# *AGENDA*

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

JUNE 16, 2011 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 May 2011.

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

Elkhart County Zoning Ordinance and Staff Report materials are 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.

#### **DEVELOPMENTAL VARIANCES** 8:30 A.M. (HESSER)

A. Petitioner: Brian & Beth Housand
Petition: for a 4 ft. Developmental Variance to allow for the construction of an attached garage and addition to residence 116 ft. from the centerline of the right-of-way of East Jackson Blvd. (SR 120) (Ordinance requires 120 ft.).

Location: North side of E. Jackson Blvd. (SR 120), 560 ft. West of CR 15, common address of 4040 E. Jackson Street in Concord Township, zoned R-1.

(4040EJacksonBlvd-110518-1)

B. Petitioner: Harry M. Burnstine (Page 8a)

Petition: for a Developmental Variance to allow the total square footage of accessory

structure to exceed the total square footage in the primary structure.

Location: East side of SR 15, 1,000 ft. North of US 20, common address of 56860 SR

15 in Jefferson Township, zoned A-1. (56860SR 15-110523)

#### SPECIAL USE/DEVELOPMENTAL VARIANCE

A. Petitioner: Olen & Anna Miller (Page 9a)

Petition: for a Special Use for a home workshop/business for repairing saddles

(Specifications F - #45), a Developmental Variance to allow for the total square footage of accessory structures to exceed the total square footage in the primary structure, and a Developmental Variance from the number of

required parking spaces.

Location: West side of East County Line Road, 2,240 ft. South of CR 32, common

address of 61925 E. County Line Road in Clinton Township, zoned A-1.

(61925ECOUNTY LINE ROAD-110512-1)

SPECIAL USES 9:00 A.M. (HOMAN)

A. Petitioner: Holly Company, LLC (Leasor) and 3 Cross Ministries (lessee) (Page 10a)

Petition: for a Special Use for a church (Specifications F - #48).

Location: North side of CR 6, 450 ft. East of John Weaver Parkway, being Lot 3 of

Gun Club Industrial Park, common address of 28735 CR 6 in Cleveland Township, zoned M-1 PUD. (28735 CR 6-110321-2)

B. Petitioner: Steven M. & Kristina R. Komon (Page 11a)

Petition: for a Special Use for warehousing and storing of commercial trailers in an

A-1 district (Specifications F - #44).

Location: South side of CR 46, 348 ft. West of CR 9, being Lot 1 of County Road Nine

Addition, common address of 26070 CR 46 in Union Township.

(26070CR 46-110520-1)

**9:30 A.M.** (WOLGAMOOD)

C. Petitioner: Linda L. Everson (owner) and (Page 12a)

Megan Everson (business operator)

Petition: for a Special Use for a home workshop/business for a dog grooming

business (Specifications F - #45).

Location: West side of CR 117, 1,775 ft. South of CR 18 (Hively Avenue), common

address of 57855 CR 117 in Jefferson Township, zoned A-1.

idiess of 57833 CK 117 in Jefferson Township, zoned A-1.

(57855CR 117-110523-1)

D. Petitioner: Scott & Karrie Clark (Page 13a)

Petition: for an amendment to a site plan and conditions of an existing Special Use

permit for the extraction of gravel, sand and other raw materials in an A-1

zoning district (Specifications F - #10).

Location: South side of CR 36, 1,540 ft. East of CR 11, common address of 24600 CR

36 in Harrison Township. (24600CR 36-110516-1)

USE VARIANCE/DEVELOPMENTAL VARIANCE 10:00 A.M. (LANTZ)

A. Petitioner: Calvin S. & Ruby Wingard (Page 14a)

Petition: for a Use Variance to allow for a second residence on one zoning lot and a

10 ft. Developmental Variance to allow for the construction of a second residence 65 ft. from centerline of the right-of-way (Ordinance requires 75

ft.).

Location: North side of CR 131, 1,200 ft. West of CR 33, common address of 15471

CR 131 in Clinton Township, zoned A-1. (15471CR 131-110519-1)

**SPECIAL USE** 

A. Petitioner: Harvest Community Church (Page 15a)

Petition: for an amendment to a site plan and an existing Special Use for a church

(Specifications F - #48) to allow for the construction of additions to the church, the construction of an accessory building, and additional parking.

Location: North side of CR 34, 2,900 ft. West of CR 29, common address of 17285 CR

34 in Elkhart Township, zoned A-1. (17285CR 34-110520-1)

USE VARIANCE 10:30 A.M. (MILLER)

A. Petitioner: Jeffrey W. Drake (Page 16a)

Petition: for a Use Variance to allow for an accessory structure without a primary

residence.

Location: South side of 4th Street, 255 ft. Southwest of Heaton Visa, being Lots 39 &

40 of Heaton Park, common address of 23082 4th Street in Osolo Township, zoned R-2. (230824thSt-110516-1)

B. Petitioner: Charles E. & Gail A. Matrau (Page 17a)

Petition: for a Use Variance to allow for the illumination of an existing sign

(billboard) in an A-1 zone.

Location: East side of US 33, 1,250 ft. South of CR 138, being Lot 8 of Skyline Estates

3rd, common address of 65680 US 33 E in Elkhart Township.

(65680US Highway 33-110512-1)

TABLED ITEMS 11:00 A.M. (HESSER)

A. Petitioner: Sugar Grove Church, Inc. (Page 18a)

\* \* PUBLIC HEARING CLOSED \* \*

Petition: for an amendment to an existing Special Use to allow for an addition,

additional proposed storage, expansion of the parking lot and addition of

baseball diamonds (Specifications F - #48).

Location: East side of Old CR 17, 250 ft. South of CR 118, common address of 58512

Old CR 17 in Concord Township, zoned A-1. (585120ld CR 17Rd-110425-1)

B. Petitioner: Mervin Burkholder (Page 19a)

\* \* PUBLIC HEARING CLOSED \* \*

Petition: for a Special Use renewal for an agri-business for a farm repair shop

(Specifications F - #45) and for an amendment to allow for retail sales and a

larger sign.

Location: Northwest corner of CR 42 & SR 119, common address of 26253 CR 42 in

Harrison Township, zoned A-1. (26253CR 42-110425-1)

C. Petitioner: *Timothy Michael* (Page 20a)

\* \* PUBLIC HEARING CLOSED \* \*

Petition: for a Special Use for warehousing and storing of commercial vehicles for a

transport business (Specifications F - #44).

Location: Southwest corner of CR 44 & SR 13, common address of 12046 CR 44 in

Benton Township, zoned A-1. (12046CR 44-110322-1)

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

➤ Minor change to Special Use #54014CR 37-100719-1 for Edwin & Velda Yoder

Minor change to Special Use #0SOUTH COUNTY LINE ROAD-110329-1 for Bobeck Acres, Inc. (lessor) and Insite Re, Inc. (lessee)

Commitment form for Special Use #10970SR 120-110425-1 for Daniel & Diana Pysh

➤ Changes to Board of Zoning Appeals Rules of Procedure

➤ Discussion of Use Variance requests

➤ Discussion of raising fish in M-2 zoning districts

#### **ADJOURNMENT**