

**ELKHART COUNTY BOARD OF ZONING APPEALS  
HEARING OFFICER**

*PUBLIC SERVICES BUILDING  
MEETING ROOMS A & B  
4230 ELKHART ROAD, GOSHEN, INDIANA*

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

9:00 A.M.

- |    |             |  |
|----|-------------|--|
| A. | Petitioner: | <b><i>Monroe Yoder &amp; Frieda Yoder, Husband &amp; Wife</i></b> (Page 1)   |
|    | Petition:   | for a 50 ft. lot-width Developmental Variance (Ordinance requires 100 ft.) to allow for the construction of a residence.                     |
|    | Location:   | West side of SR 13, 2,620 ft. South of CR 26, in Middlebury Township, zoned A-1. DV-0425-2025  |
| B. | Petitioner: | <b><i>MCS Holdings, LLC</i></b> (Page 2)   |
|    | Petition:   | for a Developmental Variance to allow for an electronic message board within 300 ft. of a residence.   |
|    | Location:   | Southeast side of SR 15, 1,820 ft. South of CR 4, common address of 52216 SR 15 in Washington Township, zoned M-1. DV-0433-2025              |
| C. | Petitioner: | <b><i>Brian L. Weldy &amp; Heather M. Weldy, Husband &amp; Wife</i></b> (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:   | West end of the easement, West side of SR 15, 2,625 ft. North of CR 18, in Jefferson Township, zoned A-1. DV-0438-2025                       |
| D. | Petitioner: | <b><i>Macy Farms, LLC</i></b> (Page 4)   |
|    | Petition:   | for a 189 sq. ft. Developmental Variance (Ordinance allows 64 sq. ft.) to allow for the placement of a 253 sq. ft. electronic message board. |
|    | Location:   | Northeast side of US 33, 980 ft. Northwest of CR 15, common address of 23159 US 33 in Concord Township, zoned B-3. DV-0466-2025              |

E.      Petitioner:      ***Nickell Properties IV, LLC***      **(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 Roseland Rd., 280 ft. West of SR 19, common address of 26480 Roseland Rd. in Osolo Township, zoned B-1.      DV-0471-2025

F.      Petitioner:      ***Antony Zimmerman & LaTasha Zimmerman, 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 on parcels 4, 5, & 6.  
Location:      South side of the easement, East side of CR 7, 215 ft. South of CR 25, in Concord Township, zoned R-1      DV-0474-2025

**MOBILE HOME SPECIAL USE/DEVELOPMENTAL VARIANCE**

G.      Petitioner:      ***Joaquin Ramirez Soriano & Karla Zulema Aleman Hernandez***      **(Page 7)**  
Petition:      for a Special Use for a manufactured home not on a permanent foundation and for a Developmental Variance to allow for the placement of a manufactured home not on a permanent foundation within 300 ft. of a residence.  
Location:      North side of Grover St., 950 ft. West of Osolo Rd., common address of 25173 Grover St. in Osolo Township, zoned B-1.      SUP-0437-2025

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

- Minor Change – Developmental Variance – Franger Gas Co. Inc. (DV-0114-2023) request to extend the ILP deadline until September 30, 2026.

# ***Hearing Officer Staff Report***

*Prepared by the Department of Planning and Development*

***Hearing Date:*** August 20, 2025

***Transaction Number:*** DV-0425-2025.

***Parcel Number(s):*** 20-08-34-176-017.000-034, part of 20-08-34-300-018.000-034.

***Existing Zoning:*** A-1.

***Petition:*** For a 50 ft. lot width Developmental Variance (Ordinance requires 100 ft.) to allow for the construction of a residence.

***Petitioner:*** Monroe Yoder & Frieda Yoder, Husband & Wife.

***Location:*** West side of SR 13, 2,620 ft. south of CR 26, in Middlebury Township.

***Site Description:***

- Physical Improvement(s) – None.
- Proposed Improvement(s) – Residence, barn.
- Existing Land Use – Agricultural.
- Surrounding Land Use – Residential, agricultural.

***History and General Notes:***

- None.

***Staff Analysis:***

Staff finds that:

1. Approval of the request will not be injurious to public health, safety, morals, or general welfare. The subject property is bordered by other large homesites and open agricultural property, and reduced road frontage will not change the density or safety of the area.
2. Approval of the request will not cause substantial adverse effect on neighboring property. This is an 11.1-acre property in a low-density residential and agricultural area, and only 3 existing homes lie within 1,000 ft. of the proposed homesite.
3. Strict application of the terms of the Development Ordinance would result in an unnecessary hardship in the use of the property. Road access safety and preservation of rural character in this area do not depend on an additional 50 ft. of frontage.

# ***Hearing Officer Staff Report (Continued)***

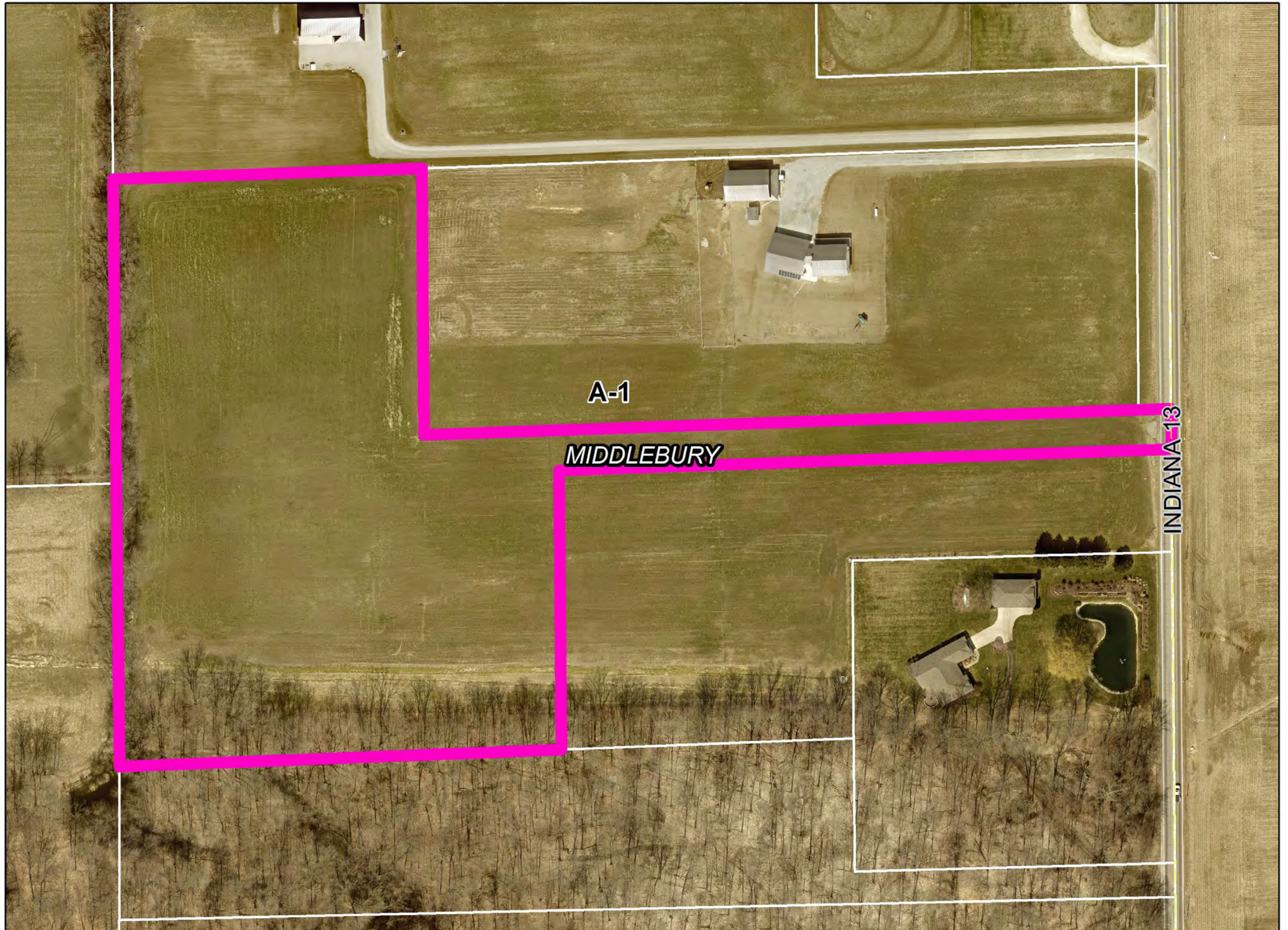
***Hearing Date:*** August 20, 2025

Staff recommends **APPROVAL** with the following condition(s) imposed:

1. A variance from the developmental standards of the Development Ordinance is void unless an Improvement Location Permit is issued within 180 calendar days from the date of the grant and construction work completed within 1 year from the date of the issuance of the building permit (where required).
2. A revised site plan must be submitted for staff approval showing the entire property.
3. A subdivision is required.
4. The request is approved in accordance with the revised site plan to be submitted for staff approval and as represented in the Developmental Variance application.



DV-0425-2025



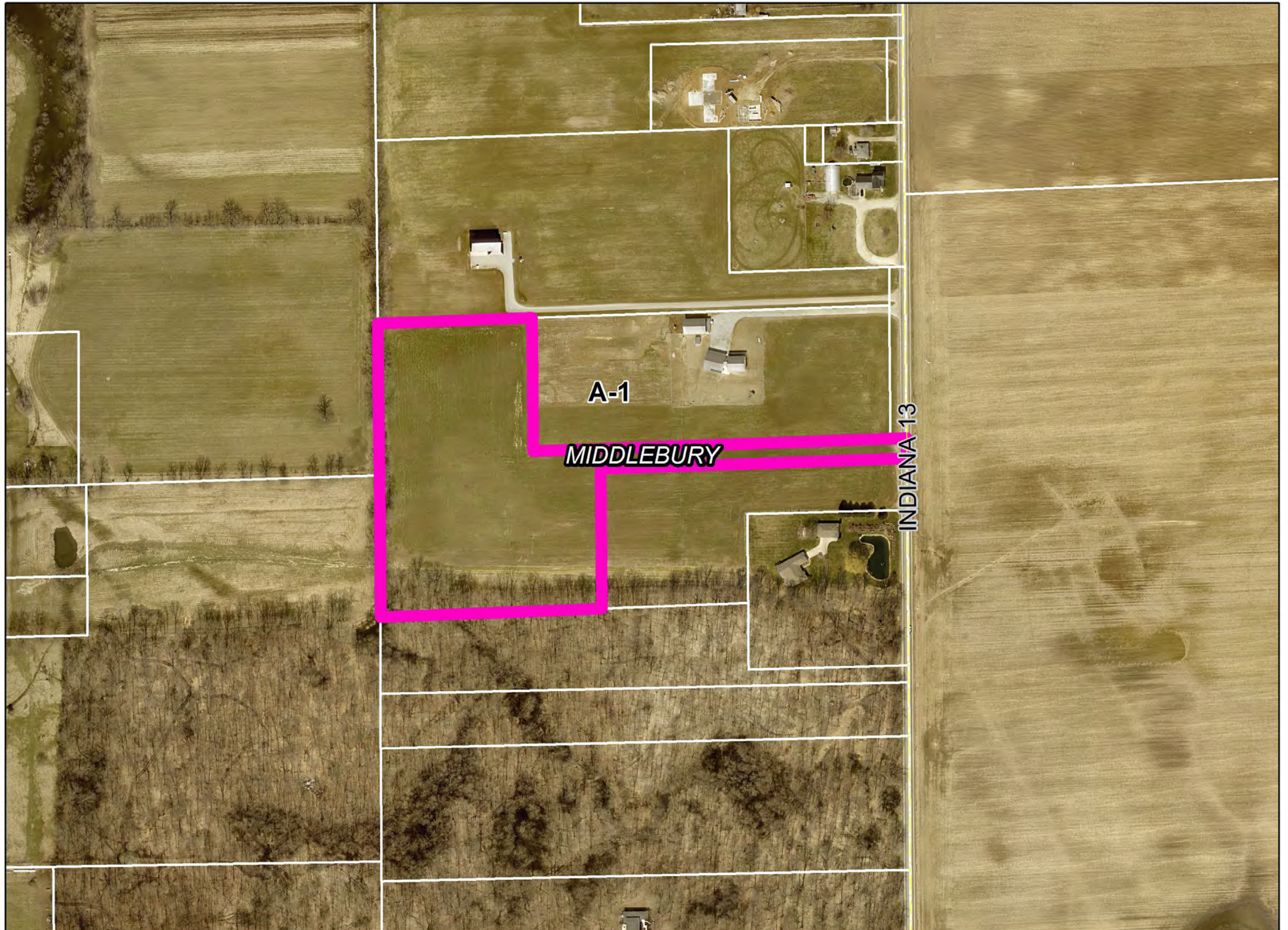
A-1

**MIDDLEBURY**

INDIANA 13



DV-0425-2025



A-1

MIDDLEBURY

INDIANA 13









Subject property





Facing south





Facing north





Facing east



# PLAN COMMISSION & BOARD OF ZONING APPEALS

Developmental Variance - Developmental Variance

**Elkhart County Planning & Development  
Public Services Building**

4230 Elkhart Road, Goshen, Indiana, 46526

Phone - (574) 971-4678

Fax - (574) 971-4578

Date: 06/27/2025 Meeting Date: August 20, 2025 Transaction #: DV-0425-2025  
Board of Zoning Appeals Public Hearing

Description: for a 50 ft. lot-width Developmental Variance (Ordinance requires 100 ft.) to allow for the construction of a residence

Contacts: <u>Applicant</u>	<u>Applicant</u>	<u>Authorized Agent</u>	<u>Land Owner</u>
Sunlight Construction 13838 County Road 34 Goshen, IN 46528	Monroe Yoder And Frieda Yoder, Husband And Wife 12734 State Road 4 Goshen, IN 46528	Sunlight Construction 13838 County Road 34 Goshen, IN 46528	Monroe Yoder And Frieda Yoder, Husband And Wife 12734 State Road 4 Goshen, IN 46528

Site Address: 00000 State Road 13 MIDDLEBURY, IN 46540	Parcel Number: Part of 20-08-34-300-018.000-034
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Township: Middlebury  
Location: WEST SIDE OF SR 13, 2,620 FT. SOUTH OF CR 26

Subdivision:	Lot #
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Lot Area: 11.10	Frontage: 50.02	Depth: 1,306.21
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Zoning: A-1	NPO List:
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Present Use of Property: VACANT

Legal Description:

Comments: PARCEL CREATED 12/6/2021  
ADMIN SUB TO BE APPLIED FOR AFTER DV IS APPROVED

Applicant Signature:

Department Signature:



Application

Site address: SR 13

Parcel number(s): 20-08-34-176-017.000-034

Current property owner

Name: Marroe Yoder

Address: 12734 SR4 Goshen

Phone: 574-349-8448 Email: \_\_\_\_\_

Other party

☐ Agent ☐ Buyer ☐ Land contract purchaser ☐ Lessee

Name: \_\_\_\_\_

Address: \_\_\_\_\_

Phone: \_\_\_\_\_ Email: \_\_\_\_\_

By signing below, I understand that if my application is approved, there may be conditions that will have to be met before approval is final and building permits can be started. I also understand that the conditions may include a commitment that the property owner is responsible for completing and returning.

Signature of current property owner or authorized agent: Clyde Burt

Staff Use Only

Description: lot-width (50' road frontage)

Parcel creation date: 12/6/2021 (DD)

Subdivision required? ☐ Y ☐ N If yes, ☒ AS ☐ Minor ☐ Major

Residential accessory breakdown, if applicable: \_\_\_\_\_

Location: N S E (W) corner (side) end of SR 13  
2,620 ft. N (S) E W of CR 26  
in Middlebury Township

Frontage: 50 Depth: 1,306.21 Area: 11.1 acres

Subdivision and lot number, if applicable: \_\_\_\_\_

Present use: Vacant

## Developmental Variance — Questionnaire

Name: Monroe Yoder

1) Tell us what you want to do. Build a House and Barn on 8.7 Acres  
w/ 50' Road Frontage

2) Tell us why you can't change what you're doing so you don't need a variance. - ~~the~~ Parcel  
was purchased with 50' Access/Road ~~Front~~ Frontage

3) Tell us why the variance won't hurt your neighbors or the community. Only ~~an~~ an access  
for residential use

4) Does the property need well and septic? Well: ☒ Y ☐ N Septic: ☒ Y ☐ N  
Does the property need a new septic system? ☒ Y ☐ N  
If a new septic system is needed, did the Health Department say there's enough space for it? ☒ Y ☐ N

5) Does the application include variances to allow for buildings or additions? ☒ Y ☒ N If yes, fill out below.

**Building or addition 1** Size and height to the peak: 7395 sq' - 26' to Peak  
Tell us what you'll use it for. Personal Storage / New House

**Building or addition 2** Size and height to the peak: 56X60 = 21' To Peak  
Tell us what you'll use it for. Ag

**Building or addition 3** Size and height to the peak: \_\_\_\_\_  
Tell us what you'll use it for. 7

6) Does the application include a variance for a residence on property with no road frontage? ☐ Y ☒ N  
If yes, fill out below.

Is the easement existing? ☐ Y ☐ N If the easement is existing, is it recorded? ☐ Y ☐ N

Tell us who owns (will own) the land under the easement. \_\_\_\_\_

Tell us how many parcels will use the easement. \_\_\_\_\_

7) Does the application include variances for signs? ☐ Y ☒ N If yes, fill out below.

**Sign 1** Dimensions (length and width): \_\_\_\_\_

Existing? ☐ Y ☐ N Double faced? ☐ Y ☐ N

Electronic message board? ☐ Y ☐ N If no, lighted? ☐ Y ☐ N

Freestanding? ☐ Y ☐ N Wall mounted? ☐ Y ☐ N

**Sign 2** Dimensions (length and width): \_\_\_\_\_

Existing? ☐ Y ☐ N Double faced? ☐ Y ☐ N

Electronic message board? ☐ Y ☐ N If no, lighted? ☐ Y ☐ N

Freestanding? ☐ Y ☐ N Wall mounted? ☐ Y ☐ N

**Sign 3** Dimensions (length and width): \_\_\_\_\_

Existing? ☐ Y ☐ N Double faced? ☐ Y ☐ N

Electronic message board? ☐ Y ☐ N If no, lighted? ☐ Y ☐ N

Freestanding? ☐ Y ☐ N Wall mounted? ☐ Y ☐ N

8) Does the application include a variance for parking spaces? ☐ Y ☒ N

If yes, tell us how many total there will be. \_\_\_\_\_

9) Tell us anything else you want us to know. \_\_\_\_\_

Monroe Yoder

SR13

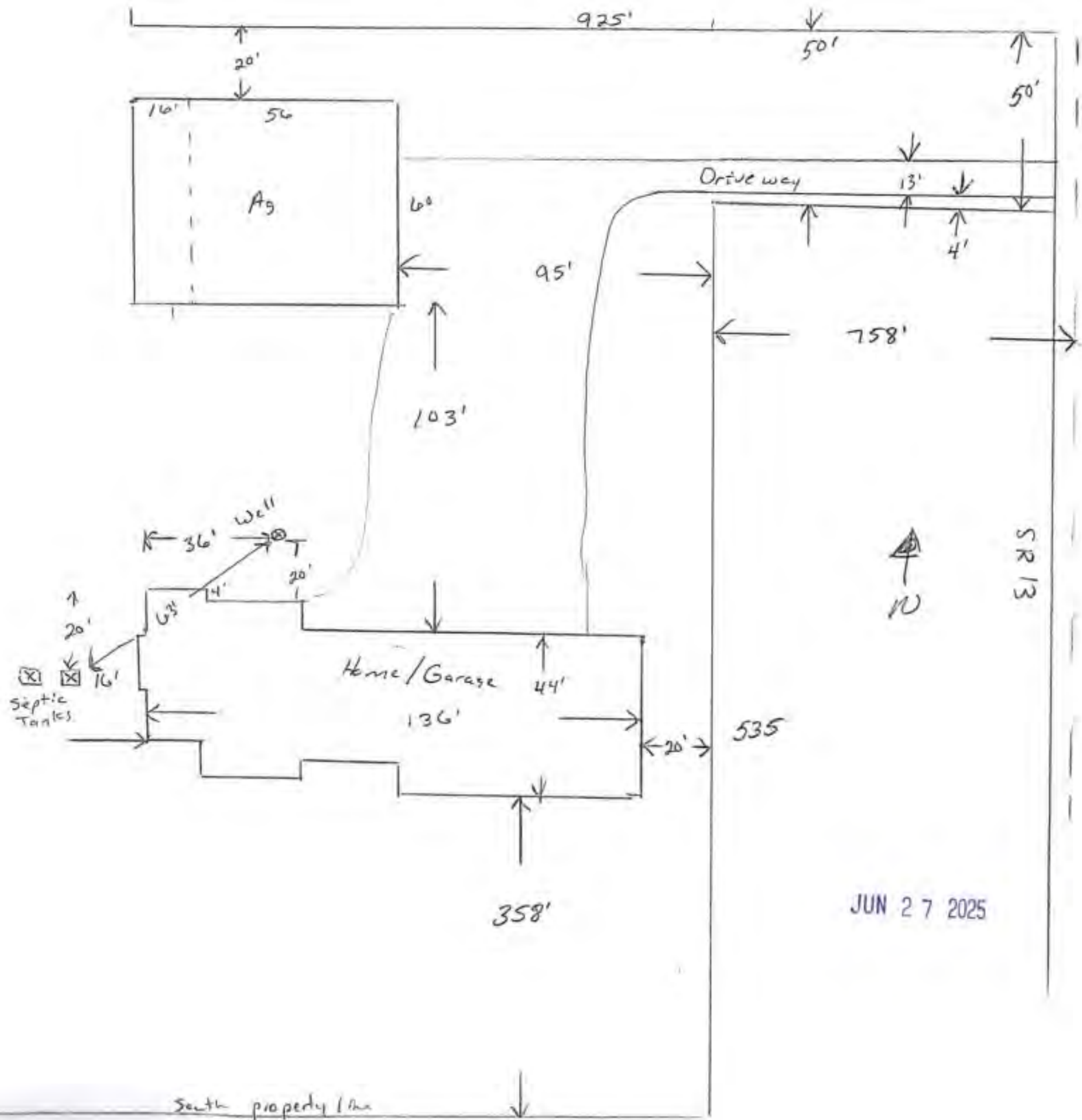
Middlebury

20-08-34-176-017

Soil  
Borings  
X

911'  
362'

Rear Property Line





# ***Hearing Officer Staff Report***

*Prepared by the Department of Planning and Development*

***Hearing Date:*** August 20, 2025

***Transaction Number:*** DV-0433-2025.

***Parcel Number(s):*** 20-03-23-228-011-000.030.

***Existing Zoning:*** M-1.

***Petition:*** For a Developmental Variance to allow for an electronic message board within 300 ft. of a residence.

***Petitioner:*** MCS Holdings, LLC.

***Location:*** Southeast side of SR 15, 1,820 ft. south of CR 4, in Washington Township.

## ***Site Description:***

- Physical Improvement(s) – RV assembly plant.
- Proposed Improvement(s) – Electronic message board.
- Existing Land Use – Manufacturing.
- Surrounding Land Use – Manufacturing, toll road, residential, agricultural.

## ***History and General Notes:***

- **September 20, 1999** – The BCC approved a zone map change from A-1 and M-1 PUD to a DPUD M-1 to be known as State Road 15 DPUD to allow for an RV assembly plant.
- **February 21, 2000** – The BCC approved an amendment to allow for private septic.
- **September 19, 2005** – The BCC approved an amendment to allow for a second building.
- None of the ordinances, approved site plans, or project narratives contain restrictions or deviations for signage.

## ***Staff Analysis:***

Staff finds that:

1. Approval of the request will not be injurious to public health, safety, morals, or general welfare. The two affected homes are on the east side of SR 15, north of the sign location, and are shielded by an existing tree buffer. All other development standards are met.
2. Approval of the request will not cause substantial adverse effect on neighboring property. The 20-acre DPUD property and all neighboring property are part of a well-developed industrial area on the north side of Bristol, adjacent to the toll road and SR 15.
3. Strict application of the terms of the Development Ordinance would result in an unnecessary hardship in the use of the property. Strict application would prohibit a method of communication typical of well-developed, high-traffic industrial areas.

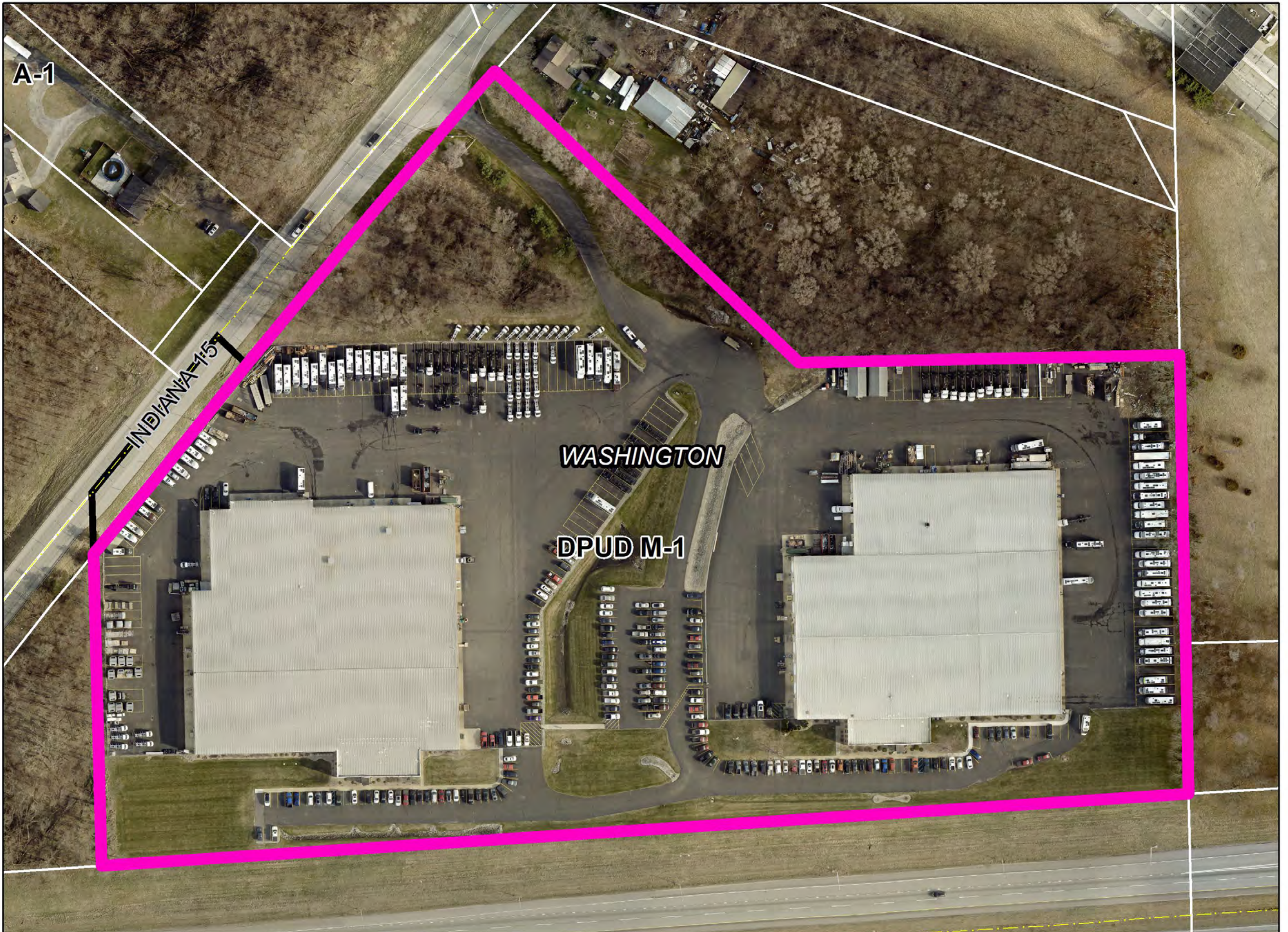
# ***Hearing Officer Staff Report (Continued)***

***Hearing Date:*** August 20, 2025

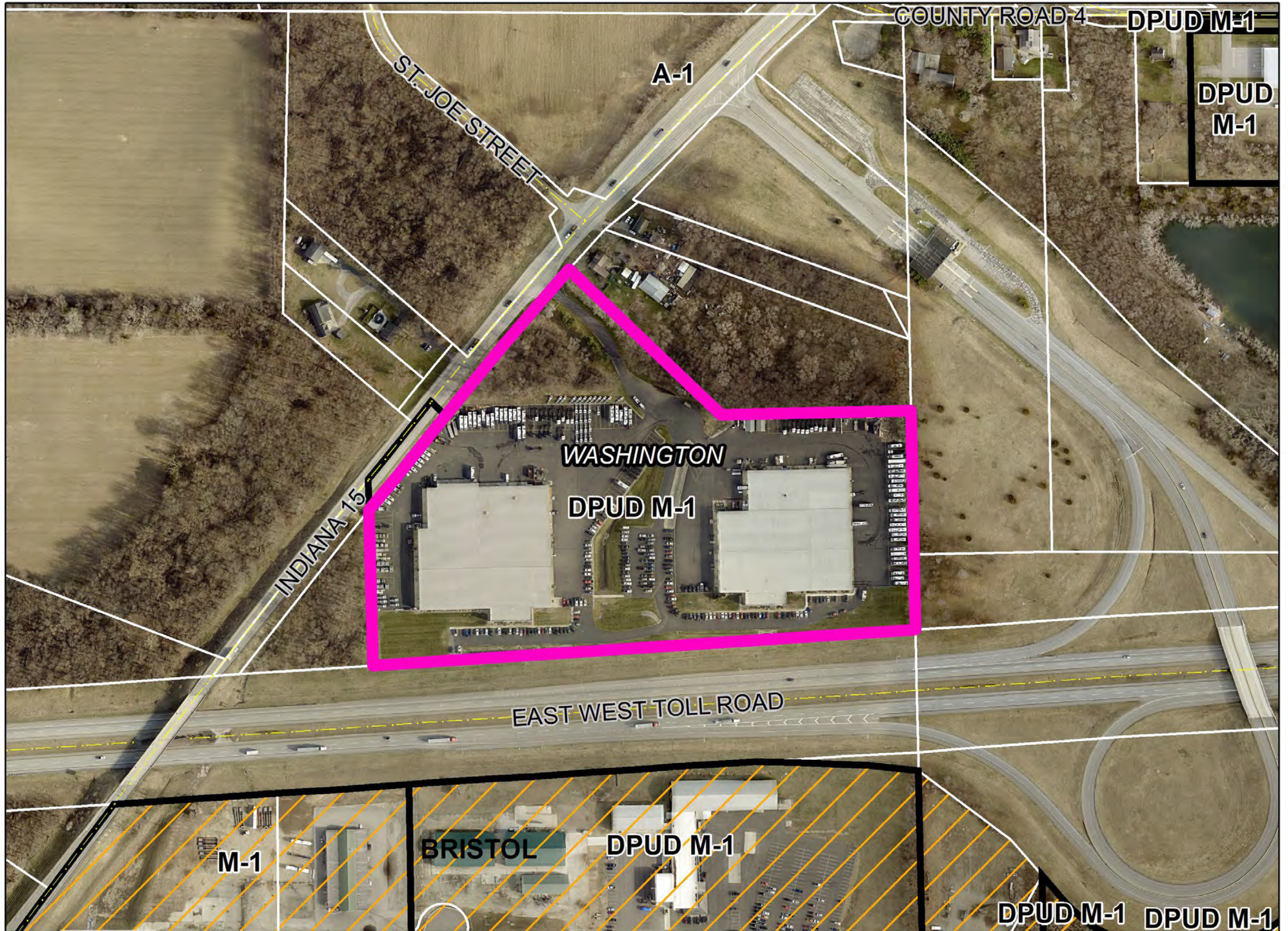
Staff recommends **APPROVAL** with the following condition(s) imposed:

1. A variance from the developmental standards of the Development Ordinance is void unless an Improvement Location Permit is issued within 180 calendar days from the date of the grant and construction work completed within 1 year from the date of the issuance of the building permit (where required).
2. The request is approved in accordance with the site plan submitted (dated 7/2/2025) and as represented in the Developmental Variance application.

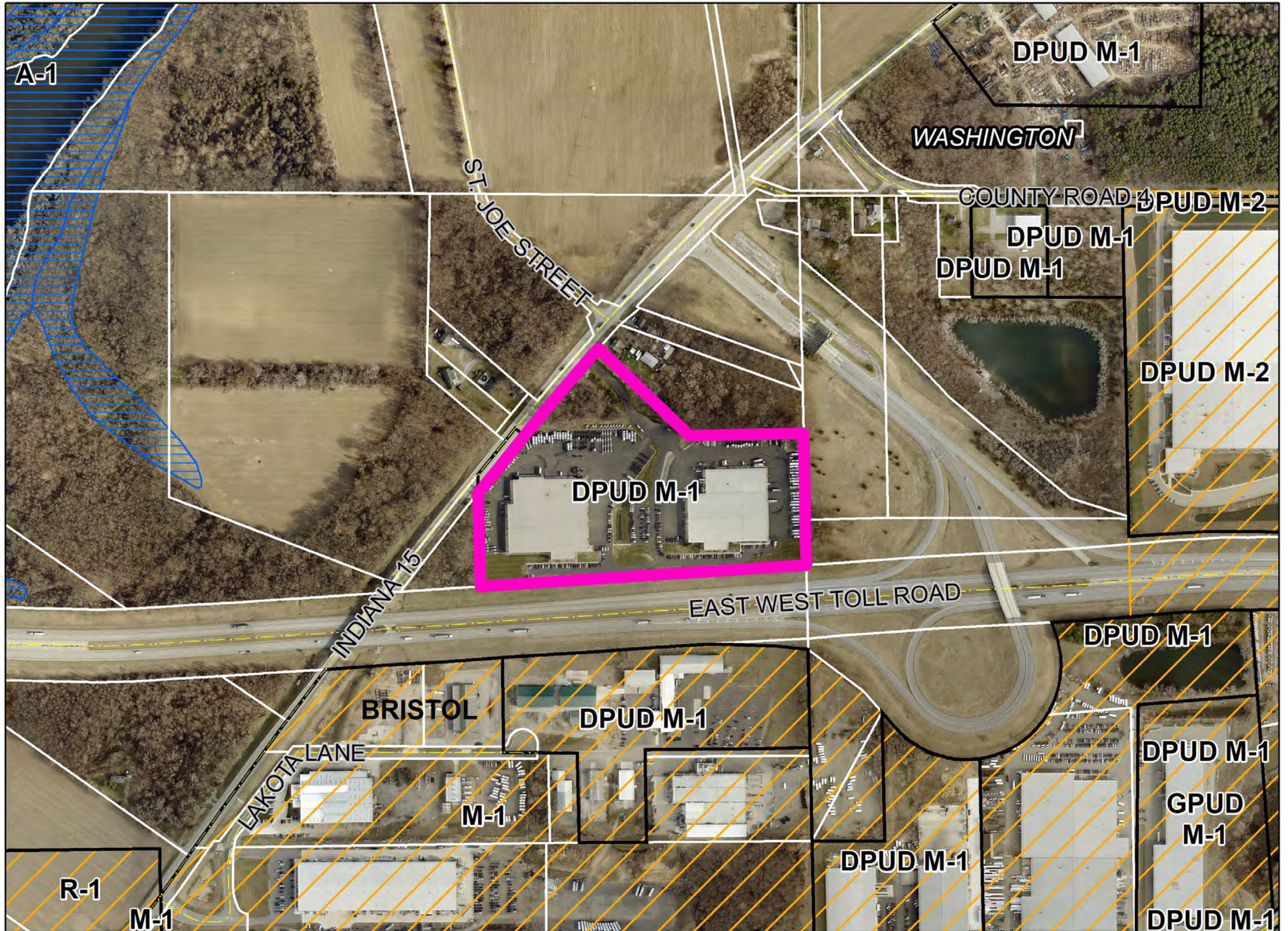
















Location of existing and replacement signage





Facing south





Facing north





Facing west



# PLAN COMMISSION & BOARD OF ZONING APPEALS

Developmental Variance - Developmental Variance

**Elkhart County Planning & Development  
Public Services Building**

4230 Elkhart Road, Goshen, Indiana, 46526

Phone - (574) 971-4678

Fax - (574) 971-4578

Date: 07/03/2025 Meeting Date: August 20, 2025 Transaction #: DV-0433-2025  
Board of Zoning Appeals Public Hearing

Description: for a Developmental Variance to allow for an electronic message board within 300 ft. of a residence

Contacts: <u>Applicant</u>	<u>Authorized Agent</u>	<u>Land Owner</u>
Signtech Sign Services Inc	Signtech Sign Services Inc	Mcs Holdings, Llc
Po Box 835	Po Box 835	52216 Sr 15
Goshen, IN 46527	Goshen, IN 46527	Bristol, IN 46507

Site Address: 52216 State Road 15 Bristol, IN 46507	Parcel Number: 20-03-23-228-011.000-030
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Township: Washington  
Location: SOUTHEAST SIDE OF SR 15, 1,820 FT. SOUTH OF CR 4

Subdivision:	Lot #
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Lot Area: 7.00	Frontage: 775.00	Depth: 461.00
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Zoning: M-1	NPO List:
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Present Use of Property: COMMERCIAL

Legal Description:

Comments:

Applicant Signature:	Department Signature:
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Application

Site address: 52216 SR 15 Bristol IN. 46507 (Renegade RV)  
Parcel number(s): 03-23-228-011-030

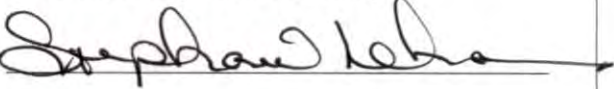
Current property owner

Name: MCS Holdings LLC  
Address: 52216 SR 15 Bristol IN 46507  
Phone: 574-966-0194 Email: ffrey@renegaderv.com  
bbarnes@renegaderv.com

Other party ☒ Agent ☐ Buyer ☐ Land contract purchaser ☐ Lessee

Name: Signtech Sign Services  
Address: PO Box 835 Goshen IN 46527  
Phone: 574-537-8080 Email: signtech@signtechsigns.com

By signing below, I understand that if my application is approved, there may be conditions that will have to be met before approval is final and building permits can be started. I also understand that the conditions may include a commitment that the property owner is responsible for completing and returning.

Signature of current property owner or authorized agent: 

Staff Use Only

Description:

Parcel creation date:

Subdivision required? ☐ Y ☐ N If yes, ☐ AS ☐ Minor ☐ Major

Residential accessory breakdown, if applicable:

Location: N S E W corner side end of SR 15,  
670 ft. N S E W of Toll Road entrance,  
in WASHINGTON Township

Frontage: 775 Depth: 461 Area: 7 acres

Subdivision and lot number, if applicable:

Present use: Commercial



# Developmental Variance — Questionnaire

Name: 52216 SR 15 Bristol IN 46507 (Renegade RV)

1) Tell us what you want to do. Remove existing sign & install New 10'w x 3.62'H Illuminated I.D. Sign w/ a 6'w x 2' H Electronic Message Center at a 55ft Set back from Center of Rd & within 300ft of a residence.

2) Tell us why you can't change what you're doing so you don't need a variance. Renegade would like to install an E.M.C board for advertising:

3) Tell us why the variance won't hurt your neighbors or the community. The E.M.C will automatically dim from dusk til dawn & will not contain strobing or flashing messages.

4) Does the property need well and septic? Well: ☐ Y ☐ N Septic: ☐ Y ☐ N  
Does the property need a new septic system? ☐ Y ☐ N  
If a new septic system is needed, did the Health Department say there's enough space for it? ☐ Y ☐ N

N/A

5) Does the application include variances to allow for buildings or additions? ☐ Y ☐ N If yes, fill out below.

**Building or addition 1** Size and height to the peak: \_\_\_\_\_  
Tell us what you'll use it for. \_\_\_\_\_

**Building or addition 2** Size and height to the peak: \_\_\_\_\_  
Tell us what you'll use it for. \_\_\_\_\_

**Building or addition 3** Size and height to the peak: \_\_\_\_\_  
Tell us what you'll use it for. \_\_\_\_\_

6) Does the application include a variance for a residence on property with no road frontage? ☐ Y ☐ N  
If yes, fill out below.

Is the easement existing? ☐ Y ☐ N If the easement is existing, is it recorded? ☐ Y ☐ N

Tell us who owns (will own) the land under the easement. \_\_\_\_\_

Tell us how many parcels will use the easement. \_\_\_\_\_

7) Does the application include variances for signs? ☒ Y ☐ N If yes, fill out below.

**Sign 1** Dimensions (length and width): ID = 10'w x 3.62'H & E.M.C 6'w x 2'H  
Remove Existing? ☒ Y ☐ N Double faced? ☒ Y ☐ N Setback 55' from Center of Road to leading edge  
Electronic message board? ☒ Y ☐ N If no, lighted? ☐ Y ☐ N  
Freestanding? ☒ Y ☐ N Wall mounted? ☐ Y ☐ N

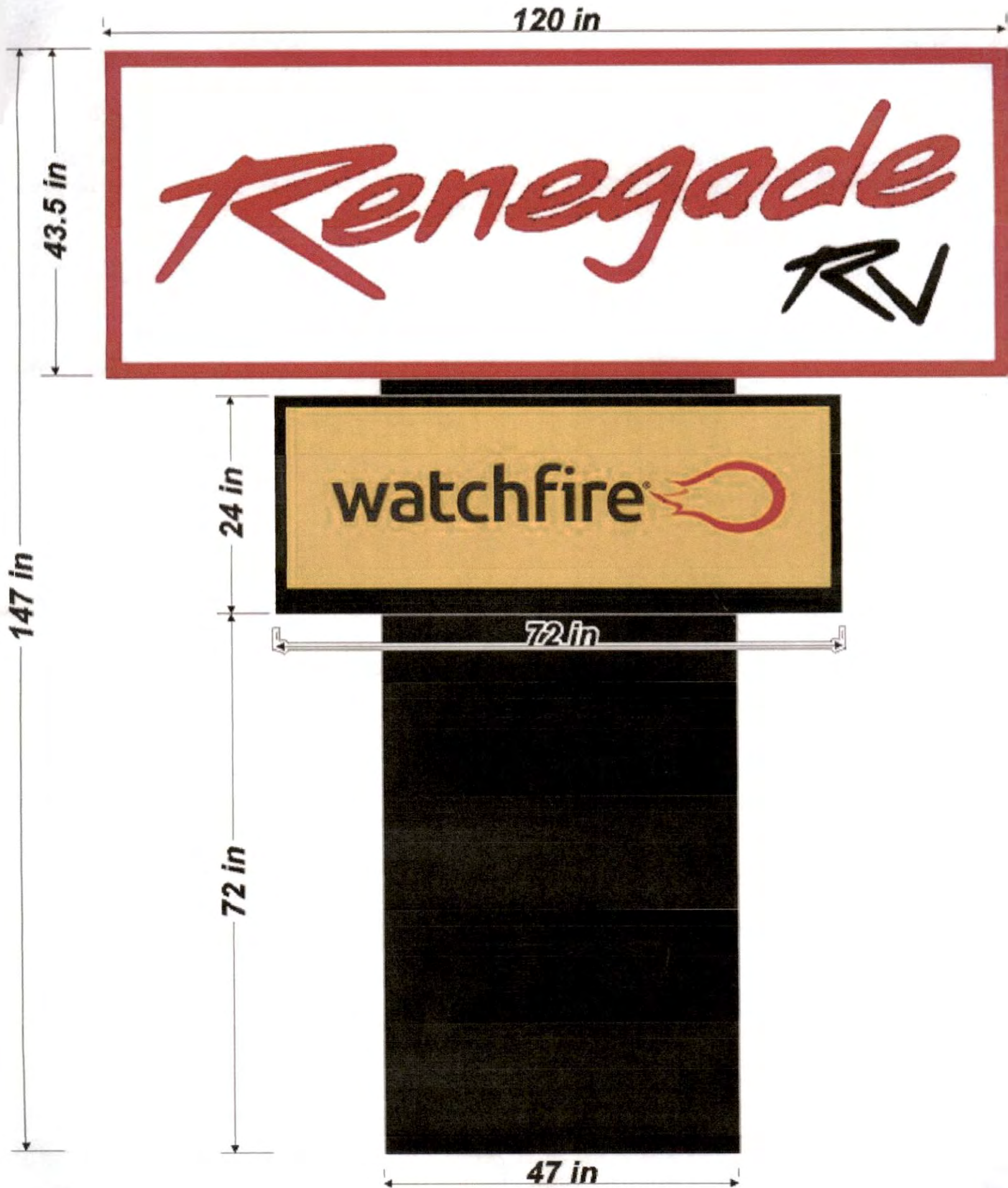
**Sign 2** Dimensions (length and width): \_\_\_\_\_  
Existing? ☐ Y ☐ N Double faced? ☐ Y ☐ N  
Electronic message board? ☐ Y ☐ N If no, lighted? ☐ Y ☐ N  
Freestanding? ☐ Y ☐ N Wall mounted? ☐ Y ☐ N

**Sign 3** Dimensions (length and width): \_\_\_\_\_  
Existing? ☐ Y ☐ N Double faced? ☐ Y ☐ N  
Electronic message board? ☐ Y ☐ N If no, lighted? ☐ Y ☐ N  
Freestanding? ☐ Y ☐ N Wall mounted? ☐ Y ☐ N

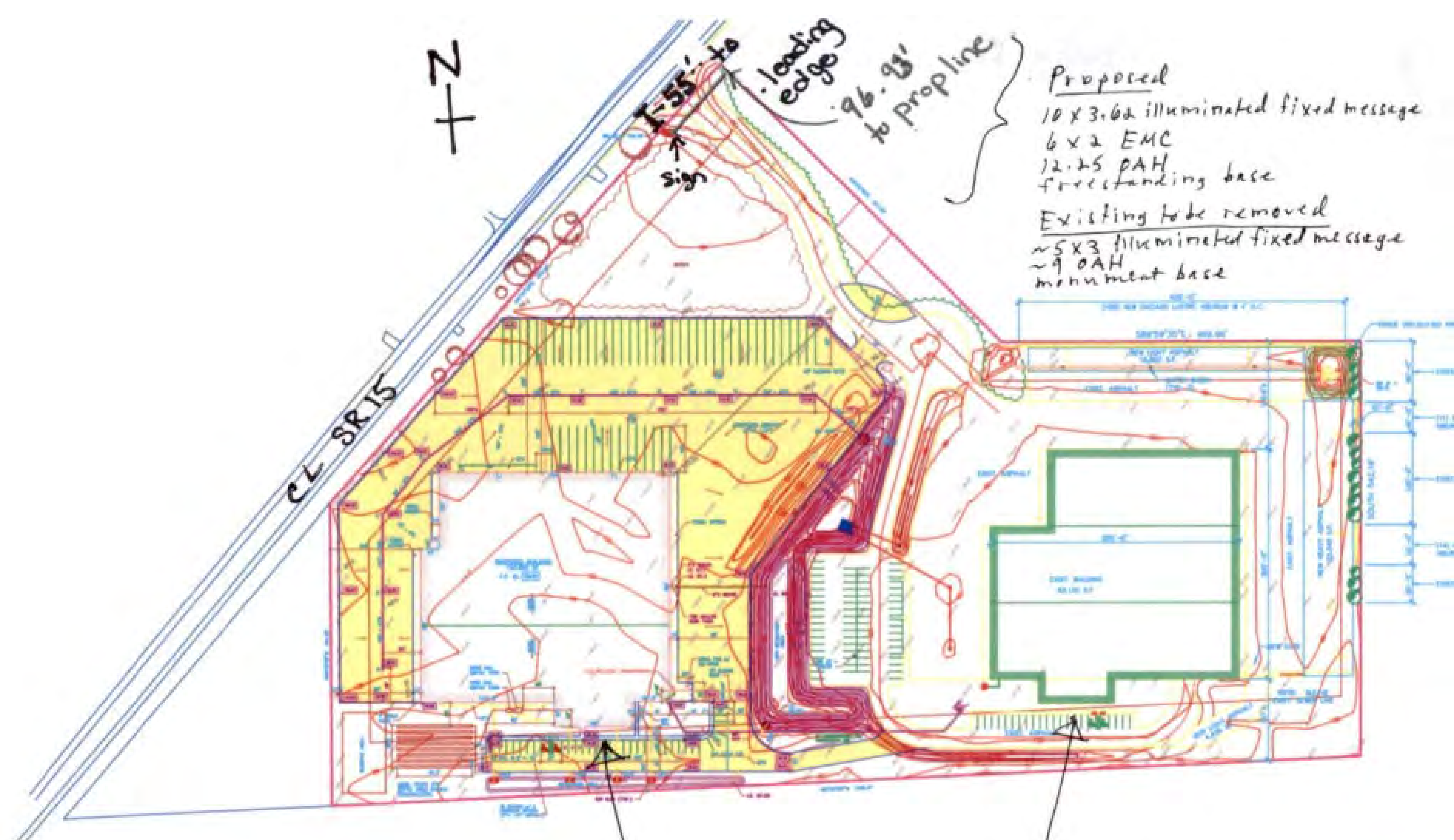
8) Does the application include a variance for parking spaces? ☐ Y ☐ N  
If yes, tell us how many total there will be. \_\_\_\_\_

9) Tell us anything else you want us to know. \_\_\_\_\_









Proposed  
10 x 3.6m illuminated fixed message  
6 x 2 EMC  
12.25 PAH  
freestanding base  
Existing to be removed  
~5 x 3 illuminated fixed message  
~9 PAH  
monument base

existing  
fixed message wall sign JUL 2 2025  
~6 x 3

existing  
fixed message wall sign  
~6 x 3

# ***Hearing Officer Staff Report***

*Prepared by the Department of Planning and Development*

***Hearing Date:*** August 20, 2025

***Transaction Number:*** DV-0438-2025.

***Parcel Number(s):*** Part of 20-07-15-301-002.000-019.

***Existing Zoning:*** A-1.

***Petition:*** For a Developmental Variance to allow for the construction of a residence on property with no road frontage served by an access easement.

***Petitioner:*** Brian L. Weldy & Heather M. Weldy, Husband & Wife.

***Location:*** West end of the easement, west side of SR 15, 2,625 ft. north of CR 18, in Jefferson Township.

***Site Description:***

- Physical Improvement(s) – None.
- Proposed Improvement(s) – Residence.
- Existing Land Use – Agricultural.
- Surrounding Land Use – Agricultural, residential.

***History and General Notes:***

- None.

***Staff Analysis:***

Staff finds that:

1. Approval of the request will not be injurious to public health, safety, morals, or general welfare. Approval will result in a single new homesite and no additional access points, ensuring traffic safety on a state road.
2. Approval of the request will not cause substantial adverse effect on neighboring property. This is a 3.22-acre proposed tract in a low-density agricultural and residential area, and the area will remain agricultural and residential.
3. Strict application of the terms of the Development Ordinance would result in an unnecessary hardship in the use of the property. Adding an access point is unnecessary when an existing one under the same ownership is available.

# ***Hearing Officer Staff Report (Continued)***

***Hearing Date:*** August 20, 2025

Staff recommends **APPROVAL** with the following condition(s) imposed:

1. A variance from the developmental standards of the Development Ordinance is void unless an Improvement Location Permit is issued within 180 calendar days from the date of the grant and construction work completed within 1 year from the date of the issuance of the building permit (where required).
2. A subdivision is required.
3. The request is approved in accordance with the site plan submitted (dated 7/7/2025) and as represented in the Developmental Variance application.



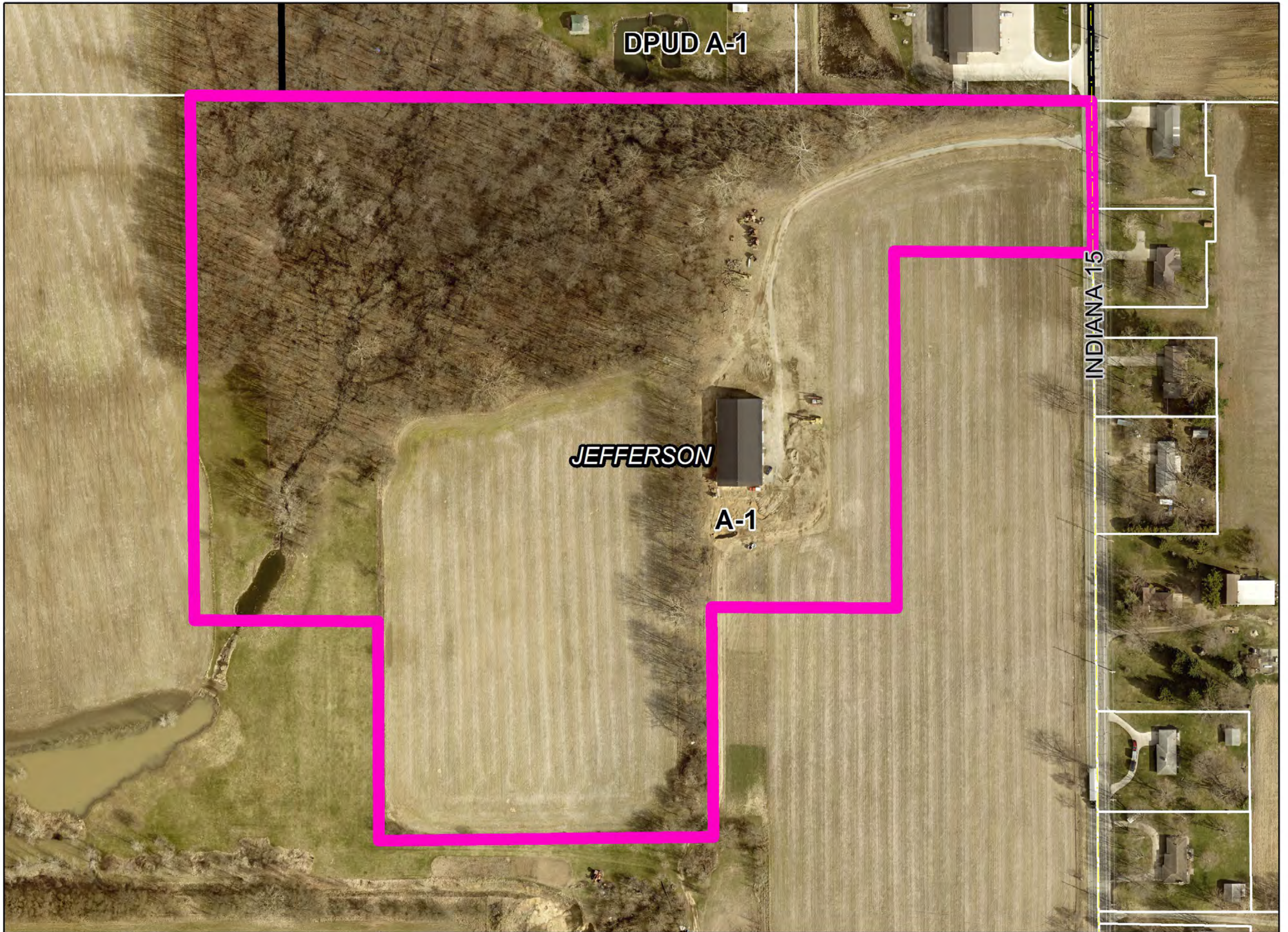
DV-0438-2025

DPUD A-1

JEFFERSON

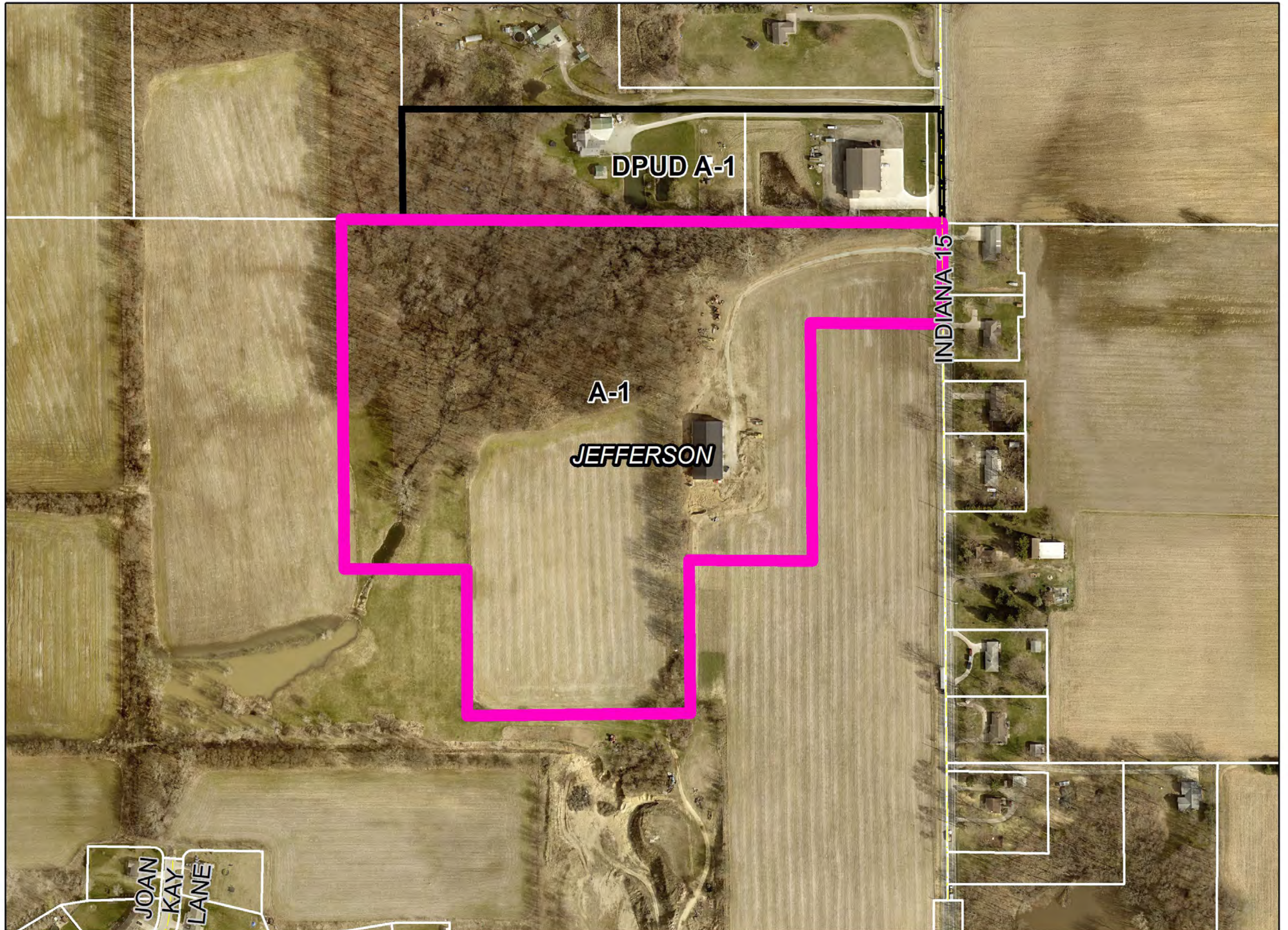
A-1

INDIANA 15





DV-0438-2025

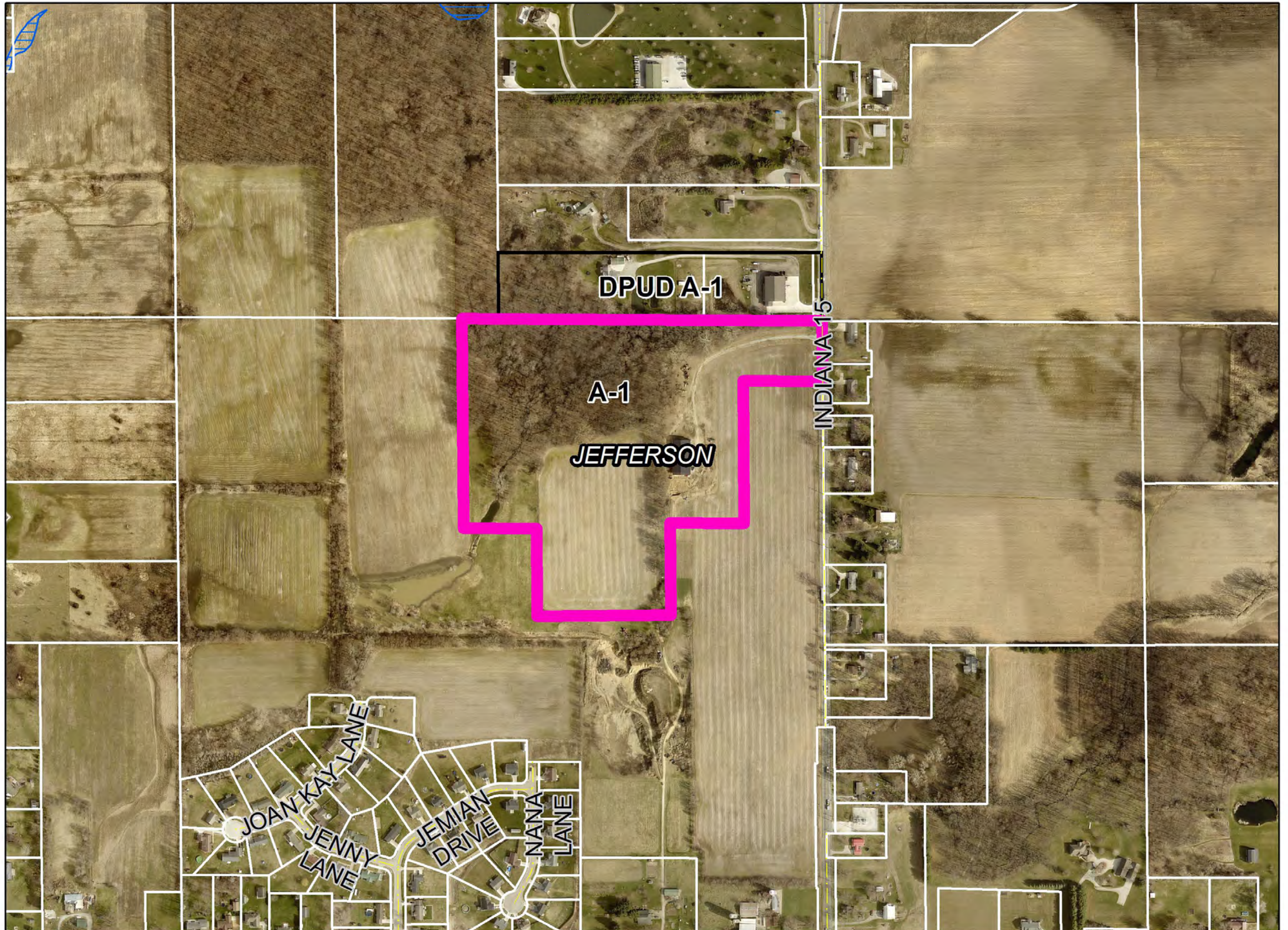


2021 Aerials

1 inch = 300 feet











Facing west from west end of easement





Facing north





Facing south





Facing east



# PLAN COMMISSION & BOARD OF ZONING APPEALS

Developmental Variance - Developmental Variance

**Elkhart County Planning & Development  
Public Services Building**

4230 Elkhart Road, Goshen, Indiana, 46526

Phone - (574) 971-4678

Fax - (574) 971-4578

Date: 07/07/2025 Meeting Date: August 20, 2025 Transaction #: DV-0438-2025  
Board of Zoning Appeals Public Hearing

Description: for a Developmental Variance to allow for the construction of a residence on property with no road frontage served by an access easement

Contacts: <u>Applicant</u>	<u>Authorized Agent</u>	<u>Land Owner</u>
B. Doriot & Associates, Inc. P.O. Box 465 New Paris, IN 46553	B. Doriot & Associates, Inc. P.O. Box 465 New Paris, IN 46553	Brian L. Weldy And Heather M. Weldy, Husband And Wife 2306 Bashor Road Goshen, IN 46526

Site Address: 00000 State Road 15 Goshen, IN 46528	Parcel Number: Part of 20-07-15-301-002.000-019
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Township: Jefferson  
Location: West end of the easement, West Side Of State Road 15, 2580 Feet North Of County Road 18

Subdivision:	Lot #
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Lot Area: 3.22	Frontage: 0.00	Depth: 610.00
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Zoning: A-1	NPO List:
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Present Use of Property: AG

Legal Description:

Comments: PARCEL CREATION DATE: 11/3/21  
SUBDIVISION IS REQUIRED. APPLICANT WILL DO AN ADMIN SUBDIVISION.  
NEW RECORDED DEED WILL BE REQUIRED ONCE PROPERTY SPLIT.

Applicant Signature:

Department Signature:



Application

Site address: 57529 SR 15, Goshen, IN 46528

Parcel number(s): \_\_\_\_\_

Current property owner

Name: BRIAN L + HEATHER M Weldy

Address: 57529 SR 15 Goshen, IN

Phone: 574-349-8583 Email: brian@weldymachine.com

Other party ☒ Agent ☐ Buyer ☐ Land contract purchaser ☐ Lessee

Name: B Lark Doriot, B Doriot + HSSOC

Address: PO Box 465, New Paris, IN 46547

Phone: 574-536-3031 Email: doriotSurvey@gmail.com

By signing below, I understand that if my application is approved, there may be conditions that will have to be met before approval is final and building permits can be started. I also understand that the conditions may include a commitment that the property owner is responsible for completing and returning.

Signature of current property owner or authorized agent: \_\_\_\_\_

Staff Use Only

Description: FOR A DEVELOPMENTAL VARIANCE TO ALLOW FOR  
THE CONSTRUCTION OF A RESIDENCE ON PROPERTY WITH  
NO ROAD FRONTAGE SERVED BY AN ACCESS EASEMENT

Parcel creation date: 11/3/21

Subdivision required? ☒ Y ☐ N If yes, ☒ AS ☐ Minor ☐ Major

Residential accessory breakdown, if applicable: N/A

Location: N S E (W) corner (side) end of SR 15,  
2580 ft. (N) S E W of CR 18,  
in JEFFERSON Township

Frontage: 0 Depth: 1010 Area: 3.22 acres

Subdivision and lot number, if applicable: N/A

Present use: AG

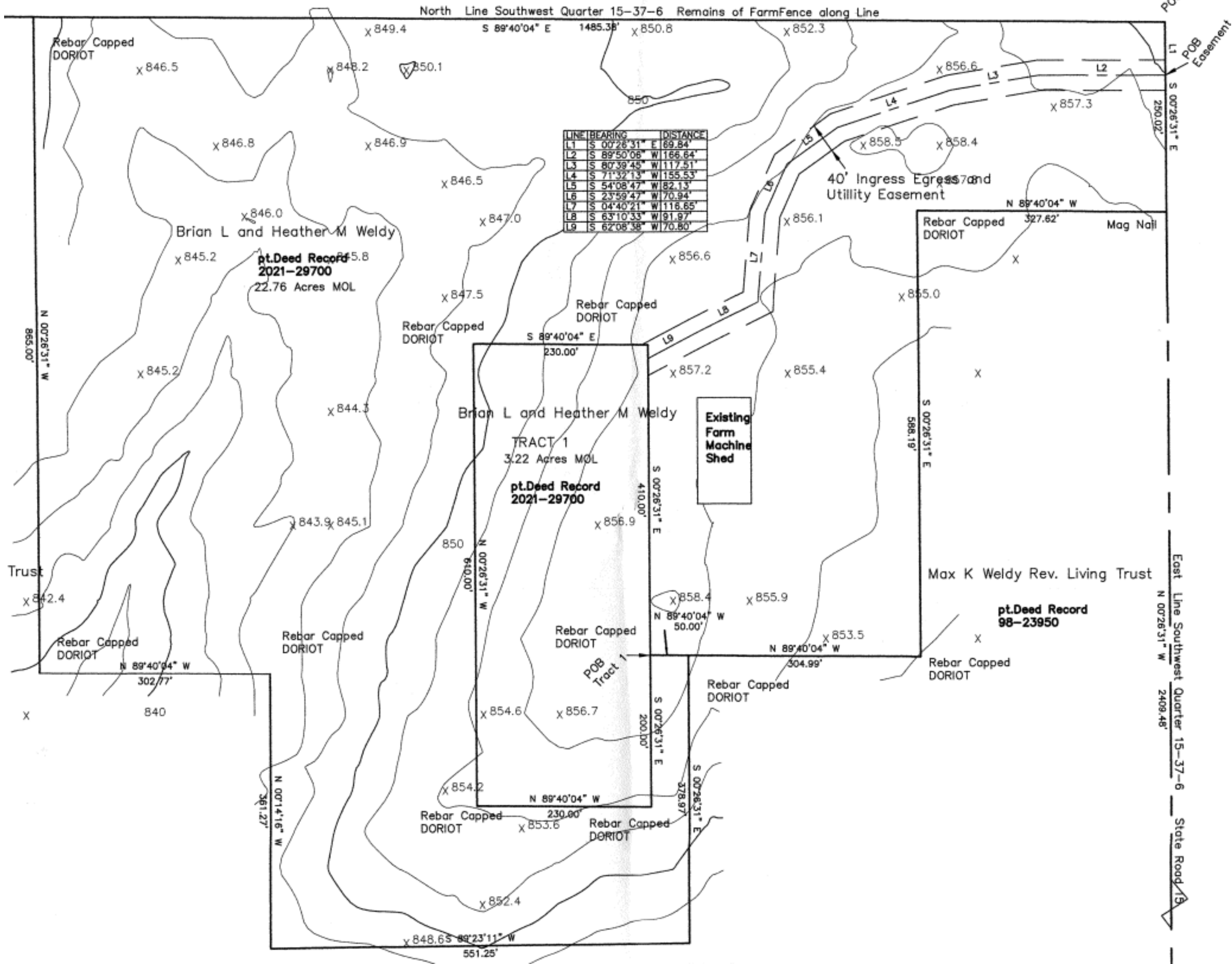


# Developmental Variance — Questionnaire

Name: Brian Welder

- 1) Tell us what you want to do. Build A house on my existing  
)
- 2) Tell us why you can't change what you're doing so you don't need a variance. My bank  
will not allow me to build on the farm parcel  
& want it separate from the farm business
- 3) Tell us why the variance won't hurt your neighbors or the community. The site for  
The house is over 200 feet from any neighbor
- 4) Does the property need well and septic? Well: ☒ Y ☐ N Septic: ☒ Y ☐ N  
 Does the property need a new septic system? ☐ Y ☒ N Not  
 If a new septic system is needed, did the Health Department say there's enough space for it? ☒ Y ☐ N
- 5) Does the application include variances to allow for buildings or additions? ☐ Y ☒ N If yes, fill out below.  
**Building or addition 1** Size and height to the peak: \_\_\_\_\_  
 Tell us what you'll use it for. \_\_\_\_\_  
**Building or addition 2** Size and height to the peak: \_\_\_\_\_  
 Tell us what you'll use it for. \_\_\_\_\_  
**Building or addition 3** Size and height to the peak: \_\_\_\_\_  
 Tell us what you'll use it for. \_\_\_\_\_
- 6) Does the application include a variance for a residence on property with no road frontage? ☒ Y ☐ N  
 If yes, fill out below.  
 Is the easement existing? ☐ Y ☒ N If the easement is existing, is it recorded? ☐ Y ☒ N  
 Tell us who owns (will own) the land under the easement. I do Brian welder  
 Tell us how many parcels will use the easement. 2
- 7) Does the application include variances for signs? ☐ Y ☒ N If yes, fill out below.  
**Sign 1** Dimensions (length and width): \_\_\_\_\_  
 Existing? ☐ Y ☐ N Double faced? ☐ Y ☐ N  
 Electronic message board? ☐ Y ☐ N If no, lighted? ☐ Y ☐ N  
 Freestanding? ☐ Y ☐ N Wall mounted? ☐ Y ☐ N  
**Sign 2** Dimensions (length and width): \_\_\_\_\_  
 Existing? ☐ Y ☐ N Double faced? ☐ Y ☐ N  
 Electronic message board? ☐ Y ☐ N If no, lighted? ☐ Y ☐ N  
 Freestanding? ☐ Y ☐ N Wall mounted? ☐ Y ☐ N  
**Sign 3** Dimensions (length and width): \_\_\_\_\_  
 Existing? ☐ Y ☐ N Double faced? ☐ Y ☐ N  
 Electronic message board? ☐ Y ☐ N If no, lighted? ☐ Y ☐ N  
 Freestanding? ☐ Y ☐ N Wall mounted? ☐ Y ☐ N
- 8) Does the application include a variance for parking spaces? ☐ Y ☒ N  
 If yes, tell us how many total there will be. \_\_\_\_\_
- 9) Tell us anything else you want us to know. This is my or part of my  
grand FATHERS farm my parents live on part of farm  
& my Brother may be buying part of the farm







# ***Hearing Officer Staff Report***

*Prepared by the Department of Planning and Development*

***Hearing Date:*** August 20, 2025

***Transaction Number:*** DV-0466-2025.

***Parcel Number(s):*** 20-06-26-427-009.000-009.

***Existing Zoning:*** B-3.

***Petition:*** For a 189 sq. ft. Developmental Variance (Ordinance allows 64 sq. ft.) to allow for the placement of a 253 sq. ft. electronic message board.

***Petitioner:*** Macy Farms, LLC.

***Location:*** Northeast side of US 33, 980 ft. northwest of CR 15, in Concord Township.

***Site Description:***

- Physical Improvement(s) – Commercial building, billboard.
- Proposed Improvement(s) – Electronic message board.
- Existing Land Use – Commercial.
- Surrounding Land Use – Commercial.

***History and General Notes:***

- **December 20, 1979** – The Board of Zoning Appeals approved a 36 ft. front yard variance for an addition to the existing mobile home (79-64-V).

***Staff Analysis:***

Staff finds that:

1. Approval of the request will not be injurious to public health, safety, morals, or general welfare. The EMB (electronic message board) will be placed where the existing billboard is currently, and the billboard has been in this location without causing safety issues to traffic or neighboring parcels.
2. Approval of the request will not cause substantial adverse effect on neighboring property. This is a 0.682-acre parcel in a moderately dense commercial area and the property will remain commercial in character.
3. Strict application of the terms of the Development Ordinance would result in an unnecessary hardship in the use of the property. Without the benefit of the variance the billboard could not be updated to an EMB.



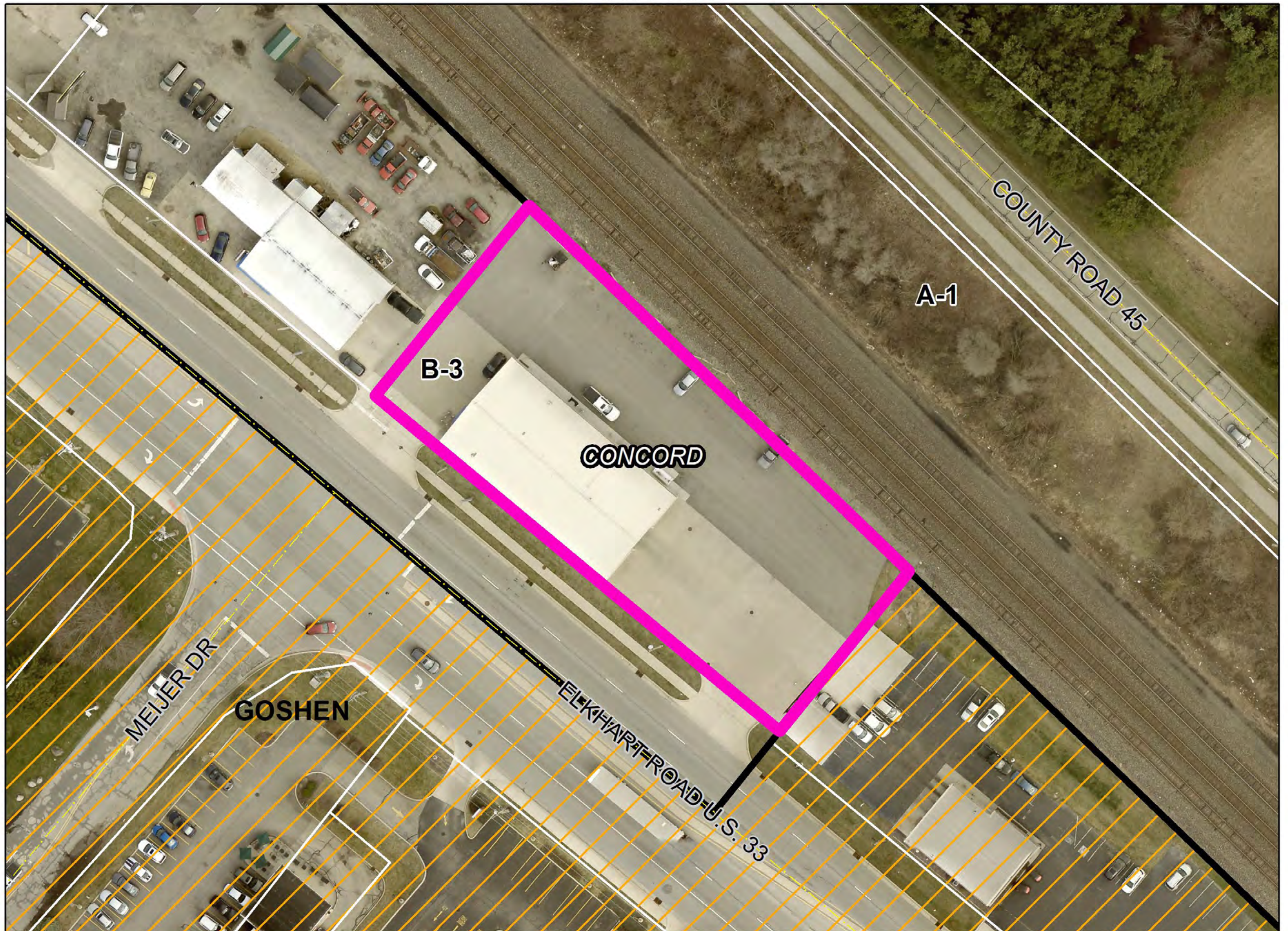
# ***Hearing Officer Staff Report (Continued)***

***Hearing Date:*** August 20, 2025

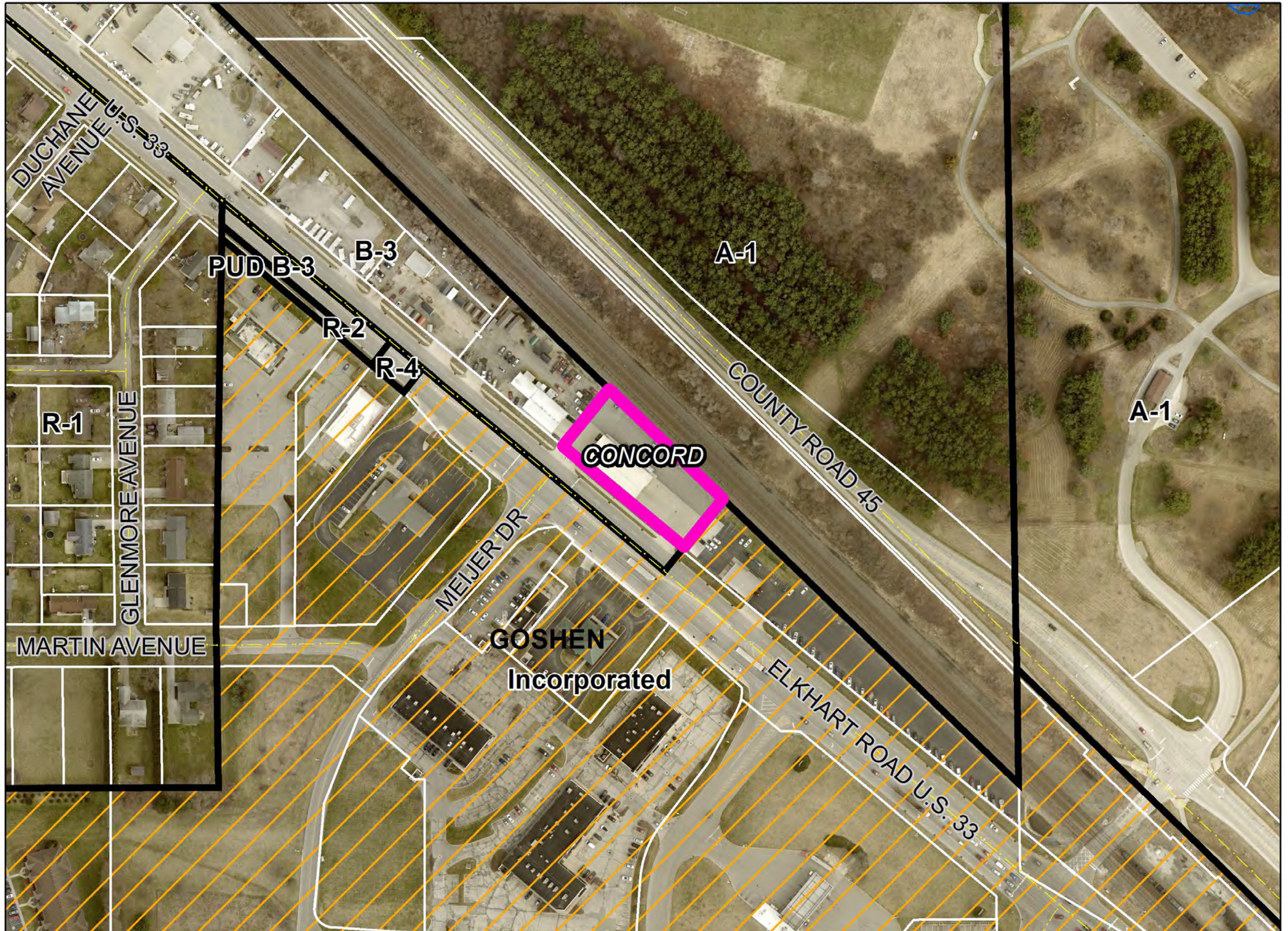
Staff recommends **APPROVAL** with the following condition(s) imposed:

1. A variance from the developmental standards of the Development Ordinance is void unless an Improvement Location Permit is issued within 180 calendar days from the date of the grant and construction work completed within 1 year from the date of the issuance of the building permit (where required).
2. The request is approved in accordance with the site plan submitted (dated 7/14/2025) and as represented in the Developmental Variance application.

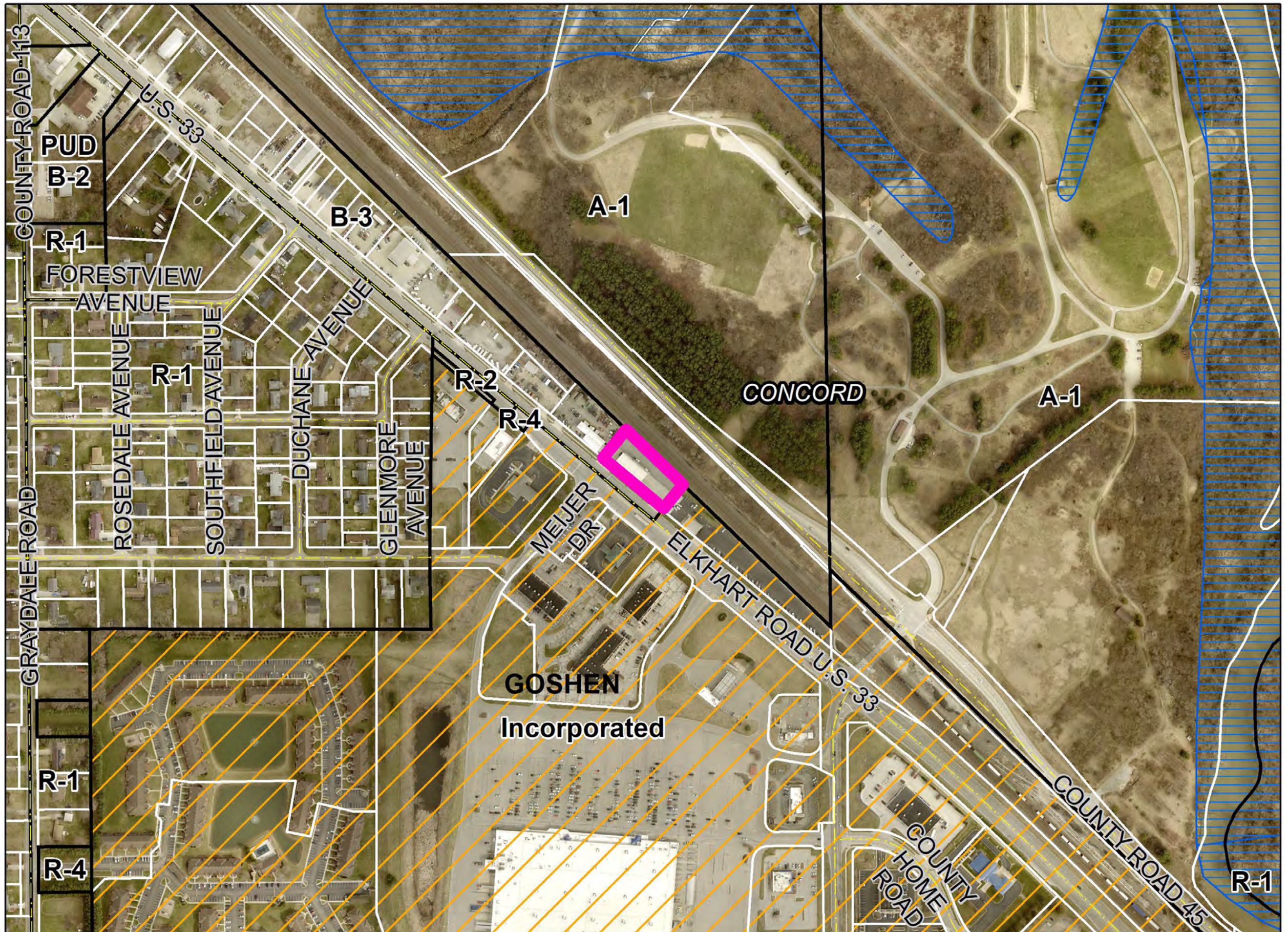
















Subject property





Subject property, existing sign





Facing north





Facing south





Facing southwest



# PLAN COMMISSION & BOARD OF ZONING APPEALS

Developmental Variance - Developmental Variance

**Elkhart County Planning & Development  
Public Services Building**

4230 Elkhart Road, Goshen, Indiana, 46526

Phone - (574) 971-4678

Fax - (574) 971-4578

Date: 07/14/2025 Meeting Date: August 20, 2025 Transaction #: DV-0466-2025  
Board of Zoning Appeals Public Hearing

Description: for a 189 sq. ft. Developmental Variance (Ordinance allows 64 sq. ft.) to allow for the placement of a 253 sq. ft.  
electronic message board

<u>Contacts:</u>	<u>Applicant</u>	<u>Authorized Agent</u>	<u>Land Owner</u>
	Professional Permits	Professional Permits	Macy Farms, Llc
	58171 Dragonfly Ct	58171 Dragonfly Ct	21653 State Road 119
	Osceola, IN 46561	Osceola, IN 46561	Goshen, IN 46526

Site Address: 23159 Us Highway 33 Elkhart, IN 46517	Parcel Number: 20-06-26-427-009.000-009
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Township: Concord  
Location: Northeast side of US Highway 33, 980 ft. West of CR 15

Subdivision:	Lot #
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Lot Area: 0.68	Frontage: 262.00	Depth: 114.00
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Zoning: B-3	NPO List:
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Present Use of Property: COMMERCIAL

Legal Description:

Comments: SEEE 79-64-V - BEADLE, JOE  
SEE SN-1104-2020 APPROVED 6-18-2020  
PARCEL CREATION DATE 9-16-1996

Applicant Signature:	Department Signature:
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**Application**

Site address: 23159 US Hwy 33 Elkhart IN

Parcel number(s): 20-06-26-427-009.000-009

**Current property owner**

Name: Macy Farms LLC

Address: 21653 State Road 119 Goshen, IN 46526

Phone: 574-536-1420

Email: macyfarmsin@gmail.com

**Other party**

☒ Agent

☐ Buyer

☐ Land contract purchaser

☐ Lessee

Name: Professional Permits % Garry Potts

Address: 58171 Dragonfly Court Osceola IN 46561

Phone: 574-229-0635

Email: gpotts@professionalpermits.com

By signing below, I understand that if my application is approved, there may be conditions that will have to be met before approval is final and building permits can be started. I also understand that the conditions may include a commitment that the property owner is responsible for completing and returning.

Signature of current property owner or authorized agent: 

**Staff Use Only**

Description: for a 189 ft. D.V. (Ordinance allows  
64 SF) to allow for the construction of an  
electronic message board

Parcel creation date: 9-16-1996

Subdivision required?

☐ Y ☒ N

If yes,

☐ AS

☐ Minor

☐ Major

Residential accessory breakdown, if applicable:

N/A

Location:

N S E W

corner side end

of

US 33

980

ft.

N S E W

of

CR 15

in

Township

Frontage: 262

Depth: 114

Area: .682

acres

Subdivision and lot number, if applicable:

N/A

Present use:

Commercial Car lot



## Developmental Variance — Questionnaire

Name: Macy Farms LLC

- 1) Tell us what you want to do. we want to replace the face of the billboard with an electronic message board
- 2) Tell us why you can't change what you're doing so you don't need a variance. The county does not have an ordinance for digital display billboards. In order to do what we want to do, a variance is required as a 64 sq ft billboard is not marketable
- 3) Tell us why the variance won't hurt your neighbors or the community. The overall display size will be reduced from 342 sq ft to 253 sq ft. The neighbors and community are accustomed to the billboard being there.
- 4) Does the property need well and septic? Well: ☐ Y ☒ N Septic: ☐ Y ☐ N  
Does the property need a new septic system? ☐ Y ☒ N  
If a new septic system is needed, did the Health Department say there's enough space for it? ☐ Y ☐ N
- 5) Does the application include variances to allow for buildings or additions? ☐ Y ☒ N If yes, fill out below.
- Building or addition 1** Size and height to the peak: \_\_\_\_\_  
Tell us what you'll use it for. \_\_\_\_\_
- Building or addition 2** Size and height to the peak: \_\_\_\_\_  
Tell us what you'll use it for. \_\_\_\_\_
- Building or addition 3** Size and height to the peak: \_\_\_\_\_  
Tell us what you'll use it for. \_\_\_\_\_
- 6) Does the application include a variance for a residence on property with no road frontage? ☐ Y ☒ N  
If yes, fill out below.  
Is the easement existing? ☐ Y ☐ N If the easement is existing, is it recorded? ☐ Y ☐ N  
Tell us who owns (will own) the land under the easement. \_\_\_\_\_  
Tell us how many parcels will use the easement. \_\_\_\_\_
- 7) Does the application include variances for signs? ☒ Y ☐ N If yes, fill out below.
- Sign 1** Dimensions (length and width): 11' h x 23' w  
Existing? ☒ Y ☐ N Double faced? ☐ Y ☒ N  
Electronic message board? ☒ Y ☐ N If no, lighted? ☐ Y ☐ N  
Freestanding? ☒ Y ☐ N Wall mounted? ☐ Y ☒ N
- Sign 2** Dimensions (length and width): \_\_\_\_\_  
Existing? ☐ Y ☐ N Double faced? ☐ Y ☐ N  
Electronic message board? ☐ Y ☐ N If no, lighted? ☐ Y ☐ N  
Freestanding? ☐ Y ☐ N Wall mounted? ☐ Y ☐ N
- Sign 3** Dimensions (length and width): \_\_\_\_\_  
Existing? ☐ Y ☐ N Double faced? ☐ Y ☐ N  
Electronic message board? ☐ Y ☐ N If no, lighted? ☐ Y ☐ N  
Freestanding? ☐ Y ☐ N Wall mounted? ☐ Y ☐ N
- 8) Does the application include a variance for parking spaces? ☐ Y ☒ N  
If yes, tell us how many total there will be. \_\_\_\_\_
- 9) Tell us anything else you want us to know. \_\_\_\_\_



EXISTING

342 in



*S&H*  
*Auto Group*

4  
**GREAT  
LOCATIONS**

- ELKHART
- GOSHEN
- OSCEOLA
- SOUTH BEND

144 in

124.5 in

15.75 in

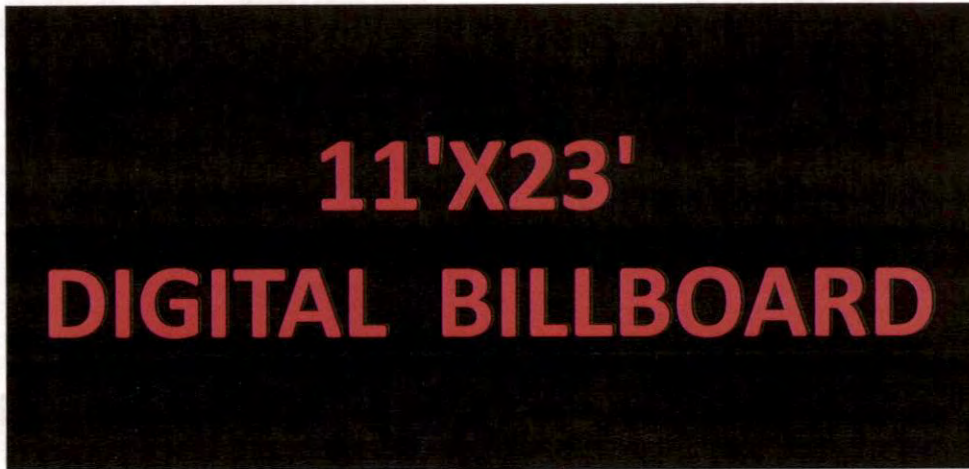
214 in

23.5 in



# PROPOSED

276 in



15.75 in

124.5 in

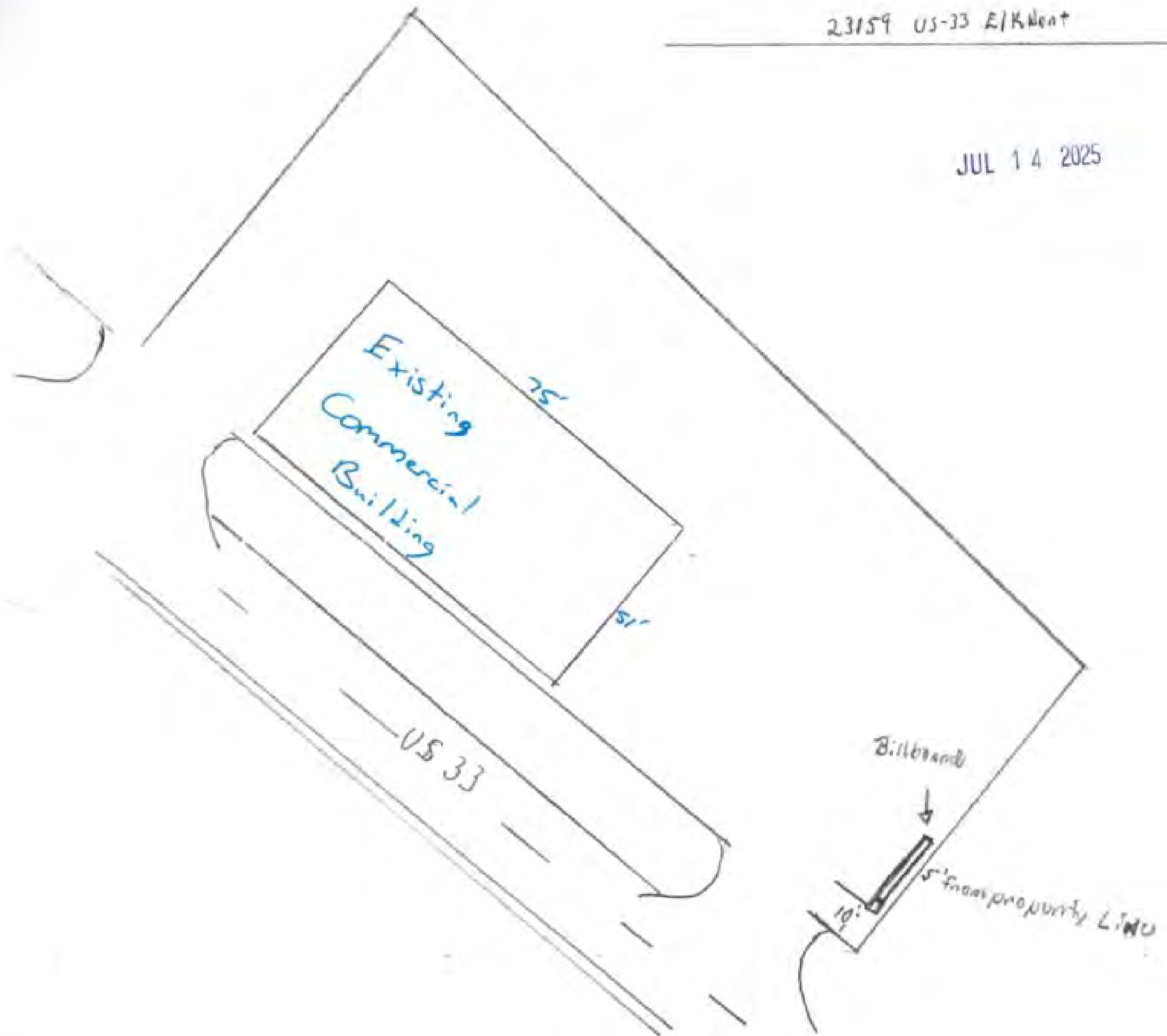
214 in

23.5 in



23159 US-33 E/Kent

JUL 14 2025





# ***Hearing Officer Staff Report***

*Prepared by the Department of Planning and Development*

***Hearing Date:*** August 20, 2025

***Transaction Number:*** DV-0471-2025.

***Parcel Number(s):*** 20-02-17-401-002.000-026.

***Existing Zoning:*** B-1.

***Petition:*** For a Developmental Variance to allow for the total square footage of accessory structures to exceed that allowed by right.

***Petitioner:*** Nickell Properties IV, LLC.

***Location:*** South side of Roseland Rd., 280 ft. west of SR 19, in Osolo Township.

***Site Description:***

- Physical Improvement(s) – Residence, detached accessory structure.
- Proposed Improvement(s) – Detached accessory structure.
- Existing Land Use – Residential.
- Surrounding Land Use – Residential, commercial.

***History and General Notes:***

- None.

***Staff Analysis:***

Staff finds that:

1. Approval of the request will not be injurious to public health, safety, morals, or general welfare. The request is 3,743 sq. ft., or 36 %, over what is allowed by right, and all other development standards will be met.
2. Approval of the request will not cause substantial adverse effect on neighboring property. The subject property is in a medium-density mixed-use area, and the new structure size will be smaller than what can be found on adjacent commercial parcels.
3. Strict application of the terms of the Development Ordinance would result in an unnecessary hardship in the use of the property. Without the benefit of the variance, the older structure would become unsafe and a new structure to allow for the indoor storage needed couldn't be built.



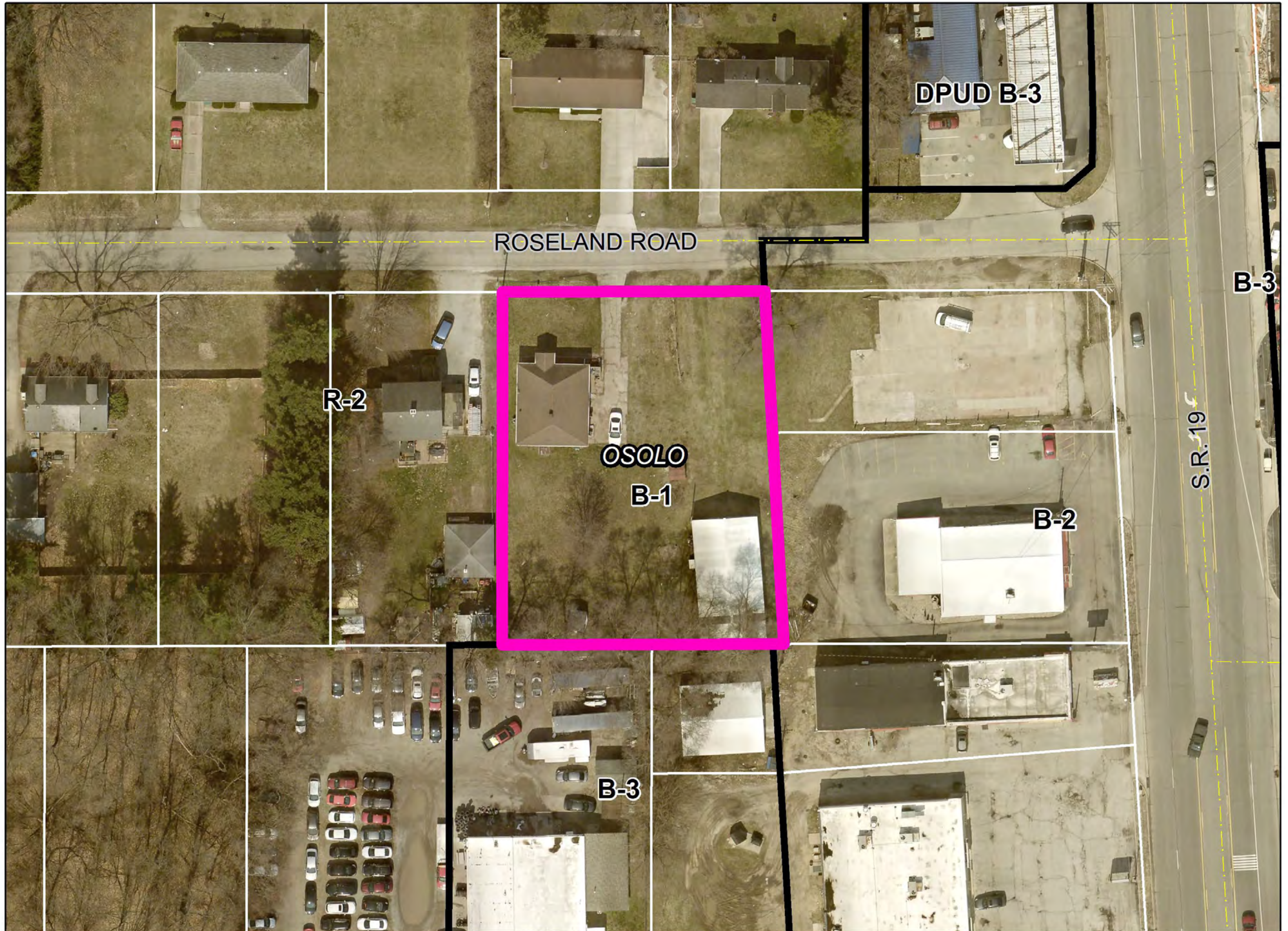
# ***Hearing Officer Staff Report (Continued)***

***Hearing Date:*** August 20, 2025

Staff recommends **APPROVAL** with the following condition(s) imposed:

1. A variance from the developmental standards of the Development Ordinance is void unless an Improvement Location Permit is issued within 180 calendar days from the date of the grant and construction work completed within 1 year from the date of the issuance of the building permit (where required).
2. The request is approved in accordance with the site plan submitted (dated 7/14/2025) and as represented in the Developmental Variance application.

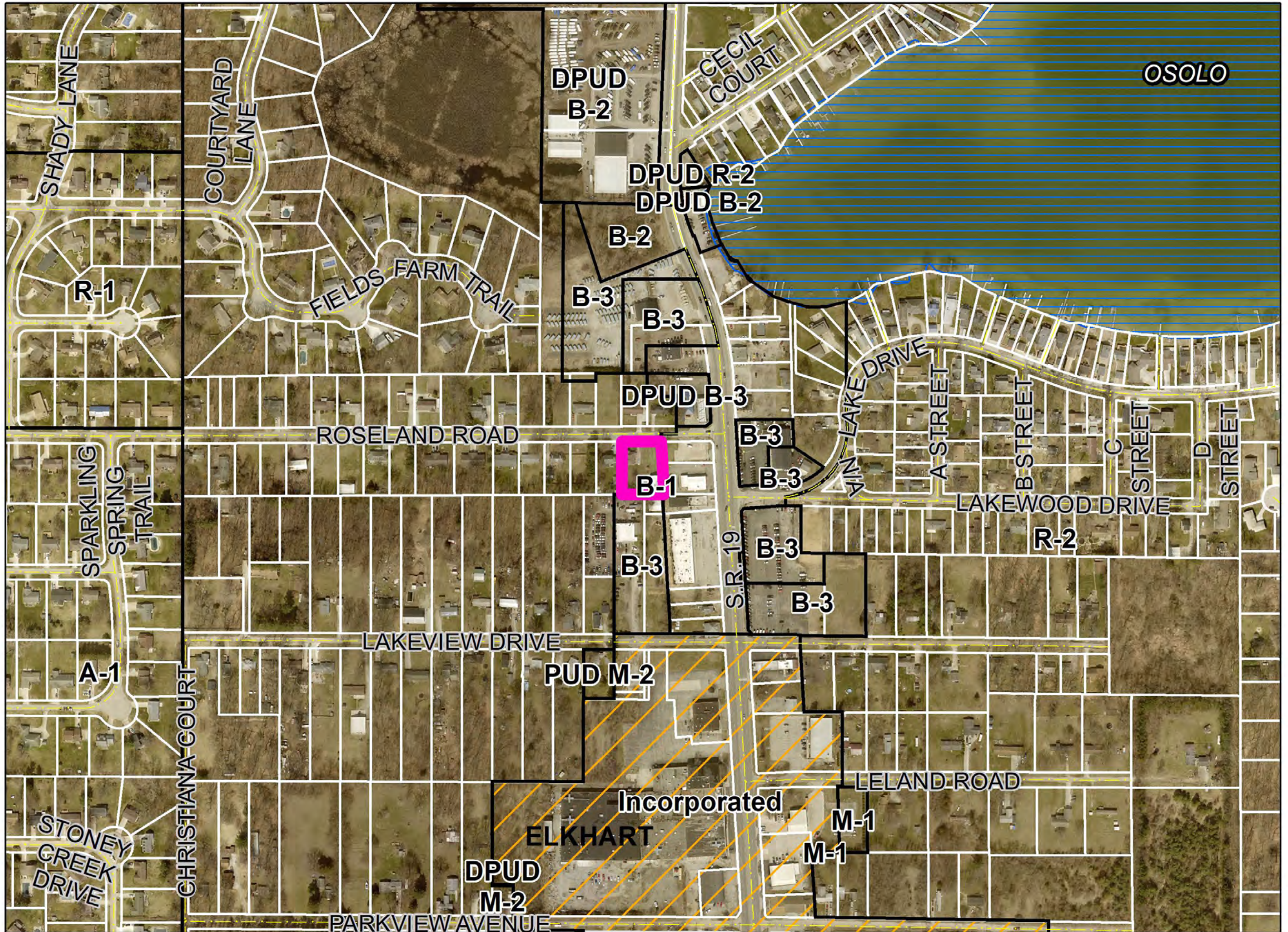
















Subject property





Building site





Facing west





Facing east





Facing north



# PLAN COMMISSION & BOARD OF ZONING APPEALS

Developmental Variance - Developmental Variance

**Elkhart County Planning & Development  
Public Services Building**

4230 Elkhart Road, Goshen, Indiana, 46526

Phone - (574) 971-4678

Fax - (574) 971-4578

Date: 07/14/2025 Meeting Date: August 20, 2025  
Board of Zoning Appeals Public Hearing Transaction #: DV-0471-2025

Description: for a Developmental Variance to allow for the total square footage of accessory structures to exceed that allowed  
by right

Contacts: <u>Applicant</u>	<u>Authorized Agent</u>	<u>Land Owner</u>
Zimmerman Construction 64470 State Road 19 Goshen, IN 46526	Zimmerman Construction 64470 State Road 19 Goshen, IN 46526	Nickell Properties Iv, Llc 51477 State Road 19 Elkhart, IN 56514

Site Address: 26480 Roseland Rd Elkhart, IN 46514	Parcel Number: 20-02-17-401-002.000-026
--	---

Township: Osolo  
Location: South Side Of Roseland Road, 280 West Of State Road 19

Subdivision: ROSELAND AT SIMONTON LAKE	Lot # 40
--	----------

Lot Area: 0.53	Frontage: 129.73	Depth: 174.86
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Zoning: B-1	NPO List:
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Present Use of Property: RESIDENTIAL

Legal Description:

Comments: STORAGE EQUATION:  
DWELLING: 1216 X 110% = 1337  
MINUS (5,000) PROPOSED ACCESSORY BUILDING  
= -3,663 SQ. FT AVAILABLE

EXISTING BARN & SHED WILL BE APPLIED FOR DEMO PERMIT.

Applicant Signature:

Department Signature:



Application

Site address: 26480 ROSELAND RD., ELKHART, IN. 46514

Parcel number(s): 20-02-17-401-002.000-026

Current property owner

Name: NICKELL PROPERTIES IV LLC

Address: ~~51147~~ 51147 MAPLEWOOD DR., ELKHART, IN. 46514

Phone: 574-596-3019 Email: vlnickell@gmail.com

Other party

☒ Agent ☐ Buyer ☐ Land contract purchaser ☐ Lessee

Name: TONY BERKSHIRE - ZIMMERMAN'S CONSTRUCTION

Address: 64470 INDIANA 19, GOSHEN, IN. 46526

Phone: 574-360-6419 Email: tonyb@zimmermansconstruction.com

By signing below, I understand that if my application is approved, there may be conditions that will have to be met before approval is final and building permits can be started. I also understand that the conditions may include a commitment that the property owner is responsible for completing and returning.

Signature of current property owner or authorized agent: 

Staff Use Only

Description: FOR A DEVELOPMENTAL VARIANCE TO ALLOW FOR  
THE TOTAL SQUARE FOOTAGE OF ACCESSORY STRUCTURES  
TO EXCEED THAT ALLOWED BY RIGHT

Parcel creation date: N/A

Subdivision required? ☐ Y ☒ N If yes, ☐ AS ☐ Minor ☐ Major

Residential accessory breakdown, if applicable: SEE ATTACHED

Location: N (S) E W corner (side) end of ROSELAND RD,  
280 ft. N S E (W) of SR 19,  
in OSOLO Township

Frontage: 129.73 Depth: 174.86 Area: .53 acres

Subdivision and lot number, if applicable: ROSELAND AT SIMONTON LAKE LOT 40

Present use: RESIDENTIAL



## Developmental Variance — Questionnaire

Name: TONY BERKSHIRE

1) Tell us what you want to do. THE EXISTING BARN IS IN BAD SHAPE AND NEEDS ATTENTION. IT IS BASICALLY UNUSABLE. ALSO IT ISN'T DEEP ENOUGH TO PARK MOTORHOME IN.

2) Tell us why you can't change what you're doing so you don't need a variance. NEEDING TO CREATE A SPACE TO GET MOTORHOME AND PARTS IN AND ALSO OTHER MISC. STORAGE

3) Tell us why the variance won't hurt your neighbors or the community. IT WILL BE A REALLY NICE VISUAL UPGRADE AFTER TAKING ~~DOWN~~ DOWN THE EXISTING BARN.

4) Does the property need well and septic? Well: ☐ Y ☒ N Septic: ☐ Y ☒ N

Does the property need a new septic system? ☐ Y ☒ N

If a new septic system is needed, did the Health Department say there's enough space for it? ☐ Y ☐ N

5) Does the application include variances to allow for buildings or additions? ☒ Y ☐ N If yes, fill out below.

**Building or addition 1** Size and height to the peak: 50' x 100' - 16' (PEAK - 24' 10")

Tell us what you'll use it for. \_\_\_\_\_

**Building or addition 2** Size and height to the peak: \_\_\_\_\_

Tell us what you'll use it for. \_\_\_\_\_

**Building or addition 3** Size and height to the peak: \_\_\_\_\_

Tell us what you'll use it for. \_\_\_\_\_

6) Does the application include a variance for a residence on property with no road frontage? ☐ Y ☒ N

If yes, fill out below.

Is the easement existing? ☐ Y ☐ N If the easement is existing, is it recorded? ☐ Y ☐ N

Tell us who owns (will own) the land under the easement. \_\_\_\_\_

Tell us how many parcels will use the easement. \_\_\_\_\_

7) Does the application include variances for signs? ☐ Y ☒ N If yes, fill out below.

**Sign 1** Dimensions (length and width): \_\_\_\_\_

Existing? ☐ Y ☐ N Double faced? ☐ Y ☐ N

Electronic message board? ☐ Y ☐ N If no, lighted? ☐ Y ☐ N

Freestanding? ☐ Y ☐ N Wall mounted? ☐ Y ☐ N

**Sign 2** Dimensions (length and width): \_\_\_\_\_

Existing? ☐ Y ☐ N Double faced? ☐ Y ☐ N

Electronic message board? ☐ Y ☐ N If no, lighted? ☐ Y ☐ N

Freestanding? ☐ Y ☐ N Wall mounted? ☐ Y ☐ N

**Sign 3** Dimensions (length and width): \_\_\_\_\_

Existing? ☐ Y ☐ N Double faced? ☐ Y ☐ N

Electronic message board? ☐ Y ☐ N If no, lighted? ☐ Y ☐ N

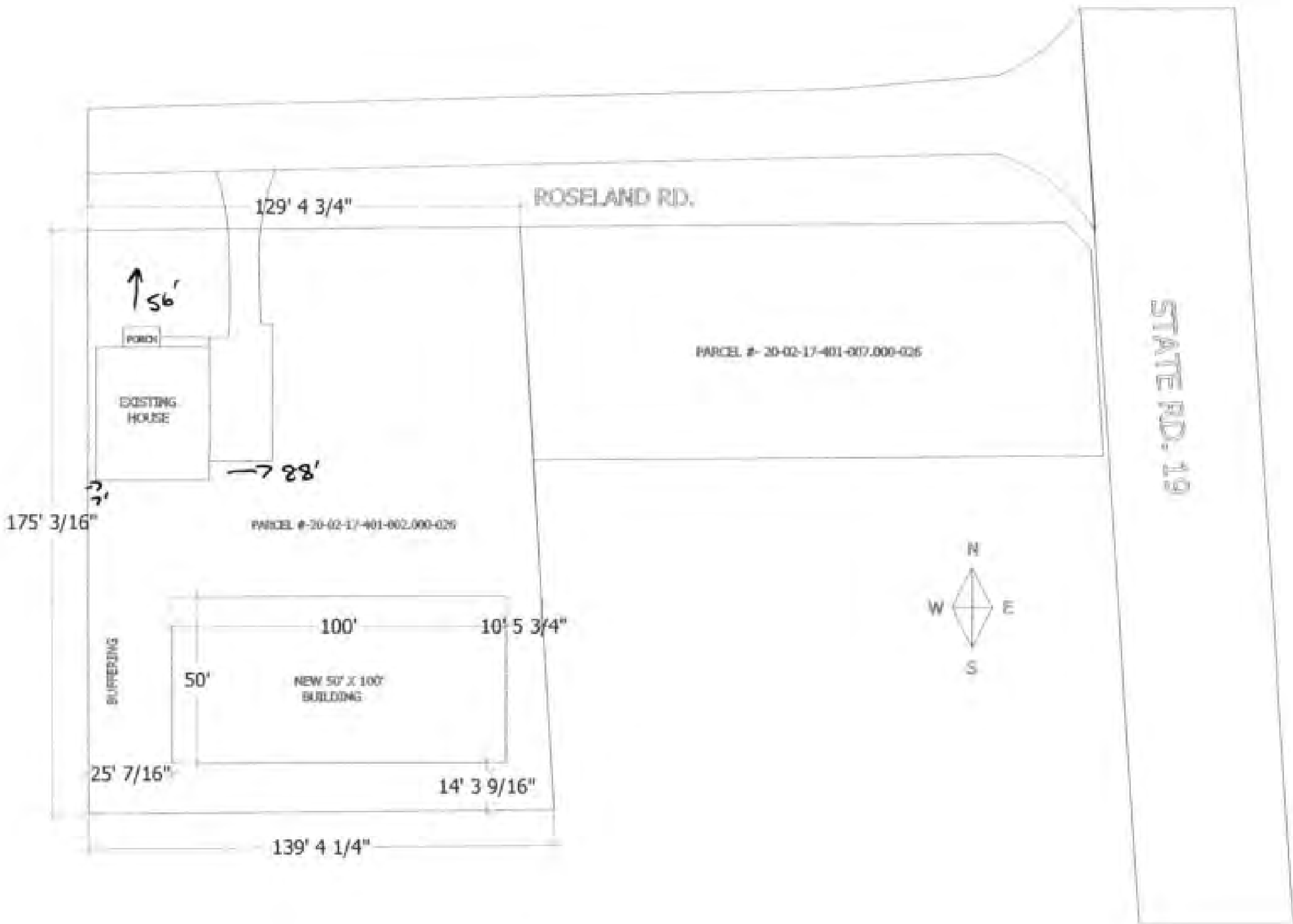
Freestanding? ☐ Y ☐ N Wall mounted? ☐ Y ☐ N

8) Does the application include a variance for parking spaces? ☐ Y ☒ N

If yes, tell us how many total there will be. \_\_\_\_\_

9) Tell us anything else you want us to know. \_\_\_\_\_







# ***Hearing Officer Staff Report***

*Prepared by the Department of Planning and Development*

***Hearing Date:*** August 20, 2025

***Transaction Number:*** DV-0474-2025.

***Parcel Number(s):*** 20-06-20-101-011.000-009, 20-06-20-101-012.000-009 & 20-06-20-101-013.000-009.

***Existing Zoning:*** R-1.

***Petition:*** For a Developmental Variance to allow for the construction of a residence on property with no road frontage served by an access easement on parcels 4, 5, & 6.

***Petitioner:*** Antony Zimmerman & LaTasha Zimmerman, Husband & Wife.

***Location:*** South side of the easement, east side of CR 7, 215 ft. south of CR 24, in Concord Township.

***Site Description:***

- Physical Improvement(s) – None.
- Proposed Improvement(s) – None.
- Existing Land Use – Residential, vacant.
- Surrounding Land Use – Residential, agricultural.

***History and General Notes:***

- None.

***Staff Analysis:***

Staff finds that:

1. Approval of the request will not be injurious to public health, safety, morals, or general welfare. These are all 3-acre parcels that are the result of previous land splits including an administrative subdivision to the north, and the variance maximizes residential land use.
2. Approval of the request will not cause substantial adverse effect on neighboring property. This is a medium-density residential and agricultural area, and the properties will remain residential in character. The addition of 1 driveway, by easement access, will eliminate the need for 3 separate driveways that could potentially cause safety issues.
3. Strict application of the terms of the Development Ordinance would result in an unnecessary hardship in the use of the property. Without the benefit of the variance, the properties could not be used for residential use.



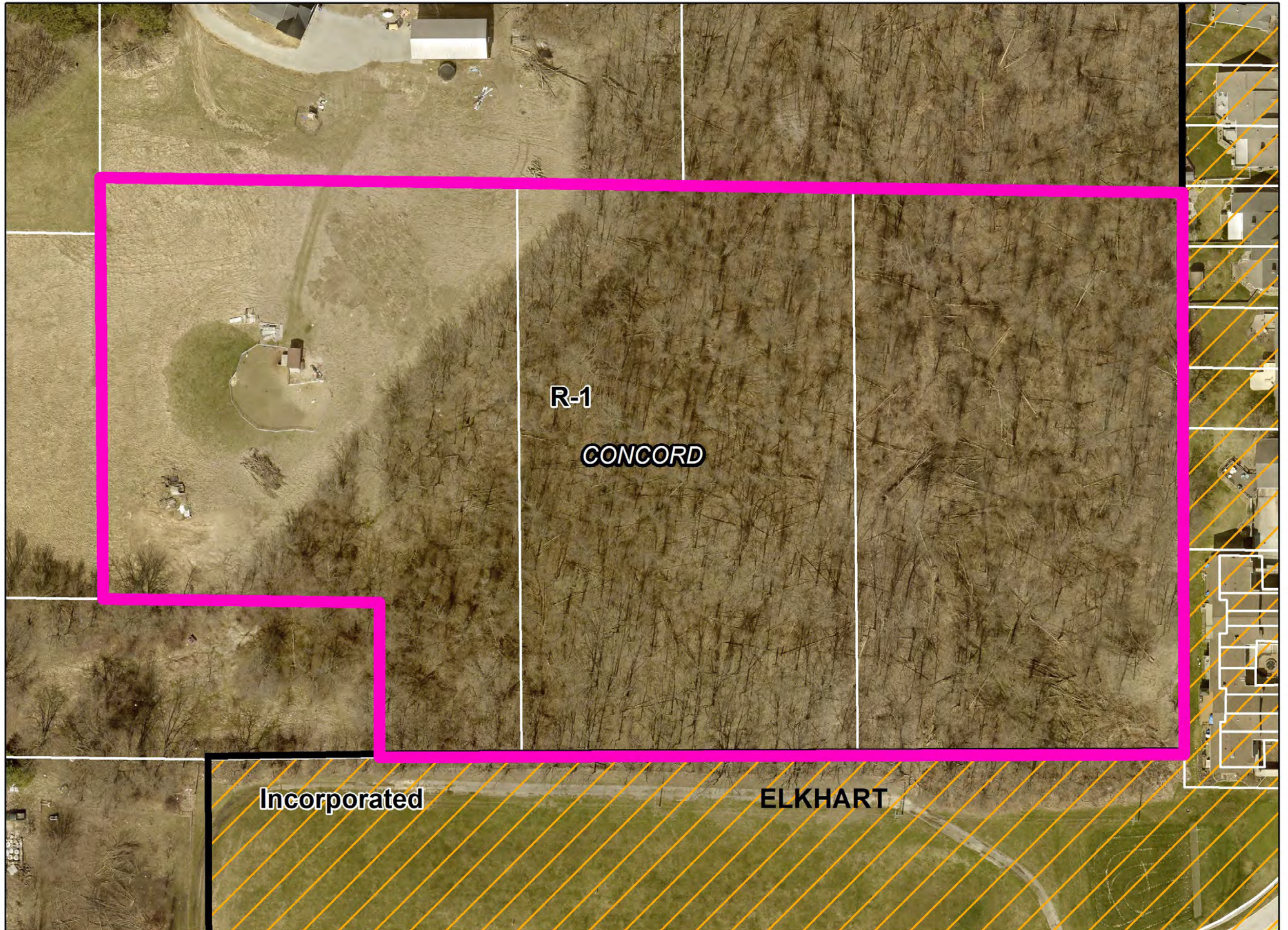
# ***Hearing Officer Staff Report (Continued)***

***Hearing Date:*** August 20, 2025

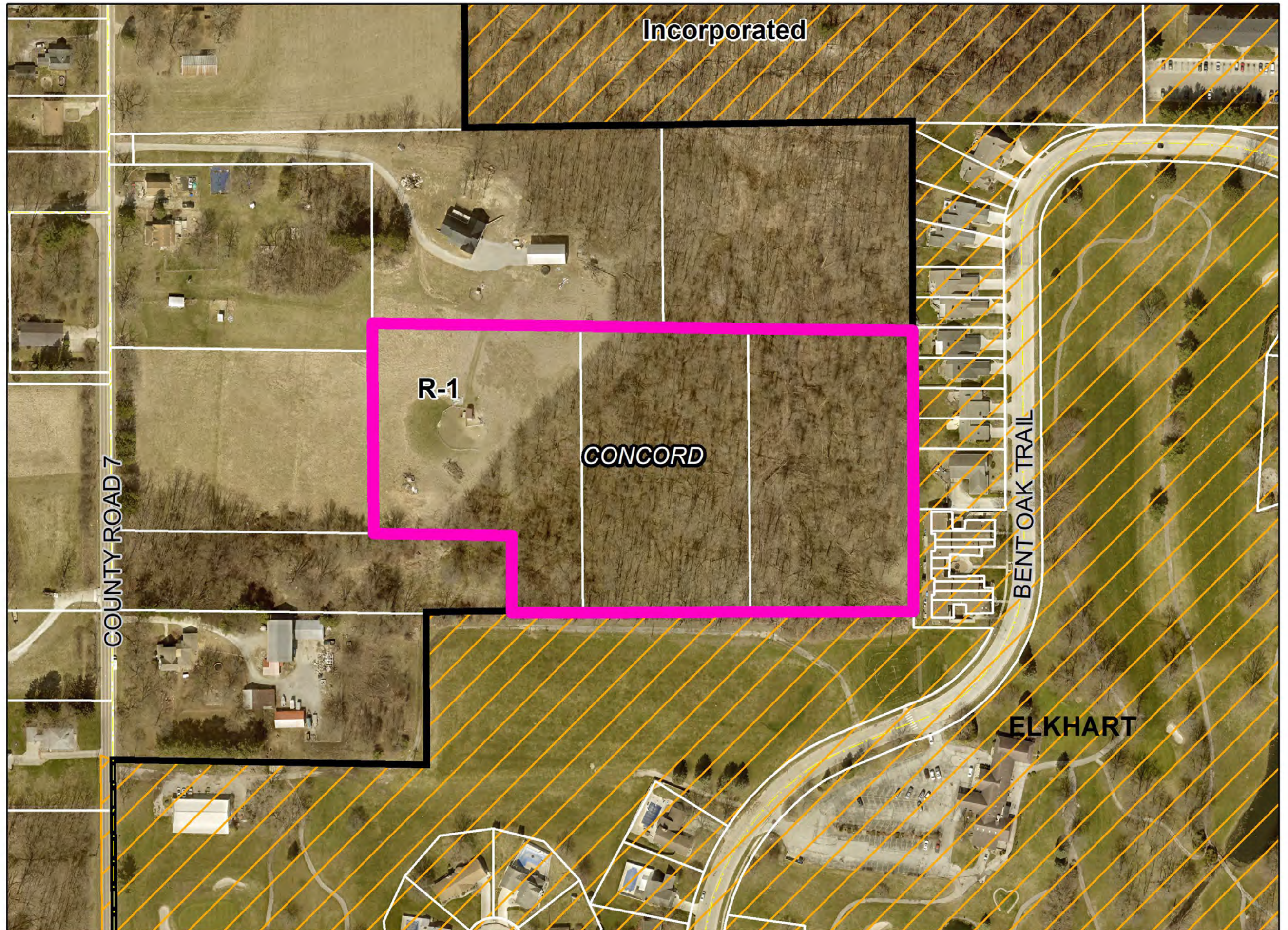
Staff recommends **APPROVAL** with the following condition(s) imposed:

1. A variance from the developmental standards of the Development Ordinance is void unless an Improvement Location Permit is issued within 180 calendar days from the date of the grant and construction work completed within 1 year from the date of the issuance of the building permit (where required).
2. A subdivision is required for all three (3) parcels.
3. A recorded access easement and maintenance agreement is required.
4. A revised site plan must be submitted for staff approval showing parcel dimensions and easement dimensions.
5. The request is approved in accordance with the revised site plan to be submitted for staff approval and as represented in the Developmental Variance application.

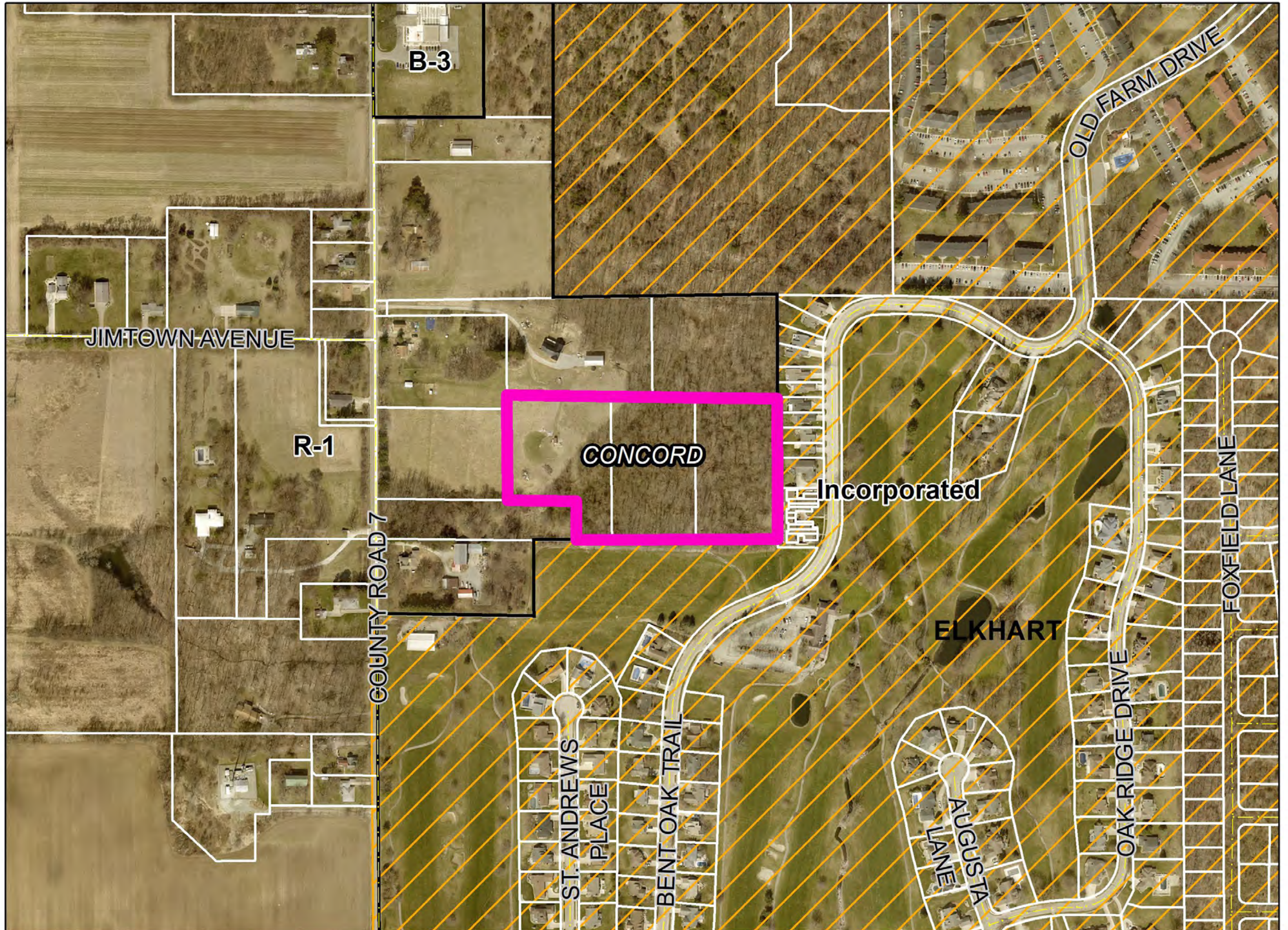
















Subject property, from roadway easement access





Facing south





Facing north





Facing west



# PLAN COMMISSION & BOARD OF ZONING APPEALS

Developmental Variance - Developmental Variance

**Elkhart County Planning & Development  
Public Services Building**

4230 Elkhart Road, Goshen, Indiana, 46526

Phone - (574) 971-4678

Fax - (574) 971-4578

Date: 07/14/2025 Meeting Date: August 20, 2025  
Board of Zoning Appeals Public Hearing Transaction #: DV-0474-2025

Description: for a Developmental Variance to allow for the construction of a residence on property with no road frontage  
served by an access easement on parcels 4, 5 & 6

Contacts: <u>Applicant</u>	<u>Land Owner</u>
Antony Zimmerman & Latasha Zimmerman, Husband And Wife 58292 Cr 7 Elkhart, IN 46517	Antony Zimmerman & Latasha Zimmerman, Husband And Wife 58292 Cr 7 Elkhart, IN 46517

Site Address: 00000 County Road 7 ELKHART, IN 46517	Parcel Number: 20-06-20-101-011.000-009 20-06-20-101-012.000-009 20-06-20-101-013.000-009
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Township: Concord  
Location: EAST SIDE OF CR 7, SOUTH SIDE OF THE EASEMENT, 215 FT. SOUTH OF CR 24

Subdivision:	Lot #
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Lot Area: 9.00	Frontage: 50.00	Depth: 1,280.00
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Zoning: R-1	NPO List:
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Present Use of Property: VACANT

Legal Description:

Comments: PROPERTY OWNER TO FILE FOR MINOR SUBDIVISION ONCE DEVELOPMENTAL VARIANCE IS APPROVED. SEE DV-0390-2021 FOR LOT-WIDTH AND 7:1, APPROVED 6/16/2021-THIS DV WAS ON A PARCEL TO THE NORTH APPLICANT WITHDREW APPLICATION 7/21/2025-DR

Applicant Signature:	Department Signature:
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**Application**

Site address: 58274 CR 7 Elkhart, IN 46517  
Parcel number(s): 20-06-20-101-011, 20-06-20-101-012  
20-06-20-101-013  
**Current property owner**  
Name: Antony & Latasha Zimmerman  
Address: 58274 CR 7 Elkhart IN 46517  
Phone: 5165-667-4361 Email: antonylatasha@yahoo.com

**Other party** ☐ Agent ☐ Buyer ☐ Land contract purchaser ☐ Lessee

Name: \_\_\_\_\_  
Address: \_\_\_\_\_  
Phone: \_\_\_\_\_ Email: \_\_\_\_\_

By signing below, I understand that if my application is approved, there may be conditions that will have to be met before approval is final and building permits can be started. I also understand that the conditions may include a commitment that the property owner is responsible for completing and returning.

**Signature of current property owner or authorized agent:** \_\_\_\_\_

**Staff Use Only**

**Description:** \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**Parcel creation date:** \_\_\_\_\_

**Subdivision required?** ☐ Y ☐ N If yes, ☐ AS ☐ Minor ☐ Major

**Residential accessory breakdown, if applicable:** \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**Location:** N S E W corner side end of CR 7,  
1,965 ft. N S E W of W Mishawake Rd,  
in Concord Township 3.0

**Frontage:** 0 **Depth:** 1280 **Area:** \_\_\_\_\_ acres 3.0  
3.0

**Subdivision and lot number, if applicable:** \_\_\_\_\_

**Present use:** \_\_\_\_\_

101-009  
101-012  
101-013



# Developmental Variance — Questionnaire

Name: Antony & LaTasha Zimmerman

- 1) Tell us what you want to do. Apply for a variance for no road frontage for three future lots on an existing easement.
- 2) Tell us why you can't change what you're doing so you don't need a variance. Without the variance the lots do not have road frontage.

- 3) Tell us why the variance won't hurt your neighbors or the community. It will provide an additional lane/access point, which all neighbors agree is a good thing.

- 4) Does the property need well and septic? Well: ☐ Y ☒ N Septic: ☐ Y ☒ N

Does the property need a new septic system? ☐ Y ☒ N

If a new septic system is needed, did the Health Department say there's enough space for it? ☐ Y ☐ N

- 5) Does the application include variances to allow for buildings or additions? ☒ Y ☐ N If yes, fill out below.

**Building or addition 1** Size and height to the peak: n/a

Tell us what you'll use it for. potential new build

**Building or addition 2** Size and height to the peak: n/a

Tell us what you'll use it for. potential new build

**Building or addition 3** Size and height to the peak: n/a

Tell us what you'll use it for. potential new build

- 6) Does the application include a variance for a residence on property with no road frontage? ☒ Y ☐ N

If yes, fill out below.

Is the easement existing? ☒ Y ☐ N If the easement is existing, is it recorded? ☒ Y ☐ N

Tell us who owns (will own) the land under the easement. Darric & Hope Peters & Antony + LaTasha Zimmerman

Tell us how many parcels will use the easement. 3

- 7) Does the application include variances for signs? ☐ Y ☒ N If yes, fill out below.

**Sign 1** Dimensions (length and width): \_\_\_\_\_

Existing? ☐ Y ☐ N Double faced? ☐ Y ☐ N

Electronic message board? ☐ Y ☐ N If no, lighted? ☐ Y ☐ N

Freestanding? ☐ Y ☐ N Wall mounted? ☐ Y ☐ N

**Sign 2** Dimensions (length and width): \_\_\_\_\_

Existing? ☐ Y ☐ N Double faced? ☐ Y ☐ N

Electronic message board? ☐ Y ☐ N If no, lighted? ☐ Y ☐ N

Freestanding? ☐ Y ☐ N Wall mounted? ☐ Y ☐ N

**Sign 3** Dimensions (length and width): \_\_\_\_\_

Existing? ☐ Y ☐ N Double faced? ☐ Y ☐ N

Electronic message board? ☐ Y ☐ N If no, lighted? ☐ Y ☐ N

Freestanding? ☐ Y ☐ N Wall mounted? ☐ Y ☐ N

- 8) Does the application include a variance for parking spaces? ☐ Y ☒ N

If yes, tell us how many total there will be. \_\_\_\_\_

- 9) Tell us anything else you want us to know. We will submit a subdivision application in the future.



JUL 30 2025 *Dr*

CR 7

Parcel 2

Shop

Drive

House



N

424

336

879

IRM Easement & Right Of Way

Ingress & Egress Easement

454

19

332

2000 S.F.  
House

2000 S.F.  
House

2000 S.F.  
House

Parcel 4

222

130

462



# ***Hearing Officer Staff Report***

*Prepared by the Department of Planning and Development*

***Hearing Date:*** August 20, 2025

***Transaction Number:*** SUP-0437-2025.

***Parcel Number(s):*** 20-02-33-231-011.000-026.

***Existing Zoning:*** B-1.

***Petition:*** For a Special Use for a manufactured home not on a permanent foundation and for a Developmental Variance to allow for the placement of a mobile home within 300 ft. of a residence.

***Petitioner:*** Joaquin Ramirez Soriano & Karla Zulema Aleman Hernandez.

***Location:*** North side of Grover St., 950 ft. west of Osolo Rd., in Osolo Township.

***Site Description:***

- Physical Improvement(s) – None.
- Proposed Improvement(s) – New manufactured home.
- Existing Land Use – Residential.
- Surrounding Land Use – Residential.

***History and General Notes:***

- **October 25, 2021** – A code complaint was made for burning trash and tires on the property (CODE-0412-2021) and closed 11/15/2021.
- **August 24, 2022** – A code complaint was made for living in an RV (CODE-0538-2022) and closed 10/4/2022.

***Staff Analysis:***

*For a Special Use for a manufactured home not on a permanent foundation, staff finds that:*

1. The Special Use will be consistent with the spirit, purpose, and intent of the Development Ordinance. A manufactured home not on a permanent foundation is allowed by Special Use in the B-1 zoning district.
2. The Special Use will not cause substantial and permanent injury to the appropriate use of neighboring property. This is a 0.20-acre residential parcel in a moderately dense to dense residential area, and the property will remain residential in character.
3. The Special Use will substantially serve the public convenience and welfare by providing an affordable living option and allowing for residential infill development.



# ***Hearing Officer Staff Report (Continued)***

***Hearing Date:*** August 20, 2025

Staff recommends **APPROVAL** with the following condition(s) imposed:

1. The request is approved subject to Staff renewal every three (3) years and with a one (1) year review to verify compliance with the following:
  - a. The mobile home shall be adequately stabilized and skirted and have tie-downs installed.
  - b. The water supply and sewage disposal system shall be installed in accordance with County Health Department specifications.
  - c. Adequate provisions for storage shall be provided at all times to eliminate exterior storage of personal property, tools, and vehicles, except licensed motor vehicles.
  - d. At all times, the premises shall be kept free of abandoned junk vehicles and parts thereof as described by Indiana State Law.
2. The request is approved in accordance with the site plan submitted (dated 7/7/2025) and as represented in the Special Use application.

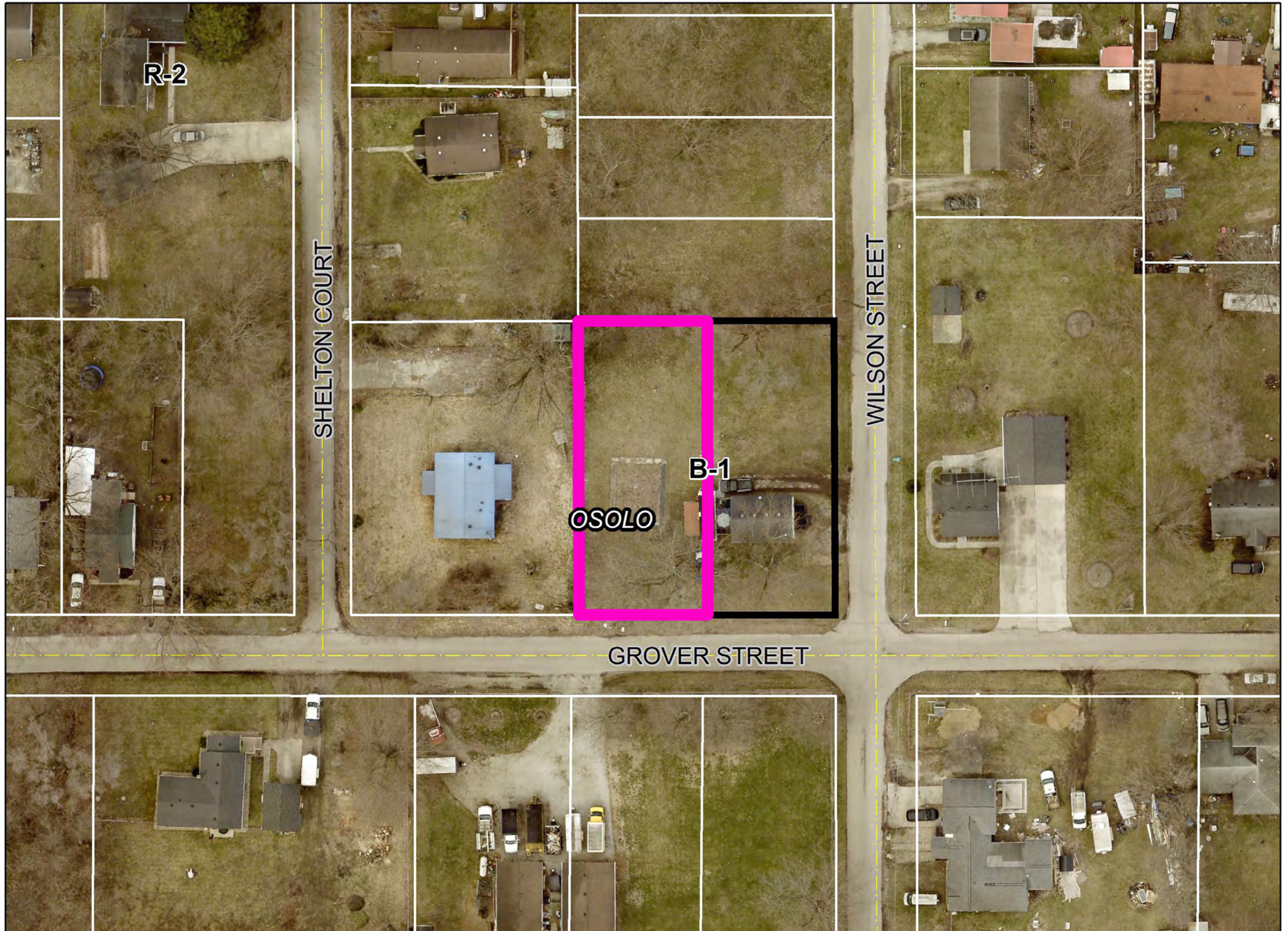
*For a Developmental Variance to allow for a manufactured home not on a permanent foundation within 300 ft. of a residence, staff finds that:*

1. Approval of the request will not be injurious to public health, safety, morals, or general welfare. The proposed new home's size and shape are comparable to a stick-built home and the home will replace a home that was demolished.
2. Approval of the request will not cause substantial adverse effect on neighboring property. This is a 0.20-acre residential parcel in a medium-density area, and the property will remain residential in character. There are other manufactured homes not on a permanent foundation in the neighborhood.
3. Strict application of the terms of the Development Ordinance would result in an unnecessary hardship in the use of the property. Without the benefit of the variance, the manufactured home not on a permanent foundation would be non-conforming.

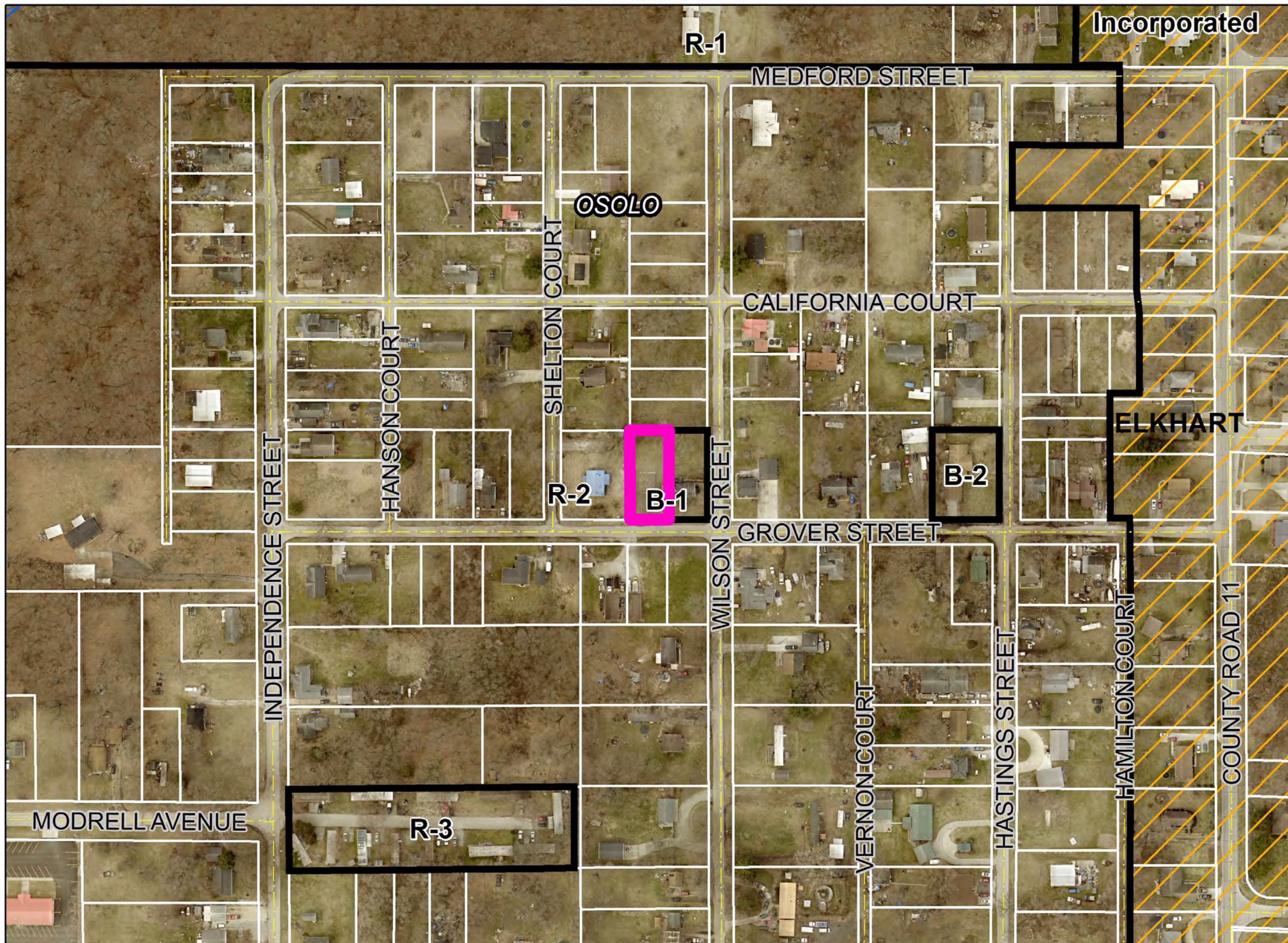
Staff recommends **APPROVAL** with the following condition(s) imposed:

1. A variance from the developmental standards of the Development Ordinance is void unless an Improvement Location Permit is issued within 180 calendar days from the date of the grant and construction work completed within 1 year from the date of the issuance of the building permit (where required).
2. The request is approved in accordance with the site plan submitted (dated 7/7/2025) and as represented in the Developmental Variance application.

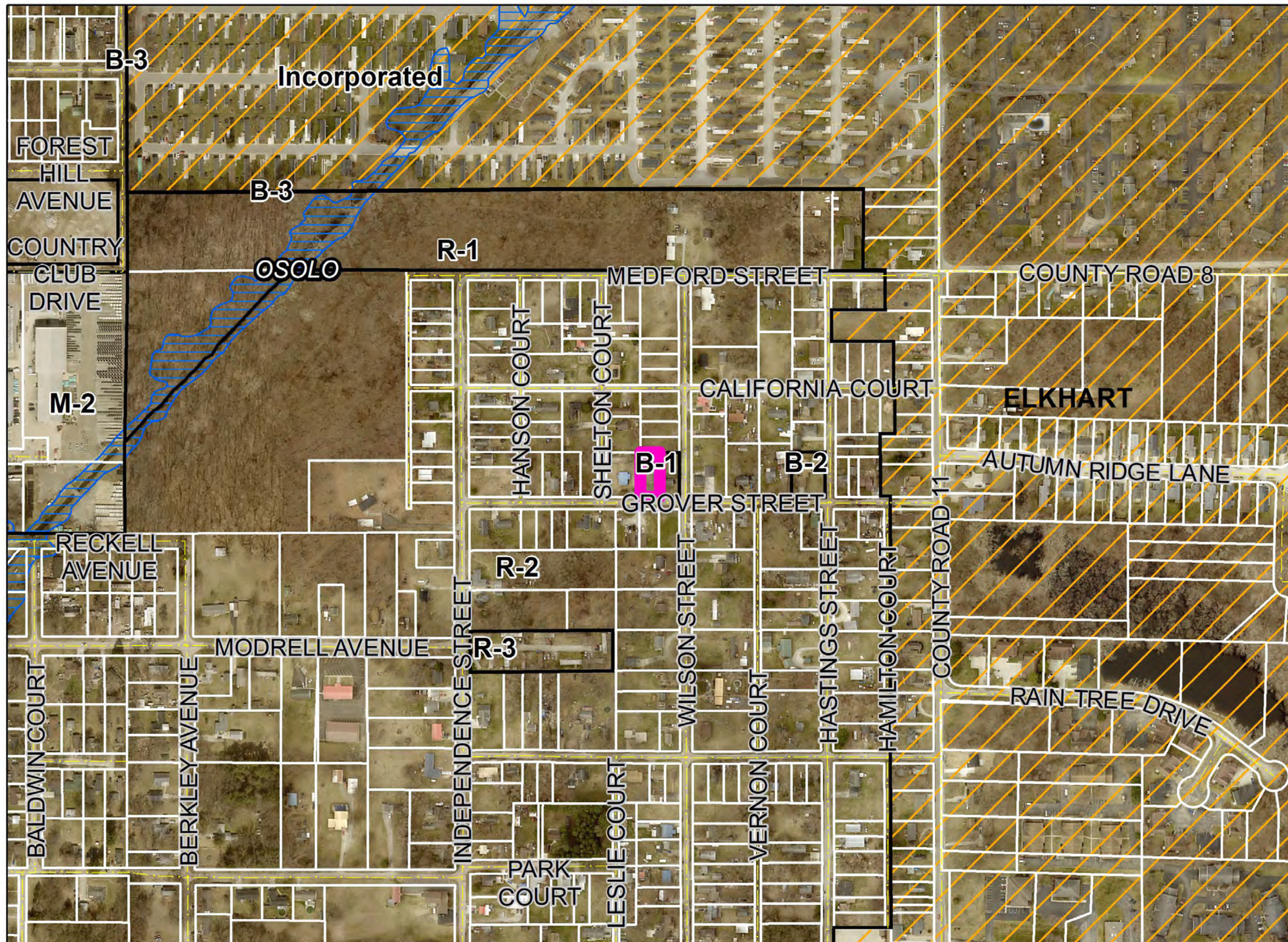
















Subject property facing north





Facing south





Facing east





Facing west



# PLAN COMMISSION & BOARD OF ZONING APPEALS

Special Use - Mobile Home

**Elkhart County Planning & Development  
Public Services Building**

4230 Elkhart Road, Goshen, Indiana, 46526

Phone - (574) 971-4678

Fax - (574) 971-4578

Date: 07/07/2025 Meeting Date: August 21, 2025  
Board of Zoning Appeals Public Hearing Transaction #: SUP-0437-2025

Description: for a Special Use for a manufactured home not on a permanent foundation and for a Developmental Variance to allow for the placement of a manufactured home not on a permanent foundation within 300 ft. of a residence

Contacts: <u>Applicant</u>	<u>Authorized Agent</u>	<u>Land Owner</u>
Joaquin Ramirez Soriano And Karla Zulema Aleman Hernandez 25173 Grover Street Elkhart, IN 46514	Joaquin Ramirez Soriano And Karla Zulema Aleman Hernandez 25173 Grover Street Elkhart, IN 46514	Joaquin Ramirez Soriano And Karla Zulema Aleman Hernandez 25173 Grover Street Elkhart, IN 46514

Site Address: 25173 Grover Street Elkhart, IN 46514	Parcel Number: 20-02-33-231-011.000-026
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Township: Osolo  
Location: North side of Grover Street, 950 ft. West of Osolo Road

Subdivision: HASTINGS PARK SECTION 33	Lot # 152
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Lot Area: 0.20	Frontage: 64.00	Depth: 145.00
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Zoning: B-1	NPO List:
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Present Use of Property: Vacant

Legal Description:

Comments: SEE CODE CASES:  
CODE-0538-2022  
CODE-0412-2021

Applicant Signature:

Department Signature:



Meeting held at  
County  
Administration Bldg.  
117 N. 2nd St.  
Goshen, IN 46526  
Meeting rooms  
104, 106 & 108

Application

Site address: 25173 Grover St. Elkhart, IN 46514

Parcel number(s): 20-02-33-231-011.000-026

Current property owner

Name: Joaquin Ramirez Soriano & Karla Zulema Aleman Hernandez

Address: \_\_\_\_\_

Phone: (574) 326-5225 574-369-9820 Email: juako286@gmail.com

Other party

☐ Agent ☐ Buyer ☐ Land contract purchaser ☐ Lessee

Name: \_\_\_\_\_

Address: \_\_\_\_\_

Phone: \_\_\_\_\_ Email: \_\_\_\_\_

By signing below, I understand that if my application is approved, there may be conditions that will have to be met before approval is final and building permits can be started. I also understand that the conditions may include a commitment that the property owner is responsible for completing and returning.

Signature of current property owner or authorized agent: Juan RS.

Staff Use Only

Description: FOR A SPECIAL USE FOR A MOBILE HOME AND FOR  
A DEVELOPMENTAL VARIANCE TO ALLOW FOR THE  
PLACEMENT OF AN EXISTING MOBILE HOME WITHIN  
300 FT. OF A RESIDENCE

Parcel creation date: N/A

Subdivision required? ☐ Y ☒ N If yes, ☐ AS ☐ Minor ☐ Major

Residential accessory breakdown, if applicable: N/A

Location: (N) S E W corner (side) end of GROVER STREET  
950 ft. N S E (W) of OSOLO RD  
in OSOLO Township

Frontage: 64 Depth: 152 Area: .20 acres

Subdivision and lot number, if applicable: HASTING PARK SECTION 33 LOT 159

Present use: VACANT



Special Use for a Mobile Home — Questionnaire

Name: \_\_\_\_\_

- 1) Is there an existing main residence already on the property? ☐ Y ☒ N

If yes, tell us who will live in the existing main residence. \_\_\_\_\_

- 2) Tell us who will live in the mobile home. Joaquin Ramirez Soriano and  
Karla Zulema Aleman Hernandez

- 3) Is the mobile home needed because of a hardship like poor health, age, or an emergency? ☐ Y ☒ N

If yes, tell us about it. \_\_\_\_\_

- 4) Tell us why the mobile home won't hurt your neighbors or the community. The lot will be  
plenty big for the size of the mobile. Homeowners will and  
will be responsible for maintenance of the home and landscape

- 5) Does the mobile home need its own well and septic? Well: ☒ Y ☐ N Septic: ☒ Y ☐ N

Does the mobile home need a new septic system? ☐ Y ☒ N

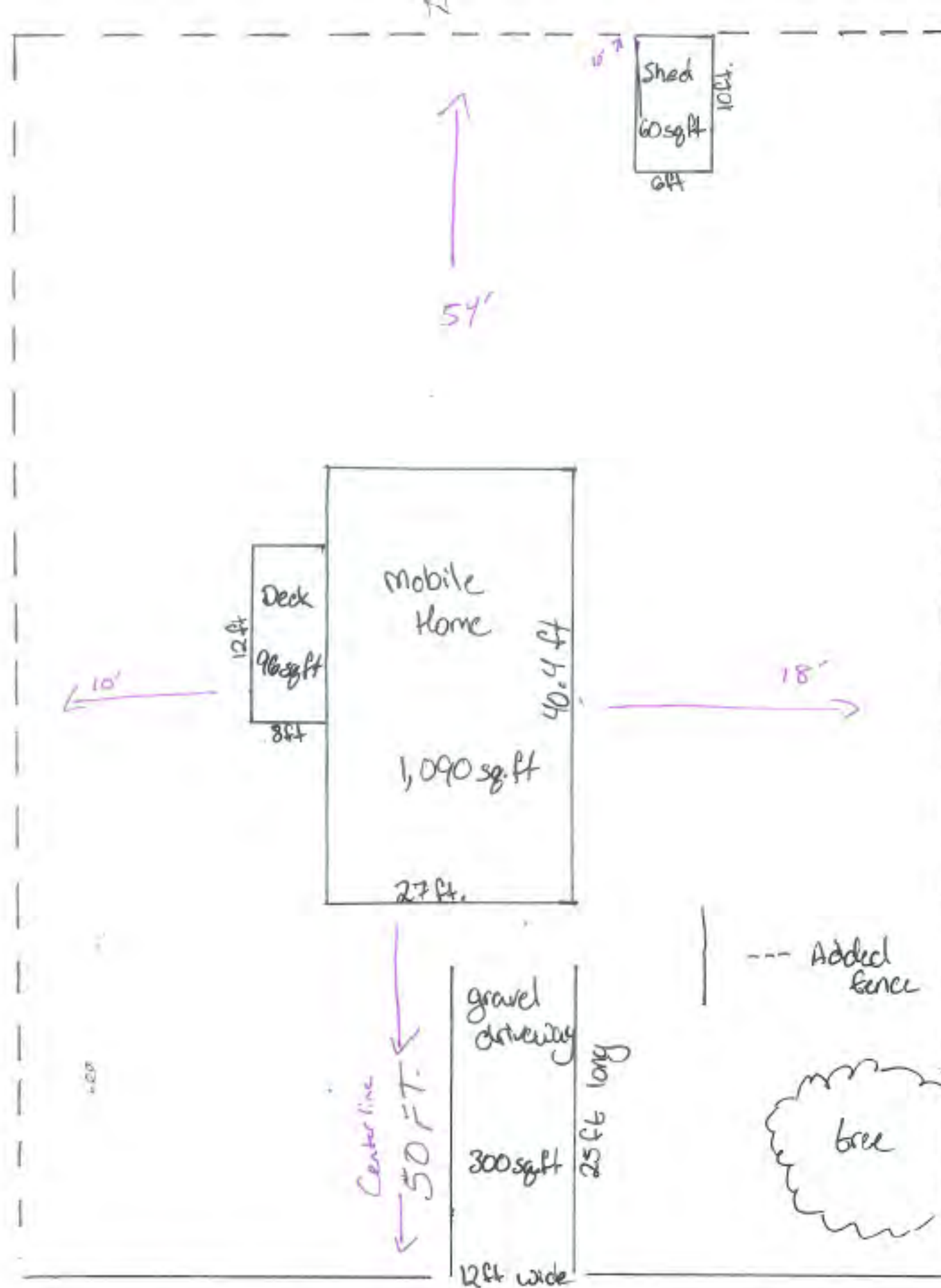
If yes, did the Health Department say there's enough space for it? ☐ Y ☐ N

- 6) Tell us the size of the mobile home. 40.4 ft x 27 ft.

- 7) Tell us the year of the mobile home. 1993

- 8) Tell us anything else you want us to know. \_\_\_\_\_







**DATE:** August 5, 2025

**TO:** Hearing Officer

**FROM:** Daniel Dean

**SUBJECT:** Third extension request of the period within which to obtain an improvement location permit

Matt Westfall of AllPro Gas (formerly Franger Gas) is requesting a third extension of the period within which to obtain an improvement location permit until September 30, 2026.

The request was 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, approved April 19, 2023.

The subject property is at the northwest corner of CR 38 and CR 31, common address of 16009 CR 38, Goshen, IN, zoned M-2.

The first request was granted May 17, 2023, extending the period to September 30, 2024. The second request was granted May 15, 2024, extending the period to September 30, 2025. Attached is the third request received August 5, 2025, to extend the period to September 30, 2026, along with the approved site plan dated March 6, 2023.

Staff recommends approval of this extension request but further recommends that this be the final request granted and that a new Developmental Variance application be required hereafter.

This staff item will be on the **August 20, 2025**, Hearing Officer agenda.



## Danny Dean

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**From:** Matt Westfall <mwestfall@frangergas.com>  
**Sent:** Tuesday, August 5, 2025 2:37 PM  
**To:** Danny Dean  
**Subject:** Variance Extension  
**Attachments:** CCF\_003792.pdf

You don't often get email from mwestfall@frangergas.com. [Learn why this is important](#)

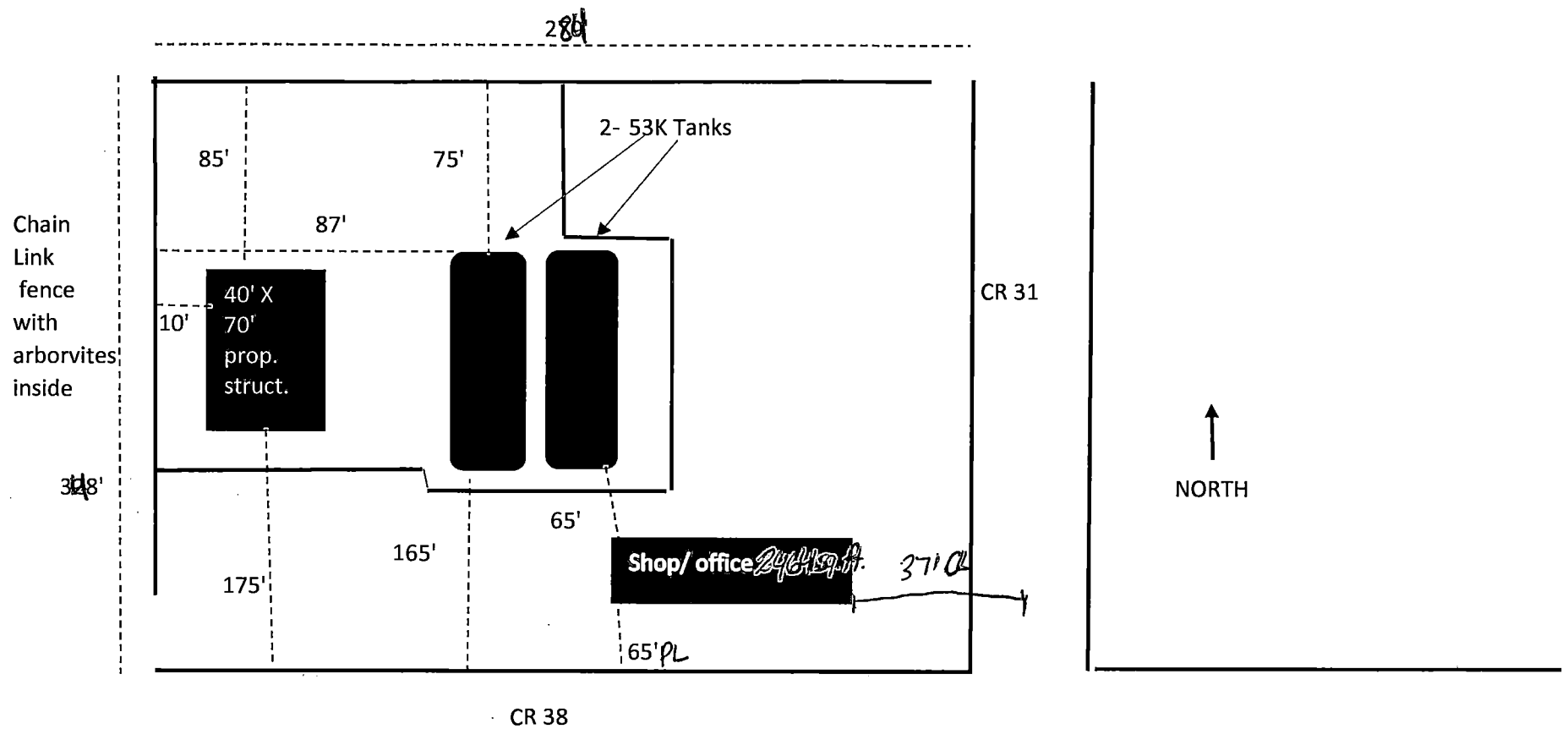
Caution! This message was sent from outside your organization.

Danny,  
Thank you for returning my call. I need to extend the variance for another year as we are unable to build this year. I appreciate your help in this matter.

Regards,

*Matt Westfall*  
Plant Manager  
AllPro Gas  
16009 County Road 38  
Goshen, IN 46528  
PH 574-642-4952  
FAX 574-642-4939





Dark lines to the north and west are fence as are the dark lines around the tanks

MAR 6 2023





## RESULT LETTER

Case # DV-0114-2023

Date: August 6, 2025

**Grantor:**

Franger Gas Co., Inc.

**Grantee:**

Elkhart County

Advisory Board of Zoning Appeals

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The following shall be referred to as “the Real Estate”:

Street: 16009 CR 38, Goshen, IN 46528

Current Tax Code #: 20-11-24-476-003.000-014

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You are hereby notified that the 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 on the Real Estate, presented and considered at the meeting of the Hearing Officer of the Elkhart County Advisory Board of Zoning Appeals on April 19, 2023, was acted upon as follows: **APPROVED** in accordance with the Staff Analysis with the following Findings and Conclusions of the Hearing Officer:

1. Approval of the request will not be injurious to public health, safety, morals, or general welfare. This is an existing use for a gas facility.
2. Approval of the request will not cause substantial adverse effect on neighboring property. This is a 1.9-acre parcel in a dense manufacturing area, and the property will remain industrial in character.
3. Strict application of the terms of the Zoning Ordinance would result in an unnecessary hardship in the use of the property. The reduced side setback allows the building to be placed a safe distance from above-ground tanks



Franger Gas Co., Inc.

August 6, 2025

Page 2

The following conditions were imposed:

1. Variances from the developmental standards of the Zoning Ordinance are void unless an Improvement Location Permit is issued within 180 calendar days from the date of the grant and construction work completed within 1 year from the date of the issuance of the Building Permit (where required).
2. The request is approved in accordance with the site plan submitted 3/6/2023 and as represented in the Developmental Variance application

**Deviation from said conditions may result in the Elkhart County Advisory Board of Zoning Appeals rescinding the approval or permit.**

*Note: Any order, requirement, decision or determination made by the Hearing Officer may be appealed to the Board of Zoning Appeals by any interested party who files the appeal within five business days of the respective order, requirement or determination.*

*Please note that if your request is approved, the Department of Planning and Development does not have the authority to issue a Building Permit for your request until the five business day appeal period ends and no property appeal has been filed.*

Ann Prough, Hearing Officer  
Elkhart County Board of Zoning Appeals

*Placed in File:*

*By:*