

- D. Petitioner: ***Buckingham Road Property, LLC*** (Page 4)
 Petition: for a 20 ft. Developmental Variance (Ordinance requires 75 ft.) to allow for the construction of an addition to an existing commercial structure 55 ft. from the centerline of the right-of-way of Buckingham Rd. and for a 6 parking spaces Developmental Variance (Ordinance requires 42) to allow for 36 parking spaces.
 Location: Southwest corner of Buckingham Rd. & Chelsea, common address of 21496 Buckingham Rd. in Washington Township, zoned M-2. DV-0830-2024
- E. Petitioner: ***Elkhart County Park & Recreation Board*** (Page 5)
 Petition: for a 2 ft. Developmental Variance (Ordinance allows 4 ft.) to allow for a monument sign that is 6 ft. in height.
 Location: South side of CR 20, 2,480 ft. East of CR 33, in Middlebury Township, zoned A-1. DV-0835-2024
- F. Petitioner: ***Amerco Real Estate Company (Buyer) & Brad Cronmiller & Dragos Prahoveanu, (Sellers)*** (Page 6)
 Petition: for a 35 ft. Developmental Variance (Ordinance requires 75 ft.) to allow for the construction of a commercial building 40 ft. from the centerline of CR 3, for a 27 ft. Developmental Variance (Ordinance requires 75 ft.) to allow for the construction of commercial buildings 48 ft. from the centerline of LaRue St., for a 46 ft. Developmental Variance (Ordinance requires 120 ft.) to allow for the construction of commercial buildings 74 ft. from the centerline of Old US 33, and for a 15 ft. Developmental Variance (Ordinance requires 25 ft.) to allow for the construction of a commercial building 10 ft. from the West side property line.
 Location: Northwest corner of Old US 33 & CR 3, in Baugo Township, common address of 29031 Old US 33 in Baugo Township, zoned M-2. DV-0844-2024

MOBILE HOME SPECIAL USE/DEVELOPMENTAL VARIANCES

- G. Petitioner: ***Tim D. Kidder*** (Page 7)
 Petition: for a Special Use for an existing mobile home and for a Developmental Variance to allow for an existing mobile home within 300 ft. of a residence.
 Location: North side of North Park Avenue, 200 ft. East of Adams St., common address of 25725 North Park Avenue in Osolo Township, zoned R-2. SUP-0793-2024
- H. Petitioner: ***Mary A. Lehman*** (Page 8)
 Petition: for a Special Use for an existing mobile home and for a Developmental Variance to allow for the total square footage of accessory structures to exceed that allowed by right.
 Location: East side of CR 29, 1,015 ft. North of SR 120, common address of 52812 CR 29 in Washington Township, zoned A-1. SUP-0804-2024
- I. Petitioner: ***Yaritza Gonzalez*** (Page 9)
 Petition: for a Special Use for a mobile home and for a Developmental Variance to allow for the placement of mobile home within 300 ft. of a residence.
 Location: North side of Modrell Avenue, 200 ft. East of Baldwin Ct., common address of 25551 Modrell Ave. in Osolo Township, zoned R-2. SUP-0796-2024

The Elkhart County Board of Zoning Appeals Hearing Officer is meeting on Wednesday December 18, 2024, at **9:00 am** 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 am** on December 18, 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=m3bf346cd5ef63d4860143a6c2f702dd0>

Hearing Officer Staff Report

Prepared by the Department of Planning and Development

Hearing Date: December 18, 2024

Transaction Number: DV-0823-2024.

Parcel Number(s): Part of 20-07-34-300-022.000-019.

Existing Zoning: A-1.

Petition: For a Developmental Variance to allow for the construction of a residence on property with no road frontage served by an access easement on proposed lots 1-B & 1-C.

Petitioner: The Miller Family Revocable Living Trust.

Location: South side of CR 126, 865 ft. east of SR 15, in Jefferson Township.

Site Description:

- Physical Improvement(s) – None.
- Proposed Improvement(s) – Residences.
- Existing Land Use – Vacant.
- Surrounding Land Use – Residential, agricultural.

History and General Notes:

- **May 22, 2024** – The Maplecrest Farms plat was recorded.
- **November 14, 2024** – The Plat Committee gave primary approval to a replat to allow division of lot 1 into 3 lots.

Staff Analysis:

Staff finds that:

1. Approval of the request will not be injurious to public health, safety, morals, or general welfare. Easement access preserves public safety by avoiding a dense cluster of driveways on the south side of CR 126, east of a state road.
2. Approval of the request will not cause substantial adverse effect on neighboring property. The proposed lots are 2.55 and 3.09 acres in a low-density residential and agricultural area. The area west of the easement contains only the lots using the easement, and the area to the east contains only vacant agricultural property.
3. Strict application of the terms of the Development Ordinance would result in an unnecessary hardship in the use of the property. Requiring direct access would reduce the buildable area of all lots.

Hearing Officer Staff Report (Continued)

Hearing Date: December 18, 2024

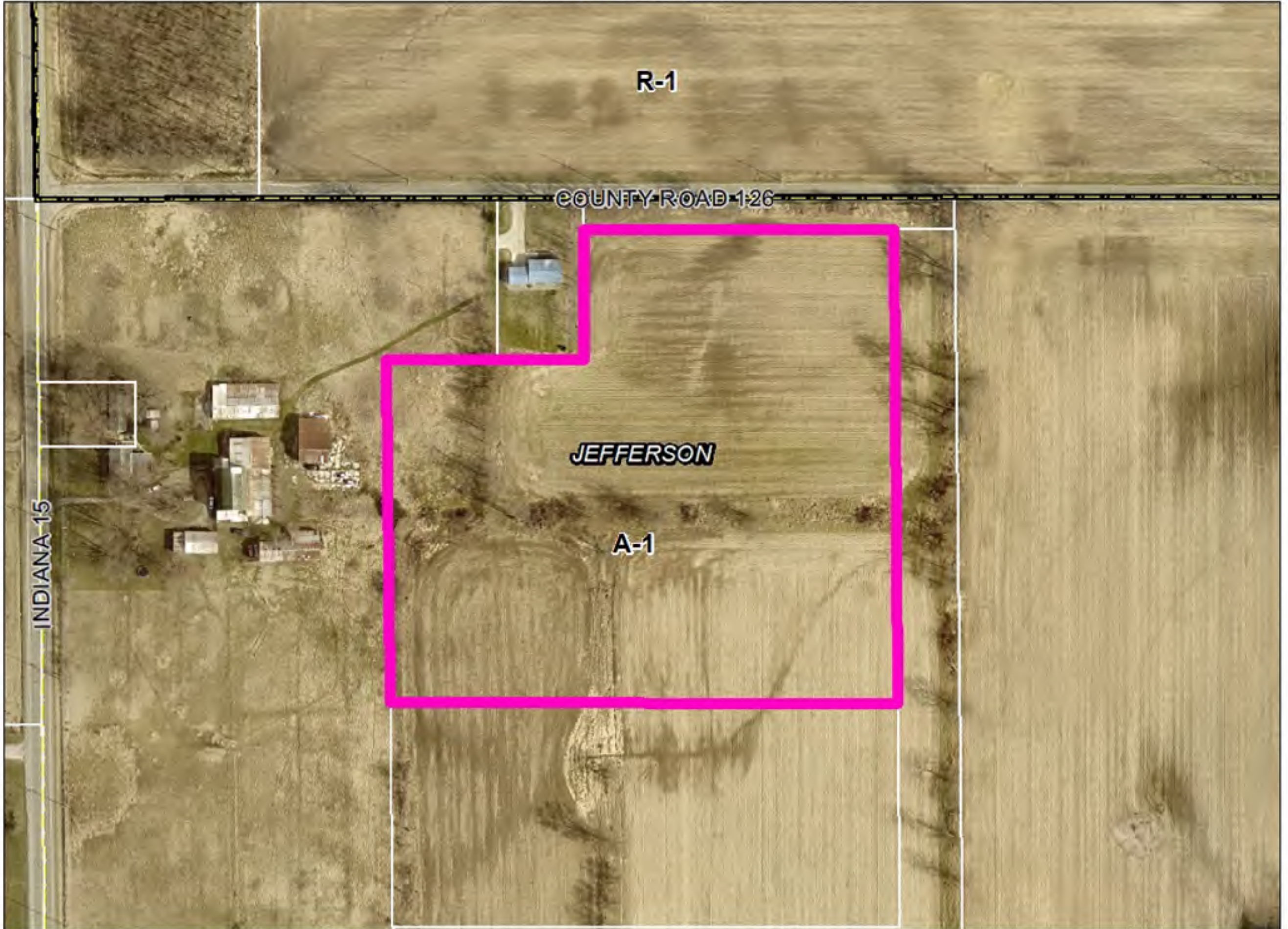
Staff recommends **APPROVAL** with the following condition(s) imposed:

1. A variance from the developmental standards of the Development Ordinance is void unless a subdivision plat is recorded within 180 calendar days from the date of the grant.
2. The request is approved in accordance with the site plan submitted 11/8/2024 and as represented in the Developmental Variance application.

COUNTY ROAD 126

A-1

JEFFERSON







Subject lots



Facing north down private access



Facing east across private access



Facing west at CR 126



Facing east at CR 126



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

DV-0823-2024

Developmental Variance - Developmental Variance

Date: 11/12/2024

Meeting Date:

December 18, 2024

Board of Zoning Appeals Public Hearing

Transaction #:

DV-0823-2024

Description: for a Developmental Variance to allow for the construction of two residences on properties with no road frontage served by an access easement for purposed lots 1-B and 1-C

Contacts: Applicant

Advanced Land Surveying Of
Northern Indiana, Inc.
17120 County Road 46
New Paris, IN 46553

Authorized Agent

Advanced Land Surveying Of
Northern Indiana, Inc.
17120 County Road 46
New Paris, IN 46553

Land Owner

Miller Family Revocable Living
Trust
59661 State Road 15
Goshen, IN 46528

Private Surveyor

Advanced Land Surveying Of
Northern Indiana, Inc.
17120 County Road 46
New Paris, IN 46553

Site Address: 00000 Cr 126
GOSHEN, IN 46528

Parcel Number: Part of 20-07-34-300-022.000-019

Township: Jefferson

Location: SOUTH SIDE OF CR 126, 865 FT EAST OF SR 15

Subdivision: MAPLE CREST FARMS LOT 1

Lot #

Lot Area: 8.00 Frontage: 394.00 Depth: 586.00

Zoning:

NPO List:

Present Use of Property: VACANT LAND

Legal Description:

Comments: SEE MI-0694-2024

Applicant Signature:

Department Signature:

Application

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

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

Current property owner 20-07-34-022.000-019
300-

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

Address: 59661 STATE ROAD 15, GOSHEN, IN 46528

Phone: 574 238-1876

Email: Joem4965@gmail.com

Other party Agent Buyer Land contract purchaser Lessee

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

Address: 17120 County Road 46

Phone: 574-849-4728

Email: ron@advancedlandsurveying.net

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

Signature of current property owner or authorized agent: Ronnie Justice

December 18, 2024

Staff Use Only

Description: for a DEVELOPMENTAL VARIANCE TO ALLOW FOR THE CONSTRUCTION OF TWO RESIDENCES ON PROPERTIES WITH NO ROAD FRONTAGE SERVED BY AN EASEMENT^{ACCESS} FOR PURPOSED LOTS 1-B + 1-C.

Parcel creation date: NEW SPLIT.

Subdivision required? Y N If yes, AS Minor Major IN PROGRESS.

Residential accessory breakdown, if applicable: _____

Location: N (S) E W corner (side) end of CR 126.
865 ft. N S (E) W of SR 15
in JEFFERSON. Township

Frontage: 394 Depth: 586 Area: 8 acres

Subdivision and lot number, if applicable: MAPLE CREST FARMS LOT 1

Present use: VACANT LAND.

Developmental Variance — Questionnaire

Name: JOSEPH MILLER

1) Tell us what you want to do. ~~SUBDIVIDE~~ SUBDIVIDE LOT ONE (1) OF MAPLECREST FARMS INTO 3 LOTS
NEED A ZERO ROAD FRONTAGE FOR LOTS 1-B AND 1-C

2) Tell us why you can't change what you're doing so you don't need a variance. _____
WE OWN THIS LAND AND WOULD LIKE TO SELL IT

3) Tell us why the variance won't hurt your neighbors or the community. the area is residential and agricultural
with farm ground to the North and East. this will not interfere with adjoining use

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

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

Building or addition 1 Size and height to the peak: to be determined
Tell us what you'll use it for. residential

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

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

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

Is the easement existing? Y N If the easement is existing, is it recorded? Y N
Tell us who owns (will own) the land under the easement. JOSEPH MILLER
Tell us how many parcels will use the easement. 3

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

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

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

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

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

9) Tell us anything else you want us to know. .A minor subdivision to split property into 3 parcels (REPLAT OF
LOT 1 OF MAPLECREST FARMS) has been filed for these lots

Hearing Officer Staff Report

Prepared by the Department of Planning and Development

Hearing Date: December 18, 2024

Transaction Number: DV-0832-2024.

Parcel Number(s): 20-11-27-376-009.000-014.

Existing Zoning: A-1.

Petition: For a 1,113 sq. ft. lot area Developmental Variance (Ordinance requires 20,000 sq. ft.) to allow for the construction of a residence on proposed lot 9B and for an 11 ft. Developmental Variance (Ordinance requires 75 ft.) to allow for an existing residence 64 ft. from the centerline of the right-of-way of CR 40 on proposed lot 9A.

Petitioner: Clinton Meade & Patricia G. Meade, as Co-Trustees of the Clinton & Patricia G. Meade Trust.

Location: Northeast corner of CR 40 & Regent St., 1,000 ft. south of Waterford Mills Pkwy., east of SR 15, in Elkhart Township.

Site Description:

- Physical Improvement(s) – Residence, attached and detached garages (lot 9A).
- Proposed Improvement(s) – Residence, attached garage (lot 9B).
- Existing Land Use – Residential.
- Surrounding Land Use – Residential, agricultural.

History and General Notes:

- **August 6, 1948** – Pleasant Prairie Subdivision was recorded showing restrictions including a prohibition of further subdivision (restriction D). While Elkhart County will not enforce this, the applicant assumes the risk of private action.
- **December 12, 2024** – The Plat Committee considered Replat of Lot 9 of Pleasant Prairie Subdivision.

Staff Analysis:

Staff finds that:

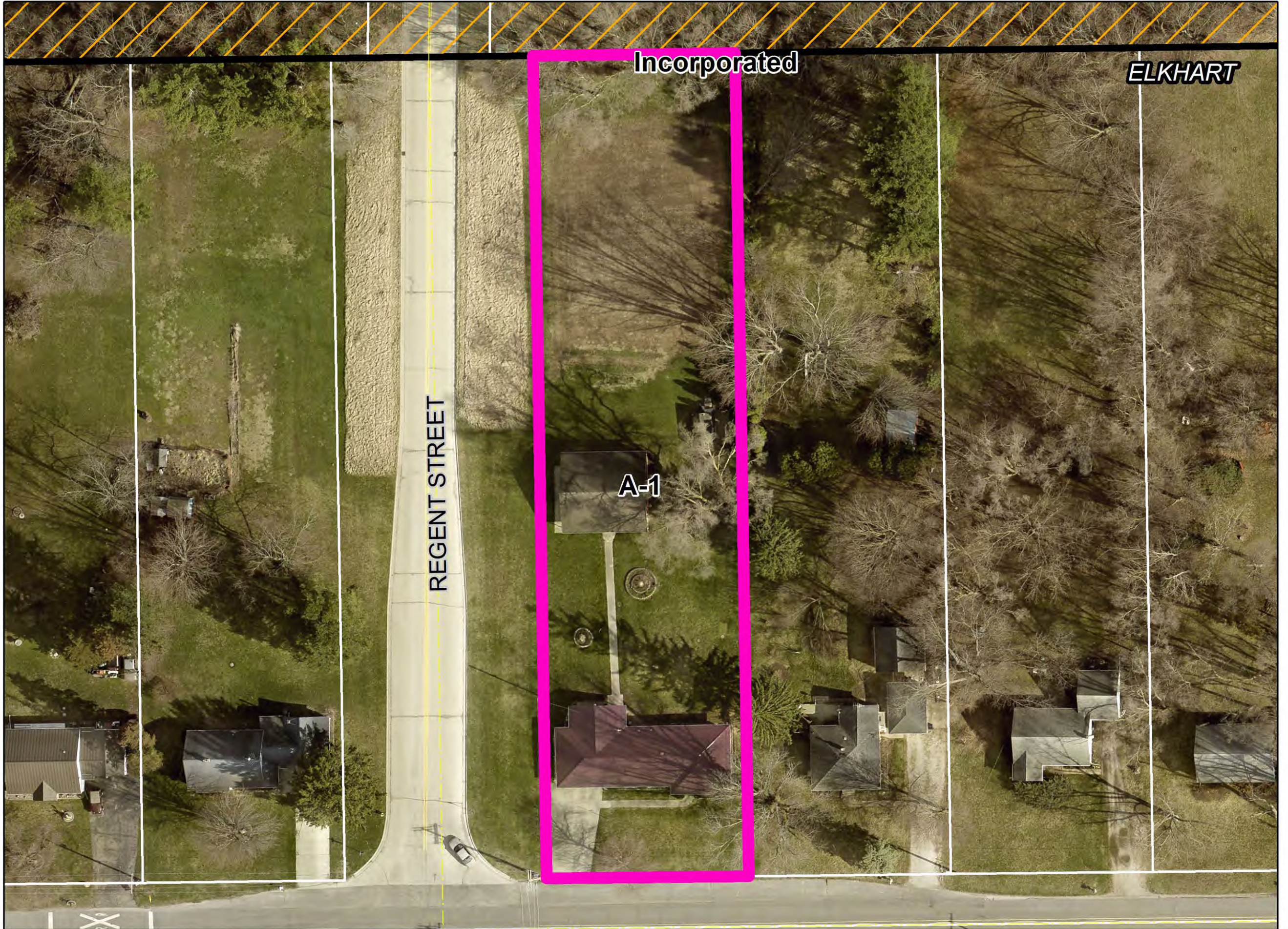
1. Approval of the request will not be injurious to public health, safety, morals, or general welfare. Both lots meet Technical Committee requirements for driveway and septic, and the addition of 1 residence to the subdivision will not increase the overall density of the neighborhood.
2. Approval of the request will not cause substantial adverse effect on neighboring property. The proposed lots are 21,897 and 18,887 sq. ft. in a low-density residential and agricultural area, the size of lot 9B limits home size and impact on the neighboring lot to the east, and the existing home on lot 9A has stood safely at its location since 1952.
3. Strict application of the terms of the Development Ordinance would result in an unnecessary hardship in the use of the property. The variances are the minimum necessary to facilitate safe subdivision.

Hearing Officer Staff Report (Continued)

Hearing Date: December 18, 2024

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

1. Variances from the developmental standards of the Development Ordinance are void unless a subdivision plat is recorded within 180 calendar days from the date of the grant.
2. The request is approved in accordance with the site plan submitted 11/15/2024 and as represented in the Developmental Variance application.



ELKHART

A-1

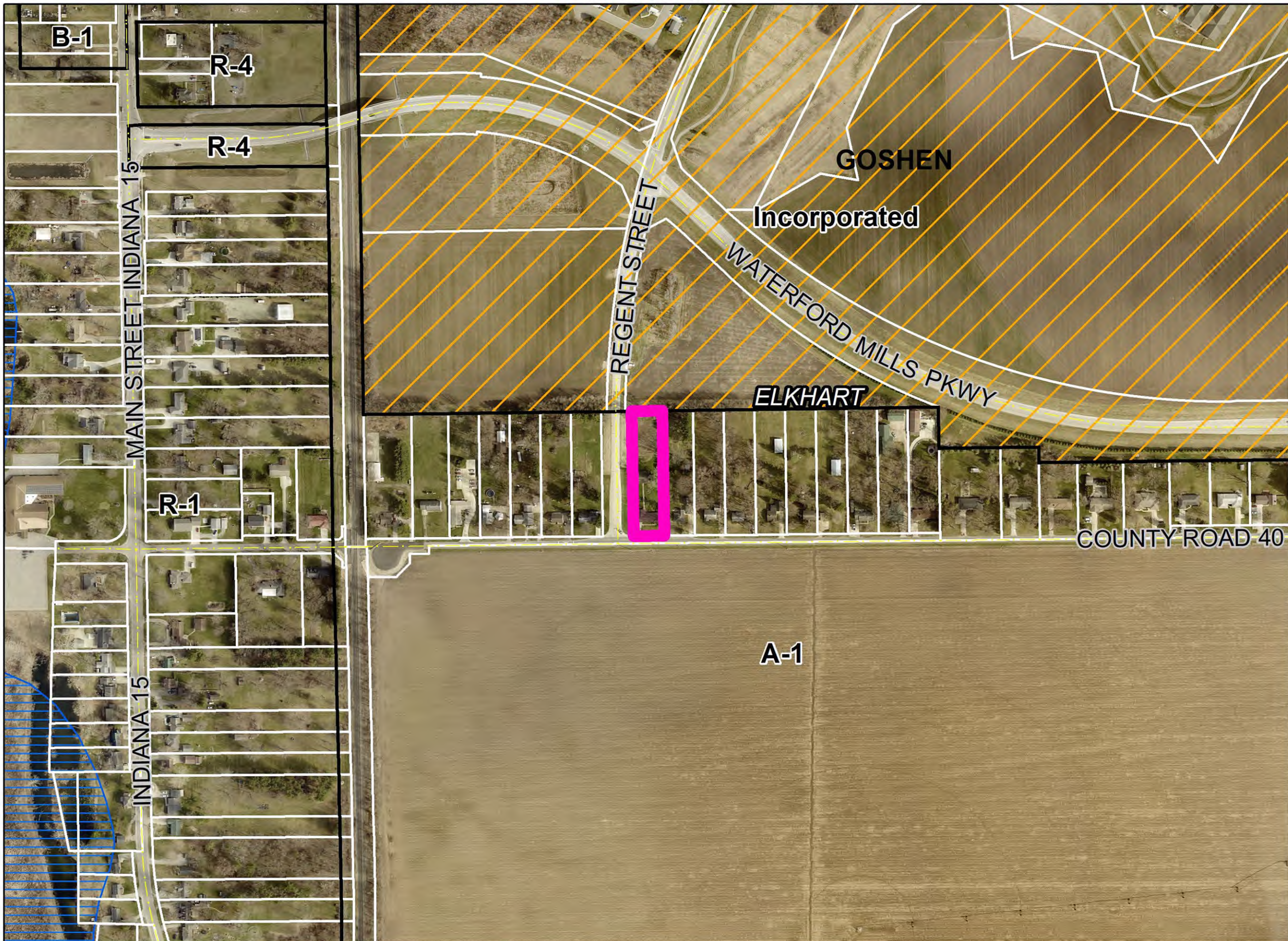
REGENT STREET

Incorporated





A-1





Existing home



Facing east



Facing west



Facing south



North lot



Facing north

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Public Services Building

4230 Elkhart Road, Goshen, Indiana, 46526

Phone - (574) 971-4678

Fax - (574) 971-4578

Developmental Variance - Developmental Variance

DV-0832-2024

Date: 11/15/2024

Meeting Date:

December 18, 2024

Board of Zoning Appeals Public Hearing

Transaction #:

DV-0832-2024

Description: for a 1113 sq. ft. lot-area Developmental Variance (Ordinance requires 20000 sq. ft.) to allow for the construction of a residence for lot 9B and for an 11 ft. Developmental Variance for lot 9A (Ordinance requires 75 ft.) to allow for an existing residence 64 ft. from the centerline of the right-of-way CR 40.

Contacts: Applicant

Advanced Land Surveying Of
Northern Indiana, Inc.
17120 County Road 46
New Paris, IN 46553

Authorized Agent

Advanced Land Surveying Of
Northern Indiana, Inc.
17120 County Road 46
New Paris, IN 46553

Land Owner

Clinton & Patricia G. Meade
Co-Trustees Of The Clinton &
Patricia Meade Trust
18641 Cr 40
Goshen, IN 46526

Private Surveyor

Advanced Land Surveying Of
Northern Indiana, Inc.
17120 County Road 46
New Paris, IN 46553

Site Address: 18641 County Road 40
Goshen, IN 46526

Parcel Number:

20-11-27-376-009.000-014

Township: Elkhart

Location: NORTH SIDE OF CR 40, 4,880 FT WEST FO CR 27

Subdivision:

Lot #

Lot Area:

0.94

Frontage:

507.00

Depth:

407.00

Zoning: A-1

NPO List:

Present Use of Property: RESIDENTIAL

Legal Description:

Comments: see MI-0808-2024

Applicant Signature:

Department Signature:

Application

Site address: 18641 COUNTY ROAD 40, GOSHEN, IN 46526

Parcel number(s): 20-11-27-376-009.000-014

Current property owner

Name: CLINTON & PATRICIA G. MEADE

Address: 18641 COUNTY ROAD 40, GOSHEN, IN 46526

Phone: 574 533-4239

Email: randalmeade@comcast.net

Other party

Agent Buyer Land contract purchaser Lessee

Name: Ronnie Justice / ADVANCED LAND SURVEYING

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

Phone: (574) 849-4728

Email: ron@advancedlandsurveying.net

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

Signature of current property owner or authorized agent:

Ronnie Justice

M1-0808-2024

Staff Use Only

Description: SEE PRINT OUT.

Parcel creation date: N/A.

Subdivision required? Y N If yes, AS Minor Major

→ REPUT PLEASANT PRAIRIE LOT 9.

Residential accessory breakdown, if applicable: _____

Location: (N) S E W corner (side) end of CR 40
4,880 ft. N S E (W) of CR 27.
in ELKHART. Township

Frontage: 507 FT. Depth: 407 Area: 0.937 acres

Subdivision and lot number, if applicable: _____

Present use: RESIDENCE.

Developmental Variance — Questionnaire

Name: CLINTON & PATRICIA G. MEADE

1) Tell us what you want to do. I NEED A DEVELOPMENTAL VARIANCE OF 1113 SQ. FT. I HAVE 18887 AND NEED 20000 SQ. FT. FRO LOT 9B AND I NEED AN 8' FRONT SETBACK AND 1.1 FOOT SIDE SETBACK VARIANCE FOR AN EXISTING HOUSE ON LOT 9A FOR MINOR PLAT I FILED FOR DECEMBER MEETING

2) Tell us why you can't change what you're doing so you don't need a variance. PARENTS ARE ELDERLY AND I NEED TO BE CLOSE BY TO HELP AND TAKE CARE OF THEM

3) Tell us why the variance won't hurt your neighbors or the community. IT IS IN A RESIDENTIAL AREA

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

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

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

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

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

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

Is the easement existing? [] Y [] N If the easement is existing, is it recorded? [] Y [] N

Tell us who owns (will own) the land under the easement.

Tell us how many parcels will use the easement.

7) Does the application include variances for signs? [] Y [X] 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 [X] N
If yes, tell us how many total there will be.

9) Tell us anything else you want us to know. A MINOR SUBDIVISION HAS BEN FILED AND THESE VARIANCES WILL BRING EVERYTHING IN CONFORMANCE

5 2024

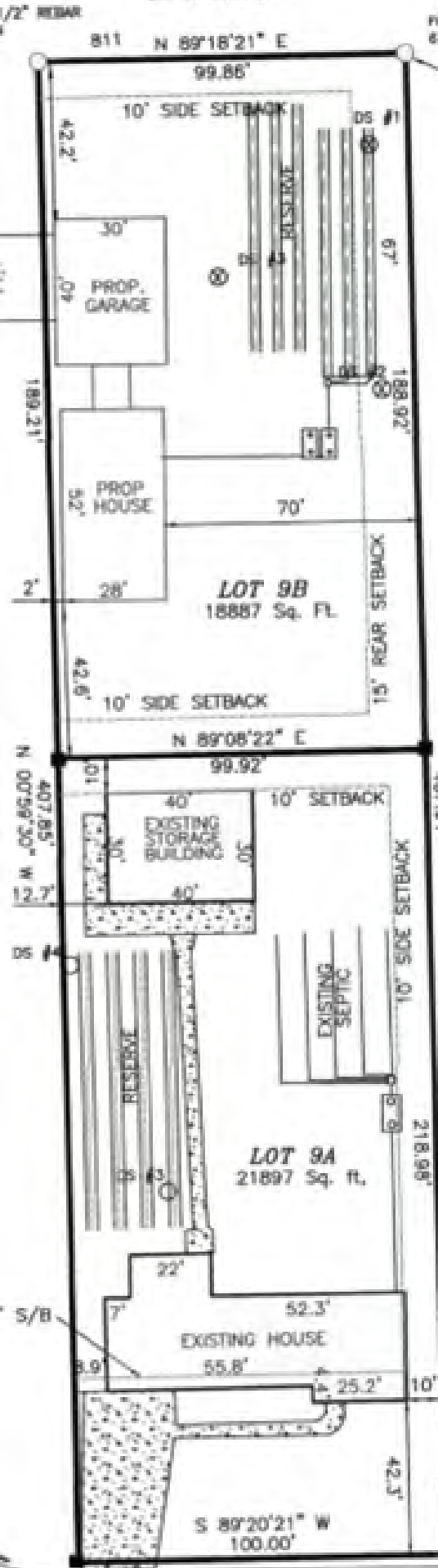
RECENT STREET (100' R/W)

FOUND 1/2" REBAR 6" DOWN

CITY OF GOSHEN

FOUND 1/2" REBAR 6" DOWN

BENCHMARK TOP OF REBAR EL.=811.30



A-1

LOT 8 PLANNING PAGE # 3 PAGE 122

COUNTY ROAD 40 (50' R/W)

Hearing Officer Staff Report

Prepared by the Department of Planning and Development

Hearing Date: December 18, 2024

Transaction Number: DV-0840-2024.

Parcel Number(s): 20-12-13-100-002.000-007.

Existing Zoning: A-1.

Petition: For a Developmental Variance to allow for the construction of a residence on property with no road frontage served by an access easement on proposed parcels 2, 5 & 6.

Petitioner: George A. Smucker.

Location: East side of CR 43, 2,065 ft. south of CR 34, in Clinton Township.

Site Description:

- Physical Improvement(s) – Barn (parcel 1).
- Proposed Improvement(s) – Residences.
- Existing Land Use – Agricultural.
- Surrounding Land Use – Residential, agricultural.

History and General Notes:

- None.

Staff Analysis:

Staff finds that:

1. Approval of the request will not be injurious to public health, safety, morals, or general welfare. Easement access preserves public safety by avoiding a dense cluster of driveways.
2. Approval of the request will not cause substantial adverse effect on neighboring property. This is low-density development of large parcels (average of 13 acres each) in a low-density area, and single access will focus any new traffic away from existing development.
3. Strict application of the terms of the Development Ordinance would result in an unnecessary hardship in the use of the property. Division of a 76-acre tract into 6 large residential parcels does not necessitate new dedicated streets.

Hearing Officer Staff Report (Continued)

Hearing Date: December 18, 2024

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 11/18/2024 and as represented in the Developmental Variance application.
3. A subdivision is required.

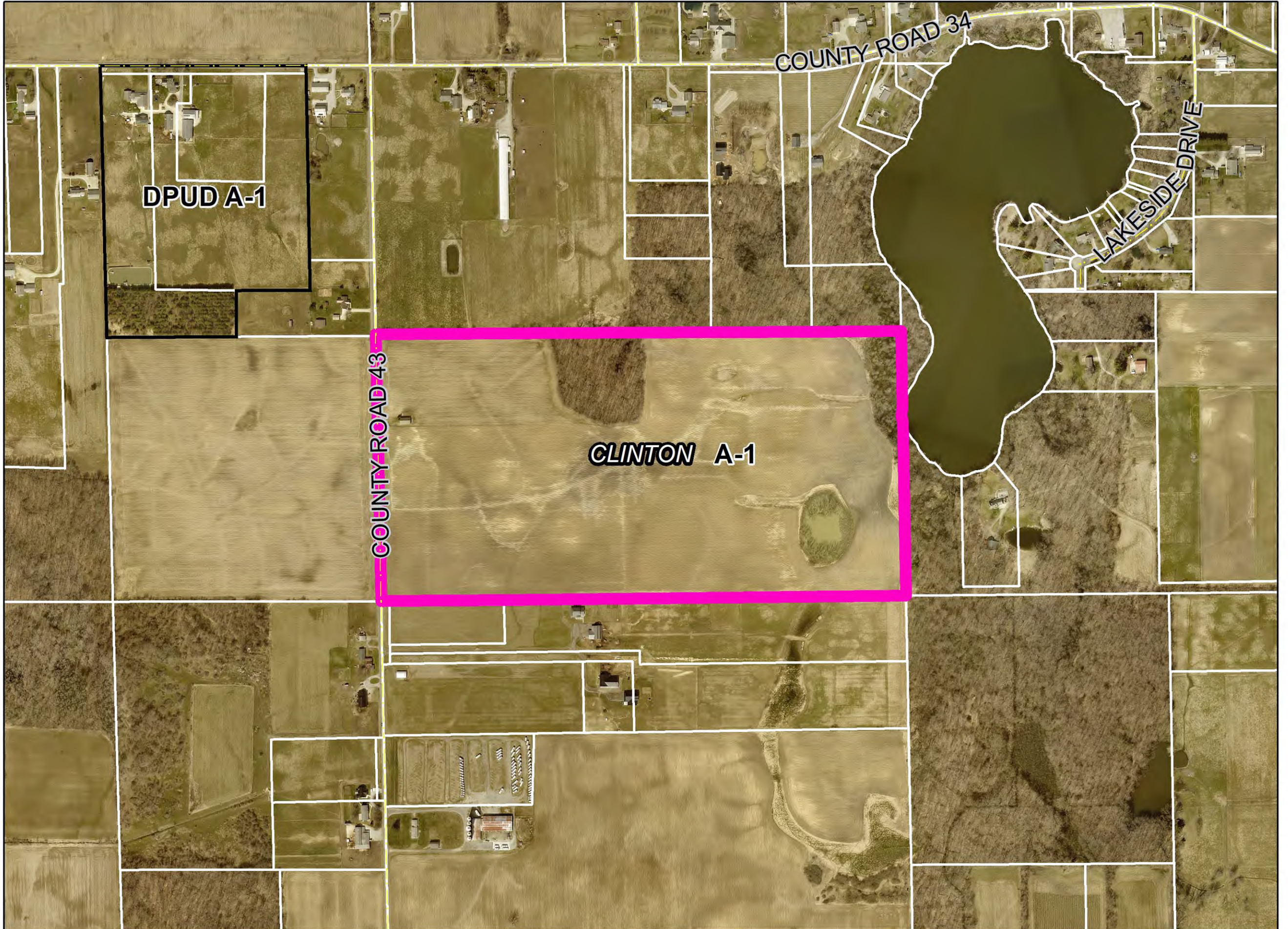


COUNTY ROAD 43

A-1

CLINTON







Facing east down proposed access



Facing east down proposed access at CR 43



Facing north



Facing south



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

Developmental Variance - Developmental Variance

DV-0840-2024

Date: 11/18/2024

Meeting Date:

December 18, 2024

Board of Zoning Appeals Public Hearing

Transaction #:

DV-0840-2024

Description: for a Developmental Variance to allow for the construction of a residence on property with no road frontage served by an access easement on proposed lots 2, 5 and 6

Contacts: Applicant

Advanced Land Surveying Of
Northern Indiana, Inc.
17120 County Road 46
New Paris, IN 46553

Authorized Agent

Advanced Land Surveying Of
Northern Indiana, Inc.
17120 County Road 46
New Paris, IN 46553

Land Owner

George A. Smucker
1315 E Reynolds St
Goshen, IN 465284227

Site Address: 00000 County Road 43
GOSHEN, IN 46526

Parcel Number: 20-12-13-100-002.000-007

Township: Clinton

Location:

Subdivision:

Lot #

Lot Area: 76.85 Frontage: 1,321.00

Depth: 2,574.00

Zoning: A-1

NPO List:

Present Use of Property: VACANT LAND

Legal Description:

Comments: PARCEL CREATED 3/1/1962
PARCEL TO BE AUCTIONED/SPLIT INTO 6 PARCELS WHICH WILL NEED TO GO THRU SUBDIVISION PROCESSES

Applicant Signature:

Department Signature:

Application

Site address: COUNTY ROAD 43, GOSHEN, IN 46526

Parcel number(s): 20-12-13-100-002.000-007

Current property owner

Name: GEORGE A. SMUCKER

Address: 1315 EAST REYNOLDS STREET, GOSHEN, IN 46528

Phone: _____

Email: _____

Other party



Agent



Buyer



Land contract purchaser



Lessee

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

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

Phone: (574) 849-4728

Email: ron@advancedlandsurveying.net

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

Signature of current property owner or authorized agent: _____

Ronnie Justice

Staff Use Only

Description: _____

Parcel creation date: 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 43

2,065

ft.

N S E W of CR 34

in Clinton

Township

Frontage: 1,321

Depth: 2,574

Area: 7685

acres

Subdivision and lot number, if applicable: _____

Present use: Vacant

Developmental Variance — Questionnaire

Name: GEORGE A. SMUCKER

1) Tell us what you want to do. I WANT TO SUBDIVIDE THIS PROPERTY INTO 6 PARCELS TO SELL. PARCELS 2, 5 AND 6 WILL HAVE NO ROAD FRONTAGE BUT BE SERVED BY A 50' INGRESS-EGRESS EASEMENT SO I NEED A ZERO ROAD FRONTAGE VARIANCE FOR THESE PARCELS

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

3) Tell us why the variance won't hurt your neighbors or the community. THIS AREA IS FARMING AND RESIDENTIAL AND THESE A FAIRLY LARGE PARCELS AND SHOULD NOT HAVE ANY ADVERSE AFFECTS ON SURROUNDING PROPERTIES

4) Does the property need well and septic? Well: [X] Y [] N Septic: [X] Y [] N Does the property need a new septic system? [X] 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? [X] Y [] N If yes, fill out below. Building or addition 1 Size and height to the peak: UNDETERMINED AT THIS TIME Tell us what you'll use it for. Building or addition 2 Size and height to the peak: Tell us what you'll use it for. Building or addition 3 Size and height to the peak: Tell us what you'll use it for.

6) Does the application include a variance for a residence on property with no road frontage? [X] Y [] N If yes, fill out below. Is the easement existing? [] Y [X] N If the easement is existing, is it recorded? [] Y [] N Tell us who owns (will own) the land under the easement. BUYERS OF PARCELS 1 AND 2 Tell us how many parcels will use the easement.

7) Does the application include variances for signs? [] Y [X] 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 [X] N If yes, tell us how many total there will be.

9) Tell us anything else you want us to know. I AM OVER 90 YEARS OLD AND WOULD LIKE TO SELL THIS PROPERTY AS I DON'T LIVE ON OR NEAR IT ANYMORE. MY REALTOR SAYS THIS IS BEST OPTION AT THIS TIME. IT COULD SELL PER SKETCH OR AS 1 PARCEL

NW CORNER, SOUTH 1/2,
NW 1/4, SECTION
13-T36N-R7E

NE CORNER, SOUTH 1/2,
NW 1/4, SECTION
13-T36N-R7E

N 89°43'09" E 466.73'

N 89°43'09" E 901.30'

N 89°43'09" E 1240.19'

PARCEL 1
5.00 Acres

PARCEL 2
11.4 Acres

PARCEL 5
15.00 Acres

NOV 18 2024

N 89°43'09" E 466.73'

N 89°43'09" E 953.27'

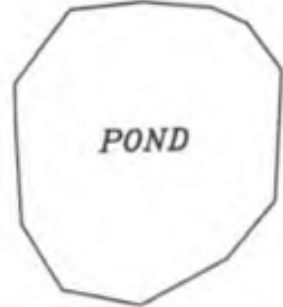
50' INGRESS-EGRESS EASEMENT

N 89°43'09" E 1370.21'

S 89°43'09" W 1240.19'

PARCEL 3
12.48 Acres

PARCEL 6
22.45 Acres



POND

S 89°36'01" W 1371.82'

PARCEL 4
12.48 Acres

S 89°24'15" W 1240.09'

S 89°24'15" W 1373.42'

2611.01'
S 89°24'13" W

SE CORNER,
NW 1/4, SECTION
13-T36N-R7E

S 01°02'45" E

COUNTY ROAD 43

N 01°02'45" W



SW CORNER,
NW 1/4, SECTION
13-T36N-R7E



N 01°17'00" W 526.94'

N 01°17'00" W 1312.03'

S 01°17'00" E 787.78'

Hearing Officer Staff Report

Prepared by the Department of Planning and Development

Hearing Date: December 18, 2024

Transaction Number: DV-0830-2024.

Parcel Number(s): 20-03-31-376-020.000-030 & 20-03-31-403-001.000-030.

Existing Zoning: M-2.

Petition: For a 20 ft. Developmental Variance (Ordinance requires 75 ft.) to allow for the construction of an addition to an existing commercial structure 55 ft. from the centerline of the right-of-way of Buckingham Rd. and for a 6 parking space Developmental Variance (Ordinance requires 42) to allow for 36 parking spaces.

Petitioner: Buckingham Road Property, LLC.

Location: Southwest corner of Buckingham Rd. & Chelsea, in Washington Township.

Site Description:

- Physical Improvement(s) – Commercial structure, parking, retention.
- Proposed Improvement(s) – Storage addition.
- Existing Land Use – Commercial.
- Surrounding Land Use – Commercial.

History and General Notes:

- None.

Staff Analysis:

Staff finds that:

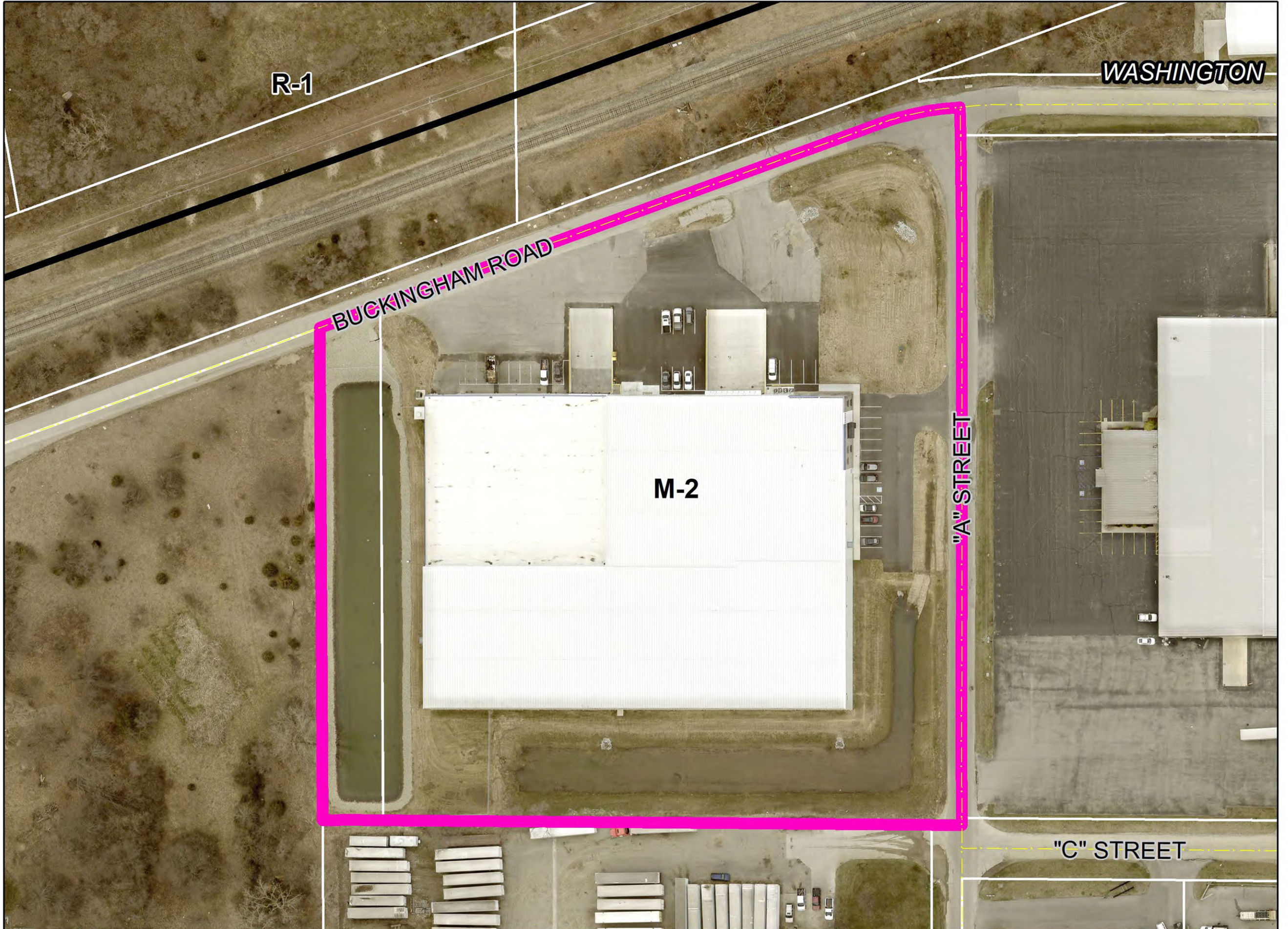
1. Approval of the request will not be injurious to public health, safety, morals, or general welfare. Overall impact of the addition is limited by the building's isolation and surroundings.
2. Approval of the request will not cause substantial adverse effect on neighboring property. The intersection of Chelsea and Buckingham Rd. is at least 350 ft. east of the addition, the nearest driveway is at least 350 ft. west, and all neighboring property is low-traffic street, open space, or railroad. The main parcel is 5 acres in a commercial area.
3. Strict application of the terms of the Development Ordinance would result in an unnecessary hardship in the use of the property. Strict application would require more parking than this low-impact parts-distribution use demands, and the storage addition will observe a 55 ft. front setback.

Hearing Officer Staff Report (Continued)

Hearing Date: December 18, 2024

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 11/14/2024 and as represented in the Developmental Variance application.



R-1

WASHINGTON

BUCKINGHAM ROAD

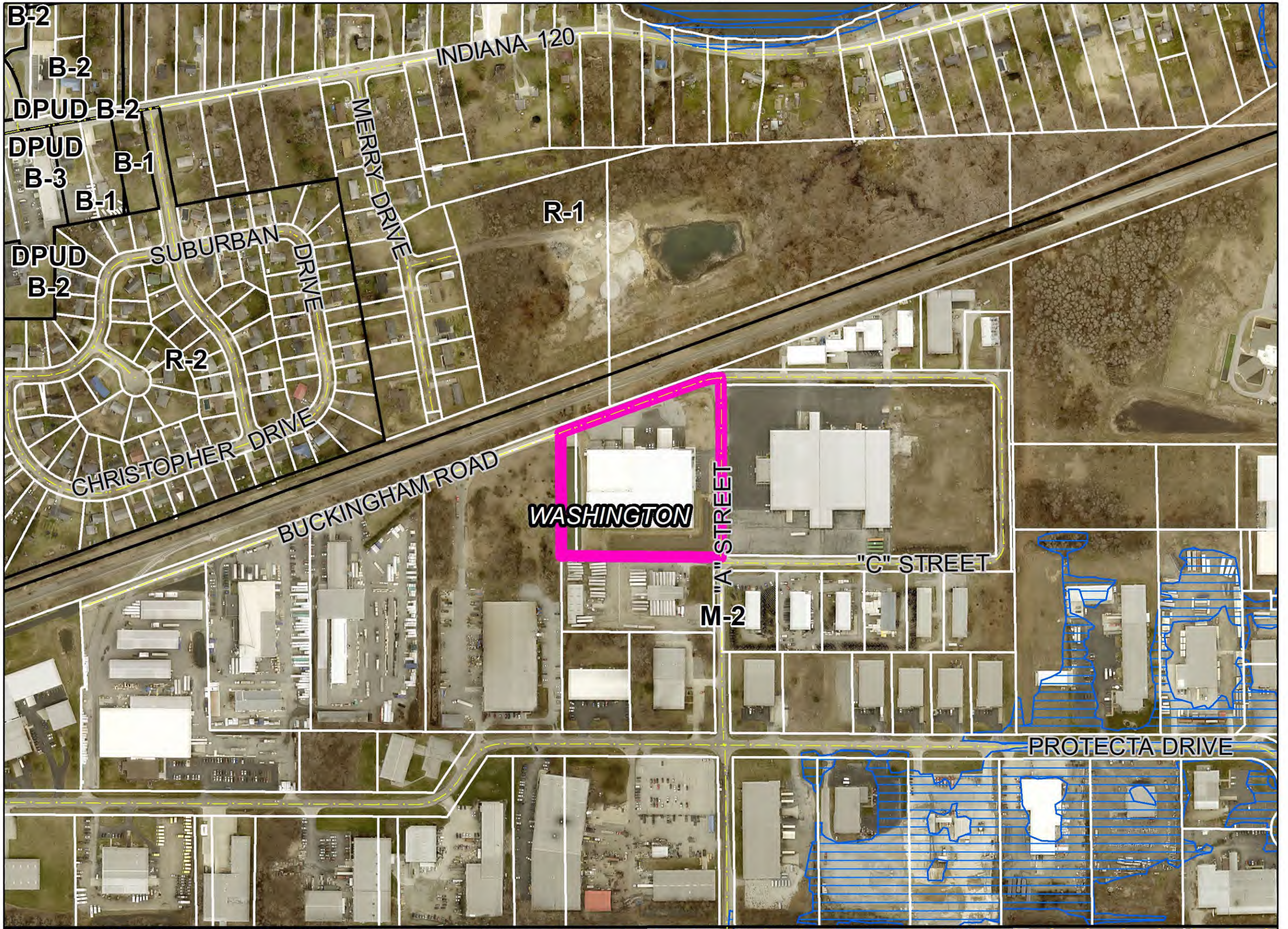
M-2

"A" STREET

"C" STREET









Proposed addition location



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

DV-0830-2024

Developmental Variance - Developmental Variance

Date: 11/14/2024

Meeting Date:

December 18, 2024

Board of Zoning Appeals Public Hearing

Transaction #:

DV-0830-2024

Description: for a 20 ft Developmental Variance (ordinance requires 75 ft.) to allow for the construction of an addition to existing structure 55 ft fro center line of the centerline of the right-of-way and for a Developmental Variance to allow for 6 parking spaces (ordinance requires 42 parking spaces) to allow for 6 parking spaces.

Contacts: Applicant

Nuway Construction

Authorized Agent

Nuway Construction

Contractor

Nuway Construction

Land Owner

Buckingham Road Property Llc
21496 Buckingham
Elkhart, IN 46516

Site Address: 21496 Buckingham Rd
Elkhart, IN 46516

Parcel Number: 20-03-31-376-020.000-030
20-03-31-403-001.000-030

Township: Washington

Location: SOUTH SIDE OF BUCKINGHAM RD., 2,465 FT. EAST OF CR 17

Subdivision:

Lot #

Lot Area: 5.00 Frontage: 483.00 Depth: 566.00

Zoning: M-2

NPO List:

Present Use of Property: COMMERCIAL

Legal Description:

Comments: PARCEL CREATION DATE 3/1/1965
BC-1805-2021-NOT COMPLETE, BC-2603-2021-COMplete, SN-2647-2022-COMplete. AW

Applicant Signature:

Department Signature:

4230 Elkhart Road
Goshen, Indiana 46526

**Elkhart County
Planning & Development**

(574) 971-4678
DPS@ElkhartCounty.com

Application

Site address: **21496 Buckingham Rd, Elkhart, IN 46516**

Parcel number(s): **03-31-403-001-030 + 20-03-31-376-020-000-030**

Current property owner

Name: Buckingham Road Property, LLC

Address: Same as below

Phone: _____

Email: _____

Other party

Agent

Buyer

Land contract purchaser

Lessee

Name: Ranger Distribution INC

Address: 21496 Buckingham Rd, Elkhart IN 46516

Phone: 574-891-4994

Email: John@RangerDistribution.com

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

^{20ft.}
Description: for a Developmental Variance (ordinance requires 75ft.) to allow for the construction of an addition to existing structure 55ft from center line of the centerline of the right-of-way.

Parcel creation date: 3/1/1965

Subdivision required?

Y

N

If yes,

AS

Minor

Major

Residential accessory breakdown, if applicable: N/A

Location: N SE W corner side end of Buckingham Rd.
2,465 ft. N SE W of CR 17

in WASHINGTON Township

Frontage: 483 Ft.

Depth: 566 Ft.

Area: 5

acres

Subdivision and lot number, if applicable: N/A

Present use: COMMERCIAL

Developmental Variance — Questionnaire

Name: Nuway Construction for Ranger Distribution

1) Tell us what you want to do. Build a Lean-To Storage Addition that encroaches on Buckingham Road's 75' Building Setback.

2) Tell us why you can't change what you're doing so you don't need a variance. The size and location of the addition is essential to the current and future operations of Ranger Distribution.

3) Tell us why the variance won't hurt your neighbors or the community. Buckingham Road is mostly used for industrial traffic. Nearby Residential Districts are completely seperated by Railroad and Natural Buffers. Buckingham road will not be affected within any capacity.

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

5) Does the application include variances to allow for buildings or additions? [x] Y [] N If yes, fill out below.
Building or addition 1 Size and height to the peak: 35' x 47' Peak: ~16'-11 1/2"
Tell us what you'll use it for. 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 [x] N
If yes, fill out below.
Is the easement existing? [] Y [] N If the easement is existing, is it recorded? [] Y [] N
Tell us who owns (will own) the land under the easement.
Tell us how many parcels will use the easement.

7) Does the application include variances for signs? [] Y [x] 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 [x] N
If yes, tell us how many total there will be.

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

NOV 14 2024

4

NORTHERN PACIFIC RAILWAY COMPANY 100' R/W
(FORMERLY FERRY CENTRAL)

BACKSTOPPING ROAD OF R/W

STREET LIGHTS BY
STREET LIGHTS

WORK CONTRACTOR TO
VERIFY EXISTING
LOADING DOCK
AND ELECTRICAL SYSTEM

EXISTING LOADING DOCK
TO BE REMOVED AFTER BUILDING
EXPANSION IS COMPLETE

Struct. Retention and Support
Loading Platform as Necessary
to Meet with new floor loading
and meet all standards

EXISTING LOADING DOCK

existing
loading
dock
area
(by Station)

Struct. Retention and Support
Loading Platform as Necessary
to Meet with new floor loading
and meet all standards

Struct. Retention and Support
Loading Platform as Necessary
to Meet with new floor loading
and meet all standards

proposed
addn.

existing

EXISTING
BUILDING
22,000 SF

existing
PROPOSED
BUILDING EXPANSION
68,100 SF (Entire Building Expansion)

WORK CONTRACTOR TO VERIFY
EXISTING LOADING DOCK AND
ELECTRICAL SYSTEM

WORKING AREA
TOTAL AREA
202,000 SF
100,000 SF
102,000 SF

STATION
BUILDING
APPROXIMATE

ORLEANS ROAD OF R/W

existing
loading
dock
area
(by Station)

STATION 502.20' (W)
500' (E)

STATION 502.20' (W)
500' (E)

PROJECT PHASING

- 1. RELOCATE EXISTING LOADING DOCK 1 SIDE OF BUILDING TO THE NORTH IS
- 2. PROPOSED BUILDING EXPANSION

Hearing Officer Staff Report

Prepared by the Department of Planning and Development

Hearing Date: December 18, 2024

Transaction Number: DV-0835-2024.

Parcel Number(s): 20-08-29-126-006.000-034.

Existing Zoning: A-1.

Petition: For a 2 ft. Developmental Variance (Ordinance allows 4 ft.) to allow for a monument sign that is 6 ft. in height.

Petitioner: Elkhart County Park & Recreation Board.

Location: South side of CR 20, 2,480 ft. East of CR 33, in Middlebury Township.

Site Description:

- Physical Improvement(s) – Paved trail.
- Proposed Improvement(s) – Monument sign.
- Existing Land Use – Trail.
- Surrounding Land Use – Residential, agricultural.

History and General Notes:

- **June 15, 2019** – The 1-mile section of the Pumpkinvine Nature Trail between CR 33 and CR 20 opened.

Staff Analysis:

Staff finds that:

1. Approval of the request will not be injurious to public health, safety, morals, or general welfare. The sign meets all other standards, and a 2 ft. increase in height poses no risk to public health or safety.
2. Approval of the request will not cause substantial adverse effect on neighboring property. The sign will be on the south side of the trail, away from the road and neighboring properties, and is intended for trail users, not motorists. The parcel is owned by the park board and is in a low-density residential and agricultural area.
3. Strict application of the terms of the Development Ordinance would result in an unnecessary hardship in the use of the property. The request is the minimum necessary for the Friends of the Pumpkinvine Nature Trail to communicate donor appreciation.

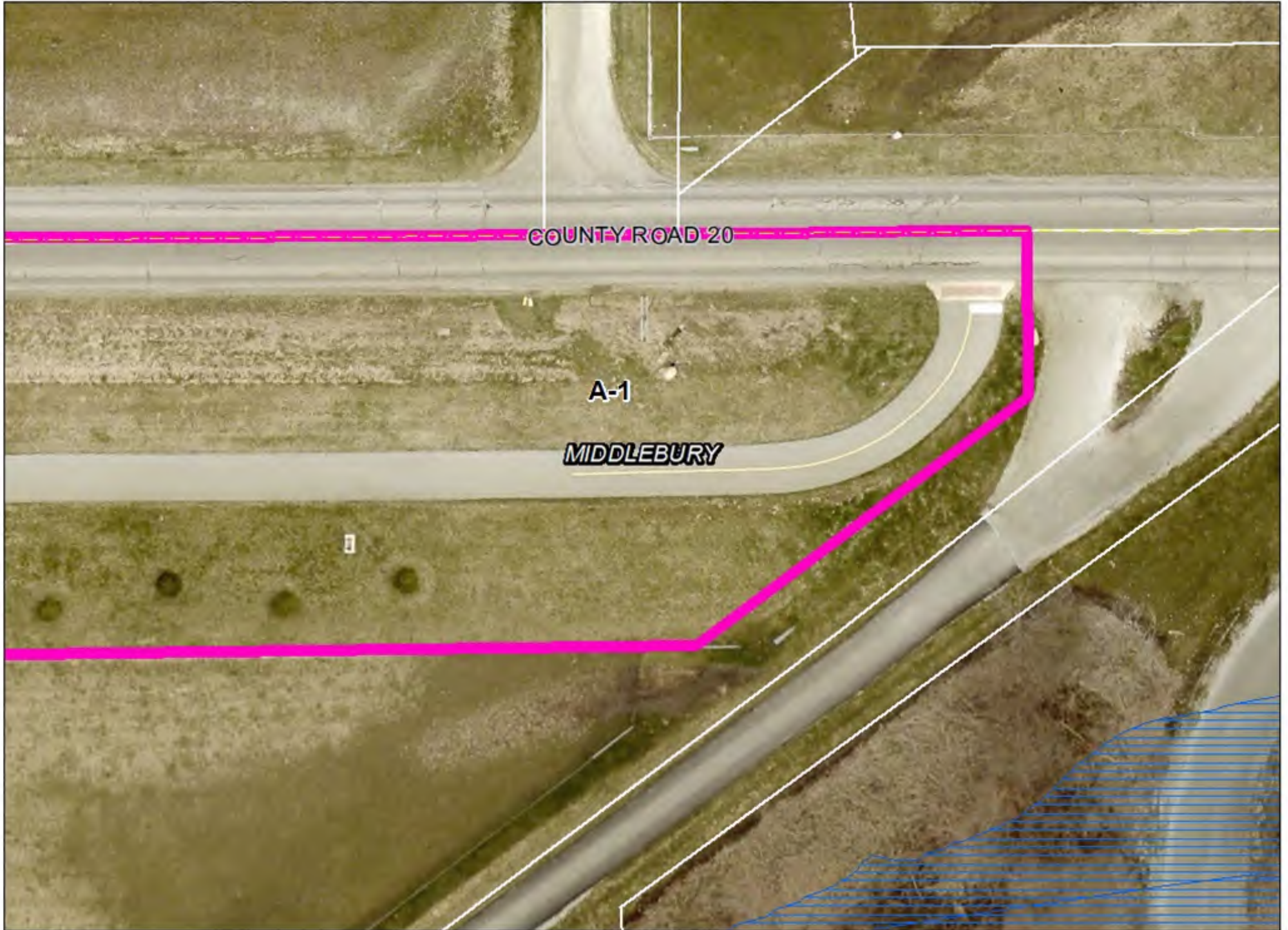
Hearing Officer Staff Report (Continued)

Hearing Date: December 18, 2024

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 11/15/2024 and as represented in the Developmental Variance application.

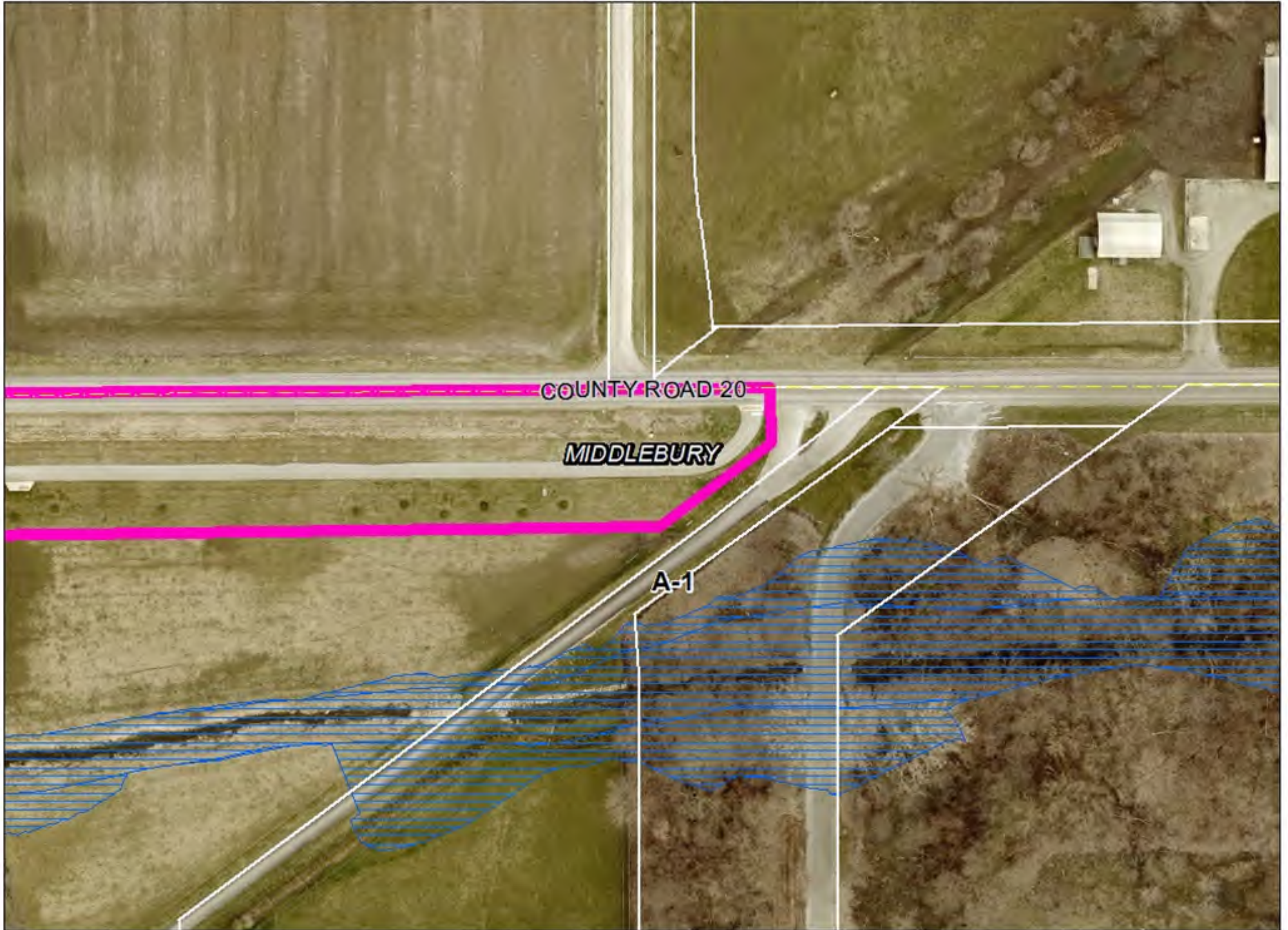
DV-0835-2024

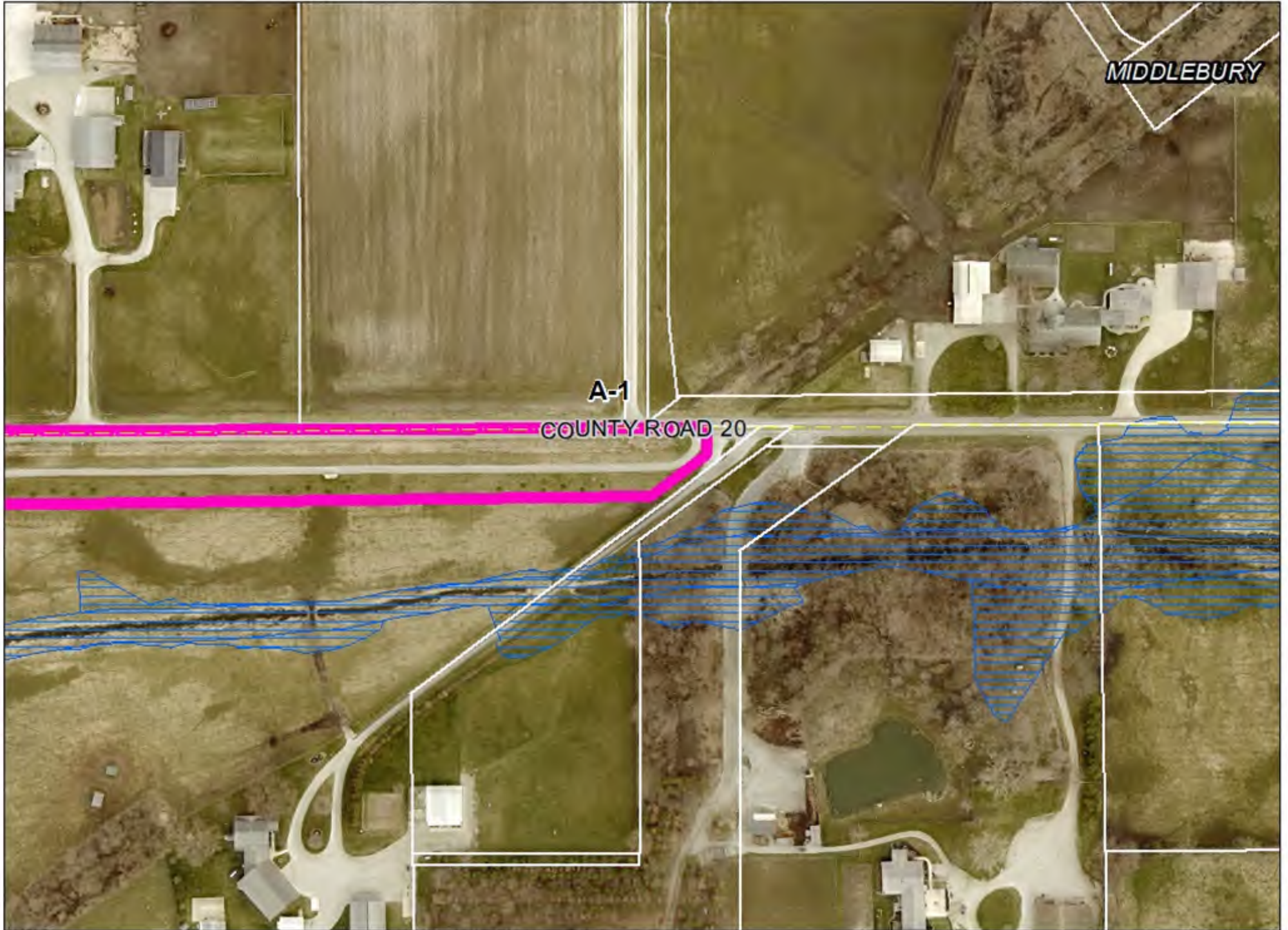


COUNTY ROAD 20

A-1

MIDDLEBURY







Existing signs



Existing signs



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

Developmental Variance - Developmental Variance

DV-0835-2024

Date: 11/15/2024

Meeting Date:

December 18, 2024

Board of Zoning Appeals Public Hearing

Transaction #:

DV-0835-2024

Description: for a 1.3 ft. Developmental Variance (Ordinance allows 4 ft.) to allow for a sign that is 5 ft. tall

Contacts: Applicant

Us Signcrafters
216 Lincolnway East
Osceola, IN 46561

Land Owner

Elkhart County Park And
Recreation Board
211 W Lincoln Ave
Goshen, IN 46526

Site Address: 00000 Cr 20
MIDDLEBURY 46540

Parcel Number: 20-08-29-126-006.000-034

Township: Middlebury

Location: SOUTH SIDE OF CR 20, 1,650 FT EAST OF CR 33

Subdivision:

Lot #

Lot Area: 6.70 Frontage: 367.99

Depth:

Zoning: A-1

NPO List:

Present Use of Property: PARK

Legal Description:

Comments: SPLIT 6/28/2017 FOR ELKHART COUNTY/PUMPKIN VINE
FEES WAIVED - SEE ATTACHED LETTER/APPROVED BY MAE - KB 11/15/2024

Applicant Signature:

Department Signature:

Application

Site address: 14408 CR 20 (is BEHIND THE SITE)

Parcel number(s): 20-09-29-126-006.000-034

Current property owner

Name: ELKHART COUNTY PARKS & RECREATION BOARD

Address: 211 W LINCOLN AVENUE GOSHEN IN 46526

Phone: 574.535.6458

Email: RDECAIPE@ELKHARTCOUNTY.COM

Other party

Agent Buyer Land contract purchaser Lessee

Name: US SIGNCRAFTERS / RANDY WHITEMAN

Address: 216 LINCOLN HWY EAST OSCEOLA, IN

Phone: 269.845.5950

Email: RANDY@USSIGNCRAFTERS.COM

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

Signature of current property owner or authorized agent:



Staff Use Only

Description: _____

Parcel creation date: _____

Subdivision required? Y N If yes, AS Minor Major

Residential accessory breakdown, if applicable: _____

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

Frontage: _____ Depth: _____ Area: _____ acres

Subdivision and lot number, if applicable: _____

Present use: _____

Developmental Variance — Questionnaire

Name: AMKIMINIVE TRAIL DONORS SIGN

1) Tell us what you want to do. INSTALL A 9.3 SQ FT SIGN THAT IS 5'3" TALL AND THE MAX HEIGHT = 4'

2) Tell us why you can't change what you're doing so you don't need a variance. 4' IS NOT AN ADEQUATE HEIGHT. SNOW WOULD BURY HALF OF IT FOR 4 MONTHS OF THE YEAR.

3) Tell us why the variance won't hurt your neighbors or the community. THIS SIGN IS A ELEGANT DESIGN, IS LESS THAN 6' TALL AND IS BASICALLY DIRECTED AT BICYCLISTS ON THE TRAIL

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 N/A

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

6) Does the application include a variance for a residence on property with no road frontage? Y N
If yes, fill out below.
Is the easement existing? Y N If the easement is existing, is it recorded? Y N
Tell us who owns (will own) the land under the easement. _____
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): 19" x 69" overall height = 63"
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. THIS SIGN WILL benefit AND BEAUTIFY THE TRAIL AND THE COMMUNITY AND I CAN SEE NO REASON TO DENY THIS REQUEST.



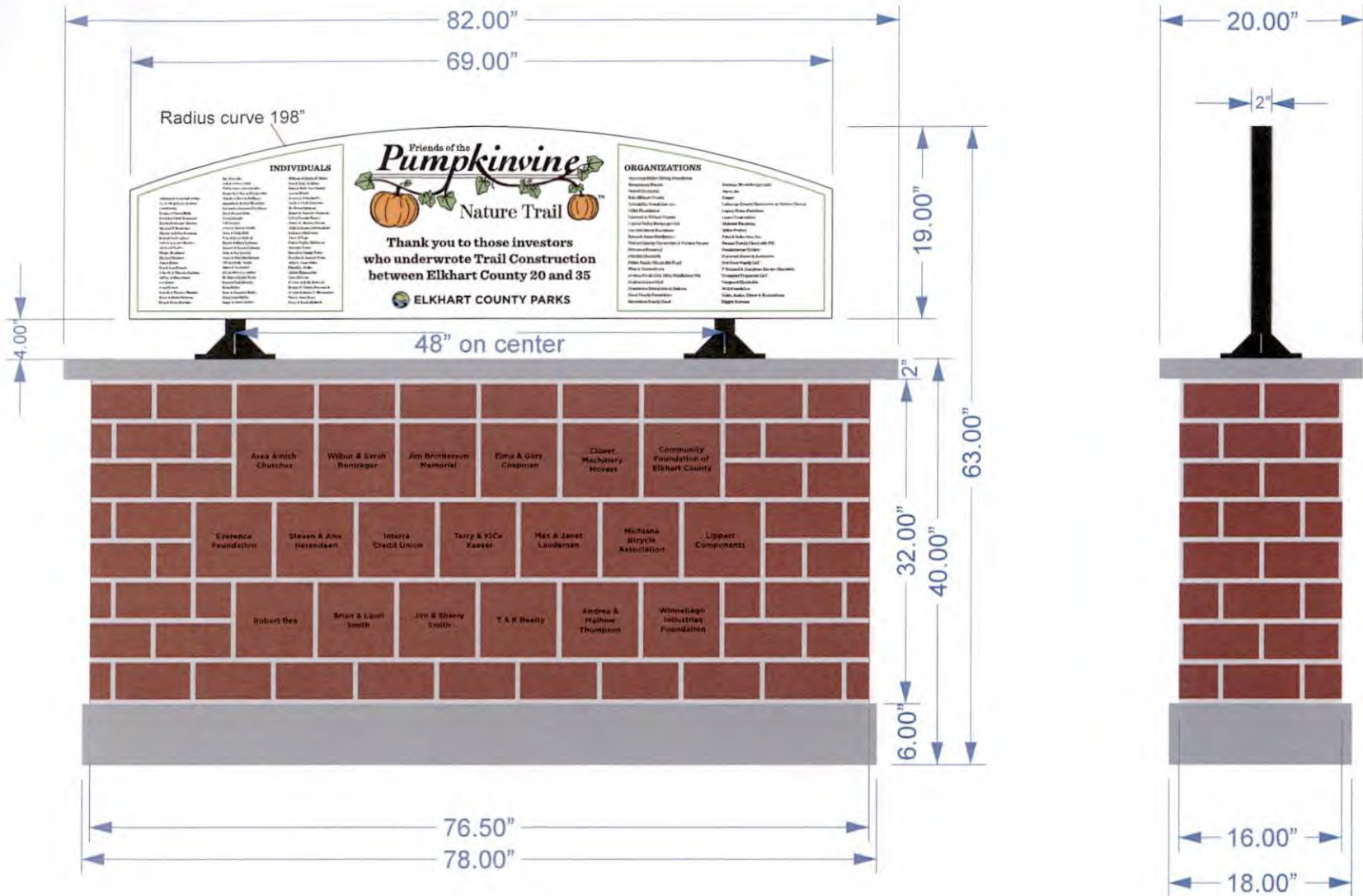
Existing - to be removed



Proposed

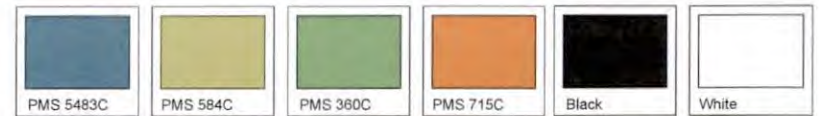
Monument Sign:

- (QTY 2) Routed 6mm thick dibond sign panels with digitally printed vinyl graphics. Attached to steel tube support frames with fasteners. Support structure to be painted black. (non-illuminated, double sided).
- Brick,masonry, and foundation work to be done by others (out of USS scope of work).
- Installed in same location as existing sign on site.



Monument Sign:

- (QTY 2) Routed 6mm thick dibond sign panels with digitally printed vinyl graphics. Attached to steel tube support frames with fasteners. Support structure to be painted black. (non-illuminated, double sided).
- Brick, masonry, and foundation work to be done by others (out of USS scope of work).
- Installed in same location as existing sign on site.





November 15, 2024

Dear Board of Zoning:

I am writing this letter of support on behalf of the Elkhart County Park and Recreation Board as staff is partnering with Signcrafters and the Friends of the Pumpkinvine to request a variance for a donor sign to be placed along the Pumpkinvine Trail.

This important monument will celebrate the success of the completion of the Pumpkinvine and allow us to honor all of those involved in improving this community asset.

We greatly appreciate your support in allowing us to complete this project as proposed.

If there are any questions, feel free to reach out to me at 574-535-6458.

Sincerely,

A handwritten signature in blue ink that reads "Ronda DeCaire".

Ronda DeCaire
Director of Parks



November 18, 2024

Dear Board of Zoning:

I would like to request your support of the variance for a donor sign to be placed along the Pumpkinvine Trail at CR 20 in Middlebury. This structure will honor the investors that made these recent, and final, sections of trail possible.

The Pumpkinvine Trails Coalition (Friends of the Pumpkinvine Nature Trail), in partnership with the Community Foundation of Elkhart County, would appreciate your support in allowing us to complete this project as proposed. If you have any questions, you may reach me at 574-849-5825.

Sincerely,

A handwritten signature in black ink that reads "Brittany Short". The signature is written in a cursive style.

Brittany Short

Coalition Director
Community Foundation of Elkhart County

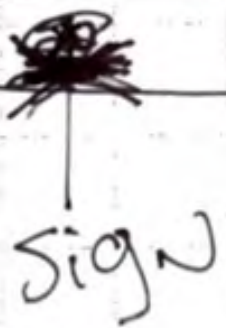
NOV 15 2024

N ↑

CR ~~20~~ 20

Sign Base =
79" x 32"
Sign Face =
19" x 69"

FUNK'N.W. TRAIL



58' BACK FROM
CENTERLINE OF CR 20
5' NORTH OF THE PROPERTY LINE
OF THE TRAIL

Hearing Officer Staff Report

Prepared by the Department of Planning and Development

Hearing Date: December 18, 2024

Transaction Number: DV-0844-2024.

Parcel Number(s): 20-05-11-479-010.000-001, 20-05-11-479-011.000-001, & 20-05-11-479-012.000-001.

Existing Zoning: M-2.

Petition: for a 35 ft. Developmental Variance (Ordinance requires 75 ft.) to allow for the construction of a commercial building 40 ft. from the centerline of CR 3, for a 27 ft. Developmental Variance (Ordinance requires 75 ft.) to allow for the construction of commercial buildings 48 ft. from the centerline of LaRue St., for a 46 ft. Developmental Variance (Ordinance requires 120 ft.) to allow for the construction of commercial buildings 74 ft. from the centerline of Old US 33, and for a 15 ft. Developmental Variance (Ordinance requires 25 ft.) to allow for the construction of a commercial building 10 ft. from the West side property line.

Petitioner: Amerco Real Estate Company (Buyer) & Brad Cronmiller & Dragos Prahoveanu (Sellers).

Location: Northwest corner of Old US 33 & CR 3, in Baugo Township.

Site Description:

- Physical Improvement(s) – Commercial building.
- Proposed Improvement(s) – Storage buildings.
- Existing Land Use – Commercial.
- Surrounding Land Use – Commercial and Residential.

History and General Notes:

- None.

Staff Analysis:

Staff finds that:

1. Approval of the request will not be injurious to public health, safety, morals, or general welfare. The setbacks will not cause sight distance issues from the intersection and the buildings will be set back from the right-of-way.
2. Approval of the request will not cause substantial adverse effect on neighboring property. This proposed improvement will remain in character with what is already established on the property and adjacent properties. Tearing down the old buildings to build newer ones will help maintain the neighborhood's appearance.

Hearing Officer Staff Report (Continued)

Hearing Date: December 18, 2024

3. Strict application of the terms of the Development Ordinance would result in an unnecessary hardship in the use of the property. The development would not be able to utilize the entire property to better serve as a storage rental property without the use of the variances.

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 11/19/2024) and as represented in the Developmental Variance application.



R-2

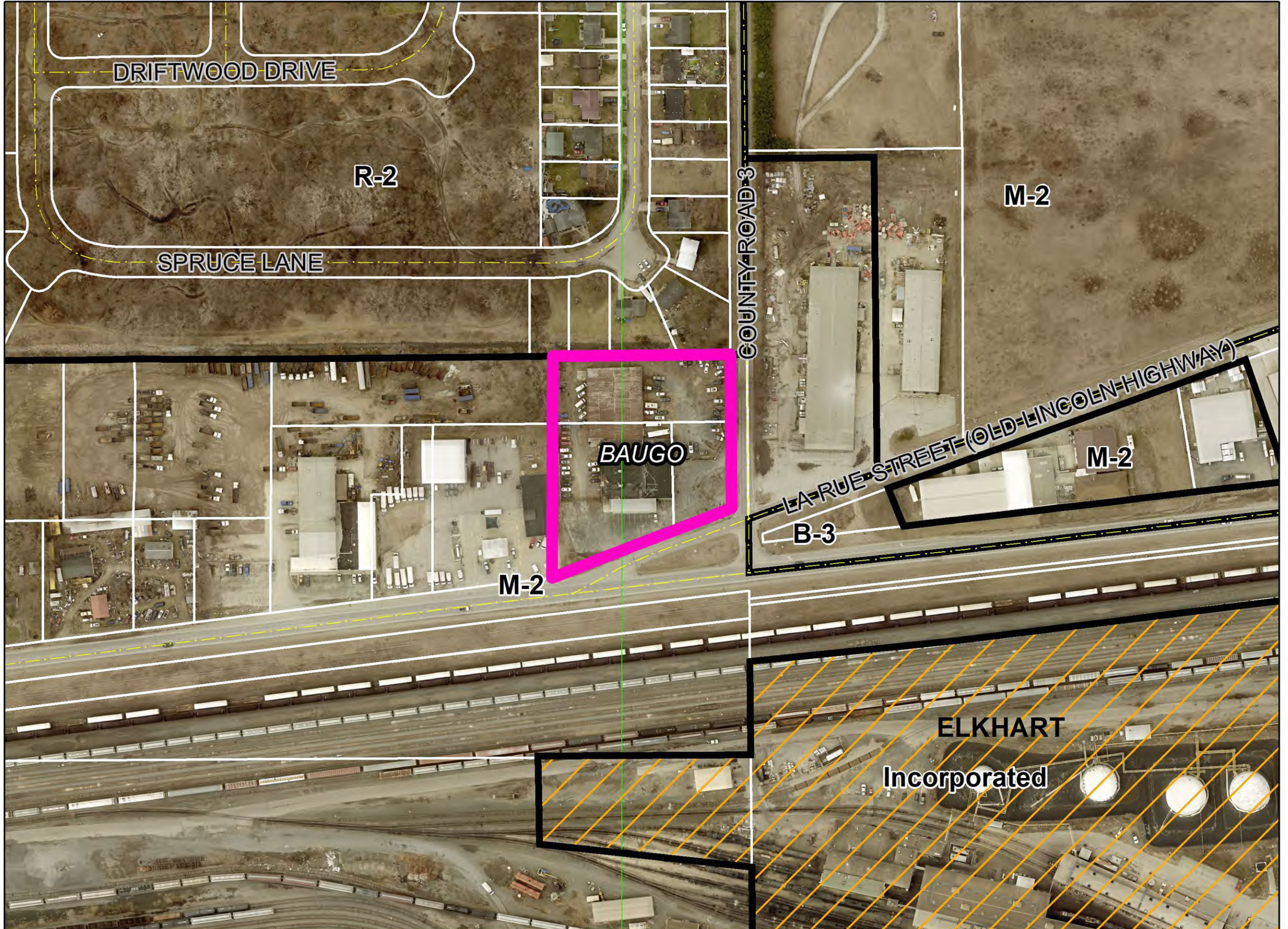
BAUGO M-2

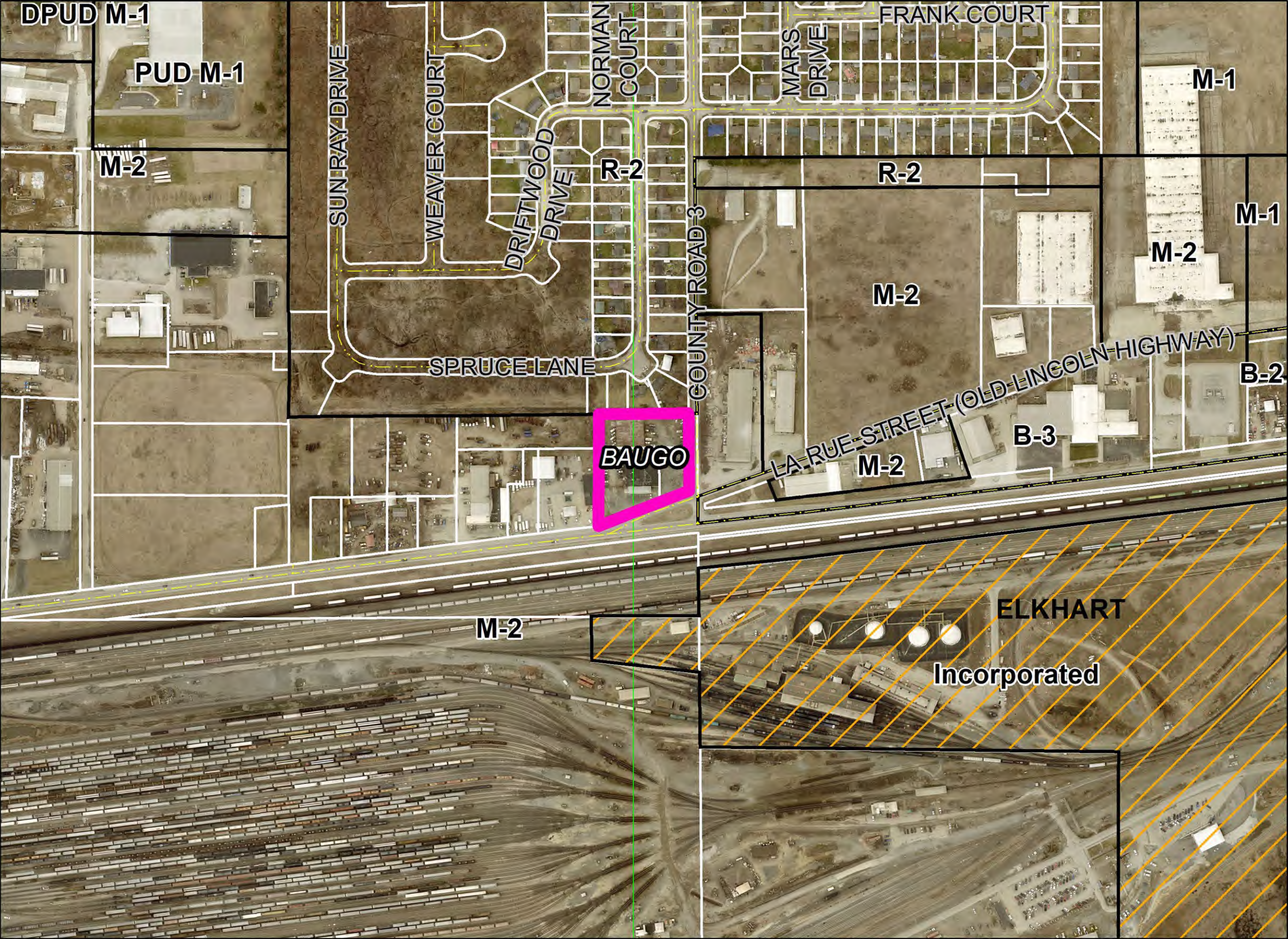
B-3

COUNTY ROAD 3

LA RUE STREET (OLD LINCOLN HIGHWAY)









Subject property, facing North



Subject property facing Northwest from CR 3



Facing East



Facing West towards intersection



Facing South

PLAN COMMISSION & BOARD OF ZONING APPEALS

Elkhart County Planning & Development
Public Services Building

4230 Elkhart Road, Goshen, Indiana, 46526

Phone - (574) 971-4678

Fax - (574) 971-4578

DV-0844-2024

Developmental Variance - Developmental Variance

Date: 11/18/2024

Meeting Date:

December 18, 2024
Board of Zoning Appeals Public Hearing

Transaction #: DV-0844-2024

Description: for a 36 ft. Developmental Variance (Ordinance requires 75 ft.) to allow for the construction of a commercial building 39 ft. from the centerline of CR 3, for 28 ft. Developmental Variance (Ordinance requires 75 ft.) to allow for the construction of commercial buildings 47 ft. from the centerline of LaRue St., for a 36 ft. Developmental Variance (Ordinance requires 120 ft.) to allow for the construction of commercial buildings 84 ft. from the centerline of Old US 33, and for a 15 ft. Developmental Variance (Ordinance requires 25 ft.) to allow for the construction of a commercial building 10 ft. from the west side property line.

Contacts: Applicant

Amerco Real Estate Company
(Buyer)
2727 N Central Ave, 5N
Phoenix, AZ 85004

Authorized Agent

Amerco Real Estate Company
(Buyer)
2727 N Central Ave, 5N
Phoenix, AZ 85004

Land Owner

Brad Cronmiller & Dragos
Prahoveanu, Tenants In
Common (Seller)
921 E Jefferson Blvd
Mishawaka, IN 465456727

Site Address: 29031 Old Us 33
Elkhart, IN 46516

Parcel Number: 20-05-11-479-010.000-001
20-05-11-479-011.000-001
20-05-11-479-012.000-001

Township: Baugo

Location: North Side Of Us 33 at Southwest Corner Of County Road 3

Subdivision: HIGHWAY GARDENS

Lot # 1-2, 3-6, AND 35

Lot Area: 1.96 Frontage: 300.00 Depth: 249.52

Zoning: M-2

NPO List:

Present Use of Property: COMMERCIAL

Legal Description:

Comments: PARCEL (479-012) CREATED 2/11/91, PARCEL (479-011) CREATED 3/1/62, PARCEL (479-010) CREATED 3/1/62.
EXISTING BUILDING (ON 479-010) IS 25,244 SQ FT

Applicant Signature:

Department Signature:

Application

Site address: 29031 Old US 33 Elkhart, IN

Parcel number(s): 20-05-11-479-012-000-001, 20-05-11-479-011-000-001, 20-05-11-479-010-000-001

Current property owner

Name: Thomas Cronin

Address: 29031 Old US 33

Phone: 602-263-6555

Email: Thomas@ABREPO.com

Other party Agent Buyer Land contract purchaser Lessee

Name: AMERCO Real Estate Company

Address: 2727 N. Central Ave.

Phone: 602-263-6555 Ext. 516305

Email: sahilhya_cheruku@uhaul.com

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]

Sahil ee yah

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: Amerco Real Estate Company

- 1) Tell us what you want to do. seeking a set back variance to allow for the construction of mini storage units on the property. By increasing the buildable area will alin with our business plan also this will provide additional storage options that will benefit local residents.
2) Tell us why you can't change what you're doing so you don't need a variance. the layout and dimensions of the property, combined with its adjacency to the U-Haul self-storage center, makes it challenging to comply with existing setback requirements. Adapting the design to meet these regulations would significantly limit the number of storage units we could offer.
3) Tell us why the variance won't hurt your neighbors or the community. these mini storage units would be an addition also compatible with the existing U-Haul facility, enhancing the area's overall appearance. This project will provide valuable storage solutions that meet the increasing demand, without adding traffic congestion or disturbances. We would also include landscaping elements to improve the appearance of the site.
4) Does the property need well and septic? Well: [] Y [x] N Septic: [x] Y [] N of the site.
Does the property need a new septic system? [] Y [x] N
If a new septic system is needed, did the Health Department say there's enough space for it? [] Y [] N

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

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

- 7) Does the application include variances for signs? [] Y [x] 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 [x] N
If yes, tell us how many total there will be. _____

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

AMERCO[®]

REAL ESTATE COMPANY

2727 North Central Avenue, 5-N • Phoenix, Arizona 85004
Phone: 602.263.6555 • Fax: 602.277.5824

Amerco Real Estate Company
2727 N Central Ave, 5N
Phoenix, AZ 85004

Sept 25th, 2024

To Whom It May Concern:

With regards to 29031 Old US 33 Elkhart, IN, please be advised that Brad Cummings, owner of the above-mentioned property, authorizes AMERCO Real Estate Company to speak on our behalf for all matters related to permitting and site development, including the Site Plan Review application currently being submitted.

Date Signed:

Signature of Owner:

Name of Owner:

9/25/24

Brad Cummings

Brad Cummings

Hearing Officer Staff Report

Prepared by the Department of Planning and Development

Hearing Date: December 18, 2024

Transaction Number: SUP-0793-2024.

Parcel Number(s): 20-02-28-377-017.000-026 & 20-02-28-377-018.000-026.

Existing Zoning: R-2.

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

Petitioner: Tim D. Kidder.

Location: North side of North Park Avenue, 200 ft. East of Adams St., in Osolo Township.

Site Description:

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

History and General Notes:

- **1980** – A Special Use for an existing mobile home to be occupied by Harold & Cleo King was approved.
- **1987** – A Special Use for an existing mobile home was granted to Angeline Wagers for rental purposes (87-114).
- **1987** – A Special Use for an existing mobile home to be occupied by James Frost was approved (87-145).
- **1988** – A Special Use for an existing mobile home was granted to James Frost for rental purposes.
- **February 20, 1992** – A Special Use for an existing mobile home was granted to Michael J. Carretti for rental purposes.
- **April 20, 1995** – A Special Use for an existing mobile home to be occupied by Garry & Yvonne Vance was approved (95-1462).

Staff Analysis:

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

1. The Special Use will be consistent with the spirit, purpose, and intent of the Development Ordinance. A mobile home is allowed in the R-2 zone with a Special Use. This is an existing mobile home.
2. The Special Use will not cause substantial and permanent injury to the appropriate use of neighboring property. This is a 0.33-acre parcel in a dense residential area, and the property will remain residential in character. There are other mobile homes in the neighborhood.
3. The Special Use will substantially serve the public convenience and welfare by providing an affordable living option.

Hearing Officer Staff Report (Continued)

Hearing Date: December 18, 2024

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

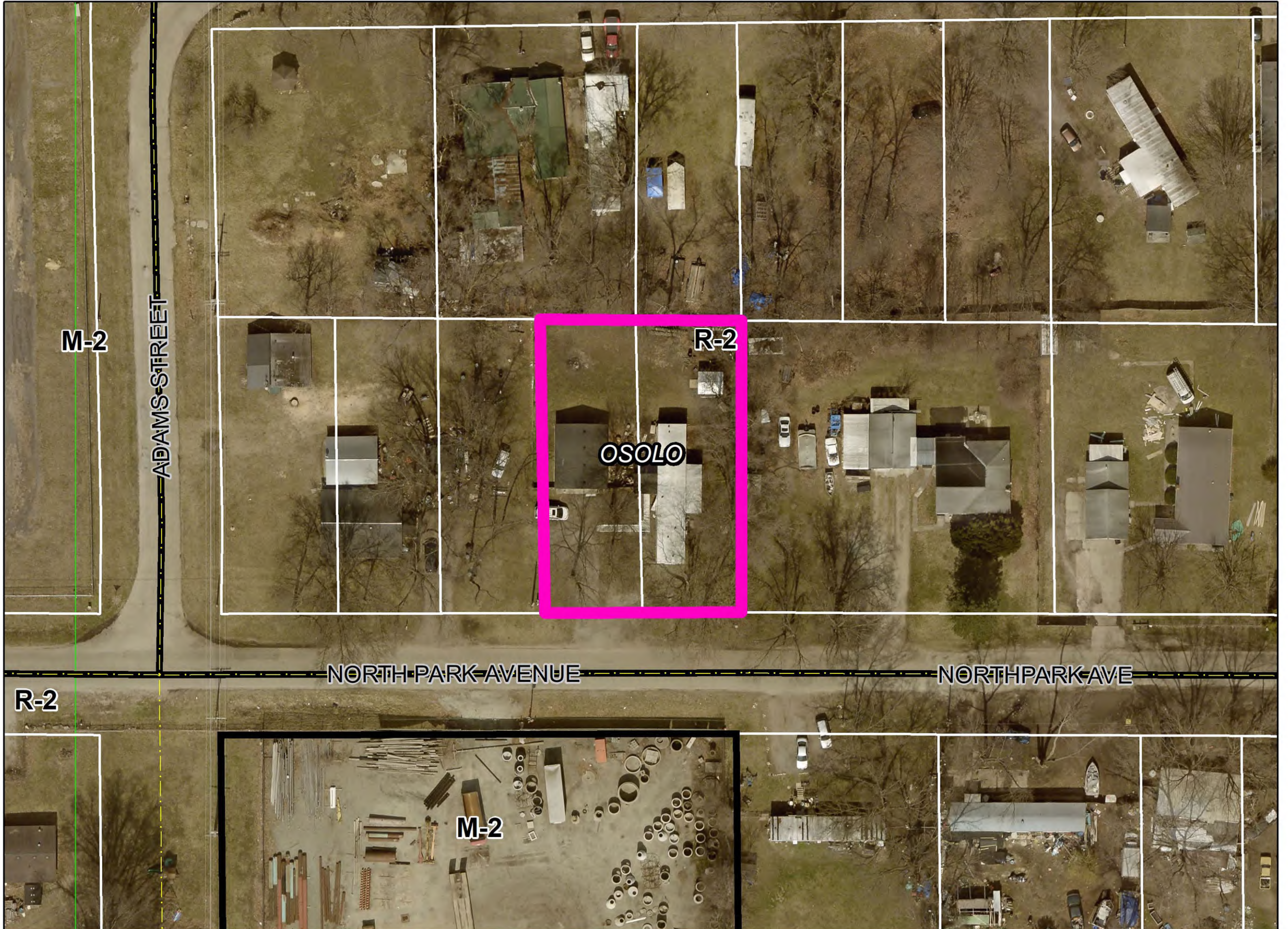
1. The request is approved subject to Staff renewal every three (3) years and with a one (1) year review to verify compliance with the following:
 - a. The mobile home shall be adequately stabilized and skirted and have tie-downs installed.
 - b. The water supply and sewage disposal system shall be installed in accordance with County Health Department specifications.
 - c. Adequate provisions for storage shall be provided at all times to eliminate exterior storage of personal property, tools, and vehicles, except licensed motor vehicles.
 - d. At all times, the premises shall be kept free of abandoned junk vehicles and parts thereof as described by Indiana State Law.
2. The request is approved in accordance with the site plan submitted on 10/25/2024 and as represented in the Special Use application.

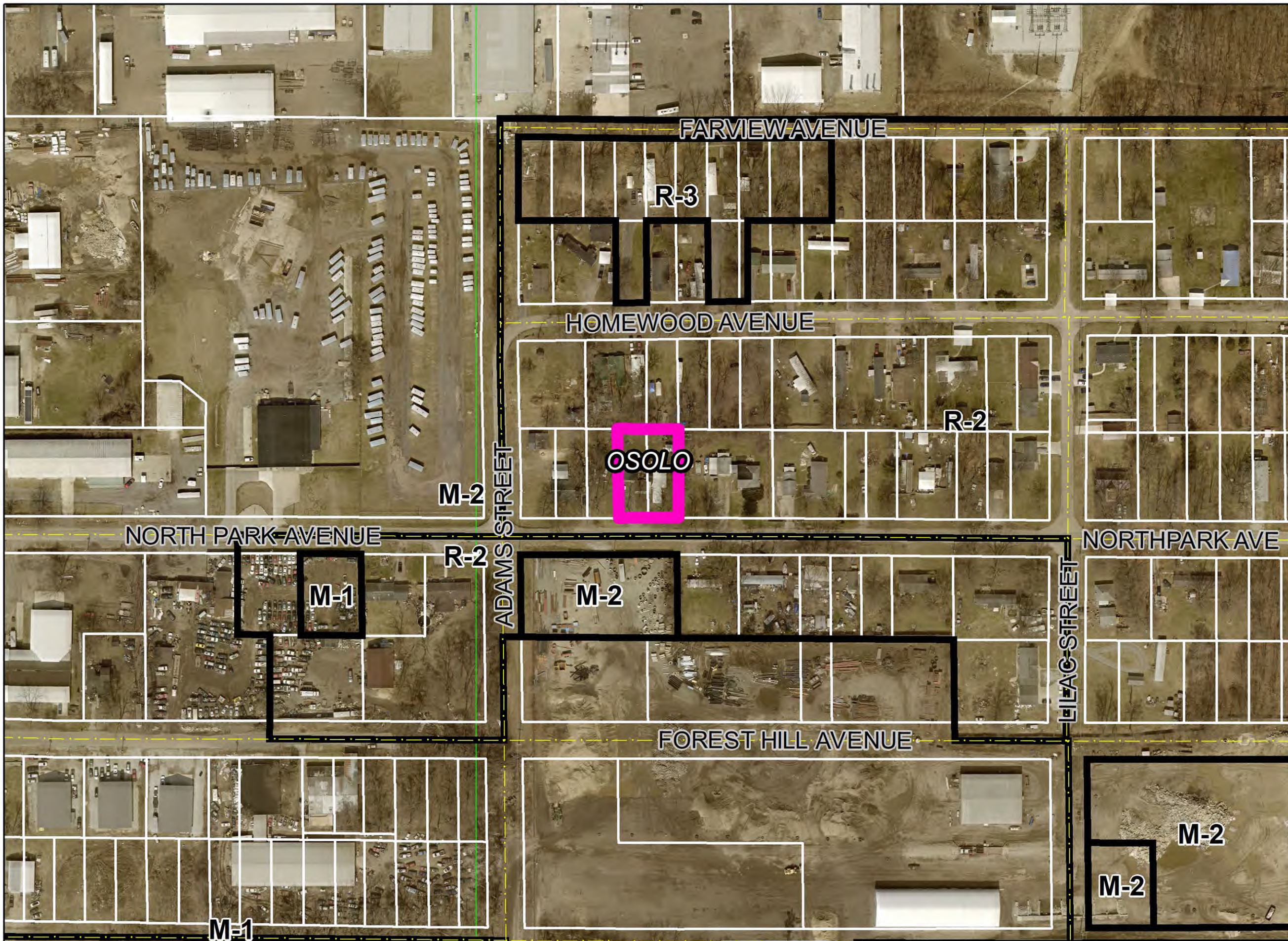
for a Developmental Variance to allow for an existing mobile home within 300 ft. of a residence, staff finds that:

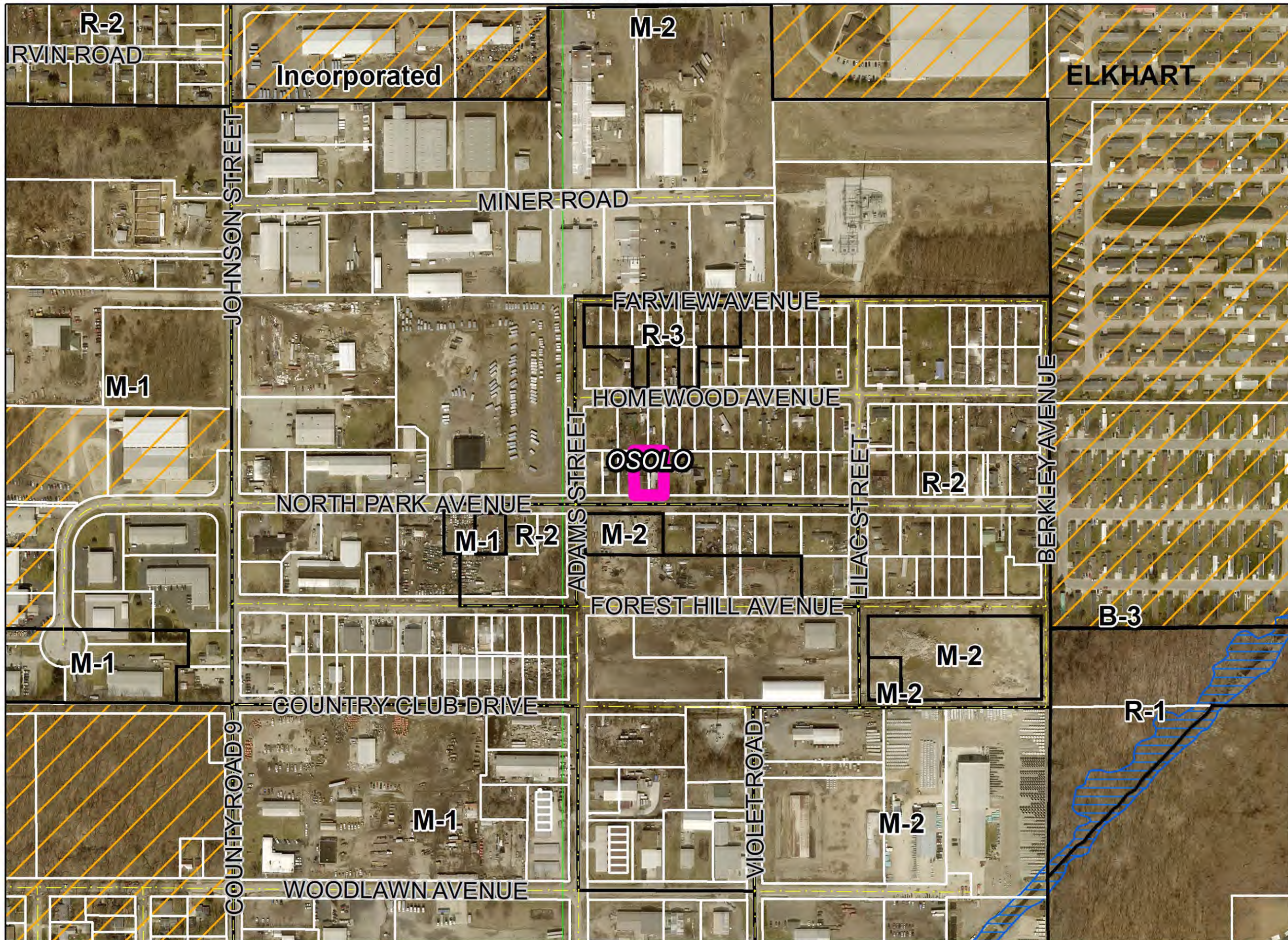
1. Approval of the request will not be injurious to public health, safety, morals, or general welfare. This is an existing mobile home.
2. Approval of the request will not cause substantial adverse effect on neighboring property. This is a 0.33-acre parcel in a dense residential area and the property will remain residential in character. There are other mobile homes in the neighborhood.
3. Strict application of the terms of the Development Ordinance would result in an unnecessary hardship in the use of the property. Without the benefit of the variance, the mobile home would be non-conforming.

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 on 10/25/2024 and as represented in the Developmental Variance 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 - Mobile Home

SUP-0793-2024

Date: 10/25/2024

Meeting Date:

December 18, 2024

Board of Zoning Appeals Public Hearing

Transaction #:

SUP-0793-2024

Description: for a Special Use for an existing mobile home. AW

Contacts: Applicant

Timothy D. Kidder
25786 North Park Ave
Elkhart, IN 46514

Land Owner

Timothy D. Kidder
25786 North Park Ave
Elkhart, IN 46514

Site Address: 25725 N Park Ave
Elkhart, IN 46514

Parcel Number: 20-02-28-377-017.000-026
20-02-28-377-018.000-026

Township: Osolo

Location: North Side Of North Park Avenue, 200 Feet East Of Adams Street

Subdivision: NORTH PARK

Lot # 178 & 179

Lot Area: 0.33 Frontage: 100.00 Depth: 140.00

Zoning: R-2

NPO List:

Present Use of Property: RESIDENTIAL

Legal Description:

Comments: SEE SPECIAL USE SUP-0433-2020, SPECIAL USE #95-1462, 92-14-u, 88-133-SU, 87-145-SU, 87-114-SU, 80-13-SU
NO PLANNER WAS AVAILBE DURING NOON-1 PM. AW.
TIM KIDDER BROUGHT IN A DEED SHOWING HE IS THE NEW OWNER OF THE PROPERTY. INCLUDES 2 PARCELS
20-02-28-377-018.000-026 & 20-02-28-377-017.000-026. 11-7-2024 JB

Applicant Signature:

Department Signature:

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

Application

Site address: 25725 N Park Ave Elkhart, IN 46514

Parcel number(s): 20-02-28-377-018.000-026

Current property owner

Name: Juvenal Moreno

Address: 57636 Paul St Elkhart, IN 46517

Phone: 574-226-5536

Email: jm towing services llc@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: _____

Juvenal Moreno

Staff Use Only

Description: for a Special Use for an existing mobile home.

Parcel creation date: 3/1/1962

Subdivision required? Y N If yes, AS Minor Major

North Park
Lots 178+179

Residential accessory breakdown, if applicable: N/A

Location: N S E W corner side end of NORTH PARK AVE.

200 ft. N S E W of ADAMS ST.

in OSOLO Township

Frontage: 100 Ft. Depth: 140 Ft. Area: 0.33 acres

Subdivision and lot number, if applicable: _____

Present use: RESIDENTIAL.

Special Use for a Mobile Home — Questionnaire

Name: _____

1) Is there an existing main residence already on the property? Y N
If yes, tell us who will live in the existing main residence. A renter in the mobile home.

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

3) Is the mobile home needed because of a hardship like poor health, age, or an emergency? Y N
If yes, tell us about it. _____

4) Tell us why the mobile home won't hurt your neighbors or the community. Its a nice well kept home.

5) Does the mobile home need its own well and septic? Well: Y N Septic: Y N
Does the mobile home need a new septic system? Y N
If yes, did the Health Department say there's enough space for it? Y N

6) Tell us the size of the mobile home. 1130 SF.

7) Tell us the year of the mobile home. 1984

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

centerline of roadway
N/A alleys

PROPERTY LINE

OCT 25 2024

PROPERTY BOUNDARIES ARE FENCED.

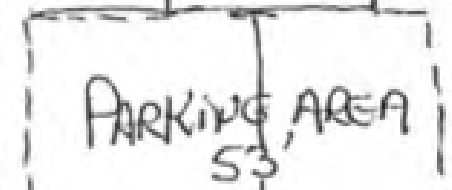
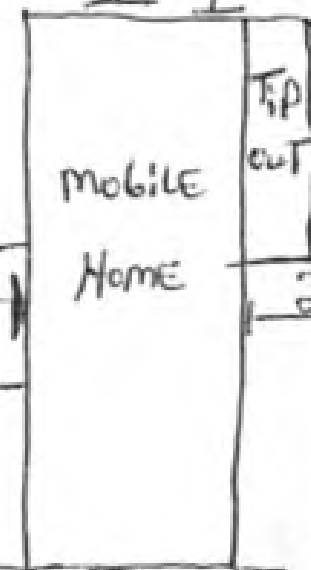
LOT 179

LOT 178

MEAMS ST

PROPERTY LINE

62'



PROPERTY LINE

NORTH PARK AVE



40'

51'

8'

PROPERTY LINE

Hearing Officer Staff Report

Prepared by the Department of Planning and Development

Hearing Date: December 18, 2024

Transaction Number: SUP-0804-2024.

Parcel Number(s): 20-03-24-451-002.000-030.

Existing Zoning: A-1.

Petition: for a Special Use for an existing mobile home and for a Developmental Variance to allow for the total square footage of accessory structures to exceed that allowed by right.

Petitioner: Mary A. Lehman.

Location: East side of CR 29, 1,015 ft. North of SR 120, in Washington Township.

Site Description:

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

History and General Notes:

- **July 18, 1985** – A Special Use for a double-wide mobile home to be occupied by Thomas Ryans and family for a period of three (3) years and an Appeal from the Administrator’s denial due to failure to comply with the requirement of the Subdivision Control Ordinance were approved (85-116-SU).
- **August 18, 1988** – A Special Use for an existing mobile home (occupied by Thomas Ryans and family) for an indefinite period of time was approved (88-98-SU).
- **November 21, 1991** – A Special Use for an existing mobile home to be occupied by Calvin & Kathleen Mullins and an Appeal to allow an agricultural use (large livestock) on property containing three (3) acres or less were approved (91-179-SU).
- **April 18, 1996** – A Special Use for an existing mobile home to be occupied by Joanne D. Lash and family and a Special Use to allow an agricultural use (keeping of four (4) horses) on a tract of land containing three (3) acres or less were approved (96-1850).

Staff Analysis:

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

1. The Special Use will be consistent with the spirit, purpose, and intent of the Development Ordinance. A mobile home is allowed in the A-1 zone with a Special Use.
2. The Special Use will not cause substantial and permanent injury to the appropriate use of neighboring property. This is a 2.41-acre parcel in a low-density residential area, and the property will remain residential in character.
3. The Special Use will substantially serve the public convenience and welfare by providing an affordable living option.

Hearing Officer Staff Report (Continued)

Hearing Date: December 18, 2024

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

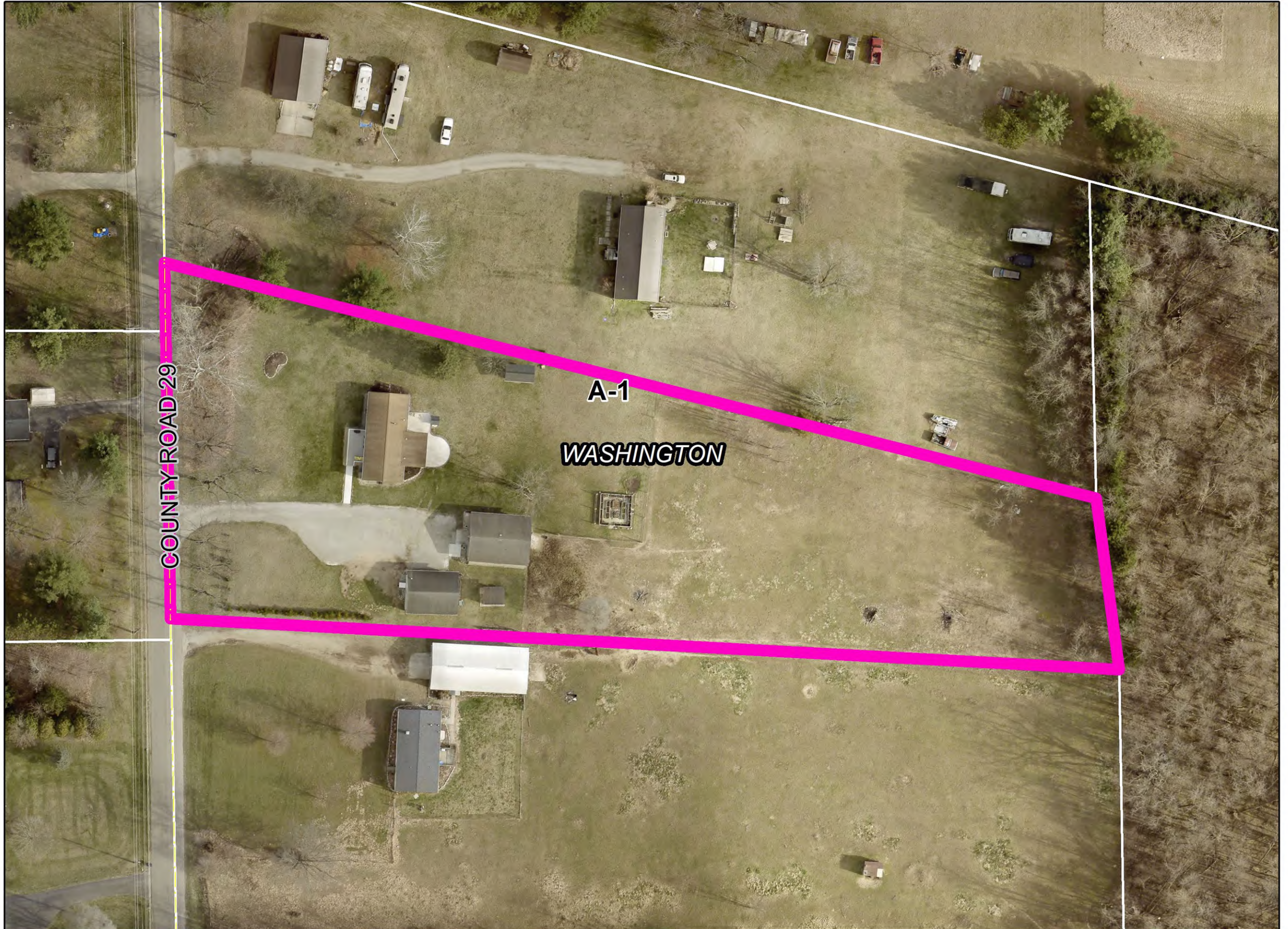
1. The request is approved subject to Staff renewal every three (3) years and with a one (1) year review to verify compliance with the following:
 - a. The mobile home shall be adequately stabilized and skirted and have tie-downs installed.
 - b. The water supply and sewage disposal system shall be installed in accordance with County Health Department specifications.
 - c. Adequate provisions for storage shall be provided at all times to eliminate exterior storage of personal property, tools, and vehicles, except licensed motor vehicles.
 - d. At all times, the premises shall be kept free of abandoned junk vehicles and parts thereof as described by Indiana State Law.
2. The request is approved in accordance with the site plan submitted on 11/1/2024 and as represented in the Special Use application.

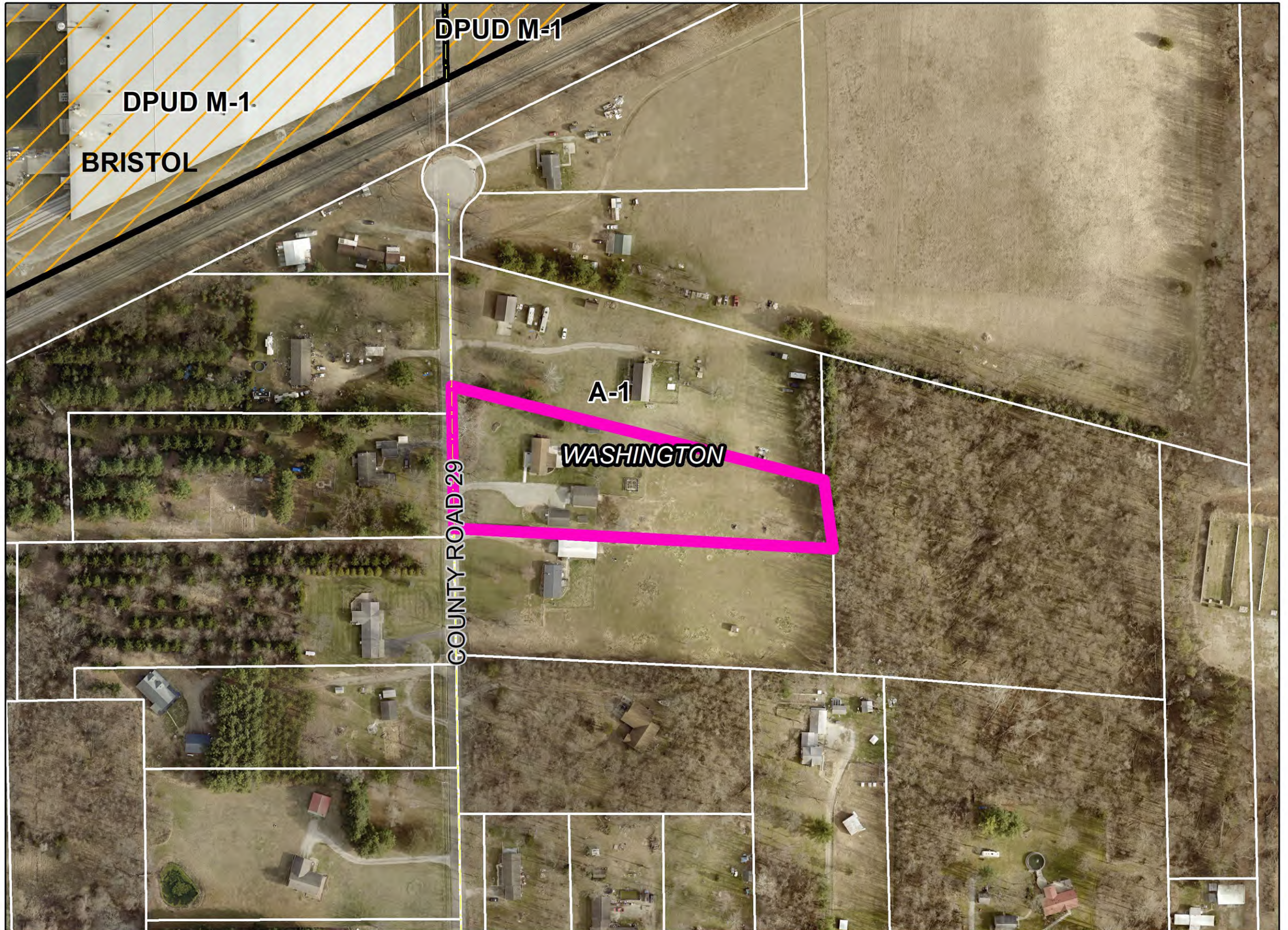
for a Developmental Variance to allow for the total square footage of accessory structures to exceed that allowed by right, staff finds that:

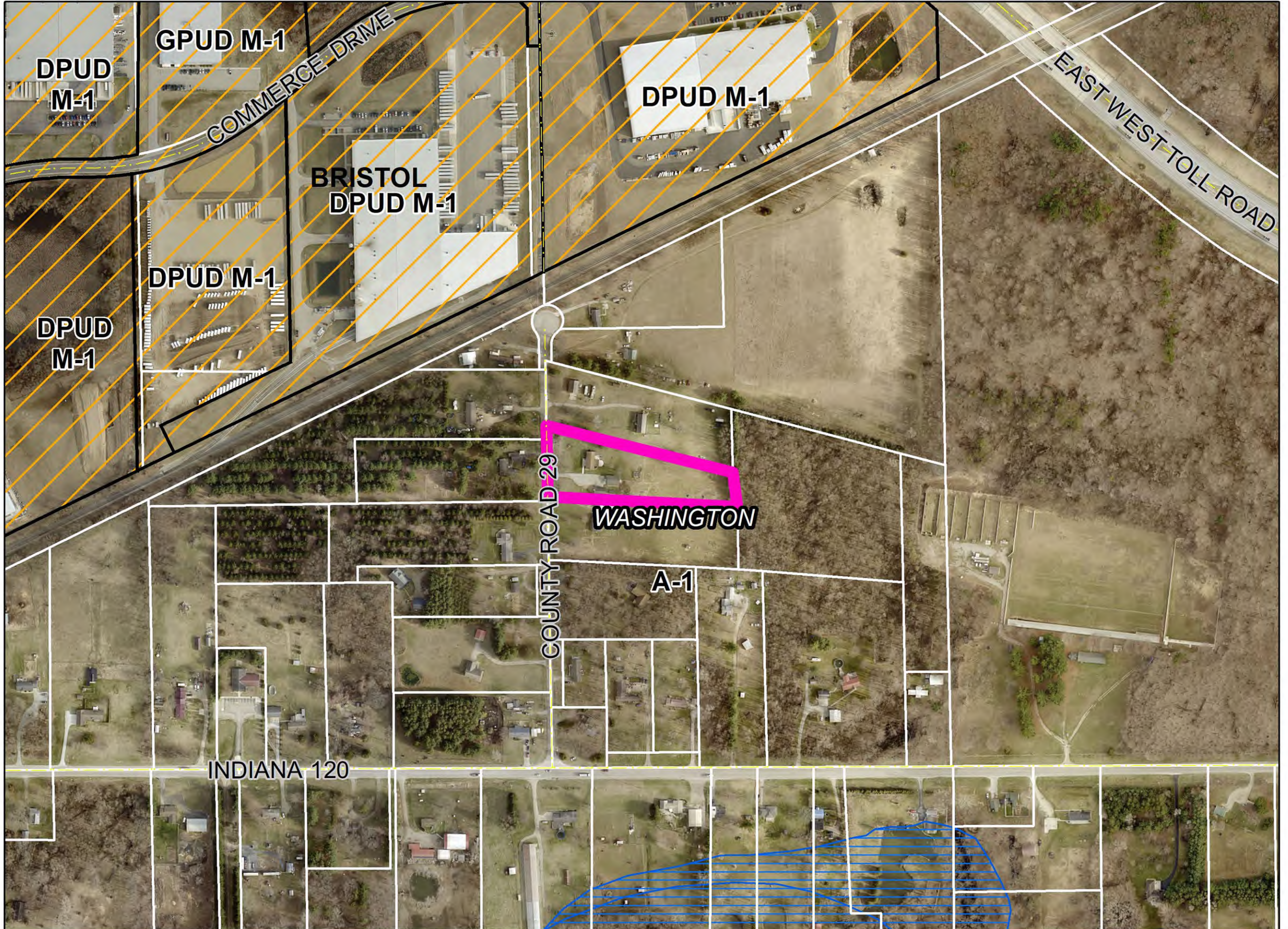
1. Approval of the request will not be injurious to public health, safety, morals, or general welfare. These are existing buildings, and the request is 654 sq. ft., or 44 percent, over what is allowed by right.
2. Approval of the request will not cause substantial adverse effect on neighboring property. This is a 2.41-acre parcel in a low-density residential area, and the property will remain residential in character.
3. Strict application of the terms of the Development Ordinance would result in an unnecessary hardship in the use of the property. Without the benefit of the variance, these structures would be non-conforming.

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 on 11/1/2024 and as represented in the Developmental Variance application.









Facing east toward subject property



Facing west



Facing north



Facing south

PLAN COMMISSION & BOARD OF ZONING APPEALS

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Public Services Building

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Phone - (574) 971-4678

Fax - (574) 971-4578

Special Use - Mobile Home

SUP-0804-2024

Date: 11/01/2024

Meeting Date:

December 18, 2024

Board of Zoning Appeals Public Hearing

Transaction #:

SUP-0804-2024

Description: for a Special Use for an existing mobile home and for a Developmental Variance to allow for the total square footage of accessory structures to exceed that allowed by right

Contacts: Applicant

Mary A. Lehman
52812 County Road 29
Bristol, IN 46507

Land Owner

Mary A. Lehman
52812 County Road 29
Bristol, IN 46507

Site Address: 52812 County Road 29
Bristol, IN 46507

Parcel Number:

20-03-24-451-002.000-030

Township: Washington

Location: East Side Of County Road 29, 1,015 Feet North Of Sr 120

Subdivision:

Lot #

Lot Area:

2.41

Frontage:

228.79

Depth:

630.00

Zoning: A-1

NPO List:

Present Use of Property: RESIDENTIAL

Legal Description:

Comments: SEE PREVIOUS SPECIAL USE #52812CR 29-140324-2 APPROVED 4/18/1996 (GARY SHOUFLE), #91-179-U (CALVIN L & KATHLEEN A MULLINS) APPROVED 11/21/1991, #88-98-SU (THOMAS RYANS) APPROVED 8/18/1988, AND # 85-116-SU APPROVED 7/19/1985
RESIDENCE = 1,344 SQ FT X 110% = 1,478 SQ FT, MINUS 1,200 (BARN), 180 (SHED), 80 (SHED) 672 (DETACHED GARAGE) FOR AN OVERAGE OF 654 SQ FT. PERSONAL STORAGE.

Applicant Signature:

Department Signature:

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

Application

Site address: 52812 CR 29 Bristol IN

Parcel number(s): 20-03-24-451-002

Current property owner

Name: Mary Lehman

Address: 52812 CR 29 Bristol

Phone: 574-536-5883

Email: Miss. Mary.anna 4@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: Mary Lehman

Staff Use Only

Description: _____

Parcel creation date: 5/12/1988

Subdivision required? Y N If yes, AS Minor Major

Residential accessory breakdown, if applicable: _____

Location: N S E W corner side end of CR 29
1,015 ft. N S E W of SR 120
in Washington Township

Frontage: 228.79 Depth: 630 Area: 2.41 acres

Subdivision and lot number, if applicable: _____

Present use: Residential

Special Use for a Mobile Home — Questionnaire

Name: Mary Lehman

1) Is there an existing main residence already on the property? Y N
If yes, tell us who will live in the existing main residence. _____

2) Tell us who will live in the mobile home. my son and I

3) Is the mobile home needed because of a hardship like poor health, age, or an emergency? Y N
If yes, tell us about it. _____

4) Tell us why the mobile home won't hurt your neighbors or the community. _____
Because I keep it up 😊

5) Does the mobile home need its own well and septic? Well: Y N Septic: Y N
Does the mobile home need a new septic system? Y N
If yes, did the Health Department say there's enough space for it? Y N

6) Tell us the size of the mobile home. 1344 sq ft

7) Tell us the year of the mobile home. 1976

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

Application

Site address: 52812 CR 29 Bristol IN 46507

Parcel number(s): _____

Current property owner

Name: Mary Lehman

Address: 52812 CR 29 Bristol IN 46507

Phone: 574-536-5883 Email: miss.mary.anna4@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: Mary Lehman

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: Mary Lehman

1) Tell us what you want to do. TO keep my structures

2) Tell us why you can't change what you're doing so you don't need a variance. Because everything is already there

3) Tell us why the variance won't hurt your neighbors or the community. Because my place is very well kept

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

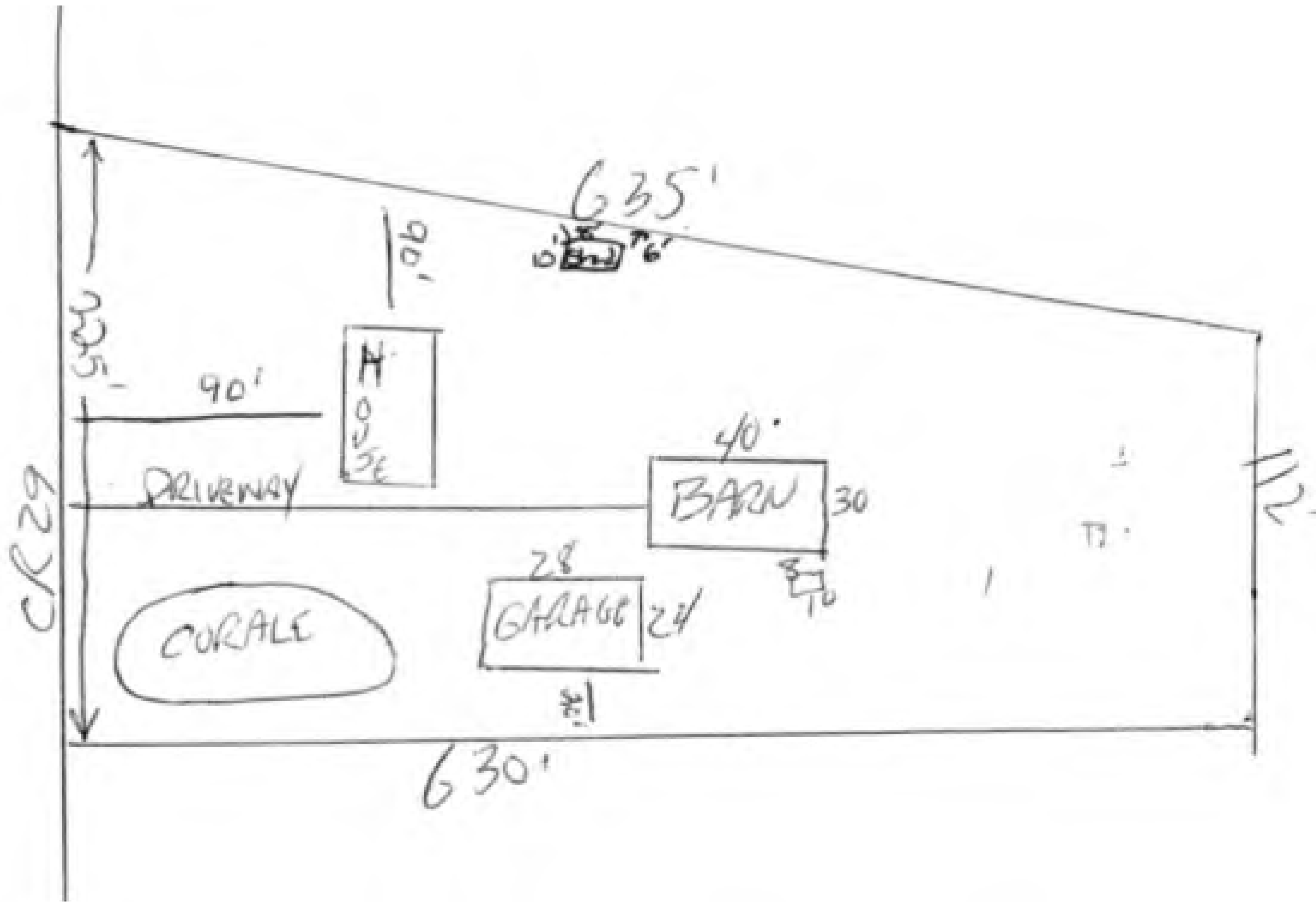
5) Does the application include variances to allow for buildings or additions? Y N If yes, fill out below.
Building or addition 1 Size and height to the peak: _____
Tell us what you'll use it for. _____
Building or addition 2 Size and height to the peak: _____
Tell us what you'll use it for. _____
Building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

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



Hearing Officer Staff Report

Prepared by the Department of Planning and Development

Hearing Date: December 18, 2024

Transaction Number: SUP-0796-2024.

Parcel Number(s): 20-02-33-130-006.000-026.

Existing Zoning: R-2.

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

Petitioner: Yaritza Gonzalez.

Location: North side of Modrell Avenue, 200 ft. East of Baldwin Ct., in Osolo Township.

Site Description:

- Physical Improvement(s) – None.
- Proposed Improvement(s) – New mobile home and accessory structure.
- Existing Land Use – Residential.
- Surrounding Land Use – Residential.

History and General Notes:

- **October 24, 1975** – A Special Use for a mobile home to be occupied by Benny K. Dickenson was approved for an indefinite period of time.
- **May 16, 2001** – A Special Use for an existing mobile home to be occupied by Myra J. Winter was approved (20011999).
- **June 16, 2004** – A Special Use for an existing mobile home to be occupied by Bradley Joe Ragsdale was approved (20042184).

Staff Analysis:

for a Special Use for a mobile home, staff finds that:

1. The Special Use will be consistent with the spirit, purpose, and intent of the Development Ordinance. A mobile home is allowed in the R-2 zone with a Special Use. There was a previous mobile home located on the property and it will be replaced with a new mobile home.
2. The Special Use will not cause substantial and permanent injury to the appropriate use of neighboring property. This is a 0.24-acre parcel in a dense residential area, and the property will remain residential in character. There are other mobile homes in the neighborhood.
3. The Special Use will substantially serve the public convenience and welfare by providing an affordable living option.

Hearing Officer Staff Report (Continued)

Hearing Date: December 18, 2024

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

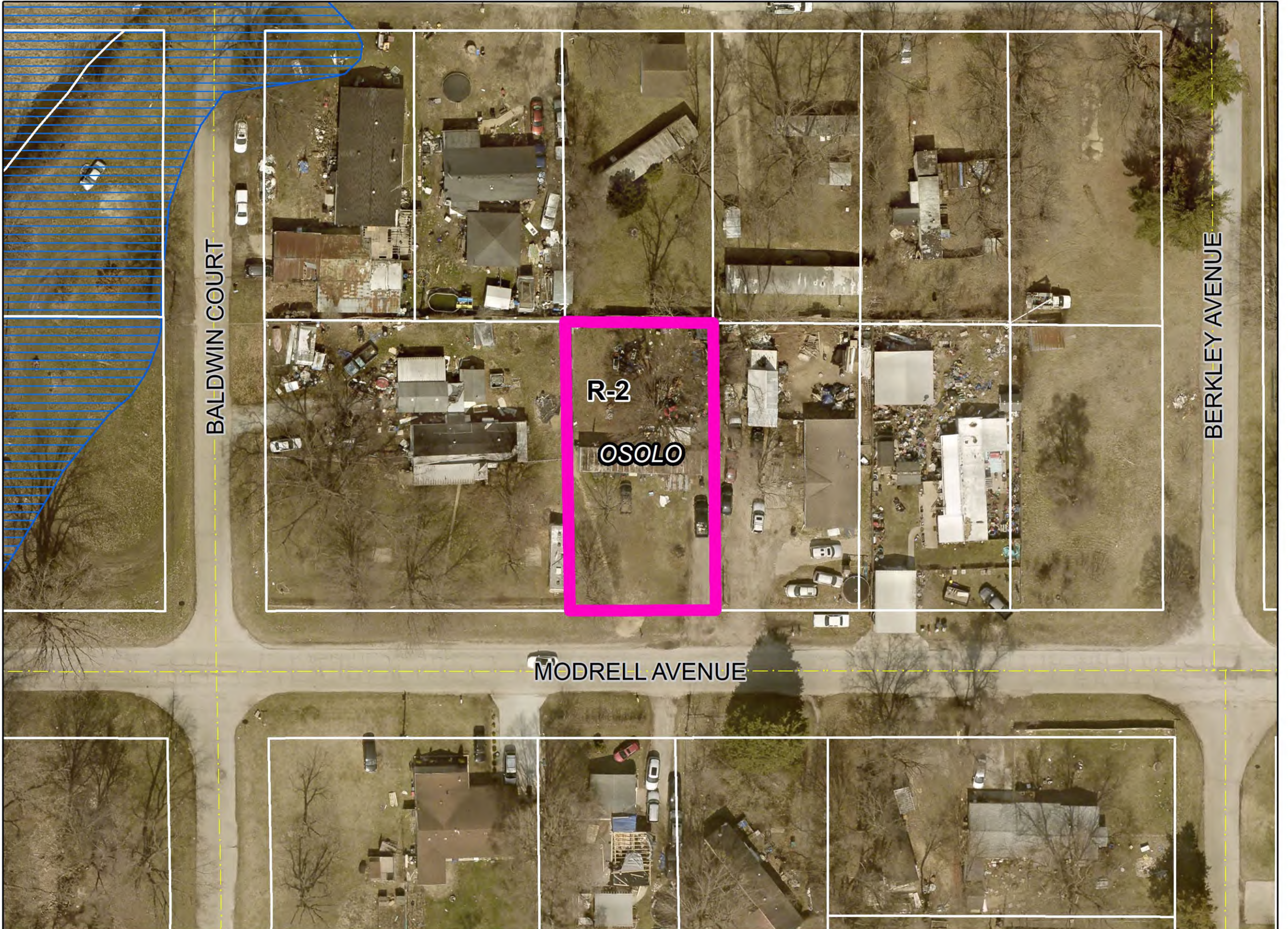
1. The request is approved subject to Staff renewal every three (3) years and with a one (1) year review to verify compliance with the following:
 - a. The mobile home shall be adequately stabilized and skirted and have tie-downs installed.
 - b. The water supply and sewage disposal system shall be installed in accordance with County Health Department specifications.
 - c. Adequate provisions for storage shall be provided at all times to eliminate exterior storage of personal property, tools, and vehicles, except licensed motor vehicles.
 - d. At all times, the premises shall be kept free of abandoned junk vehicles and parts thereof as described by Indiana State Law.
2. The request is approved in accordance with the site plan submitted on 10/30/2024 and as represented in the Special Use application.

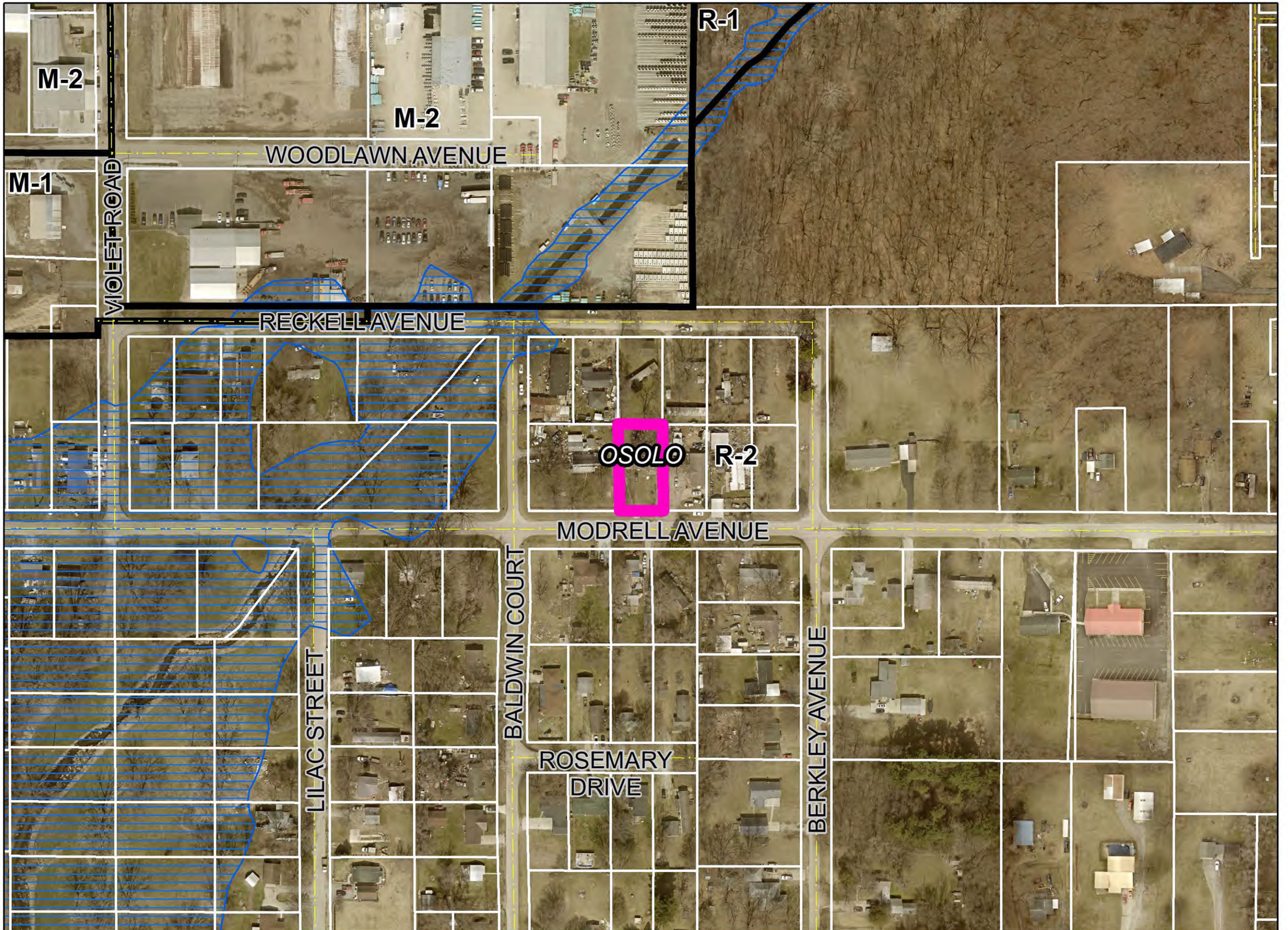
For a Developmental Variance to allow for an existing mobile home within 300 ft. of a residence, staff finds that:

1. Approval of the request will not be injurious to public health, safety, morals, or general welfare. There was a previous mobile home located on the property and a new mobile home will be placed on the property.
2. Approval of the request will not cause substantial adverse effect on neighboring property. This is a 0.24-acre parcel in a dense residential area and the property will remain residential in character. There are other mobile homes in the neighborhood.
3. Strict application of the terms of the Development Ordinance would result in an unnecessary hardship in the use of the property. The new mobile home could not be placed on the property without the variance.

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 on 10/30/2024 and as represented in the Developmental Variance application.





OSOLO

R-2

R-1

M-2

M-2

M-1

WOODLAWN AVENUE

VIOLET ROAD

RECKELL AVENUE

MODRELL AVENUE

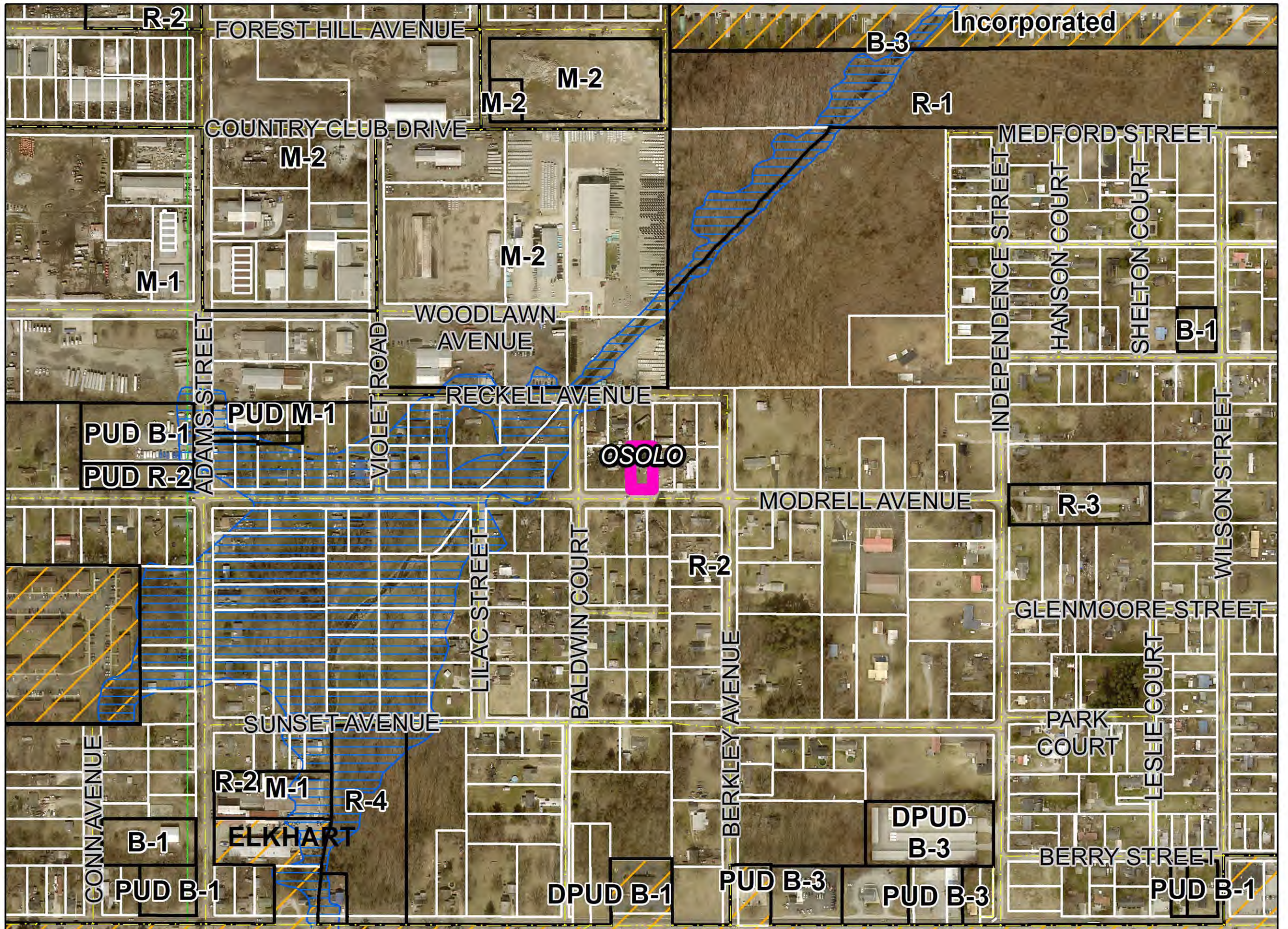
LILAC STREET

BALDWIN COURT

ROSEMARY DRIVE

BERKLEY AVENUE







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 - Mobile Home

SUP-0796-2024

Date: 10/29/2024 Meeting Date: December 18, 2024
Board of Zoning Appeals Public Hearing Transaction #: SUP-0796-2024

Description: for a Special Use for a mobile home and for a Developmental Variance to allow for the placement of a mobile home within 300 ft of a residence.

Contacts: <u>Applicant</u>	<u>Land Owner</u>
Yaritza Gonzalez	Yaritza Gonzalez
1263 Garden St	1263 Garden St
Elkhart, IN 46514	Elkhart, IN 46514

Site Address: 25551 Modrell Ave Elkhart, IN 46514	Parcel Number: 20-02-33-130-006.000-026
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Township: Osolo
Location: North Side Of Modrell Avenue, 200 Feet East Of Baldwin Court, E Of County Road 9

Subdivision: RECKELLS 3RD SD	Lot # 19
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Lot Area: 0.24	Frontage: 74.00	Depth: 142.00
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Zoning: R-2	NPO List:
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Present Use of Property: RESIDENTIAL

Legal Description:

Comments: PREVIOUS SPECIAL USE UNDER GUY JUNIOR RAGSDALE #20042184 APPROVED 6/16/2004, AND #20011999 APPROVED 5/16/2001 AND BENNY K DICKENSON # (NOT FOUND) APPROVED 10/23/1975
MOBILE HOME IS 76 X 16 = 1,216 SQ FT X 110% = 1,337 SQ FT. MAY ADD SHED IN FUTURE (10 X 9 = 90 SQ FT)

Applicant Signature:

Department Signature:

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

Application

Site address: 25551 Mockrell Ave.

Parcel number(s): 02-33-130-006

Current property owner

Name: GONZALEZ, YARITZA

Address: 1263 GARDEN ST, ELKHART IN 46514

Phone: 5743041746

Email: YARI99GONZALEZ@ICLOUD.COM

Yari99gonzalez@icloud.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:

Yaritza Gonzalez

Staff Use Only

Description: For a Special Use for a mobile home and for a Developmental Variance to allow for the placement of a mobile home within 300 ft. of a residence

Parcel creation date: _____

Subdivision required?

Y

N

If yes,

AS

Minor

Major

Residential accessory breakdown, if applicable: _____

Location: N S E W corner side end of _____

_____ ft. N S E W of _____

in _____ Township

Frontage: _____

Depth: _____

Area: _____

acres

Subdivision and lot number, if applicable: _____

Present use: _____

Special Use for a Mobile Home — Questionnaire

Name: Maritza Gonzalez

1) Is there an existing main residence already on the property? Y N
If yes, tell us who will live in the existing main residence. OLD MOBILE HOME
DEMOLISHED JULY 2024.

2) Tell us who will live in the mobile home. PROPERTY OWNER, HUSBAND,
TWO CHILDREN

3) Is the mobile home needed because of a hardship like poor health, age, or an emergency? Y N
If yes, tell us about it. _____

4) Tell us why the mobile home won't hurt your neighbors or the community. FORMERLY, A MOBILE
HOME WAS ON THIS LOT (DEMOLISHED JULY 2024.) MANY
OTHER NEIGHBORS HAVE TRAILERS/MOBILE HOMES.

5) Does the mobile home need its own well and septic? Well: Y N Septic: Y N
Does the mobile home need a new septic system? Y N
If yes, did the Health Department say there's enough space for it? Y N

6) Tell us the size of the mobile home. 16' w x 76'

7) Tell us the year of the mobile home. 1995

8) Tell us anything else you want us to know. PARCEL ALREADY HAS SEPTIC & WELL
FROM PRIOR HOME.

