AGENDA

ELKHART COUNTY BOARD OF ZONING APPEALS

NOVEMBER 20. 2008 8:30 A.M.

DEPARTMENT OF PUBLIC SERVICES MEETING ROOMS A & B 4230 ELKHART ROAD, GOSHEN, INDIANA

Roll Call

Approval of Minutes of the last regular meeting of the Elkhart County Board of Zoning Appeals held on the 16th day of October 2008.

Approval of Legal Ads published in the Elkhart Truth and the Goshen News ten days prior to the public hearings.

Elkhart County Zoning Ordinance to be entered as evidence for today's hearings.

Staff Reports to be entered as evidence for today's hearings.

Postponement of Business Items – Any person having business to come before the Board may request postponement or withdrawal of such at this time.

USE '	VARIANCES	8:30 A.M.	(MILLER)	
A.	Petitioner:	Dunlap United Methodist Church		

for a Use Variance for a portable sign in an R-2 zone. Petition:

Location: Southeast corner of US 33 and CR 13, common address of 23674 US 33 in

> Concord Township. (20083185)

B. Petitioner: Martin's Supermarkets (**Page 6**)

(10 minutes petitioners – 10 minutes remonstrance)

Petition: for a Use Variance to allow for a commercial retention pond in an R-2 zone. Location: South side of Parkview Avenue, 565 ft. West of SR 19, common address of

> 26506 Parkview Avenue in Osolo Township. (20083253)

SPECIAL USE/USE VARIANCE 9:00 A.M. (HOMAN)

Petitioner: D.N. Construction (**Page 7**)

Petition: for a Special Use for an existing mobile home and for a Use Variance for an

existing machine shop.

Location: Southeast corner of SR 19 and CR 42, 1,300 ft. South of Nelson Parkway,

common address of 67070 SR 19 in Union Township, zoned A-1.

(20083108)

(**Page 5**)

SPECIAL USES Petitioner: Patricia L. Patrick and Barbara J. Walter (**Page 8**) Petition: for a Special Use for an agricultural use (keeping of 36 chickens, 3 pigs, and 3 geese) on a tract of land containing three acres or less (Specifications F -#1). Location: South side of CR 4, 375 ft. West of Iris Court, 3,000 ft. West of CR 7, common address of 27750 CR 4 in Osolo Township, zoned A-1. (20083227)B. Jim Dreier Petitioner: (**Page 9**) Petition: for a Special Use for a wireless internet/TV tower (Specifications F -#31.50). Location: East side of CR 33, 2,285 ft. South of CR 36, common address of 64430 CR 33 in Clinton Township, zoned A-1. (20083210)(WOLGAMOOD) 9:30 A.M. C. Petitioner: Terry L. Smith (Page 10) Petition: for a Special Use for a home workshop/business for building small trailers (Specifications F - #41). East side of CR 35, 1,150 ft. South of SR 120 in York Township, zoned A-1. Location: (20083221) D. Petitioner: Sam W. Miller (Page 11) Petition: for a Special Use for an agri-business for farm machinery sales and repairs. Location: South side of CR 28, 370 ft. West of CR 133, common address of 14704 CR 28 in Middlebury Township, zoned A-1. (20083201) 10:00 A.M. (LANTZ) E. Paul Chupp Petitioner: (Page 12) Petition: for a Special Use to allow for a wind generator including an 80 ft. tower with 10 ft. blades (Specifications F - #31.50). South side of CR 146, 2,500 ft. East of St. Joseph County Line Road, Location: common address of 30560 CR 146 in Locke Township, zoned A-1. (20083230) F. Petitioner: Lyle E. Harshberger (Page 13) for a Special Use for a home workshop/business for bicycle sales and repair Petition: (Specifications F - #45). North side of CR 54, 1,800 ft. West of CR 11, common address of 25363 CR Location: 54 in Union Township, zoned A-1. (20083135)

13 in Concord Township, zoned A-1. (20083187)

for an amendment to existing Special Uses for a school (Specifications F - #38) to include additional property to be used for an employee Health Clinic. West side of CR 13, 275 ft. North of CR 24, common address of 59427 CR

(Page 14)

Concord Community Schools

G.

Petitioner:

Petition:

Location:

<u>10:30 A.M.</u> (HESSER)

H. Petitioner: New Creation Fellowship (Page 15)

Petition: for an amendment to an existing Special Use for a church to allow for the

expansion of the daycare.

Location: South side of CR 10, 975 ft. West of CR 1, common address of 30190 CR 10

in Cleveland Township, zoned A-1. (20083102)

I. Petitioner: Cheryl Mattern (Page 16)

Petition: for an amendment to an existing Special Use for a home workshop/business

for dog grooming to include boarding (Specifications F - #45).

Location: South side of CR 50, 2,100 ft. West of CR 13, common address of 24616 CR

50 in Union Township, zoned A-1.

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12:30 P.M. (MILLER)

J. Petitioner: Schrock Real Estate LLC (Page 17)

Petition: for a Special Use for a wireless communications facility (Specifications F -

#31.50).

Location: North side of Beck Drive, 1,164 ft. East of Chelsea Lane in Jefferson

Township, zoned M-2. (20083161)

K. Petitioner: Kevin R. Martin (Page 18)

(10 minutes petitioners – 10 minutes remonstrance)

Petition: for a Special Use for an agri-business to allow for processing wood fiber

waste material into livestock and poultry bedding (Specifications F - #56).

Location: Southeast side of SR 119 and CR 36, 225 ft. East of CR 17, common address

of 21918 SR 119 in Elkhart Township, zoned A-1. (20083215)

SPECIAL USE/VARIANCE 1:00 P.M. (HOMAN)

A. Petitioner: Loren M. Borkholder and AMMF Trustee Corp. (Page 19)

(10 minutes petitioners – 10 minutes remonstrance)

Petition: for a Special Use for an indoor/outdoor archery range with retail sales

(Specifications F - #11) and for a Developmental Variance to allow the square footage of accessory structures (4,976) to exceed the total square

footage in the primary structure (2,250), a difference of 2,726 sq. ft.

Location: West side of CR 17, 100 ft. North of Kosciusko County Line, common

address of 72945 CR 17 in Union Township, zoned A-1. (20083217)

APPEALS

A. Petitioner: Chara Corporation (Page 20)

Petition: for an Appeal to allow for the construction of a residence on property not

subdivided in accordance with the Subdivision Control Ordinance.

Location: North side of Lake Shore Drive, 170 ft. East of Ridge Street, being the south

1/2 of Lot 163 of Hasting Heaton Lake in Osolo Township, zoned R-2.

(20083205)

(20083200)

<u>1:30 P.M.</u> (WOLGAMOOD)

(20083078)

B. Petitioner: *Terry Cobbs* (Page 21)

Petition: for an Appeal to allow for improvement to an existing accessory building

without an established residence.

Location: Northwest corner of CR 40 (Main Street) and Water Street, common address

of 19307 CR 40 in Elkhart Township, zoned R-1.

C. Petitioner: Michael Lewis (Page 22)

Petition: for an Appeal to allow for an addition to an existing accessory building

structure on property without a residence.

Location: Northwest corner of Perkins Street and Ne-Ce-Dah Drive, being Lots 71 and

72 of Shore Acres in Concord Township, zoned R-1. (20083226)

APPEAL/VARIANCE

A. Petitioner: Jimmie Schmucker (buyer) and (Page 23)

Delbert Schmucker (owner/seller)

Petition: for an Appeal to allow for an existing residence on property not subdivided

in accordance with the Subdivision Control Ordinance on Parcel 'A', and for a 3 to 1 depth to width ratio Variance to allow for the construction of a

residence on Parcel 'B'.

Location: South side of CR 10, 1,945 ft. West of CR 43, common address of 10862 CR

10 in York Township, zoned A-1. (20083214)

ITEMS TRANSFERRED FROM HEARING OFFICER

AUDIENCE ITEMS

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

ADJOURNMENT