

**ELKHART COUNTY BOARD OF ZONING APPEALS
HEARING OFFICER**

*PUBLIC SERVICES BUILDING
MEETING ROOMS A & B
4230 ELKHART ROAD, GOSHEN, INDIANA*

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

9:00 A.M.

- A. Petitioner: ***Jared Davies & Richelle Davies, Husband & Wife*** **(Page 1)**
Petition: for a Developmental Variance to allow for the total square footage of accessory structures to exceed that allowed by right.
Location: South side of Maple Ridge Dr., 490 ft. West of SR 13, common address of 11560 Maple Ridge Dr. in York Township, zoned DPUD A-1. DV-0563-2025

B. Petitioner: ***Thomas Atkinson & Fawne Atkinson, Husband & Wife*** **(Page 2)**
Petition: for a 17 sq. ft. Developmental Variance (Ordinance allows for 8 sq. ft.) to allow for the placement of a 25 sq. ft. freestanding sign, for a 3 ft. Developmental Variance (Ordinance allows 4 ft.) to allow for the placement of a freestanding sign 7 ft. in height, and for a 3 ft. Developmental Variance (Ordinance requires 3 ft.) to allow for the placement of a freestanding sign 0 ft. from the right-of-way line.
Location: North side of Old US 20, 1,460 ft. East of CR 13, common address of 23241 Old US 20 in Concord Township, zoned R-4. DV-0584-2025

C. Petitioner: ***Robert Lee Bertog, Jr.*** **(Page 3)**
Petition: for a Developmental Variance to allow for the total square footage of accessory structures to exceed that allowed by right.
Location: West side of CR 23, 920 ft. North of CR 20, common address of 58326 CR 23 in Jefferson Township, zoned A-1. DV-0569-2025

D. Petitioner: ***Jeremy L. Bachman & Michelle R. Bachman, 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: West side of Tasha Dr., 780 ft. South of State Line Rd., common address of 50823 Tasha Dr. in York Township, zoned A-1. DV-0579-2025

- 2

J.	Petitioner:	<i>Thomas Hardman</i>	(Page 10)
	Petition:	for a Special Use for a mobile home, for a Developmental Variance to allow for the placement of a mobile home within 300 ft. of a residence, for a 25 ft. Developmental Variance (Ordinance requires 50 ft.) to allow for the placement of a mobile home 25 ft. from the centerline of the right-of-way, and for a 3 ft. Developmental Variance (Ordinance requires 5 ft.) to allow for an existing shed 2 ft. from the north side property line.	
	Location:	East side of Helen St., 225 ft. North of Sunnyside Ave., Northeast of CR 45, common address of 58596 Helen St. in Concord Township, zoned R-2.	
			SUP-0558-2025

- Minor Change – Special Use - Leah Sarber (SUP-0089-2025) request to extend the ILP deadline until September 19, 2026.

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Hearing Officer Staff Report

Prepared by the Department of Planning and Development

Hearing Date: October 15, 2025

Transaction Number: DV-0563-2025.

Parcel Number(s): 20-04-35-176-018.000-032.

Existing Zoning: DPUD A-1.

Petition: For a Developmental Variance to allow for the total square footage of accessory structures to exceed that allowed by right.

Petitioner: Jared Davies & Richelle Davies, Husband & Wife.

Location: South side of Maple Ridge Dr., 490 ft. west of SR 13, in York Township.

Site Description:

- Physical Improvement(s) – Residence under construction.
- Proposed Improvement(s) – Accessory structure.
- Existing Land Use – Residential.
- Surrounding Land Use – Residential.

History and General Notes:

- None.

Staff Analysis:

Staff finds that:

1. Approval of the request will not be injurious to public health, safety, morals, or general welfare. The request is 675 sq. ft., or 40 percent, over what is allowed by right, and all other development standards are met.
2. Approval of the request will not cause substantial adverse effect on neighboring property. This is a 2.7-acre lot in a low-density, large-lot subdivision, and the lot will remain residential in character. The proposed dimensions resemble those of accessory structures on neighboring properties.
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 prohibit a structure that matches and does not exceed the scale of the neighborhood.

Hearing Officer Staff Report (Continued)

Hearing Date: October 15, 2025

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

1. A variance from the developmental standards of the Development Ordinance is void unless an Improvement Location Permit is issued within 180 calendar days from the date of the grant and construction work completed within 1 year from the date of the issuance of the building permit (where required).
2. The request is approved in accordance with the site plan submitted (dated 9/2/2025) and as represented in the Developmental Variance application.

PLAN COMMISSION & BOARD OF ZONING APPEALS

Developmental Variance - Developmental Variance

Elkhart County Planning & Development

Public Services Building

4230 Elkhart Road, Goshen, Indiana, 46526

Phone - (574) 971-4678

Fax - (574) 971-4578

Date: 09/02/2025 Meeting Date: October 15, 2025 Transaction #: DV-0563-2025
Board of Zoning Appeals Public Hearing

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

Contacts: Applicant Land Owner

Site Address: 11560 Maple Ridge Dr
Middlebury, IN 46540

Parcel Number: 20-04-35-176-018.000-032

Township: York

Location: South side of Maple Ridge Dr., 490 ft. West of SR 13

Subdivision: MAPLE RIDGE DPUD

Lot # 2

Lot Area: 2.70 Frontage: 176.00 Depth: 314.00

Zoning: A-1

NPO List:

Present Use of Property: RESIDENTIAL

Legal Description:

Comments: SEE BR-0967-2025 (FOUNDATION IS COMPLETE AND HAS PASSED INSPECTIONS)
DWELLING 1541 SF X 110% = 1695 SF MINUS ATT. GARAGE 578 SF = 1117 SF MINUS PROPOSED POLE BARN 1792 SF
= NEGATIVE 675 SF AVAILABLE PERSONAL STORAGE

Applicant Signature:

Department Signature:

Developmental Variance — Questionnaire

Name: _____

- 1) Tell us what you want to do. Build a 36' x 56' pole barn
- 2) Tell us why you can't change what you're doing so you don't need a variance. Square Footage of proposed building is more than liveable square footage of residence, currently. Need the outbuilding as storage for vehicles and personal property.
- 3) Tell us why the variance won't hurt your neighbors or the community. All of the surrounding neighbors have 2 or 3+ acre lots with large barn or outbuildings

- 4) Does the property need well and septic? Well: ☐ Y ☒ N Septic: ☐ Y ☒ N (currently has one)
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: 36' w x 56' L x 16' H (Approx. 22' to peak)

Tell us what you'll use it for. Storage for vehicles, personal property; hobbyist workshop;

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

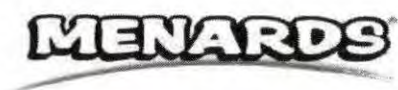
Electronic message board? ☐ Y ☐ N If no, lighted? ☐ Y ☐ N

Freestanding? ☐ Y ☐ N Wall mounted? ☐ Y ☐ N

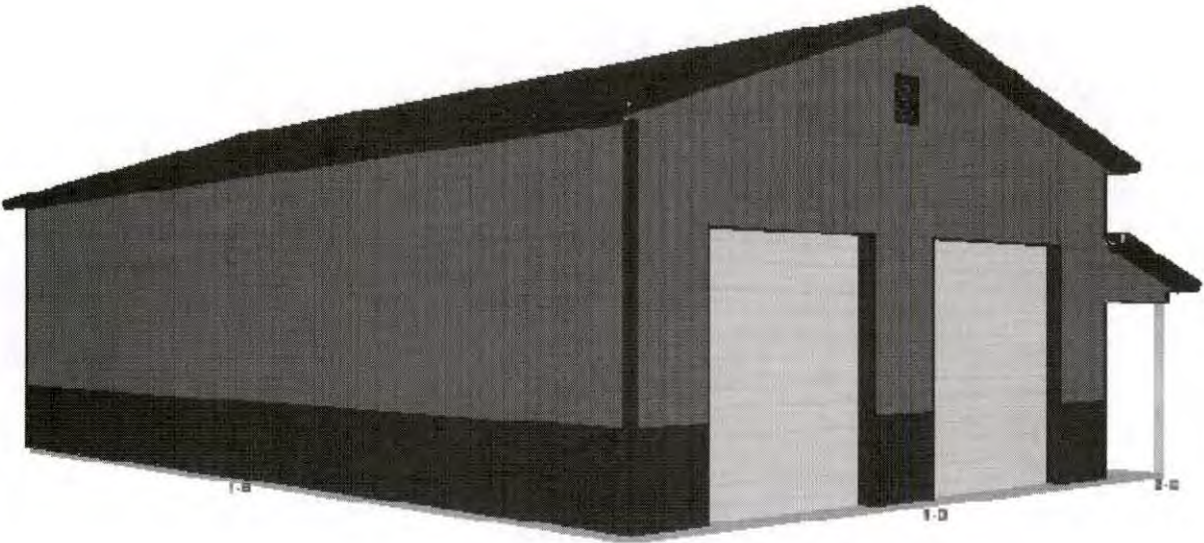
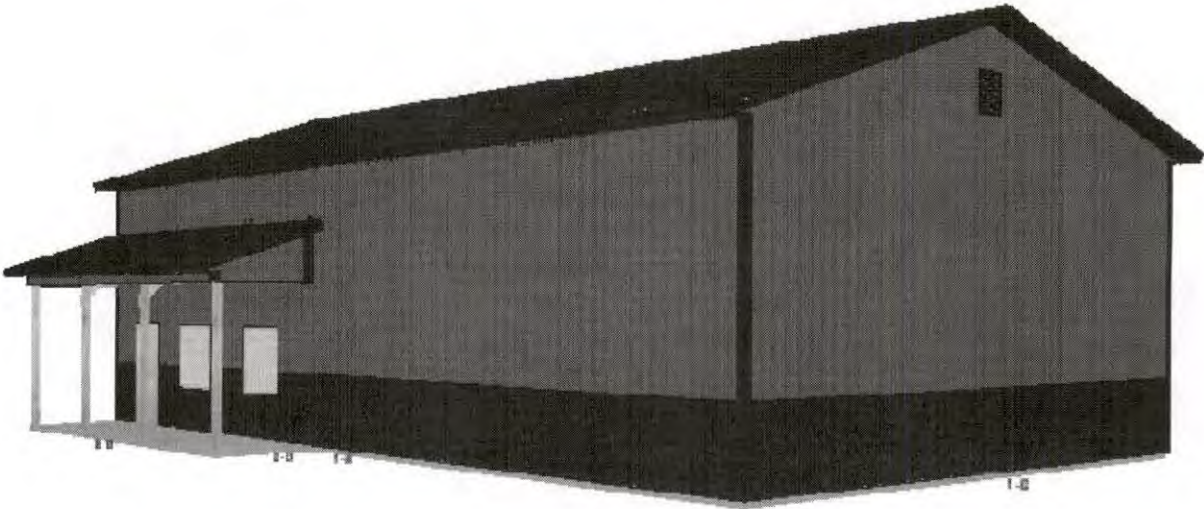
- 8) Does the application include a variance for parking spaces? ☐ Y ☒ N

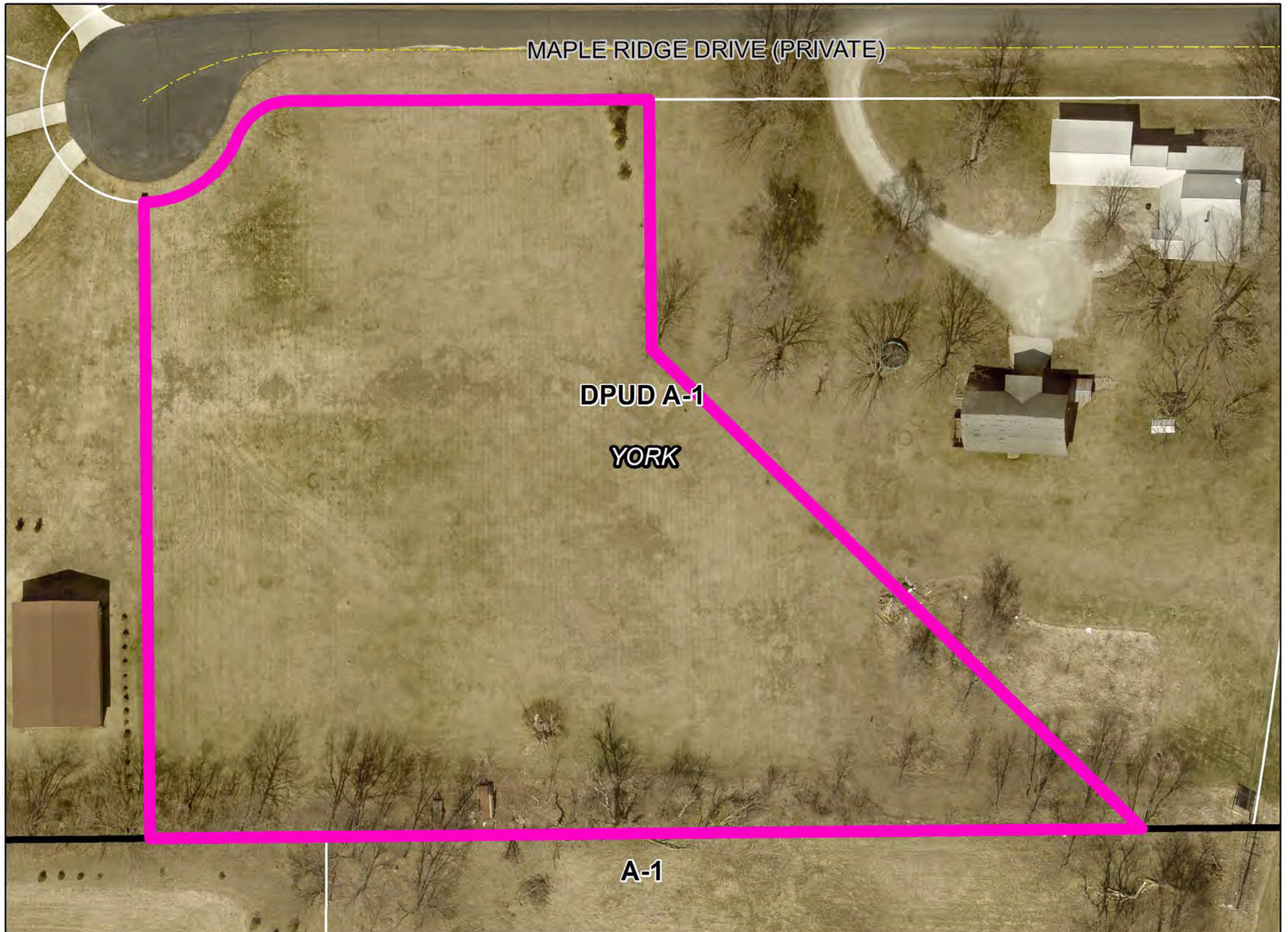
If yes, tell us how many total there will be. _____

- 9) Tell us anything else you want us to know. In the future the approximately 1500 sq ft residence will become approximately 3000 sq ft with the completion of the basement. Outbuilding is need prior to have personal vehicles, boats, and off road vehi.



Elevation Views



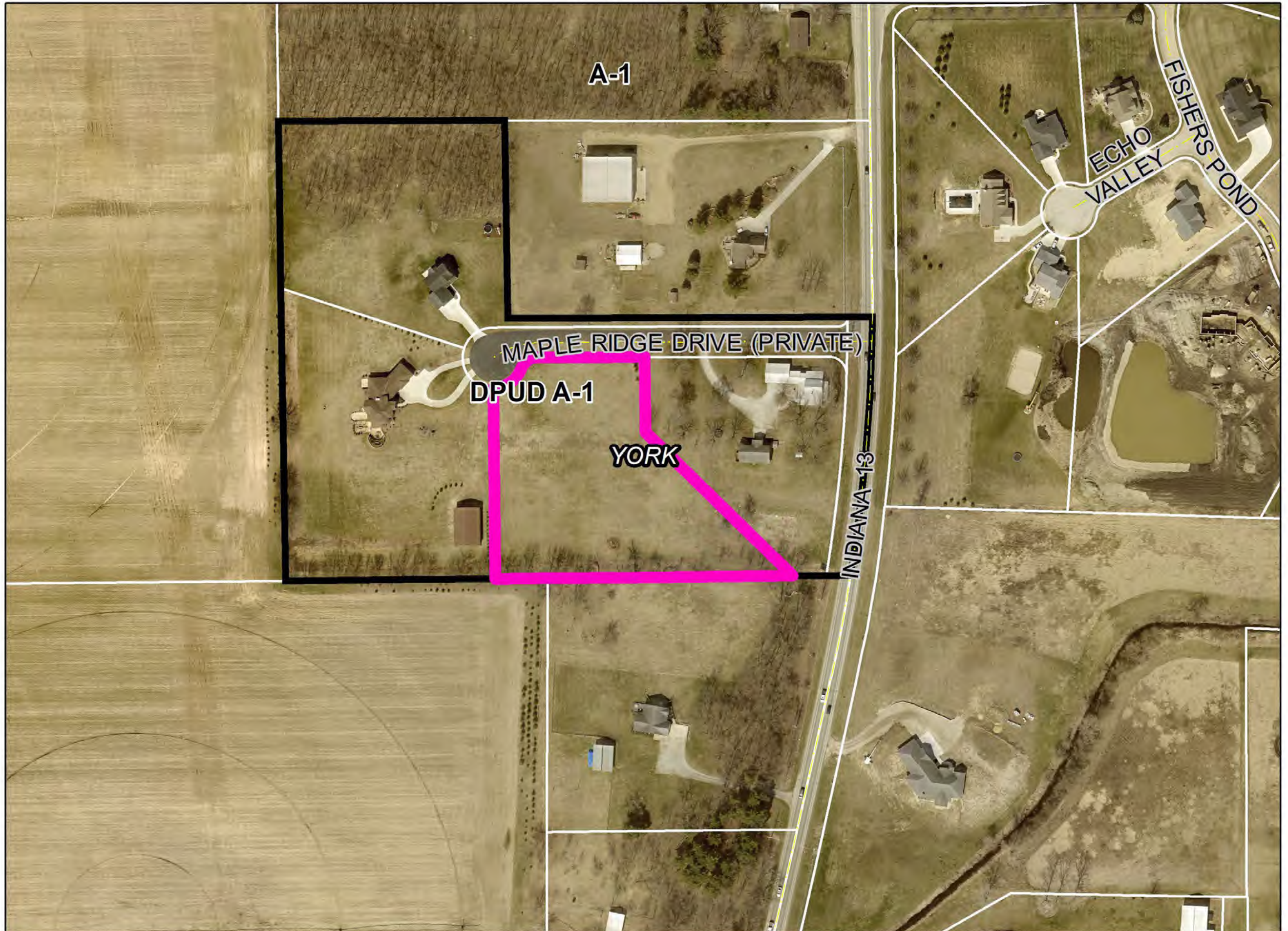


MAPLE RIDGE DRIVE (PRIVATE)

DPUD A-1

YORK

A-1







Subject property



Building site



Facing west



Facing east



Facing north



Hearing Officer Staff Report

Prepared by the Department of Planning and Development

Hearing Date: October 15, 2025

Transaction Number: DV-0584-2025.

Parcel Number(s): 20-06-11-276-003.000-009.

Existing Zoning: R-4.

Petition: For a 17 sq. ft. Developmental Variance (Ordinance allows 8 sq. ft.) to allow for the placement of a 25 sq. ft. freestanding sign, for a 3 ft. Developmental Variance (Ordinance allows 4 ft.) to allow for the placement of a freestanding sign 7 ft. in height, and for a 3 ft. Developmental Variance (Ordinance requires 3 ft.) to allow for the placement of a freestanding sign 0 ft. from the right-of-way line.

Petitioner: Thomas Atkinson & Fawne Atkinson, Husband & Wife.

Location: North side of Old US 20, 1,460 ft. east of CR 13, in Concord Township.

Site Description:

- Physical Improvement(s) – Insurance office.
- Proposed Improvement(s) – Replacement sign.
- Existing Land Use – Commercial.
- Surrounding Land Use – Commercial, residential, City of Elkhart.

History and General Notes:

- **September 16, 1974** – The BCC approved a zone map change from the original R-1 to R-2.
- **October 5, 1998** – The BCC approved a zone map change from R-2 to R-4.

Staff Analysis:

Staff finds that:

1. Approval of the request will not be injurious to public health, safety, morals, or general welfare. The replacement sign improves public safety by avoiding the Old US 20 right-of-way.
2. Approval of the request will not cause substantial adverse effect on neighboring property. The north side of Old US 20 from the subject property west is majority commercial, and the proposed sign matches signage on neighboring property.
3. Strict application of the terms of the Development Ordinance would result in an unnecessary hardship in the use of the property. The R-4 sign standards are most appropriately applied to properties in majority residential surroundings, whereas the subject property's surroundings are or have become predominantly commercial.

Hearing Officer Staff Report (Continued)

Hearing Date: October 15, 2025

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 9/11/2025) and as represented in the Developmental Variance application.

PLAN COMMISSION & BOARD OF ZONING APPEALS

Developmental Variance - Developmental Variance

**Elkhart County Planning & Development
Public Services Building**

4230 Elkhart Road, Goshen, Indiana, 46526

Phone - (574) 971-4678

Fax - (574) 971-4578

Date: 09/11/2025 Meeting Date: October 15, 2025 Transaction #: DV-0584-2025
Board of Zoning Appeals Public Hearing

Description: for a 17 sq ft. Developmental Variance (Ordinance allows for 8 sq ft.) to allow placement of a 25 sq ft freestanding sign, for a 3 ft. Developmental Variance (Ordinance allows 4 ft.) to allow placement of a freestanding sign 7 ft. in height, and for a 3 ft. Developmental Variance (Ordinance requires 3 ft.) to allow placement of a freestanding sign 0 ft. from the right-of-way line

Contacts: <u>Applicant</u>	<u>Land Owner</u>
Thomas Atkinson And Fawne Atkinson, Husband And Wife 23241 Old Us 20 Elkhart, IN 465169772	Thomas Atkinson And Fawne Atkinson, Husband And Wife 23241 Old Us 20 Elkhart, IN 465169772

Site Address: 23241 Old Us 20
Elkhart, IN 46516

Parcel Number: 20-06-11-276-003.000-009

Township: Concord
Location: NORTH SIDE OF OLD US 20, 1,460 FT. EAST OF CR 13

Subdivision: Lot #

Lot Area: 3.00 Frontage: 1,910.00 Depth: 570.50

Zoning: R-4 NPO List:

Present Use of Property: COMMERCIAL

Legal Description:

Comments: PARCEL CREATED 3/1/1962
THERE WAS AN EXISTING SIGN FOR STATE FARM OFFICE, BUT IT WAS DESTROYED BY A CAR ON 7/11/2025. THIS REQUEST IS TO REPLACE THAT SIGN - SIZE FOR SIZE, ILLUMINATED.
MUST USE OPTION #2 SITE PLAN ONLY

Applicant Signature:

Department Signature:

Developmental Variance — Questionnaire

Name: Thomas + Fawcett Atkinson

- 1) Tell us what you want to do. rein-stall same size sign that was destroyed by uninsured driver 7-11-25
- 2) Tell us why you can't change what you're doing so you don't need a variance. advised that sign needs setback - 45 feet from center of road - current setback is approx 37 feet
- 3) Tell us why the variance won't hurt your neighbors or the community. Both neighbors - east + west have large commercial signs (photo's attached)

- 4) Does the property need well and septic? Well: ☐ Y ☐ N Septic: ☐ Y ☐ N N/A
Does the property need a new septic system? ☐ Y ☐ N N/A
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. N/A

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 N/A
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): 97 inches x 3 feet

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

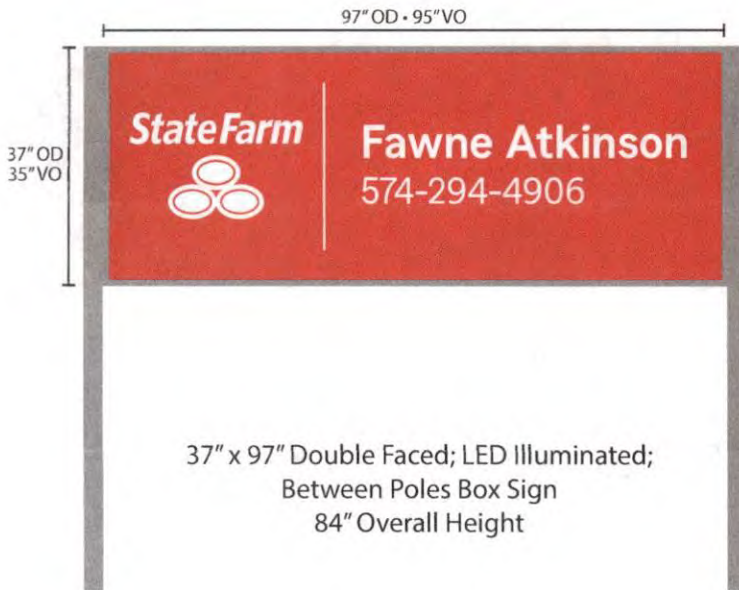
Freestanding? ☐ Y ☐ N Wall mounted? ☐ Y ☐ N

- 8) Does the application include a variance for parking spaces? ☐ Y ☒ N

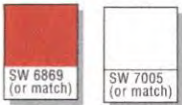
If yes, tell us how many total there will be. _____

- 9) Tell us anything else you want us to know. we just want to replace sign that has been same spot since 1998 - most recent sign installed 2013

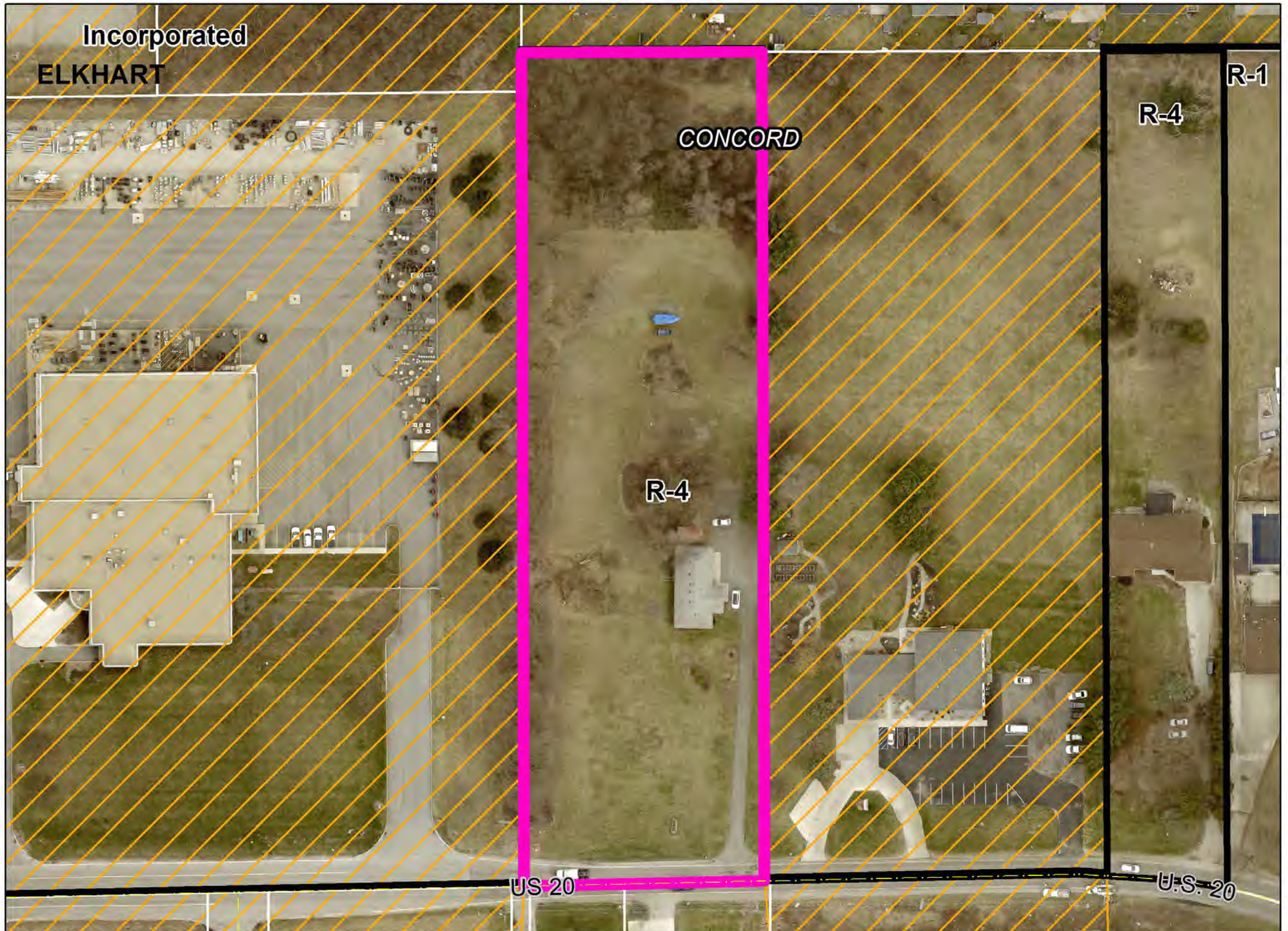
Install - 2012-2013
orig. sign destroyed

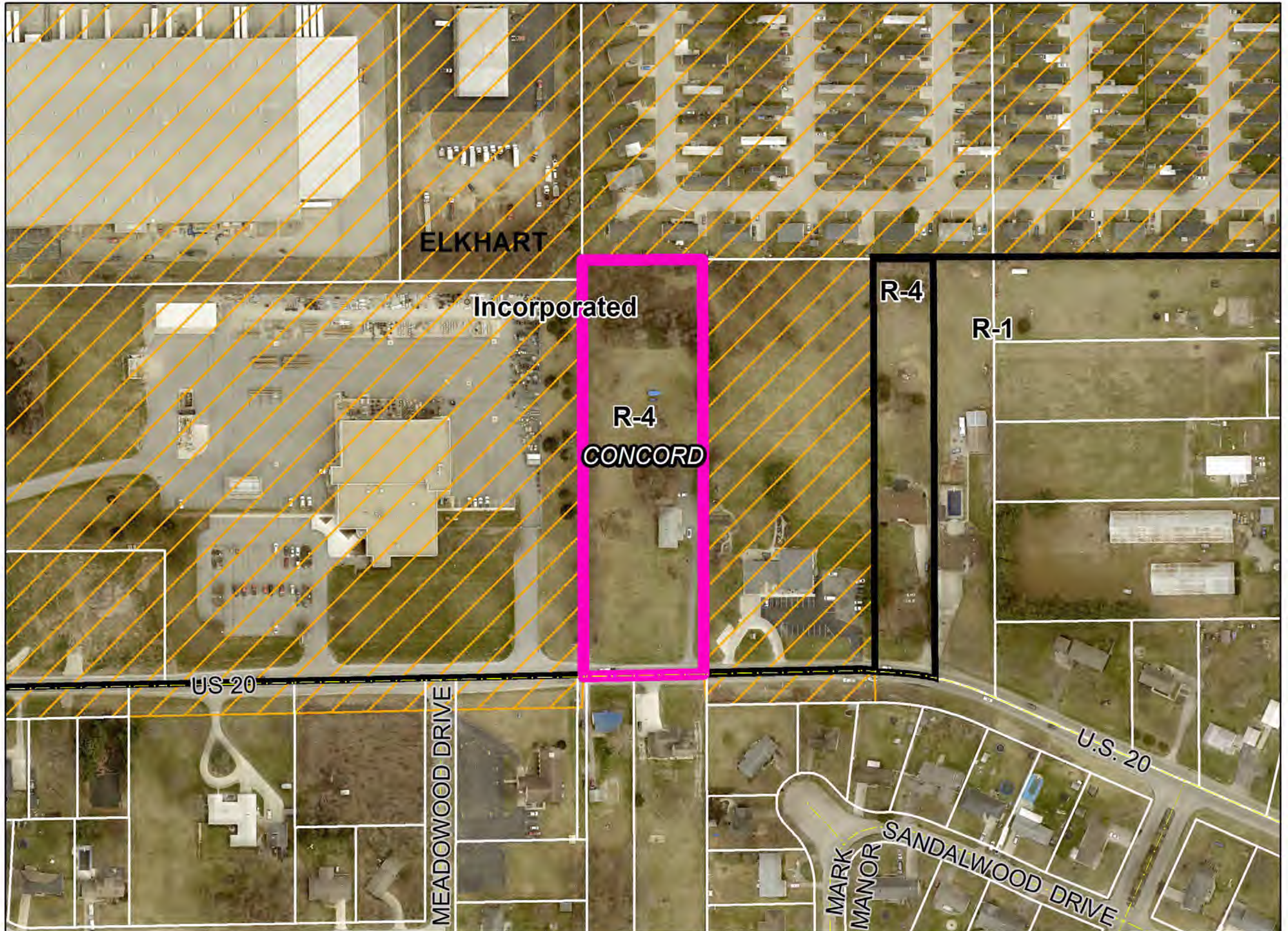


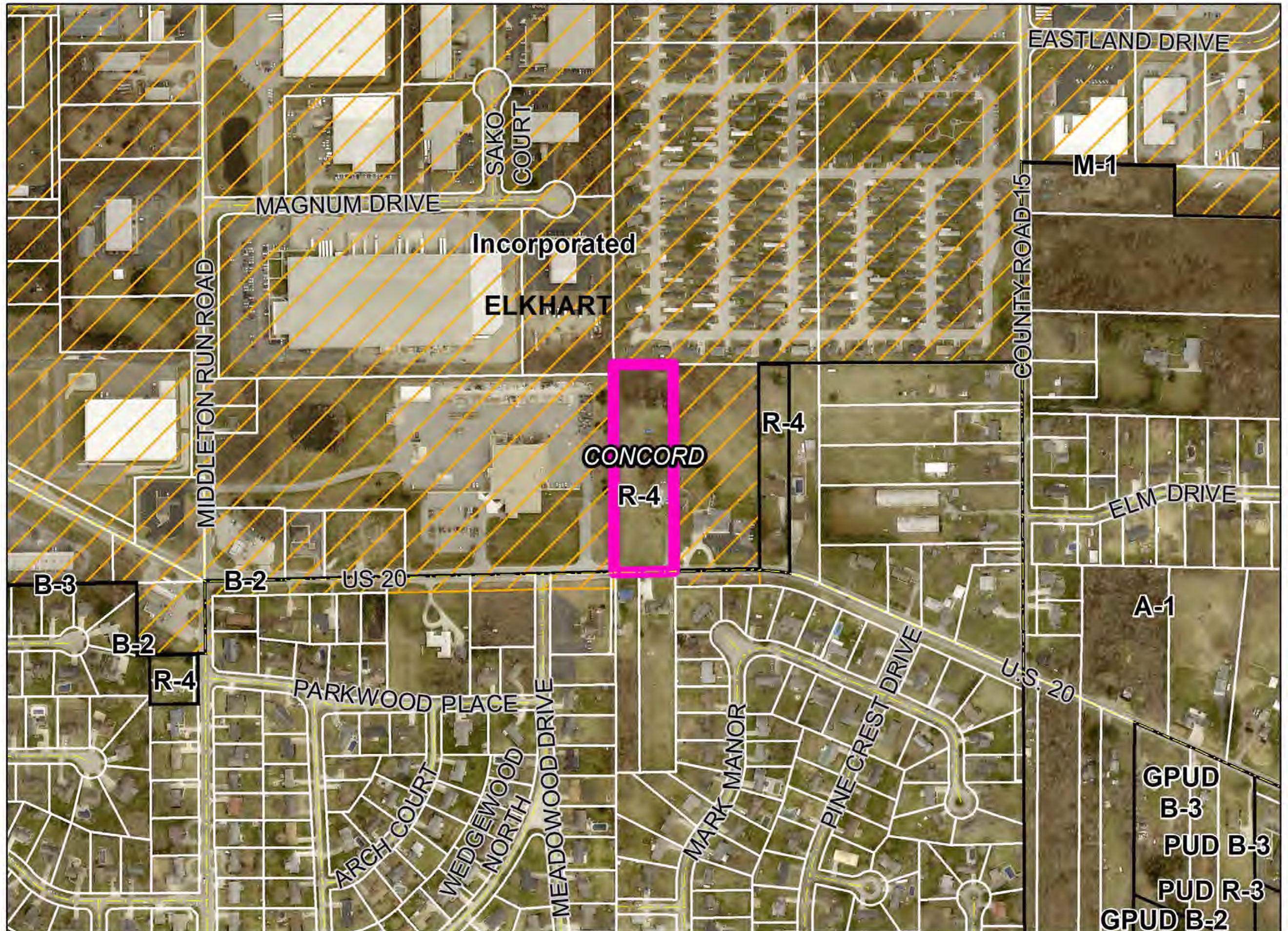
projected replacement



Everbrite <small>DISCLAIMER: Renderings are for graphic purposes only and not intended for actual construction dimensions. For windload requirements, actual dimensions and mounting detail, please refer to engineering specifications and install drawings. © 2021 Everbrite, LLC, all rights reserved. This document is confidential and proprietary to Everbrite, LLC. Any disclosure to a third party is expressly prohibited.</small>		Customer: STATE FARM Project No: 526566 AB Date: 07/26/2025 Location & Site No: 23241 Old US 20 Elkhart, IN 46516		Description: Between Posts Box Sign Revised: Revised:		Customer Approval: Graphics and colors on file will be used unless otherwise specified by customer. Please review drawing carefully. By signing below, you agree to graphics as shown above, and to location of sign as shown. Please return signed copy back to Everbrite. CUSTOMER SIGNATURE _____ DATE _____ LANDLORD SIGNATURE _____ DATE _____	
Scale: Drawn By: TAJ SF107029							









Subject property



Facing west



Facing east



Facing south

Commercial
Sign
ITM Power

proposed
8.08 x 3.08 illuminated
freestanding sign

~122
PL
NTS

IF we
have to
meet
set-back

previous
sign
location
partially
in
ROW

53 feet
CL

45 feet
CL

~74
PL
NTS

Row
edge
old US
20
~45 CL

Commercial
Sign
SPA

proposed
sign-2

septic

2 car
garage

Business

parking lot

Old US 20 E ——— center of Road

Hearing Officer Staff Report

Prepared by the Department of Planning and Development

Hearing Date: October 15, 2025

Transaction Number: DV-0569-2025.

Parcel Number(s): 20-07-21-277-004.000-019.

Existing Zoning: A-1.

Petition: For a Developmental Variance to allow for the total square footage of accessory structures to exceed that allowed by right.

Petitioner: Robert Lee Bertog, Jr.

Location: West side of CR 23, 920 ft. north of CR 20, in Jefferson Township.

Site Description:

- Physical Improvement(s) – Residence.
- Proposed Improvement(s) – Accessory structure.
- Existing Land Use – Residential.
- Surrounding Land Use – Residential.

History and General Notes:

- None.

Staff Analysis:

Staff finds that:

1. Approval of the request will not be injurious to public health, safety, morals, or general welfare. The request is 364 sq. ft., or 25 percent, over what is allowed by right, a result of modest home size, and all other standards are met.
2. Approval of the request will not cause substantial adverse effect on neighboring property. This is a 0.73-acre parcel in a medium-density residential area, and the parcel 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. Strict application would prevent an accessory structure of a size that is typical for the area, and the variance will reduce the need for outdoor storage.

Hearing Officer Staff Report (Continued)

Hearing Date: October 15, 2025

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

1. A variance from the developmental standards of the Development Ordinance is void unless an Improvement Location Permit is issued within 180 calendar days from the date of the grant and construction work completed within 1 year from the date of the issuance of the building permit (where required).
2. The request is approved in accordance with the site plan submitted (dated 9/5/2025) and as represented in the Developmental Variance application.

PLAN COMMISSION & BOARD OF ZONING APPEALS

Developmental Variance - Developmental Variance

**Elkhart County Planning & Development
Public Services Building**

4230 Elkhart Road, Goshen, Indiana, 46526

Phone - (574) 971-4678

Fax - (574) 971-4578

Date: 09/05/2025 Meeting Date: October 15, 2025 Transaction #: DV-0569-2025
Board of Zoning Appeals Public Hearing

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

Contacts: Applicant Land Owner
Robert Lee Bertog, Jr. Robert Lee Bertog, Jr.
58326 County Road 23 58326 County Road 23
Goshen, IN 46528 Goshen, IN 46528

Site Address: 58326 County Road 23 Parcel Number: 20-07-21-277-004.000-019
Goshen, IN 46528

Township: Jefferson
Location: WEST SIDE OF CR 23, 920 FT NORTH OF CR 20

Subdivision: Lot #

Lot Area: 0.66 Frontage: 120.00 Depth: 264.00

Zoning: A-1 NPO List:

Present Use of Property: RESIDENTIAL

Legal Description:

Comments: PARCEL CREATED 3/1/1968
RESIDENCE = 1,328 SQ FT X 110% = 1,460 SQ FT, MINUS 624 (GARAGE) = 826 SQ FT AVAILABLE FOR PERSONAL STORAGE. PROPOSED BUILDING IS 30 X 40 = 1,200 SQ FT WHICH IS AN OVERAGE OF 374 SQ FT. SHED AT 192 SQ FT HAS BEEN REMOVED PER APPLICANT.

Applicant Signature: Department Signature:

Developmental Variance — Questionnaire

Name: Robert Bertag Jr

1) Tell us what you want to do. Have a 30' depth by 40' long by 14' Tall post Frame building put on North East corner of my property.

2) Tell us why you can't change what you're doing so you don't need a variance. We are asking for this size so we can have Indoor storage for all of our yard equipment, Boat, trailer and our Classic Car.

3) Tell us why the variance won't hurt your neighbors or the community. this building is to ensure equipment, trailers will be inside and not placed in the yard for a cleaner look.

4) Does the property need well and septic? Well: ☐ Y ☒ N Septic: ☐ Y ☒ N

Does the property need a new septic system? ☐ Y ☒ N

If a new septic system is needed, did the Health Department say there's enough space for it? ☐ Y ☐ N

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

Building or addition 1 Size and height to the peak: 30' x 40' Building 19' to peak
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 ☒ 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

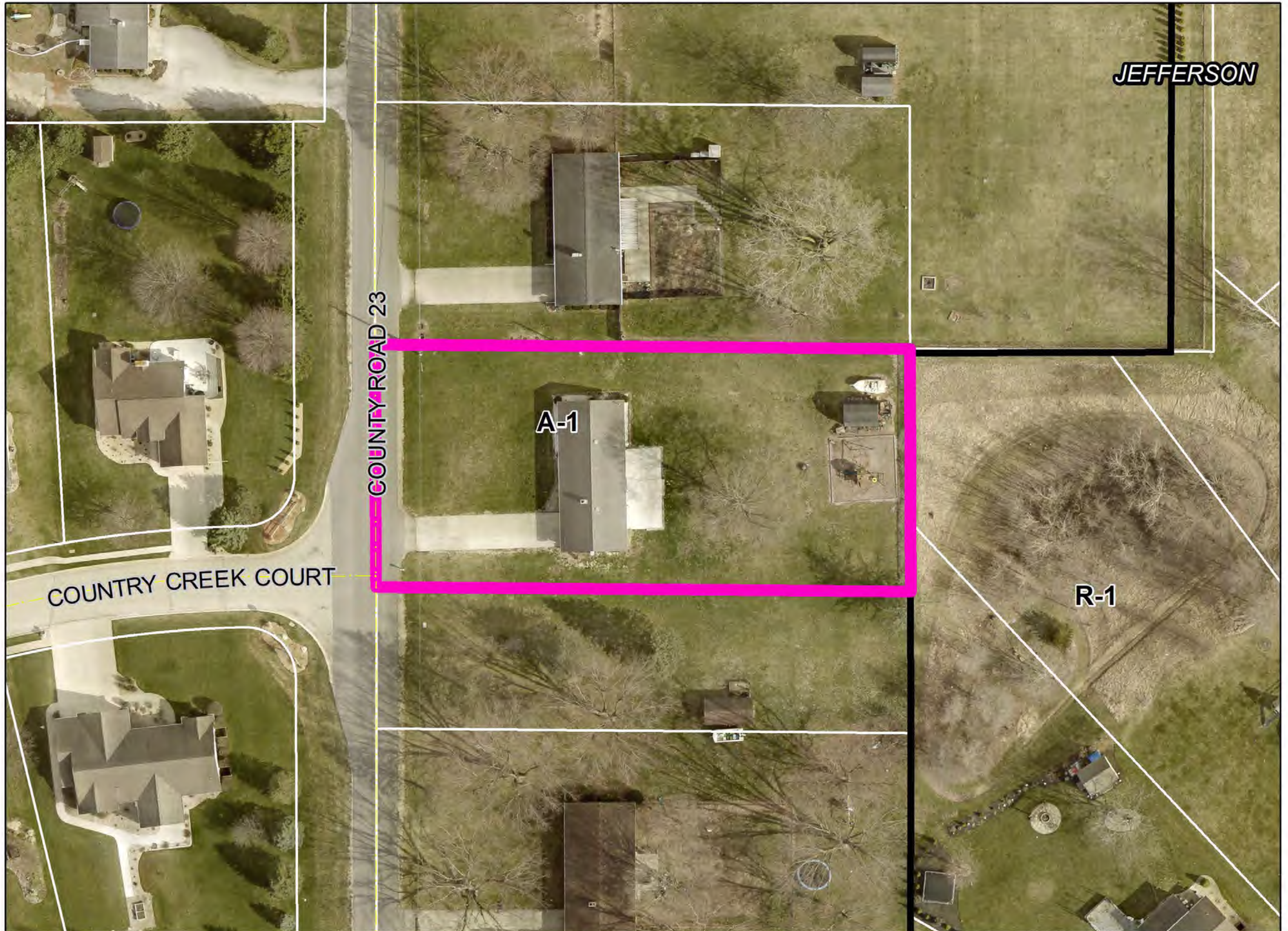
Electronic message board? ☐ Y ☐ N If no, lighted? ☐ Y ☐ N

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. _____



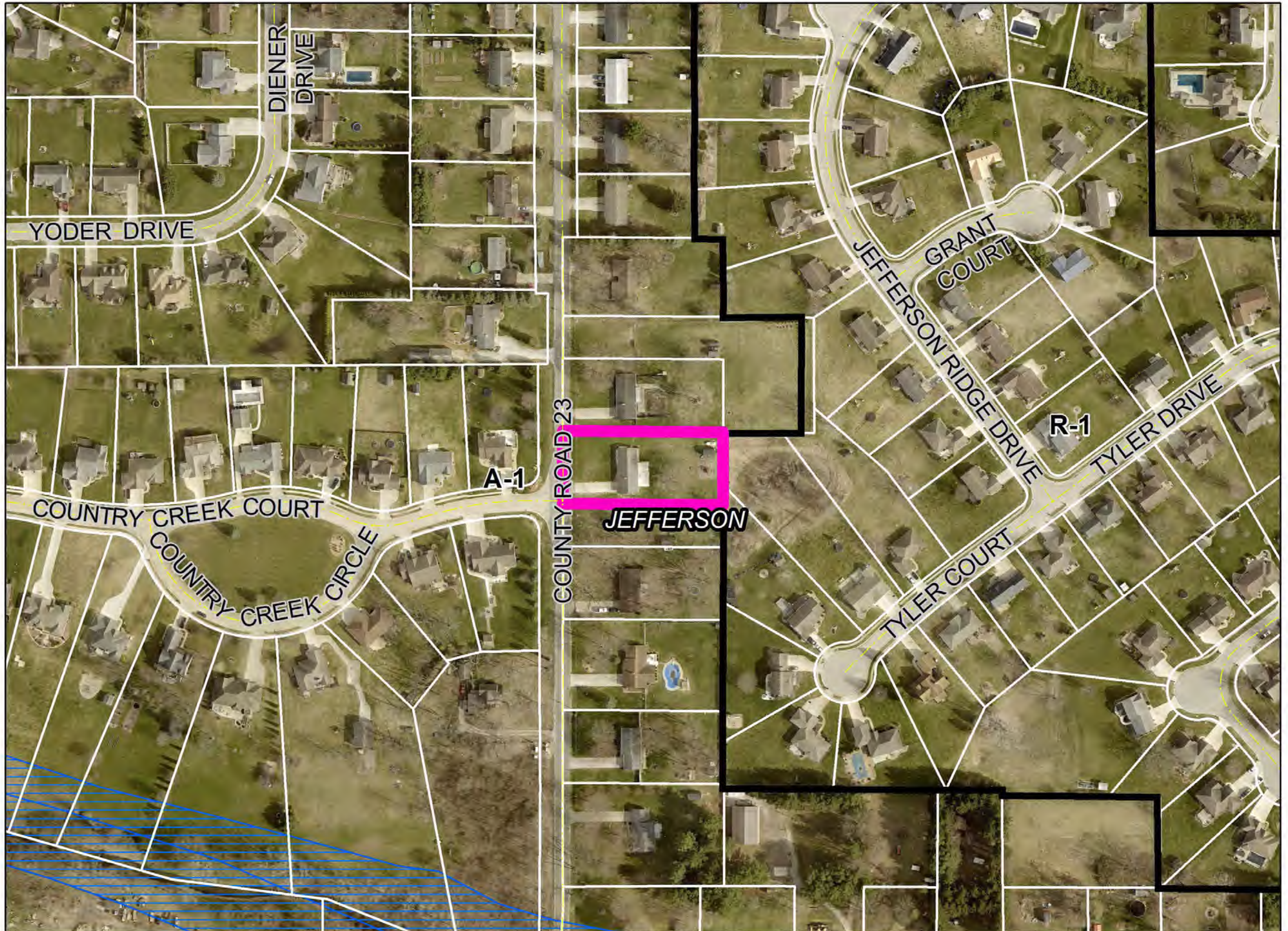
A-1

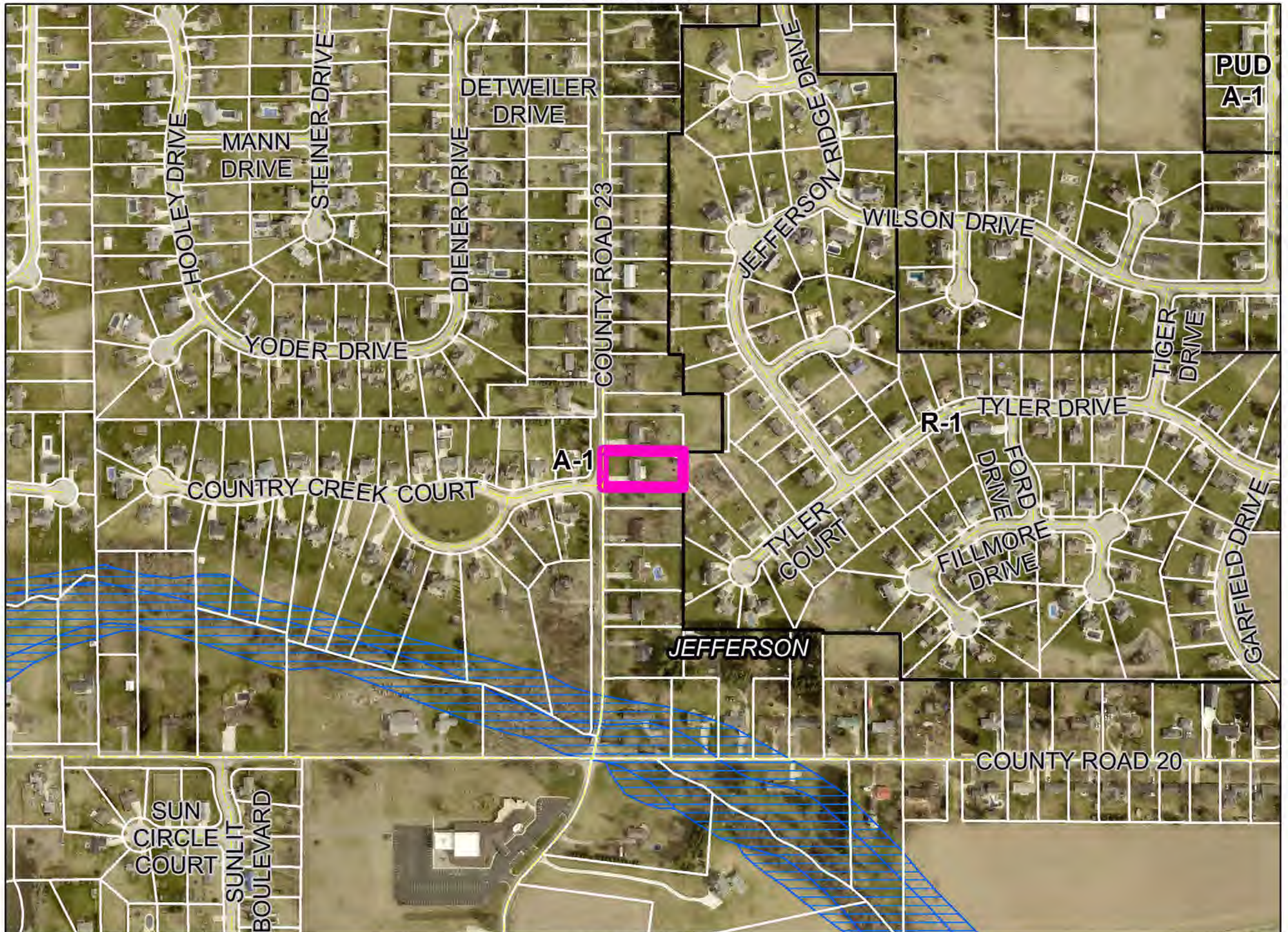
COUNTY ROAD 23

COUNTRY CREEK COURT

JEFFERSON

R-1







Subject property



Facing north



Facing south



Facing west

RAVINE

10' 1" from property line

White Picket Fence

10' 1" from property line

Proposed Building
30' x 40'
Concrete Pad

Trampoline in Surround

70' South from property line

SEP - 5 2025

458' 5' Chain Link Fence

30' x 40' Concrete Patio

6' x 6' Hot Tub

Existing Ranch House
1,398 sqft

Existing Driveway

0.10 Acre

800' East from Road Centerline

CR 23

Country Creek Subdivision

Not to

Hearing Officer Staff Report

Prepared by the Department of Planning and Development

Hearing Date: October 15, 2025

Transaction Number: DV-0579-2025.

Parcel Number(s): 20-04-07-426-012.000-032, 20-04-07-426-015.000-032, 20-04-07-426-016.000-032, 20-04-07-426-017.000-032.

Existing Zoning: A-1.

Petition: For a Developmental Variance to allow for the total square footage of accessory structures to exceed that allowed by right.

Petitioner: Jeremy L. Bachman & Michelle R. Bachman, Husband & Wife.

Location: West side of Tasha Dr., 780 ft. south of State Line Rd., in York Township.

Site Description:

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

History and General Notes:

- **September 15, 2004** – The Hearing Officer approved a 2 ft. Developmental Variance to allow an existing residence 48 ft. from the centerline of the right-of-way.

Staff Analysis:

Staff finds that:

1. Approval of the request will not be injurious to public health, safety, morals, or general welfare. The request is 352 sq. ft., or 19 percent, over what is allowed, and all other standards are met.
2. Approval of the request will not cause substantial adverse effect on neighboring property. This is a 2-acre property in a 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. The request is in character with accessory structures found in residential and agricultural areas of similar density.

Hearing Officer Staff Report (Continued)

Hearing Date: October 15, 2025

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

1. A variance from the developmental standards of the Development Ordinance is void unless an Improvement Location Permit is issued within 180 calendar days from the date of the grant and construction work completed within 1 year from the date of the issuance of the building permit (where required).
2. The request is approved in accordance with the site plan submitted (dated 9/10/2025) and as represented in the Developmental Variance application.

PLAN COMMISSION & BOARD OF ZONING APPEALS

Developmental Variance - Developmental Variance

**Elkhart County Planning & Development
Public Services Building**

4230 Elkhart Road, Goshen, Indiana, 46526

Phone - (574) 971-4678

Fax - (574) 971-4578

Date: 09/10/2025 Meeting Date: October 15, 2025
Board of Zoning Appeals Public Hearing Transaction #: DV-0579-2025

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

Contacts: <u>Applicant</u>	<u>Land Owner</u>
Jeremy L. Bachman And Michelle R. Bachman, Husband And Wife 50815 Tasha Drive Bristol, IN 46507	Jeremy L. Bachman And Michelle R. Bachman, Husband And Wife 50815 Tasha Drive Bristol, IN 46507

Site Address: 50815 Tasha Dr
Bristol, IN 46507

Parcel Number: 20-04-07-426-012.000-032
20-04-07-426-015.000-032
20-04-07-426-016.000-032
20-04-07-426-017.000-032

Township: York
Location: West Side Of Tasha Drive, 780 Feet South Of State Line Road

Subdivision: TERRA SUBDIVISION SECTION TWO Lot # 7&8

Lot Area: 2.00 Frontage: 260.00 Depth: 205.00

Zoning: A-1 NPO List:

Present Use of Property: RESIDENTIAL

Legal Description:

Comments: STORAGE EQUATION: RESIDENCE 1680 SQ. FT X 110% = 1848 SQ. FT
MINUS (400) GARAGE
MINUS (1800) NEW PROPOSED ACCESSORY STORAGE = -352 SQ. FT AVAILABLE STORAGE. BB

Applicant Signature:

Department Signature:

Developmental Variance — Questionnaire

Name: Jeremy Bachman

1) Tell us what you want to do. Build a storage / garage Building

2) Tell us why you can't change what you're doing so you don't need a variance. Have a Deposit on a building kit

3) Tell us why the variance won't hurt your neighbors or the community. Building will be on a large lot. New construction color matching my house. Some neighbors also have buildings

4) Does the property need well and septic? Well: ☐ Y ☒ N Septic: ☐ Y ☒ N

Does the property need a new septic system? ☐ Y ☒ N

If a new septic system is needed, did the Health Department say there's enough space for it? ☐ Y ☐ N

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

Building or addition 1

Size and height to the peak:

30'x 60'

Tell us what you'll use it for.

Storage and garage space for hobby use

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

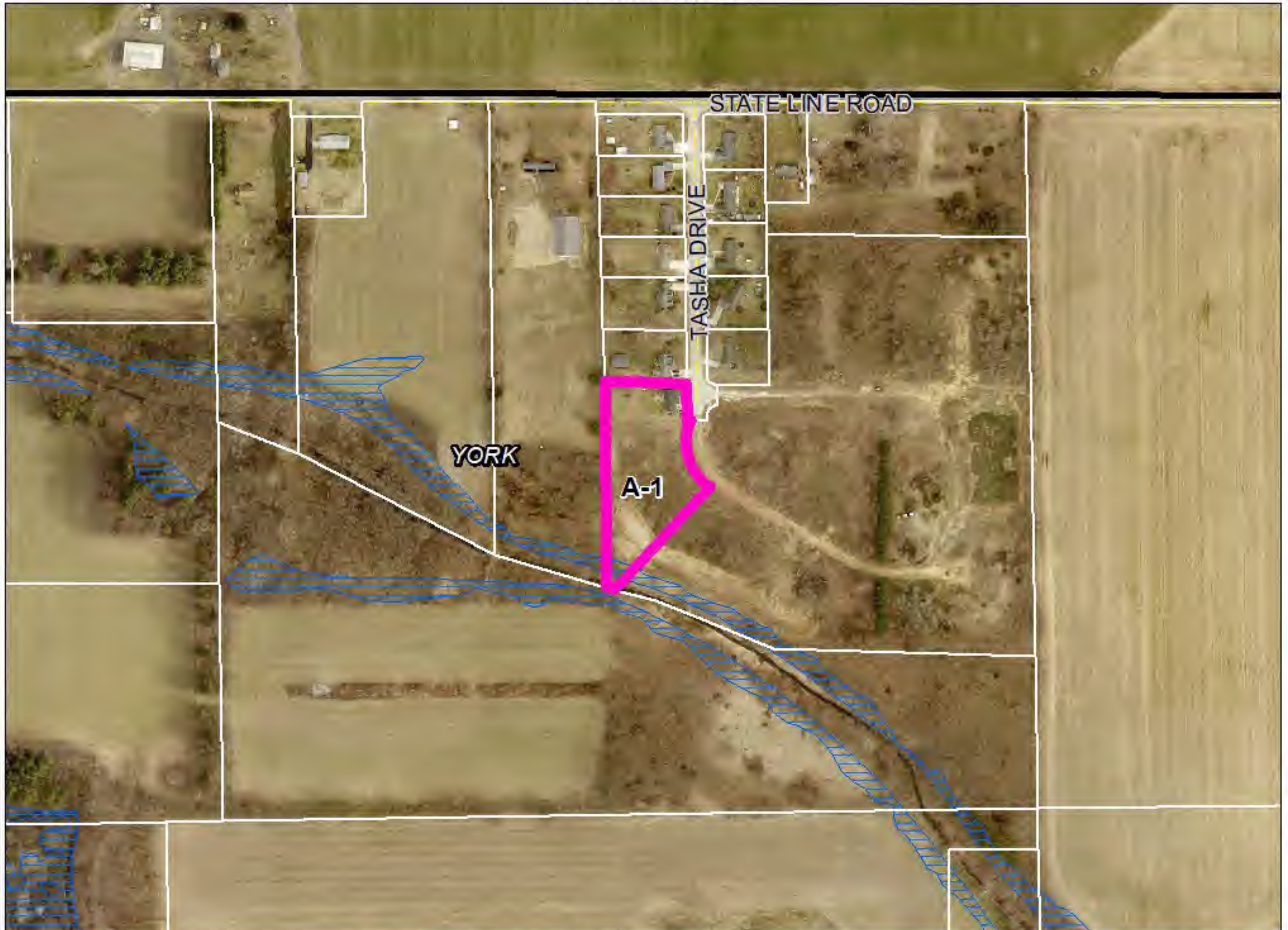
Freestanding? ☐ Y ☐ N Wall mounted? ☐ Y ☐ N

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.









Subject property



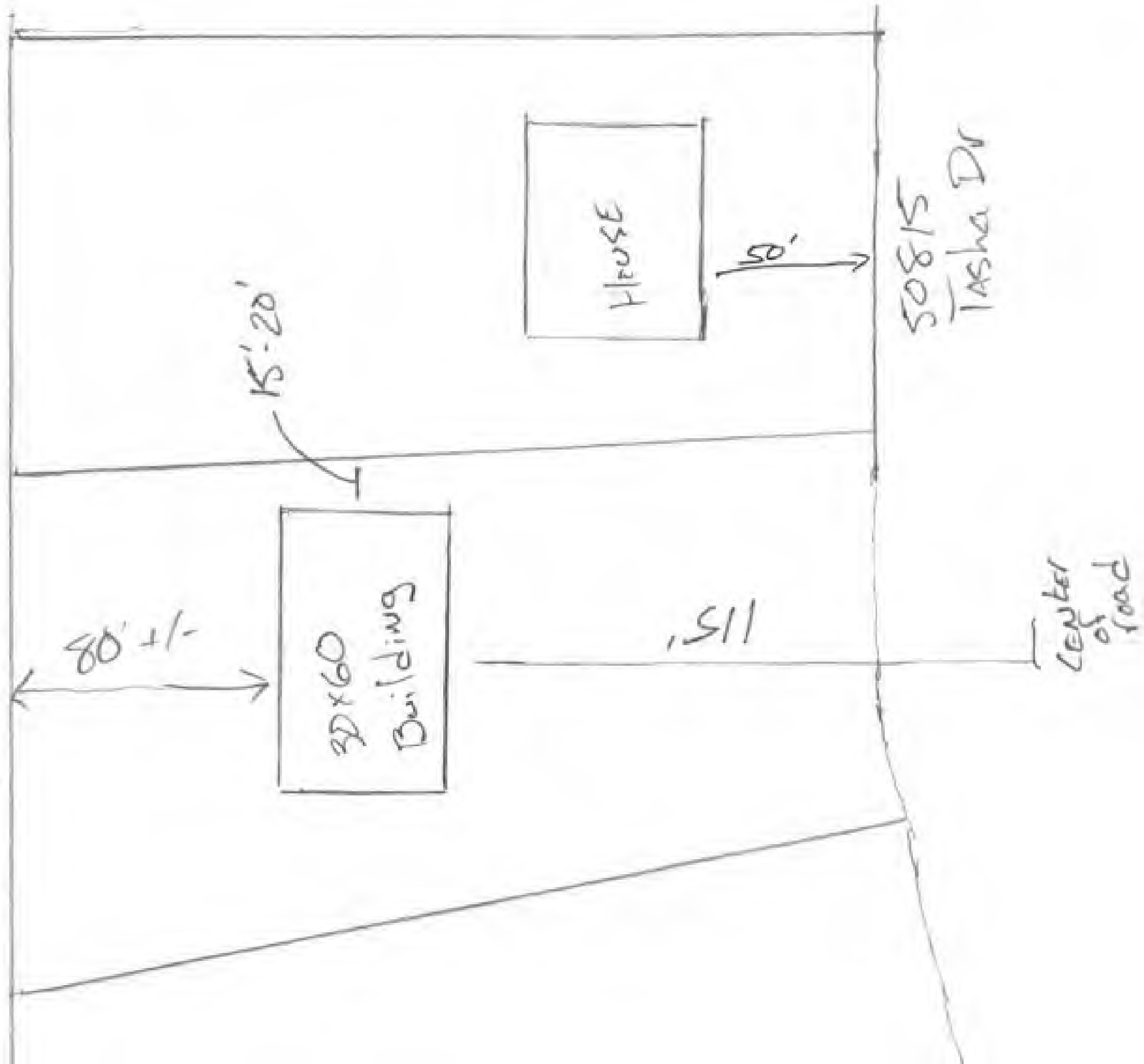
Facing south



Facing north



Facing east



Hearing Officer Staff Report

Prepared by the Department of Planning and Development

Hearing Date: October 15, 2025

Transaction Number: DV-0593-2025.

Parcel Number(s): 20-02-33-227-012.000-026.

Existing Zoning: R-2.

Petition: For a 13 ft. Developmental Variance (Ordinance requires 50 ft.) to allow for the construction of a residence 37 ft. from the centerline of the right-of-way of Wilson St., for a 32 ft. Developmental Variance (Ordinance requires 50 ft.) to allow for the construction of a residence 18 ft. from the centerline of the right-of-way of California Ct., and for a 10 ft. Developmental Variance (Ordinance requires 15 ft.) to allow for the construction of a residence 5 ft. from the rear property line.

Petitioner: Crystal Lynn Ann Smith.

Location: Northwest corner of California Ct. & Wilson St., west of CR 11 (Osolo Rd.), in Osolo Township.

Site Description:

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

History and General Notes:

- **May 4, 2016** – A complaint was made for an unsafe residence with broken windows, stripped wiring and no flooring (CODE-0097-2016). This was closed after a demolition permit was finalized on December 12, 2019 (BR-2496-2019).
- **May 8, 2018** – A complaint was made for an unsafe house (CODE-0185-2018).
- **August 17, 2018** – A complaint was made for tall grass (CODE-0476-2018).

Staff Analysis:

Staff finds that:

1. Approval of the requests will not be injurious to public health, safety, morals, or general welfare. The variances will promote public welfare and neighborhood character through owner-occupied infill development. The request will not cause sight issues for traffic at this intersection as the residence will be placed outside of the right-of-way.
2. Approval of the requests will not cause substantial adverse effect on neighboring property. The property is 0.15 acres in a moderately dense neighborhood, and the lot size is consistent with what can be found throughout the neighborhood. There was an existing residence on the property prior to it being demolished in 2019.
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 deny this lot with dimensions nearly identical to those of neighboring lots.

Hearing Officer Staff Report (Continued)

Hearing Date: October 15, 2025

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 9/15/2025) and as represented in the Developmental Variance application.

PLAN COMMISSION & BOARD OF ZONING APPEALS

Developmental Variance - Developmental Variance

**Elkhart County Planning & Development
Public Services Building**

4230 Elkhart Road, Goshen, Indiana, 46526

Phone - (574) 971-4678

Fax - (574) 971-4578

Date: 09/12/2025 Meeting Date: October 15, 2025 Transaction #: DV-0593-2025
Board of Zoning Appeals Public Hearing

Description: for a 13 ft. Developmental Variance (Ordinance requires 50 ft.) to allow construction of a residence 37 ft. from the centerline of the right-of-way of Wilson Street and a 32 ft. Development Variance (Ordinance requires 50 ft.) to allow for construction of a residence 18 ft. from the centerline of the right-of-way of California Court, and a 10 ft. Developmental Variance (Ordinance requires 15 ft.) to allow for the construction of a residence 5 ft. from the rear property line.

Contacts: <u>Applicant</u>	<u>Land Owner</u>
Crystal Lynn Ann Smith 1732 Connecticut Avenue Elkhart, IN 46514	Crystal Lynn Ann Smith 1732 Connecticut Avenue Elkhart, IN 46514

Site Address: 25171 California Ct Elkhart, IN 46514	Parcel Number: 20-02-33-227-012.000-026
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Township: Osolo
Location: Northwest Corner Of California Court And Wilson Street, West Of County Road 11

Subdivision: HASTINGS PARK	Lot # 214
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Lot Area: 0.15	Frontage: 127.00	Depth: 50.00
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Zoning: R-2	NPO List:
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Present Use of Property: VACANT

Legal Description:

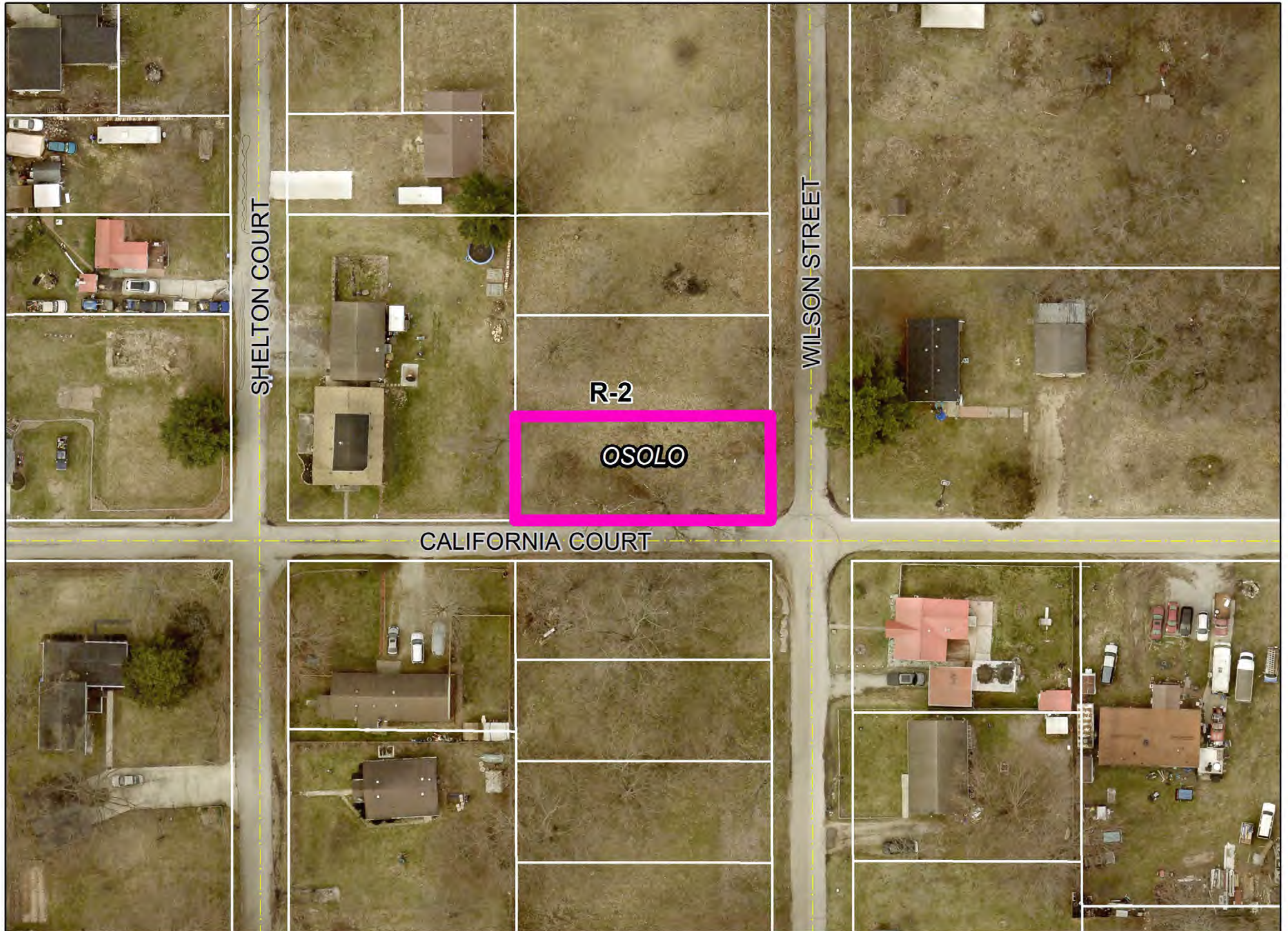
Comments: SEE DEMO BR-2496-2019 - COMPLETE
SEE CLOSED CASES CODE-0097-2016
CODE 0185-2018
CODE-0476-2025
PR-0001-2017

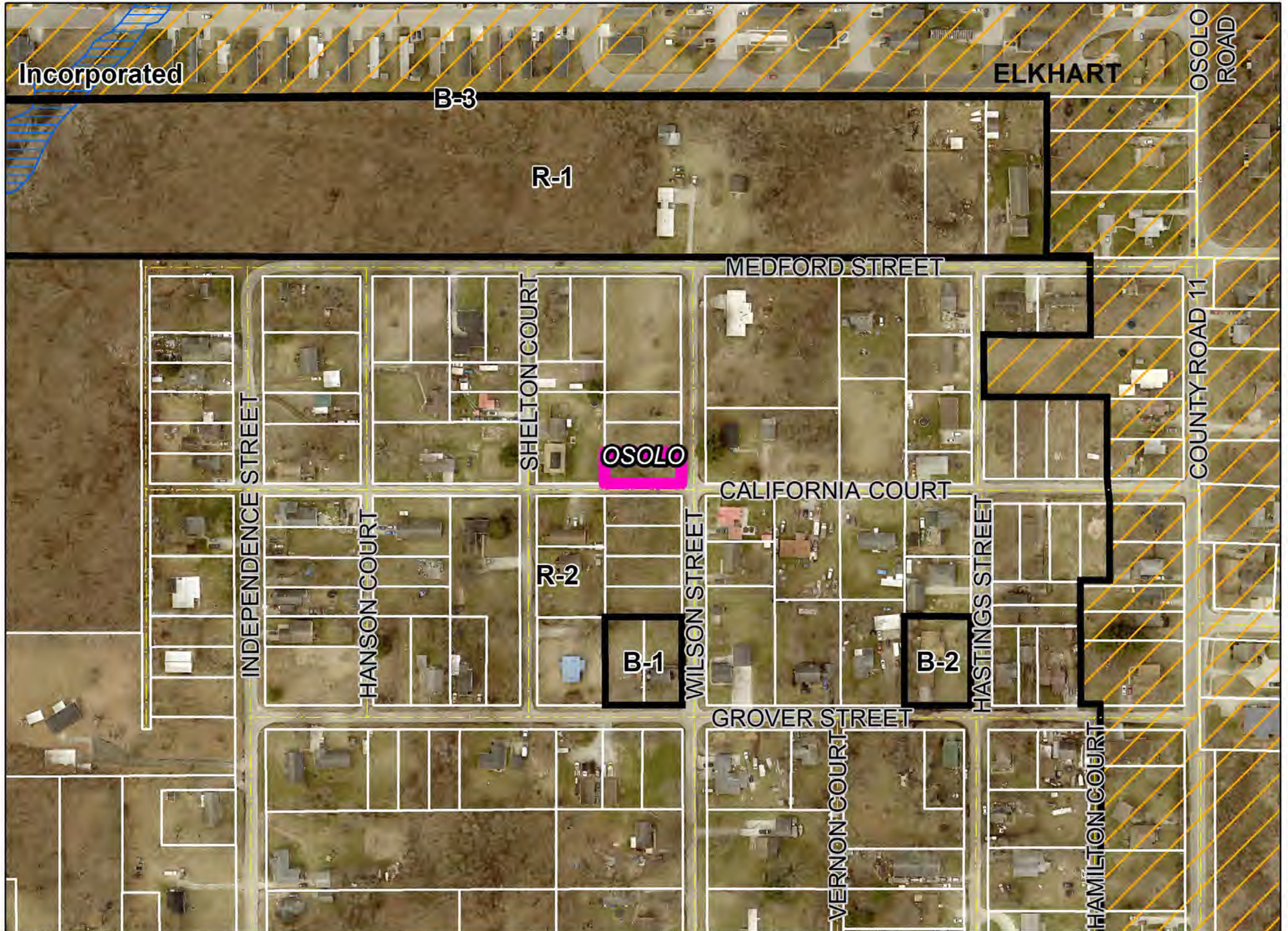
Applicant Signature:	Department Signature:
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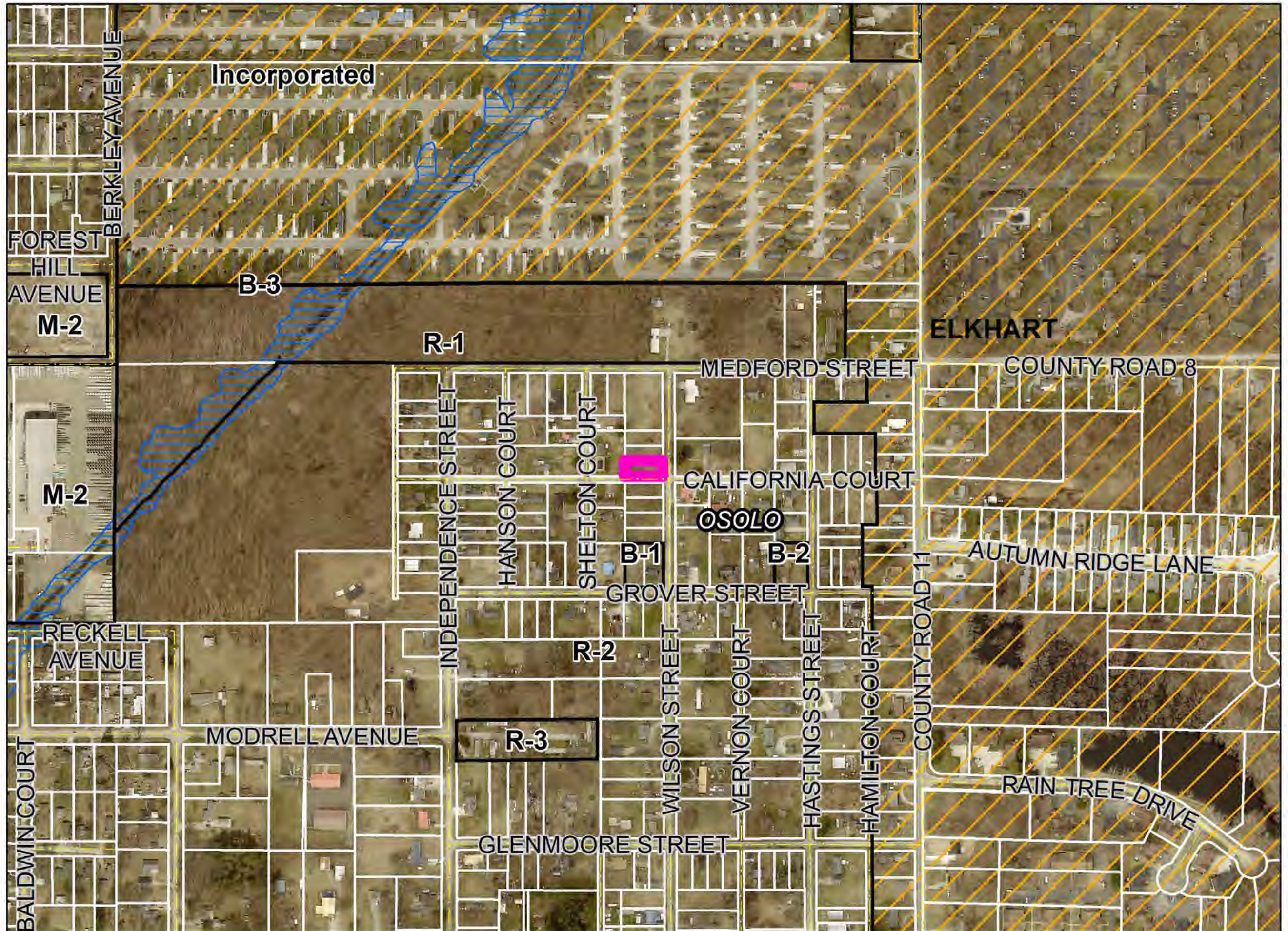
Developmental Variance — Questionnaire

Name: Crystal Smith

- 1) Tell us what you want to do. Building a house
- 2) Tell us why you can't change what you're doing so you don't need a variance. lot size too small
- 3) Tell us why the variance won't hurt your neighbors or the community. They are too far
- 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: 41x36
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. _____









Subject property facing north, from California Ct.



Subject property facing west, from Wilson St.



Facing north on Wilson St.



Facing east on California Ct.



Facing west on California Ct.



Facing south from California Ct.

Nabers Yard

N ↑

127

50

5'0" 10'0" 5'0"

10
DINING ROOM
10'8"

5'11" closet
2'11"
Bed 1
9'11"

5'11" closet
2'11"
Bath Room 5
9'12"

5'11" closet
2'11"
Bed 2
9'11"

5'11" closet
2'11"
Bed 3
9'12"

5'11" closet
2'11"
Bath Room 5
9'12"

5'11" closet
2'11"
Bed 3
9'12"

5'11" closet
2'11"
Bath Room 5
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Bath Room 5
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5'11" closet
2'11"
Bed 3
9'12"

5'11" closet
2'11"
Bath Room 5
9'12"

5'11" closet
2'11"
Bed 3
9'12"

Hallway 2'11"

9'12"
Kitchen
14

Living Room
13'8"

Grass

50 Setback

Wilson St

45
Garage
20

9'11" Laundry Room
9'7" 8'0"

9'12" 12'1/2"
Bath Room
12'1/2"

9'12" 12'1/2"
Bath Room
12'1/2"

9'12" 12'1/2"
Bath Room
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9'12" 12'1/2"
Bath Room
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9'12" 12'1/2"
Bath Room
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9'12" 12'1/2"
Bath Room
12'1/2"

9'12" 12'1/2"
Bath Room
12'1/2"

40
Drive Way
12

Grass

18' CL

41 x 36

California Ct

Hearing Officer Staff Report

Prepared by the Department of Planning and Development

Hearing Date: October 15, 2025

Transaction Number: DV-0595-2025.

Parcel Number(s): 20-01-26-127-002.000-005.

Existing Zoning: A-1.

Petition: For a 19 ft. lot width Developmental Variance (Ordinance requires 100 ft.) to allow for an existing residence and for a 2 ft. Developmental Variance (Ordinance requires 5 ft.) to allow for the construction of a detached accessory structure 3 ft. from the west side property line.

Petitioner: Ryan S. Epp & Michele L. Epp.

Location: South side of CR 6, 1,555 ft. east of CR 10, in Cleveland Township.

Site Description:

- Physical Improvement(s) – Residence, detached shed & playhouse.
- Proposed Improvement(s) – Detached accessory structure.
- Existing Land Use – Residential.
- Surrounding Land Use – Residential, Cleveland Fire Station.

History and General Notes:

- None.

Staff Analysis:

Staff finds that:

1. Approval of the requests will not be injurious to public health, safety, morals, or general welfare. The subject property has been in this configuration since 1962 and a lot width reduction does not threaten public safety in a residential area with existing density.
2. Approval of the requests will not cause substantial adverse effect on neighboring property. This is a 1.1-acre parcel in a medium-density residential area, and the property will remain residential in character. The structure would not encroach more than what can be observed for existing structures on neighboring properties.
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 variances, the petitioner would not be able to have adequate indoor storage space, and the parcel would remain non-conforming.

Hearing Officer Staff Report (Continued)

Hearing Date: October 15, 2025

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 9/12/2025) and as represented in the Developmental Variance application.

PLAN COMMISSION & BOARD OF ZONING APPEALS

Developmental Variance - Developmental Variance

**Elkhart County Planning & Development
Public Services Building**

4230 Elkhart Road, Goshen, Indiana, 46526

Phone - (574) 971-4678

Fax - (574) 971-4578

Date: 09/12/2025 Meeting Date: October 15, 2025 Transaction #: DV-0595-2025
Board of Zoning Appeals Public Hearing

Description: for a 19 ft. lot-width Developmental Variance (Ordinance requires 100 ft.) to allow for an existing residence and
for a 2 ft. Developmental Variance (Ordinance requires 5 ft.) to allow for the construction of a detached
accessory structure 3 ft. from the west side property line

Contacts: <u>Applicant</u>	<u>Authorized Agent</u>	<u>Land Owner</u>
Arlen W. Epp 51892 County Road 11 Elkhart, IN 46514	Arlen W. Epp 51892 County Road 11 Elkhart, IN 46514	Ryan S. & Michele L. Epp 29552 County Road 6 Elkhart, IN 46514

Site Address: 29552 County Road 6 Elkhart, IN 46514	Parcel Number: 20-01-26-127-002.000-005
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Township: Cleveland
Location: SOUTH SIDE OF CR 6, 1,555 FT. E OF CR 10

Subdivision:	Lot #
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Lot Area: 1.10	Frontage: 82.90	Depth: 594.68
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Zoning: A-1	NPO List:
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Present Use of Property: RESIDENTIAL

Legal Description:

Comments: PARCEL CREATION DATE 3-1-1962

Applicant Signature:	Department Signature:
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Developmental Variance — Questionnaire

Name: Ryan S. Eppor/and Arlen W. Epp

- 1) Tell us what you want to do. Build a two car garage utilizing existing concrete slab for approach and part of the garage floor. New concrete would be added to complete the interior floor.
- 2) Tell us why you can't change what you're doing so you don't need a variance. The current slab appears to have been a garage floor. We want to utilize the existing concrete for a portion of the new construction.
- 3) Tell us why the variance won't hurt your neighbors or the community. The new building location is nowhere near the neighbor's property and it does not encumber the neighbor's view or in any way compromise the neighbor's property.
- 4) Does the property need well and septic? Well: ☐ Y ☒ N Septic: ☐ Y ☒ N

Does the property need a new septic system? ☐ Y ☒ N

If a new septic system is needed, did the Health Department say there's enough space for it? N/A ☐ 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: floor 22' X 26' height = 13'-14'

Tell us what you'll use it for. Parking cars and lawn mowers.

Building or addition 2

Size and height to the peak: N/A

Tell us what you'll use it for.

Building or addition 3

Size and height to the peak: N/A

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. Ryan S. Epp

Tell us how many parcels will use the easement. one

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

N/A Sign 1

Dimensions (length and width):

Existing? ☐ Y ☐ N Double faced? ☐ Y ☐ N

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

Freestanding? ☐ Y ☐ N Wall mounted? ☐ Y ☐ N

N/A Sign 2

Dimensions (length and width):

Existing? ☐ Y ☐ N Double faced? ☐ Y ☐ N

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

Freestanding? ☐ Y ☐ N Wall mounted? ☐ Y ☐ N

N/A Sign 3

Dimensions (length and width):

Existing? ☐ Y ☐ N Double faced? ☐ Y ☐ N

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

Freestanding? ☐ Y ☐ N Wall mounted? ☐ Y ☐ N

- 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. See Attachment. - This garage will be a structure typical of other detached garages up and down the street without detracting from the neighborhood.

DV-0595-2025

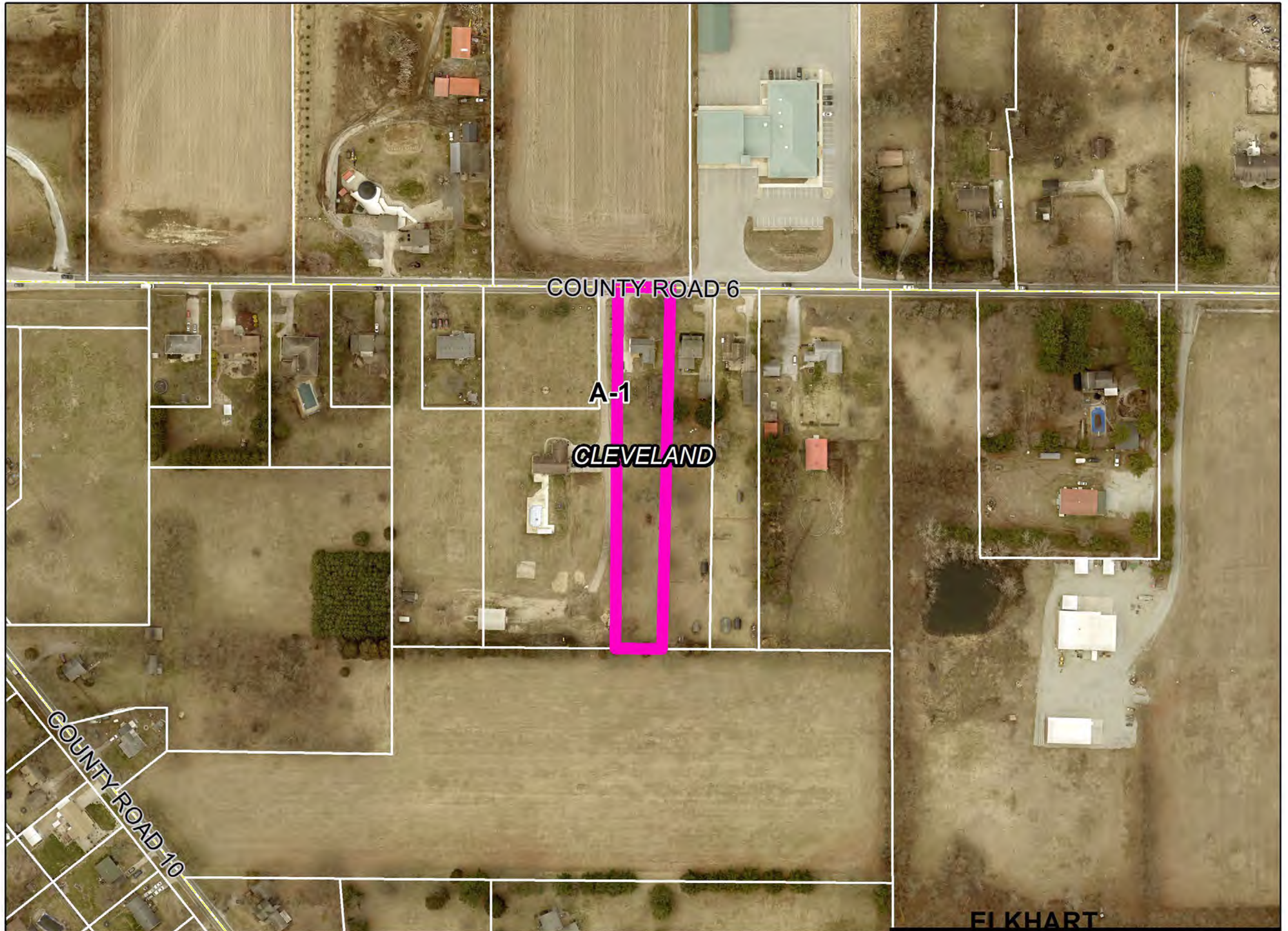


2021 Aerials

1 inch = 100 feet



DV-0595-2025



2021 Aerials

1 inch = 200 feet







Subject property facing south



Proposed building site, facing south



Facing west



Facing east

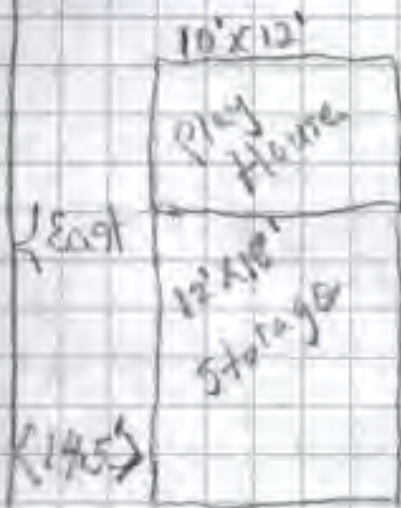


Facing north

SEP 12 2025



* Neighbor's house approx. 127' from S. wall of 29552 house



18'9"

sewer line

New garage 22' x 26'

New concrete slab & garage

22'

Existing concrete slab

120.5'

29552 House

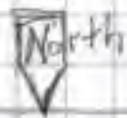
21.5'

38'

29552 Drive way

Existing concrete slab 22' x 34'

290 sq ft of concrete total including new



W. Property line
approx 18' ditch approx 18' grass covered

Neighbor's driveway

CRG Centerline

Hearing Officer Staff Report

Prepared by the Department of Planning and Development

Hearing Date: October 15, 2025

Transaction Number: DV-0603-2025.

Parcel Number(s): 20-03-10-351-004.000-030.

Existing Zoning: R-2.

Petition: For a 40 ft. Developmental Variance (Ordinance requires 50 ft.) to allow for an existing accessory structure 10 ft. from the centerline of the right-of-way.

Petitioner: First Class Property Rentals.

Location: West side of E. Indiana Lake Rd., 630 ft. north of Church Rd., west of CR 23, in Washington Township.

Site Description:

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

History and General Notes:

- **Circa 2013** – The structure was placed.
- **August 11, 2025** – A complaint was made about a structure placed without a permit and in the right-of-way (CODE-0566-2025).
- **September 23, 2025** – The complaint was closed after the variance application was submitted.

Staff Analysis:

Staff finds that:

1. Approval of the request will not be injurious to public health, safety, morals, or general welfare. The accessory structure does not constitute a sight distance risk, with few driveways and low volume at the north end of E. Indiana Lake Rd.
2. Approval of the request will not cause substantial adverse effect on neighboring property. This is a 0.14-acre lot in a dense lake neighborhood, and the neighborhood 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. Front setback encroachments are typical of small-lot lake neighborhoods serviced by minor streets.

Hearing Officer Staff Report (Continued)

Hearing Date: October 15, 2025

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 petitioner must submit either of the following to the staff for placement in the petition file: A letter from the highway department allowing a portion of the structure in the right-of-way or a survey showing it completely on private property.
3. A building permit and a passing structural inspection must be obtained.
4. The request is approved in accordance with the site plan submitted (dated 9/15/2025) and as represented in the Developmental Variance application.

PLAN COMMISSION & BOARD OF ZONING APPEALS

Developmental Variance - Developmental Variance

**Elkhart County Planning & Development
Public Services Building**

4230 Elkhart Road, Goshen, Indiana, 46526

Phone - (574) 971-4678

Fax - (574) 971-4578

Date: 09/16/2025 Meeting Date: October 15, 2025
Board of Zoning Appeals Public Hearing Transaction #: DV-0603-2025

Description: for a 40 ft. Developmental Variance (Ordinance requires 50 ft.) to allow for an existing accessory structure 10 ft.
from the centerline of the right-of-way of E. Indiana Lake Dr.

Contacts: Applicant Land Owner
First Class Property Rentals - First Class Property Rentals -
401 Queen Street 401 Queen Street
1501 West Ave 1501 West Ave
Goshen, IN 46526 Goshen, IN 46526

Site Address: 50567 East Indiana Lake Rd Parcel Number: 20-03-10-351-004.000-030
Bristol, IN 46507

Township: Washington
Location: WEST SIDE OF E. INDIANA LAKE DR., 630 FT. NORTH OF CHURCH RD.,

Subdivision: FERN RIDGE Lot # 4

Lot Area: 0.14 Frontage: 50.00 Depth: 136.00

Zoning: R-2 NPO List:

Present Use of Property: RESIDENTIAL/AIRBNB

Legal Description:

Comments: CODE-0566-2025, CODE-0565-2025, ELEC-R-1564-2025

Applicant Signature: Department Signature:

Developmental Variance — Questionnaire

Name: Peter Unkovich

1) Tell us what you want to do. Permit for Carport installed 6 years ago. I purchased property August 1st And Neighbor is upset about it being an Airbnb. Trying to make life difficult

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

3) Tell us why the variance won't hurt your neighbors or the community. It's been there for 6 years. Highway department has no issues. I have signed document from other neighbors they have no issue

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: 8ft High, 22 wide 21 Length

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. Neighbor is upset about it being an Airbnb and told me "I will do everything in my power to shut this down" He's a total bully but has no grounds for it Not being an Airbnb.

Stating I have no complaints or issues about the Carport at 50567 East Indiana lake Road
Bristol Indiana



Address: 50641 Co Rd 23 Bristol Name: Gary L. Keck

Signature: Gary L. Keck Date: 8-13-2025

Address: 50563 E. Ind lake Rd. Name: Dennis Yoder

Signature: Dennis Yoder ^{Bristol, Ind.} Date: 8/18/25

ALL STEEL CARPORTS

2200 N. Granville Ave.
Muncie, IN 47303
Phone: (765) 284-0694
Toll Free: (800) 730-7908
Fax: (765) 284-2689
www.allsteelcarports.com

RECEIVED

INVOICE #

Date: 5-11-2019

SEP 15 2015

Installed Date:

Dealer: Four Lakes RV

County: Elkhart

DEPARTMENT
PUBLIC SERVICE

Phone: 869-641-8940

Buyer Name(s): Joe & Sandy Hopkins

Buyer Address: 50567 East Indiana Lake Road City: Bristol

State: IN Zip: 46807

Phone (Day) 574-220-5096 (Evening)

(Cell)

Installation Site (if different than above):

Email Address: HopkinsSandy6@gmail.com

NOTE: FRAMES ARE 1 FOOT SHORTER THAN ROOF LENGTH-WISE

ALL ORDERS C.O.D.



NOTE: FRAMES ARE 1 FOOT SHORTER THAN THE WIDTH							Price
Description	Width	Roof Length	Frame Length	Leg Height	Gauge		
x Carport	22	21		8	14		1895
Options:	<input checked="" type="checkbox"/> Regular Frame <input type="checkbox"/> A-Frame <input type="checkbox"/> Vertical Roof <input type="checkbox"/> All Vertical						
	<input checked="" type="checkbox"/> Additional Leg Height				8		140
	<input checked="" type="checkbox"/> Both Sides <input type="checkbox"/> One Side						520
	<input type="checkbox"/> Both Ends <input type="checkbox"/> One End						940
	<input type="checkbox"/> Gable Ends						
	<input type="checkbox"/> Roll-Up Door Size: _____						
	<input type="checkbox"/> Walk-In Door <input type="checkbox"/> 32" X 72" <input type="checkbox"/> 34" X 76"						
	<input type="checkbox"/> Window 30" X 30" Standard						
18	<input type="checkbox"/> Standard Anchors <input type="checkbox"/> MHA <input type="checkbox"/> Asphalt <input checked="" type="checkbox"/> Concrete <input type="checkbox"/> Supports						180
	<input type="checkbox"/> Other						
	<input type="checkbox"/> Other						
	<input type="checkbox"/> Other						
	<input type="checkbox"/> Other						
	<input type="checkbox"/> Other 268" w.						
	<input type="checkbox"/> Other 265 1/2 len.						3675

Total Sale \$ 3675.00

Approx. Tax \$ 257.25

Tax Exempt #

Non-Tax Contractor Fees \$

Total \$ 3932.25

10% Deposit \$ 367.50

50% Deposit \$

Balance Due \$ 3564.75

Colors:	Roof	Sides
	Peuter	Peuter
	Ends	Trim
	Peuter	Grey Zinc

Installation	<input type="checkbox"/> Ground	<input checked="" type="checkbox"/> Cement	<input type="checkbox"/> Asphalt	<input type="checkbox"/> Other
Land Level	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No (Building will be installed "as is")		
Electricity	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	Permits:	<input type="checkbox"/> Yes Required <input type="checkbox"/> Not Requ

Things You Should Know....

All Steel Carports, Inc., (hereinafter "ASC"), is not responsible for permits, covenant searches or restrictions. Please contact your local Building Inspector or Homeowners Association for information. Lot must be level or unit will be installed "AS IS" on lot. Prior to installation, please have any underground cables, gas lines or any other utility lines located and marked. At not be responsible for any damage to underground utility lines. Installation is subject to change due to contractor availability and weather conditions. A down payment of 10% (before tax) is required on all orders and 50% on special orders. Any credit card refunds will be charged 5%. Balance must be paid in full upon installation. No refunds on special orders. Deposits are non-refundable. A \$50 return trip fee (subcontractors) applies. Additional fees may vary upon jobs (cuts, ground leveling, or anything additional the contractors have to extra on site). A fee of \$35 will apply on returned checks.

Buyer agrees that the balance shall be due and payable at the time of installation. In the event that balances due and owing at the time of installation are not paid in full, buyer shall be in default under this agreement. ASC may elect to repossess the carport/garage and buyer hereby consent to allow ASC access to the carport/garage to repossess the carport/ garage, or at it sole discretion ASC may assess interest at a rate of 18% per annum on any unpaid balance. Buyer agrees that in the event of any default under this agreement, buyer shall be responsible reasonable collection agency costs, any attorney's fees and costs incurred as a result of the default. JURISDICTION, it is expressly agreed that in any dispute, suit, claim or legal proceeding any nature arising from the obligations under this agreement, shall be filed in a court of competent jurisdiction in Delaware County, Indiana and be controlled by the law of the State of Indiana. ASC reserves the right to terminate this agreement at any time. All Steel Carports Must Approve All Pricing.

I have read and completely understand the above information and give my approval for construction of the above.

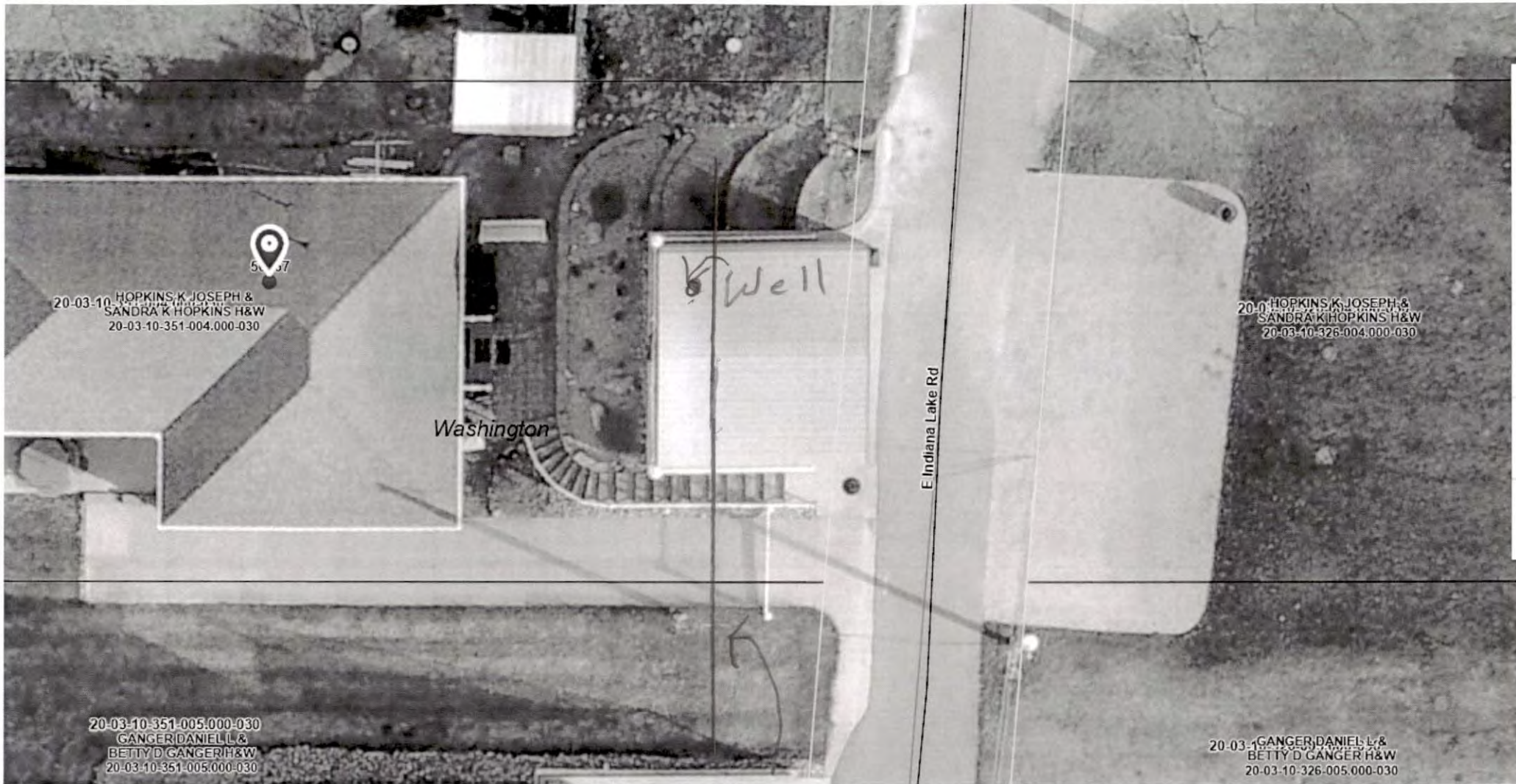
Buyer: Sandy Hopkins Date: 5/11/19

Contractor Name: Date:

☐ Cash ☐ Credit Card ☐ Check #

Card Number:

Exp. Date: Security Code:



20-03-10-351-004.000-030
HOPKINS, K. JOSEPH &
SANDRA K. HOPKINS H&W

20-03-10-326-004.000-030
HOPKINS, K. JOSEPH &
SANDRA K. HOPKINS H&W

20-03-10-351-005.000-030
GANGER, DANIEL L. &
BETTY D. GANGER H&W

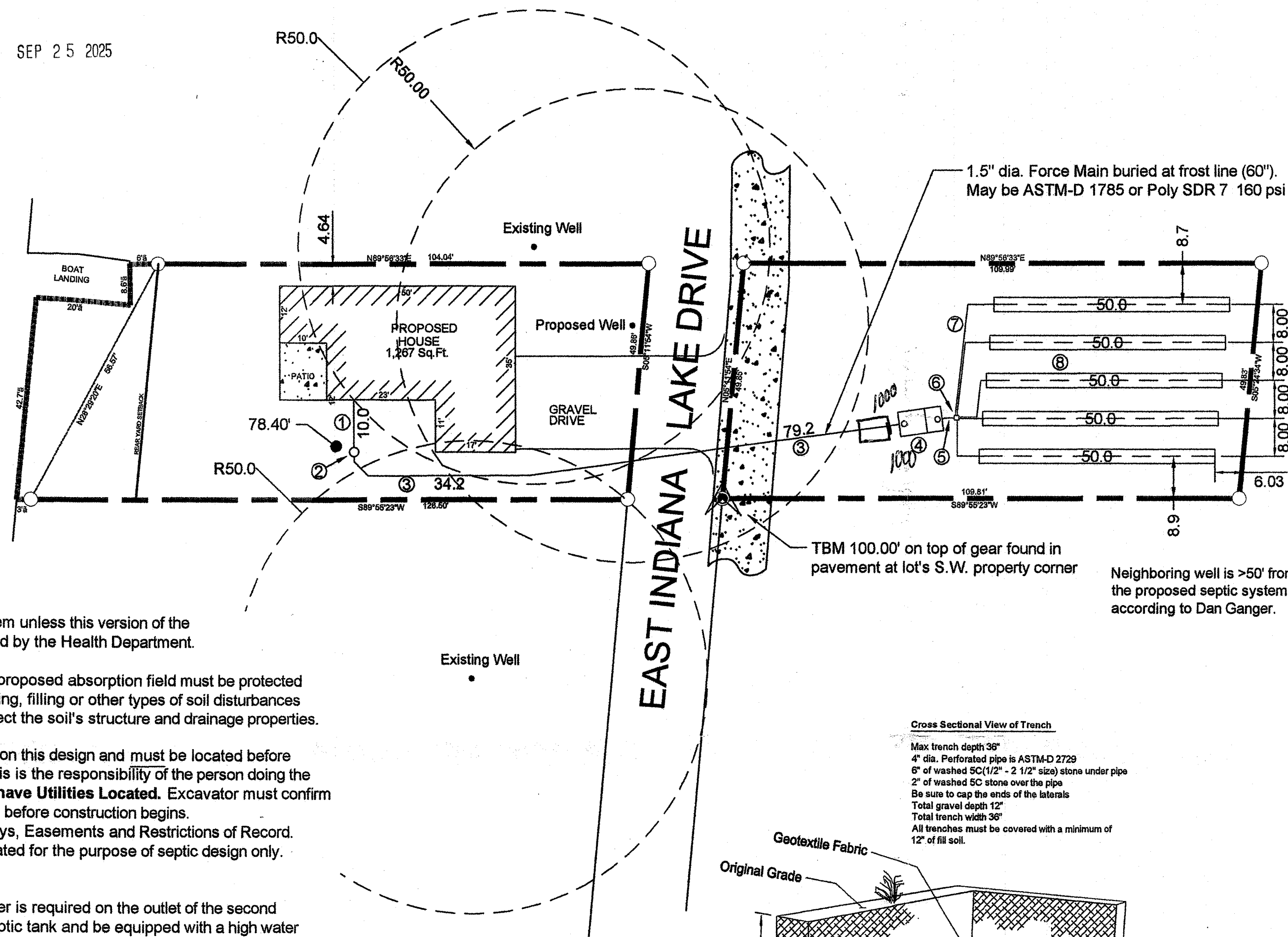
20-03-10-326-005.000-030
GANGER, DANIEL L. &
BETTY D. GANGER H&W

SEP 25 2025

Building Road
is in Row
refer to Survey

SEP 25 2025

INDIANA LAKE



Do not install this system unless this version of the plan has been approved by the Health Department.

Note: The area of the proposed absorption field must be protected from compacting, grading, filling or other types of soil disturbances that may adversely effect the soil's structure and drainage properties.

Utilities are not shown on this design and must be located before excavation begins. This is the responsibility of the person doing the digging! **Call 811 to have Utilities Located.** Excavator must confirm the location of all wells before construction begins. Subject to Right-of-Ways, Easements and Restrictions of Record. This plot plan was created for the purpose of septic design only. This is not a survey.

An NSF 46 Effluent filter is required on the outlet of the second compartment of the septic tank and be equipped with a high water alarm.

Glue all pipe to manufacturer's specifications.

This septic system is sized using an estimated daily flow rate as designated by the Indiana State Septic Rule. Actual flow rates in excess of this daily design rate are likely to cause premature failure of the system. Water from foundation drains (and other clean water discharges) **MUST NOT** discharge into the septic system or on top of the absorption field. Sending softener discharge water to your septic system can lead to premature septic failure. Check with your local Health Department for alternative discharge options.

Barrier Material: Barrier material must meet the requirements of 410 IAC 6-8.2 and your local health department.

Distal Ends of Perforated Pipes: "The distal end of each gravity distribution lateral shall be capped"

Pumps: "Installed in a manner as to allow for removal without entering or dewatering the the dose tank" Pumps "shall be provided with a suitable means of quick, convenient disconnection from the discharge piping." "Fittings and valves shall be of compatible corrosion resistant material."

Electrical Connections: All electrical connections should be located outside the tank and riser and inside a weather proof junction box. Junction boxes inside the riser "shall be rated as a NEMA 4X, National Electrical Manufacturers Association, NEMA 250-2003. All connectors to the junction box shall form a watertight seal."

▲ = Elevation Bench Mark 100.00'

● = Location of Soil Borings

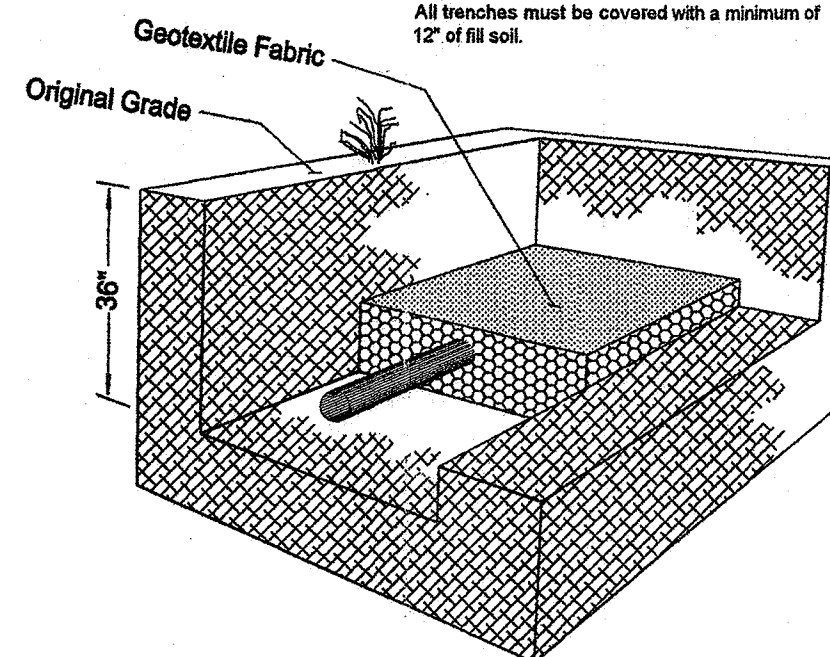
99.00' = Existing Grade Elevations

The beginnings and ends of all trenches are flagged on-site with orange Meade Septic Design Flags.

All new tanks must have secondary safety lids - Per Indiana State Law

Cross Sectional View of Trench

Max trench depth 36"
4" dia. Perforated pipe is ASTM-D 2729
6" of washed 5C(1/2" - 2 1/2" size) stone under pipe
2" of washed 5C stone over the pipe
Be sure to cap the ends of the laterals
Total gravel depth 12"
Total trench width 36"
All trenches must be covered with a minimum of 12" of fill soil.



20 0 20 FEET
SCALE: 1" = 20'

General Information:

Number of Bedrooms: 3

Proposed Design Based on Health Department Requirements:

1250 Two Compartment Septic Tank
750 sq. ft. of Absorption Field
36 inch Maximum Trench Depth

Material Key:

1 Gravity Sewer:

Dia. 4" dia.
Length 10
Specs: Glued ASTM-D 2665-09 Sch 40

2 24" dia. Sewage Ejection Pit by Farmer Tank

See page two for details

3 Force Main: 1.5" dia. SDR 7 Poly

4 1250 Gal. Two Compartment Septic Tank with NSF 46 Effluent Filter and Two Risers to the Ground Surface:

Tank by: Farmer

5 Effluent Sewer:

Dia. 4" dia.
Length: 4
Specs: ASTM-D 3034-06 SDR 35

6 Distribution Box:

6 Outlet by Approved Manufacturer
Inlet equipped with sweeping tee that extends within 2" of the bottom of Box.

7 Header Pipes:

4" dia.
ASTM-D 3034-08 SDR 35
All Header Pipes Slope to Laterals

8 Absorption Field:

Max. Trench Depth: 36 inches
Number of Trenches: 5
Length of Trenches ft: 50
Linear Footage: 250
Absorption Field sq.ft. 750
Perforated Pipes are 4 inch dia. ASTM-D 2729-03 or ASTM-F 810-07. Cap Ends

Elevation Key:

See the Drawing for Elevation Bench Mark Information

1 Gravity Sewer:

Exits Building at or Above I.E. 76.40
Inlets Sewage Ejection Pit at I.E. 75.90

2 Sewage Ejection Pit:

Inlets at I.E. 75.90
Outlets at I.E. 73.40

3 Force Main:

Outlet Ejection Pit at I.E. 73.40
Inlets Septic Tank at I.E. 101.22

4 Septic Tank:

Inlets Septic Tank at I.E. 101.22
Outlets Septic Tank at I.E. 100.97

5 Effluent Sewer:

Exits Septic Tank at I.E. 100.97
Inlets D-Box at I.E. 100.81

6 Distribution Box:

D-Box Inlet I.E. 100.81
D-Box Outlet I.E. 100.73

7 Header Pipes:

All Header Pipes Connect to Trench Laterals at I.E. 100.65

8 Absorption Trenches:

The Highest Elevation in the Area of the Trenches 103.15
The Lowest Elevation in the Area of the Trenches 102.3
All Gravel Trench Perf. Pipe I.E. 100.65
All Trench Bottoms are Level at 100.15

DATE REVISION

MEADE SEPTIC DESIGN Inc.

WWW.SEPTICDESIGN.COM

Dan Ganger
Lots 4 & 4 Fem Ridge Addition 1st & Second Add
Elkhart County

Stuart J. Meade stuart@septicdesign.com
312 River Vista Drive Goshen, IN 46526-4830
574.533.1470 Cell 574.215.9289 Fax 574.534.8687

All measurements must be confirmed by the excavator prior to installation.
Surface inspection shows no signs of buried obstructions.
All utilities must be marked prior to any digging or excavation.
All Contents Copyright 2012 Stuart Meade

DATE 10/30/12
SCALE 1" = 20'

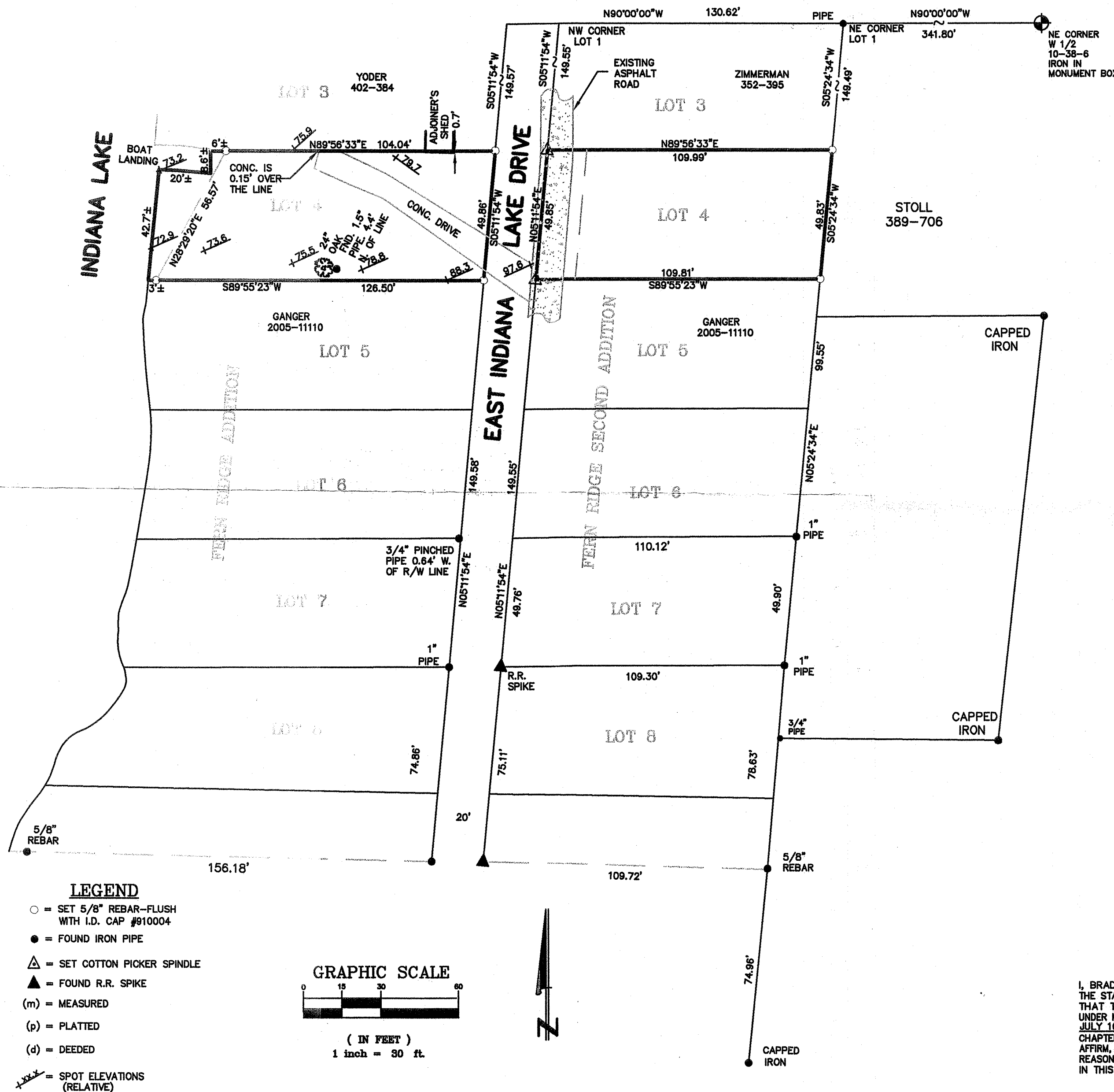
GANER11_2638.DWG
PAGE 1 of 2 Job# 2638

SEP 25 2025

CERTIFICATE OF SURVEY

A PART OF FERN RIDGE FIRST & SECOND
SECTION 10, TOWNSHIP 38 NORTH, RANGE 6 EAST
WASHINGTON TOWNSHIP, ELKHART COUNTY, INDIANA
OWNER: DANIEL LEE & BETTY DEAN GANGER
DEED RECORD 413-950

LEGAL DESCRIPTION
LOT 4 FERN RIDGE ADDITION
WASHINGTON TOWNSHIP,
ELKHART COUNTY, INDIANA.
PLAT BOOK 2, PAGE 107.
AND
LOT 4 FERN RIDGE SECOND ADDITION
WASHINGTON TOWNSHIP,
ELKHART COUNTY, INDIANA.
PLAT BOOK 2, PAGE 203.



SURVEYORS REPORT

1) IN ACCORDANCE WITH TITLE 865, ARTICLE 1, CHAPTER 12 OF THE INDIANA ADMINISTRATIVE CODE, THE FOLLOWING OBSERVATIONS AND OPINIONS ARE SUBMITTED REGARDING THE VARIOUS UNCERTAINTIES IN THE LOCATIONS OF THE LINES AND CORNERS ESTABLISHED ON THIS SURVEY AS A RESULT OF:

- A) VARIANCES IN THE REFERENCE MONUMENTS;
- B) DISCREPANCIES IN RECORD DESCRIPTIONS AND PLATS;
- C) INCONSISTENCIES IN LINES OF OCCUPATION;

COMMENTS: ESTABLISHED THE NE & SE CORNERS OF LOT 4 IN FERN RIDGE 2nd, ON LINE, AND AT THEIR PRORATED LOCATION, BETWEEN THE NE CORNER OF LOT 7, AND THE NE CORNER OF LOT 1. ESTABLISHED THE NW & SW CORNERS OF LOT 4 IN FERN RIDGE 2nd ON LINE, AND AT THE PRORATED LOCATION, BETWEEN AN IRON AT THE SW CORNER OF LOT 7, AND THE NW CORNER OF LOT 1. ESTABLISHED THE WEST RIGHT OF WAY LINE EAST INDIANA LAKE DRIVE 20' WEST OF, AND PARALLEL WITH, THE MONUMENTED EAST LINE OF SAID DRIVE. ESTABLISHED THE NORTH AND SOUTH LINES OF LOT 4 IN FERN RIDGE BY PROJECTING THE NORTH AND SOUTH LINES OF LOT 4 IN FERN RIDGE 2nd WESTERLY, TO THE WATER'S EDGE OF INDIANA LAKE.

AS A RESULT OF THE ABOVE OBSERVATIONS, IT IS MY OPINION THAT THE DEGREE OF UNCERTAINTY IN THE LOCATIONS OF THE LINES AND CORNERS ON THIS SURVEY ARE AS FOLLOWS:

RELATIVE POSITIONAL ACCURACY: 0.13' PLUS 50 ppm (SUBURBANA)

DUE TO VARIANCES IN MONUMENTATION: 0.17' N/S & 0.2' E/W

DUE TO DISCREPANCIES IN THE RECORD DESCRIPTION: NONE.

DUE TO INCONSISTENCIES IN THE LINES OF OCCUPATION: 0.7' N/S ON THE NORTH LINE.

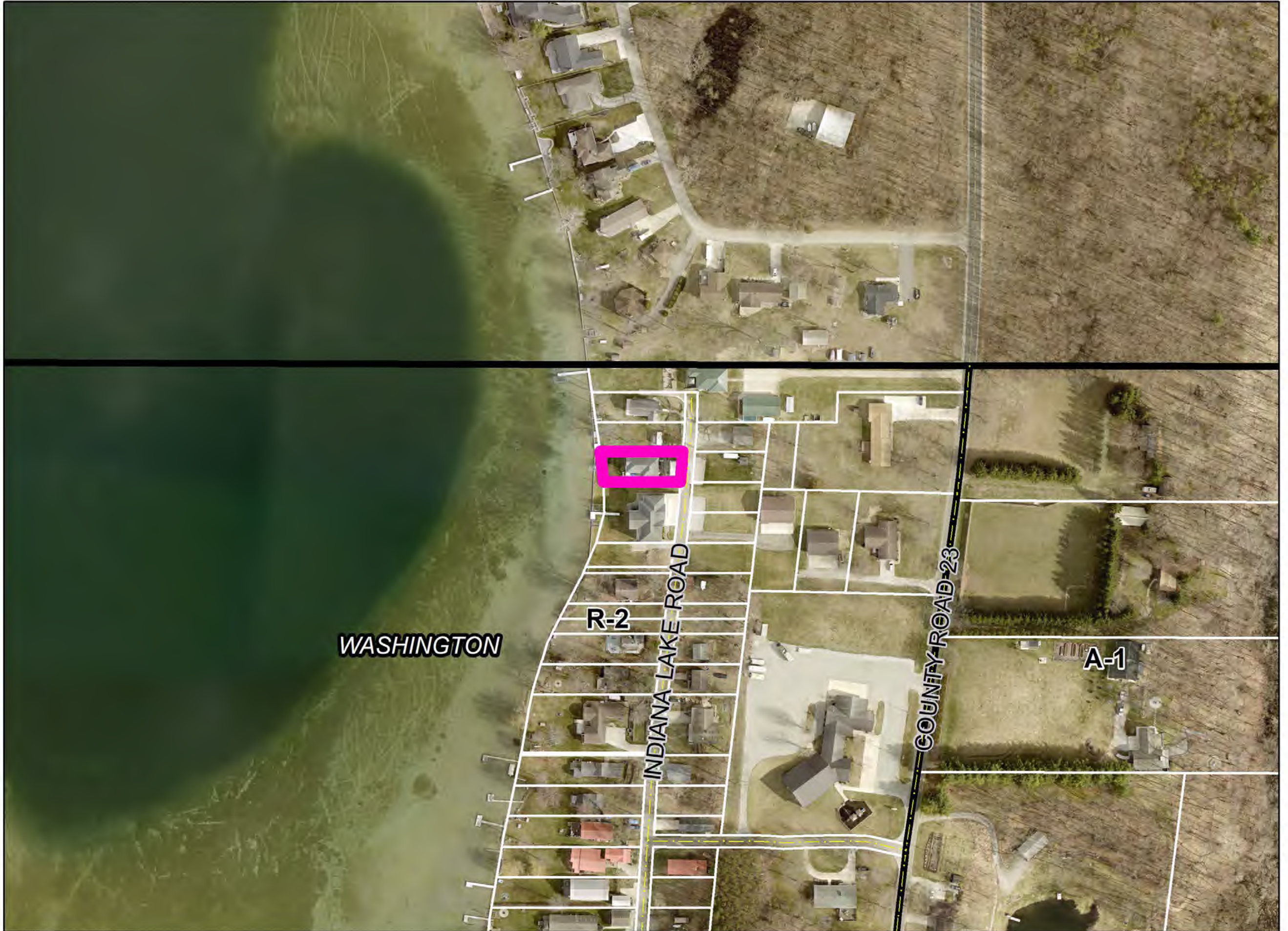
THIS PROPERTY IS NOT LOCATED WITHIN THE FLOODPLAIN AS PER INFORMATION OBTAINED FROM FLOOD INSURANCE RATE MAP, NATIONAL FLOOD INSURANCE PROGRAM, COMMUNITY PANEL NUMBER 180056 18039C0065 D, DATED AUGUST 2, 2011.

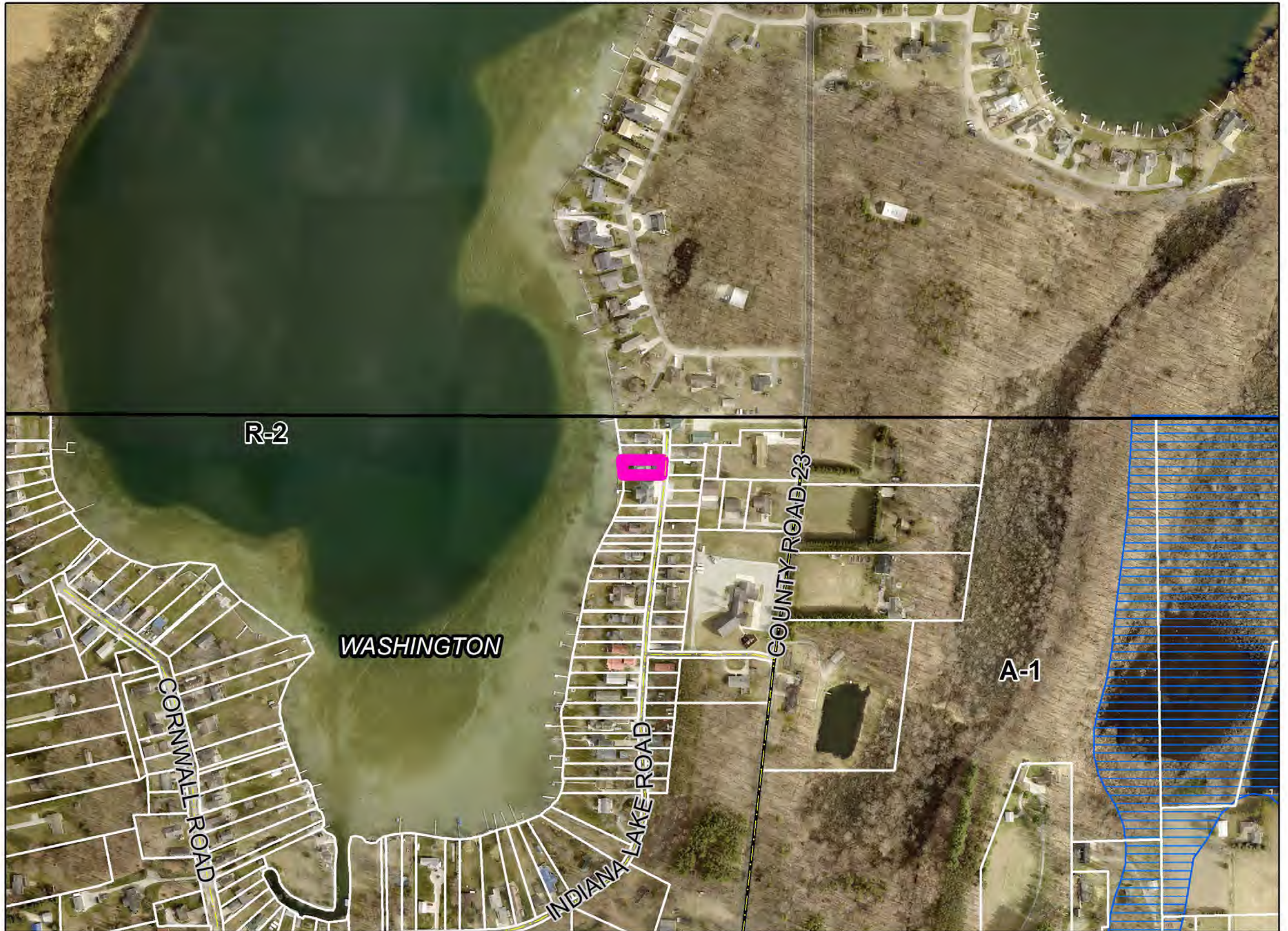
I, BRADLEY S. CRAMER, A REGISTERED LAND SURVEYOR IN THE STATE OF INDIANA, LICENSE #910004, DO HEREBY CERTIFY THAT THIS REPRESENTS A SURVEY PREPARED BY ME OR UNDER MY DIRECT SUPERVISION. THIS SURVEY WAS COMPLETED ON JULY 10, 2012 IN ACCORDANCE WITH TITLE 865, ARTICLE 1, CHAPTER 12 OF THE INDIANA ADMINISTRATIVE CODE. I FURTHER AFFIRM, UNDER THE PENALTIES FOR PERJURY, THAT I HAVE TAKEN REASONABLE CARE TO REDACT EACH SOCIAL SECURITY NUMBER IN THIS DOCUMENT, UNLESS REQUIRED BY LAW.

PROGRESSIVE Engineering Inc.		58640 State Road 15 Goshen, IN 46528 Phone (574) 533-0337 Fax (574) 533-9736	
DANIEL GANGER		www.p-e-i.com	
BOUNDARY SURVEY		LOT 4 FERN RIDGE 1 & 2	
DATE	7/18/2012	SCALE	1" = 30'
JOB NO.	2012-1027	DWG. NO.	C-121027

COUNTY ROAD 23







R-2

WASHINGTON

CORNWALL ROAD

INDIANA LAKE ROAD

COUNTRY ROAD-23

A-1



Subject property



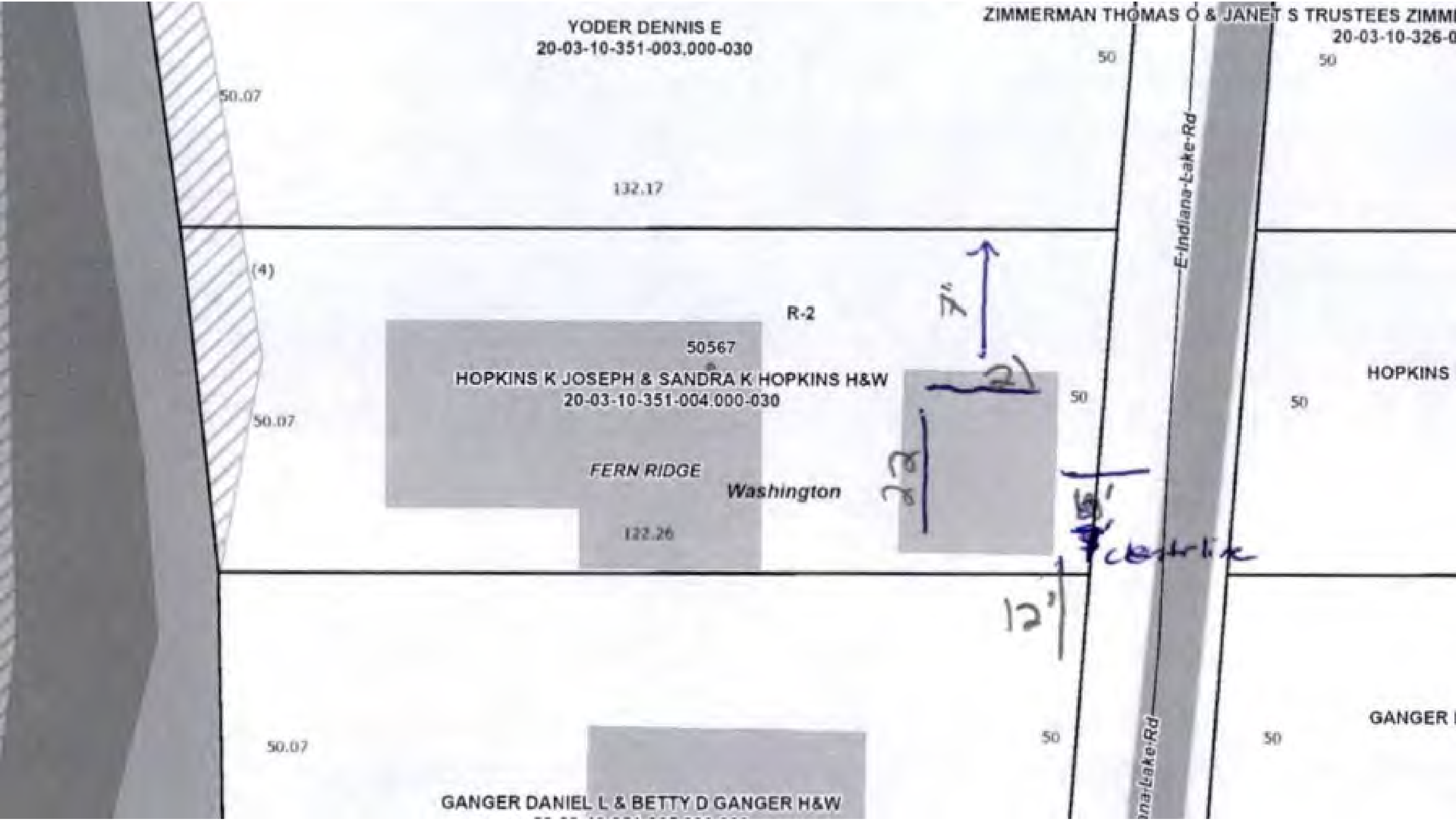
Facing south



Facing north



Facing east



Hearing Officer Staff Report

Prepared by the Department of Planning and Development

Hearing Date: October 15, 2025

Transaction Number: DV-0599-2025.

Parcel Number(s): 20-06-18-377-009.000-009.

Existing Zoning: R-2.

Petition: For a Developmental Variance to allow for the total square footage of accessory structures to exceed that allowed by right.

Petitioner: Jason G. Ulin.

Location: East side of Nineteenth St., 405 ft. south of Mishawaka Rd. (CR 20), in Concord Township.

Site Description:

- Physical Improvement(s) – Residence, detached accessory structures.
- Proposed Improvement(s) – Detached accessory structure.
- Existing Land Use – Residential.
- Surrounding Land Use – Residential, City of Elkhart.

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 request is 696 sq. ft., or 93%, over what is allowed by right and all other development standards will be met. The small residence does not allow for a lot of allowed storage space by right.
2. Approval of the request will not cause substantial adverse effect on neighboring property. This is a 0.22-acre parcel in a mixed-use area, the property will remain residential in character, and the accessory structure will allow for less outdoor storage.
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 structure couldn't be built.

Hearing Officer Staff Report (Continued)

Hearing Date: October 15, 2025

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

1. A variance from the developmental standards of the Development Ordinance is void unless an Improvement Location Permit is issued within 180 calendar days from the date of the grant and construction work completed within 1 year from the date of the issuance of the building permit (where required).
2. The request is approved in accordance with the site plan submitted (dated 9/15/2025) and as represented in the Developmental Variance application.

PLAN COMMISSION & BOARD OF ZONING APPEALS

Developmental Variance - Developmental Variance

**Elkhart County Planning & Development
Public Services Building**

4230 Elkhart Road, Goshen, Indiana, 46526

Phone - (574) 971-4678

Fax - (574) 971-4578

Date: 09/16/2025 Meeting Date: October 15, 2025 Transaction #: DV-0599-2025
Board of Zoning Appeals Public Hearing

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

Contacts: <u>Applicant</u>	<u>Authorized Agent</u>	<u>Land Owner</u>
Pamela George 57868 Nineteenth St. Elkhart, IN 46517	Pamela George 57868 Nineteenth St. Elkhart, IN 46517	Jason G. Ulin 57868 Nineteenth St. Elkhart, IN 46517

Site Address: 57868 19Th St Elkhart, IN 46517	Parcel Number: 20-06-18-377-009.000-009
--	---

Township: Concord
Location: EAST SIDE OF NINETEENTH ST., 405 FT. SOUTH OF MISHAWAKA RD. (CR 20)

Subdivision: A.R. KESSLERS SOUTH SIDE ADD	Lot # 18 & 19
---	---------------

Lot Area: 0.22	Frontage: 80.00	Depth: 120.00
----------------	-----------------	---------------

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

Present Use of Property: Residential

Legal Description:

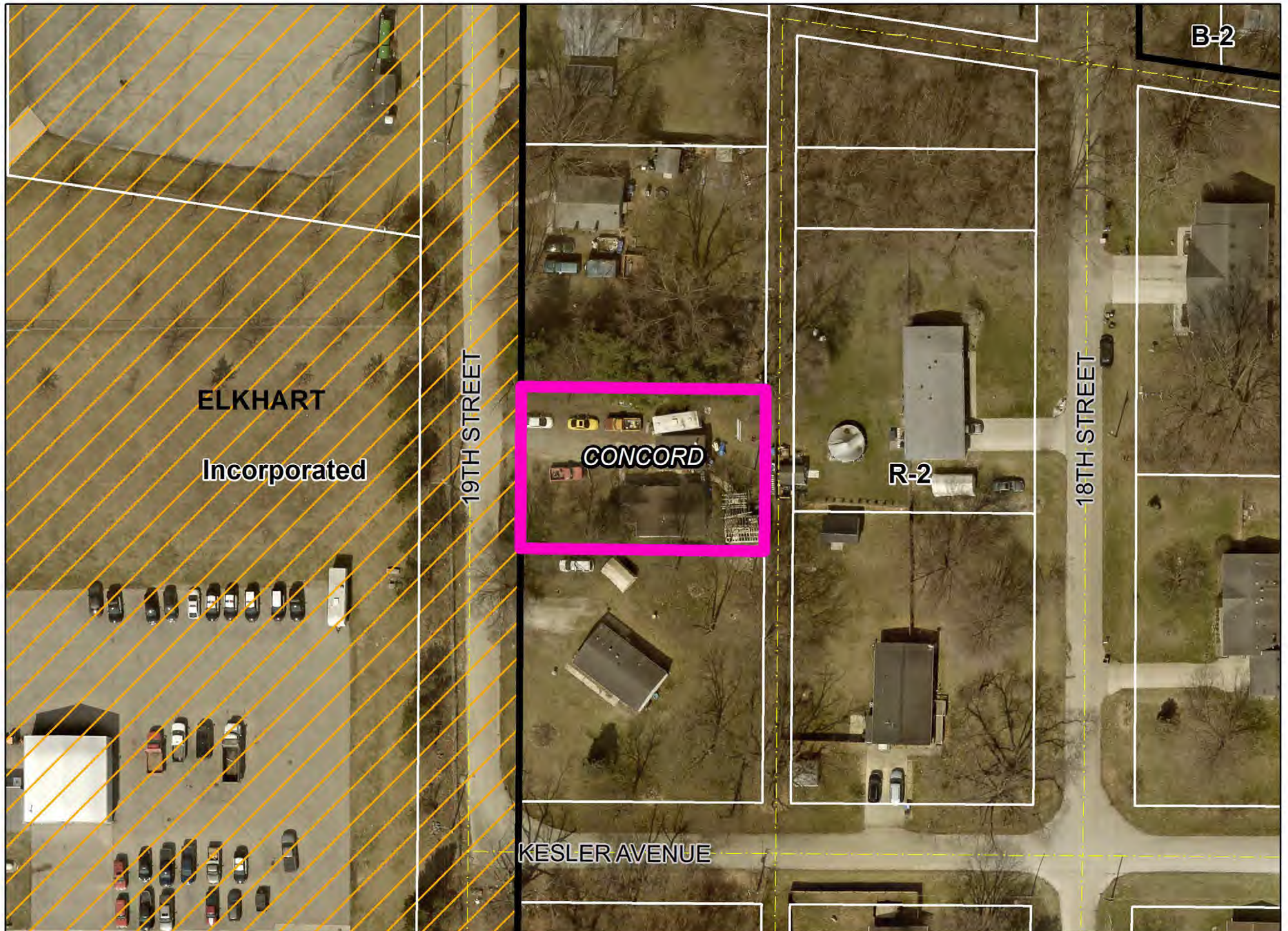
Comments: DWELLING 684 SF X 110% = 752 SF MINUS DET GARAGE 308 SF MINUS SHED 240 SF
= 206 SF MINUSE PROPOSED GARAGE 900 SF = NEGATIVE 694 SF

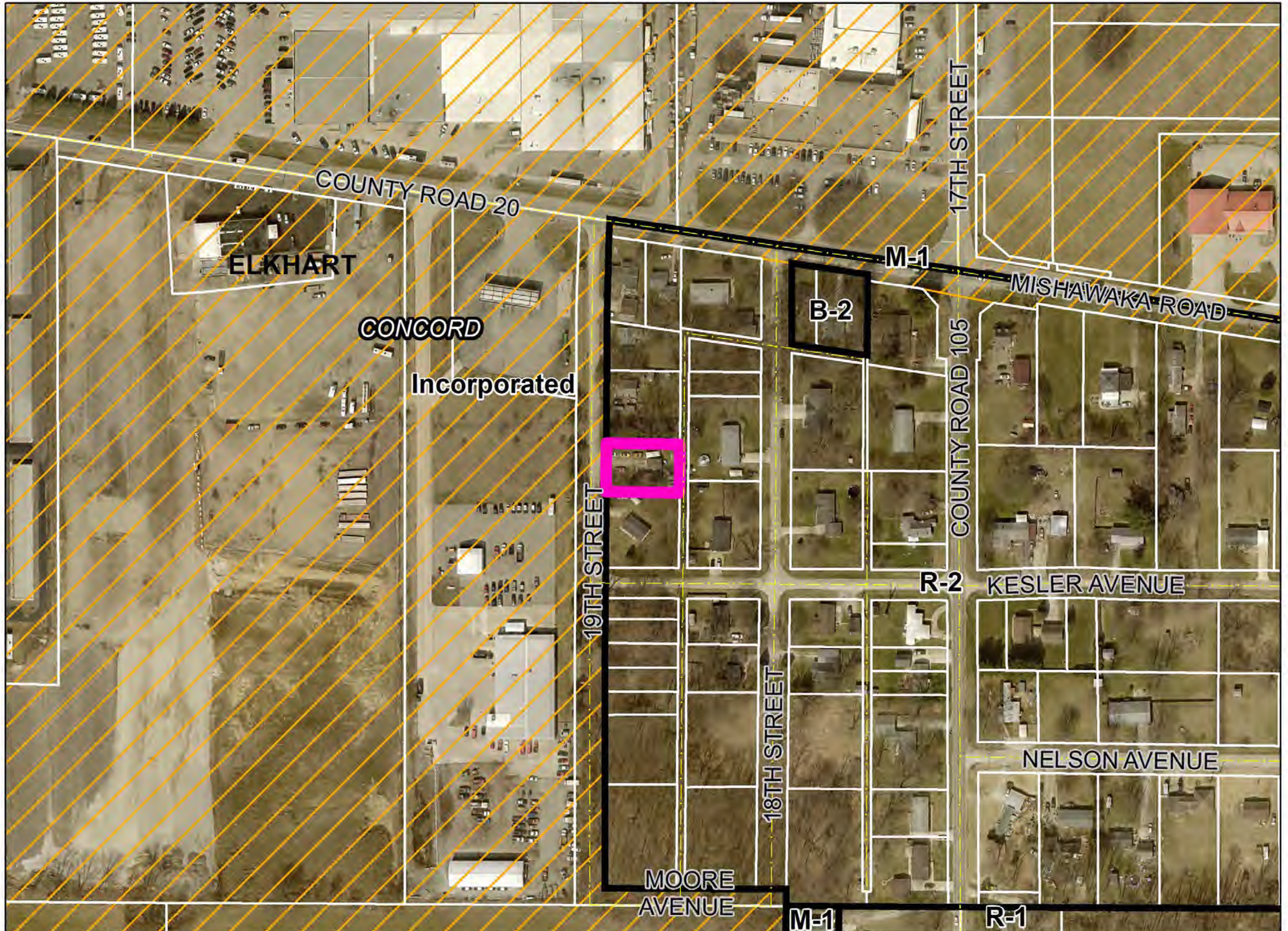
Applicant Signature:	Department Signature:
----------------------	-----------------------

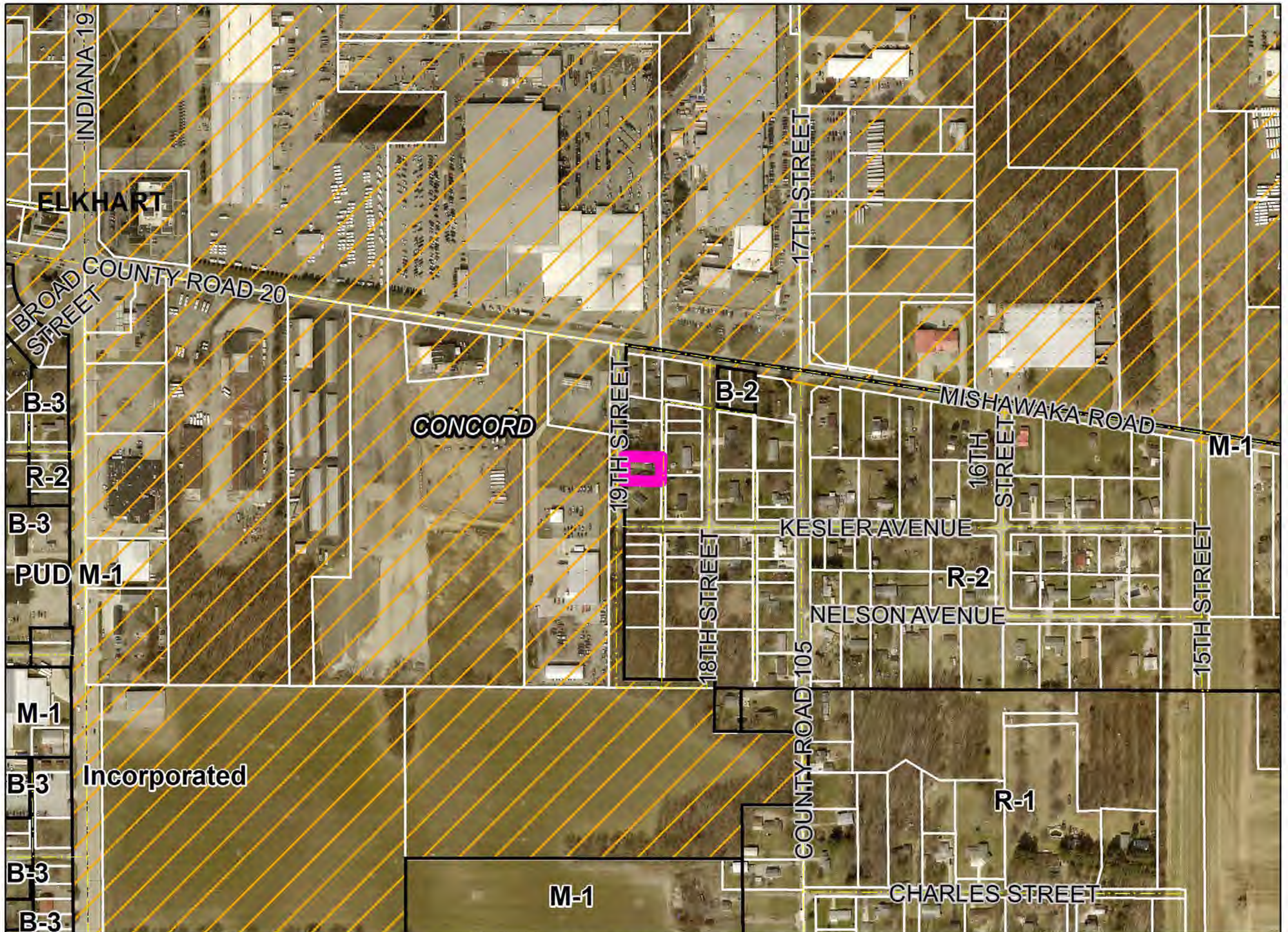
Developmental Variance — Questionnaire

Name: Jason Ulin

- 1) Tell us what you want to do. I want to build on to the existing garage 30' to accommodate all my tools and be able to house my current vehicles.
- 2) Tell us why you can't change what you're doing so you don't need a variance. The amount of space I need exceeds the square footage of buildings on the current property dimensions
- 3) Tell us why the variance won't hurt your neighbors or the community. It is strictly for personal use and will not impede traffic or the neighborhood.
- 4) Does the property need well and septic? Well: ☐ Y ☐ N Septic: ☐ Y ☐ N
Does the property need a new septic system? ☐ Y ☒ N
If a new septic system is needed, did the Health Department say there's enough space for it? ☐ Y ☒ N
- 5) Does the application include variances to allow for buildings or additions? ☐ Y ☐ N If yes, fill out below.
Building or addition 1 Size and height to the peak: 30' x 30' Height 14'
 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. _____









Subject property facing east



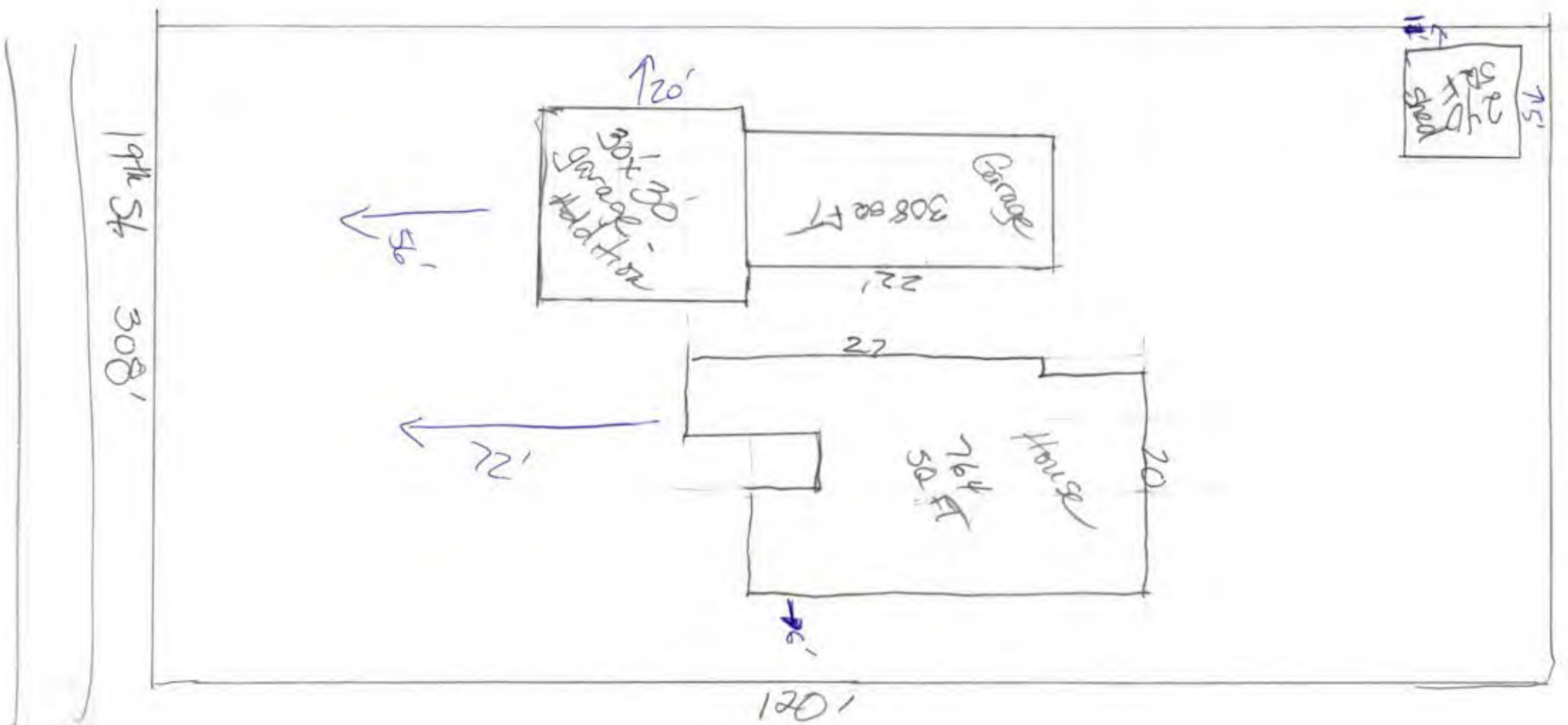
Facing south



Facing north



Facing west



Hearing Officer Staff Report

Prepared by the Department of Planning and Development

Hearing Date: October 15, 2025

Transaction Number: DV-0601-2025.

Parcel Number(s): 20-03-13-200-021.000-030.

Existing Zoning: A-1.

Petition: For a 60 ft. Developmental Variance (Ordinance requires 120 ft.) to allow for the construction of an accessory structure 60 ft. from the centerline of the right-of-way.

Petitioner: Amy R. Snyder & Adam E. Bell.

Location: Northwest side of SR 15, 4,900 ft. north of CR 4, in Washington Township.

Site Description:

- Physical Improvement(s) – Residence, pool.
- Proposed Improvement(s) – Detached accessory structure.
- Existing Land Use – Residential.
- 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. A 60 ft. setback would not cause sight distance or safety concerns for traffic along the State Road, and the structure would be placed out of the right-of-way.
2. Approval of the request will not cause substantial adverse effect on neighboring property. This is a 5.95-acre parcel in a low-density residential and agricultural 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. The layout of the parcel with the floodplain and wetland area hinders available square footage of the parcel for buildability.

Hearing Officer Staff Report (Continued)

Hearing Date: October 15, 2025

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

1. A variance from the developmental standards of the Development Ordinance is void unless an Improvement Location Permit is issued within 180 calendar days from the date of the grant and construction work completed within 1 year from the date of the issuance of the building permit (where required).
2. The request is approved in accordance with the site plan submitted (dated 9/15/2025) and as represented in the Developmental Variance application.

PLAN COMMISSION & BOARD OF ZONING APPEALS

Developmental Variance - Developmental Variance

**Elkhart County Planning & Development
Public Services Building**

4230 Elkhart Road, Goshen, Indiana, 46526

Phone - (574) 971-4678

Fax - (574) 971-4578

Date: 09/16/2025 Meeting Date: October 15, 2025
Board of Zoning Appeals Public Hearing Transaction #: DV-0601-2025

Description: for a 60 ft. Developmental Variance (Ordinance requires 120 ft.) to allow for the construction of an accessory structure 60 ft. from the centerline of the right-of-way

Contacts: Applicant Land Owner
Amy R. Snyder And Adam E. Amy R. Snyder And Adam E.
Bell, Joint Tenants With Ros Bell, Joint Tenants With Ros
51323 State Road 15 51323 State Road 15
Bristol, IN 46507 Bristol, IN 46507

Site Address: 51323 State Road 15 Parcel Number: 20-03-13-200-021.000-030
Bristol, IN 46507

Township: Washington
Location: Northwest side Of SR 15, 4,900 ft Northeast of County Road 4

Subdivision: Lot #

Lot Area: 5.95 Frontage: 228.49 Depth: 1,083.03

Zoning: A-1 NPO List:

Present Use of Property: RESIDENTIAL

Legal Description:

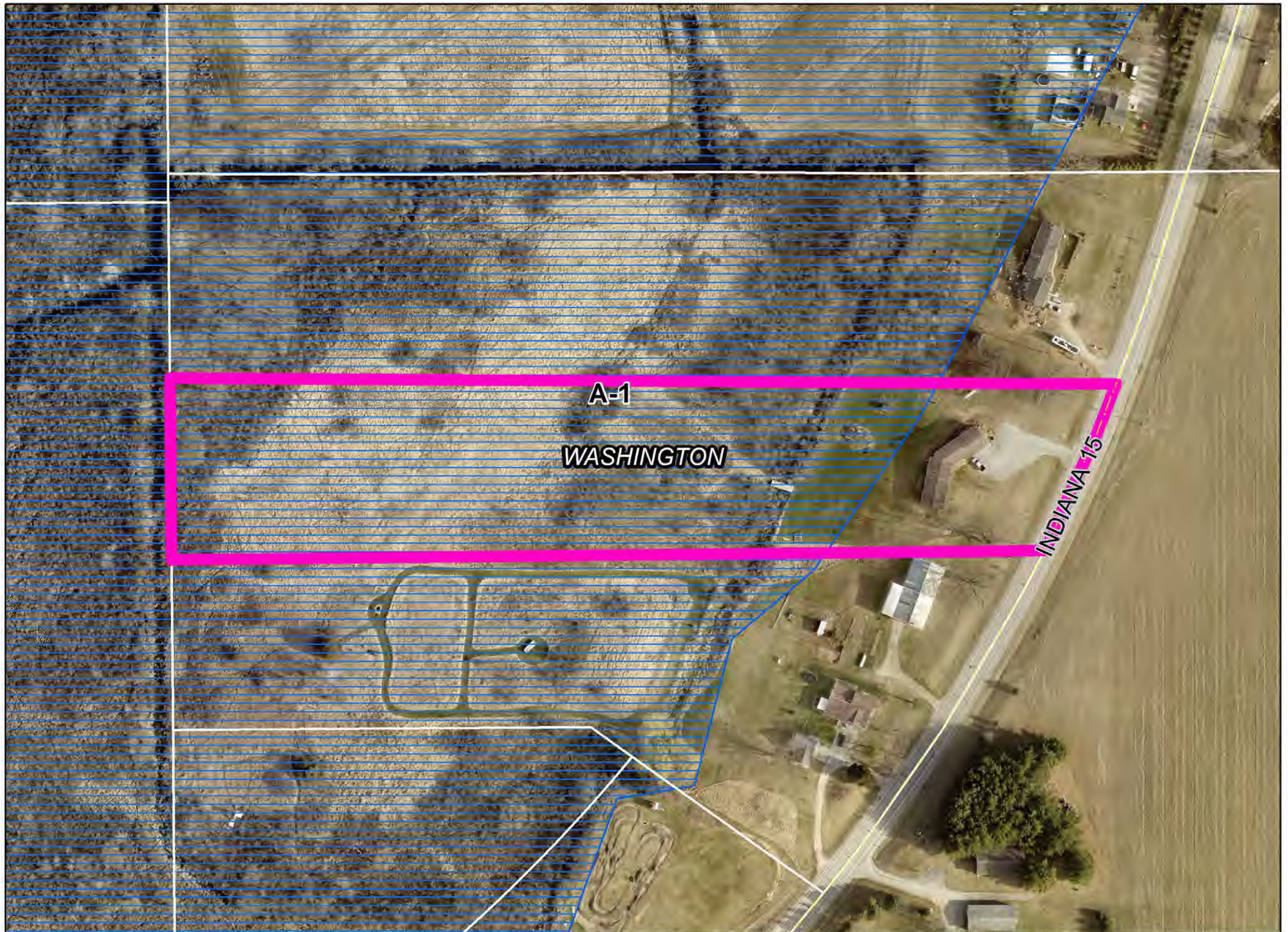
Comments: PARCEL CREATED 9/16/2002
RESIDENCE = 2,329 SQ FT X 200% = 4,658 MINUS 836 (GARAGE), AND 96 (SHED), LEAVES 3,726 SQ FT. PROPOSED
STRUCTURE IS 30 X 60 = 1,800 SQ FT, WHICH LEAVES 1,926 SQ FT AVAILABLE FOR PERSONAL STORAGE - KB
MECHANICAL PERMIT #ME-R-0287-2024 IS OPEN AND NEEDS INSPECTION

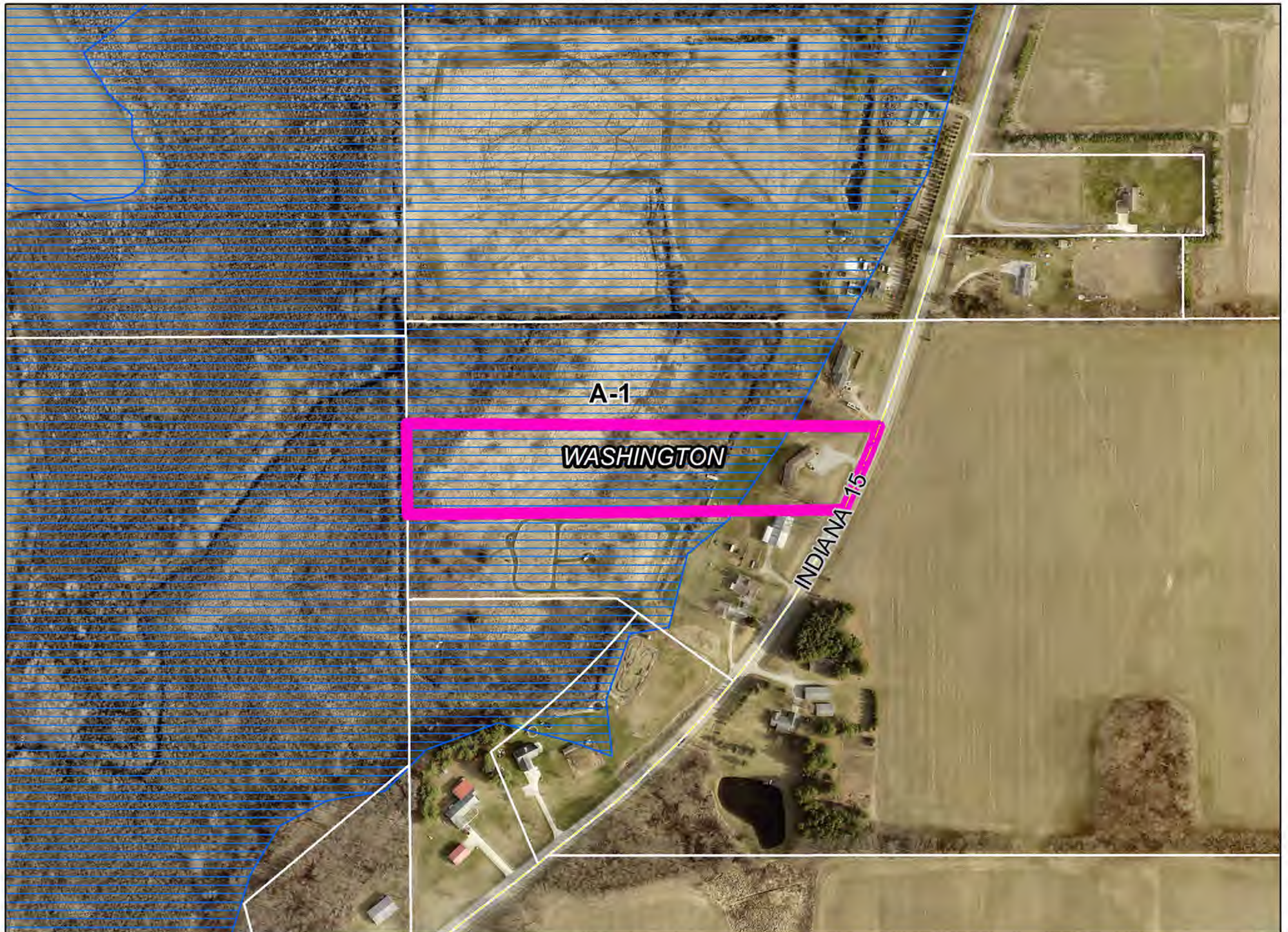
Applicant Signature: Department Signature:

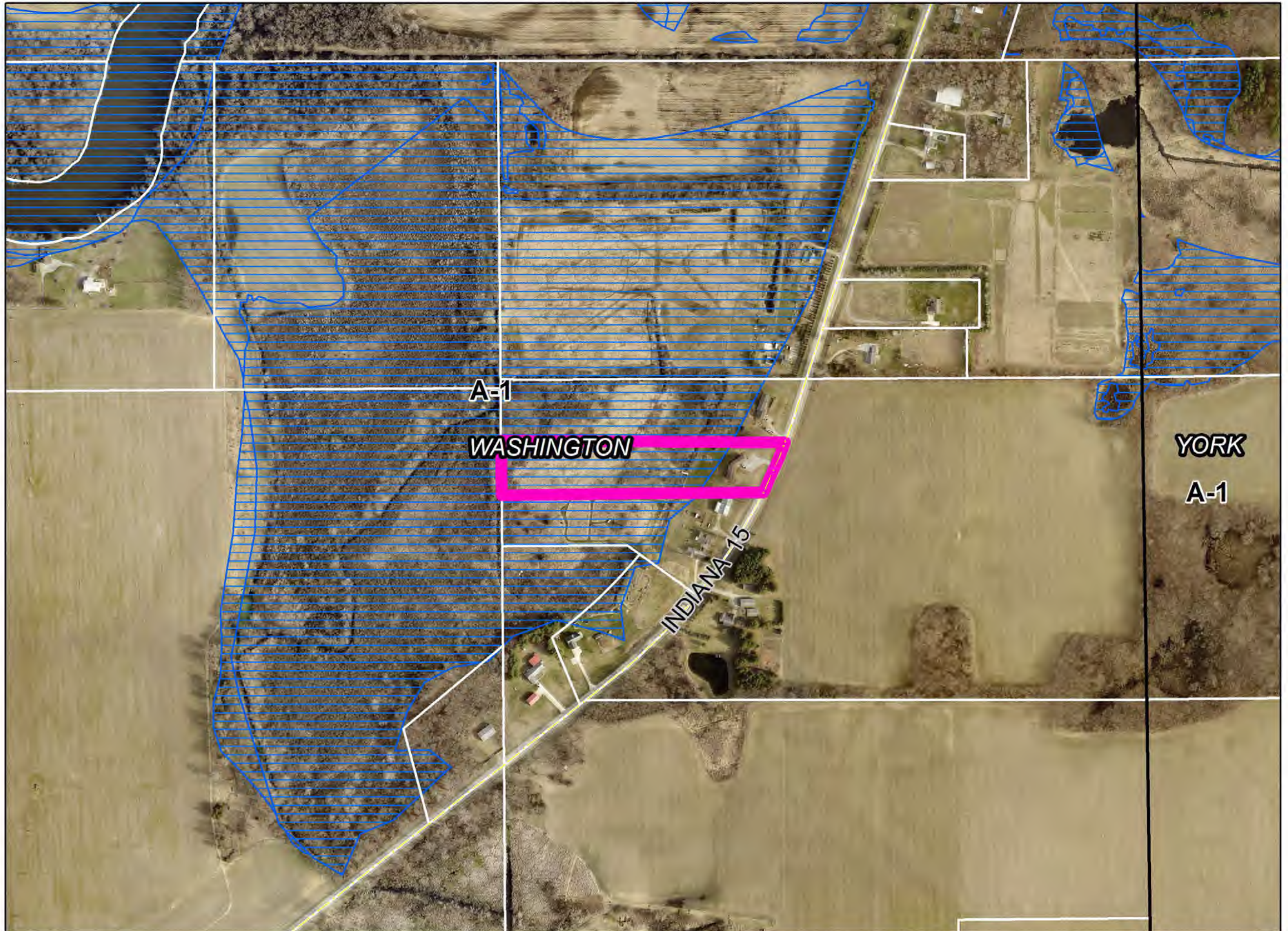
Developmental Variance — Questionnaire

Name: ADAM BELL

- 1) Tell us what you want to do. BUILD A POLE BARN CLOSER THAN 120 FEET FROM CENTER OF RIGHT OF WAY, LOCATED NORTH EAST OF MY GARAGE
- 2) Tell us why you can't change what you're doing so you don't need a variance. THERE IS A HILL THAT SLOPES DOWN TO THE WEST, AND MOVING THE BARN DOWN HILL PUTS IT IN WETLANDS AND/OR FLOOD WAY. ALSO MY ELECTRIC IS BURIED ACROSS THIS HILL FROM THE POLE.
- 3) Tell us why the variance won't hurt your neighbors or the community. IT WILL NOT AFFECT ANY NEIGHBORS ENTERING/EXITING THE ROADWAY SAFELY. IT WILL BE MORE THAN 20 FT FROM THE PROPERTY LINE AND KEPT NEAT & CLEAN.
- 4) Does the property need well and septic? Well: ☐ Y ☒ N Septic: ☐ Y ☒ N
Does the property need a new septic system? ☐ Y ☒ N
If a new septic system is needed, did the Health Department say there's enough space for it? ☐ Y ☐ N
- 5) Does the application include variances to allow for buildings or additions? ☐ Y ☐ N If yes, fill out below.
- Building or addition 1** Size and height to the peak: 30 X 60 FT 16 FT PEAK
Tell us what you'll use it for. STORAGE OF EQUIPMENT, TRAILER, TRACTOR, RANGER
- 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. _____









Subject property facing west



Proposed building site facing east



Facing north



Facing east



Facing east



Hearing Officer Staff Report

Prepared by the Department of Planning and Development

Hearing Date: October 15, 2025

Transaction Number: SUP-0558-2025.

Parcel Number(s): 20-06-23-302-002.000-009.

Existing Zoning: R-2.

Petition: For a Special Use for a mobile home, for a Developmental Variance to allow for the placement of a mobile home within 300 ft. of a residence, for a 25 ft. Developmental Variance (Ordinance requires 50 ft.) to allow for the placement of a mobile home 25 ft. from the centerline of the right-of-way, and for a 3 ft. Developmental Variance (Ordinance requires 5 ft.) to allow for an existing shed 2 ft. from the north side property line.

Petitioner: Thomas Hardman.

Location: East side of Helen St., 225 ft. north of Sunnyside Ave., northeast of CR 45, in Concord Township.

Site Description:

- Physical Improvement(s) – Shed.
- Proposed Improvement(s) – Mobile home.
- Existing Land Use – Residential.
- Surrounding Land Use – Residential.

History and General Notes:

- **May 17, 1984** – A Special Use for an existing mobile home to be occupied by the buyer and a 2,400 sq. ft. lot area variance were granted (84-37-SU).
- **February 16, 2005** – A Special Use for a mobile home to be occupied by the buyer, Elsie Jackson, a 12 ft. Variance to allow for the placement of a mobile home 38 ft. from the centerline of the right-of-way (Ordinance requires 50 ft.), and a 5 ft. Variance to allow for said mobile home 17 ft. from the east rear property line (Ordinance requires 22 ft.) were granted (20051151).
- **November 30, 2021** – A complaint was made regarding 3 travel trailers being lived in on the property (CODE-0448-2021).
- **February 4, 2022** – A complaint was made for junk & abandoned vehicles (CODE-0019-2022).

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. Mobile homes are permitted in the R-2 zoning district by Special Use.
2. The Special Use will not cause substantial and permanent injury to the appropriate use of neighboring property. There has been a mobile home on this parcel since 1984 and the parcel size hasn't changed since the original Special Use was granted.
3. The Special Use will substantially serve the public convenience and welfare by continuing to provide an affordable housing option.

Hearing Officer Staff Report (Continued)

Hearing Date: October 15, 2025

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 (dated 8/28/2025) and as represented in the Special Use application.

For a Developmental Variance to allow for the placement of a mobile home within 300 ft. of a residence, for a 25 ft. Developmental Variance (Ordinance requires 50 ft.) to allow for the placement of a mobile home 25 ft. from the centerline of the right-of-way, and for a 3 ft. Developmental Variance (Ordinance requires 5 ft.) to allow for an existing shed 2 ft. from the north side property line, staff finds that:

1. Approval of the requests will not be injurious to public health, safety, morals, or general welfare. There has been a mobile home on this parcel since 1984 without complaints about mobile homes and there are other mobile homes in the neighborhood.
2. Approval of the requests will not cause substantial adverse effect on neighboring property. The shed exists and has not caused concerns with the adjacent parcel. This is a 0.15-acre parcel in a moderately dense 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 variances, the shed would be non-conforming and the mobile home would not be allowed to be placed on the parcel.

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 requests are approved in accordance with the site plan submitted (dated 8/28/2025) and as represented in the Developmental Variance application.

PLAN COMMISSION & BOARD OF ZONING APPEALS

Special Use - Mobile Home

**Elkhart County Planning & Development
Public Services Building**

4230 Elkhart Road, Goshen, Indiana, 46526

Phone - (574) 971-4678

Fax - (574) 971-4578

Date: 08/28/2025 Meeting Date: October 15, 2025
Board of Zoning Appeals Public Hearing Transaction #: SUP-0558-2025

Description: for a Special Use for a mobile home, for a Developmental Variance to allow for the placement of a mobile home within 300 ft. of a residence, for a 25 ft. Developmental Variance (Ordinance requires 50 ft.) to allow for the placement of a mobile home 25 ft. from the centerline of the right-of-way, and for a 3 ft. Developmental Variance (Ordinance requires 5 ft.) to allow for an existing shed 2 ft. from the north side property line

<u>Applicant</u>	<u>Land Owner</u>
Thomas Hardman	Thomas Hardman
570 Brookside Manor	570 Brookside Manor
Goshen, IN 46526	Goshen, IN 46526

Site Address: 58596 Helen St
Elkhart, IN 46516

Parcel Number: 20-06-23-302-002.000-009

Township: Concord
Location: EAST SIDE OF HELEN ST., 285 ft. North of Sunnyside Ave., Northeast of CR 45

Subdivision: SUNNYSIDE SD Lot # 21

Lot Area: 0.15 Frontage: 60.00 Depth: 97.00

Zoning: R-2 NPO List:

Present Use of Property: VACANT LAND

Legal Description:

Comments: SEE 20051151 DEVELOPMENTAL VARIANCE TO ALLOW MH 38 FT FROM CENTERLINE APPROVED IN 2015
SEE BR-0205-2022 DEMO OF OLD MOBILE HOME
SEE CODE-0019-2022
SEE CODE 0205-2022

Applicant Signature:

Department Signature:

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. _____

- 2) Tell us who will live in the mobile home. myself Thomas Hardman and ysons
Taxon Hardman and Ryker Hardman.

- 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. there was already
a mobile home on the property previously, as well as other
surrounding residences have 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

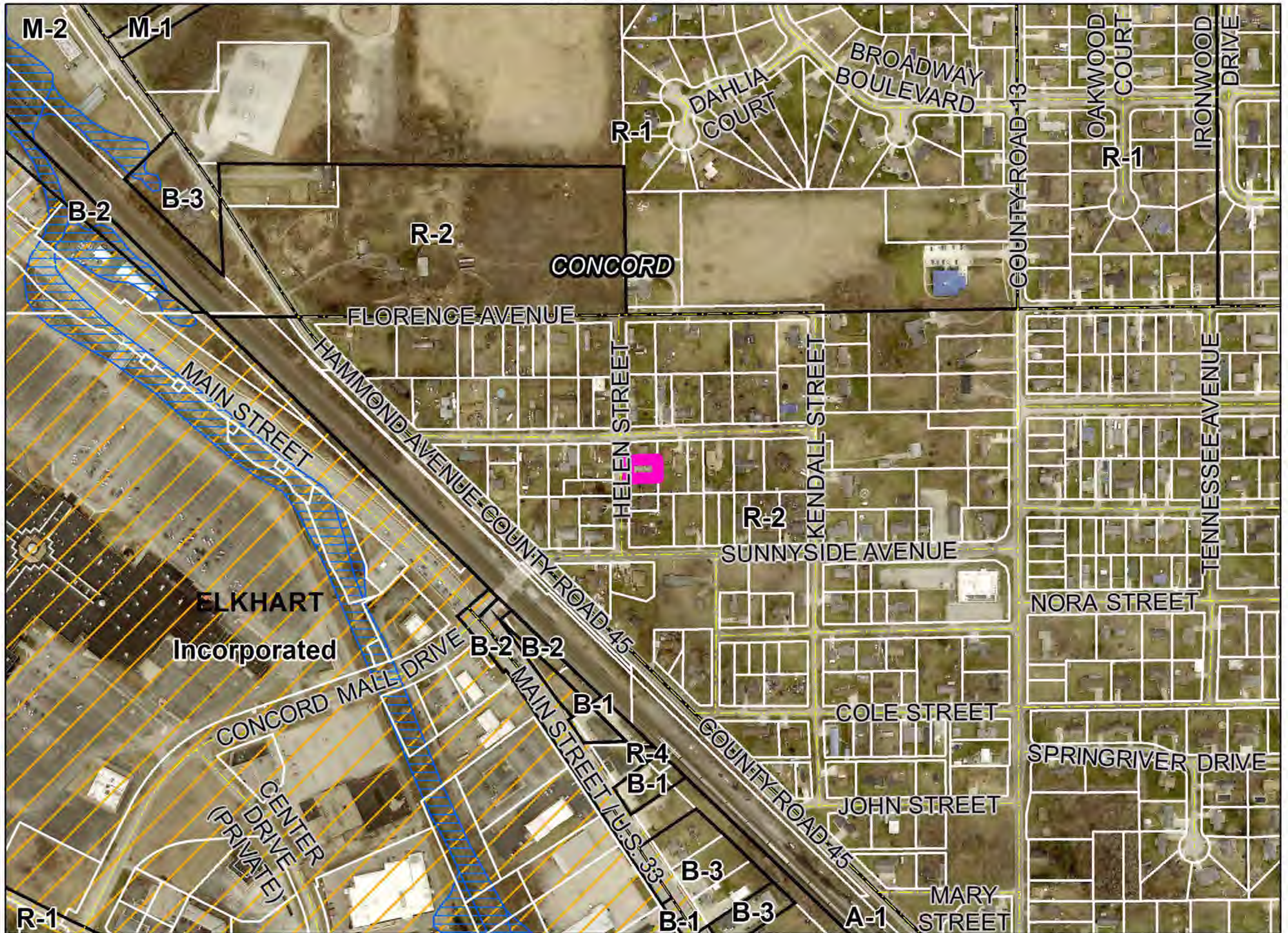
- 6) Tell us the size of the mobile home. 16'x70' / 1120 square feet, 3 bed 2 Bath

- 7) Tell us the year of the mobile home. 1999

- 8) Tell us anything else you want us to know. The mobile home has been fully
remodeled.









Subject property facing east



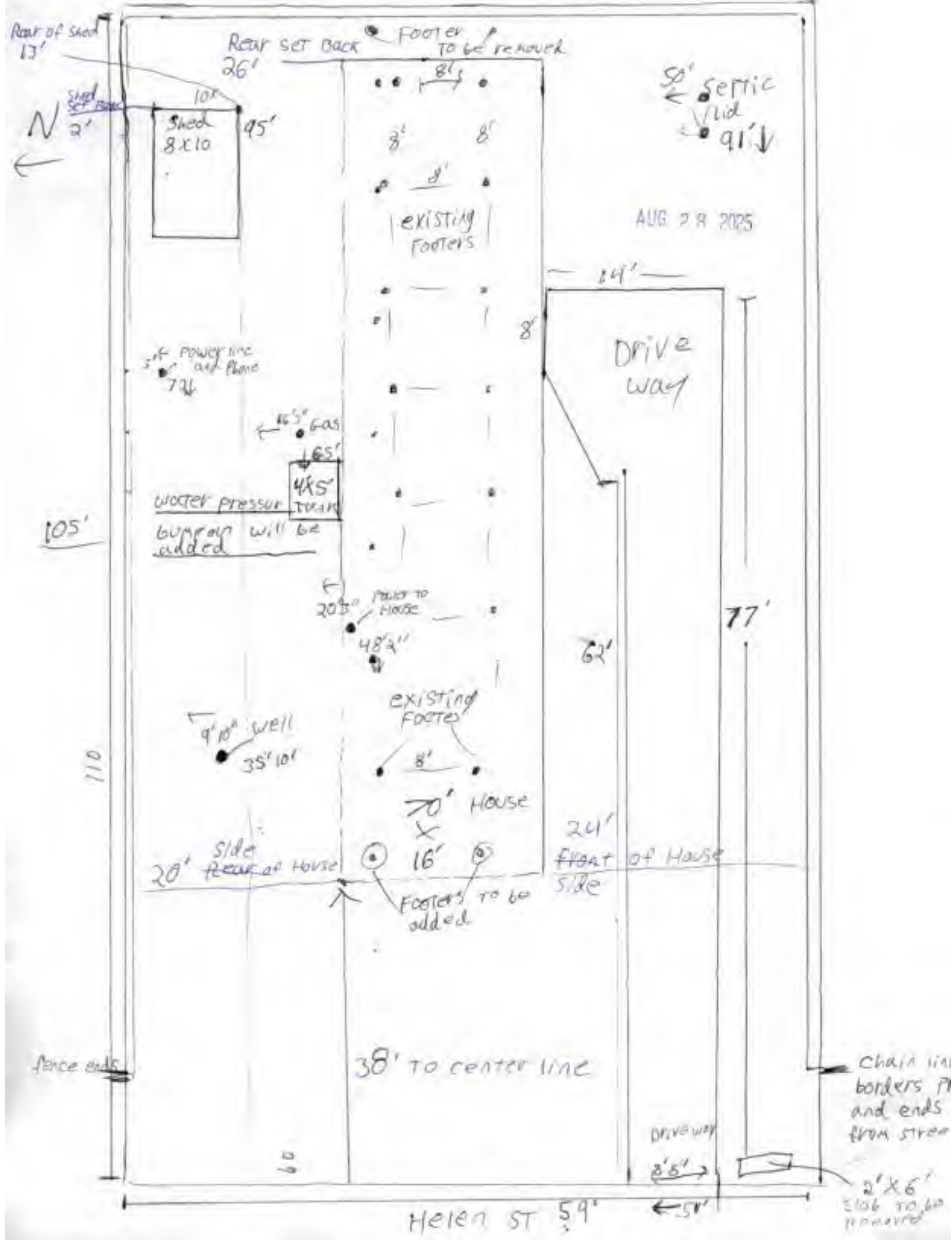
Facing south



Facing north



Facing west





DATE: September 16, 2025

TO: Hearing Officer

FROM: Danielle Richards, Planner

SUBJECT: Minor Change Request – Extension of issuance of Improvement Location Permit.

Leah Sarber is requesting to extend the issuance of the Improvement Location permit for an additional 12 months, until September 19, 2026, (SUP-0089-2025) on property located at 56585 Best Avenue, Elkhart, IN 46516, in Baugo Township, approved on March 19, 2025.

This request is for a Special Use for a mobile home, for a Developmental Variance to allow for the placement of a mobile home within 300 ft. of a residence, and for a 5 ft. Developmental Variance (Ordinance requires 50 ft.) to allow for the placement of a mobile home 45 ft. from the centerline of the right-of-way.

Staff recommends this be request be approved.

This minor change staff item will be on the **October 15th, 2025**, Hearing Officer agenda.

FEB 14 2025

