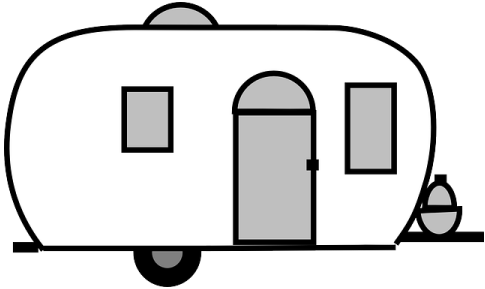




Our Mission at the Planning and Development Division of Elkhart County, Indiana is to focus on a long term commitment to economic vitality and efficient use of land while reflecting the highest professional standard with enduring regard for our customers and the public trust.



Phone (574) 971-4678
Hours: Monday 8:00am–5:00pm and
Tuesday–Friday 8:00am–4:00pm
dps@elkhartcounty.com
<http://elkhartcountyplanninganddevelopment.com/index.htm>

Elkhart County Planning & Development

What is the purpose of a Special Use Permit?

- ◆ Not a rezoning, but a permit for a “special” set of uses established in the Zoning Ordinance that may be authorized if the BZA finds that there will be no adverse impacts on the proposed area

What does a Special Use Permit provide?

- ◆ A means for developing certain uses in a manner in which the Special Use will be compatible with adjacent property and consistent with the character of its area
- ◆ Special Uses generally may have unusual nuisance characteristics or are of a public or semi-public nature often essential or desirable for the general convenience and welfare of the community. Because, however, of the neighboring properties of the use, review, evaluation and exercise of planning judgment relative to the general location and site plan of the proposed use are required.

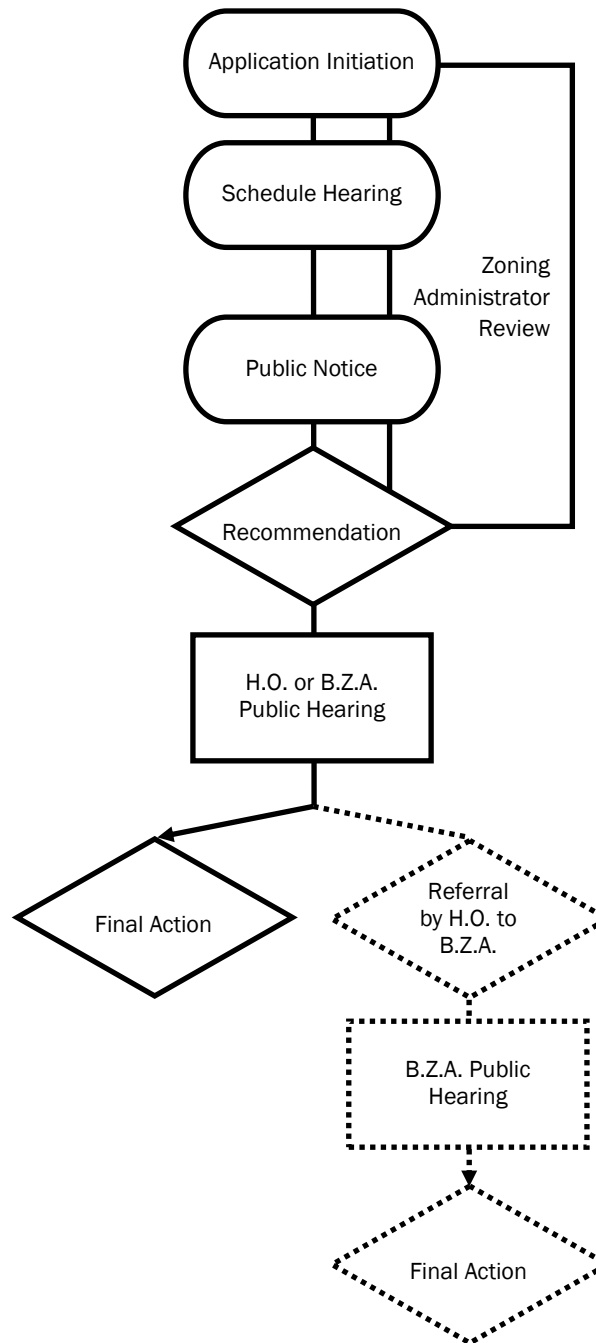
How long may a Special Use Permit last?

- ◆ It runs with the land unless commitments to the contrary are placed on the approval and it must be established within 24 months or it becomes null and void.

What is the difference between Conditions or Commitments on the approval of a Special Use Permit?

- ◆ Conditions are a stipulation by the BZA for the owner to complete within a specific time frame
- ◆ Commitments are indefinite requirements by the BZA that may effect parking spaces or limit signage

ARTICLE 3 DEVELOPMENT REVIEW
PROCEDURES, SEC. 3.6
SPECIAL USE PERMIT FLOW CHART



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Who decides upon your request for a Special Use Permit?

- ◆ The Hearing Officer makes the final decision on Special Use Permits for mobile homes.
- ◆ The Board of Zoning Appeals makes the final decision on all other Special Use Permits.

What is the Review Process for a Special Use Permit?

1. Concurrent Site Plan Submittal - Application for a Special Use Permit must occur in conjunction with the submittal of a site plan.
2. Zoning Administrator Review - The Zoning Administrator must review the application and make a recommendation to the Hearing Officer or Board of Zoning Appeals, as appropriate.
3. Hearing Officer or Board of Zoning Appeals Final Action - Following notice in accordance with the Board of Zoning Appeals Rules of Procedure, the Hearing Officer or Board of Zoning Appeals, as appropriate, must:
 - ◆ hold a public hearing and either:
 - ◆ Approve
 - ◆ Approve with conditions or commitments
 - ◆ or Deny the Special Use Permit



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Uses requiring a Special Use Permit are identified in the use table in Sec. 5.1 and in the lists of permitted uses in the special purpose and overlay zoning districts in Article 6, as well as below:

{In Residential Use category}

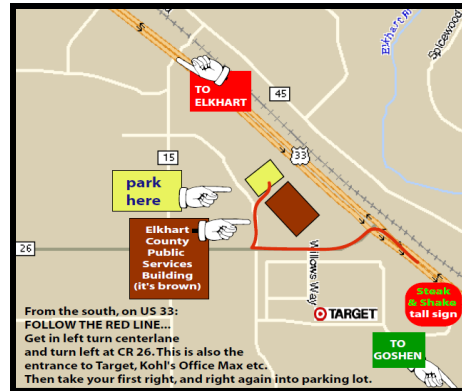
- ◆ Home Workshop/Business
- ◆ Hospice or Nursing or Rest Home
- ◆ Group home w/more than 8 residents
- ◆ Manufactured (Single-Wide) or mobile home structure, park or subdivision

{In Commercial Use category}

- ◆ Casino
- ◆ Membership Club or Lodge
- ◆ Winery
- ◆ Animal Racing or Training
- ◆ Farmers Market, Outdoor
- ◆ Golf Driving Range
- ◆ Marina
- ◆ Stadium, Arena, Running Track, or Ball Field
- ◆ Bed & Breakfast Inn
- ◆ Barber or Beauty Shop
- ◆ Roadside Stand

Additional Uses in the Zoning Ordinance

Information provided in this brochure either in visual or text form is according to the Elkhart County Zoning Ordinance effective as of February 2, 2015.



Aerial photograph of the Elkhart County, IN
Department of Public Services building

Elkhart County

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