# *AGENDA*

# ELKHART COUNTY BOARD OF ZONING APPEALS

JUNE 16, 2016 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>h</sup> day of May 2016.

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

| DEVI        | ELOPMENTA   | L VARIANCE 8:30 A.M. (LYON)  |  |  |
|-------------|-------------|--|--|--|
| A.          | Petitioner: | Association for the Disabled of Elkhart County, Inc. (Page 7)  |  |  |
|             | Petition:   | for a Developmental Variance for an electronic message center sign to be within 300 ft. of residence.  |  |  |
|             | Location:   | South side of SR 120, 1,663 ft. East of CR 21, common address of 19620 SR                              |  |  |
|             |             | 120 in Washington Township, zoned A-1. DV-0212-2016  |  |  |
| B.          | Petitioner: | Joseph L. and Marilyn Miller (Page 8)  |  |  |
|             | Petition:   | for a 7 to 1 depth to width ratio Developmental Variance to allow for the construction of a residence. |  |  |
|             | Location:   | East side of SR 13, 1,500 ft. North of CR 44, in Benton Township, zoned A-                             |  |  |
|             |             | 1. DV-0219-2016  |  |  |
| SPECIAL USE |             |  |  |  |
| C.          | Petitioner: | Maria Calderon (Buyer) and Larry Raines (Seller) (Page 9)  |  |  |
|             | Petition:   | for a Special Use for an auto salvage business in an M-2 zone.   |  |  |
|             | Location:   | Northwest corner of Riley Ave and Morgan Street, common address of                                     |  |  |
|             |             | 58027 Riley Ave in Baugo Township. SUP-0231-2016   |  |  |

| D. | Petitioner:                           | Michelle R. Steigmeyer  9:00 A.M. (CAMPANELLO) (Page 10)   |
|----|---------------------------------------|--|
|    | Petition:<br>Location:                | for a Special Use for an animal (dog) training facility.  Northeast corner of CR 104 and CR 15, common address of 22465 CR 104 in Osolo Township, zoned A-1.  SUP-0246-2016  |
| E. | Petitioner: Petition:                 | Vernon Weaver (Buyer) and (Page 11) Clarence M. and Lena H. Martin (Sellers) for an amendment to an existing Special Use for warehousing and storing, including construction storage yard and a well drilling business in an A-1 district, to allow for a floor coating business including warehousing and             |
|    | Location:                             | storing of materials and vehicles.  North side of CR 10, 500 ft. East of SR 13, common address of 11431 CR 10 in York Township.  SUP-0217-2016   |
| F. | Petitioner:<br>Petition:<br>Location: | 9:30 A.M. (WEIRICK)  Herman and Karen Miller (Page 12)  for a Special Use for a home workshop/business for a fabric-and-gift store.  West side of CR 37, 460 ft. South of CR 26, Southeast side of CR 28, 960 ft.  Southwest of CR 37, common address of 60039 CR 37 in Middlebury  Township, zoned A-1. SUP-0220-2016 |
| G. | Petitioner: Petition: Location:       | Clarence M. and Lena H. Martin (Buyers) and (Page 13)  Robert E. Slabach (Seller)  for a Special Use for warehousing and storing in an A-1 district.  West side of CR 43, 3,200 ft. North of CR 10, common address of 53901 CR 43 in York Township.  SUP-0233-2016   |
| H. | Petitioner:<br>Petition:<br>Location: | IMS Dairy LLP for a Special Use for a solar array panel system. Northwest corner of CR 11 and CR 46, common address of 68845 CR 11 in Union Township, zoned A-1.  SUP-0223-2016  |
| I. | Petitioner:<br>Petition:<br>Location: | IMS Dairy LLP (Page 15) for a Special Use to allow for two solar array panel systems. North side of CR 146, 700 ft. East of CR 23, 1,600 ft. North of CR 146, in Jackson Township, zoned A-1.  SUP-0228-2016   |
| J. | Petitioner:                           | Wilbur L. and Sarah A. Bontrager (Page 16)   |

1,300 ft. North of CR 12, 1,200 ft. West of CR 8, common address of 13545

SUP-0213-2016

for a Special Use for a wireless communications facility.

CR 12 in York Township, zoned A-1.

Petition:

Location:

## SPECIAL USE/ DEV. VARIANCE

#### (HESSER) 10:30 A.M.

Petitioner: Robert W. and Amy C. Martin (Page 17)

Petition: for a Special Use for a wireless communications facility and for a 27 ft.

Developmental Variance to allow for placement of a 150 ft. tower 125 ft.

from the East side property line (requirement is 150 ft.).

Location: Northeast side of CR 129, 750 ft. West of CR 131, common address of

> 15933 CR 129 in Middlebury Township, zoned A-1. SUP-0215-2016

L. Petitioner: Jesse L. and Rebecca M. Denlinger (Page 18)

Petition: for a Special Use (1) for warehousing and storage for a concrete construction

> business, (2) for a Special Use for an agricultural use for the keeping of animals on a tract of land containing less than three acres in an A-1 zone, and (3) for a 20 ft. Developmental Variance to allow for the construction of an accessory structure 55 ft. from centerline of the right-of-way of CR 30

(Ordinance requires 75 ft.).

Location: North side of CR 30, 5,025 ft. West of CR 15, common address of 61964 CR

> 13 in Harrison Township. SUP-0155-2016

M. Petitioner: Paul W. Shirk, Jr. and Rosene S. Shirk, (Page 19)

Trustees of the Shirk Family Revocable Living Trust

Petition: for a Special Use for a wireless communications facility and a 90 ft.

> Developmental Variance to allow for the placement of said facility's tower 60 ft. from the North property line (Ordinance requires the height of the

tower, or 150 ft.).

Location: Northwest corner of CR 142 and 17, common address of 22153 CR 142 in

> Union Township, zoned A-1. SUP-0224-2016

> > (CAMPANELLO) 11:00 A.M.

N. Petitioner: Brandon and Amanda Schwartz (Page 20)

Petition: for a Special Use for a home workshop/business for pottery making and

> sales, and for a 15 ft. Developmental Variance to allow for the construction of a workshop building 25 ft. from South front property line of Rosedale Rd

(Plat requires 40 ft. from property line).

Location: West side of CR 19, 756 ft. North of US 20, common address of 56815 CR

> 19 in Jefferson Township, zoned A-1. SUP-0209-2016

**USE VARIANCE** 

Petitioner: George and Melissa Cornish (Page 21)

for a Use Variance to allow for the construction of an accessory structure on Petition:

a parcel without a primary structure (residence).

South side of 4th Street, 230 ft. Southwest of Heaton Vista, 1,300 ft. Location:

> Southeast of CR 113, common address of 23047 Heaton Vista in Osolo UV-0210-2016

Township, zoned R-2.

P. Petitioner: Dallas L. and Karen M. Pletcher (Page 22)

Petition: for a renewal of a Use Variance to allow for a food distribution service in an

A-1 district.

Location: West side of CR 11, 1,200 ft. North of CR 30, common address of 61759 CR

11 in Harrison Township. UV-0211-2016

USE VARIANCE/ SPECIAL USE/ DEV. VARIANCE 11:30 A.M. (HESSER)

Q. Petitioner: Matthew Burkholder (Buyer) and (Page 23)

Hochstetler Family Limited Partnership No. 2 (Seller)

Petition: for a Special Use for home workshop/business for machine repair, for a 7 to

1 depth to width ratio Developmental Variance to allow for the construction of workshop building, and for a Use Variance to allow for the construction

of a second dwelling on a parcel.

Location: North side of CR 50, 1,355 ft. East of CR 3, common address of 28609 CR

50 in Locke Township, zoned A-1. SUP-0232-2016

**TABLED ITEM** 

R. Petitioner: Helmut H. McClure and Rosemary G. McClure (Page 24)

Petition: for a renewal of an existing Use Variance to allow for the construction of a

second dwelling on a parcel.

Location: South side of CR 4, 576 ft. East of CR 29, common address of 15860 CR 4

in York Township, zoned A-1.

UV-0111-2016

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

- Waypoint Community Church (2007-2334) major/minor change for an amendment to a site plan.
- Pleasant Oaks Mennonite Church (Special Use 95-3944) minor change for existing Special Use for a church to add food pantry and daycare services.
- Kelley appeal pending in the Elkhart Circuit Court.