighbors. The project is confined to real estate.

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) Does what you want to do include 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. Rental to persons not business, just date of structures
Building or addition 2 Existing? Y N Size and height to the peak: _____
Tell us what you'll use it for. See above
Building or addition 3 Existing? Y N Size and height to the peak: _____
Tell us what you'll use it for. _____

8) 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

9) Does this application include an accessory structure without a residence at this time? Y N
If yes, are there plans for a residence on this property? Y N If yes, fill out below.
Tell us when it will be built. The residence already exist.
Tell us the approximate size. _____

10) Does this application include animals? Y N
If yes, tell us what kind and the maximum number of each. _____

Use Variance - Questionnaire

Name: Octavio Ramos

1) Tell us what you want to do. update + improve real estate.

2) Tell us why your case is different from other cases in the county so that a variance should be allowed. The real estate has been in the same condition of layout for over 38 years. This is an update of the build

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If yes, tell us about it. J

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Tell us what you'll use it for. See above

Building or addition 3 Existing? Y N Size and height to the peak: _____

Tell us what you'll use it for. _____

Just date of structures

8) 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

9) Does this application include an accessory structure without a residence at this time? Y N

If yes, are there plans for a residence on this property? Y N If yes, fill out below.

Tell us when it will be built. The residence already exist.

Tell us the approximate size. _____

10) Does this application include animals? Y N

If yes, tell us what kind and the maximum number of each. _____

Use Variance — Questionnaire

11) 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. _____

Tell us the kind of vehicles used. _____

Does the application include 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

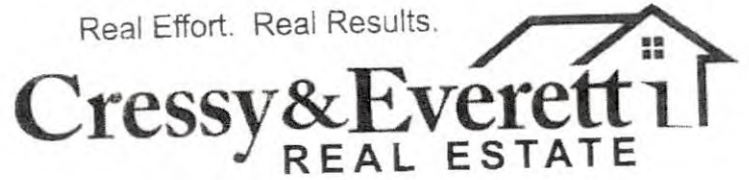
Electronic message board? Y N If no, lighted? Y N

Freestanding? Y N Wall mounted? Y N

12) Tell us anything else you want us to know. The height of the structures
will not increase.

August 13 2024

Real Effort. Real Results.



To whom it may concern

My Neighborhood has become very more peaceful and much nicer. Since we have gotten new neighbors, I have been living here for 30 years. and we couldnt be happier

A handwritten signature in cursive script, appearing to read 'L. J. ...'.

945 E. Beardsley Elkhart, IN 46514

Phone 574-264-7581 Toll Free 888-264-7581 Fax 574-264-3618 cressyeverett.com

Serving North Central Indiana and Southwestern Michigan Since 1946

August 13 2024

Real Effort. Real Results.

Cressy & Everett 
REAL ESTATE

The county let the place go after the fire. and the roof was rotten. There were squatters in it destroying it and all the stray animals were living inside it, so let me ask this question!

I feel like Octavio (the owner) should be able to do whatever he wants with this property. It would be in best interest.

This neighborhood needs more Octavio's to give it a face lift and not a county who tears down the community.

Jimtown School is very good School Kindergarten through 12 grade. Families are really what this community is made of. He is family.

This property has been like this for over 20 years. Why now make havoc. When he is making the neighborhood great again.

Please County do not be the one held back on making our community Great again.

Plus City wanted to Annex in our Neighborhood Couple years back. Whole Neighborhood as family fought back and Won!!!

945 E. Beardsley Elkhart, IN 46514


Phone 574-264-7581 Toll Free 888-264-7581 Fax 574-264-3618 cressyeverett.com

-Sammy-

August 13 2024

Teresa Phillips
Daniel Taylor

Real Effort. Real Results.

Cressy & Everett 
REAL ESTATE

To whoever it may concern:

I live with my brother Daniel which owns his house beside the house that was fix up finally after 20 yrs or more, I am thankful, it makes my brothers property look so much better. He has lived there for almost 35 or 40 yrs.. I know that the property next door has look like that for at least 20 yrs or longer and no one complained or done anything about it.

Thank You.
Teresa Phillips


945 E. Beardsley Elkhart, IN 46514

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August 13 2024

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Cressy & Everett 
REAL ESTATE

I Steve Grou Am Fine we what. He has
Done with the house and property. He has Done
a lot of work to make it look Good.

Steve Grou

(574) 322-3741

945 E. Beardsley Elkhart, IN 46514

Phone 574-264-7581 Toll Free 888-264-7581 Fax 574-264-3618 cressyeverett.com

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August 13 2024

Real Effort. Real Results.

Cressy & Everett 
REAL ESTATE

Jammy Garker 574-218-1160
I would be in favor of the
said property being sold.

~~574-218-1160~~

57895 Morgan St

945 E. Beardsley Elkhart, IN 46514

Phone 574-264-7581 Toll Free 888-264-7581 Fax 574-264-3618 cressyeverett.com

Serving North Central Indiana and Southwestern Michigan Since 1946

August 13 2024

Real Effort. Real Results.

Cressy & Everett 
REAL ESTATE

THE REMOVAL OF THE PROPERTY HAS HAD
A POSITIVE EFFECT ON THE NEIGHBORHOOD WE ARE
LOOKING FORWARD TO SEEING WHAT THIS REHABILITATION
WILL BRING TO US WITH STREET MAINWALLS AND
NEW YOUTH TO THE COMMUNITY, I BELIEVE IT WAS
A POSITIVE FOR OUR LITTLE NEIGHBORHOOD.
WE ARE LOOKING FORWARD TO SEEING WHAT IS NEXT.
THEY DID SUCH A GOOD JOB!

JOSH PUKETI

574-551-3729

CALL ME IF YOU HAVE ANY QUESTIONS

945 E. Beardsley Elkhart, IN 46514

Phone 574-264-7581 Toll Free 888-264-7581 Fax 574-264-3618 cressyeverett.com

Serving North Central Indiana and Southwestern Michigan Since 1946

(no subject)

1 message

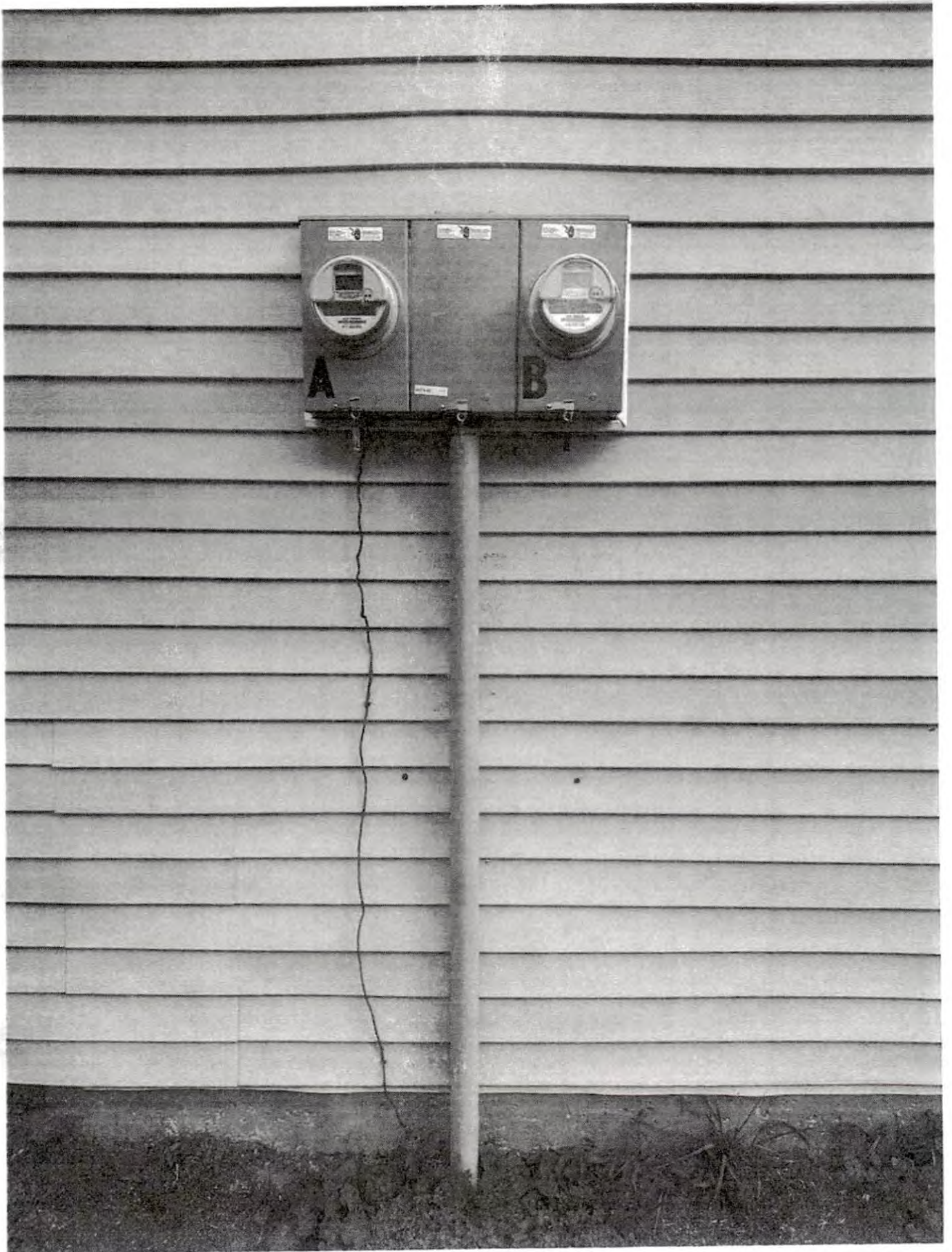
Wed, Oct 16, 2024 at 5:57
PM

Jennifer Panzo-Hernandez <jenniferpanzohernandez@cressyeverett.com>

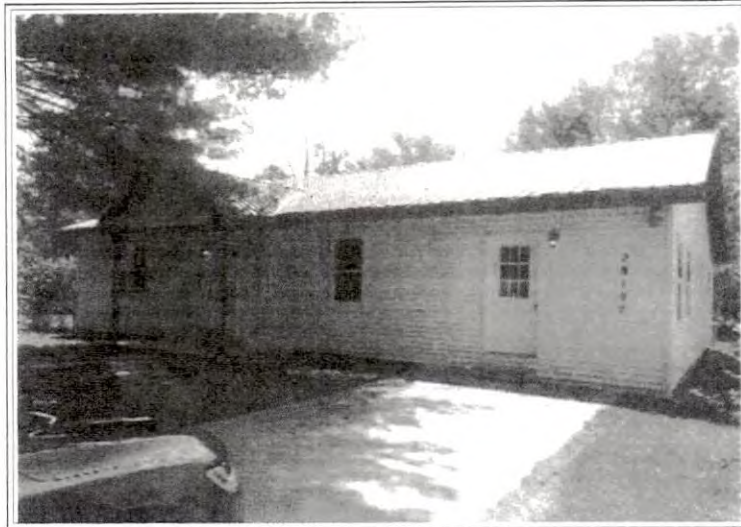
To: Jennifer Panzo-Hernandez <jenniferpanzohernandez@cressyeverett.com>







APPRAISAL OF



4 UNIT RESIDENCE

LOCATED AT:

28197 Morgan St
Elkhart, IN 46517-1144

FOR:

CARDINAL FINANCIAL
3701 ARCO CORPORATE DRIVE, SUITE 200
CHARLOTTE, NC, 28273

BORROWER:

Lonnie Bontrager

AS OF:

June 17 2024

BY:

JONATHAN WHITMER
INDIANA CERTIFIED RESIDENTIAL APPRAISER

06/25/2024

NO AMC
CARDINAL FINANCIAL
3701 ARCO CORPORATE DRIVE, SUITE 200
CHARLOTTE, NC, 28273

File Number: 24M249094

TO WHOM IT MAY CONCERN,

In accordance with your request, I have appraised the real property at:

28197 Morgan St
Elkhart, IN 46517-1144

The purpose of this appraisal is to develop an opinion of the market value of the subject property, as improved.
The property rights appraised are the fee simple interest in the site and improvements.

In my opinion, the market value of the property as of June 17, 2024 is:

\$437,000
Four Hundred Thirty-Seven Thousand Dollars

The attached report contains the description, analysis and supportive data for the conclusions,
final opinion of value, descriptive photographs, limiting conditions and appropriate certifications.

RESPECTFULLY SUBMITTED



JONATHAN WHITMER
INDIANA CERTIFIED RESIDENTIAL APPRAISER

Small Residential Income Property Appraisal Report

File No 24M249094

The purpose of this summary appraisal report is to provide the lender/client with an accurate, and adequately supported, opinion of the market value of the subject property.

Property Address 28197 Morgan St City Elkhart State IN Zip Code 46517-1144
 Borrower Lonnie Bontrager Owner of Public Record Ramos Octavio County Elkhart
 Legal Description Bon Air Vista Lot 9 Ex W Pt & Lots 10 & 11
 Assessor's Parcel # 20-05-13-478-002 000-001 Tax Year 2023 R.E. Taxes \$ 566
 Neighborhood Name Baugo Township market area Map Reference 21140/18 Census Tract 0024 00
 Occupant Owner Tenant Vacant Special Assessments \$ 0 PUD HOA \$ 0 per year per month
 Property Rights Appraised: Fee Simple Leasehold Other (describe)
 Assignment Type: Purchase Transaction Refinance Transaction Other (describe)
 Lender/Client CARDINAL FINANCIAL Address 3701 ARCO CORPORATE DRIVE, SUITE 200, CHARLOTTE, NC 28273
 Is the subject property currently offered for sale or has it been offered for sale in the twelve months prior to the effective date of this appraisal? Yes No
 Report data source(s) used, offering price(s), and date(s) INDIANA REGIONAL MULTIPLE LISTING SERVICE, WENT PENDING ON 05/29/2024
 \$420,000 AFTER BEING ON MARKET FOR 34 DAYS IRMLS, LLC #202413853 LISTED ON 04/24/2024 FOR \$430,000
 did not analyze the contract for sale for the subject purchase transaction. Explain the results of the analysis of the contract for sale or why the analysis was not performed
 Arms length sale CONTRACT TO PURCHASE APPEAR TYPICAL FOR THE MARKET WITH NO ADVERSE CONDITIONS THE
 CONTRACT WAS PROVIDED CARDINAL APPRAISAL DEPT AND ALL PARTIES SIGNED THE < continued in addendum >
 Contract Price \$ 420,000 Date of Contract 05/28/2024 Is the property seller the owner of public record? Yes No Data Source(s) ASSESSOR
 Is there any financial assistance (loan charges, sale concessions, gift or downpayment assistance, etc.) to be paid by any party on behalf of the borrower? Yes No
 If Yes, report the total dollar amount and describe the items to be paid \$8,400 PROGRAM COSTS & CLOSING COSTS & PREPAIDS

Note: Race and the racial composition of the neighborhood are not appraisal factors

Neighborhood Characteristics		2-4 Unit Housing Trends			2-4 Unit Housing		Present Land Use %	
Location <input type="checkbox"/> Urban <input checked="" type="checkbox"/> Suburban <input type="checkbox"/> Rural	Property Values <input type="checkbox"/> Increasing <input checked="" type="checkbox"/> Stable <input type="checkbox"/> Declining	PRICE \$(000)	AGE (yrs)	One-Unit	55 %			
Built-Up <input type="checkbox"/> Over 75% <input checked="" type="checkbox"/> 25-75% <input type="checkbox"/> Under 25%	Demand/Supply <input type="checkbox"/> Shortage <input checked="" type="checkbox"/> In Balance			2-4 Unit	5 %			
Growth <input type="checkbox"/> Rapid <input checked="" type="checkbox"/> Stable <input type="checkbox"/> Slow	Marketing Time <input checked="" type="checkbox"/> Under 3 mths <input type="checkbox"/> 3-6 mths <input type="checkbox"/> Over 6 mths	30 Low	30	Multi-Family	%			
Neighborhood Boundaries See Attached Addendum		450 High	150	Commercial	10 %			
Neighborhood Description See Attached Addendum		158 Pred	85	Other VACAN	30 %			

Market Conditions (including support for the above conclusions) SEE ATTACHED ADDENDUM

Dimensions 186'X238'X34'X188' Area 23430 sf Shape IRREGULAR View Residential
 Specific Zoning Classification R-2 RESIDENTIAL Zoning Description UP TO TWO FAMILY
 Zoning Compliance Legal Legal Nonconforming (Grandfathered Use) No Zoning Illegal (describe)
 Is the highest and best use of the subject property as improved (or as proposed per plans and specifications) the present use? Yes No If No, describe: Given the present zoning and effective demand, highest and best use is limited to single unit and the present use is the most practical use
 Utilities Public Other (describe) Public Other (describe) Off-site Improvements—Type Public Private
 Electricity (2) 100 AMPERE Water (2) WELL Street ASPHALT
 Gas Sanitary Sewer (2) SEPTIC Alley UNPAVED
 FEMA Special Flood Hazard Area Yes No FEMA Flood Zone ZONED 'X' FEMA Map # 18039C 0119D FEMA Map Date 08/02/2011
 Are the utilities and off-site improvements typical for the market area? Yes No If No, describe
 Are there any adverse site conditions of external factors (easements, encroachments, environmental conditions, land uses, etc.)? Yes No If Yes, describe: SEE ATTACHED ADDENDUM

GENERAL DESCRIPTION		FOUNDATION		EXTERIOR DESCRIPTION materials/condition		INTERIOR materials/condition	
Units <input type="checkbox"/> Two <input type="checkbox"/> Three <input checked="" type="checkbox"/> Four	<input checked="" type="checkbox"/> Concrete Slab <input type="checkbox"/> Craw Space	Foundation Walls	CONC BLK/AVG	Floors	VINYL PLK/NEW		
<input type="checkbox"/> Accessory Unit (describe below)	<input type="checkbox"/> Full Basement <input checked="" type="checkbox"/> Partial Basement	Exterior Walls	VINYL/NEWER	Walls	DRYWALL/GOOD/NEW		
# of Stories 1-2 # of bldgs 2	Basement Area 1,050 sq ft	Roof Surface	METAL/NEWER	Trim/Finish	WOOD/NEW		
Type <input checked="" type="checkbox"/> Det. <input type="checkbox"/> Att. <input type="checkbox"/> S-Det./End Unit	Basement Finish 0 %	Gutters & Downspouts	SOME ALM/GD	Bath Floor	VINYL PLK/NEW		
<input checked="" type="checkbox"/> Existing <input type="checkbox"/> Proposed <input type="checkbox"/> Under Const	<input type="checkbox"/> Outside Entry/Exit <input type="checkbox"/> Sump Pump	Window Type	VINYL DLB HNG/NEW	Bath Wainscot	FIBGLS/AVG-NEW		
Design (Style) 1 STY/2 STY	Evidence of <input type="checkbox"/> Infestation	Storm Sash/Insulated	INSUL/COMB/NEW	Car Storage			
Year Built 1986	<input type="checkbox"/> Dampness <input type="checkbox"/> Settlement	Screens	HALF ALUM/NEW	<input type="checkbox"/> None			
Effective Age (Yrs) 10	Heating/Cooling		Amenities		<input checked="" type="checkbox"/> Driveway	# of Cars 4	
Attic <input type="checkbox"/> None <input checked="" type="checkbox"/> FWA <input type="checkbox"/> HWBB <input type="checkbox"/> Radiant	<input type="checkbox"/> Other Fuel GAS	Fireplace(s) # 0	Wood Stove(s) # 0	Driveway Surface	SLAG		
<input type="checkbox"/> Drop Stair <input type="checkbox"/> Stairs	<input type="checkbox"/> Central Air Conditioning	Patio/Deck None	Fence None	Garage	# of Cars 0		
<input type="checkbox"/> Floor <input checked="" type="checkbox"/> Scuff	<input type="checkbox"/> Individual <input type="checkbox"/> Other None	Pool None	<input checked="" type="checkbox"/> Porch CVD FRT	Carport	# of Cars 0		
<input type="checkbox"/> Finished <input type="checkbox"/> Heated		Other None		Att	# of Cars 0		
# of Appliances Refrigerator Range/Oven Dishwasher Disposal Microwave Washer/Dryer Other (describe)							
Unit # 1 contains 6 Rooms 3 Bedroom(s) 2 0 Bath(s) 1,400 Square feet of Gross Living Area							
Unit # 2 contains 4 Rooms 2 Bedroom(s) 1 0 Bath(s) 540 Square feet of Gross Living Area							
Unit # 3 contains 5 Rooms 3 Bedroom(s) 1 0 Bath(s) 1,140 Square feet of Gross Living Area							
Unit # 4 contains 6 Rooms 3 Bedroom(s) 1 0 Bath(s) 1,125 Square feet of Gross Living Area							
Additional features (special energy efficient items, etc.)	See Attached Addendum						

Describe the condition of the property (including needed repairs, deterioration, renovations, remodeling, etc.) THE SUBJECT PROPERTY IS A AVERAGE QUALITY 4 PLEX 1 STORY AND 2 STROY HOMES THAT APPEARS IN GOOD/NEW OVERALL CONDITION INSIDE AND OUTSIDE NO MEASURABLE FUNCTIONAL OR EXTERNAL OBSOLESCENCE WAS OBSERVED THE WHOLE OR BOTH HOUSES HAVE BEEN REMODELLED

Small Residential Income Property Appraisal Report

File No 24M249094

Are there any physical deficiencies or adverse conditions that affect the livability, soundness, or structural integrity of the property? Yes No If Yes, describe _____

Does the property generally conform to the neighborhood (functional, utility, style, condition, use, construction, etc.)? Yes No If No, describe _____

Is the property subject to rent control? Yes No If Yes, describe _____

The following properties represent the most current, similar, and proximate comparable rental properties to the subject property. This analysis is intended to support the opinion of the market rent for the subject property.

FEATURE	SUBJECT	COMPARABLE RENTAL NO. 1	COMPARABLE RENTAL NO. 2	COMPARABLE RENTAL NO. 3
28197 Morgan St Address Elkhart, IN 46517-1144	2334 Sterling Ave Elkhart, IN 46517	100 S Michigan Sy Elkhart, IN 46514	2701 Northside Blvd South Bend, IN 46615	
Proximity to Subject	3.03 miles NE	2.41 miles NE	10.44 miles NW	
Current Monthly Rent	\$ 0	\$ 4,905	\$ 3,550	\$ 2,800
Rent/Gross Bldg Area	\$ 0.00 sq ft	\$ 0.73 sq ft	\$ 0.91 sq ft	\$ 0.74 sq ft
Rent Control	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Data Source(s)	Inspection	Irmis, llc #202227991	Irmis, llc #202209317	Irmis, llc #202332054
Date of Lease(s)	Not Leased	Monthly	Monthly	Monthly
Location	Suburban	Suburban	Urban	Urban
Actual Age	38	31	52	18
Condition	Good/New	Good	Good	Good
Gross Building Area	4305 sf	6736 sf	3888 sf	3776 sf
Unit Breakdown:				
	Rm Count Size	Rm Count Size	Rm Count Size	Rm Count Size
	Tot Br Ba Sq Ft	Tot Br Ba Sq Ft	Tot Br Ba Sq Ft	Tot Br Ba Sq Ft
Unit # 1	6 3 2.0 1,400	9 0 4.0 Unk	5 2 1.1 Unk	5 2 1.0 Unk
Unit # 2	4 2 1.0 540	8 2 2.0 Unk	5 2 1.1 Unk	5 2 1.0 Unk
Unit # 3	5 3 1.0 1,140	3 1 1.0 Unk	5 2 1.1 Unk	4 1 1.0 Unk
Unit # 4	6 3 1.0 1,125		5 2 1.1 Unk	4 1 1.0 Unk
Utilities Included	None	None	None	None
	Parking Area	Parking Area	Rear Parking	Rear Parking
	Cvd Porch	Porches	Porches	Porches

Analysis of rental data and support for estimated market rents for the individual subject units reported below (including the adequacy of the comparables, rental concessions, etc.)

RENTS APPEAR TO RANGE FROM \$600 FOR A 1 BEDROOM TO OVER \$3000 FOR A 9 ROOM OFFICE SPACE WITH UTILITY COSTS NOT BEING THE PRIMARY FACTOR IN THE PER UNIT RENTS

Rent Schedule: The appraiser must reconcile the applicable indicated monthly market rents to provide an opinion of the market rent for each unit in the subject property.

Unit #	Leases		Actual Rents		Opinion Of Market Rent		Total Rents
	Lease Date	Per Unit	Per Unit	Total Rents	Per Unit	Total Rents	
	Begin Date	End Date	Unfurnished	Furnished		Unfurnished	Furnished
1	Not Leased		\$ 0	\$ 0	\$ 0	\$ 1,500	\$ 1,500
2	Not Leased		0	0	0	1,200	1,200
3	Not Leased		0	0	0	1,500	1,500
4	Not Leased		0	0	0	1,400	1,400
Comment on lease data			Total Actual Monthly Rent		\$ 0	Total Gross Monthly Rent	
			Other Monthly Income (Itemize)		\$	Other Monthly Income (Itemize)	
			Total Actual Monthly Income		\$ 0	Total Estimated Monthly Income	
					\$	\$ 5,600	

Utilities included in estimated rents Electric Water Sewer Gas Cable Trash collection Other (describe) _____

Comments on actual or estimated rents and other monthly income (including personal property) Utilities don't appear to be a factor

did did not research the sale or transfer history of the subject property and comparable sales. If not, explain _____

My research did did not reveal any prior sales or transfers of the subject property for the three years prior to the effective date of this appraisal.

Data source(s) ELKHART COUNTY ASSESSOR RECORDS

My research did did not reveal any prior sales or transfers of the comparable sales for the year prior to the date of sale of the comparable sale.

Data source(s) ELKHART COUNTY ASSESSOR RECORDS

Report the results of the research and analysis of the prior sale history of the subject property and comparable sales (report additional prior sales on page 4).

ITEM	SUBJECT	COMPARABLE SALE NO. 1	COMPARABLE SALE NO. 2	COMPARABLE SALE NO. 3
Date of Prior Sale/Transfer	10/11/2023			
Price of Prior Sale/Transfer	110000			
Data Source(s)	ASSESSOR RECORDS			
Effective Date of Data Source(s)	06/25/2024			

Analysis of prior sale history for the subject property and comparable sales: It appears the sold back in October 2023 for \$110,000 since then all 4 of units have been remodelled

Small Residential Income Property Appraisal Report

File No 24M249094

There are 9 comparable properties currently offered for sale in the subject neighborhood ranging in price from \$ 110,000 to \$ 500,000				
There are 31 comparable sales in the subject neighborhood within the past twelve months ranging in sale price from \$ 110,000 to \$ 1,250,000				
FEATURE	SUBJECT	COMPARABLE SALE NO. 1	COMPARABLE SALE NO. 2	COMPARABLE SALE NO. 3
28197 Morgan St Address: Elkhart, IN 46517-1144		2334 Sterling Ave Elkhart, IN 46517	100 S Michigan St Elkhart, IN 46514	2701 NorthSide Blvd South Bend, IN 46615
Proximity to Subject:		3.03 miles NE	2.41 miles NE	10.44 miles NW
Sale Price	\$ 420,000	\$ 375,000	\$ 397,200	\$ 425,000
Sale Price/Gross Bldg. Area	\$ 97.56 sq. ft.	\$ 55.67 sq. ft.	\$ 102.16 sq. ft.	\$ 112.55 sq. ft.
Gross Monthly Rent	\$ 0	\$ 4,905	\$ 3,550	\$ 2,950
Gross Rent Multiplier	0.00	76.45	111.89	144.07
Price Per Unit	\$ 105,000	\$ 125,000	\$ 99,300	\$ 106,250
Price Per Room	\$ 20,000	\$ 18,750	\$ 19,860	\$ 23,811
Price Per Bedroom	\$ 38,182	\$ 125,000	\$ 49,650	\$ 70,833
Rent Control	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No
Data Source(s)		IRMLS, LLC 202227991, DOM 21	IRMLS, LLC 202093147, DOM 0	IRMLS, LLC 202232054, DOM 21
Verification Source(s)		CO REC, APPR REC, TAX REC	CO REC, APPR REC, TAX REC	CO REC, APPR REC, TAX REC
VALUE ADJUSTMENTS	DESCRIPTION	DESCRIPTION + (-) Adjustment	DESCRIPTION + (-) Adjustment	DESCRIPTION + (-) Adjustment
Sale or Financing Concessions		ARM LENGTH 0 CONV 0 PTS 0	ARM LENGTH 0 CONV 0 PTS 0	ARM LENGTH 0 CASH 0 PTS 0
Date of Sale/Time	05/28/2024	CLD 09/23/2022 +30,000	CLD 05/03/2022 +31,776	CLD 02/24/2023 0
Location	Suburban	Urban	Urban	Urban
Leasehold/Fee Simple	FEE SIMPLE	FEE SIMPLE	FEE SIMPLE	FEE SIMPLE
Site	23430 sf	15682 sf	10280 sf	7405 sf
View	Residential	Residential	Residential	Residential
Design (Style)	1 STY/2 STY	2 STY	2 STY	2 STY
Quality of Construction	Average	Average	Average	Average
Actual Age	38	29	54	19
Condition	Good-New	Good +4%	Good +4%	Good +4%
Gross Building Area	4305 sf	6736 sf	3888 sf	3776 sf
Unit Breakdown	Total Bdrms Baths	Total Bdrms Baths	Total Bdrms Baths	Total Bdrms Baths
Unit # 1	6 3 2 0	9 0 4 0	5 2 1 1	5 2 1 0
Unit # 2	4 2 1 0	8 2 2 0	5 2 1 1	5 2 1 0
Unit # 3	5 3 1 0	3 1 1 0	5 2 1 0	4 1 1 0
Unit # 4	6 3 1 0		5 2 1 0	4 1 1 0
Basement Description	Part /1050 Sq Ft.	Slab	Full /2844 Sq Ft.	Slab
Basement Finished Rooms	UNFINISHED		UNFINISHED	
Functional Utility	AVERAGE	AVERAGE	AVERAGE	AVERAGE
Heating/Chooling	GWA None	GWA C Air	GWA C Air	GWA C Air
Energy Efficient Items	INSUL/WINDOWS	INSUL/WINDOWS	INSUL/WINDOWS	INSUL/WINDOWS
Parking On/Off Site	4 Car Driveway	8 Car Driveway	8 Car Driveway	4 Car Driveway
Porch/Patio/Deck	Cvd Porch	Porches	Porches	Porches
	NO FIREPLACE	NO FIREPLACE	NO FIREPLACE	NO FIREPLACE
Net Adjustment (Total)		<input checked="" type="checkbox"/> - <input type="checkbox"/> \$ 16,630	<input checked="" type="checkbox"/> - <input type="checkbox"/> \$ 58,334	<input checked="" type="checkbox"/> + <input type="checkbox"/> \$ 29,430
Adjusted Sale Price of Comparables		Net Adj. 4.4 % Gross Adj. \$ 391,630	Net Adj. 14.7 % Gross Adj. \$ 455,534	Net Adj. 6.9 % Gross Adj. \$ 454,430
Adj. Price Per Unit (Adj. SP Comp / # of Comp Units)	\$ 130,543	\$ 113,884	\$ 113,608	
Adj. Price Per Room (Adj. SP Comp / # of Comp Rooms)	\$ 19,582	\$ 22,777	\$ 25,246	
Adj. Price Per Bdrm (Adj. SP Comp / # of Comp Bedrooms)	\$ 130,543	\$ 56,942	\$ 75,738	
Value Per Unit \$ 125,000 X 4 Units = \$ 500,000		Value Per GBA \$ 98.00 X 4305 sf GBA = \$ 421,890		
Value Per Rm \$ 22,000 X 21 Rooms = \$ 462,000		Value Per Bdrms \$ 60,000 X 11 Bdrms = \$ 660,000		
Summary of Sales Comparison Approach including reconciliation of the above indicators of value	See Attached Addendum			
Indicated Value by Sales Comparison Approach \$ 437,000				
Total gross monthly rent \$ 5,600 X gross rent multiplier (GRM) 106 = \$ 593,600 Indicated value by the Income Approach				
Comments on income approach including reconciliation of the GRM GRM INDICATES A RANGE OF 76.45 TO 144.07 IN MARKET WITH THE SUBJECT FALLING IN THE MID RANGE @ 90				
Indicated Value by Sales Comparison Analysis \$ 437,000 Income Approach \$ 593,600 Cost Approach (if developed) \$ 431,200				
SEE ATTACHED ADDENDUM				
This appraisal is made <input checked="" type="checkbox"/> "as is," <input type="checkbox"/> subject to completion per plans and specifications on the basis of a hypothetical condition that the improvements have been completed <input type="checkbox"/> subject to the following repairs or alterations on the basis of a hypothetical condition that the repairs or alterations have been completed, or <input type="checkbox"/> subject to the following required inspection based on the extraordinary assumption that the condition or deficiency does not require alteration or repair See Attached Addendum				
Based on a complete visual inspection of the interior and exterior areas of the subject property, defined scope of work, statement of assumptions and limiting conditions, and appraiser's certification, my (our) opinion of the market value, as defined, of the real property that is the subject of this report is \$ 437,000 as of 06/17/2024 which is the date of inspection and the effective date of this appraisal				

Small Residential Income Property Appraisal Report

AT THE REQUEST OF THE CLIENT, THIS APPRAISAL REPORT HAS BEEN PREPARED IN COMPLIANCE WITH THE UNIFORM APPRAISAL DATASET (UAD) FOR FANNIE MAE & FREDDIE MAC. THE UAD REQUIRES THE APPRAISER TO USE STANDARDIZED RESPONSES THAT INCLUDE SPECIFIC FORMATS, DEFINITIONS, ABBREVIATIONS, AND ACRONYMS

IN THE NORMAL COURSE OF BUSINESS, THE APPRAISER ATTEMPTED TO OBTAIN AN ADEQUATE AMOUNT OF INFORMATION REGARDING THE SUBJECT & COMPARABLES PROPERTIES. SOME OF THE REQUIRED UAD STANDARDIZED RESPONSE, ESPECIALLY THOSE IN WHICH THE APPRAISER HAS NOT HAD THE OPPORTUNITY TO VERIFY PERSONALLY OR MEASURE, COULD MISTAKENLY IMPLY GREATER PRECISION AND RELIABILITY IN THE DATA THAN IF FACTUALLY CORRECT OR TYPICAL IN THE NORMAL COURSE OF BUSINESS. CONSEQUENTLY, THIS INFORMATION SHOULD BE CONSIDERED AN "ESTIMATE" UNLESS OTHERWISE NOTED BY THE APPRAISER.

RULES UNDER REG Z ARE REQUIRING THE APPRAISAL TO INCLUDE A SIGNED CERTIFICATION BY THE APPRAISER THAT STATES THAT "THE APPRAISAL WAS PREPARED IN ACCORDANCE WITH THE REQUIREMENTS OF THE UNIFORM STANDARDS OF PROFESSIONAL APPRAISAL PRACTICE". ADDITIONALLY, REG Z WILL ALSO REQUIRE A SIGNED CERTIFICATION THAT "THE APPRAISAL WAS PREPARED IN ACCORDANCE WITH THE REQUIREMENTS OF TITLE XI OF THE FINANCIAL INSTITUTIONS REFORM, RECOVERY AND ENFORCEMENT ACT OF 1989, AS AMENDED (12 U.S.C. 331 ET SEQ.) AND ANY IMPLEMENTING REGULATIONS

THE APPRAISAL WAS ORDERED IN COMPLIANCE WITH APPRAISAL INDEPENDENCE "AIR & MORTGAGEE LETTER 2009-28"

ADDITIONAL COMMENTS

COST APPROACH TO VALUE (not required by Fannie Mae)

Provide adequate information for the lender/client to replicate the below cost figures and calculations

Support for the opinion of site value (summary of comparable land sales or other methods for estimating site value) SITE VALUE IS THE ASSESSED VALUE

COST APPROACH

Table with columns for Cost Approach (ESTIMATED, REPRODUCTION OR, REPLACEMENT COST NEW), Opinion of Site Value, Dwelling, Bsmft, Porches, Garage/Carport, Total Estimate of Cost-New, Less Depreciation, and Indicated Value by Cost Approach.

PROJECT INFORMATION FOR PUDs (if applicable)

Form for Project Information for PUDs, including questions about developer/builder control, HOA, unit types, and common elements.

PUD INFORMATION

Small Residential Income Property Appraisal Report

FW No 24M249094

This report form is designed to report an appraisal of a two- to four-unit property, including a two- to four-unit property in a planned unit development (PUD). A two- to four-unit property located in either a condominium or cooperative project requires the appraiser to inspect the project and complete the project information section of the Individual Condominium Unit Appraisal Report or the Individual Cooperative Interest Appraisal Report and attach it as an addendum to this report.

This appraisal report is subject to the following scope of work, intended use, intended user, definition of market value, statement of assumptions and limiting conditions, and certifications. Modifications, additions, or deletions to the intended use, intended user, definition of market value, or assumptions and limiting conditions are not permitted. The appraiser may expand the scope of work to include any additional research or analysis necessary based on the complexity of this appraisal assignment. Modifications or deletions to the certifications are also not permitted. However, additional certifications that do not constitute material alterations to this appraisal report, such as those required by law or those related to the appraiser's continuing education or membership in an appraisal organization, are permitted.

SCOPE OF WORK: The scope of work for this appraisal is defined by the complexity of this appraisal assignment and the reporting requirements of this appraisal report form, including the following definition of market value, statement of assumptions and limiting conditions, and certifications. The appraiser must, at a minimum: (1) perform a complete visual inspection of the interior and exterior areas of the subject property, (2) inspect the neighborhood, (3) inspect each of the comparable sales from at least the street, (4) research, verify, and analyze data from reliable public and/or private sources, and (5) report his or her analysis, opinions, and conclusions in this appraisal report.

INTENDED USE: The intended use of this appraisal report is for the lender/client to evaluate the property that is the subject of this appraisal for a mortgage finance transaction.

INTENDED USER: The intended user of this appraisal report is the lender/client.

DEFINITION OF MARKET VALUE: The most probable price which a property should bring in a competitive and open market under all conditions requisite to a fair sale, the buyer and seller, each acting prudently, knowledgeably and assuming the price is not affected by undue stimulus. Implicit in this definition is the consummation of a sale as of a specified date and the passing of title from seller to buyer under conditions whereby (1) buyer and seller are typically motivated, (2) both parties are well informed or well advised, and each acting in what he or she considers his or her own best interest, (3) a reasonable time is allowed for exposure in the open market, (4) payment is made in terms of cash in U. S. dollars or in terms of financial arrangements comparable thereto, and (5) the price represents the normal consideration for the property sold unaffected by special or creative financing or sales concessions* granted by anyone associated with the sale.

*Adjustments to the comparables must be made for special or creative financing or sales concessions. No adjustments are necessary for those costs which are normally paid by sellers as a result of tradition or law in a market area, these costs are readily identifiable since the seller pays these costs in virtually all sales transactions. Special or creative financing adjustments can be made to the comparable property by comparisons to financing terms offered by a third party institutional lender that is not already involved in the property or transaction. Any adjustment should not be calculated on a mechanical dollar for dollar cost of the financing or concession but the dollar amount of any adjustment should approximate the market's reaction to the financing or concessions based on the appraiser's judgment.

STATEMENT OF ASSUMPTIONS AND LIMITING CONDITIONS: The appraiser's certification in this report is subject to the following assumptions and limiting conditions:

1. The appraiser will not be responsible for matters of a legal nature that affect either the property being appraised or the title to it, except for information that he or she became aware of during the research involved in performing this appraisal. The appraiser assumes that the title is good and marketable and will not render any opinions about the title.
2. The appraiser has provided a sketch in this appraisal report to show the approximate dimensions of the improvements, including each of the units. The sketch is included only to assist the reader in visualizing the property and understanding the appraiser's determination of its size.
3. The appraiser has examined the available flood maps that are provided by the Federal Emergency Management Agency (or other data sources) and has noted in this appraisal report whether any portion of the subject site is located in an identified Special Flood Hazard Area. Because the appraiser is not a surveyor, he or she makes no guarantees, express or implied, regarding this determination.
4. The appraiser will not give testimony or appear in court because he or she made an appraisal of the property in question, unless specific arrangements to do so have been made beforehand, or as otherwise required by law.
5. The appraiser has noted in this appraisal report any adverse conditions (such as needed repairs, deterioration, the presence of hazardous wastes, toxic substances, etc.) observed during the inspection of the subject property or that he or she became aware of during the research involved in performing this appraisal. Unless otherwise stated in this appraisal report, the appraiser has no knowledge of any hidden or unapparent physical deficiencies or adverse conditions of the property (such as, but not limited to, needed repairs, deterioration, the presence of hazardous wastes, toxic substances, adverse environmental conditions, etc.) that would make the property less valuable, and has assumed that there are no such conditions and makes no guarantees or warranties, express or implied. The appraiser will not be responsible for any such conditions that do exist or for any engineering or testing that might be required to discover whether such conditions exist. Because the appraiser is not an expert in the field of environmental hazards, this appraisal report must not be considered as an environmental assessment of the property.
6. The appraiser has based his or her appraisal report and valuation conclusion for an appraisal that is subject to satisfactory completion, repairs, or alterations on the assumption that the completion, repairs, or alterations of the subject property will be performed in a professional manner.

Small Residential Income Property Appraisal Report

File No. 24M249094

APPRAISER'S CERTIFICATION: The Appraiser certifies and agrees that:

1. I have, at a minimum, developed and reported this appraisal in accordance with the scope of work requirements stated in this appraisal report.
2. I performed a complete visual inspection of the interior and exterior areas of the subject property, including all units. I reported the condition of the improvements in factual, specific terms. I identified and reported the physical deficiencies that could affect the livability, soundness, or structural integrity of the property.
3. I performed this appraisal in accordance with the requirements of the Uniform Standards of Professional Appraisal Practice that were adopted and promulgated by the Appraisal Standards Board of The Appraisal Foundation and that were in place at the time this appraisal report was prepared.
4. I developed my opinion of the market value of the real property that is the subject of this report based on the sales comparison and income approaches to value. I have adequate market data to develop reliable sales comparison and income approaches to value for this appraisal assignment. I further certify that I considered the cost approach to value but did not develop it, unless otherwise indicated in this report.
5. I researched, verified, analyzed, and reported on any current agreement for sale for the subject property, any offering for sale of the subject property in the twelve months prior to the effective date of this appraisal, and the prior sales of the subject property for a minimum of three years prior to the effective date of this appraisal, unless otherwise indicated in this report.
6. I researched, verified, analyzed, and reported on the prior sales of the comparable sales for a minimum of one year prior to the date of sale of the comparable sale, unless otherwise indicated in this report.
7. I selected and used comparable sales that are locationally, physically, and functionally the most similar to the subject property.
8. I have not used comparable sales that were the result of combining a land sale with the contract purchase price of a home that has been built or will be built on the land.
9. I have reported adjustments to the comparable sales that reflect the market's reaction to the differences between the subject property and the comparable sales.
10. I verified, from a disinterested source, all information in this report that was provided by parties who have a financial interest in the sale or financing of the subject property.
11. I have knowledge and experience in appraising this type of property in this market area.
12. I am aware of, and have access to, the necessary and appropriate public and private data sources, such as multiple listing services, tax assessment records, public land records and other such data sources for the area in which the property is located.
13. I obtained the information, estimates, and opinions furnished by other parties and expressed in this appraisal report from reliable sources that I believe to be true and correct.
14. I have taken into consideration the factors that have an impact on value with respect to the subject neighborhood, subject property, and the proximity of the subject property to adverse influences in the development of my opinion of market value. I have noted in this appraisal report any adverse conditions (such as, but not limited to, needed repairs, deterioration, the presence of hazardous wastes, toxic substances, adverse environmental conditions, etc.) observed during the inspection of the subject property or that I became aware of during the research involved in performing this appraisal. I have considered these adverse conditions in my analysis of the property value, and have reported on the effect of the conditions on the value and marketability of the subject property.
15. I have not knowingly withheld any significant information from this appraisal report and, to the best of my knowledge, all statements and information in this appraisal report are true and correct.
16. I stated in this appraisal report my own personal, unbiased, and professional analysis, opinions, and conclusions, which are subject only to the assumptions and limiting conditions in this appraisal report.
17. I have no present or prospective interest in the property that is the subject of this report, and I have no present or prospective personal interest or bias with respect to the participants in the transaction. I did not base, either partially or completely, my analysis and/or opinion of market value in this appraisal report on the race, color, religion, sex, age, marital status, handicap, familial status, or national origin of either the prospective owners or occupants of the subject property or of the present owners or occupants of the properties in the vicinity of the subject property or on any other basis prohibited by law.
18. My employment and/or compensation for performing this appraisal or any future or anticipated appraisals was not conditioned on any agreement or understanding, written or otherwise, that I would report (or present analysis supporting) a predetermined specific value, a predetermined minimum value, a range or direction in value, a value that favors the cause of any party, or the attainment of a specific result or occurrence of a specific subsequent event (such as approval of a pending mortgage loan application).
19. I personally prepared all conclusions and opinions about the real estate that were set forth in this appraisal report. If I relied on significant real property appraisal assistance from any individual or individuals in the performance of this appraisal or the preparation of this appraisal report, I have named such individual(s) and disclosed the specific tasks performed in this appraisal report. I certify that any individual so named is qualified to perform the tasks. I have not authorized anyone to make a change to any item in this appraisal report, therefore, any change made to this appraisal is unauthorized and I will take no responsibility for it.
20. I identified the lender/client in this appraisal report who is the individual, organization, or agent for the organization that ordered and will receive this appraisal report.
21. The lender/client may disclose or distribute this appraisal report to the borrower, another lender at the request of the borrower, the mortgagee or its successors and assigns, mortgage insurers, government sponsored enterprises, other secondary market participants, data collection or reporting services, professional appraisal organizations, any department, agency, or instrumentality of the United States, and any state, the District of Columbia, or other jurisdictions, without having to obtain the appraiser's or supervisory appraiser's (if applicable) consent. Such consent must be obtained before this appraisal report may be disclosed or distributed to any other party (including, but not limited to, the public through advertising, public relations, news, sales, or other media).

Small Residential Income Property Appraisal Report

Form No 24M249094

22. I am aware that any disclosure or distribution of this appraisal report by me or the lender/client may be subject to certain laws and regulations. Further, I am also subject to the provisions of the Uniform Standards of Professional Appraisal Practice that pertain to disclosure or distribution by me.

23. The borrower, another lender at the request of the borrower, the mortgagee or its successors and assigns, mortgage insurers, government sponsored enterprises, and other secondary market participants may rely on this appraisal report as part of any mortgage finance transaction that involves any one or more of these parties.

24. If this appraisal report was transmitted as an "electronic record" containing my "electronic signature," as those terms are defined in applicable federal and/or state laws (excluding audio and video recordings), or a facsimile transmission of this appraisal report containing a copy or representation of my signature, the appraisal report shall be as effective, enforceable and valid as if a paper version of this appraisal report were delivered containing my original hand written signature.

25. Any intentional or negligent misrepresentation(s) contained in this appraisal report may result in civil liability and/or criminal penalties including, but not limited to, fine or imprisonment or both under the provisions of Title 18, United States Code, Section 1001, et seq, or similar state laws.

SUPERVISORY APPRAISER'S CERTIFICATION: The Supervisory Appraiser certifies and agrees that:

1. I directly supervised the appraiser for this appraisal assignment, have read the appraisal report, and agree with the appraiser's analysis, opinions, statements, conclusions, and the appraiser's certification.
2. I accept full responsibility for the contents of this appraisal report including, but not limited to, the appraiser's analysis, opinions, statements, conclusions, and the appraiser's certification.
3. The appraiser identified in this appraisal report is either a sub-contractor or an employee of the supervisory appraiser (or the appraisal firm), is qualified to perform this appraisal, and is acceptable to perform this appraisal under the applicable state law.
4. This appraisal report complies with the Uniform Standards of Professional Appraisal Practice that were adopted and promulgated by the Appraisal Standards Board of The Appraisal Foundation and that were in place at the time this appraisal report was prepared.
5. If this appraisal report was transmitted as an "electronic record" containing my "electronic signature," as those terms are defined in applicable federal and/or state laws (excluding audio and video recordings), or a facsimile transmission of this appraisal report containing a copy or representation of my signature, the appraisal report shall be as effective, enforceable and valid as if a paper version of this appraisal report were delivered containing my original hand written signature.

APPRAISER

Signature 
 Name JONATHAN WHITMER
 Company Name WHITMER APPRAISALS, INC
 Company Address P O BOX 701
MISHAWAKA, IN 46546
 Telephone Number (800) 527-0261 X205
 Email Address jwhitmer@115william.biz
 Date of Signature and Report 06/25/2024
 Effective Date of Appraisal 06/17/2024
 State Certification # CR69200969
 or State License # _____
 or Other (describe) _____ State # _____
 State IN
 Expiration Date of Certification or License 06/30/2026
INDIANA CERTIFIED RESIDENTIAL APPRAISER
ADDRESS OF PROPERTY APPRAISED
28197 Morgan St
Elkhart, IN 46517-1144

 APPRAISED VALUE OF SUBJECT PROPERTY \$ 437,000

LENDER/CLIENT
 Name NO AMC
 Company Name CARDINAL FINANCIAL
 Company Address 3701 ARCO CORPORATE DRIVE, SUITE 200
CHARLOTTE, NC 28273
 Email Address _____

SUPERVISORY APPRAISER (ONLY IF REQUIRED)

Signature _____
 Name _____
 Company Name _____
 Company Address _____
 Telephone Number _____
 Email Address _____
 Date of Signature _____
 State Certification # _____
 or State License # _____
 State _____
 Expiration Date of Certification or License _____

SUBJECT PROPERTY

Did not inspect subject property
 Did inspect exterior of subject property from street
 Date of Inspection _____
 Did inspect interior and exterior of subject property
 Date of Inspection _____

COMPARABLE SALES

Did not inspect exterior of comparable sales from street
 Did inspect exterior of comparable sales from street
 Date of Inspection _____

ADDENDUM

Borrower: Lonnie Bontrager	File No: 24M249094
Property Address: 28197 Morgan St	Case No: Loan #1402090650
City: Elkhart	State: IN Zip: 46517-1144
Lender: CARDINAL FINANCIAL	

Analysis of the Sales Contract

Continued from Analysis of the Sales Contract AND THERE WERE 8 PAGES

Neighborhood Boundarie

THE SUBJECT'S MARKET AREA IS BOUNDED BY COUNTY LINE RD-WEST, STATE ROAD 33-EAST, RIVER- NORTH AND BYPASS-SOUTH

Neighborhood Description

THE SUBJECT'S NEIGHBORHOOD AND/OR MARKET AREA IS SITUATED JUST TO THE WEST APPROXIMATELY 2 MILES FROM THE CITY OF ELKHART, INDIANA CORPORATE LINE WITHIN ACCEPTABLE DISTANCE TO ANY OF THE AREAS BUSINESS DISTRICTS THIS SUBURBAN RESIDENTIAL AREA IS CLOSE TO SCHOOLS, SERVICES AND SHOPPING

NO SUBURBAN AREA OF THE COUNTY HAS PUBLIC TRANSPORTATION, THEREFORE, NO MEASURABLE AFFECT ON VALUE OR MARKETABILITY IS AVAILABLE

VALUES IN THE SUBJECT'S NEIGHBORHOOD APPEARS TO BE STABLE AND MARKETABILITY APPEARS TO BE AVERAGE RECREATIONAL FACILITIES ALL APPEAR TO BE WITHIN ACCEPTABLE DISTANCE FROM THE SUBJECT'S NEIGHBORHOOD POLICE AND FIRE PROTECTION IS PROVIDED THROUGH COUNTY POLICE AND THE BAUGO TOWNSHIP VOLUNTEER FIRE DEPARTMENT WHICH IS TYPICAL FOR THIS SUBURBAN MARKET AREA

THE HOUSING IN THE AREA HAS A WIDE AGE RANGE OF RELATIVELY STANDARD SINGLE FAMILY HOUSING DESIGNS THAT HAS CREATED A GENERALLY AVERAGE CONFORMITY OF APPEARANCE MARKETABILITY AND APPEAL EXHIBITS AVERAGE STRENGTH IN THE MARKET

THE SUBJECT PROPERTY EXCEEDS 10% OF THE PREDOMINANT PRICE RANGE AS STATED THE MARKET AREA HAS A WIDE RANGE OF DESIGN AND SIZE HOMES THERE ARE MORE SMALLER HOMES OF LESSER QUALITY THAN THE LARGER BETTER QUALITY HOMES THE SUBJECT PROPERTY IS NOT OVER IMPROVED FOR THE AREA AND DOES NOT CREATE A MARKETABILITY ISSUE

Neighborhood Market Conditions

THE SUBJECT NEIGHBORHOOD HAS A WIDE DIVERSITY OF AGE AND DESIGN THE SUBJECT'S NEIGHBORHOOD IS COMPRISED OF FAIR TO AVERAGE QUALITY HOUSING STOCK WHICH EXHIBITS MODERATE VALUE GROWTH AND AVERAGE MARKETABILITY

CONVENTIONAL AND GOVERNMENT ASSISTED FINANCING IS READILY AVAILABLE THROUGHOUT THE SOUTH BEND AND SURROUNDING MARKET AREAS THIS RESULTS IN A LACK OF SELLER CONCESSIONS FOR FINANCING OR AS PURCHASING INDUCEMENTS VALUES IN THE CITY OF ELKHART HAS A GROWTH RATE OF 12.5% OVER THE PASS YEAR

THE SUBJECT PROPERTY EXCEEDS 10% OF THE PREDOMINANT PRICE RANGE AS STATED THE MARKET AREA HAS A WIDE RANGE OF DESIGN AND SIZE HOMES THERE ARE MORE SMALLER HOMES OF LESSER QUALITY THAN THE LARGER BETTER QUALITY HOMES THE SUBJECT PROPERTY IS NOT OVER IMPROVED FOR THE AREA AND DOES NOT CREATE A MARKETABILITY ISSUE

Site Comments

IRREGULAR AREA SITE WITH ROUGHLY 23,430 SF +/- NO ADVERSE EASEMENTS, ENCROACHMENTS OR OTHER ADVERSE CONDITIONS WERE OBSERVED DURING THE ON SITE INSPECTION

SCATTERED THROUGHOUT THE MARKET AREA THERE ARE COME COMMERCIAL USE PROPERTIES WITH NO ADVERSE AFFECT ON VALUE OR MARKETABILITY IN THE AREA

WELL AND SEPTIC SYSTEMS ARE TYPICAL USES IN THIS SUBURBAN AREA AND DO NOT ADVERSELY AFFECT VALUE OR MARKETABILITY

THIS WAS ACCORDING TO THE TO ELKHART ZONING I HAVE LOOKED INTO THE ADDRESS AND PARCEL IN QUESTION 28197 MORGAN ST AND 28255 MORGAN ST ARE BOTH LEGAL NON-CONFORMING THE R-2 ZONE DOES ALLOW 2-FAMILY DWELLING UNITS, BUT IT DOES NOT ALLOW FOR 2 DETACHED RESIDENCES ON A SINGLE LOT THESE HOUSES WERE BUILT WHEN THESE LOTS WERE SEPARATED IF ONE OF THESE HOUSES WERE TO BE DAMAGED IN ANY WAY THAT PERMITS WERE NEEDED FOR REPAIRS OR REBUILD, THEY WOULD NOT GET THEM HOWEVER, IF THE OWNER WAS TO SEPARATE THE LOTS BACK TO THEIR ORIGINAL LOT LINES THEN BOTH LOTS WOULD BE CONSIDERED LEGAL CONFORMING

THE APPRAISER HAS CONDUCTED A CURSORY INSPECTION OF THE SUBJECT PROPERTY REPORTED CONDITION IS BASED UPON READILY OBSERVABLE VISUAL CONDITIONS NO IN DEPTH INSPECTION OF THE STRUCTURE OR OPERATING SYSTEMS HAS BEEN PERFORMED IN CONNECTION WITH THE APPRAISAL THE USER SHOULD NOT DEPEND UPON THIS REPORT FOR STRUCTURAL OR OPERATING SYSTEMS INTEGRITY THE USER OF THIS REPORT SHOULD CONTRACT WITH THE APPROPRIATE CONTRACTORS OR PROFESSIONALS IF QUESTIONS OF STRUCTURAL OR OPERATING SYSTEM INTEGRITY EXIST THE APPRAISER IS NOT QUALIFIED AS A PEST INSPECTOR THE USER OF THIS REPORT SHOULD CONTRACT THE SERVICES OF A QUALIFIED PEST INSPECTOR IF THIS IS AN ITEM OF CONCERN

INSULATION IS CONCEALED NO ENERGY AUDIT HAS BEEN CONDUCTED BY THE APPRAISER

SMALL COVERED FRONT PORCH

ADDENDUM

Borrower: Lonnie Bontrager

File No. 24M249094

Property Address: 28197 Morgan St

Case No. Loan #1402090650

City: Elkhart

State: IN

Zip: 46517-1144

Lender: CARDINAL FINANCIAL

UNIT 1 (A) 3 BEDROOMS 2 BATHROOMS OPENCONCEPT LIVING-DINING- KITCHEN AREA WASHER DRYER HOOK UP IN BATHROOM PARTIAL BASEMENT FENCED IN YARD UNIT 1 (B) 2 BEDROOM 1BATHROOM OPEN CONCEPT LIVING-DINING - KITCHEN AREA NO WASHER DRYER HOOK-UP AND CRAWL SPACE UNIT 2 (C) 3 BEDROOM 1 BATHROOM OPENCONCEPT LIVING - DINING - KITCHEN AREA WASHER DRYER HOOK-UP UNIT 2 (D) 3 BEDROOM 1 BATHROOM OPEN CONCEPT LIVING - DINING - KITCHENAREA WASHER DRYER HOOK-UP FURNACES WATER HEATERS ROOF ALL 2024

Comments on Sales Comparison

THE ADJUSTMENTS MADE BY THE APPRAISER ARE MARKET DERIVED, AND BASED UPON MATCH PAIRED SALES ANALYSIS. THE QUALITY AND CONDITION RATINGS FOR THE SUBJECT AND COMPARABLE SALES ARE BASED UPON MY PERSONAL INSPECTION OF THE SUBJECT, AND MY INTERPRETATION OF THE PHOTOS AND COMMENTS FOR COMPARABLE SALES FROM THE MLS, AND HOW THEY COMPARE TO THE SUBJECT. THE APPRAISER IS NOT PRIVY TO AND DOES NOT HAVE ACCESS OR KNOWLEDGE OF QUALITY AND CONDITION RATINGS FROM OTHER APPRAISER'S PEERS FOR THE SAME COMPARABLE SALES UTILIZED. ADDITIONALLY, THE APPRAISER DOES NOT HAVE KNOWLEDGE OR INFORMATION REGARDING THE ADJUSTMENT METHODS UTILIZED BY OTHER APPRAISER'S PEERS.

DIFFERENCES BETWEEN THE SUBJECT PROPERTY AND THE COMPARABLES HAVE BEEN ADJUSTED IN THE MARKET GRID BASED ON MEASURABLE MARKET DATA ATTRIBUTES. THE COMPARABLES USED ARE CONSIDERED TO BE THE BEST AVAILABLE AND MOST APPROPRIATE FOR THE APPRAISER'S ANALYSIS.

THE VALUE OF PERSONAL PROPERTY INCLUDED IN THE SALE, DISCOUNT POINTS AND/OR OTHER INDUCEMENTS PAID BY OR FURNISHED BY THE SELLER(S) OF THE SUBJECT PROPERTY AND THE COMPARABLE SALES HAVE BEEN EXCLUDED FROM THE FINAL DETERMINATION OF ESTIMATED VALUE HEREIN.

THE ESTIMATE OF FAIR MARKET VALUE IS BASED ON A FULL AND COMPLETE EXPOSURE OF THE SUBJECT PROPERTY FOR A PERIOD NOT LESS THAN 0 DAYS AND NOT MORE THAN 180 DAYS.

THE SQUARE FOOTAGE FOR THE COMPARABLE SALES IS BASED ON DATA PROVIDED THROUGH THE MULTIPLE LISTING SERVICE.

APPRAISER COULD NOT DETERMINE ANY VALUE IN THE MARKET FOR THE DIFFERENCES IN BASEMENT SF ITS THE FINISHED AREA THAT BRING THE VALUE NOT THE SIZE OF THE BASEMENT.

INFORMATION FROM THE ASSESSOR RECORDS WAS GATHERED, AND INFORMATION FROM THIS RECORD WAS USED IN THE REPORT IE. LEGAL, PARCEL NUMBERS, LOT SIZE, YEAR BUILT ETC. THIS INFORMATION IS ASSUMED CORRECT, BUT OTHER INFORMATION IE. SQUARE FOOTAGE, ROOM COUNTS, ALONG WITH BEDROOM AND FINISHED AREA IN BASEMENT COULD BE MISSING AND/OR WRONG ACCORDING TO THIS RECORD. THIS APPRAISER HAS MEASURED AND INSPECTED THE INTERIOR OF HOME, MOST ASSESSOR DO NOT GAIN ACCESS TO THE HOME.

FOR THE PAST 12 MONTHS SELLER CONCESSIONS OF 2%-4% ARE COMMON FOR FINANCING OR AS PURCHASING INDUCEMENTS.

THE APPRAISER COULD NOT DETERMINE ANY AGE ADJUSTMENT DUE TO ALL WERE SIMILAR IN OVERALL CONDITION ALONG WITH EFFECTIVE AGE.

THE APPRAISER WILL NOT MANUFACTURE OR TAILOR COMPARABLE DATA TO FIT UNDERWRITING VALUATION GUIDELINES. THE COMPARABLES USED ARE CONSIDERED TO BE THE BEST AVAILABLE AND MOST APPROPRIATE FOR THE APPRAISER'S ANALYSIS.

THE APPRAISER COULD NOT DETERMINE ANY VALUE FOR THE DIFFERENCES IN LOT SIZE, ALL ARE SIMILAR IN UTILITY JUST MORE SQUARE FOOTAGE. OTHERS HAVE CITY SERVICE WHERE SOME DON'T JUST A SMALLER LOT AND SIMILAR IN VALUE.

THE GLA WAS OBTAINED USING THE STANDARDS FROM ANSI Z765-2021 SQUARE FOOTAGE METHOD FOR CALCULATING.

THE MARKET INDICATES NO ADJUSTMENT FOR SF ONLY PER UNIT OR BEDROOM IS THE ADJUSTMENT.

THE MARKET INDICATES NO RECOGNIZED ADJUSTMENT FOR LOT SIZE.

THERE IS VERY LIMITED NUMBER OF SALES WITH A 24 MONTH PERIOD RESULTING IN THE APPRAISER HAVING TO EXPAND THE TIME OF SALE TO OVER A 12 MONTH PERIOD BUT STILL STAY WITH IN A 28 MONTH PERIOD.

APPRAISAL METHODS ARE NO LONGER REQUIRING ADJUSTMENTS TO FOLLOW A 10% PER LINE, 15% NET AND 25% GROSS GUIDELINE. ADJUSTMENTS USED FOR THIS APPRAISAL HAVE BEEN EXTRACTED FROM STATISTICAL MEASUREMENTS OF MARKET REACTIONS TO VARIOUS AMENITIES.

THE INDICATED VALUE BY SALES COMPARISON APPROACH, \$437,000 IS CALCULATED USING THE FOLLOWING WEIGHTS:

27.6% - 2334 STERLING AVE, SALE PRICE \$375,000, ADJUSTED VALUE \$391,630, GROSS ADJ. 34.0%
33.1% - 100 S MICHIGAN ST, SALE PRICE \$397,200, ADJUSTED VALUE \$455,534, GROSS ADJ. 25.7%
39.3% - 2701 NORTHSIDE BLVD, SALE PRICE \$425,000, ADJUSTED VALUE \$454,430, GROSS ADJ. 16.3%

Income Approach Comments

THE INCOME APPROACH HAS BEEN DEVELOPED BUT DUE TO A LACK OF ACCURATE, VERIFIABLE SINGLE FAMILY RENTAL DATA THIS APPROACH CARRIES LITTLE WEIGHT.

ADDENDUM

Borrower: Lonnie Bortrager	File No. 24M249094
Property Address: 28197 Morgan St	Case No. Loan #1402090650
City: Elkhart	State: IN Zip: 46517-1144
Lender: CARDINAL FINANCIAL	

GRM INDICATES A RANGE OF 54.98 TO 82.23 IN MARKET WITH THE SUBJECT FALLING IN THE LOWER RANGE @ 80

Final Reconciliation

WHILE ALL OF THE VALUE APPROACHES HAVE SOME MERIT, IT IS GENERALLY ACCEPTED THAT THE MARKET DATA APPROACH IS THE MOST ACCURATE APPROACH IN DETERMINING PROBABLE MARKET VALUE AND IS CONSIDERED AS SUCH IN THIS REPORT.

Definitions

EXPOSURE TIME, ESTIMATED LENGTH OF TIME THAT THE PROPERTY INTEREST BEING APPRAISED WOULD HAVE BEEN OFFERED ON THE MARKET PRIOR TO THE HYPOTHETICAL CONSUMMATION OF A SALE AT MARKET VALUE ON THE EFFECTIVE DATE OF THE APPRAISAL.

EXTRAORDINARY ASSUMPTION, AN ASSUMPTION, DIRECTLY RELATED TO A SPECIFIC ASSIGNMENT, AS OF THE EFFECTIVE DATE OF THE ASSIGNMENT RESULTS WHICH, IF FOUND TO BE FALSE, COULD ALTER THE APPRAISER'S OPINIONS OR CONCLUSIONS.

AT THE REQUEST OF THE CLIENT, THIS APPRAISAL REPORT HAS BEEN PREPARED IN COMPLIANCE WITH THE UNIFORM APPRAISAL DATASET (UAD) FOR FANNIE MAE & FREDDIE MAC. THE UAD REQUIRES THE APPRAISER TO USE STANDARDIZED RESPONSES THAT INCLUDE SPECIFIC FORMATS, DEFINITIONS, ABBREVIATIONS, AND ACRONYMS.

IN THE NORMAL COURSE OF BUSINESS, THE APPRAISER ATTEMPTED TO OBTAIN AN ADEQUATE AMOUNT OF INFORMATION REGARDING THE SUBJECT & COMPARABLES PROPERTIES. SOME OF THE REQUIRED UAD STANDARDIZED RESPONSE, ESPECIALLY THOSE IN WHICH THE APPRAISER HAS NOT HAD THE OPPORTUNITY TO VERIFY PERSONALLY OR MEASURE, COULD MISTAKENLY IMPLY GREATER PRECISION AND RELIABILITY IN THE DATA THAN IF FACTUALLY CORRECT OR TYPICAL IN THE NORMAL COURSE OF BUSINESS. CONSEQUENTLY, THIS INFORMATION SHOULD BE CONSIDERED AN "ESTIMATE" UNLESS OTHERWISE NOTED BY THE APPRAISER.

CONDITIONS OF APPRAISAL

THE APPRAISER'S DEFINITION OF "A COMPLETE VISUAL INSPECTION OF THE INTERIOR AND EXTERIOR AREAS OF THE SUBJECT PROPERTY" IS A BRIEF WALK-THROUGH INSPECTION. THE APPRAISER WALKS AROUND THE EXTERIOR OF THE PROPERTY, THROUGH ALL OF THE ROOMS INSIDE THE PROPERTY, INCLUDING THOSE BELOW-GRADE AND ANY FINISHED AREAS IN THE ATTIC OR ABOVE THE GARAGE. ANY NEEDED REPAIRS OR DETERIORATION OF THE PROPERTY MUST BE OBVIOUS DURING THIS WALK-THROUGH INSPECTION IN ORDER TO BE NOTED IN THE REPORT. THE APPRAISER DOES NOT ACCEPT RESPONSIBILITY FOR ANY NEEDED REPAIRS OR DETERIORATION THAT MAY EXIST BY ARE NOT VISIBLE TO THE APPRAISER DURING THE INSPECTION AND THEREFORE ARE UNKNOWN.

ALL THE UTILITIES WERE ON AND IN WORKING ORDER AT THE TIME OF INSPECTION.

ALL THE MECHANICAL SYSTEMS WERE IN WORKING ORDER AT THE TIME OF INSPECTION.

EXPOSURE TIME, ESTIMATED LENGTH OF TIME THAT THE PROPERTY INTEREST BEING APPRAISED WOULD HAVE BEEN OFFERED ON THE MARKET PRIOR TO THE HYPOTHETICAL CONSUMMATION OF A SALE AT MARKET VALUE ON THE EFFECTIVE DATE OF THE APPRAISAL.

EXTRAORDINARY ASSUMPTION, AN ASSUMPTION, DIRECTLY RELATED TO A SPECIFIC ASSIGNMENT, AS OF THE EFFECTIVE DATE OF THE ASSIGNMENT RESULTS WHICH, IF FOUND TO BE FALSE, COULD ALTER THE APPRAISER'S OPINIONS OR CONCLUSIONS.

I HAVE PERFORMED NO SERVICES, AS AN APPRAISER OR IN ANY OTHER CAPACITY, REGARDING THE PROPERTY THAT IS THE SUBJECT OF THIS REPORT WITHIN THE THREE YEAR PERIOD IMMEDIATELY PRECEDING ACCEPTANCE OF THIS ASSIGNMENT.

THE GLOBAL OUTBREAK OF A NOVEL CORONAVIRUS KNOWN AS COVID-19 WAS OFFICIALLY DECLARED A PANDEMIC BY THE WORLD HEALTH ORGANIZATION (WHO). IT IS CURRENTLY UNKNOWN WHAT DIRECT, OR INDIRECT, EFFECT, IF ANY, THIS EVENT MAY HAVE ON THE NATIONAL ECONOMY, THE LOCAL ECONOMY OR THE MARKET IN WHICH THE SUBJECT PROPERTY IS LOCATED. THE READER IS CAUTIONED, AND REMINDED THAT THE CONCLUSIONS PRESENTED IN THIS APPRAISAL REPORT APPLY ONLY AS OF THE EFFECTIVE DATE(S) INDICATED. THE APPRAISER MAKES NO REPRESENTATION AS TO THE EFFECT ON THE SUBJECT PROPERTY OF THIS EVENT, OR ANY EVENT, SUBSEQUENT TO THE EFFECTIVE DATE OF THE APPRAISAL.

Cost Approach Comments

THE COST APPROACH IS BASED ON INFORMATION TAKEN FROM THE MARSHALL SWIFT RESIDENTIAL COST HANDBOOK AND MODIFIED TO REFLECT CURRENT BUILDING COSTS AND CONDITIONS AS MEASURED IN THE MARKET. THE COST APPROACH IS NOT INTENDED AS A COMPLETE COST ESTIMATE OF REPRODUCTION, BUT A REFLECTION OF REPLACEMENT COSTS FOR A STRUCTURE OF LIKE QUALITY AND UTILITY, UTILIZING CURRENT CONSTRUCTION TECHNOLOGY.

THIS APPRAISAL REPORT, IN PART OR WHOLE, IS NOT INTENDED TO BE UTILIZED BY ANY PARTY FOR INSURANCE PURPOSES.

Replacement Reserve Schedule

Adequate replacement reserves must be calculate regardless of whether actual reserves are provided for on the owner's operating statements or are customary in the local market. This represents the total average yearly reserves. Generally, all equipment and components that have a remaining life of more than one year such as refrigerators, stoves, clothes washers/dryers, trash compactors, furnaces, roofs, and carpeting, etc. should be expensed on a replacement cost basis.

Equipment	Replacement Cost	Remaining Life	By Applicant/ Appraiser	Lender Adjustments
Stoves/Ranges	@ \$ _____ ea -	_____ Yrs x _____	Units = \$ _____	\$ _____
Refrigerators	@ \$ _____ ea -	_____ Yrs x _____	Units = \$ _____	\$ _____
Dishwashers	@ \$ _____ ea -	_____ Yrs x _____	Units = \$ _____	\$ _____
A/C Units	@ \$ _____ ea -	_____ Yrs x _____	Units = \$ _____	\$ _____
C. Washer/Dryers	@ \$ _____ ea -	_____ Yrs x _____	Units = \$ _____	\$ _____
HW Heaters	@ \$ <u>1,275.00</u> ea -	<u>15</u> Yrs x _____	Units = \$ <u>4</u>	\$ <u>340.00</u>
Furnace(s)	@ \$ <u>6,500.00</u> ea -	<u>15</u> Yrs x _____	Units = \$ <u>4</u>	\$ <u>1,733.33</u>
(Other)	@ \$ _____ ea -	_____ Yrs x _____	Units = \$ _____	\$ _____
Roof	@ \$ <u>32,000.00</u>	<u>20</u> Yrs x One Bldg =	\$ <u>1,600.00</u>	\$ _____
Carpeting (Wall to Wall)				
(Units) <u>478</u> Total Sq. Yds @ \$ <u>12.75</u> Per Sq Yd -	<u>10</u> Yrs =	\$ <u>609.45</u>	\$ _____	
(Public Areas) _____ Total Sq. Yds @ \$ _____ Per Sq Yd -	_____ Yrs =	\$ _____	\$ _____	
Total Replacement Reserves. (Enter on Pg. 1)			\$ <u>4,282.78</u>	\$ _____

Operating Income Reconciliation

\$ <u>66,329.00</u>	- \$ <u>11,003.00</u>	= \$ <u>55,326.00</u>	- 12 =	\$ <u>4,610.50</u>
Effective gross income	Total Operating Expenses	Operating Income		Monthly Operating Income
\$ <u>4,610.50</u>	- \$ _____	= \$ <u>4,610.50</u>		
Monthly Operating Income	Monthly Housing Expenses	Net Cash Flow		

(Note: Monthly Housing Expense includes principal and interest on the mortgage, hazard insurance premiums, real estate taxes, mortgage insurance premiums, HOA dues, leasehold payments, and subordinate financing payments.)

Underwriter's instructions for 2-4 Family Owner-Occupied Properties

- If Monthly Operating Income is a positive number, enter as "Net Rental Income" in the "Gross Monthly Income" section of Freddie Mac Form 65/Fannie Mae Form 1003. If Monthly Operating Income is a negative number, it must be included as a liability for qualification purposes.
- The borrower's monthly housing expense-to-income ratio must be calculated by comparing the total Monthly Housing Expense for the **subject property** to the borrower's stable monthly income.

Underwriter's instructions for 1-4 Family Investment Properties

- If Net Cash Flow is a positive number, enter as "Net Rental Income" in the "Gross Monthly Income" section of Freddie Mac Form 65/Fannie Mae Form 1003. If Net Cash Flow is a negative number, it must be included as a liability for qualification purposes.
- The borrower's monthly housing expense-to-income ratio must be calculated by comparing the total monthly housing expense for the borrower's **primary residence** to the borrower's stable monthly income.

Appraiser's Comments (including sources for data and rationale for the projections)

TYPICALLY A SMALL INVESTOR WILL SET ASIDE RESERVES RESULTING A HIGHER NET CASH FLOW.

JONATHAN WHITMER

Appraiser Name

INDIANA CERTIFIED RESIDENTIAL APPRAISER



Appraiser Signature

06/25/2024

Date

Underwriter's Comments and Rationale for Adjustments

Underwriter Name

Underwriter Signature

Date

Market Conditions Addendum to the Appraisal Report File No 24M249094

The purpose of this addendum is to provide the lender/client with a clear and accurate understanding of the market trends and conditions prevalent in the subject neighborhood. This is a required addendum for all appraisal reports with an effective date on or after April 1, 2009.

Property Address: 28197 Morgan St City: Elkhart State: IN Zip Code: 46517-1144

Borrower: Lonnie Bontrager

Instructions: The appraiser must use the information required on this form as the basis for his/her conclusions, and must provide support for those conclusions regarding housing trends and overall market conditions as reported in the Neighborhood section of the appraisal report form. The appraiser must fill in all the information to the extent it is available and reliable and must provide analysis as indicated below. If any required data is unavailable or is considered unreliable, the appraiser must provide an explanation. It is recognized that not all data sources will be able to provide data for the shaded areas below; if it is available, however, the appraiser must include the data in the analysis. If data sources provide the required information as an average instead of the median, the appraiser should report the available figure and identify it as an average. Sales and listings must be properties that compete with the subject property, determined by applying the criteria that would be used by a prospective buyer of the subject property. The appraiser must explain any anomalies in the data, such as seasonal markets, new construction, foreclosures, etc.

Inventory Analysis	Prior 7-12 Months	Prior 4-6 Months	Current - 3 Months	Overall Trend		
				Increasing	Stable	Declining
Total # of Comparable Sales (Settled)	12	7	12	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Absorption Rate (Total Sales/Months)	2.00	2.33	4.00	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Total # of Comparable Active Listings	3	4	9	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Months of Housing Supply (Total Listings/Ab. Rate)	1.50	1.72	2.25	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Median Sale & List Price, DOM, Sale/List %	Prior 7-12 Months	Prior 4-6 Months	Current - 3 Months	Overall Trend		
Median Comparable Sale Price	98,000	135,500	193,000	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Median Comparable Sales Days on Market	8	4	4	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Median Comparable List Price	104,000	154,950	200,000	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Median Comparable Listings Days on Market	16	15	28	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Median Sale Price as % of List Price	100	100	100	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Seller (developer, builder, etc.) paid financial assistance prevalent?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No			<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Explain in detail the seller concessions trends for the past 12 months (e.g., seller contributions increased from 3% to 5%, increasing use of buydowns, closing costs, condo fees, options, etc.)
FOR THE PAST 12 MONTHS SELLER CONCESSIONS OF 2%-4% ARE COMMON FOR FINANCING OR AS PURCHASING INDUCEMENTS

Are foreclosure sales (REO sales) a factor in the market? Yes No. If yes, explain (including the trends in listings and sales of foreclosed properties)

Cite data sources for above information: MLS TRACKING, COUNTY RECORDS & APPRAISER DATA BANK

Summarize the above information as support for your conclusions in the Neighborhood section of the appraisal report form. If you used any additional information, such as an analysis of pending sales and/or expired and withdrawn listings, to formulate your conclusions, provide both an explanation and support for your conclusions.
See Attached Addendum

If the subject is a unit in a condominium or cooperative project, complete the following: Project Name: _____

Subject Project Data	Prior 7-12 Months	Prior 4-6 Months	Current - 3 Months	Overall Trend		
				Increasing	Stable	Declining
Total # of Comparable Sales (Settled)				<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Absorption Rate (Total Sales/Months)				<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Total # of Active Comparable Listings				<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Months of Unit Supply (Total Listings/Ab. Rate)				<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Are foreclosure sales (REO sales) a factor in the project? Yes No. If yes, indicate the number of REO listings and explain the trends in listings and sales of foreclosed properties

Summarize the above trends and address the impact on the subject unit and project

APPRaiser

Signature: *Jonathan Whitmer*
 Name: JONATHAN WHITMER
 Company Name: WHITMER APPRAISALS, INC
 Company Address: P.O. BOX 701
 MISHAWAKA, IN 46546
 State License/Certification #: CR69200969 State IN
 Email Address: whitmer@115william.biz

SUPERVISORY APPRAISER (ONLY IF REQUIRED)

Signature: _____
 Name: _____
 Company Name: _____
 Company Address: _____
 State License/Certification #: _____ State _____
 Email Address: _____

ADDENDUM

Borrower: Lonnie Bontrager	File No. 24M249094
Property Address: 28197 Morgan St	Case No. Loan #1402090650
City: Elkhart	State: IN Zip: 46517-1144
Lender: CARDINAL FINANCIAL	

Market Analysis Comments

THE DATA ABOVE ANALYZES COMPETING SALES OF PROPERTIES THAT HAVE SOLD WITHIN THE NEIGHBORHOOD OVER THIS PAST YEAR. BECAUSE THERE HAS BEEN A LIMITED NUMBER OF COMPARABLE SALES OVER THIS PAST YEAR, THE DATA ABOVE IS UNRELIABLE IN DETERMINING TRENDS IN MARKET VALUE. THE OVERALL TREND FOR THE AREA HAS SEEN PROPERTY VALUES REMAINING RELATIVELY STABLE, WITH SALES-TO-LIST PRICE RATIOS AROUND 100%, AND MARKETING TIMES TYPICALLY LESS THAN SIX MONTHS. PLEASE NOTE THE ABOVE DATA IS CONSIDERED TO BE STATISTICALLY UNRELIABLE AND NOT USEFUL IN DETERMINING MARKET TRENDS. DATA ON PAGE 1, MARKET CONDITIONS ADDRESSES A LARGER DATA SET (ALL SALES, NOT JUST COMPARABLE SALES), AND PROVIDES MORE ACCURATE INDICATORS OF MARKET TREND.

SUBJECT PROPERTY PHOTO ADDENDUM

Borrower: Lonnie Bontrager	File No.: 24M249094
Property Address: 28197 Morgan St	Case No.: Loan #1402090650
City: Elkhart	State: IN
Lender: CARDINAL FINANCIAL	Zip: 46517-1144



FRONT VIEW OF
SUBJECT PROPERTY

Appraised Date: June 17, 2024
Appraised Value: \$ 437,000



REAR VIEW OF
SUBJECT PROPERTY



STREET SCENE

COMPARABLE PROPERTY PHOTO ADDENDUM

Borrower: Lonnie Bontrager	File No.: 24M249094
Property Address: 28197 Morgan St	Case No. Loan #1402090650
City: Elkhart	State: IN Zip: 46517-1144
Lender: CARDINAL FINANCIAL	



COMPARABLE SALE #1

2334 Sterling Ave
Elkhart, IN 46517
Sale Date: CLD 09/23/2022
Sale Price: \$ 375,000



COMPARABLE SALE #2

100 S Michigan St
Elkhart, IN 46514
Sale Date: CLD 05/03/2022
Sale Price: \$ 397,200



COMPARABLE SALE #3

2701 NorthSide Blvd
South Bend, IN 46615
Sale Date: CLD 02/24/2023
Sale Price: \$ 425,000

COMPARABLE RENTALS PHOTO ADDENDUM

Borrower: Lonnie Bontrager	File No.: 24M249094
Property Address: 28197 Morgan St	Case No.: Loan #1402090650
City: Elkhart	State: IN
Lender: CARDINAL FINANCIAL	Zip: 46517-1144



COMPARABLE RENTAL #1

2334 Sterling Ave
Elkhart, IN 46517



COMPARABLE RENTAL #2

100 S Michigan St
Elkhart, IN 46514

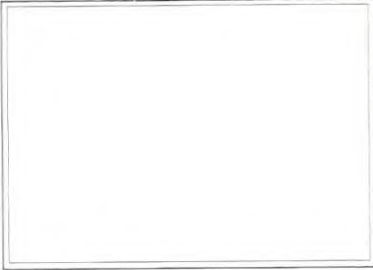


COMPARABLE RENTAL #3

2701 Northside Blvd
South Bend, IN 46615

PHOTOS

Borrower: Lonnie Bontrager	File No.: 24M249094	
Property Address: 28197 Morgan St	Case No.: Loan #1402090650	
City: Elkhart	State: IN	Zip: 46517-1144
Lender: CARDINAL FINANCIAL		



REAR OF 28197 2 UNIT

UNIT A LIVING ROOM



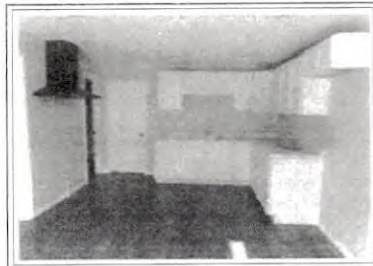
UNIT A BEDROOM



UNIT A BATH



UNIT A DINING



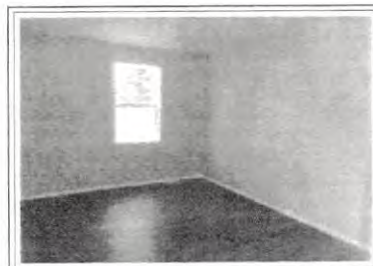
UNIT A KITCHEN



UNIT A BEDROOM



UNIT A 2ND BATH



UNIT A BEDROOM



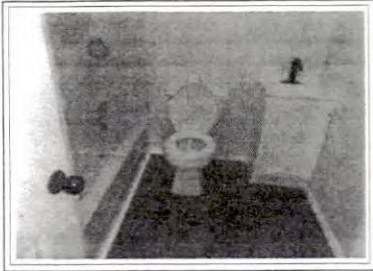
BASEMENT UNIT A



BASEMENT UNIT A

PHOTOS

Borrower: Lonnie Bontrager	File No.: 24M249094	
Property Address: 28197 Morgan St	Case No.: Loan #1402090650	
City: Elkhart	State: IN	Zip: 46517-1144
Lender: CARDINAL FINANCIAL		



BATH UNIT B



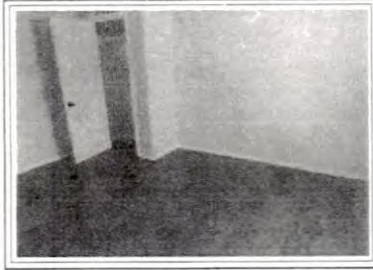
BEDROOM UNIT B



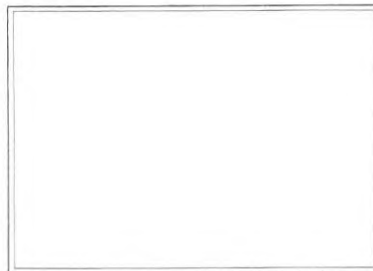
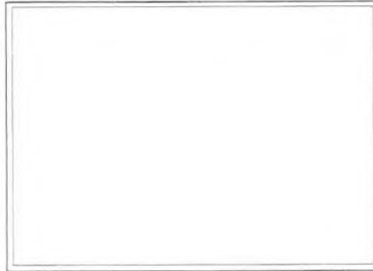
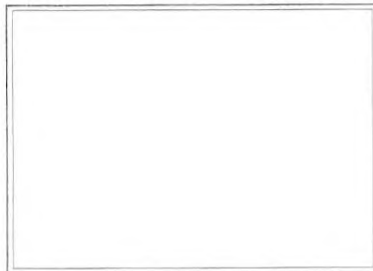
KITCHEN UNIT B



LIVING ROOM UNIT B



BEDROOM UNIT B



PHOTOS

Borrower: Lonnie Bontrager	File No.: 24M249094
Property Address: 28197 Morgan St	Case No.: Loan #1402090650
City: Elkhart	State: IN Zip: 46517-1144
Lender: CARDINAL FINANCIAL	



28255 UNIT A & B FRONT VIEW



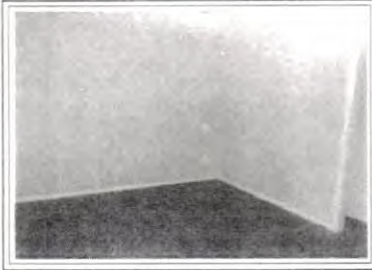
28255 SIDE VIEW



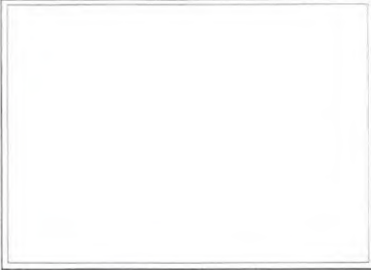
28255 REAR VIEW



28255 UNIT A LIVING ROOM



28255 UNIT A BEDROOM



28255 UNIT A BATHROOM



28255 UNIT A BEDROOM



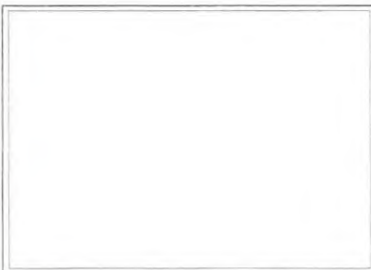
28255 UNIT A BEDROOM



28255 UNIT A UTILITY



28255 UNIT A KITCHEN

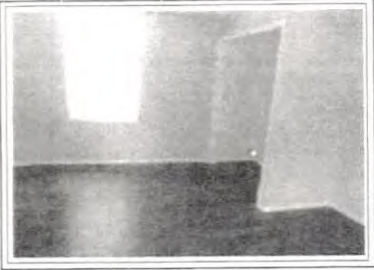


PHOTOS

Borrower: Lonnie Bontrager	File No.: 24M249094	
Property Address: 28197 Morgan St	Case No.: Loan #1402090650	
City: Elkhart	State: IN	Zip: 46517-1144
Lender: CARDINAL FINANCIAL		



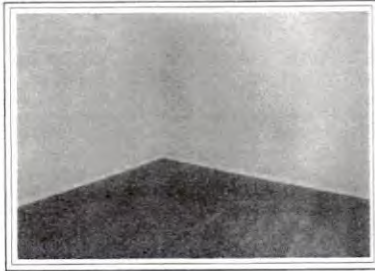
28255 UNIT B BEDROOM



28255 UNIT B BEDROOM



28255 UNIT B KITCHEN



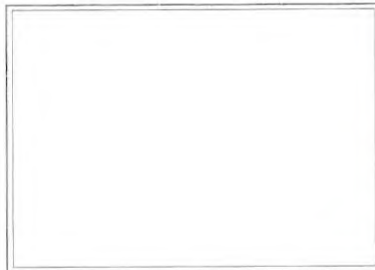
28255 UNIT B BEDROOM



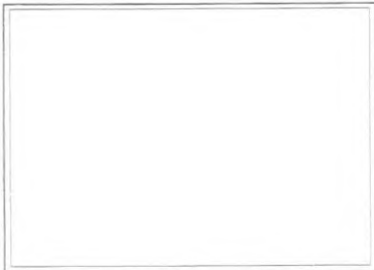
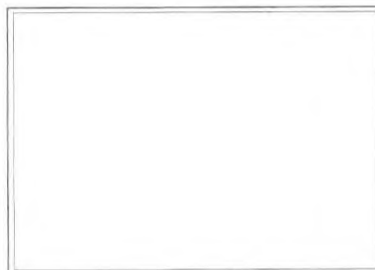
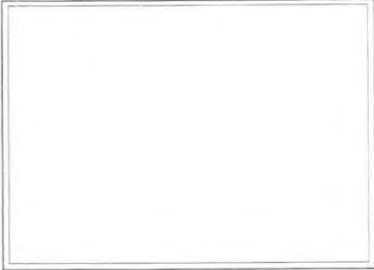
28255 UNIT B UTILITY



28255 UNIT B BATHROOM



28255 UNIT B LIVING ROOM



PLAT MAP

Borrower: Lonnie Bontrager
Property Address: 28197 Morgan St
City: Elkhart
Lender: CARDINAL FINANCIAL

File No.: 24M249094
Case No.: Loan #1402090650
State: IN
Zip: 46517-1144



FLOOD MAP

Borrower: Lonnie Bontrager
Property Address: 28197 Morgan St
City: Elkhart
Lender: CARDINAL FINANCIAL

File No.: 24M249094
Case No.: Loan #1402090650
State: IN
Zip: 46517-1144

18039C0119D 8/2/2011

DYNAMIC MAP



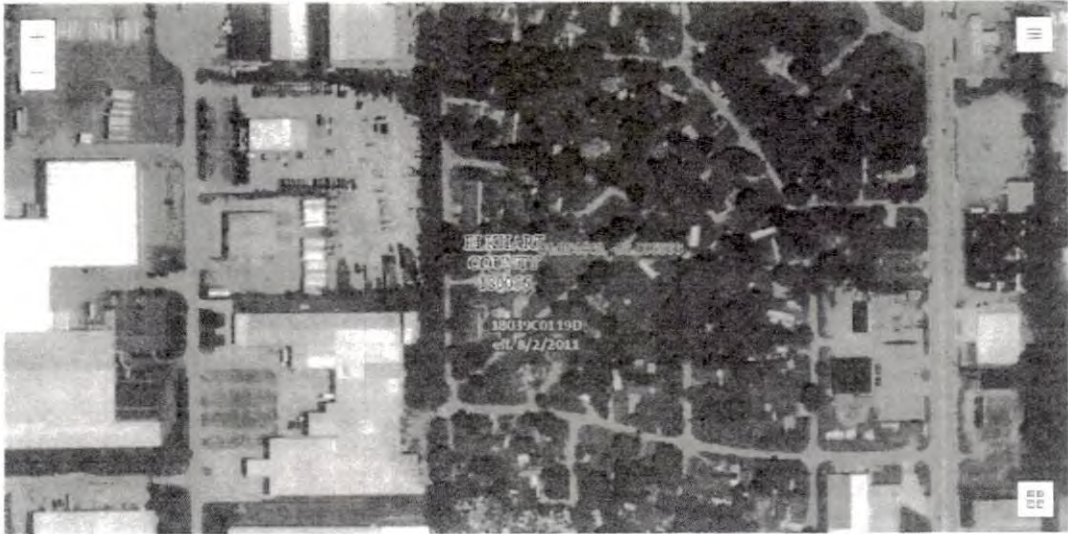
MAP IMAGE



Changes to this FIRM

18039C0119D
8/2/2011

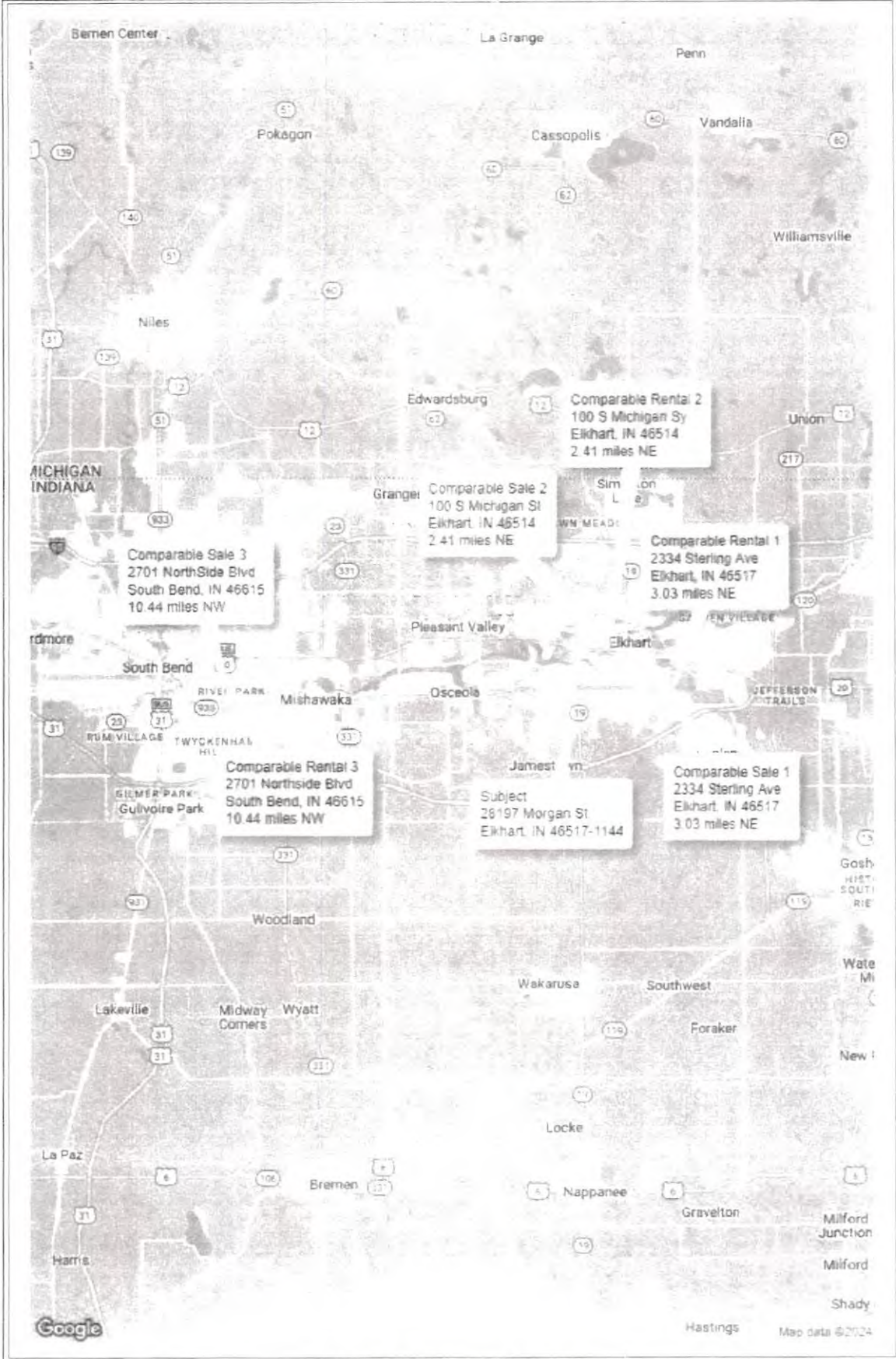
Go To NFHL Viewer



LOCATION MAP

Borrower: Lonnie Bontrager
Property Address: 28197 Morgan St
City: Elkhart
Lender: CARDINAL FINANCIAL

File No.: 24M249094
Case No.: Loan #1402090650
State: IN
Zip: 46517-1144



LICENSE

Borrower: Lonnie Bontrager File No.: 24M249094
Property Address: 28197 Morgan St Case No.: Loan #1402090650
City: Elkhart State: IN Zip: 46517-1144
Lender: CARDINAL FINANCIAL



Indiana Professional Licensing Agency
Real Estate Appraiser Licensure Board
402 W. Washington Street, W072
Indianapolis, IN 46204

Certified Residential Appraiser

License Number	Expiry Date
CR69200969	06/30/2026

Jonathan Whitmer

Eric J. Holcomb
Governor
State of Indiana

Lindsay M. Hyer
Executive Director
Indiana Professional Licensing Agency



Indiana Professional Licensing Agency
402 W. Washington Street, W072
Indianapolis, IN 46204

Certified Residential Appraiser

License Number	Expiry Date
CR69200969	06/30/2026

Jonathan Whitmer

Borrower: Lonnie Bontrager	File No.: 24M249094
Property Address: 28197 Morgan St	Case No.: Loan #1402090650
City: Elkhart	State: IN
Lender: CARDINAL FINANCIAL	Zip: 46517-1144

Accelerant National Insurance Company
(A Stock Company)
400 Northridge Road, Suite 800
Sandy Springs, GA 30350

REAL ESTATE APPRAISERS ERRORS AND OMISSIONS INSURANCE POLICY DECLARATIONS

NOTICE: THIS IS A "CLAIMS MADE AND REPORTED" POLICY. THIS POLICY REQUIRES THAT A CLAIM BE MADE AGAINST THE INSURED DURING THE POLICY PERIOD AND REPORTED TO THE INSURER, IN WRITING, DURING THE POLICY PERIOD OR EXTENDED REPORTING PERIOD.

PLEASE READ YOUR POLICY CAREFULLY.

Policy Number: NAX40PL104083-00

Renewal of: New

1. Named Insured: Jonathan M Whitmer

2. Address: P.O. Box 701
Mishawaka, IN 46546

3. Policy Period: From: September 30, 2023 To: September 30, 2024
12:01 A.M. Standard Time at the address of the Named Insured as stated in item 2. Above.

4. Limit of Liability:	Each Claim	Policy Aggregate
Damages Limit of Liability	4A. \$ 1,000,000	4C. \$ 1,000,000
Claim Expenses Limit of Liability	4B. \$ 1,000,000	4D. \$ 1,000,000

5. Deductible (Inclusive of Claims Expenses):	Each Claim	Aggregate
	5A. \$500	5B. \$1,000

6. Policy Premium: \$ 606

7. Retroactive Date: September 30, 2009

8. Notice to Company: Notice of a Claim or Potential Claim should be sent to:
OREP Insurance Services: info@orep.org
6363 El Cajon Blvd, Suite 124-805
San Diego, CA 92115

9. Program Administrator: OREP Insurance Services, LLC - appraisers@orep.org

10. Forms and Endorsements Attached at Policy Inception: See Schedule of Forms

If required by state law, this policy will be countersigned by an authorized representative of the Company.

Date: August 2, 2023

By: _____

Isaac Peck

Authorized Representative

USPAP ADDENDUM

Borrower Lonnie Bontrager
 Property Address: 28197 Morgan St
 City: Elkhart County: Elkhart State: IN Zip Code: 46517-1144
 Lender: CARDINAL FINANCIAL

APPRAISAL AND REPORT IDENTIFICATION

This report was prepared under the following USPAP reporting option:

- Appraisal Report** A written report prepared under Standards Rule 2-2(a)
- Restricted Appraisal Report** A written report prepared under Standards Rule 2-2(b)

Reasonable Exposure Time

My opinion of a reasonable exposure time for the subject property at the market value stated in this report is: 0 DAYS AND NOT MORE THAN 180 DAYS

THE ESTIMATE OF FAIR MARKET VALUE IS BASED ON A FULL AND COMPLETE EXPOSURE OF THE SUBJECT PROPERTY FOR A PERIOD NOT LESS THAN 0 DAYS AND NOT MORE THAN 180 DAYS

Additional Certifications

- I have performed **NO** services, as an appraiser or in any other capacity, regarding the property that is the subject of this report within the three-year period immediately preceding acceptance of this assignment.
- I **HAVE** performed services, as an appraiser or in another capacity, regarding the property that is the subject of this report within the three-year period immediately preceding acceptance of this assignment. Those services are described in the comments below.

I HAVE PERFORMED NO SERVICES, AS AN APPRAISER OR IN ANY OTHER CAPACITY, REGARDING THE PROPERTY THAT IS THE SUBJECT OF THIS REPORT WITHIN THE THREE YEAR PERIOD IMMEDIATELY PRECEDING ACCEPTANCE OF THIS ASSIGNMENT

Additional Comments

See Attached Addendum

APPRAISER:

Signature: 
 Name: JONATHAN WHITMER
 Date Signed: 06/25/2024
 State Certification # CR69200969
 or State License # _____
 or Other (describe) _____ State # _____
 State: IN
 Expiration Date of Certification or License: 06/30/2026
 Effective Date of Appraisal: June 17, 2024

SUPERVISORY APPRAISER (only if required):

Signature: _____
 Name: _____
 Date Signed: _____
 State Certification # _____
 or State License # _____
 State: IN
 Expiration Date of Certification or License: _____
 Supervisory Appraiser inspection of Subject Property
 Did Not Exterior only from street Interior and Exterior

ADDENDUM

Borrower: Lonnie Bontrager	File No: 24M249094
Property Address: 28197 Morgan St	Case No: Loan #1402090650
City: Elkhart	State: IN Zip: 46517-1144
Lender: CARDINAL FINANCIAL	

Comments on Appraisal and Report Identification

NO EMPLOYEE, DIRECTOR, OFFICER OR AGENT OF THE LENDER, OR ANY OTHER THIRD PARTY ACTING AS A JOINT VENTURE PARTNER, INDEPENDENT CONTRACTOR, APPRAISAL MANAGEMENT COMPANY, OR PARTNER ON BEHALF OF THE LENDER HAS INFLUENCED OR ATTEMPTED TO INFLUENCE THE DEVELOPMENT, REPORTING, RESULT OR REVIEW OF THIS ASSIGNMENT THROUGH COERCION, EXTORTION, COLLUSION, COMPENSATION, INSTRUCTION, INDUCEMENT, INTIMIDATION, BRIBERY OR IN ANY OTHER MANNER.

I HAVE NOT BEEN CONTACTED BY ANYONE OTHER THAN THE INTENDED USER (LENDER/CLIENT AS IDENTIFIED ON THE FIRST PAGE OF THE REPORT), BORROWER, OR DESIGNATED CONTACT TO MAKE AN APPOINTMENT TO ENTER THE PROPERTY. I AGREE TO IMMEDIATELY REPORT ANY UNAUTHORIZED CONTACTS EITHER PERSONALLY BY PHONE OR ELECTRONICALLY TO CARDINAL FINANCIAL.

IN ORDER TO DETERMINE HIGHEST AND BEST USE, THE PROPERTY MUST MEET THE FOLLOWING TESTS. THESE FOUR TESTS ARE APPLIED IN THEIR CORRESPONDING ORDER. IN OTHER WORDS THE TEST OF LEGALLY PERMISSIBLE MUST BE MET BEFORE THE TEST OF PHYSICALLY POSSIBLE MAY BE APPLIED, AND SO FORTH.

- 1) BE LEGALLY PERMISSIBLE YES ZONING PERMITS THIS USE
- 2) BE PHYSICALLY POSSIBLE YES HOME IS ON LAND
- 3) BE FINANCIALLY FEASIBLE. VALUE OF LAND IS LESS THAN VALUE OF STRUCTURE
- 4) BE MAXIMALLY PRODUCTIVE. AS A RESIDENTIAL HOME COMMERCIAL USAGE IS VERY LIMITED IN THE MARKET

THEREFORE IS THE APPRAISER OPINION THAT RESIDENTIAL IS HIGHEST AND BEST USE FOR THIS PROPERTY

RULES UNDER REG Z ARE REQUIRING THE APPRAISAL TO INCLUDE A SIGNED CERTIFICATION BY THE APPRAISER THAT STATES THAT "THE APPRAISAL WAS PREPARED IN ACCORDANCE WITH THE REQUIREMENTS OF THE UNIFORM STANDARDS OF PROFESSIONAL APPRAISAL PRACTICE". ADDITIONALLY, REG Z WILL ALSO REQUIRE A SIGNED CERTIFICATION THAT "THE APPRAISAL WAS PREPARED IN ACCORDANCE WITH THE REQUIREMENTS OF TITLE XI OF THE FINANCIAL INSTITUTIONS REFORM, RECOVERY AND ENFORCEMENT ACT OF 1989, AS AMENDED (12 U S C 331 ET SEQ) AND ANY IMPLEMENTING REGULATIONS.

SAMUEL L. BOLINGER

Attorney at Law

803 S. Calhoun Street Suite 300, Fort Wayne, Indiana 46802

Telephone: (260) 407-0040 Facsimile: (260) 407-0039

Email: mark@slblawfirm.org

November 5, 2024

Randy Hesser, Chairman
Elkhart County Public Services
4230 Elkhart Road
Goshen, IN 46526

Supplement to Variance Request for Octavio Ramos
28197 Morgan Street and 28252 Morgan Street Elkhart, Indiana 46517
Case #UV-0585-2024
Tax Code #20-05-13-478-002.000-001
Initial Submission August 14, 2024

I. Introduction

A public variance appeal hearing was held on 10/17/24. The hearing was conducted and the Board approved a re-submission of information as it pertains to the above address. There was no wait time restriction set by the Board.

This submission is timely. Petitioner respectfully moves the Board to set it for a variance hearing in December 2024.

II. Enclosures

The original submissions are again included.

Also please find the supplement thereto that original submission.

III. Supplement

During the public hearing several issues and questions arose. This letter will respond accordingly.

1. Post Address of the Real Estate

The United States Postal Service has issued two (2) addresses for the property. These street addresses are 28197 Morgan Street and 28252 Morgan Street, Elkhart, Indiana 46517.

2. 911 Dispatch Calls

Any 911 calls from either address will send police, fire, EMS to the above locations.

3. Utilities

- a. Electric - There are three (3) functional electric meters at the above address. Please find photographs of same.
- b. NIPSCO is the natural gas provider and has meters on the property.
- c. Sewer - there is no sewer service to these two (2) structures. The duplex has two (2) septic systems located on the property. See attached appraisal page. Both are functioning and can handle the situation.
- d. Wells - The appraisers report also indicates two (2) wells on site. Both are functioning and can provide adequate water supply and pressure.

5. Taxes

Attached please find the Elkhart County Assessor, Auditor and Treasurer's histories and current print outs for the real estate.

6. Structural Issues

As no reports or permits were sought or given when the units were built.

Attached is civil professional engineer's report who inspected all buildings on the property. See attached report.

Additionally, the Elkhart County Building Department has inspected.

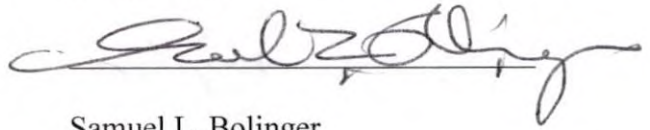
7. Occupancy certification

A certificate of occupancy issue by the Elkhart Building Department, but cannot be located.

IV. Conclusion

In conclusion, based upon the original submission and the supplement thereto, Petitioner moves the Board to approve the variance sought.

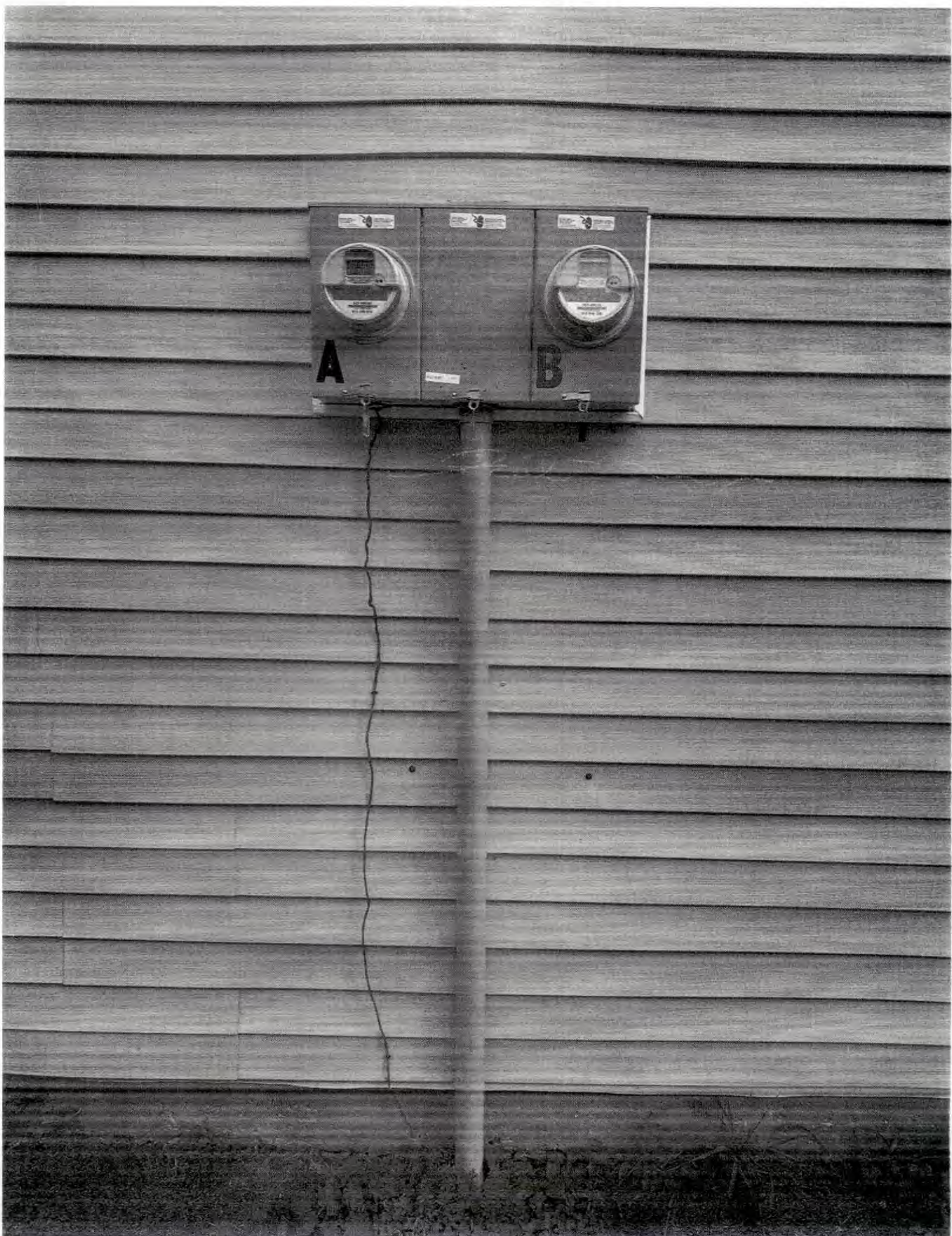
Respectfully,

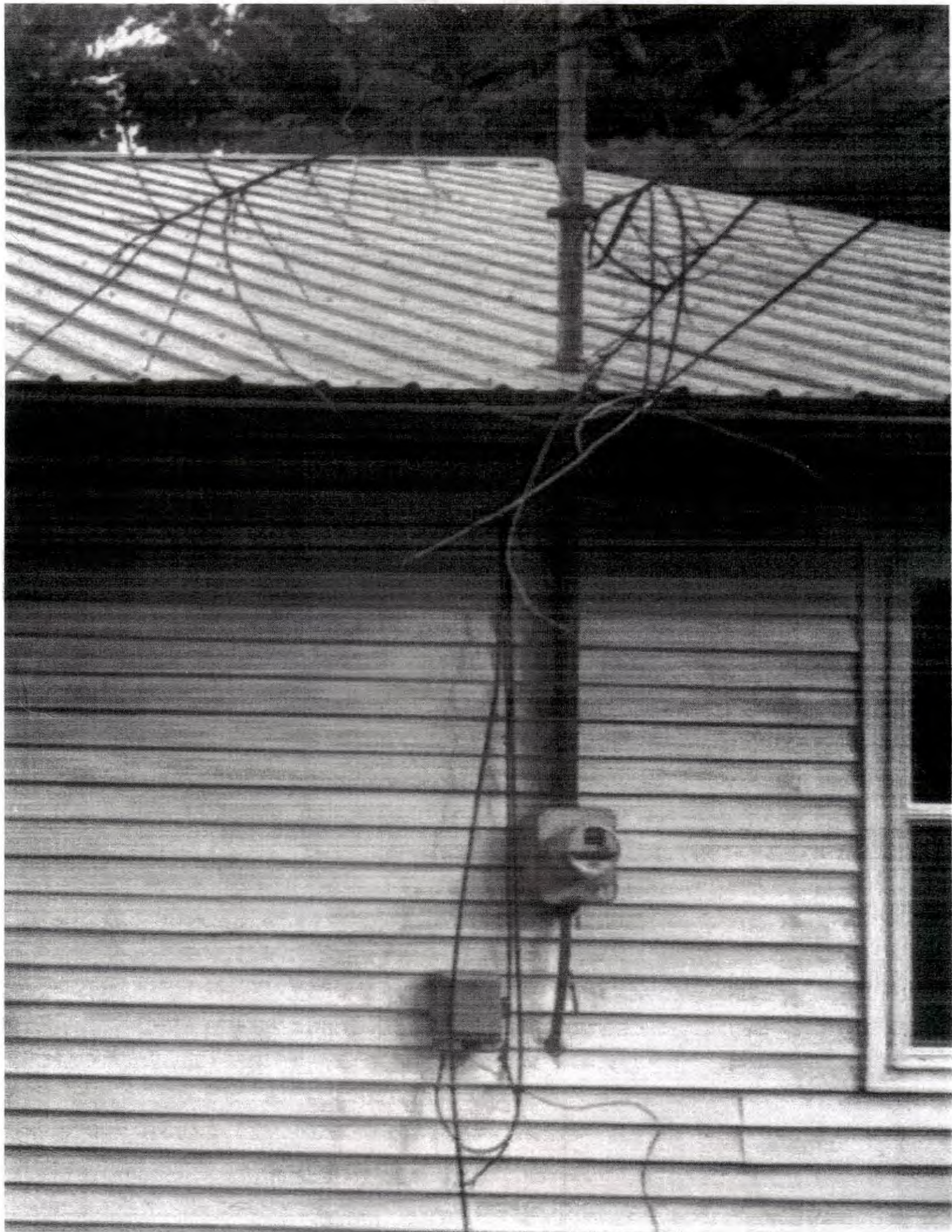
A handwritten signature in black ink, appearing to read 'Samuel L. Bolinger', written over a horizontal line.

Samuel L. Bolinger

cc: Mae Kratzer

Elkhart County Department of Planning and Development





COUNTY: 20 - ELKHART

FALL INSTALLMENT REMITTANCE COUPON

PARCEL NUMBER 20-05-13-478-002.000-001	COUNTY PARCEL NUMBER 05-13-478-002-001	TAX YEAR 2023 Payable 2024	Late Payment Penalty: 5% penalty after November 12, 2024, if there is no delinquent amount; 10% penalty for previous delinquency or if payment is made after December 12, 2024.
TAXING UNIT NAME 001/001 BAUGO	LEGAL DESCRIPTION BON AIR VISTA LOT 9 EX W PT & LOTS 10 & 11		
PROPERTY ADDRESS 28197 MORGAN ST			



05-13-478-002-001

FALL AMOUNT DUE by November 12, 2024: \$282.79

RAMOS OCTAVIO
PO BOX 399
GOSHEN IN 46527-0399

Pay by Phone: (888) 881-9911
Pay Online at: <https://elkhartcounty.com>

Remit Payment and Make Check Payable to:
Elkhart County Treasurer
P.O. Box 116
Goshen, IN 46527

0513478002001 000000028279

COUNTY: 20 - ELKHART

TAXPAYERS' COPY - KEEP FOR YOUR RECORDS

PARCEL NUMBER 20-05-13-478-002.000-001	COUNTY PARCEL NUMBER 05-13-478-002-001	TAX YEAR 2023 Payable 2024	DUE DATES SPRING - May 10, 2024 FALL - November 12, 2024
TAXING UNIT NAME 001/001 BAUGO	LEGAL DESCRIPTION BON AIR VISTA LOT 9 EX W PT & LOTS 10 & 11		

DATE OF STATEMENT: 04/12/2024

TOTAL DUE FOR 23 PAY 24: \$565.58

PROPERTY ADDRESS 28197 MORGAN ST		
PROPERTY TYPE Real Estate	TOWNSHIP BAUGO	
ACRES 0.31	LOCAL HS RATE/CREDIT 6.1240/\$35.90	BILL CODE

ITEMIZED CHARGES	SPRING TOTAL	FALL TOTAL
Tax	\$275.29	\$275.29
Delinquent Tax	\$0.00	\$0.00
Delinquent Penalty	\$0.00	\$0.00
Other Assessment (OA)	\$0.00	\$0.00
Delinquent OA Tax	\$0.00	\$0.00
Delinquent OA Penalty	\$0.00	\$0.00
Fees	\$0.00	\$0.00
Adjustments	\$7.50	\$7.50
Amount Due	\$282.79	\$282.79
Payment Received	\$0.00	\$0.00
Balance Due	\$282.79	\$282.79

RAMOS OCTAVIO
PO BOX 399
GOSHEN IN 46527-0399

3300351A0041B120100010001.PCM



20-05-13-478-002.000-001

RAMOS OCTAVIO

28197 MORGAN ST

520, 2 Family Dwell - Platted Lot

0151304-Locust Grove,Bon 1/4

General Information

Parcel Number
20-05-13-478-002.000-001
Local Parcel Number
05-13-478-002-001

Tax ID:
05-13H

Routing Number

Property Class 520
2 Family Dwell - Platted Lot

Year: 2024

Location Information

County
Elkhart
Township
BAUGO TOWNSHIP
District 001 (Local 001)
BAUGO TOWNSHIP
School Corp 2260
BAUGO COMMUNITY
Neighborhood 151304-001
0151304-Locust Grove,Bon Air Vist

Section/Plat

Location Address (1)
28197 MORGAN ST
ELKHART, IN 46517

Zoning
ZO01 Residential

Subdivision

Lot

Market Model
N/A

Characteristics

Topography Flood Hazard
Level
Public Utilities ERA
All
Streets or Roads TIF
Paved

Neighborhood Life Cycle Stage
Static

Printed Wednesday, April 24, 2024

Review Group 2020

Ownership

RAMOS OCTAVIO
PO BOX 399
GOSHEN, IN 46527

Legal

BON AIR VISTA LOT 9 EX W PT & LOTS 10 & 11



Transfer of Ownership

Date	Owner	Doc ID	Code	Book/Page	Adj Sale Price	V/I
10/31/2023	RAMOS OCTAVIO	04767	WD	/	\$110,000	I
03/13/2023	DUFFIELD MICHAEL	00930	QC	/		I
01/01/1900	WAIT MARY LYNDA &		CO	/		I

Notes

Res

Valuation Records

Assessment Year	2024	2023	2022	2021	2020
Reason For Change	AA	AA	AA	AA	AA
As Of Date	01/01/2024	01/01/2023	01/01/2022	01/01/2021	01/01/2020
Valuation Method	Indiana Cost Mod	Indiana Cost Mod	Indiana Cost Mod	Indiana Cost Mod	Indiana Cost Mod
Equalization Factor	1.0000	1.0000	1.0000	1.0000	1.0000
Notice Required	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Land	\$11,900	\$11,900	\$11,900	\$11,900	\$11,900
Land Res (1)	\$11,900	\$11,900	\$11,900	\$11,900	\$11,900
Land Non Res (2)	\$0	\$0	\$0	\$0	\$0
Land Non Res (3)	\$0	\$0	\$0	\$0	\$0
Improvement	\$79,800	\$80,400	\$71,500	\$62,500	\$47,600
Imp Res (1)	\$70,900	\$71,800	\$63,500	\$55,500	\$42,200
Imp Non Res (2)	\$8,500	\$8,200	\$7,600	\$6,700	\$5,100
Imp Non Res (3)	\$400	\$400	\$400	\$300	\$300
Total	\$91,700	\$92,300	\$83,400	\$74,400	\$59,500
Total Res (1)	\$82,800	\$83,700	\$75,400	\$67,400	\$54,100
Total Non Res (2)	\$8,500	\$8,200	\$7,600	\$6,700	\$5,100
Total Non Res (3)	\$400	\$400	\$400	\$300	\$300

Land Data (Standard Depth: Res 132', CI 132' Base Lot: Res 50' X 132', CI 50' X 132')

Land Type	Pricing Method	Soil ID	Act Front.	Size	Factor	Rate	Adj. Rate	Ext. Value	Infl. %	Market Factor	Cap 1	Cap 2	Cap 3	Value
F	F		0	132x165	1.09	\$110	\$120	\$15,840	-25%	1.0000	100.00	0.00	0.00	\$11,880

Land Computations

Calculated Acreage	0.50
Actual Frontage	0
Developer Discount	<input type="checkbox"/>
Parcel Acreage	0.31
81 Legal Drain NV	0.00
82 Public Roads NV	0.00
83 UT Towers NV	0.00
9 Homesite	0.00
91/92 Acres	0.00
Total Acres Farmland	0.31
Farmland Value	\$0
Measured Acreage	0.00
Avg Farmland Value/Acre	0.0
Value of Farmland	\$0
Classified Total	\$0
Farm / Classified Value	\$0
Homesite(s) Value	\$0
91/92 Value	\$0
Supp. Page Land Value	
CAP 1 Value	\$11,900
CAP 2 Value	\$0
CAP 3 Value	\$0
Total Value	\$11,900

Data Source Left Door Hanger Collector 05/27/2020 Kayla

Appraiser

20-05-13-478-002.000-001

RAMOS OCTAVIO

28197 MORGAN ST

520, 2 Family Dwell - Platted Lot

0151304-Locust Grove, Bon 2/4

General Information

Occupancy Single-Family
 Description Residential Dwelling
 Story Height 1
 Style N/A
 Finished Area 2040 sqft
 Make

Plumbing

	#	TF
Full Bath	2	6
Half Bath	1	2
Kitchen Sinks	1	1
Water Heaters	1	1
Add Fixtures	0	0
Total	5	10

Floor Finish

Earth Tile
 Slab Carpet
 Sub & Joist Unfinished
 Wood Other
 Parquet

Accommodations

Bedrooms	3
Living Rooms	1
Dining Rooms	0
Family Rooms	0
Total Rooms	7

Wall Finish

Plaster/Drywall Unfinished
 Paneling Other
 Fiberboard

Heat Type

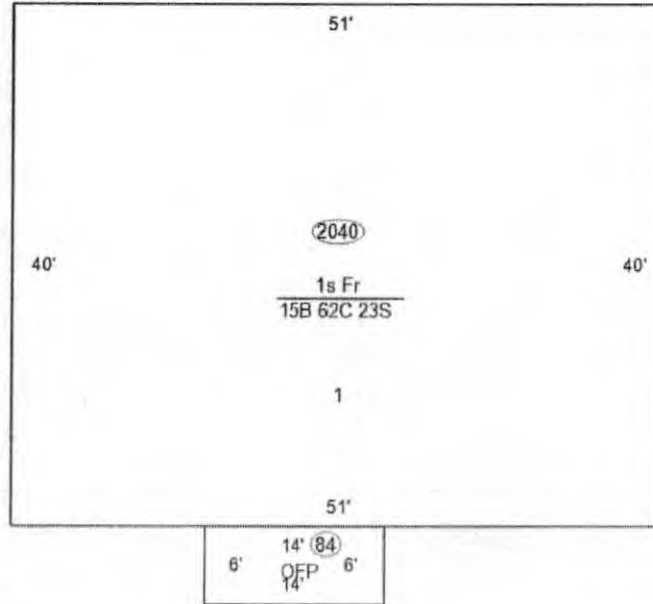
Central Warm Air

Roofing

Built-Up Metal Asphalt Slate Tile
 Wood Shingle Other

Exterior Features

Description	Area	Value
Porch, Open Frame	84	\$4,100



Specialty Plumbing

Description	Count	Value
-------------	-------	-------

Cost Ladder

Floor Constr	Base	Finish	Value	Totals
1 1Fr	2040	2040	\$127,900	
2				
3				
4				
1/4				
1/2				
3/4				
Attic				
Bsmt	306	0	\$15,600	
Crawl	1265	0	\$6,600	
Slab	469	0	\$0	
Total Base			\$150,100	

Adjustments 1 Row Type Adj. x 1.00

Unfin Int (-)		\$0
Ex Liv Units (+)		\$0
Rec Room (+)		\$0
Loft (+)		\$0
Fireplace (+)		\$0
No Heating (-)		\$0
A/C (+)	1:2040	\$4,400
No Elec (-)		\$0
Plumbing (+ / -)	10 - 5 = 5 x \$800	\$4,000
Spec Plumb (+)		\$0
Elevator (+)		\$0
Sub-Total, One Unit		\$158,500

Sub-Total, 1 Units

Exterior Features (+)	\$4,100	\$162,600
Garages (+) 0 sqft	\$0	\$162,600
Quality and Design Factor (Grade)		0.50
Location Multiplier		0.92
Replacement Cost		\$74,796

Summary of Improvements

Description	Story Height	Constr Type	Grade	Year Built	Eff Year	Eff Age	Eff Co nd	Base Rate	LCM	Adj Rate	Size	RCN	Norm Dep	Remain. Value	Abn Obs	PC	Nbhd	Mrkt	Cap 1	Cap 2	Cap 3	Improv Value
1: Residential Dwelling	1	Wood Fr	E+1	1986	1988		36 P		0.92		2,346 sqft	\$74,796	54%	\$34,410	0%	100%	2.060	1.000	100.00	0.00	0.00	\$70,900

General Information	
Occupancy	Duplex
Description	Residential Dwelling
Story Height	2
Style	N/A
Finished Area	2400 sqft
Make	

Plumbing	
#	TF
Full Bath	2 6
Half Bath	0 0
Kitchen Sinks	0 0
Water Heaters	1 1
Add Fixtures	4 4
Total	7 11

Floor Finish	
<input type="checkbox"/> Earth	<input type="checkbox"/> Tile
<input type="checkbox"/> Slab	<input type="checkbox"/> Carpet
<input type="checkbox"/> Sub & Joist	<input type="checkbox"/> Unfinished
<input type="checkbox"/> Wood	<input type="checkbox"/> Other
<input type="checkbox"/> Parquet	

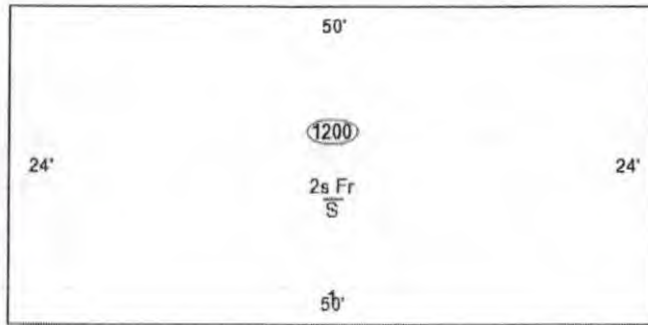
Accommodations	
Bedrooms	3
Living Rooms	0
Dining Rooms	0
Family Rooms	0
Total Rooms	6

Wall Finish	
<input type="checkbox"/> Plaster/Drywall	<input checked="" type="checkbox"/> Unfinished
<input type="checkbox"/> Paneling	<input type="checkbox"/> Other
<input type="checkbox"/> Fiberboard	

Heat Type	
Central Warm Air	

Roofing				
<input type="checkbox"/> Built-Up	<input type="checkbox"/> Metal	<input checked="" type="checkbox"/> Asphalt	<input type="checkbox"/> Slate	<input type="checkbox"/> Tile
<input type="checkbox"/> Wood Shingle	<input type="checkbox"/> Other			

Exterior Features		
Description	Area	Value



Specialty Plumbing		
Description	Count	Value

Cost Ladder					
Floor	Constr	Base	Finish	Value	Totals
1	1Fr	1200	1200	\$89,700	
2	1Fr	1200	1200	\$44,600	
3					
4					
1/4					
1/2					
3/4					
Attic					
Bsmt					
Crawl					
Slab		1200	0	\$0	
				Total Base	\$134,300
Adjustments				1 Row Type Adj. x 1.00	\$134,300
Unfin Int (-)					\$0
Ex Liv Units (+)					\$0
Rec Room (+)					\$0
Loft (+)					\$0
Fireplace (+)					\$0
No Heating (-)					\$0
A/C (+)					\$0
No Elec (-)					\$0
Plumbing (+ / -)				11 - 5 = 6 x \$800	\$4,800
Spec Plumb (+)					\$0
Elevator (+)					\$0
Sub-Total, One Unit					\$139,100
Sub-Total, 1 Units					
Exterior Features (+)				\$0	\$139,100
Garages (+) 0 sqft				\$0	\$139,100
Quality and Design Factor (Grade)					0.70
Location Multiplier					0.92
Replacement Cost					\$89,580

Summary of Improvements																							
Description	Story Height	Constr Type	Grade	Year Built	Eff Year	Eff Age	Co Age	nd	Base Rate	LCM	Adj Rate	Size	RCN	Norm Dep	Remain. Value	Abn Obs	PC	Nbhd	Mrkt	Cap 1	Cap 2	Cap 3	Improv Value
1: Residential Dwelling	2	Wood Fr	D-1	1987	1987	37	P		0.92			2,400 sqft	\$89,580	54%	\$41,210	90%	100%	2.060	1.000	0.00	100.00	0.00	\$8,500
2: Utility Shed	1		E	1992	1992	32	F		\$26.02	0.92	\$9.58	8'x8'	\$613	70%	\$180	0%	100%	2.060	1.000	0.00	0.00	100.00	\$400

Frost

Engineering & Consulting

R. JERRY FROST, PE, MS, MBA

KEVIN WALSH, PE, PHD

MATT CHELBERG, PE, MS

JUAN DIEGO POZO, PE, PHD

JOE KLATT, PE, MENG

DAVID PIRCHIO, PE, PHD

October 16, 2024

Mrs. Jennifer Panzo-Hernandez, Broker. Email: jenniferpanzohernandez@cressyeverett.com

RE: Structural Assessment/Inspection – 28197 & 28225 Morgan Street, Elkhart, Indiana

Mrs. Panzo-Hernandez:

On this past Friday, I visited the subject buildings with you to review both the single-story building (28197) and two-story building (28225). The purpose and intention of the site visit inspection effort was to review the two buildings for any structural deficiencies. This effort is not a code compliance inspection beyond a structural assessment. This report is a collection of my findings, conclusions & recommendations.

The following Findings are offered:

1. Building 1 (28197) is a single-story building with a partial basement. The concrete masonry block basement walls are in good condition. No noted deficiencies were noted. The adjacent crawl space has exposed floor joists, which are in good condition.
2. Building 2 (28225) is a two-story building with no basement. No noted structural deficiencies were noted in the building.

Conclusions & Recommendations:

1. Building 1 and building 2 are in good structural condition. No structural repairs are needed.

It is of value to us that we assisted you with your urgent needs. If you have any questions, please contact me at my cell at 574-252-6976 or email at [rfrost@frosteng.net](mailto:rjfrost@frosteng.net).

Sincerely,



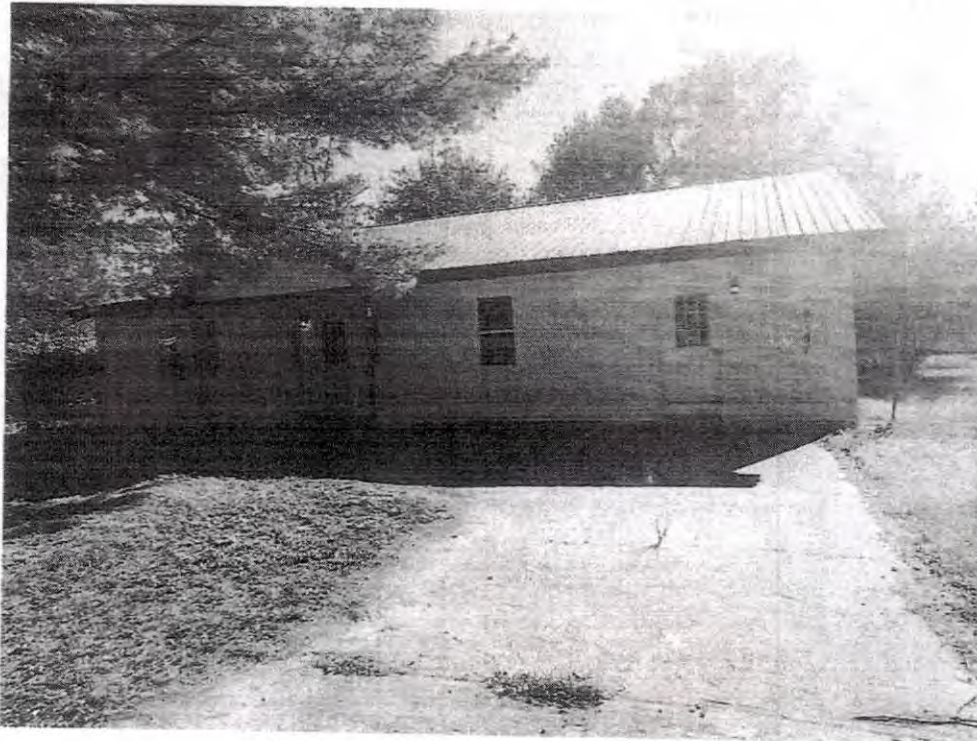
R. Jerry Frost, PE, MS, MBA, CEO
Indiana Professional Engineer, PE # 10302174



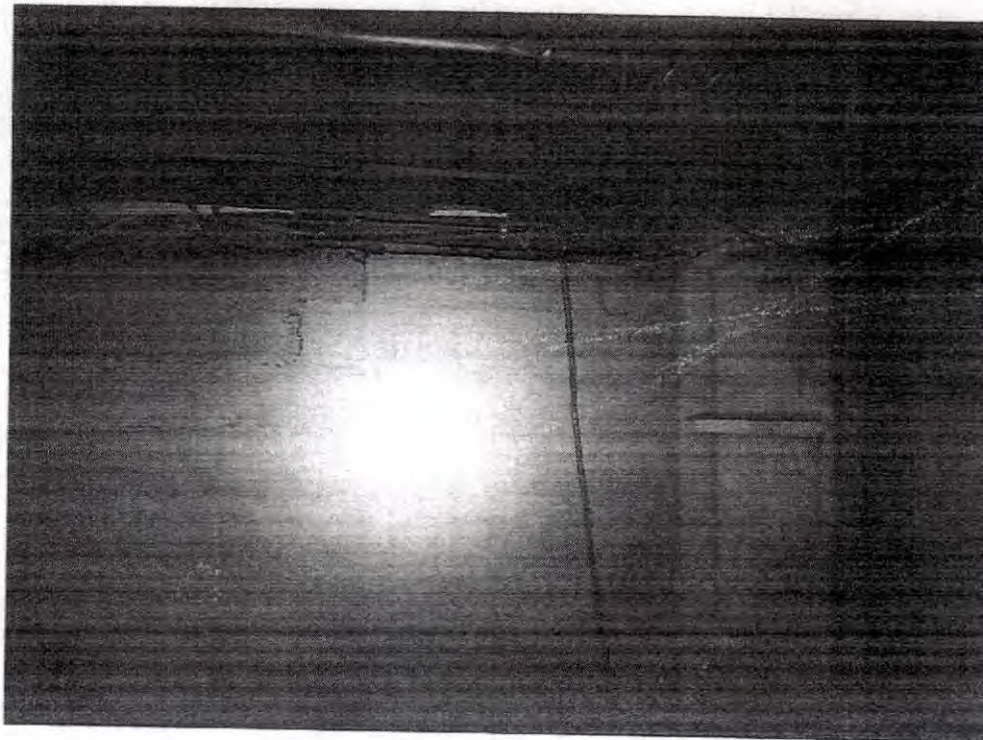
R. J. Frost
10/20/24

201 Lincoln Way West
Suite 200
Mishawaka, IN 46544

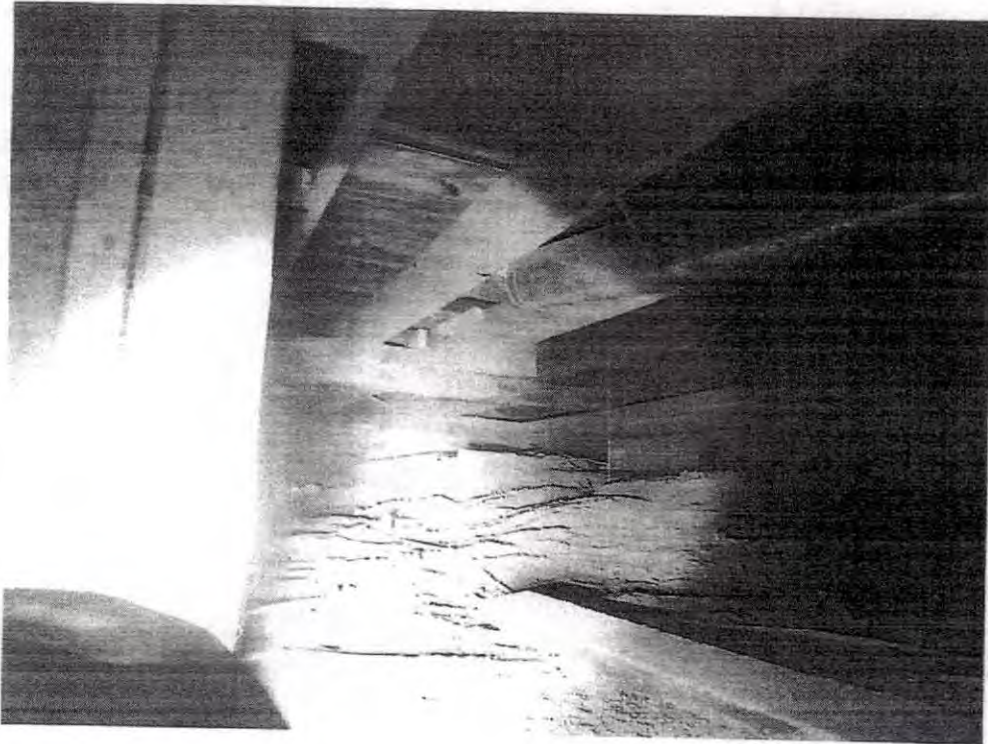
Phone: 574-344-5900
Mobile: 574-252-6976
www.frosteng.net



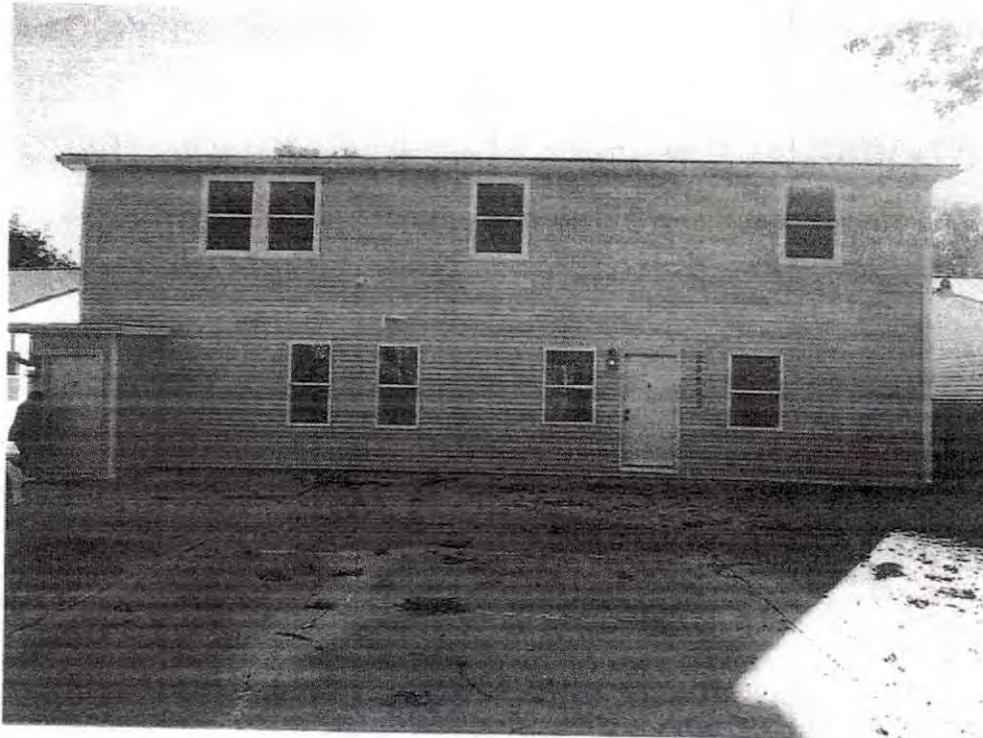
Front of building 1.



Building 1 basement
foundation walls.



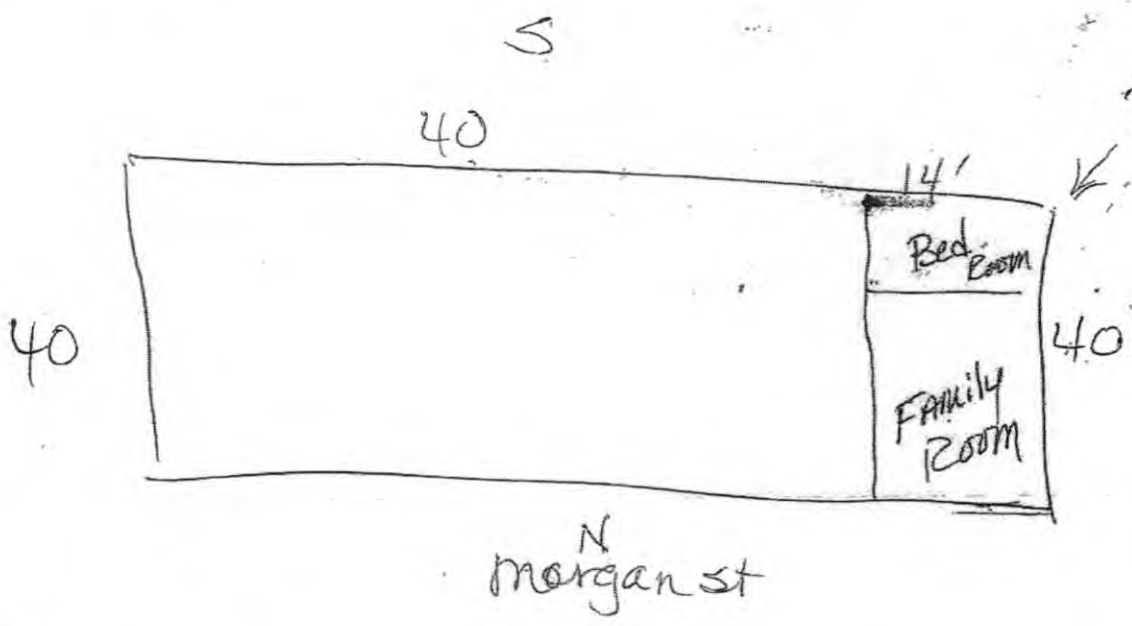
Building 1 basement
crawl space.



Building 2 front
face.

provided below, accurately indicate the following:
 existing home and other buildings and distances between each
 existing septic tank and absorption trenches and/or drywells and distances
 between each
 type and location of proposed structure (please indicate with dotted lines)

NOTE: If you cannot accurately provide this information, an on-site evaluation will be required to ensure that the proposed construction does not interfere with the existing septic system. Inaccurately or misleading information may lead to revocation of permit.



Signature: Lynda Fashbaugh Date: 12-8-98
 Printed Name: Lynda Fashbaugh
 Property Address: 28197 Morgan St.

BY SIGNING WE HEREBY GRANT PERMISSION FOR REPRESENTATIVES OF THE ELKHART COUNTY HEALTH DEPARTMENT TO ENTER ONTO THE ABOVE NAMED PROPERTY FOR THE PURPOSE OF CONDUCTING INVESTIGATIONS PERTINENT TO THE DEVELOPMENT PERMIT APPLICATION.

B. Whelan
 Health Department Representative

Dated: 12-8-98

Transaction No. 98-4797

Discussed need to touch base with us if new sewer line is needed
 BCO



RESULT LETTER

Case # UV-0585-2024

Date: October 17, 2024

Petitioner(s):

Lonnie Bontrager (Buyer) & Octavio Ramos (Seller)

The following shall be referred to as “the Real Estate”:

Street: 28197 Morgan St., Goshen, IN 46527-0399

Current Tax Code #: 20-05-13-478-002.000-001

You are hereby notified that the petition for a Use Variance to allow for 4 (four) dwelling units on the Real Estate, presented and considered at the meeting of the Elkhart County Advisory Board of Zoning Appeals on October 17, 2024, was acted upon as follows: **DENIED** in accordance with the Staff Analysis with the following Findings and Conclusions of the Board:

1. The request will be injurious to the public health, safety, morals, and general welfare of the community. As the structures were converted without permits, it is unclear if the structures meet all the various building and environmental codes, including well and septic requirements.
2. The use and value of the area adjacent to the subject property will not be affected in a substantially adverse manner. This is a 0.31-acre or 13,503.6 ft² parcel in a dense residential area and the property will remain residential in character.
3. A need for the Use Variance does not arise from a condition that is peculiar to the property involved. The house and garage were converted illegally into duplexes without the permits.
4. Strict enforcement of the terms of the Development Ordinance would not constitute an unnecessary hardship if applied to the subject property. The property could be restored to one single-family residence and one accessory structure. The property would be allowed to have one duplex and accessory structure with the appropriate developmental variance. Or the property owner can request city utilities run to the property and resubmit the appropriate developmental variances.
5. The Use Variance does not interfere substantially with the Elkhart County Comprehensive Plan.

Lonnie Bontrager (Buyer) &
Octavio Ramos (Seller)
October 17, 2024
Page 2

The request for a 46,496 sq. ft. lot-area Developmental Variance (Ordinance requires 30,000 sq. ft. per duplex) to allow for 2 existing duplexes was acted upon as follows: **DENIED** in accordance with the following Findings and Conclusions of the Board:

1. Approval of the request will be injurious to public health, safety, morals, or general welfare. The structures on the property exist and do not hinder sight distance.
2. Approval of the request will cause substantial adverse effect on neighboring property. This is a 0.31-acre or 13,503.6 sq. ft. parcel in a dense residential area and the property will remain residential in character.
3. Strict application of the terms of the Development Ordinance would not result in an unnecessary hardship in the use of the property. Without the benefit of the developmental variance, the structure would be non-conforming.

Included as part of the motion, the Board waived the 6-month waiting period to refile the denied requests.

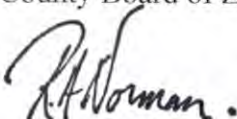
The request for a 2 ft. Developmental Variance (Ordinance requires 50 ft.) to allow for an existing duplex 48 ft. from the centerline of the right-of-way, and for a 2 ft. Developmental Variance (Ordinance requires 5 ft.) to allow for an existing duplex 3 ft. from the west side property line was acted upon as follows: **APPROVED** in accordance with the following Findings and Conclusions of the Board:

The following conditions were imposed:

1. Variances from the developmental standards of the Development 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 9/16/2024 and as represented in the Developmental Variance application.

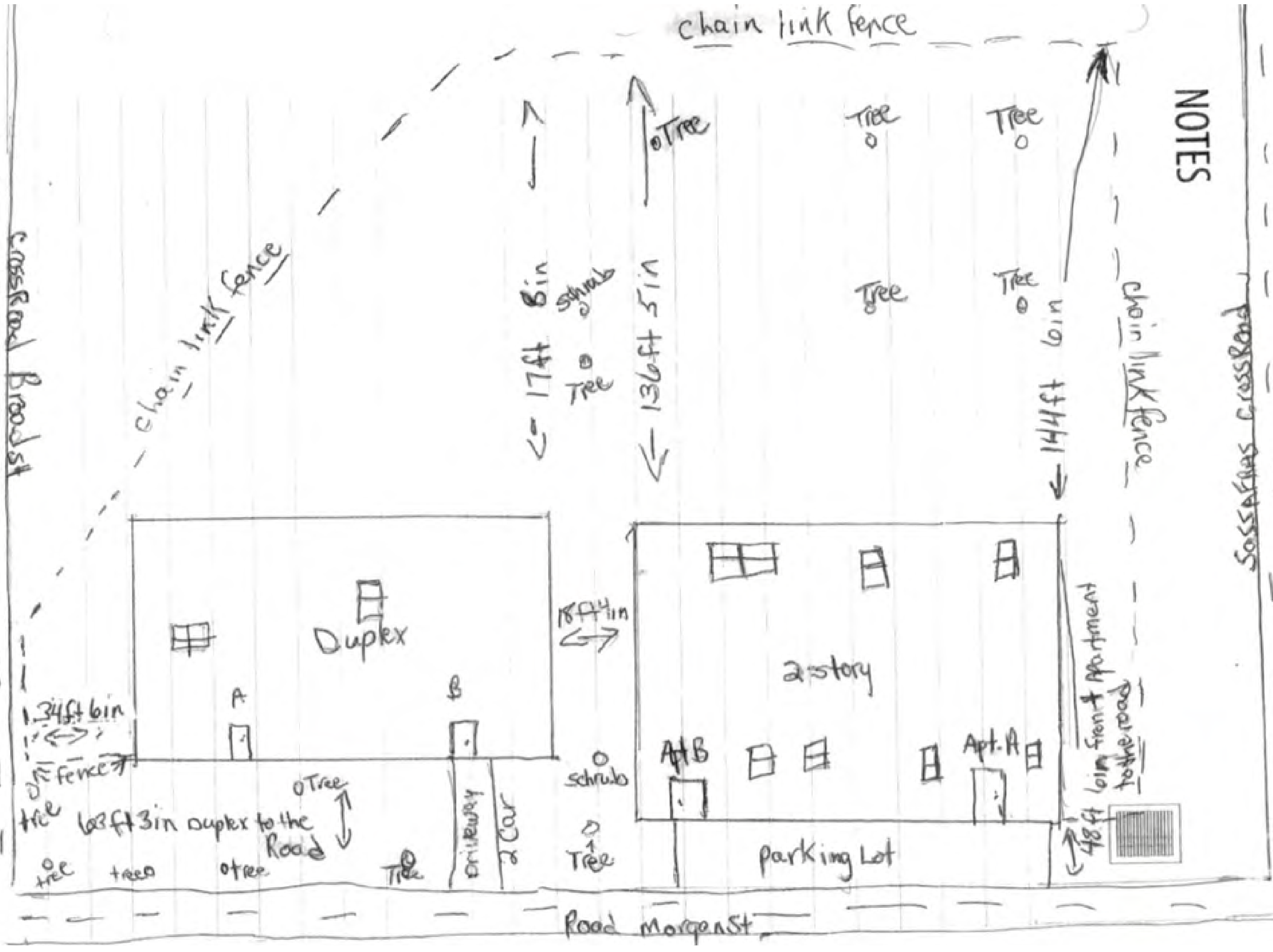
Deviation from said conditions may result in the Elkhart County Advisory Board of Zoning Appeals rescinding the approval or permit.

Ron Norman, Secretary
Elkhart County Board of Zoning Appeals



Placed in File 10-25-24
By FB

NOTES



SASSAFRAS CROSSROAD

CROSSROAD Broad St

chain link fence

chain link fence

chain link fence

Road Morgan St

Duplex

2 story

parking lot

48ft 6in front Apartment to the road

17ft Bin

136ft 5in

144ft 6in

34ft bin

63ft 3in Duplex to the Road

A

B

Apt. B

Apt. A

North Arrow

Driveway

2 Car

shrub

Tree

Tree

Tree

Tree

Tree

Tree

shrub

tree

tree

tree

Tree

Tree

RESULT LETTER

Case # SUP-0355-2017

Date: June 16, 2017

Petitioner(s):
Ethan W. Zimmerman

The following shall be referred to as “the Real Estate”:

Street: 68547 SR 19, Nappanee, IN 46550

Current Tax Code #: 20-13-12-426-002.000-020

You are hereby notified that the petition for a Special Use for an agri-business on the Real Estate, presented and considered at the meeting of the Elkhart County Advisory Board of Zoning Appeals on June 15, 2017, was acted upon as follows: **APPROVED** in accordance with the Staff Analysis with the following Findings and Conclusions of the Board:

1. The Special Use will be consistent with the spirit, purpose and intent of the Zoning Ordinance. Agri-businesses are allowed subject to limitations in the A-1 zoning district.
2. The Special Use will not cause substantial and permanent injury to the appropriate use of neighboring property. There will be no outside storage.
3. The Special Use will substantially serve the public convenience and welfare by providing a local source of farm animal supplements.

The following condition was imposed:

4. **The Elkhart County Advisory Board of Zoning Appeals approval shall not be effective until the Commitment form has been executed, recorded and returned to the Elkhart County Advisory Board of Zoning Appeals staff for placement in the petition file.**

Ethan W. Zimmerman
June 16, 2017
Page 2

The following commitment was imposed:

1. Approved in accordance with the site plan submitted (dated 5/12/17) and as represented in the Special Use application.

Deviation from said condition and commitment may result in the Elkhart County Advisory Board of Zoning Appeals rescinding the approval or permit.

Anthony J. Campanello, Secretary
Elkhart County Board of Zoning Appeals

Placed in File _____
By _____

AGREEMENT FOR LEGAL SERVICES

THIS AGREEMENT, entered into this 19th day of December 2024 by and between the Elkhart County Board of Zoning Appeals, hereafter designated as the “First Party”, and James Kolbus, attorney-at-law, practicing in the City of Goshen, Elkhart County, Indiana, hereafter designated as “Second Party;”

WITNESSETH

WHEREAS, the parties hereto desire to enter into this written Agreement concerning the services for the First party by the Second Party as Board of Zoning Appeals attorney for Elkhart County, by setting forth compensation and scope of work;

NOW, THEREFORE, to confirm the Agreement between the parties and in consideration of the premises, the parties AGREE:

1. The First Party shall hire the Second Party as attorney for the Board of Zoning Appeals with said services covering the time period January 1, 2025, through December 31, 2025.
2. Compensation of the second party, for attendance at the First Party’s monthly meeting is set at Ten Thousand Twenty-Five Dollars and Ninety Cents (\$10,025.90) annually, with payment of said amount being made in monthly installments at the beginning of each calendar month. Compensation for all other work provided by the Second Party shall be on an hourly basis, Second Party acknowledges proper claims for compensation shall be submitted to the First Party who will process such claims in accordance with the procedures established by Elkhart County.
3. It is stipulated by First Party and Second Party that compensation herein stated is for services by second party as legal counsel to the Board of Zoning Appeals as an independent contractor and not as an employee of Elkhart County.
4. Second Party may designate another attorney in Barkes, Kolbus, Rife & Shuler, LLP, to provide the services and directly receive the compensation required by this Agreement. Such designation shall not increase the compensation payable to the Second Party or such designee beyond what is required by this Agreement.
5. This Agreement may be terminated by either party giving the other party written notice of termination at least sixty (60) days prior to the effective termination date. This Agreement shall be subject to and governed by the terms and provisions of Indiana law.

Executed this 19th day of December 2024.

Chairman, Board of Zoning Appeals

James Kolbus, Attorney-At-Law