# **AGENDA**

## ELKHART COUNTY BOARD OF ZONING APPEALS

JUNE 15, 2023 9:00 A.M.

ADMINISTRATION BUILDING MEETING ROOMS 104, 106, & 108 117 N. 2<sup>nd</sup> STREET, 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  $18^{th}$  day of May 2023.

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

SPEC A.	IAL USES Petitioner:	Coleman E. Foley & Marilyn K. Foley, Husband & Wife (Page 6)	<b>o</b> )
	Petition: Location:	for a Special Use for a resort.  South side of CR 2, 1,300 ft. East of CR 39, in York Township, zoned A-1.  SUP-0294-202	
B.	Petitioner:	Carlyle M. Martin & Barbara K. Martin, Husband & Wife (Page 7	<b>'</b> )
	Petition:	for a Special Use for an agricultural use for the keeping of animals on a tra of land containing less than 3 acres.	ct
	Location:	South side of CR 40, 1,045 ft. West of CR 11, common address of 25218 C	R
		40 in Harrison Township, zoned A-1. SUP-0306-202	23
C.	Petitioner:	The Trustees of the Jefferson Hills School (Page 8	3)
	Petition:	for an Amendment to an existing Special Use for a school to allow for a addition of land.	ın
	Location:	South side of CR 18, 1,910 ft. east of CR 29, common address of 16400 C	R
		18 in Jefferson Township, zoned A-1. SUP-0298-202	23
D.	Petitioner:	Roy M. Kinsinger (Page 9)	9)
	Petition:	for a Special Use for a home workshop/business for small engine repair.	
	Location:	Northeast side of Nelson Ln., East of Isaac Dr., 750 ft. East of CR 31, common address of 67620 Nelson Ln. in Benton Township, zoned A-1. SUP-0249-202	

E. Petitioner: Southeast & Northeast Clinton Districts of Old Order (Page 10)

Amish Churches

Petition: for a Special Use for a school and for a Special Use for an agricultural use for

the keeping of animals on a tract of land containing less than 3 acres.

Location: East side of CR 37, 2,495 ft. South of CR 34, common address of 63452 CR

37 in Clinton Township, zoned A-1. SUP-0322-2023

## SPECIAL USES/ DEVELOPMENTAL VARIANCES 9:30 A.M. (WARNER)

F. Petitioner: Loveway Projects, Inc. (Page 11)

Petition: for an Amendment to an existing Special Use for an indoor riding arena to

allow for the placement of a residence, for a Special Use for a mobile home, and for a 515 sq. ft. Developmental Variance (Ordinance requires 900 sq. ft.)

to allow for the placement of a 385 sq. ft. residence.

Location: West side of CR 33, 1,090 ft. South of CR 108, common address of 54151 CR

33 in York Township, zoned A-1. SUP-0320-2023

G. Petitioner: Stephen Poyser & Sheila Poyser, Husband & Wife (Page 12)

(Lessor) & Towerco (Lessee)

Petition: for a Special Use for a wireless communications facility and for a 148 ft.

Developmental Variance (Ordinance requires the height of the wireless support structure) to allow for the placement of a 185 ft. tall wireless

communications facility 37 ft. from all lease lines.

Location: Southwest end of the easement, South side of CR 14, 1,680 ft. West of CR 8,

common address of 13178 CR 14 in Middlebury Township, zoned A-1.

SUP-0315-2023

H. Petitioner: Dolco LLC (Lessor) & Melissa Rivera & Lenardo (Page 13)

River (Lessees)

Petition: for a Special Use for a home workshop/business for an auto body shop, for a

Developmental Variance to allow for 3 outside employees (Ordinance allows 2), and for a Developmental Variance to allow for the total square footage of

accessory structures to exceed that allowed by right.

Location: North side of US 20, 2,280 ft. East of CR 21, common address of 19803 US

20 in Jefferson Township, zoned A-1. SUP-0324-2023

I. Petitioner: Wayne E. Miller & Luetta Kaye Miller, Husband & Wife (Page 14)

Petition: for a Special Use for a home workshop/business for an aluminum polishing

business, for a 49 ft. Developmental Variance (Ordinance requires 120 ft.) to allow for an existing residence 71 ft. from the centerline of the right-of-way, for a 38 ft. Developmental Variance (Ordinance requires 120 ft.) to allow for an existing agricultural barn 82 ft. from the centerline of the right-of-way, and for a Developmental Variance to allow for the total square footage of

accessory structures to exceed that allowed by right.

Location: West side of SR 13, 800 ft. South of CR 24, common address of 59653 SR 13

in Middlebury Township, zoned A-1. SUP-0316-2023

J. Petitioner: Brookview Farms (Lessor) & Tower North (Page 15)

Development, LLC (Lessee)

Petition: for a Special Use for a wireless communications facility and for a 145 ft.

Developmental Variance (Ordinance requires the height of the wireless support structure) to allow for the placement of a 195 ft. tall wireless

communications facility 50 ft. from all lease lines.

Location: West end of the easement, West of CR 127, 1,460 ft. South of CR 146, in

Jackson Township, zoned A-1. SUP-0256-2023

#### **DEVELOPMENTAL VARIANCE**

K. Petitioner: Joseph L. Miller & Marilyn Miller, Husband & Wife (Page 16)

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

structures to exceed that allowed by right.

Location: East side of SR 13, 1,745 ft. North of CR 44, common address of 67608 SR

13 in Benton Township, zoned A-1. DV-0319-2023

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

> Minor Change – Special Use – Brubacher, Inc. (UV-0913-2019)- request for site plan modification

## **ADJOURNMENT**

The Elkhart County Board of Zoning Appeals is meeting on Thursday June 15, 2023, at **9:00am** 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

<u>www.elkhartcountyplanninganddevelopment.com</u> at **9:00am** on June 15, 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=mbb02709b73824cc9d67f2b786f288815