

# AGENDA

## ELKHART COUNTY BOARD OF ZONING APPEALS

MAY 18, 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 20<sup>th</sup> day of April 2023.

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

### SPECIAL USES

9:00 A.M.

(WARNER)

- A. Petitioner: ***Brookside Remodeling LLC*** (Page 15)  
Petition: for a Special Use for an agricultural use for the keeping of animals on a tract of land containing less than 3 acres.  
Location: South side of CR 40, 1,700 West of SR 13, common address of 12306 CR 40 in Clinton Township, zoned A-1. SUP-0242-2023
- B. Petitioner: ***AMMF Trustee Corporation (Land Contract Holder) & Titus Mast (Land Contract Purchaser)*** (Page 16)  
Petition: 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 1, 435 ft. North of CR 146, common address of 69528 CR 1 in Locke Township, zoned A-1. SUP-0167-2023
- C. Petitioner: ***Krystal James*** (Page 17)  
Petition: 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 Marvin St., 250 ft. North of CR 4, common address of 51966 Marvin St. in Osolo Township, zoned R-2. SUP-0193-2023

**SPECIAL USES / DEVELOPMENTAL VARIANCES**

- D. Petitioner: ***AMMF Trustee Corporation (Land Contract Holder) & Merle D. Miller & Dorida Miller, Husband & Wife (Land Contract Purchaser)*** (Page 18)
- Petition: for an Amendment to an existing Special Use for a home workshop/business for the construction and sales of cabinets and trim to allow for an addition to the existing shop, for a Developmental Variance to allow for the total square footage of accessory structures to exceed that allowed by right, and for a Developmental Variance to allow for 3 outside employees (Ordinance allows 2).
- Location: Southwest corner of CR 50 & CR 7, common address of 27012 CR 50 in Union Township, zoned A-1. SUP-0244-2023
- 9:30 A.M. (NORMAN)**
- E. Petitioner: ***Lamar Jay Miller & Fannie I. Miller, Husband & Wife*** (Page 19)
- Petition: for a Special Use for a home workshop/business for a bakery, for a Developmental Variance to allow for 3 outside employees (Ordinance allows 2), and for a Developmental Variance to allow for 4 outside employees (Ordinance allows 2).
- Location: East side of CR 31, 1,350 ft. North of CR 22, common address of 59024 CR 31 in Middlebury Township, zoned A-1. SUP-0192-2023
- F. Petitioner: ***Mennonite Mutual Land Trustee Corporation (Land Contract Holder), Truman Beachy & Irene Beachy, Husband & Wife (Land Contract Purchaser/Sellers), & Gary Martin (Land Contract Purchaser/Buyer)*** (Page 20)
- Petition: for a Special Use for a home workshop/business for a heating and cooling business and for a Developmental Variance to allow for 4 outside employees (Ordinance allows 2).
- Location: South side of CR 138, 765 ft. West of CR 21, common address of 20136 CR 138 in Elkhart Township, zoned A-1. SUP-0225-2023
- G. Petitioner: ***Anthony Yoder & Linn S. Yoder, Husband & Wife*** (Page 21)
- Petition: for a Special Use for a home workshop/business for a construction business and for a Developmental Variance to allow for the total square footage of accessory structures to exceed that allowed by right.
- Location: South side of CR 30, 455 ft. East of CR 13, common address of 23912 CR 30 in Harrison Township, zoned A-1. SUP-0180-2023
- H. Petitioner: ***Justin S. Hurtekant & Chantelle Y. Hurtekant, Husband & Wife*** (Page 22)
- Petition: for a Special Use for a home workshop/ business for a construction business and for a Developmental Variance to allow for 4 outside employees (Ordinance allows 2).
- Location: North side of CR 24, 395 ft. East of CR 1, common address of 29963 CR 24 in Baugo Township, zoned A-1. SUP-0204-2023

- I. Petitioner: ***James A. Goldsborough & Tina L. Goldsborough, Husband & Wife*** (Page 23)  
Petition: for an Amendment to an existing Special Use for a wrecking yard to allow for a new building and for a 39 ft. Developmental Variance (Ordinance requires 50 ft.) to allow for an existing commercial building 11 ft. from the east side property line.  
Location: South side of CR 12, 200 ft. West of CR 1, common address of 30290 CR 12 in Cleveland Township, zoned M-2. DV-0165-2023

**USE VARIANCES**

- J. Petitioner: ***State of Indiana*** (Page 24)  
Petition: for a Use Variance to allow for ground-mounted solar arrays.  
Location: East side of CR 17, 2,355 ft. North of CR 104, common address of 52422 CR 17 in Washington Township, zoned GPUD E-3. UV-0210-2023
- K. Petitioner: ***State of Indiana*** (Page 25)  
Petition: for a Use Variance to allow for ground-mounted solar arrays.  
Location: West side of SR 13, 1,570 ft. South of CR 2, in York Township, zoned A-1, B-2. UV-0211-2023
- L. Petitioner: ***Indiana Toll Road Concession*** (Page 26)  
Petition: for a Use Variance to allow for ground-mounted solar arrays.  
Location: East side of Ash Rd., 1,275 ft. South of CR 10, common address of 52452 Ash Rd. in Cleveland Township, zoned A-1. UV-0226-2023

**TABLED**

- M. Petitioner: ***Juan C. Echevarria*** (Page 27)  
Petition: for a Special Use for a home workshop/business for a food truck commissary.  
Location: Southwest corner of Janiper Dr. & CR 15, common address of 23020 Janiper Dr. in Concord Township, zoned R-1. SUP-0076-2023
- N. Petitioner: ***Edgar Rodriguez*** (Page 28)  
Petition: for a Special Use for an agricultural use for the keeping of animals on a tract of land containing less than 3 acres.  
Location: West side of CR 9, West end of CR 22, common address of 58975 CR 9 in Concord Township, zoned R-1. SUP-0090-2023

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

- *Electronic Documents.*

**ADJOURNMENT**

The Elkhart County Board of Zoning Appeals is meeting on Thursday May 18, 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 [www.elkhartcountyplanninganddevelopment.com](http://www.elkhartcountyplanninganddevelopment.com) at **9:00am** on May 18, 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>