

AGENDA

ELKHART COUNTY BOARD OF ZONING APPEALS HEARING OFFICER

JULY 17, 2024
9:00 A.M.

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

Call to Order

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

DEVELOPMENTAL VARIANCES

9:00 A.M.

- A. Petitioner: ***Falcon Property Group, LLC*** (Page 1)
Petition: for a 40 ft. Developmental Variance (Ordinance requires 75 ft.) to allow for the construction of a commercial building 35 ft. from the centerline of the right-of-way of E. Lincoln St., for a 49 ft. Developmental Variance (Ordinance requires 75 ft.) to allow for the construction of a commercial building 26 ft. from the centerline of the right-of-way of Sherman St., and for a 4 ft. Developmental Variance (Ordinance requires 15 ft.) to allow for the construction of an commercial building 11 ft. from the rear property line.
Location: Southwest corner of E. Lincoln St. & Sherman St., common address of 130 E. Lincoln St. in Benton Township, zoned M-2. DV-0342-2024
- B. Petitioner: ***Matthew Nelson & Loren M. Nelson, Husband & Wife*** (Page 2)
Petition: for a Developmental Variance to allow for the total square footage of accessory structures to exceed that allowed by right and for a 7 ft. Developmental Variance (Ordinance allows 25 ft.) to allow for the construction of an accessory structure 32 ft. in height.
Location: Southeast corner of North Shore Dr. & Deer Run Trail, 1,160 ft. South of Fawn, common address of 25290 North Shore Dr. in Osolo Township, zoned R-2. DV-0397-2024

- C. Petitioner: ***Rick & Rosa Bancroft*** (Page 3)
 Petition: for a 15 ft. Developmental Variance (Ordinance requires 120 ft.) to allow for an existing residence 105 ft. from the centerline of the right-of-way of Old US 20, for a 5 ft. Developmental Variance (Ordinance requires 10 ft.) to allow for an existing accessory structure 5 ft. from the rear property line, and for a Developmental Variance to allow for the total square footage of accessory structures to exceed that allowed by right.
 Location: Southeast corner of Old US 20 & Riverdale Dr., common address of 29066 Old US 20 in Cleveland Township, zoned R-1. DV-0368-2024
- D. Petitioner: ***Devon H. Miller & Jil L. Miller, Husband & Wife*** (Page 4)
 Petition: for a Developmental Variance to allow for the total square footage of accessory structures to exceed that allowed by right.
 Location: North side of CR 12, 1,600 ft. West of CR 8, common address of 13523 CR 12 in Middlebury Township, zoned A-1. DV-0408-2024
- E. Petitioner: ***James D. Mast & Hanah Mast, Husband & Wife*** (Page 5)
 Petition: for a 50 ft. lot-width Developmental Variance (Ordinance requires 100 ft.) to allow for the construction of a residence.
 Location: South side of CR 40, 2630 ft. East of CR 33, common address of 00000 CR 40 in Clinton Township, zoned A-1. DV-0403-2024
- F. Petitioner: ***AMMF Land Trustee Corporation (Land Contract/ Holder) & Gary Miller (Land Contract/ Purchaser)*** (Page 6)
 Petition: for a 4 ft. Developmental Variance (Ordinance requires 5 ft.) to allow for an existing accessory structure 1 ft. from the East side property line.
 Location: South side of CR 38, 815 ft. East of West County Line Rd., common address of 30846 CR 38 in Olive Township, zoned A-1. DV-0416-2024
- G. Petitioner: ***David Brian Cole*** (Page 7)
 Petition: for a 15 ft. Developmental Variance (Ordinance requires 50 ft.) to allow for the construction of a detached accessory structure 35 ft. from the centerline of the right-of-way of Beach Rd.
 Location: Southeast corner of North Shore Dr. & Beach Rd., 1,065 ft. West of CR 11, common address of 24940 North Shore Dr. in Osolo Township, zoned R-2. DV-0417-2024

MOBILE HOME SPECIAL USE/DEVELOPMENTAL VARIANCE

- H. Petitioner: ***Roy G. Bailey*** (Page 8)
Petition: for a Special Use for an existing mobile home and for a Developmental Variance to allow for an existing mobile home within 300 ft. of a residence.
Location: East side of Maude St., 210 ft. South of Willard Rd., West of CR 5, common address of 53970 Maude St. in Osolo Township, zoned R-2. SUP-0351-2024
- I. Petitioner: ***Jacob V. Burkholder & Kristen M. Burkholder*** (Page 9)
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: South side of Homewood Ave., 180 ft. West of Lilac St., East of CR 9, common address of 25648 Homewood Ave. in Osolo Township, zoned R-2. SUP-0392-2024

TABLED

- J. Petitioner: ***Robert R. Schwindaman & Marisa A. Schwindaman, Husband & Wife*** (Page 10)
Petition: for a 1 ft. Developmental Variance (Ordinance requires 5 ft.) to allow for an existing residence and the construction of an attached accessory structure 4 ft. from the east side property line, for a 5 ft. Developmental Variance (Ordinance requires 5 ft.) to allow for an existing attached deck 0 ft. from the east side property line, and for a 3 ft. Developmental Variance (Ordinance requires 5 ft.) to allow for an existing residence 2 ft. from the west side property line.
Location: South side of North Shore Dr., 1,865 ft. West of CR 11, common address of 25086 North Shore Dr. in Osolo Township, zoned R-2. DV-0322-2024

The Elkhart County Board of Zoning Appeals Hearing Officer is meeting on Wednesday July 17, 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 July 17, 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>