

# AGENDA

## ELKHART COUNTY BOARD OF ZONING APPEALS HEARING OFFICER

MAY 17, 2023  
9:00 A.M.

ADMINISTRATION BUILDING  
MEETING ROOMS 104, 106, & 108  
117 N. 2<sup>nd</sup> 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: ***Philip D. Royer & Annette M. Royer, Husband & Wife*** (Page 1)  
Petition: for a Developmental Variance to allow for an existing residence on property with no road frontage served by an access easement.  
Location: East end of the easement, East side of CR 3, 2,600 ft. North of CR 32, common address of 62488 CR 3 in Olive Township, zoned A-1. DV-0142-2023
- B. Petitioner: ***Myron R. Yoder & Sheila S. Yoder, Husband & Wife*** (Page 2)  
Petition: for a 14 ft. Developmental Variance (Ordinance requires 75 ft.) to allow for an existing residence 61 ft. from the centerline of the right-of-way.  
Location: South side of CR 40, 1,725 ft. West of CR 21, common address of 20346 CR 40 in Elkhart Township, zoned A-1. DV-0237-2023
- C. Petitioner: ***Thomas J. Swanson & Kirsten R. Swanson, Husband & Wife*** (Page 3)  
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: South end of the easement, South of CR 30, 2,025 ft. West of CR 15, common address of 23406 CR 30 in Harrison Township, zoned A-1. DV-0238-2023
- D. Petitioner: ***Christopher A. Bowers & Sharon R. Bowers, Husband & Wife*** (Page 4)  
Petition: for a 2.5 ft. Developmental Variance (Ordinance requires 10 ft.) to allow for the construction of an attached garage addition 7.5 ft. from the east side property line.  
Location: North side of Green Valley Pkwy, 260 ft. East of Clayton Ave., South of CR 22, common address of 24715 Green Valley Pkwy in Concord Township, zoned R-1. DV-0191-2023

- E. Petitioner: ***Joseph Bieber*** (Page 5)  
 Petition: for a Developmental Variance to allow for the total square footage of accessory structures to exceed that allowed by right.  
 Location: South side of Whitetail Way, 565 ft. West of Fawn Meadow Dr., North of CR 4, common address of 27640 Whitetail Way in Osolo Township, zoned DPUD A-1. DV-0213-2023
- F. Petitioner: ***Vernon J. Bontrager & Marietta Bontrager, Husband & Wife*** (Page 6)  
 Petition: for an 8 ft. Developmental Variance (Ordinance requires 75 ft.) to allow for the construction of an accessory structure 67 ft. from the centerline of the right-of-way and for a 11 ft. Developmental Variance (Ordinance requires 75 ft.) to allow for an existing residence 64 ft. from the centerline of the right-of-way.  
 Location: East side of CR 43, 1,595 ft. North of CR 10, common address of 54244 CR 43 in York Township, zoned A-1. DV-0240-2023
- G. Petitioner: ***Leanna Miller (Land Contract Holder) & Kevin Gingerich & Loretta Gingerich, Husband & Wife (Land Contract Purchasers)*** (Page 7)  
 Petition: for a 2 ft. Developmental Variance (Ordinance requires 10 ft.) to allow for the construction of an addition to an existing residence 8 ft. from the south side property line.  
 Location: West side of East County Line Rd., 1,100 ft. North of CR 26, common address of 59791 East County Line Rd. in Middlebury Township, zoned A-1. DV-0241-2023
- H. Petitioner: ***Johnathan A. Clements*** (Page 8)  
 Petition: for a 7:1 depth-to-width-ratio Developmental Variance, for an 18 ft. lot-width Developmental Variance (Ordinance requires 100 ft.) to allow for an existing residence, and for a 60 ft. Developmental Variance (Ordinance requires 120 ft.) to allow for an existing residence 60 ft. from the center line of the right-of-way.  
 Location: South side of CR 20, 2,300 ft. West of CR 3, common address of 29436 CR 20 in Baugo Township, zoned A-1. DV-0232-2023
- 9:30 A.M.**
- I. Petitioner: ***Soaring Rail LLC*** (Page 9)  
 Petition: for a 126 sq. ft. Developmental Variance (Ordinance allows 32 sq. ft.) to allow for the placement of a 158 sq. ft. monument sign and for a 13 ft. Developmental Variance (Ordinance allows 4 ft.) to allow for the placement of a monument sign 17 ft. in height.  
 Location: West side of Stonemont Dr., 720 ft. North of Rail Park Dr., West of CR 23 (Maple St.), common address of 203 Stonemont Dr. in Washington Township, zoned M-2. DV-0234-2023

- J. Petitioner: ***Katie Brenneman & Joshua Brenneman, Husband & Wife*** (Page 10)  
***(Buyers) & James L. Rhoadé (Deceased) & Mary A. Rhoadé (Seller)***  
Petition: for a 7:1 depth-to-width-ratio Developmental Variance and for a 65 ft. lot-width Developmental Variance (Ordinance requires 100 ft.) to allow for an existing residence.  
Location: East side of CR 11, 2,200 ft. North of CR 36, common address of 63763 CR 111 in Harrison Township, zoned A-1. DV-0236-2023
- K. Petitioner: ***30404 US Hwy 20 Land Trust*** (Page 11)  
Petition: for a 75 ft. Developmental Variance (Ordinance requires 120 ft.) to allow for an addition to an existing residence 45 ft. from the centerline of the right-of-way.  
Location: South side of Old US 20 (Lexington Ave., 2,175 ft. West of CR 1, common address of 30404 Old US 20 in Cleveland Township, zoned R-1. DV-0243-2023
- L. Petitioner: ***Raymond J. Yoder Trustee & Esta M. Yoder Trustee of*** (Page 12)  
***the Yoder Family Revocable Living Trust***  
Petition: for a Developmental Variance to allow for an existing residence on property with no road frontage served by an access easement.  
Location: South side of the easement, West side of East County Line Rd., 2,125 ft. South of CR 38, common address of 65445 East County Line Rd. in Clinton Township, zoned A-1. DV-0245-2023
- M. Petitioner: ***Jacob Gongwer & Brittany Kamp*** (Page 13)  
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 23 & US 20, common address of 57024 CR 23 in Jefferson Township, zoned A-1. DV-0246-2023

**MOBILE HOME SPECIAL USE/ DEVELOPMENTAL VARIANCE**

- N. Petitioner: ***Alan D. Stamper*** (Page 14)  
Petition: for a Special Use for a mobile home and for a Developmental Variance to allow for the placement of a mobile home within 300 ft. of a stick-built residence.  
Location: South side of Reckell Ave., 155 ft. West of Baldwin Ct., North of CR 10 and for a Developmental Variance to allow for the placement of a mobile home within 300 ft. of a stick-built residence, common address of 25598 Reckell Ave. in Osolo Township, zoned R-2. SUP-0138-2023

The Elkhart County Board of Zoning Appeals Hearing Officer is meeting on Wednesday May 17, 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](http://www.elkhartcountyplanninganddevelopment.com) at **9:00 am** on May 17, 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>