

AGENDA

ELKHART COUNTY BOARD OF ZONING APPEALS HEARING OFFICER

APRIL 19, 2023
9:00 A.M.

ADMINISTRATION BUILDING
MEETING ROOMS 104, 106, & 108
117 N. 2nd STREET, GOSHEN, INDIANA

Call to Order

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

DEVELOPMENTAL VARIANCES

9:00 A.M.

- A. Petitioner: ***Stephen Kamp & Jaimee Kamp, Husband & Wife*** (Page 1)
Petition: for a Developmental Variance to allow for the total square footage of accessory structures to exceed that allowed by right.
Location: West side of CR 23, 980 ft. North of CR 104, common address of 52323 CR 23 in Washington Township, zoned A-1. DV-0101-2023
- B. Petitioner: ***Franger Gas Co., Inc.*** (Page 2)
Petition: for a 38 ft. Developmental Variance (Ordinance requires 75 ft.) to allow for an existing commercial building 37 ft. from the centerline of the right-of-way of CR 31 and for a 15 ft. Developmental Variance (Ordinance requires 25 ft.) to allow for the construction of an accessory structure 10 ft. from the west side property line.
Location: Northwest corner of CR 38 & CR 31, common address of 16009 CR 38 in Elkhart Township, zoned M-2. DV-0114-2023
- C. Petitioner: ***Tristan L. Miller & Michelle D. Schwartz*** (Page 3)
Petition: for a Developmental Variance to allow for an existing residence on property with no road frontage served by an access easement.
Location: North side of the access easement, North of US 20, 1,185 ft. West of CR 43, common address of 11219 US 20 in Middlebury Township, zoned A-1. DV-0107-2023
- D. Petitioner: ***Eli Helmuth, Jr. & Verna D. Helmuth, Husband & Wife*** (Page 4)
Petition: for a 45 ft. Developmental Variance (Ordinance requires 120 ft.) to allow for the construction of a residence 75 ft. from the centerline of the right-of-way.
Location: South side of SR 4, 1,145 ft. East of CR 29, common address of 16568 SR 4 in Elkhart Township, zoned A-1. DV-0123-2023

- E. Petitioner: ***Timothy R. Craig & Shelly Craig, Husband & Wife*** (Page 5)
 Petition: for a Developmental Variance to allow for the total square footage of accessory structures to exceed that allowed by right.
 Location: Southeast corner of CR 6 & CR 19, common address of 20990 CR 6 in Washington Township, zoned A-1. DV-0128-2023
- F. Petitioner: ***Harley Lehman, Jr. & Inez M. Lehman, Husband & Wife*** (Page 6)
 Petition: for a Developmental Variance to allow for the construction of a residence on property with no road frontage served by an access easement.
 Location: West side of the access easement, West of CR 31, 1,925 ft. South of US 20, in Jefferson Township, zoned A-1. DV-0132-2023
- G. Petitioner: ***Creamery On Main, LLC*** (Page 7)
 Petition: for a 56 ft. Developmental Variance (Ordinance requires 120 ft.) to allow for an existing building 64 ft. from the centerline of the right-of-way of SR 13, for a 12 ft. Developmental Variance (Ordinance requires 15 ft.) to allow for the construction of a porch and existing building 3 ft. from the rear property line, and for a 15 ft. Developmental Variance (Ordinance requires 15 ft.) to allow for an existing ice cream shop 0 ft. from the rear property line.
 Location: Northwest side of N. Main St. (SR 13), 1,925 ft. North of Bristol Ave. (CR 8), common address of 335 N. Main St. in Middlebury Township, zoned B-3. DV-0110-2023
- H. Petitioner: ***DSJ Property LLC*** (Page 8)
 Petition: for an 8 ft. Developmental Variance (Ordinance requires 10 ft.) to allow for the construction of an office building 2 ft. from the east side property line, for a 49 ft. Developmental Variance (Ordinance requires 75 ft.) to allow for the construction of an office building 26 ft. from the centerline of the right-of-way of West Lawrence St., for a 37 ft. Developmental Variance (Ordinance requires 75 ft.) to allow for the construction of an office building 38 ft. from the center line of the right-of-way of Wayne St., for a 21 ft. Developmental Variance (Ordinance requires 55 ft.) to allow for the construction of a parking lot 34 ft. from the centerline of the right-of-way of Wayne St., and for a 26 ft. Developmental Variance (Ordinance requires 55 ft.) to allow for the construction of a parking lot 29 ft. from the centerline of the right-of-way of W. Lawrence St..
 Location: Northeast corner of W. Lawrence St. & Wayne St., common address of 304 W. Lawrence St. in Middlebury Township, zoned M-1, R-2. DV-0134-2023
- I. Petitioner: ***TOBT2 LLC*** (Page 9)
 Petition: for a 22 ft. Developmental Variance (Ordinance requires 55 ft.) to allow for the construction of a parking lot 33 ft. from the centerline of the right-of-way of Lawrence St..
 Location: South side of Lawrence St., 180 ft. East of Wayne St., in Middlebury Township, zoned R-1. DV-0136-2023

The Elkhart County Board of Zoning Appeals Hearing Officer is meeting on Wednesday April 19, 2023, at **9:00 am** in Rooms 104, 106, & 108 of the Administration Building, Goshen, Indiana. Pursuant to advice of the Indiana Public Access Counselor, general public comment will not be permitted at this public meeting on non-public hearing matters. To the extent you wish to make comment remotely during any public hearings scheduled during this public meeting, please call (574) 971-4678 to learn how to remotely submit your public comment for the public hearing. The public is encouraged to attend the meeting remotely by going to www.elkhartcountyplanninganddevelopment.com at **9:00 am** on April 19, 2023. If you have further questions regarding how to remotely attend the public meeting please call (574) 971-4678. <https://elkhartcountyin.webex.com/elkhartcountyin/j.php?MTID=m3bf346cd5ef63d4860143a6c2f702dd0>