# **AGENDA**

## **ELKHART COUNTY BOARD OF ZONING APPEALS**

DECEMBER 17, 2009 8:30 A.M.

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

Call to Order

Roll Call

Approval of Minutes of the last regular meeting of the Elkhart County Board of Zoning Appeals held on the 19<sup>th</sup> day of November 2009.

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 Report materials 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.

| <b>SPEC</b> | IAL USES    | 8:30 A.M. (MILLER)  |
|-------------|-------------|---|
| A.          | Petitioner: | Charlie & Nancy Kline (Page 11)   |
|             | Petition:   | for a Special Use to allow for two wind turbines (Specifications F - #31.50). |
|             | Location:   | West side of CR 27, 1,770 ft. South of CR 8, common address of 53845 CR       |
|             |             | 27 in Washington Township, zoned A-1. (53845CR 27Rd-091030-1)                 |
| B.          | Petitioner: | Mahlon Jay & Tammy Bontrager (Page 12)  |
|             | Petition:   | for a Special Use for a wind turbine (Specifications F - #31.50).             |
|             | Location:   | Northwest side of CR 22, 895 ft. Southeast of CR 127, common address of       |
|             |             | 17151 CR 22 in Jefferson Township, zoned A-1. (17151CR 22-091105-1)           |
| C.          | Petitioner: | Terry & Lisa Arendt (Page 13)   |
|             | Petition:   | for a Special Use for a home workshop/business for a realty office            |
|             |             | (Specifications F - #45).   |
|             | Location:   | South side of CR 24, 1,830 ft. East of CR 9, common address of 25650 CR       |
|             |             | 24 in Concord Township, zoned A-1. (25650County Road24-091105-1)              |

### 9:00 A.M. (LANTZ)

D. Petitioner: Dan & Kathy Emmans (Page 14)

Petition: for a Special Use for two wind turbines (Specifications F - #31.50).

Location: West side of SR 15, at intersection of SR 15 and Michigan state line,

common address of 50779 SR 15 in Washington Township, zoned A-1.

(50779SR 15-091123-1)

E. Petitioner: State of Indiana (Page 15)

Petition: for a Special Use for a private park in an A-1 district (Specifications F -

#29).

Location: Northwest corner of CR 1 & Toll Road, South of CR 4 in Cleveland

Township. (CR 4-091026-1)

9:30 A.M. (HESSER)

F. Petitioner: Leonard & Janet Cook (Page 16)

Petition: for a Special Use for a home workshop/business for a counseling office

(Specifications F - #45).

Location: Northeast side of CR 5, 1,200 ft. North of Bristol Street (CR 10), common

address of 54306 CR 5 in Osolo Township, zoned R-1. (54306CR 5-091123-1)

G. Petitioner: Ernest Dean Fry (landowner) and (Page 17)

Glen R. Fry (business operator)

Petition: for a Special Use for a home workshop/business for a firearms business

(Specifications F - #45).

Location: North side of CR 32, 1,250 ft. West of CR 43, common address of 10951 CR

32 in Clinton Township, zoned A-1. (10951CR 32Rd-091113-1)

H. Petitioner: *Maria Ramirez* (Page 18)

Petition: for a Special Use for an agricultural use (keeping of chickens) on a tract of

land containing three acres or less (Specifications F - #1).

Location: North side of CR 10, 2,300 ft. East of CR 3, common address of 28333 CR

10 in Cleveland Township, zoned A-1. (28333CR 10-091026-1)

USE VARIANCE 10:00 A.M. (WOLGAMOOD)

A. Petitioner: Willard A. Stutzman (landowner) and (Page 19)

Mark A. Miller (business operator)

Petition: for a Use Variance for a tattoo parlor.

Location: North side of US 33, 315 ft. West of Lewis Avenue, common address of

23737 US 33 in Concord Township, zoned B-3. (23737UsHighway 33-091118-1)

#### ITEMS TRANSFERRED FROM HEARING OFFICER

## **AUDIENCE ITEMS**

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

- ➤ Agreement for Legal Services for 2010
- Letter from David and Michele Muir regarding Special Use 55535SR 15-090921-1
- > Status of New Rules of Procedure

#### ADJOURNMENT