# AGENDA

# ELKHART COUNTY BOARD OF ZONING APPEALS

# SEPTEMBER 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 20<sup>th</sup> day of August 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 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.

<b>VARIANCE</b>		<u>8:30 A.M. (WOLGAMOOD)</u>
A.	Petitioner:	Christy Schmucker (buyer) and Robert Schmucker (seller) (Page 2)
	Petition:	for a 3 to 1 depth to width ratio Variance to allow for the construction of a residence.
	Location:	West side of CR 35, 900 ft. South of CR 30 in Clinton Township, zoned A-1.
		(-090824-1)

#### **USE VARIANCE**

A.	Petitioner:	Greg Flora (Page 3)		
	Petition:	for a Use Variance for use of an existing structure for automobile repa		
		five (5) years until business can be re-located to an M-1 zone.		
	Location: West side of CR 13, 2,250 ft. North of CR 46, common addre		Ł	
		13 in Union Township, zoned A-1. (68607CR 13-090824-1)	)	

SPECIAL USES				
A.	Petitioner:	Brian Price (Page 4)		
	Petition:	for a Special Use to allow for two wind turbines, each with a 60 ft. pole (Specifications F - #31.50).		
	Location:	East side of CR 39, 1,500 ft. South of CR 4, common address of 52270 CR		
		39 in York Township, zoned A-1.   (090814-52270County39Rd-1)		
		<u>9:00 A.M. (MILLER)</u>		
B.	Petitioner:	Glen & Leona Miller (Page 5)		
	Petition:	for a Special Use for a sawmill (Specifications F - #37).		
	Location:	South side of CR 18, 500 ft. East of CR 33 North, common address of 15162		
		CR 18 in Middlebury Township, zoned A-1. (090806-15162CountyRoad 18-1)		
C.	Petitioner:	Glen & Mary Hershberger (Page 6)		
	Petition:	for a Special Use for a home workshop/business for an auto detailing		
	Location:	business. North side of CR 56, <sup>1</sup> / <sub>4</sub> mile West of CR 29, common address of 16353 CR		
	Location.	56 in Jackson Township, zoned A-1. (16353County Road56-090820-1)		
D.	Petitioner:	<u>9:30 A.M. (LANTZ)</u> Believers Fellowship (Page 7)		
D.	Petition:	for an amendment to an existing Special Use for a church Specifications F -		
	i cuttom	#48) to allow for a temporary mobile classroom.		
	Location:	West side of SR 13, <sup>1</sup> / <sub>4</sub> mile North of SR 4, common address of 60781 SR 13		
		in Middlebury Township, zoned A-1. (60781SR 13-090824-1)		
E.	Petitioner:	Ben & Gail Kersting (Page 8)		
	Petition:	for a Special Use for a home workshop/business for a machine shop		
		(Specifications F - #45) and for a Developmental Variance to allow the total		
		square footage of accessory structures (5,336) to exceed the total square		
	Lessian	footage in the primary structure (2,000), a different of 3,336 sq. ft.		
	Location:	Northwest corner of CR 19 and CR 4, common address of 51755 CR 19 in Washington Township, zoned A-1. (51775County Road19-090821-1)		
F.	Petitioner:	Jayco, Inc. (Page 9)		
	Petition:	for an amendment to an existing Special Use for soccer fields (Specifications F - #4) for additional acreage.		
	Location:	West side of CR 37, 1,650 ft. North of CR 20, common address of 58685 CR		
	Location.	37 in Middlebury Township, zoned A-1. (58685CR 37-090824-1)		
SPECIAL USE/VARIANCE <u>10:00 A.M.</u> (HESSER)				

A.	Petitioner:	Ervin & Sue Howard	(Page 10)
	Petition:	for a Special Use for a home workshop/business for an embroidery busine	
(Specifications F - #45) and for a Developmental Varian		riance to allow the total	
		square footage of accessory structures (5,920) to exceed the total squa	
		footage in the primary structure (3,900), a different of 2,020 sq. ft	
	Location:	West side of CR 13, 750 ft. South of CR 26, common address of 60171 CR	
		13 in Concord Township, zoned A-1.	(60171CR 13-090824-1)

A.	EALS Petitioner:	Leonard Farmwald (Page 11)		
А.	Petition:	<i>Leonard Farmwald</i> (Page 1 for an Appeal to allow for the construction of an accessory structure prior the construction of a residence.		
	Location:	North side of CR 52, 802 ft. East of CR 100 in Locke Township, zoned A-1. (0CR 52-090824-1)		
		<u>10:30 A.M. (HOMAN)</u>		
B.	Petitioner: Petition:	Michael Lewis (Page 12) for an Appeal to allow for an addition onto an existing accessory structure on property without a residence		
	Location:	property without a residence. Northwest corner of Perkins Street & Ne-Ce-Dah Drive, 535 ft. East of Keltner Road in Concord Township, zoned R-1. ( <i>OPERKINS-090824-1</i> )		
TAB	LED ITEMS			
A.	Petitioner:	Greg Flora (Page 13)		
	Petition:	** (PUBLIC HEARING OPEN) ** for an Appeal to allow for the construction of a second residence on a single zoning lot and for a Developmental Variance to allow the total square footage of accessory structures (9,982) to exceed the total square footage in		
		the primary structure (2,800), a difference of 7,182 sq. ft.		
	Location:	West side of CR 13, 2,250 ft. North of CR 46, common address of 68607 CR13 in Union Township, zoned A-1.(20092078)		
B.	Petitioner:	Rose Watson (buyer) and Myron & Joyce Martin (sellers) (Page 14) ** (PUBLIC HEARING OPEN) **		
	Petition:	for a Special Use for an addiction clinic in an A-1 zone (Specification F - #14).		
	Location:			
		East side of CR 31, 1,424 ft. North of CR 36, common address of 63700 CR31 in Clinton Township.(20092091)		
		31 in Clinton Township. (20092091)		
C.	Petitioner:	31 in Clinton Township. (20092091)   11:00 A.M. (WOLGAMOOD)   Michael King (Page 15)		
C.	Petitioner: Petition:	31 in Clinton Township.(20092091)11:00 A.M.(WOLGAMOOD)Michael King(Page 15)** (PUBLIC HEARING OPEN) **(Public Hearing Special Use for a home workshop/business for		
C.		31 in Clinton Township.(20092091)11:00 A.M.(WOLGAMOOD)Michael King ** (PUBLIC HEARING OPEN) **(Page 15)		
C. D.	Petition:	31 in Clinton Township.(20092091)11:00 A.M. (WOLGAMOOD)Michael King** (PUBLIC HEARING OPEN) **for a renewal of an existing Special Use for a home workshop/business for the repair of motorcycles (Specification F - #45).North side of CR 12, 320 ft. West of CR 1, common address of 30059 CR 12 in Cleveland Township, zoned R-1.Lavern E. Yutzy(Page 16)		
	Petition: Location:	31 in Clinton Township.(20092091) <b>11:00 A.M. (WOLGAMOOD)</b> Michael King(Page 15)** (PUBLIC HEARING OPEN) **(Page 15)for a renewal of an existing Special Use for a home workshop/business for the repair of motorcycles (Specification F - #45).North side of CR 12, 320 ft. West of CR 1, common address of 30059 CR 12 in Cleveland Township, zoned R-1.		

E.	Petitioner:	North Side Baptist Church	(Page 17)
		* * (PUBLIC HEARING OPEN) * *	
	Petition:	for an amendment to an existing Special Use for an addition entryway, and restrooms.	for offices,
	Location:	East side of CR 9, 160 ft. South of Meadow Oak Lane, commo	n address of
		53198 CR 9 in Osolo Township, zoned R-1/M-2.	(20092068)

## **ITEMS TRANSFERRED FROM HEARING OFFICER**

## **AUDIENCE ITEMS**

**<u>STAFF/BOARD ITEMS</u>** (time of review at the discretion of the Board of Zoning Appeals) *Middlebury Community Schools proposed Ceramics Plaza* 

### **ADJOURNMENT**