

# AGENDA

## ***ELKHART COUNTY BOARD OF ZONING APPEALS***

***DECEMBER 18, 2025***

***9:00 A.M.***

***PUBLIC SERVICES BUILDING  
MEETING ROOMS A & B  
4230 ELKHART ROAD, 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 November 2025.

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

### **SPECIAL USES**

**9:00 A.M. (MILLER)**

- A. Petitioner: ***Mark A. Haarer & Connie S. Haarer, Husband & Wife, (Page 7)***  
***(Land Contract Holders) & Leander Martin (Land Contract Buyer)***  
Petition: for a Special Use for a home workshop/business for a woodworking business.  
Location: South side of CR 28, 1,490 ft. West of CR 15, common address of 23270 CR 28 in Harrison Township, zoned A-1. SUP-0676-2025
- B. Petitioner: ***Rock Run Real Estate LLC (Page 8)***  
Petition: for a Special Use for a public stable.  
Location: North side of CR 38, 795 ft. West of CR 43, common address of 11132 CR 38 in Clinton Township, zoned A-1. SUP-0683-2025

### **SPECIAL USES/DEVELOPMENTAL VARIANCES**

- C. Petitioner: ***Miller Family Revocable Living Trust (Page 9)***  
Petition: for a Special Use for a home workshop/business for flour milling and sales 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 CR 33, 700 ft. South of CR 40, common address of 66247 CR 33 in Clinton Township, zoned A-1. SUP-0723-2025

- D.     Petitioner:     ***Devon Schrock & Doris Schrock, Husband & Wife***                     **(Page 10)**  
        Petition:       for a Special Use for a campground and for a 4 ft. Developmental  
                               Variance (Ordinance requires 10 ft.) to allow for an existing cabin 6  
                               ft. from the north side property line.  
        Location:       South side of CR 28, 3,030 ft. West of CR 33, in Middlebury  
                               Township, zoned A-1.   SUP-0726-2025
- 9:30 A.M**     **(WHITE)**
- E.     Petitioner:     ***Michael King***   **(Page 11)**  
        Petition:       for a Special Use for an agricultural use for the keeping of animals on  
                               a tract of land containing less than 3 acres and for a 20 ft.  
                               Developmental Variance (Ordinance requires 75 ft.) to allow for the  
                               construction of a residence 55 ft. from the centerline of the right-of-  
                               way.  
        Location:       West side of CR 33, 1,400 ft. North of CR 4, common address of  
                               51537 CR 33 in York Township, zoned A-1.                     SUP-0727-2025
- F.     Petitioner:     ***Joseph A. Miller (Land Contract Holder) &***                     **(Page 12)**  
                               ***Aaron & Rachel Schrock (Land Contract Purchasers)***  
        Petition:       for a Special Use for a home workshop/business for a woodworking  
                               business, for a Developmental Variance to allow for 7 outside  
                               employees (Ordinance allows 4) and for a Developmental Variance to  
                               allow for the total square footage of accessory structures to exceed that  
                               allowed by right.  
        Location:       Northwest corner of SR 4 & CR 29, common address of 16801 SR 4  
                               in Elkhart Township, zoned A-1.                                     SUP-0733-2025
- G.     Petitioner:     ***Edward R. Eggleston***   **(Page 13)**  
        Petition:       for a Special Use for an agricultural use for the keeping of animals on  
                               a tract of land containing less than 3 acres, for a 24 ft. Developmental  
                               Variance (Ordinance requires 75 ft.) to allow for the construction of  
                               an accessory structure 51 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 CR 33, 630 ft. South of CR 29, common address of 51241  
                               CR 33 in York Township, zoned A-1.                                     SUP-0732-2025



- H. Petitioner: ***Duane E. Miller & Cheryl K. Miller, Husband & Wife (Land Contract Holders) & Marion D. Troyer & Jolene R. Troyer (Land Contract Purchasers)*** (Page 14)
- Petition: for a Special Use for a home workshop/business for a construction/masonry business, for a Developmental Variance to allow for 10 outside employees (Ordinance allows 4), for a 15 ft. Developmental Variance (Ordinance requires 75 ft.) to allow for the construction of a residence 60 ft. from the centerline of the right-of-way.
- Location: North side of CR 30, 825 ft. West of SR 13, common address of 12141 CR 30 in Clinton Township, zoned A-1. SUP-0730-2025

**USE VARIANCE**

**10:00 A.M. (HESSER)**

- I. Petitioner: ***Brenda Sue Waterson*** (Page 15)
- Petition: for a Use Variance for a kennel.
- Location: West side of Wilson St., 315 ft. South of Glenmore St., common address of 54339 Wilson St. in Osolo Township, zoned R-2. UV-0743-2025

**DEVELOPMENTAL VARIANCE**

- J. Petitioner: ***Brian Adams*** (Page 16)
- Petition: for a 178 sq. ft. Developmental Variance (Ordinance allows 64 sq. ft.) to allow for a 242 sq. ft. electronic message center.
- Location: North side of Old US 20, 175 ft. West of Corwin St., common address of 30759 Old US 20 in Cleveland Township, zoned B-3. DV-0684-2025

**TRANSFER FROM HEARING OFFICER**

- K. Petitioner: ***First Class Property Rentals*** (Page 17)
- Petition: for a 40 ft. Developmental Variance (Ordinance requires 50 ft.) to allow for an existing accessory structure 10 ft. from the centerline of the right-of-way.
- Location: West side of E. Indiana Lake Rd., 630 ft. North of Church Rd., West of CR 23, common address of 50567 East Indiana Lake Rd. in Washington Township, zoned R-2. DV-0603-2025

**TABLED**

- L. Petitioner: ***Jesus Ocampo*** (Page 18)
- Petition: for a Special Use for a home workshop/business for a roofing business, for a Developmental Variance to allow for 5 outside employees (Ordinance allows 4) and for a Developmental Variance to allow for the total square footage of accessory structures to exceed that allowed by right.
- Location: East side of CR 7, 3585 ft. South of CR 6, common address of 53670 CR 7 in Osolo Township, zoned R-1. SUP-0605-2025



**BZA MINUTES**  
**ELKHART COUNTY BOARD OF ZONING APPEALS MEETING**  
**HELD ON THE 20<sup>th</sup> DAY OF NOVEMBER 2025 AT 9:00 A.M.**  
**MEETING ROOM – DEPARTMENT OF PUBLIC SERVICES BUILDING**  
**4230 ELKHART ROAD, GOSHEN, INDIANA**

1. The regular meeting of the Elkhart County Board of Zoning Appeals was called to order by the Chairperson, Randy Hesser. Staff members present were: Jason Auvil, Zoning Administrator; Danielle Richards, Planner; Danny Dean, Planner; and Don Shuler, Attorney for the Board.

**Roll Call.**

**Present:** Debra Cramer, Steve Warner, John Gardner, Roger Miller, Randy Hesser.

**Absent:** Cory White.

2. A motion was made and seconded (*Miller/Warner*) that the minutes of the regular meeting of the Board of Zoning Appeals held on the 16<sup>th</sup> day of October 2025 be approved as read. The motion was carried with a unanimous roll call vote.

3. A motion was made and seconded (*Warner/Cramer*) that the Board accepts the Zoning Ordinance and Staff Report materials as evidence into the record and the motion was carried with a unanimous roll call vote.

4. The application of **Patricia Little** for a Special Use for a home workshop/business for a nail and hair salon and for a Special Use for an agricultural use for the keeping of animals on a tract of land containing less than 3 acres on property located on the North side of Decamp Blvd., 3,175 ft. Northwest of CR 18, common address of 23713 Decamp Blvd. in Concord Township, zoned R-1, came on to be heard.

Mr. Dean presented the Staff Report/Staff Analysis, which is attached for review as Case #SUP-0666-2025.

There were twenty-two neighboring property owners notified of this request.

Mr. Hesser asked for clarification on the condition of the DNR permit requirement. Mr. Dean stated it is because the property is in the floodway.

Patricia Little, 23713 Decamp Blvd, Elkhart, was present for this request. Ms. Little stated she would like to add a 1-person salon to the back of her home. She continued saying she was not aware that she needs a Special Use for her existing chicken coop. Mrs. Cramer asked Ms. Little how many chickens she currently has. Ms. Little stated she has 13, but 5 of them are very old. Mr. Hesser asked Ms. Little if she plans to replace the 5 older chickens when they die. Ms. Little responded no.

There were no remonstrators present.

The public hearing was closed at this time.

The Board examined said request, and after due consideration and deliberation:

**Motion: Action:** Approve, **Moved by** Randy Hesser, **Seconded by** Roger Miller that the Board adopt the Staff Analysis as the Findings and Conclusions of the Board, and based upon these, further moved that this request for a Special Use for a home workshop/business for a nail and hair salon and for a Special Use for an agricultural use for the keeping of animals on a tract of land containing less than 3 acres be approved with the following conditions imposed:

1. The Elkhart County Advisory Board of Zoning Appeals approval shall not be effective until the Commitment form has been executed, recorded, and returned to the Elkhart County Advisory Board of Zoning Appeals staff for placement in the petition file.
2. A DNR building permit and a local building permit must be obtained for the chicken coop, and the chicken coop must meet flood protection standards.

The following commitments were imposed:

1. The request is approved in accordance with the site plan submitted (dated 10/13/2025) and as represented in the Special Use application.
2. The agricultural use is limited to thirteen (13) chickens at any one time, no roosters.

**Vote:** Motion carried by unanimous roll call vote (**summary:** Yes = 5).

**Yes:** Debra Cramer, Steve Warner, John Gardner, Roger Miller, Randy Hesser.

5. The application of **Scott L. Miller** for a Special Use for the keeping of chickens on a tract of land containing less than 3 acres on property located on the East side of Claudia Ln., 715 ft. Southeast of Westlake Dr., South of US 20, common address of 608 Claudia Ln. in Middlebury Township, zoned R-1, came on to be heard.

Mrs. Richards presented the Staff Report/Staff Analysis, which is attached for review as Case #SUP-0664-2025.

There were thirty-six neighboring property owners notified of this request.

Scott Miller, 608 Claudia Ln, Middlebury, was present for this request. Mr. Scott Miller stated his children are involved in 4H and they want to show chickens. He continued by saying he has 12 chickens and no roosters. He also stated the chickens are in a shed in crates. Mr. Hesser clarified the birds are for show.

Mrs. Richards presented a letter in remonstrance emailed from Lydia & Eric Romzek, 609 Spring Arbor Dr., Middlebury. The letter states they oppose the noise from the chickens, and they oppose having chickens in the subdivision.

Mr. Scott Miller came back to the podium and stated that he did have 5 roosters in August/September. He added he has butchered the roosters, so they will not return to the property. He stressed that he now only has 12 hens.

The public hearing was closed and then reopened to hear the remonstrators present.

Kevin Miller, 607 Spring Arbor Dr., Middlebury was present in remonstrance. Mr. Kevin Miller stated he lives directly behind Scott Miller and recorded the noise from the chickens and roosters. He stressed he can hear the chickens inside his residence. He continued by saying this is a subdivision, not a farm and there is no place for chickens. He also stated the homes are relatively close together. Mr. Hesser asked Mr. Kevin Miller if there are covenants and restrictions for the subdivision prohibiting chickens. Mr. Kevin Miller stated the town of Middlebury has an ordinance against it. He noted the roosters may be gone but he can still hear the chickens.

Jeff Raymond, 605 Spring Arbor Dr., Middlebury was present in remonstrance. Mr. Raymond stated he lives behind Scott Miller and to the north. He continued by saying chickens do not belong in a subdivision. He also stated chickens are dirty, stinky and the bird flu can spread to humans. Mr. Raymond said his health is bad and the bird flu would cause him serious health problems. He reiterated the chickens stink, no matter the number. Mr. Hesser clarified there were no other houses with chickens in the subdivision.

Mr. Scott Miller came back to the podium. He reiterated the noise level should be minimal, because he no longer has roosters. He continued by saying each chicken has its own crate, and they are not open range. He also stated the trays under the crates get cleaned weekly, and the waste is disposed of offsite. Mr. Hesser clarified the location of the shed used for the chickens on the site plan. Mrs. Cramer clarified, the shed only has one overhead door and the vent in the back of the shed. Mr. Scott Miller confirmed. Mr. Scott Miller noted the garage door faces his residence. He continued by saying he plans to insulate the shed for the winter, so it should help with any noise or possible smell. Mr. Hesser clarified the chickens do not leave the shed. Mr. Gardner asked if he had checked with the town of Middlebury about any ordinance regarding chickens. Mr. Scott Miller said he did not.

The public hearing was closed at this time.

Mr. Hesser stated the use is consistent with what the Board has approved in the past.

The Board examined said request, and after due consideration and deliberation:

**Motion: Action:** Approve, **Moved by** Randy Hesser, **Seconded by** Roger Miller that the Board adopt the Staff Analysis as the Findings and Conclusions of the Board, and based upon these, further moved that this request for a Special Use for the keeping of chickens on a tract of land containing less than 3 acres be approved with the following condition imposed:

1. The Elkhart County Advisory Board of Zoning Appeals approval shall not be effective until the Commitment form has been executed, recorded, and returned to the Elkhart County Advisory Board of Zoning Appeals staff for placement in the petition file.

The following commitments were imposed:

1. The request is approved in accordance with the site plan submitted (dated 9/12/2025) and as represented in the Special Use application.
2. The agricultural use is limited to a maximum of twelve (12) chickens, no roosters, at any one time.

**Vote:** Motion carried by unanimous roll call vote (**summary:** Yes = 5).

**Yes:** Debra Cramer, Steve Warner, John Gardner, Roger Miller, Randy Hesser.

6. The application of ***Richard Mason & Carolyn Mason, Husband & Wife (Lessor) & Aaron Martinez (Lessee)*** for a Special Use for a home workshop/business for a construction and restoration business, for a 2 ft. Developmental Variance (Ordinance requires 5 ft.) to allow for the construction of an accessory structure 3 ft. from the north side property line and for a Developmental Variance to allow for the total square footage of accessory structures to exceed that allowed by right on property located on the West side of Southgate, 745 ft. North of Tower Rd., common address of 56861 Southgate in Baugo Township, zoned R-1, came on to be heard.

Mrs. Richards presented the Staff Report/Staff Analysis, which is attached for review as *Case #DV-0587-2025*.

There were 2 neighboring property owners notified of this request.

Manuel Martinez, 56861 Southgate, Elkhart, was present for this request. Mr. Martinez began by saying he did not realize a permit was needed to build the accessory structure and construction has begun. He continued to say the accessory structure to be used for the home workshop will be a glorified shed with no electricity or running water. Mr. Miller clarified the equipment to be stored will not be larger than a fan blower, and that there will not be any delivery

trucks as part of the business. Mr. Martinez confirmed. Mr. Hesser asked if there is a hardship that the proposed accessory structure will be 3 ft. from the property line. Mr. Martinez responded, saying he was not aware of property line setbacks. He continued by saying the existing shed is falling apart and will be torn down after the new accessory structure is built. He also stated the reason for starting the new accessory structure is because the existing shed is falling apart.

Carolyn Krzyzanowski, 56804 Burbank, Elkhart, was present in remonstrance. Mrs. Krzyzanowski noted concerns due to a business in the neighborhood. She continued by saying Elkhart has a multitude of buildings available for sale that could house a business. She also commented on the deplorable condition of rental homes in the neighborhood, including the petitioner's home. Mrs. Krzyzanowski also stated she believes the business will further bring down the surrounding property values.

Donna Krzyzanowski, 56804 Burbank, Elkhart was present in remonstrance and stated she lives behind the subject property. Mrs. Donna Krzyzanowski stated she is also worried about having a business in the neighborhood. She continued by saying she is worried about trucks coming in and out of the property. She also noted concerns about the current condition of the property and future maintenance. She stressed this is a residential area and the petitioner should rent a place in the appropriate zoning for his business. She added concerns about vehicles and items being stored outside.

Mr. Martinez came back to the podium. He once again stated the storage building for his equipment will be a glorified shed. He continued to confirm there will be no trucks coming in or out of the property and things will remain as they have for the last year. Mr. Hesser confirmed there will be no outside storage. Mr. Martinez responded by saying the new building will store all his equipment. He continued by saying the equipment is currently stored in the garage. Mr. Martinez also stated there are sheds of similar sizes currently in the neighborhood along with an RV manufacturing site. Mrs. Cramer asked Mr. Martinez if he owns this property. Mr. Martinez stated he and his brother are renting from their in-laws. He continued by saying the lease is up in March and they intend to purchase the property. Mrs. Cramer expressed concerns about the fence and being able to load equipment onto his truck. Mr. Martinez stated the equipment is not large and can be loaded without pulling up to the shed. He noted wood and dry wall needed is delivered to the job site. Mr. Hesser had concerns because Mr. Martinez is not the owner. Don Shuler clarified a lessee can have a home workshop/business if they occupy the home. Mr. Manuel Martinez clarified that he lives there part-time, but his brother Aaron Martinez lives there full-time and is the owner of the business.

The public hearing was closed at this time.

Mr. Hesser noted the request is consistent with other Board approvals and most work will take place at the job site. He added he is not concerned with the square footage Developmental Variance, but he does not see a need to approve the setback Developmental Variance.

The Board examined said request, and after due consideration and deliberation:

**Motion: Action:** Approve, **Moved by** Randy Hesser, **Seconded by** John Gardner that the Board adopt the Staff Analysis as the Findings and Conclusions of the Board, and based upon these, further moved that this request for a Special Use for a home workshop/business for a construction and restoration business be approved with the following conditions imposed:

1. The Elkhart County Advisory Board of Zoning Appeals approval shall not be effective until the Commitment form has been executed, recorded, and returned to the Elkhart County Advisory Board of Zoning Appeals staff for placement in the petition file.
2. A revised site plan must be submitted for staff approval showing a north side setback of 5 ft. or greater for the proposed structure.
3. Existing shed to be removed immediately after new accessory structure is built.

The following commitment was imposed:

1. The request is approved in accordance with the revised site plan to be submitted for staff approval and as represented in the Special Use application.

**Vote:** Motion passed (**summary:** Yes = 4, No = 1, Abstain = 0).

**Yes:** Debra Cramer, John Gardner, Roger Miller, Randy Hesser

**No:** Steve Warner.

**Motion: Action:** Approve, **Moved by** Randy Hesser, **Seconded by** John Gardner that the Board adopt the Staff Analysis as the Findings and Conclusions of the Board, and based upon these, further moved that this request for a Developmental Variance to allow for the total square footage of accessory structures to exceed that allowed by right be approved with the following conditions 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 a north side setback of 5 ft. or greater for the proposed structure.
3. 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.

**Vote:** Motion passed (**summary:** Yes = 4, No = 1, Abstain = 0).

**Yes:** Debra Cramer, John Gardner, Roger Miller, Randy Hesser.

**No:** Steve Warner.

The Board examined said request, and after due consideration and deliberation:

**Motion: Action:** Deny, **Moved by** Randy Hesser, **Seconded by** John Garder that the Board adopt the Staff Analysis as the Findings and Conclusions of the Board, and based upon these, further moved that this request for a 2 ft. Developmental Variance (Ordinance requires 5 ft.) to allow for the construction of an accessory structure 3 ft. from the north side property line be denied.

**Vote:** Motion carried by unanimous roll call vote (**summary:** Yes = 5).

**Yes:** Debra Cramer, Steve Warner, John Gardner, Roger Miller, Randy Hesser.

7. The application of *Jesus Ocampo* for a Special Use for a home workshop/business for a roofing business, for a Developmental Variance to allow for 5 outside employees (Ordinance allows 4) and for a Developmental Variance to allow for the total square footage of accessory structures to exceed that allowed by right on property located on the East side of CR 7, 3585 ft. South of CR 6, common address of 53670 CR 7 in Osolo Township, zoned R-1, came on to be heard.

Mrs. Richards presented the Staff Report/Staff Analysis, which is attached for review as *Case #SUP-0605-2025*.

There were twenty-one neighboring property owners notified of this request.

Mr. Hesser clarified the percentage of overage on the Developmental Variance for the total square footage to exceed that allowed by right is two times the amount permitted by right.

America Martinez, 53670 CR 7, Elkhart, was present for this request. Ms. Martinez stated she wants to store 3 trailers and 2 trucks on their property and build a '60' x '40' pole barn to store personal items, materials from the business and possibly an RV. Mr. Hesser asked if the current request is different from the previously withdrawn request. Ms. Martinez stated yes and added that the dumpsters previously requested have been removed from the property. Mr. Miller asked if the noise from the truck that backs up onto the property is still there. Ms. Martinez stated no, and she noted they live close to an airport that produces more noise than their trucks. Mr. Miller then asked about the truck in a photo with the petition. Ms. Martinez stated it can be parked in the front as it is not used for picking up materials, and she noted the truck pictured does not make a backup noise. Mr. Miller then stated they are diesel trucks, and they are noisy just by being diesel. Ms. Martinez offered to store the diesel truck on the front of the property, then stated the neighbor in back was complaining about truck noise. Mr. Hesser again needed clarification on how this new request is different from the previously withdrawn request. Mrs. Richards stated that the new request has Developmental Variances added to it, so staff recommended the request be withdrawn and resubmitted with the Variances. Mr. Hesser clarified the roofing business will be offsite after he questioned trusses currently being on the property. Ms. Martinez stated the trusses are for the pole barn they want to build, not their business. She added materials for the roof go straight to the job site and only gutters are stored on the property. Mr. Hesser verified the gutters will be stored inside. Mr. Miller clarified the trucks for business are just pickup trucks to haul the trailers. Mrs. Cramer asked if the dumpsters have been removed, because they are shown in staff pictures taken in October. Ms. Martinez said yes, but they did have one on the property due to remodeling the house. Mrs. Cramer noted there were four dumpsters on the property in October. Ms. Martinez explained they are renting a lot next to the landfill to store their nine dumpsters, so they are no longer on the property. Mr. Hesser questioned staff's negative findings. Mrs. Richards clarified staff's findings were based off testimony at the previous hearing.

David Stroman, 26867 Edwards Rd., Elkhart was present in remonstrance. Mr. Stroman stated he bought his property 45 years ago to be in a quiet residential neighborhood with no commercial properties close by. He continued by saying there is only one road in and out of the neighborhood and the proposed building would be in line of sight to all the neighbors and close to his property line. He also stated a '40 x 60' building, 16 ft. in height, should be considered commercial. Mr. Stroman continued by saying he is certain this will affect the quality of life and property values of the surrounding neighbors. Mr. Stroman also stated that until a month ago nothing had changed even after the petitioner's request was denied. He stressed dumpsters full of trash and dump trailers remained on the property until a month ago. Mrs. Cramer clarified that the dumpsters are gone. Mr. Stroman believes the petitioner only removed the dumpsters because of the hearing date being a month away. He continued saying he does not believe they will abide by the rules. Mr. Gardner asked Mr. Stroman if he can see the large pole barn that is near his property. Mr. Stroman replied, no. Mr. Stroman reiterated that the petitioner is not good at following through with rules or restrictions.



Mr. Auvil came to the podium to clarify that the truck that is currently parked in the grass is in violation of the County Development Ordinance, due to the size (commercial) and the fact that it is parked on the grass.

Rex Lovett, 26890 Edwards Rd., Elkhart was present in remonstrance. Mr. Lovett stated his main concern is the noise. He likes to enjoy a quiet, peaceful neighborhood. Mr. Lovett continued by saying he believes a home workshop is more like a hobby and not a roofing business.

Kevin Head, 26895 Edwards, Rd., Elkhart was present in remonstrance. Mr. Head started by saying, because of his proximity to the petitioner he feels like they are invading his privacy. He continued saying this is a quiet residential neighborhood, and he would like it to remain that way. He noted four dumpsters were parked on the subject property last winter.

Ms. Martinez came back to the podium. She stated the building could be made smaller, they just asked for a larger size to see if it would be approved. Mr. Hesser stated the main concern seems to be the height of the proposed building. Ms. Martinez agreed the height could be less. She continued by saying the noise will only be an issue in the morning when the trucks pick up the trailers and the evening when the trailers get dropped off. Mr. Warner asked what she will do with the large commercial truck currently parked in the grass. Ms. Martinez stated they could park it with the dumpsters but would prefer to have it on site. Mr. Hesser reiterated that the truck cannot be parked on the property due to the County Development Ordinance. Ms. Martinez then stated the truck can be parked with the dumpsters that are offsite. She continued to say that the plan is to build a fence. Mr. Miller asked the height of the fence. Ms. Martinez stated it will be an 8 ft. fence. Mrs. Cramer clarified the trusses for the proposed pole barn are already on the property. Ms. Martinez responded yes, they got them for free. Mr. Hesser asked about gutters that are pictured and being stored on the property. Ms. Martinez stated they will be stored in the new pole barn when built. Mr. Hesser asked about outside employees onsite, and Ms. Martinez noted only one employee will be on site to pick up a trailer. She also brought up the fact that she requested a sign to be put on the property as part of the application, but she was not sure what size she is allowed to have. Mr. Hesser stated that normally a 4 sq. ft. sign is allowed. Mrs. Richards responded by saying the size requested on the application would be allowed if the Board approves it. Mr. Gardner stated he would like to see a proposal from the petitioner with a smaller and shorter building. Mr. Warner pointed out a shorter building will be hard to accommodate an RV.

The public hearing was closed at this time.

Mr. Stroman came up to the podium to point out that it is a residential neighborhood, and a business does not belong in a residential neighborhood. Mr. Hesser stated that is the purpose of a home workshop Special Use.

Mr. Hesser stated the issue is past use and non-compliance. He continued by saying the Board approves the type of business the petitioner is requesting, all the time. He pointed out that the business takes place offsite, other than storing materials. Mr. Miller agreed with Mr. Hesser's assessment of past use and non-compliance. Mr. Warner suggested language be added so that there will be no return of the dumpsters. Mr. Hesser asked the petitioner if the Board were to deny the home workshop/business, would she still want to build the pole barn. Ms. Martinez stated yes. Mr. Miller stated if the Board would follow staff recommendations for the petition, any violations could be filed as a code complaint and would give the neighbors some way to remedy violations. He continued by saying he does not have a concern with the size of the proposed pole barn. Mr. Hesser asked the Board their thoughts on the home workshop. Mrs. Cramer stated the Board has

denied petitions in the past when the petitioners have not been compliant. She continued by saying the petitioner has moved the dumpsters and appears to be complying. Mr. Hesser stated the business and the proposed building are separate issues and one is not dependent on the other. He then asked staff if the approval of the business could be time limited. Mrs. Richards replied that it can be time limited. Mr. Hesser stated that since staff recommended denial of the home workshop/business they did not offer conditions and commitments. He continued by saying there will need to be conditions and commitments with respect to this business. Mrs. Cramer commented on the need for the Developmental Variance for the total square footage allowed by right seems to be rather large. Mr. Hesser stated he was initially concerned; however, he understands the need given the small lot size. He continued by saying it is his understanding that the Board could request a revised site plan, with the petitioner proposing a smaller size for the proposed pole barn. He then stated that if the Board were to approve the home workshop/business, then he will want to give staff time to come up with appropriate conditions and commitments. Mr. Hesser asked Mr. Shuler if the Board would need to reopen the public hearing to accept a revised site plan, conditions and commitments. Mr. Shuler responded by saying the new conditions and commitments as well as the site plan would need to be open for public comments and review. Mr. Auvil stated if this petition is bounced back to staff to create conditions and commitments, they will want to limit the business to one year. He also stated that regulating hours of operation and employees are difficult things to monitor and enforce and could be problematic. Mr. Hesser asked if it would be reasonable to expect staff to submit conditions and commitments at next month's hearing. Mr. Auvil responded that it should not be a problem if the Board tables the hearing until next month. Mr. Hesser summarized that the hearing will be tabled to allow the petitioner time to modify the site plan, if she chooses, and allow staff time to recommend conditions and commitments if the Board approves the home workshop/business.

The Board examined said request, and after due consideration and deliberation:

**Motion: Action:** Table, **Moved by** Randy Hesser, **Seconded by** Steve Warner that the request for a Special Use for a home workshop/business for a roofing business, for a Developmental Variance to allow for 5 outside employees (Ordinance allows 4) and for a Developmental Variance to allow for the total square footage of accessory structures to exceed that allowed by right be tabled until the December 18, 2025 Advisory Board of Zoning Appeals meeting to allow the petitioner time to modify the site plan and staff time to recommend conditions and commitments, if the Board approves the home workshop/business.

**Vote:** Motion carried by unanimous roll call vote (**summary:** Yes = 5).

**Yes:** Debra Cramer, Steve Warner, John Gardner, Roger Miller, Randy Hesser.

8. The application of *Town of Wakarusa* for an amendment to an existing Special Use for a municipal facility (maintenance building) to allow for the construction of an addition, for a 3 ft. Developmental Variance (Ordinance requires 50 ft.) to allow for the construction of a maintenance building addition 47 ft. from the centerline of the right-of-way of High St. and for a 1 ft. Developmental Variance (Ordinance requires 50 ft.) to allow for the construction of a maintenance building addition 49 ft. from the centerline of the right-of-way of South Indiana St. on property located on the Northwest corner of High St. and S. Indiana Ave., common address of 312 High St. in Olive Township, zoned R-4, came on to be heard.

Mr. Auvil presented the Staff Report/Staff Analysis, which is attached for review as *Case #SUP-0623-2025*.

There were twenty-six neighboring property owners notified of this request.

Tony Berkshire, Zimmerman Construction, 64470 SR 19, Goshen, was present for this request. Mr. Berkshire stated the addition will allow the Town of Wakarusa to keep up with their responsibilities. Mr. Hesser inquired about a road entrance to the new addition. Mr. Berkshire stated access will be through the existing building. Mr. Hesser then asked why the Town of Wakarusa did not originally build a larger building. Mr. Berkshire stated Zimmerman Construction did not build the original building, so he is unsure.

There were no remonstrators present.

The public hearing was closed at this time.

Mr. Hesser asked staff about the non-compliance issue. Mr. Auvil stated the building was not placed where it was supposed to be constructed. Mr. Hesser clarified that staff has not received any complaints. Mr. Auvil responded by saying the non-compliance was discovered when the applicant applied for the permit to build an addition.

The Board examined said request, and after due consideration and deliberation:

**Motion: Action:** Approve, **Moved by** Randy Hesser, **Seconded by** Roger Miller that the Board adopt the Staff Analysis as the Findings and Conclusions of the Board, and based upon these, further moved that this request for an amendment to an existing Special Use for a municipal facility (maintenance building) to allow for the construction of an addition be approved with the following condition imposed:

1. The Elkhart County Advisory Board of Zoning Appeals approval shall not be effective until the Commitment form has been executed, recorded, and returned to the Elkhart County Advisory Board of Zoning Appeals staff for placement in the petition file.

The following commitment was imposed:

1. The request is approved in accordance with the site plan submitted (dated 9/29/2025) and as represented in the Special Use Amendment application.

Further the motion also included a 3 ft. Developmental Variance (Ordinance requires 50 ft.) to allow for the construction of a maintenance building addition 47 ft. from the centerline of the right-of-way of High St. and for a 1 ft. Developmental Variance (Ordinance requires 50 ft.) to allow for the construction of a maintenance building addition 49 ft. from the centerline of the right-of-way of South Indiana St. be approved with the following conditions imposed:

1. Variances from the developmental standards of the Development 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 (dated 9/29/2025) and as represented in the Developmental Variance application.

**Vote:** Motion carried by unanimous roll call vote (**summary:** Yes = 5).

**Yes:** Debra Cramer, Steve Warner, John Gardner, Roger Miller, Randy Hesser.

9. The application of *Eagle Real Estate Group, LLC* For a Special Use for an agri-business, for a Special Use for a home workshop/business for a diesel repair shop, for a Developmental Variance to allow for 32 outside employees (Ordinance allows 4) and for a Developmental Variance to allow for the total square footage of accessory structures to exceed that allowed by right on property located on the Northwest corner of CR 142 and CR 17, common address of 22153 CR 142 in Union Township, zoned A-1, came on to be heard.

Mr. Auvil presented the Staff Report/Staff Analysis, which is attached for review as Case #SUP-0663-2025.

There were 8 neighboring property owners notified of this request.

Mr. Hesser clarified the diesel repair shop was never approved and the agri-business has grown beyond the original scope of the Special Use. Mr. Auvil confirmed the agri-business has doubled in size. Mr. Auvil stated staff is not necessarily against the request, but staff believe the best instrument forward is a DPUD.

Tony Berkshire, Zimmerman Construction, 64470 SR 19, Goshen, was present for this request. Mr. Berkshire stated he did not receive the letter with staff's recommendations, so he was not aware of staff recommending denial. He continued by saying he will need time to explore the DPUD process with Mr. Auvil and the owner. Mr. Berkshire stated the owner experienced a fire in the main building back in January. He also stated that since they are growing as a company, they would like to rebuild larger than the previous structure. Mr. Miller confirmed the request is for 32 outside employees. Mr. Berkshire stated there are 4 office employees, 4 or 5 truck mechanics, and the rest are truck drivers. Mr. Hesser asked Mr. Berkshire if he would be opposed to the Board tabling this request until the next meeting. Mr. Berkshire stated that it sounds like the best option, since he was not aware of the denial recommendation. Mr. Auvil asked why the Board would table this request. Mr. Hesser responded it would give the petitioner time to review the best options for this request. Mr. Miller then asked Mr. Auvil what his recommendation would be. Mr. Auvil replied the staff is recommending denial based on the Special Use application but would then recommend starting the DPUD application. He continued by saying the uses consist of residential, agricultural, cell tower, and business, and this is best handled by a DPUD. Mr. Hesser clarified if the Board continues with this request, it will be denied. He continued by saying to be fair to the petitioner and Mr. Berkshire as the representative, the Board should allow time to make a presentation.

Mr. Berkshire came back to the podium to inquire about the time frame of creating a DPUD for this property. Mr. Auvil responded by saying the Plan Commission filing deadlines are the 1<sup>st</sup> Monday of each month with the meeting taking place the following month. Mr. Hesser asked if anyone knew why the petitioner's agent listed is not at the meeting. Mr. Berkshire stated he turned in the paperwork for the Special Use, but he did not list himself as the applicant or agent. He then stated he will meet with Mr. Auvil to get the DPUD process started. Mr. Hesser stated again that his concern is due process for the petitioner, and to table the hearing will be the best option. Mr.

There were no remonstrators present.

The public hearing was closed at this time.

The Board examined said request, and after due consideration and deliberation:

**Motion: Action:** Table, **Moved by** Randy Hesser, **Seconded by** John Gardner that the Board adopt the Staff Analysis as the Findings and Conclusions of the Board, and based upon these, further moved that this request For a Special Use for an agri-business, for a Special Use for a home workshop/business for a diesel repair shop, for a Developmental Variance to allow for 32 outside employees (Ordinance allows 4) and for a Developmental Variance to allow for the total square footage of accessory structures to exceed that allowed by right be tabled to allow the petitioner time to prepare a presentation.

**Vote:** Motion carried by unanimous roll call vote (**summary:** Yes = 5).

**Yes:** Debra Cramer, Steve Warner, John Gardner, Roger Miller, Randy Hesser.

10. The meeting was adjourned at 10:51 A.M.

Respectfully submitted,

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Jean Boyer, Recording Secretary

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Randy Hesser, Chairman

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Debra L. Cramer, Secretary

# ***BZA Staff Report***

*Prepared by the Department of Planning and Development*

**Hearing Date:** December 18, 2025

**Transaction Number:** SUP-0676-2025.

**Parcel Number(s):** 20-10-02-201-003.000-016 & 20-10-02-201-002.000-016.

**Existing Zoning:** A-1.

**Petition:** For a Special Use for a home workshop/business for a woodworking business.

**Petitioner:** Mark A. Haarer & Connie S. Haarer, Husband & Wife (Land Contract Holders), & Leander Martin (Land Contract Buyer).

**Location:** South side of CR 28, 1,490 ft. west of CR 15, in Harrison Township.

**Site Description:**

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

**History and General Notes:**

- None.

**Staff Analysis:**

Staff finds that:

1. The Special Use will be consistent with the spirit, purpose, and intent of the Development Ordinance. A Special Use for a home workshop/business is allowed in the A-1 zoning district.
2. The Special Use will not cause substantial and permanent injury to the appropriate use of neighboring property. This is a large 15-acre parcel in a low-density residential and agricultural area, and the property will remain residential and agricultural in character. All work will be done indoors with a minimal increase in traffic.
3. The Special Use will substantially serve the public convenience and welfare by allowing for a local woodworking business.

# ***BZA Staff Report (Continued)***

***Hearing Date:*** December 18, 2025

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

1. The Elkhart County Advisory Board of Zoning Appeals approval shall not be effective until the Commitment form has been executed, recorded, and returned to the Elkhart County Advisory Board of Zoning Appeals staff for placement in the petition file.
2. A revised site plan must be submitted for staff approval showing the entire property.

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

1. The request is approved in accordance with the revised site plan to be submitted for staff approval and as represented in the Special Use application.
2. No backing onto or off of County Road 28 with semi tractor trailers.
3. Sound mitigation for any generator must be used to ensure there is no audible sound at the property lines.

# PLAN COMMISSION & BOARD OF ZONING APPEALS

Special Use - Non Mobile Home

Elkhart County Planning & Development  
Public Services Building

4230 Elkhart Road, Goshen, Indiana, 46526

Phone - (574) 971-4678

Fax - (574) 971-4578

Date: 10/20/2025 Meeting Date: December 18, 2025 Transaction #: SUP-0676-2025  
Board of Zoning Appeals Public Hearing

Description: for a Special Use for a home workshop/business for a woodworking business

Contacts: <u>Applicant</u>	<u>Authorized Agent</u>	<u>Contract Purchaser</u>	<u>Land Owner</u>
Leander Martin 66983 County Road 11 Goshen, IN 46526	Leander Martin 66983 County Road 11 Goshen, IN 46526	Leander Martin 66983 County Road 11 Goshen, IN 46526	Mark A. Haarer And Connie S. Haarer, Husband And Wife (Contract Seller) 23270 County Road 28 Elkhart, IN 46517

Site Address: 23270 County Road 28 Elkhart, IN 46517	Parcel Number: 20-10-02-201-002.000-016 20-10-02-201-003.000-016
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Township: Harrison  
Location: SOUTH SIDE OF CR 28, 1,490 FT WEST OF CR 15

Subdivision:	Lot #
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Lot Area: 21.69	Frontage: 1,388.07	Depth: 621.76
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Zoning: A-1	NPO List: 12/04/2025
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Present Use of Property: RESIDENTIAL

Legal Description:

Comments: PARCEL CREATED 1/27/1987  
A REVISED SITE PLAN WILL BE REQUIRED SHOWING THE ENTIRE PROPERTY.  
A COMMITMENT MAY BE NECESSARY FOR NO BUSINESS ACTIVITIES UNTIL LEANDER MARTIN MOVES INTO  
THE HOME APPROXIMATELY MAY, 2026.

Applicant Signature:

Department Signature:



Special Use — Questionnaire

Name: Connie Haaner / Leander Martin

1) Tell us what you want to do. wood working Building drawer boxes

2) Tell us why this activity won't hurt your neighbors or the community. IT is a Family owned Business w/ only 1 or 2 employ's.

3) Is there a subdivision covenant that says you can't do this activity? ☐ Y ☒ N

If yes, does the subdivision have an active homeowners' association? ☐ Y ☐ N

4) Will the activity create noise, vibration, smoke, dust, odor, heat, or glare? ☐ Y ☒ N If yes, fill out below.

Tell us what will create those things. \_\_\_\_\_

Tell us how you'll reduce the impact of those things on neighbors. \_\_\_\_\_

5) Will there be buffering (fences, trees, shrubs, mounds)? ☐ Y ☒ N

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

6) 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

7) Will the activity use buildings or additions? ☒ Y ☐ N If yes, fill out below.

**Building or addition 1** Existing? ☐ Y ☒ N Size and height to the peak: 110 X 80 X 25

Tell us what you'll use it for. Building drawer Boxes

**Building or addition 2** Existing? ☐ Y ☐ N Size and height to the peak: \_\_\_\_\_

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

**Building or addition 3** Existing? ☐ Y ☐ N Size and height to the peak: \_\_\_\_\_

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

8) Does this application include animals? ☐ Y ☒ N

If yes, tell us what kind and how many of each. \_\_\_\_\_

Next page ➡

## Special Use — Questionnaire

- 9) Does this application include a business or nonprofit (church, school, other) based all or in part on this property? ☒ Y ☐ N If yes, fill out below.

How many employees do you have now? Full time: none Part time: none

How many employees do you want? Full time: 2 Part time: 0

How many of the employees won't live onsite? 2 in the future.

What will be the days and hours of operation on this property? 8:00 A.M. to 5:00 P.M.  
Mon. — Fri.

How many parking spaces do you have now? none

How many parking spaces do you want? none

Will there be outside storage or display areas on this property? ☐ Y ☒ N

If yes, tell us what will be stored outside or displayed. \_\_\_\_\_

Will there be retail sales on this property? ☐ Y ☒ N

If yes, tell us what will be sold. \_\_\_\_\_

Approximately how many customers (clients, guests, students, members) will be on this property per day?

one per day

Will there be pickups or deliveries on this property? ☒ Y ☐ N If yes, fill out below.

Tell us how often. 2 or 3 times per week

Tell us the kind of vehicles used. pickup truck and cargo trailer

Does the application include 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

- 10) Tell us anything else you want us to know. This is a small Family owned Business that currently has only owner as a worker, and Building drawer Boxes for Local community.

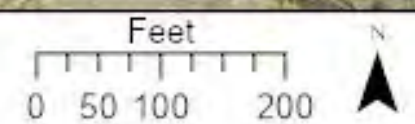


SUP-0676-2025



2025 Aerials

1 inch equals 200 ft



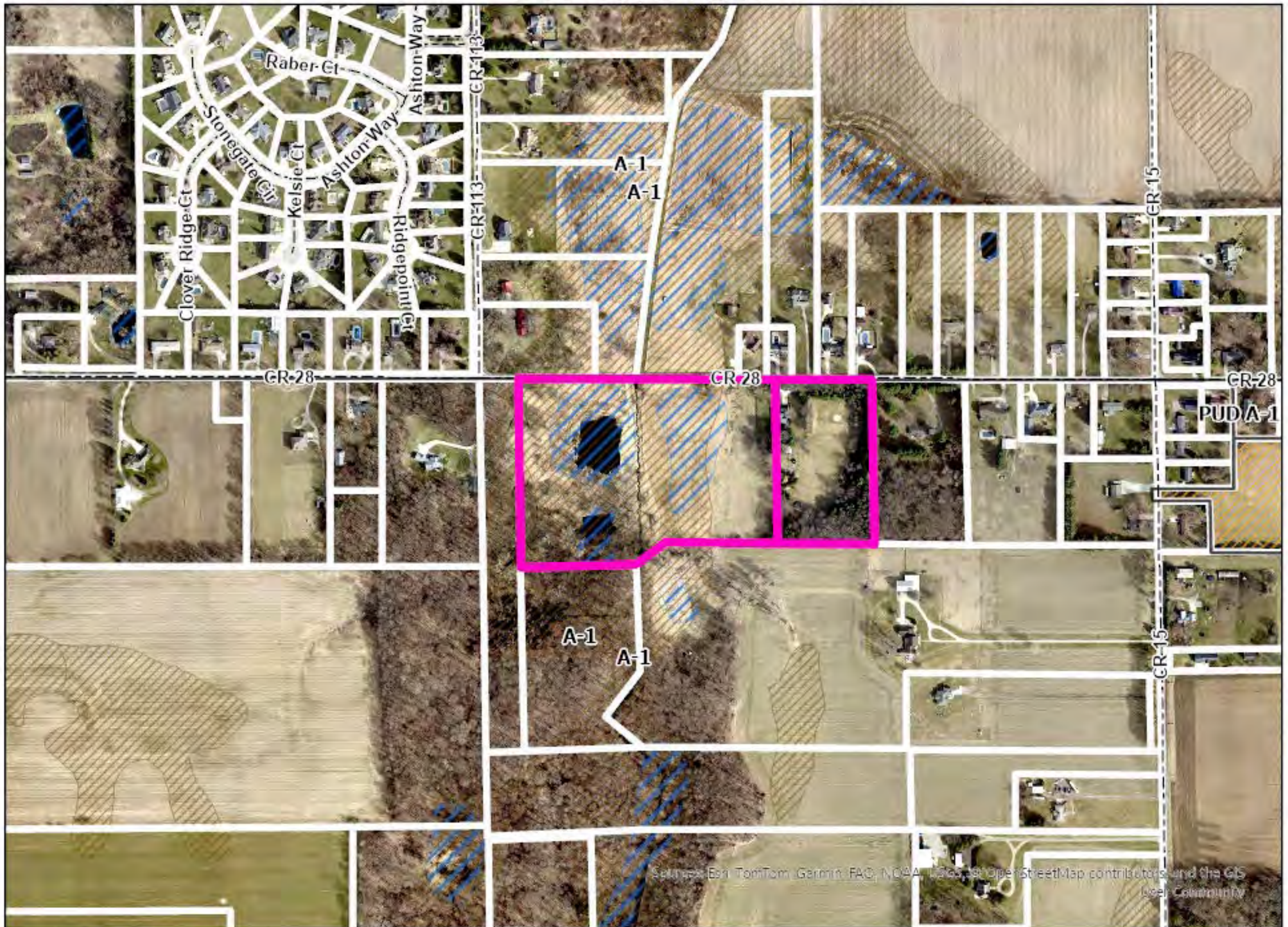


SUP-0676-2025



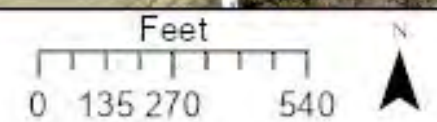


SUP-0676-2025



2025 Aerials

1 inch equals 500 ft







Subject property





Subject property, propose building site





Facing east





Facing west

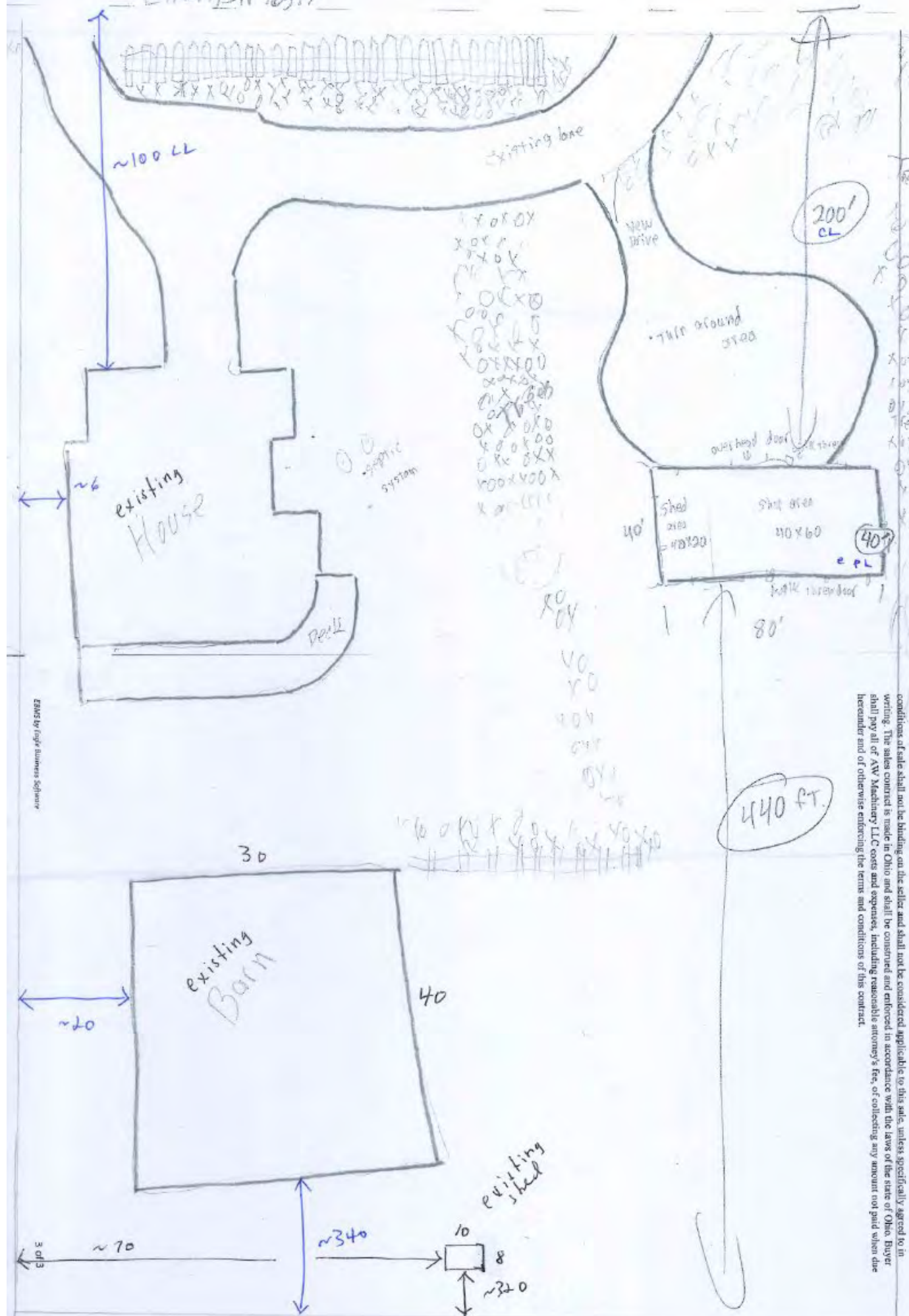




Facing north



CR28  $\uparrow$  North



conditions of sale above and the building on the seller and shall not be considered applicable to this sale, unless specifically agreed to in writing. The sales contract is made in Ohio and shall be construed and enforced in accordance with the laws of the state of Ohio. Buyer shall pay all of A/V Machinery LLC costs and expenses, including reasonable attorney's fee, or collecting any amount not paid when due hereunder and of otherwise enforcing the terms and conditions of this contract.

# ***BZA Staff Report***

*Prepared by the Department of Planning and Development*

**Hearing Date:** December 18, 2025

**Transaction Number:** SUP-0683-2025.

**Parcel Number(s):** 20-12-26-200-010.000-007.

**Existing Zoning:** A-1.

**Petition:** For a Special Use for a public stable.

**Petitioner:** Rock Run Real Estate LLC.

**Location:** South side of CR 38, 795 ft. west of CR 43, in Clinton Township.

## ***Site Description:***

- Physical Improvement(s) – None.
- Proposed Improvement(s) – Horse riding facility with future attached barn.
- Existing Land Use – Agricultural.
- Surrounding Land Use – Athletic park, residential, agricultural.

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

- **July 15, 2004** – The BZA approved the Special Use for the athletic park south of the subject property. Amendments were approved in 2007 and 2014.

## ***Staff Analysis:***

Staff finds that:

1. The Special Use will be consistent with the spirit, purpose, and intent of the Development Ordinance. A Special Use for a public stable is allowed in the A-1 zone.
2. The Special Use will not cause substantial and permanent injury to the appropriate use of neighboring property. The proposed use on this 7-acre parcel would be highly compatible with any low-density residential and agricultural area.
3. The Special Use will substantially serve the public convenience and welfare by providing for a local public stable including a therapeutic horse riding facility.

# ***BZA Staff Report (Continued)***

***Hearing Date:*** December 18, 2025

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

1. The Elkhart County Advisory Board of Zoning Appeals approval shall not be effective until the Commitment form has been executed, recorded, and returned to the Elkhart County Advisory Board of Zoning Appeals staff for placement in the petition file.

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

1. The request is approved in accordance with the site plan submitted (dated 10/23/2025) and as represented in the Special Use application.

# PLAN COMMISSION & BOARD OF ZONING APPEALS

Special Use - Non Mobile Home

Elkhart County Planning & Development  
Public Services Building

4230 Elkhart Road, Goshen, Indiana, 46526

Phone - (574) 971-4678

Fax - (574) 971-4578

Date: 10/23/2025

Meeting Date:

December 18, 2025

Board of Zoning Appeals Public Hearing

Transaction #:

SUP-0683-2025

Description: a Special Use for a Public Stable

Contacts: ApplicantAuthorized AgentContractorLand Owner

Hd Bontrager Construction

Hd Bontrager Construction

Hd Bontrager Construction

Rock Run Real Estate Llc

57342 County Road 116

57342 County Road 116

57342 County Road 116

11655 W 600 S

Middlebury, IN 46540

Middlebury, IN 46540

Middlebury, IN 46540

Millersburg, IN 46543

Site Address:

11132 Cr 38

MILLERSBURG, IN 46543

Parcel Number:

20-12-26-200-010.000-007

Township: Clinton

Location: NORTH ON CR 38, 795 FT. WEST OF CR 43

Subdivision:

Lot #

Lot Area:

7.00

Frontage:

281.00

Depth:

1,084.00

Zoning: A-1

NPO List:

Present Use of Property:

VACANT LAND

Legal Description:

Comments: COMMITMENT ON TRACT 1 ONLY.

FUTURE OWNER OF PROPERTY WILL BE HOPE BEAT, BUT NO SALE OF THIS PROPERTY AT THIS TIME. AW

Applicant Signature:

Department Signature:



Special Use — Questionnaire

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

- 1) Tell us what you want to do. Build a new building for therapeutic riding.
- 2) Tell us why this activity won't hurt your neighbors or the community. most activities will be inside. should not have dust or loud noise
- 3) Is there a subdivision covenant that says you can't do this activity? ☐ Y ☒ N  
If yes, does the subdivision have an active homeowners' association? ☐ Y ☐ N
- 4) Will the activity create noise, vibration, smoke, dust, odor, heat, or glare? ☐ Y ☒ N If yes, fill out below.  
Tell us what will create those things. \_\_\_\_\_  
Tell us how you'll reduce the impact of those things on neighbors. \_\_\_\_\_
- 5) Will there be buffering (fences, trees, shrubs, mounds)? ☒ Y ☐ N  
If yes, tell us about it. They want some trees around the west + south property lines for privacy
- 6) 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
- 7) Will the activity use buildings or additions? ☒ Y ☐ N If yes, fill out below.  

<b>Building or addition 1</b>	Existing? <input type="checkbox"/> Y <input checked="" type="checkbox"/> N	Size and height to the peak: <u>80' x 200' - 27' Peak</u>
Tell us what you'll use it for. <u>riding activities + horse boarding</u>		
<b>Building or addition 2</b>	<sup>new</sup> Existing? <input type="checkbox"/> Y <input type="checkbox"/> N	Size and height to the peak: <u>they want to</u>
Tell us what you'll use it for. <u>build attached barn with box stalls</u>		
<b>Building or addition 3</b>	Existing? <input type="checkbox"/> Y <input type="checkbox"/> N	Size and height to the peak: <u>40' x 80'</u>
Tell us what you'll use it for. <u>for horses when funds allow</u>		
- 8) Does this application include animals? ☒ Y ☐ N  
If yes, tell us what kind and how many of each. horses approx. 12 to 15 horses  
three - days a week

Next page ➡

Commitment on Tract 1 only.

# Special Use — Questionnaire

- 9) Does this application include a business or nonprofit (church, school, other) based all or in part on this property? ☒ Y ☐ N If yes, fill out below.

How many employees do you have now? Full time: \_\_\_\_\_ Part time: 15

How many employees do you want? Full time: \_\_\_\_\_ Part time: \_\_\_\_\_

How many of the employees won't live onsite? all

What will be the days and hours of operation on this property? 3 after noons a week

How many parking spaces do you have now?

How many parking spaces do you want? 20 buggies 12 vehicles

Will there be outside storage or display areas on this property? ☐ Y ☒ N

If yes, tell us what will be stored outside or displayed. \_\_\_\_\_

Will there be retail sales on this property? ☐ Y ☒ N

If yes, tell us what will be sold. \_\_\_\_\_

- \* Approximately how many customers (clients, guests, students, members) will be on this property per day?

3 days a week = 35 students - 60 family members

Will there be pickups or deliveries on this property? ☒ Y ☐ N If yes, fill out below.

Tell us how often. two to three times a week

Tell us the kind of vehicles used. truck and horse trailers

Does the application include signs? ☐ Y ☐ N If yes, fill out below.

**Sign 1** Dimensions (length and width). maybe a sign on the building

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

approx. 16 sq. ft. wall sign

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

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

**Sign 2** Dimensions (length and width). don't know

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). \_\_\_\_\_

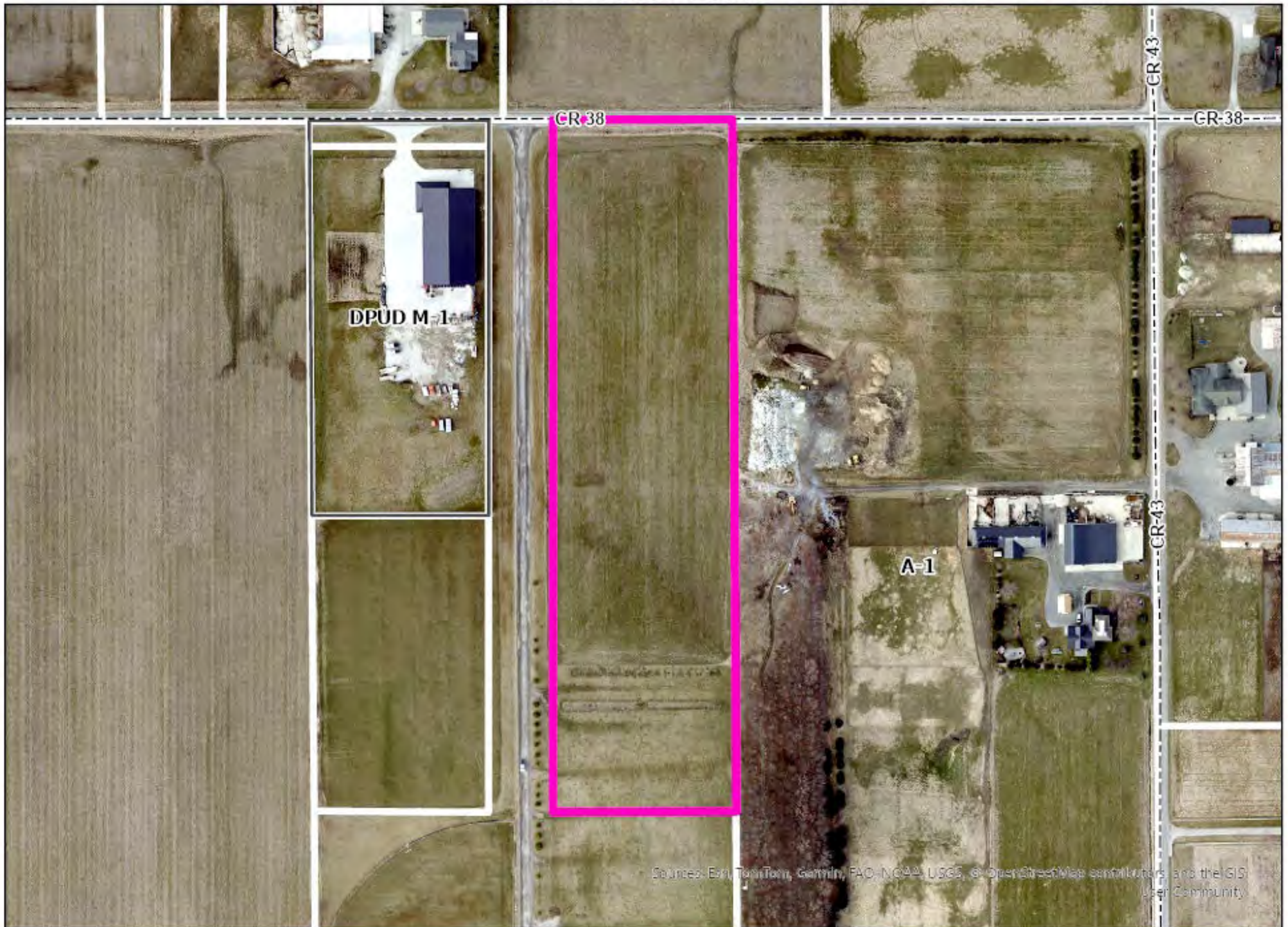
Existing? ☐ Y ☐ N Double faced? ☐ Y ☐ N

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

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

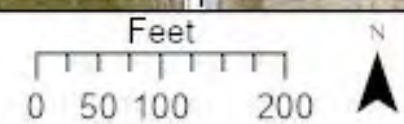
- 10) Tell us anything else you want us to know. they are only riding two days a week that could change to three days of riding





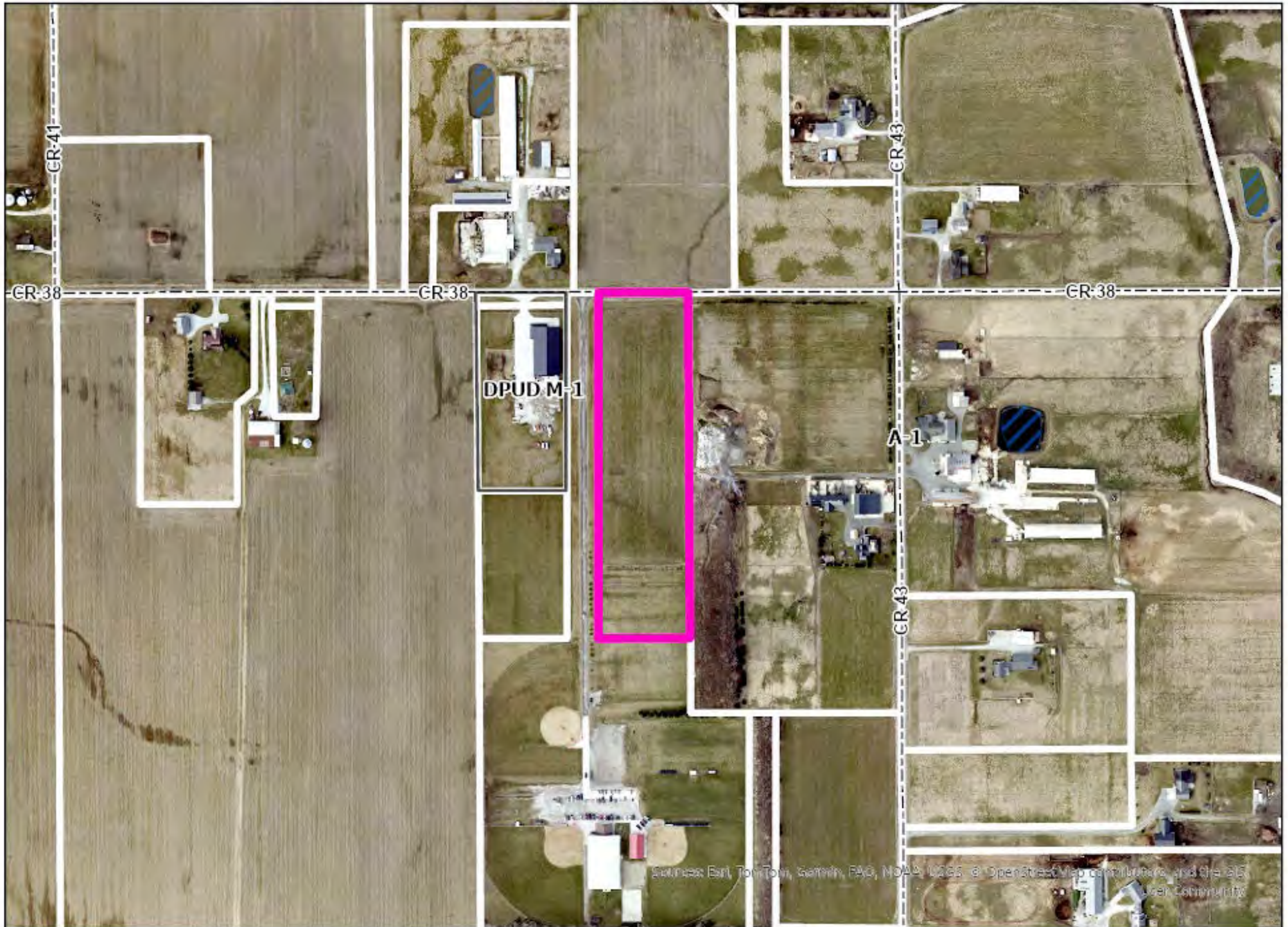
2025 Aerials

1 inch equals 200 ft





SUP-0683-2025



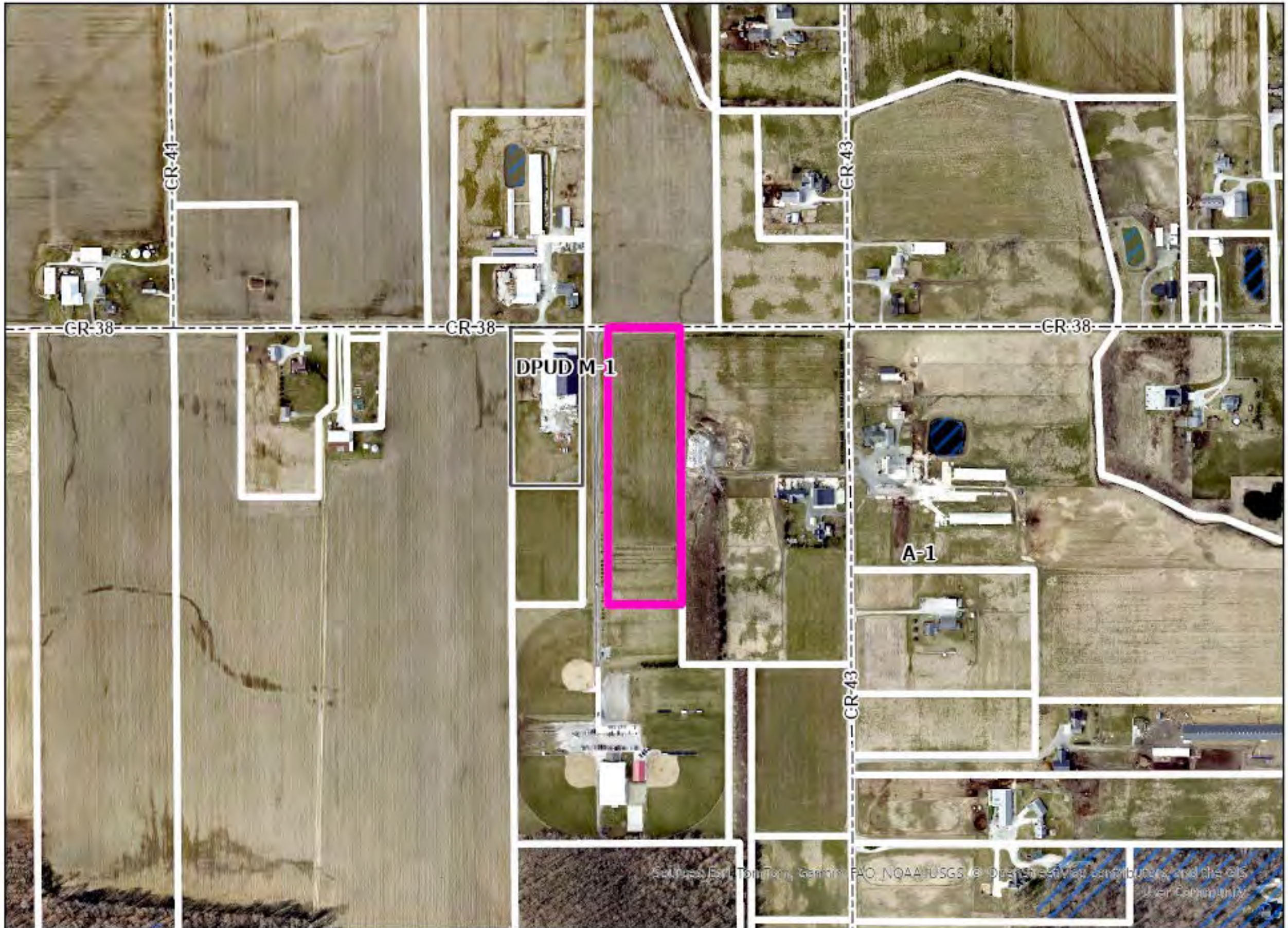
2025 Aerials

1 inch equals 400 ft



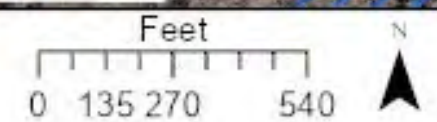


SUP-0683-2025



2025 Aerials

1 inch equals 500 ft







Subject property





Facing east





Facing west

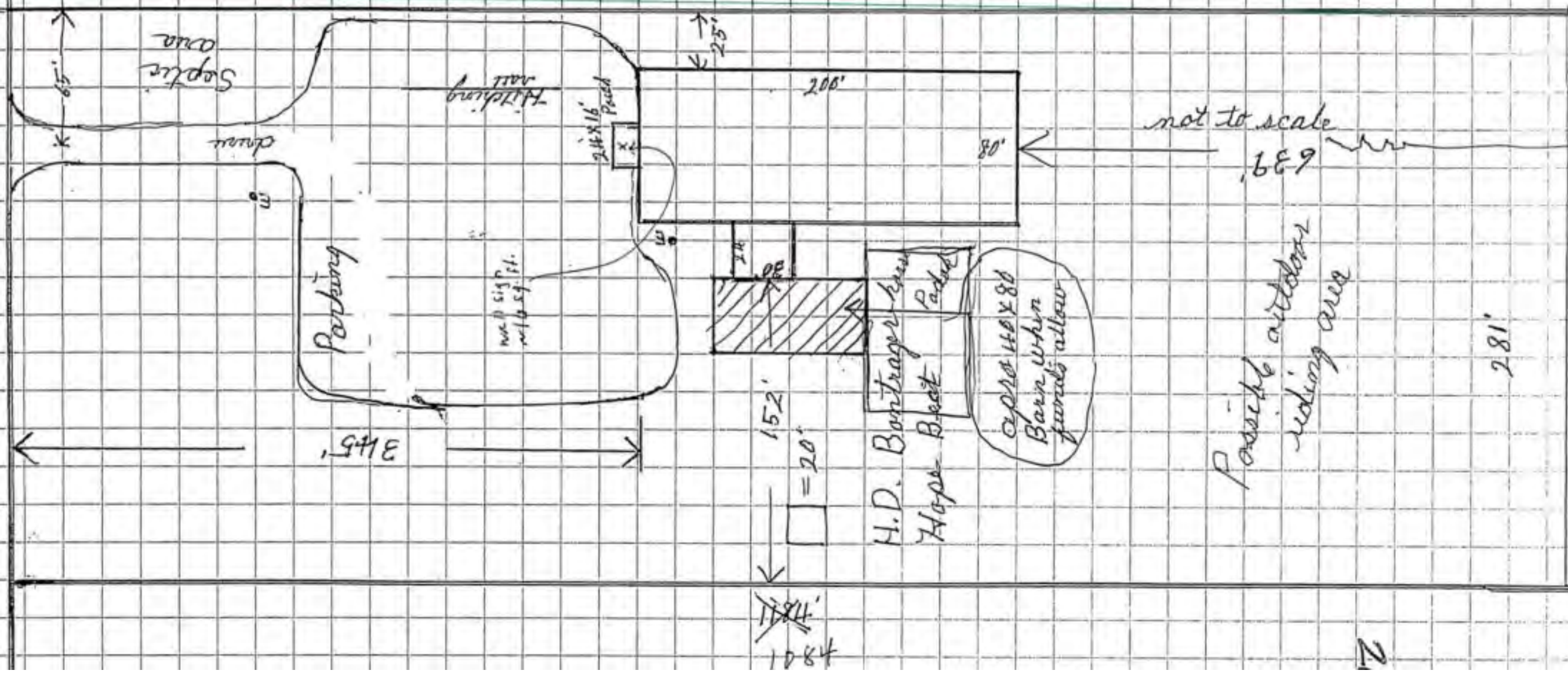




Facing north



CR 28





Bath Bath

Face 2 alt interior  
walls + septic

Sitting  
area

car port

Storage

Kitchen

Muc.

Face 1 exterior walls + roof

Riding area  
16' ceiling

60' 30' 40'

80' 14' x 12'

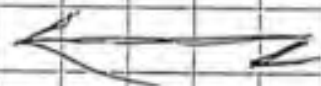
Bay stalls

24'

Work  
Bay  
Work

down  
putting

14'



# ***BZA Staff Report***

*Prepared by the Department of Planning and Development*

**Hearing Date:** December 18, 2025

**Transaction Number:** SUP-0723-2025.

**Parcel Number(s):** 20-12-31-200-014.000-007.

**Existing Zoning:** A-1.

**Petition:** For a Special Use for a home workshop/business for flour milling and sales and for a Developmental Variance to allow for the total square footage of accessory structures to exceed that allowed by right.

**Petitioner:** Miller Family Revocable Living Trust.

**Location:** West side of CR 33, 700 ft. south of CR 40, in Clinton Township.

**Site Description:**

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

**History and General Notes:**

- None.

**Staff Analysis:**

*For a Special Use for a home workshop/business for flour milling and sales, staff finds that:*

1. The Special Use will be consistent with the spirit, purpose, and intent of the Development Ordinance. A Special Use for a home workshop/business is allowed in the A-1 zoning district.
2. The Special Use will not cause substantial and permanent injury to the appropriate use of neighboring property. This is a large 14.65-acre parcel in a low-density residential and agricultural area, and the property will remain residential and agricultural in character.
3. The Special Use will substantially serve the public convenience and welfare by allowing for local grain milling and sales.

# ***BZA Staff Report (Continued)***

***Hearing Date:*** December 18, 2025

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

1. The Elkhart County Advisory Board of Zoning Appeals approval shall not be effective until the Commitment form has been executed, recorded, and returned to the Elkhart County Advisory Board of Zoning Appeals staff for placement in the petition file.

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

1. The request is approved in accordance with the site plan submitted (dated 11/13/2025) and as represented in the Special Use application.
2. No backing onto or off of County Road 33 with semi tractor trailers.
3. Sound mitigation for any generator must be used to ensure there is no audible sound at the property lines.

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

1. Approval of the request will not be injurious to public health, safety, morals, or general welfare. The request is 2,534 sq. ft., or 24%, over what is allowed by right, and the structure will meet all other developmental standards.
2. Approval of the request will not cause substantial adverse effect on neighboring property. This is a 14.65-acre parcel in a residential and agricultural area, and the property will remain residential and agricultural 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 use of the variance the building wouldn't be built to accommodate the milling and sales of flour.

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

1. Variances from the developmental standards of the Development 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 (dated 11/13/2025) and as represented in the Developmental Variance application.

# PLAN COMMISSION & BOARD OF ZONING APPEALS

Special Use - Non Mobile Home

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

4230 Elkhart Road, Goshen, Indiana, 46526

Phone - (574) 971-4678

Fax - (574) 971-4578

Date: 11/13/2025 Meeting Date: December 18, 2025 Transaction #: SUP-0723-2025  
Board of Zoning Appeals Public Hearing

Description: for a Special Use for a home workshop/business for flour milling and sales and 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>
Jh Construction 7165 W 650 N Shipshewana, IN 46565	Jh Construction 7165 W 650 N Shipshewana, IN 46565	Miller Family Revocable Living Trust 66247 County Road 33 Goshen, IN 46528

Site Address: 66247 County Road 33 Goshen, IN 46528	Parcel Number: 20-12-31-200-014.000-007
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Township: Clinton  
Location: West Side Of County Road 33, 700 ft. South Of County Road 40

Subdivision:	Lot #
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Lot Area: 14.65	Frontage: 800.00	Depth: 825.00
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Zoning: A-1	NPO List:
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Present Use of Property: RESIDENTIAL

Legal Description:

Comments: PARCEL CREATION DATE: 6/30/86  
STORAGE EQUATION: RESIDENCE 5,213 SQ. FT. X 200% = 10,426 SQ. FT.  
MINUS (2400) GARAGE  
MINUS (10,560) PROPOSED WORKSHOP  
= -2,534 SQ. FT. AVAILABLE STORAGE.

Applicant Signature:	Department Signature:
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Application

Site address: 66247 County Road 33 Goshen In. 46528

Parcel number(s): 20-12-31-200-014.000-007

Current property owner

Name: Miller Family Revocable Living Trust CLF Est Richard J & Lois Miller

Address: 66247 County Road 33 Goshen In. 46528

Phone: 574-501-4464 Email: \_\_\_\_\_

Other party

☒ Agent ☐ Buyer ☐ Land contract purchaser ☐ Lessee

Name: James Hochstetler

Address: 7165 W 650 N Shipshewana In. 46565

Phone: 260-350-0334 Email: jhsKylie5@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: James Hahl

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 \_\_\_\_\_,

\_\_\_\_\_ ft. N S E W of \_\_\_\_\_,

in \_\_\_\_\_ Township

Frontage: \_\_\_\_\_ Depth: \_\_\_\_\_ Area: \_\_\_\_\_ acres

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

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

# Special Use — Questionnaire

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

- 1) Tell us what you want to do. Mill heritage grains and package for  
wholesale use and a small retail outlet at the location  
We would produce flour and cornmeal for human consumption
  
- 2) Tell us why this activity won't hurt your neighbors or the community. all activity will be  
contained inside the new building, property line setbacks greater  
then required and minimal traffic & noise
  
- 3) Is there a subdivision covenant that says you can't do this activity? ☐ Y ☒ N  
If yes, does the subdivision have an active homeowners' association? ☐ Y ☒ N
  
- 4) Will the activity create noise, vibration, smoke, dust, odor, heat, or glare? ☒ Y ☐ N If yes, fill out below.  
Tell us what will create those things. The flour mill will create dust  
\_\_\_\_\_  
Tell us how you'll reduce the impact of those things on neighbors. The mill will be inside  
a building and have a dust collection system with it
  
- 5) Will there be buffering (fences, trees, shrubs, mounds)? ☐ Y ☒ N  
If yes, tell us about it. Would be willing to do a fence, trees or shrubs  
if it is required
  
- 6) 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
  
- 7) Will the activity use buildings or additions? ☒ Y ☐ N If yes, fill out below.  
**Building or addition 1** Existing? ☐ Y ☒ N Size and height to the peak: 80x120 - 30'  
Tell us what you'll use it for. milling and packaging of ~~grain~~ heritage grains  
**Building or addition 2** Existing? ☐ Y ☒ N Size and height to the peak: 24x40 - 12'  
Tell us what you'll use it for. freezer to store finished product  
**Building or addition 3** Existing? ☐ Y ☒ N Size and height to the peak: 24x30 x 15'  
Tell us what you'll use it for. retail space
  
- 8) Does this application include animals? ☐ Y ☒ N  
If yes, tell us what kind and how many of each. \_\_\_\_\_

Next page ➡

## Special Use — Questionnaire

- 9) Does this application include a business or nonprofit (church, school, other) based all or in part on this property? ☐ Y ☐ N If yes, fill out below.

How many employees do you have now? Full time: 0 Part time: \_\_\_\_\_

How many employees do you want? Full time: 3 Part time: 2

How many of the employees won't live onsite? 3

What will be the days and hours of operation on this property? 5 am - 4 pm

How many parking spaces do you have now? 0

How many parking spaces do you want? 11

Will there be outside storage or display areas on this property? ☐ Y ☒ N

If yes, tell us what will be stored outside or displayed. \_\_\_\_\_

Will there be retail sales on this property? ☒ Y ☐ N

If yes, tell us what will be sold. packaged flour and cornmeal for human use

Approximately how many customers (clients, guests, students, members) will be on this property per day?

10 - 15 ?

Will there be pickups or deliveries on this property? ☒ Y ☐ N If yes, fill out below.

Tell us how often. 2 per day

Tell us the kind of vehicles used. trucks with cargo trailers

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

**Sign 1** Dimensions (length and width). 0'

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

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



# Developmental Variance — Questionnaire

Name: James Hochstetler / Richard Miller

1) Tell us what you want to do. mill heritage grains for wholesale and retail use, for human consumption

2) Tell us why you can't change what you're doing so you don't need a variance. would like to have this as a homebased business but need a little more sq. footage than the allowed for home based businesses

3) Tell us why the variance won't hurt your neighbors or the community. the new activity will be contained inside a building and minimal traffic

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: ~~40x20x10~~ 24'x30'-15'

Tell us what you'll use it for. retail space

**Building or addition 2** Size and height to the peak: 80x120-30'

Tell us what you'll use it for. milling and packaging of heritage grains

**Building or addition 3** Size and height to the peak: 24x40x12'

Tell us what you'll use it for. freezer to store finished product

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. 11

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

\_\_\_\_\_

\_\_\_\_\_

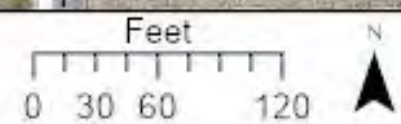


SUP-0723-2025



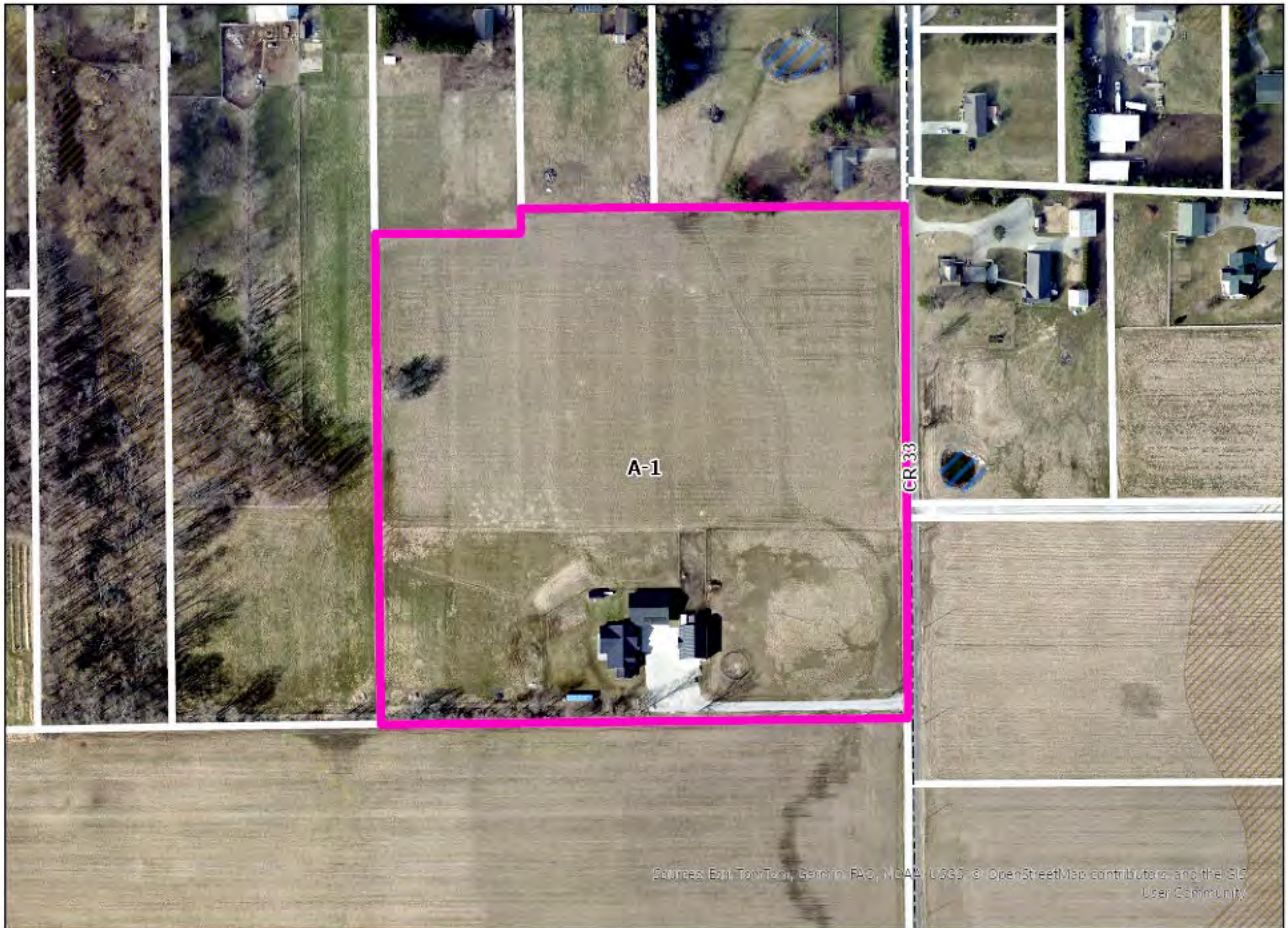
2025 Aerials

1 inch equals 120 ft





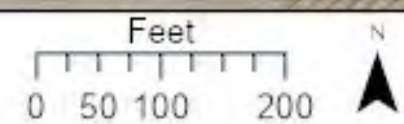
SUP-0723-2025



Sources: Esri, TomTom, Garmin, FAO, NOAA, USGS, © OpenStreetMap contributors, and the GIS User Community

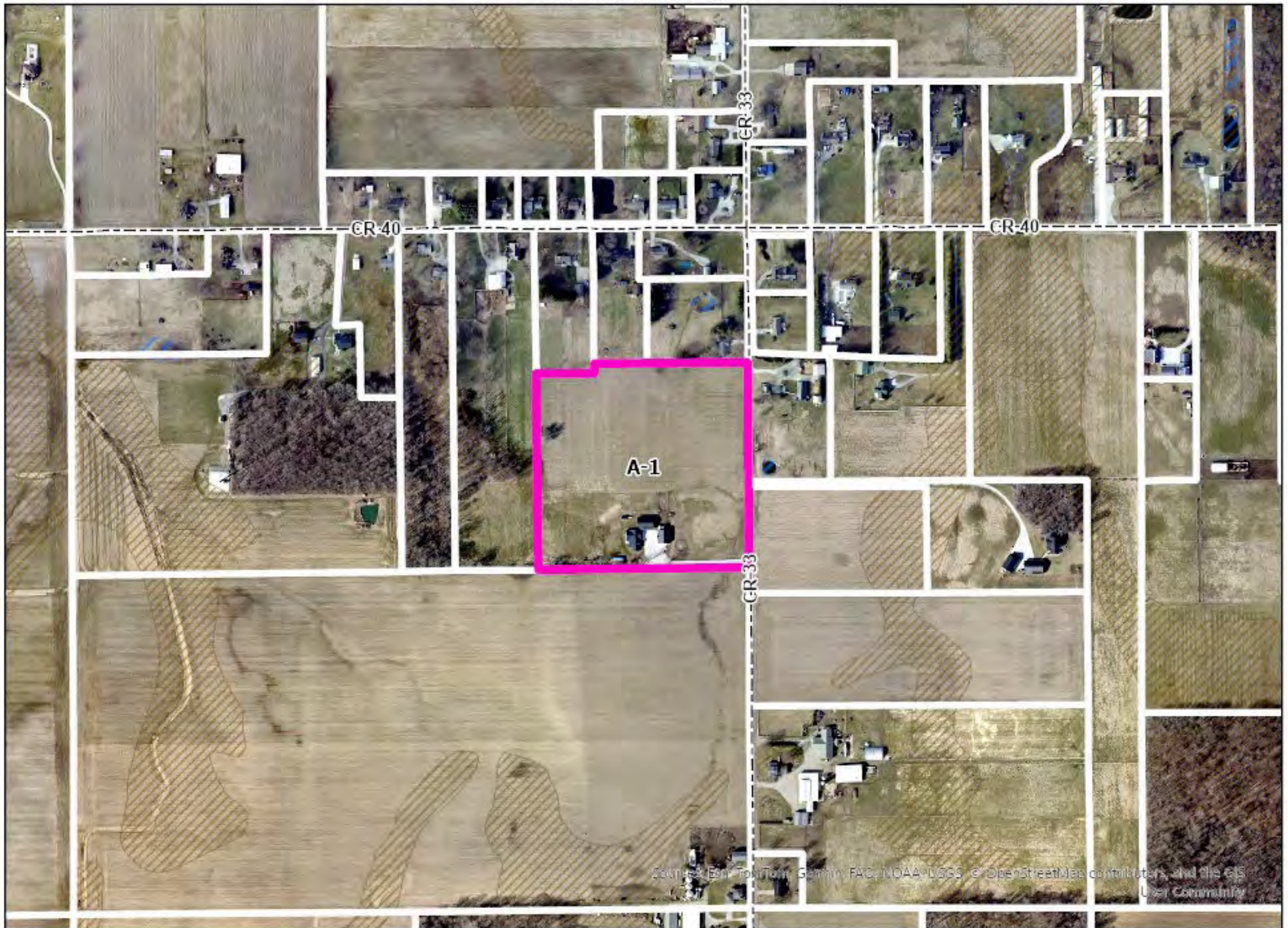
2025 Aerials

1 inch equals 200 ft





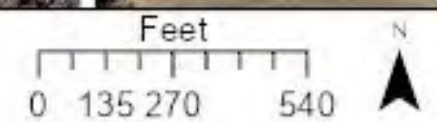
SUP-0723-2025



Sources: Esri, TomTom, Garmin, FAO, NOAA, USGS, © OpenStreetMap contributors, and the GIS User Community

2025 Aerials

1 inch equals 500 ft







Subject property





Facing north



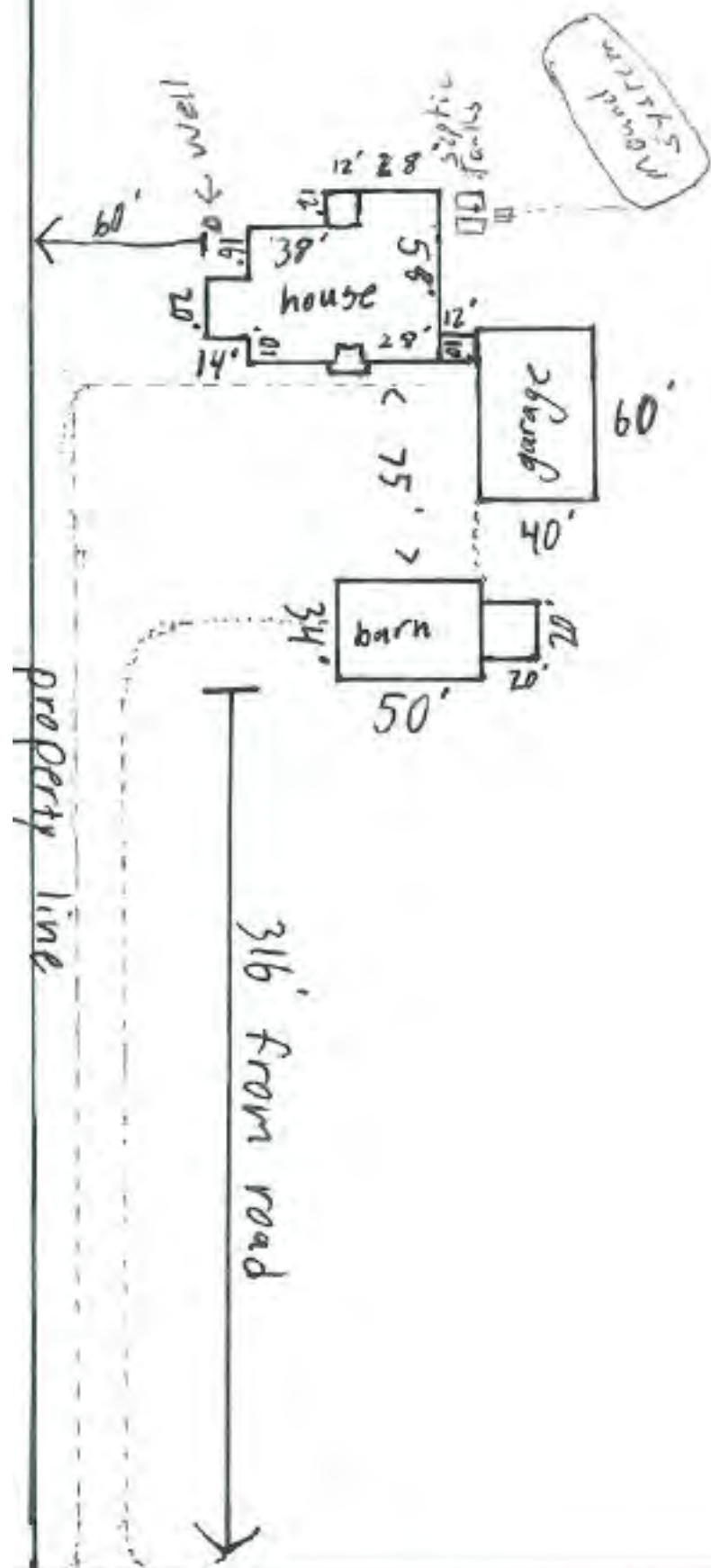


Facing south





Facing east

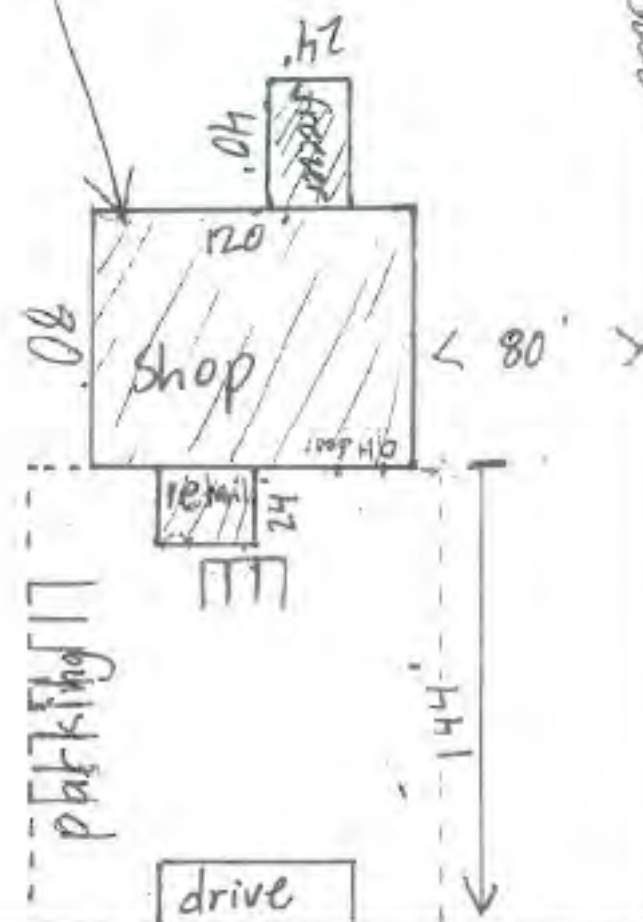


scale  
1" = 80'

100 1.3 255



New facility to produce flour from heritage grains



County Road 33



# ***BZA Staff Report***

*Prepared by the Department of Planning and Development*

**Hearing Date:** December 18, 2025

**Transaction Number:** SUP-0726-2025.

**Parcel Number(s):** 20-08-31-300-017.000-034.

**Existing Zoning:** A-1.

**Petition:** For a Special Use for a campground and for a 4 ft. Developmental Variance (Ordinance requires 10 ft.) to allow for an existing cabin 6 ft. from the north side property line.

**Petitioner:** Devon Schrock & Doris Schrock, Husband & Wife.

**Location:** South side of CR 28, 3,030 ft. west of CR 33, in Middlebury Township.

**Site Description:**

- Physical Improvement(s) – Cabin under construction.
- Proposed Improvement(s) – Second cabin.
- Existing Land Use – Residential, agricultural.
- Surrounding Land Use – Residential, agricultural.

**History and General Notes:**

- At the time of filing, it was disclosed that the construction of the 16×32 building had commenced without a permit.

**Staff Analysis:**

*For a Special Use for a campground, staff finds that:*

1. The Special Use will be consistent with the spirit, purpose, and intent of the Development Ordinance. A Special Use for a campground is allowed in the A-1 zoning district.
2. The Special Use will not cause substantial and permanent injury to the appropriate use of neighboring property. This is a 4-acre parcel in a low-density residential and agricultural area, and the property will remain a campground.
3. The Special Use will substantially serve the public convenience and welfare by allowing for local camping options.

# ***BZA Staff Report (Continued)***

***Hearing Date:*** December 18, 2025

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

1. The Elkhart County Advisory Board of Zoning Appeals approval shall not be effective until the Commitment form has been executed, recorded, and returned to the Elkhart County Advisory Board of Zoning Appeals staff for placement in the petition file.
2. A subdivision and Developmental Variance for road frontage are required.
3. Building permits are required.
4. A revised site plan must be submitted for staff approval showing all minimum setbacks met.

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

1. The request is approved in accordance with the revised site plan to be submitted for staff approval and as represented in the Special Use application.

*For a 4 ft. Developmental Variance (Ordinance requires 10 ft.) to allow for an existing cabin 6 ft. from the north side property line, staff finds that:*

1. Approval of the request will be injurious to public health, safety, morals, or general welfare. The south building was started without building permits and approvals.
2. Approval of the request will cause substantial adverse effect on neighboring property. This is a 4-acre parcel in a low-density residential and agricultural area, and there is no need to violate minimum building setbacks.
3. Strict application of the terms of the Development Ordinance would not result in an unnecessary hardship in the use of the property. The petitioner can either move the building already under construction or buy additional property to accommodate it.

Staff recommends **DENIAL**.

# PLAN COMMISSION & BOARD OF ZONING APPEALS

Special Use - Non Mobile Home

Elkhart County Planning & Development  
Public Services Building

4230 Elkhart Road, Goshen, Indiana, 46526

Phone - (574) 971-4678

Fax - (574) 971-4578

SUP-0726-2025

Date: 11/14/2025 Meeting Date: December 18, 2025  
Board of Zoning Appeals Public Hearing Transaction #: SUP-0726-2025

Description: for a Special Use for a campground and for a for 4 ft. Developmental Variance (Ordinance requires 10 ft.) to allow for an existing cabin 6 ft. from the north side property line

Contacts: <u>Applicant</u>	<u>Land Owner</u>
Devon Schrock And Doris	Devon Schrock And Doris
Schrock, Husband And Wife	Schrock, Husband And Wife
14928 County Road 28	14928 County Road 28
Goshen, IN 46528	Goshen, IN 46528

Site Address: 00000 County Road 28 GOSHEN, IN 46528	Parcel Number: 20-08-31-300-017.000-034
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Township: Middlebury  
Location: SOUTH SIDE OF CR 28, 3,030 FT. WEST OF CR 33

Subdivision:	Lot #
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Lot Area: 4.00	Frontage: 57.00	Depth: 752.00
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Zoning: A-1	NPO List:
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Present Use of Property: VACANT LAND

Legal Description:

Comments: PARCEL CREATED 2/28/2025  
PROPERTY OWNER HAS POURED FOUNDATION FOR 1 OF THE 2 BUILDINGS.  
PROPERTY OWNER IS AWARE HE WILL NEED TO FILE A 1-LOT MINOR SUBDIVISION AND CANNOT PULL PERMITS FOR CABINS UNTIL MINOR SUBDIVISION PROCESS IS COMPLETED. DEVELOPMENTAL VARIANCE FOR ROAD FRONTAGE WILL BE COVERED UNDER SUBDIVISION PROCESS - KB/DR - 11/14/2025

Applicant Signature:	Department Signature:
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# Special Use — Questionnaire

Name: Schrock

1) Tell us what you want to do. Have 2 buildings on a  
permanet foundation for short term rentals

2) Tell us why this activity won't hurt your neighbors or the community. Only small  
temporary rentals

3) Is there a subdivision covenant that says you can't do this activity? ☐ Y ☒ N  
If yes, does the subdivision have an active homeowners' association? ☐ Y ☐ N

4) Will the activity create noise, vibration, smoke, dust, odor, heat, or glare? ☐ Y ☒ N If yes, fill out below.  
Tell us what will create those things. \_\_\_\_\_

Tell us how you'll reduce the impact of those things on neighbors. \_\_\_\_\_

5) Will there be buffering (fences, trees, shrubs, mounds)? ☐ Y ☒ N  
If yes, tell us about it. \_\_\_\_\_

6) 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

4 acres

7) Will the activity use buildings or additions? ☒ Y ☐ N If yes, fill out below.

**Building or addition 1** Existing? ☒ Y ☐ N Size and height to the peak: 16x32 x 11 high  
Tell us what you'll use it for. Cabin for short term rentals

**Building or addition 2** Existing? ☐ Y ☒ N Size and height to the peak: 18x34 x 11 high  
Tell us what you'll use it for. Cabin for short term rentals

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

8) Does this application include animals? ☐ Y ☒ N  
If yes, tell us what kind and how many of each. \_\_\_\_\_

Next page ➡



## Special Use — Questionnaire

- 9) Does this application include a business or nonprofit (church, school, other) based all or in part on this property? ☒ Y ☐ N If yes, fill out below.

How many employees do you have now? Full time: 0 Part time: 0

How many employees do you want? Full time: 0 Part time: 1

How many of the employees won't live onsite? 1

What will be the days and hours of operation on this property? dependant on how often it is rented

How many parking spaces do you have now? 0

How many parking spaces do you want? 2

Will there be outside storage or display areas on this property? ☐ Y ☒ N

If yes, tell us what will be stored outside or displayed. \_\_\_\_\_

Will there be retail sales on this property? ☐ Y ☒ N

If yes, tell us what will be sold. \_\_\_\_\_

Approximately how many customers (clients, guests, students, members) will be on this property per day?

2 to 4

Will there be pickups or deliveries on this property? ☐ Y ☒ N If yes, fill out below.

Tell us how often. \_\_\_\_\_

Tell us the kind of vehicles used. \_\_\_\_\_

Does the application include signs? ☒ Y ☒ N If yes, fill out below.

**Sign 1** Dimensions (length and width). 10" x 12"

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

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

# Developmental Variance — Questionnaire

Name: DeVon & Doris Schrock

1) Tell us what you want to do. Have 2 portable building on a permanent foundation for short term rental

2) Tell us why you can't change what you're doing so you don't need a variance. The building is existing 5 ft. from property line

3) Tell us why the variance won't hurt your neighbors or the community. It borders a woods

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: 16 x 32 x 11 high  
Tell us what you'll use it for. \_\_\_\_\_  
**Building or addition 2** Size and height to the peak: 121 x 24 x 11 high  
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. \_\_\_\_\_

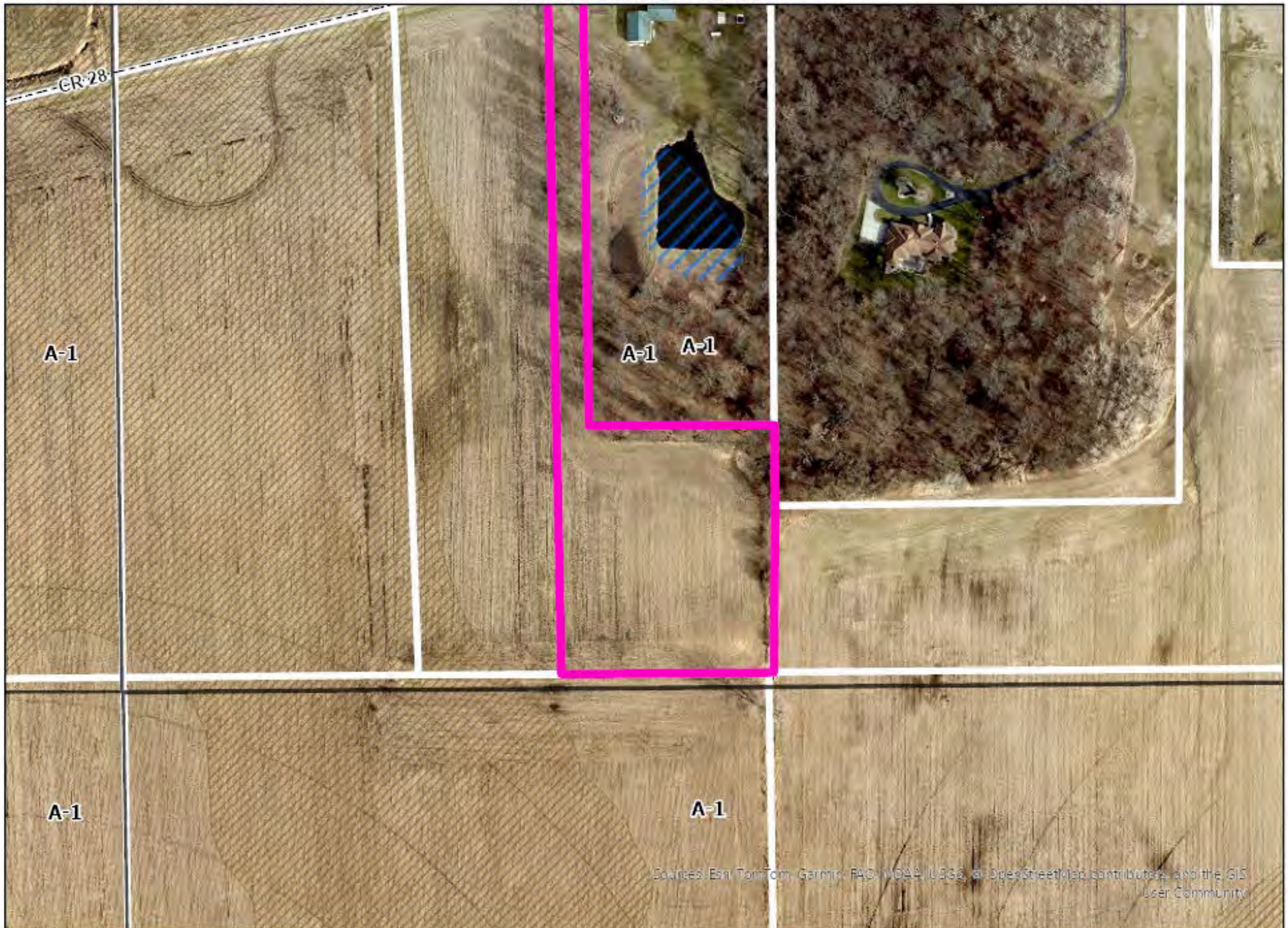
7) Does the application include variances for signs? ☒ Y ☐ N If yes, fill out below.  
**Sign 1** Dimensions (length and width): 10 x 12 in.  
Existing? ☐ Y ☒ N Double faced? ☒ Y ☐ N  
Electronic message board? ☐ Y ☒ N If no, lighted? ☒ Y ☐ N  
Freestanding? ☒ Y ☐ N Wall mounted? ☐ Y ☐ N  
**Sign 2** 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. \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_



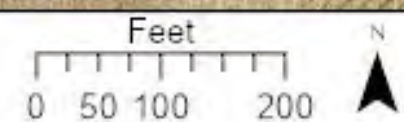
SUP-0726-2025



Sources: Esri, TomTom, Garmin, FAO, NOAA, USGS, © OpenStreetMap contributors, and the GIS User Community

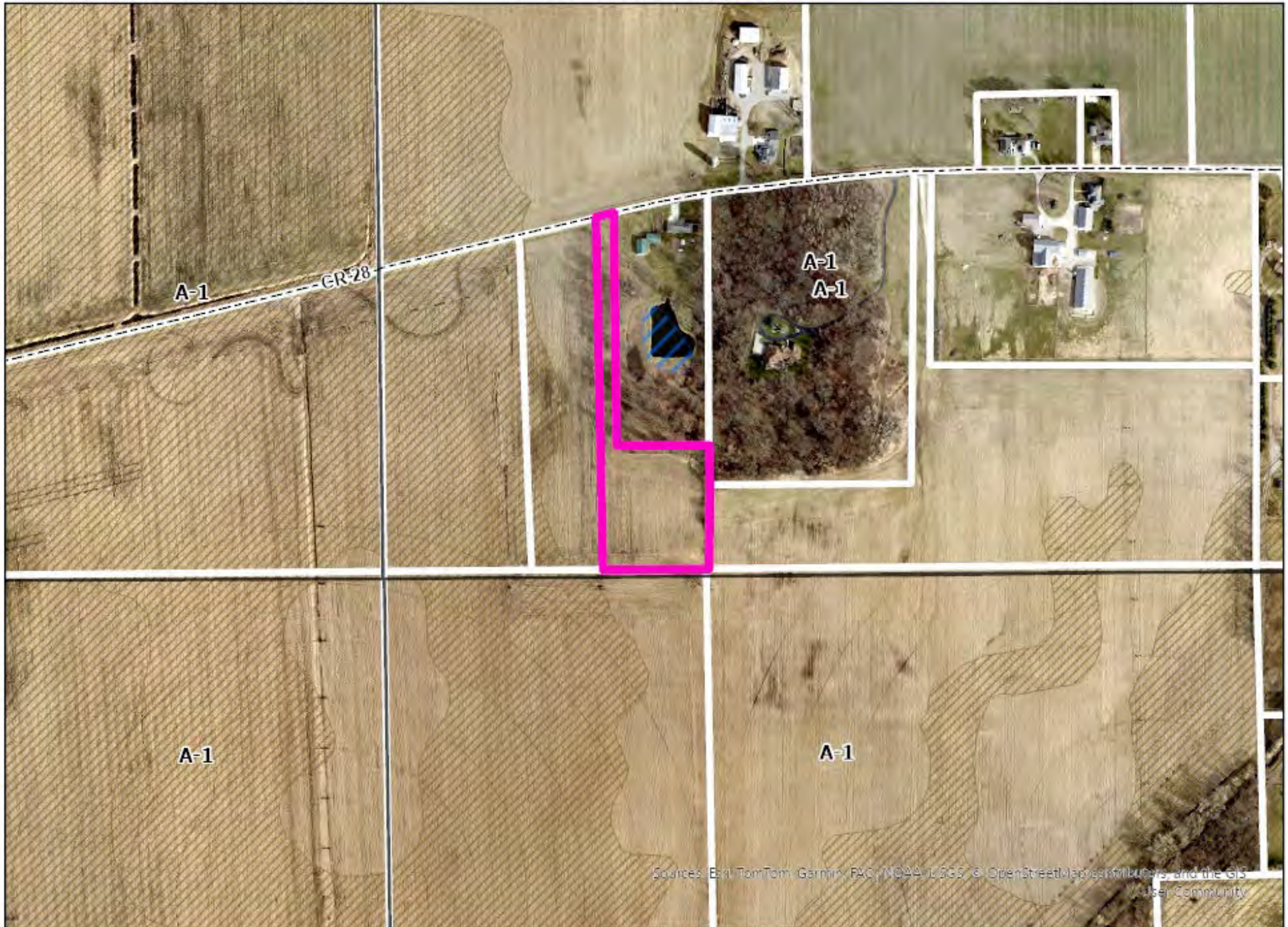
2025 Aerials

1 inch equals 200 ft



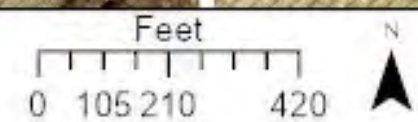


SUP-0726-2025



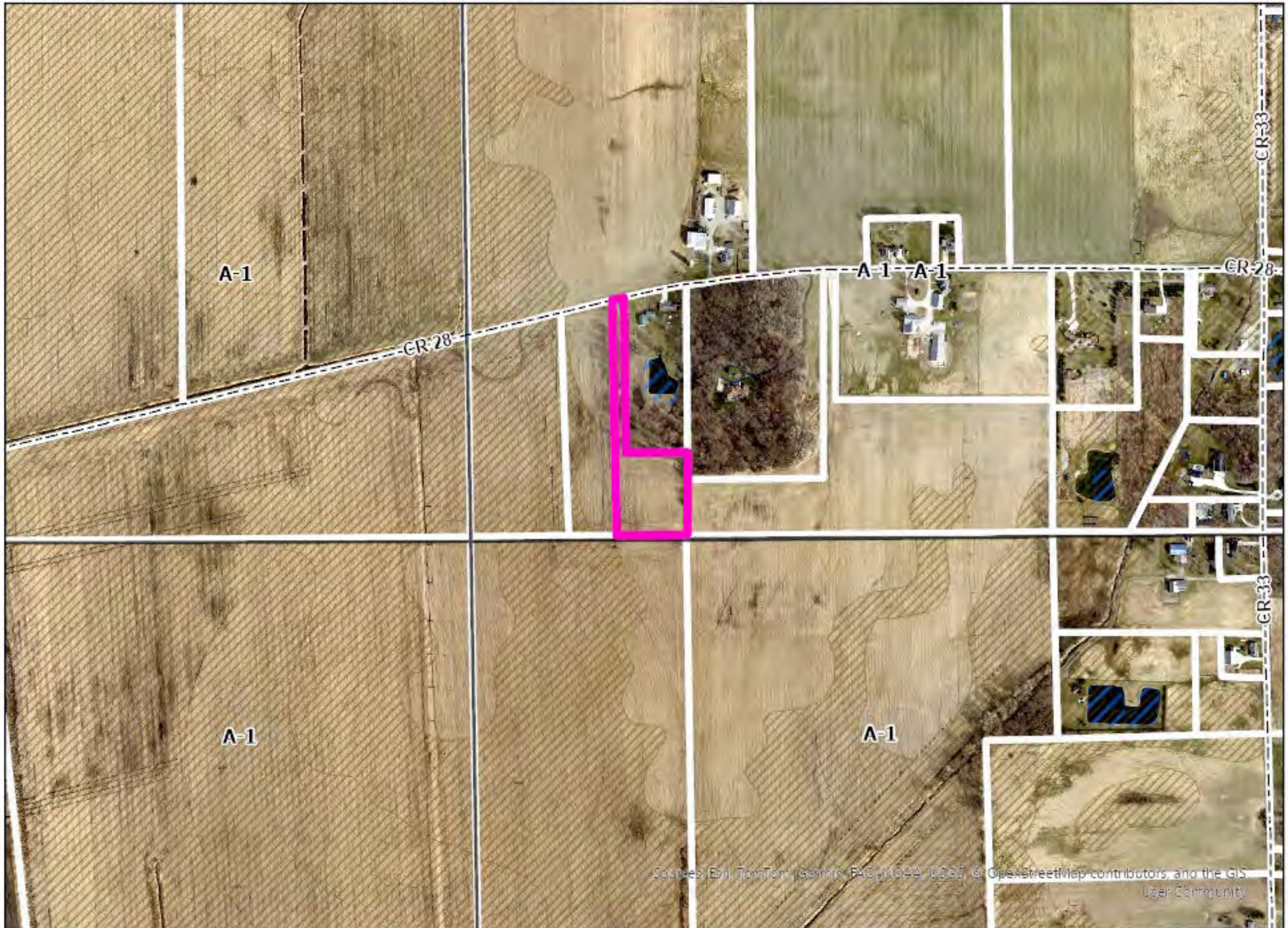
2025 Aerials

1 inch equals 400 ft



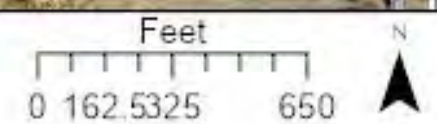


SUP-0726-2025



2025 Aerials

1 inch equals 600 ft







Subject property facing south



Facing north





Facing east

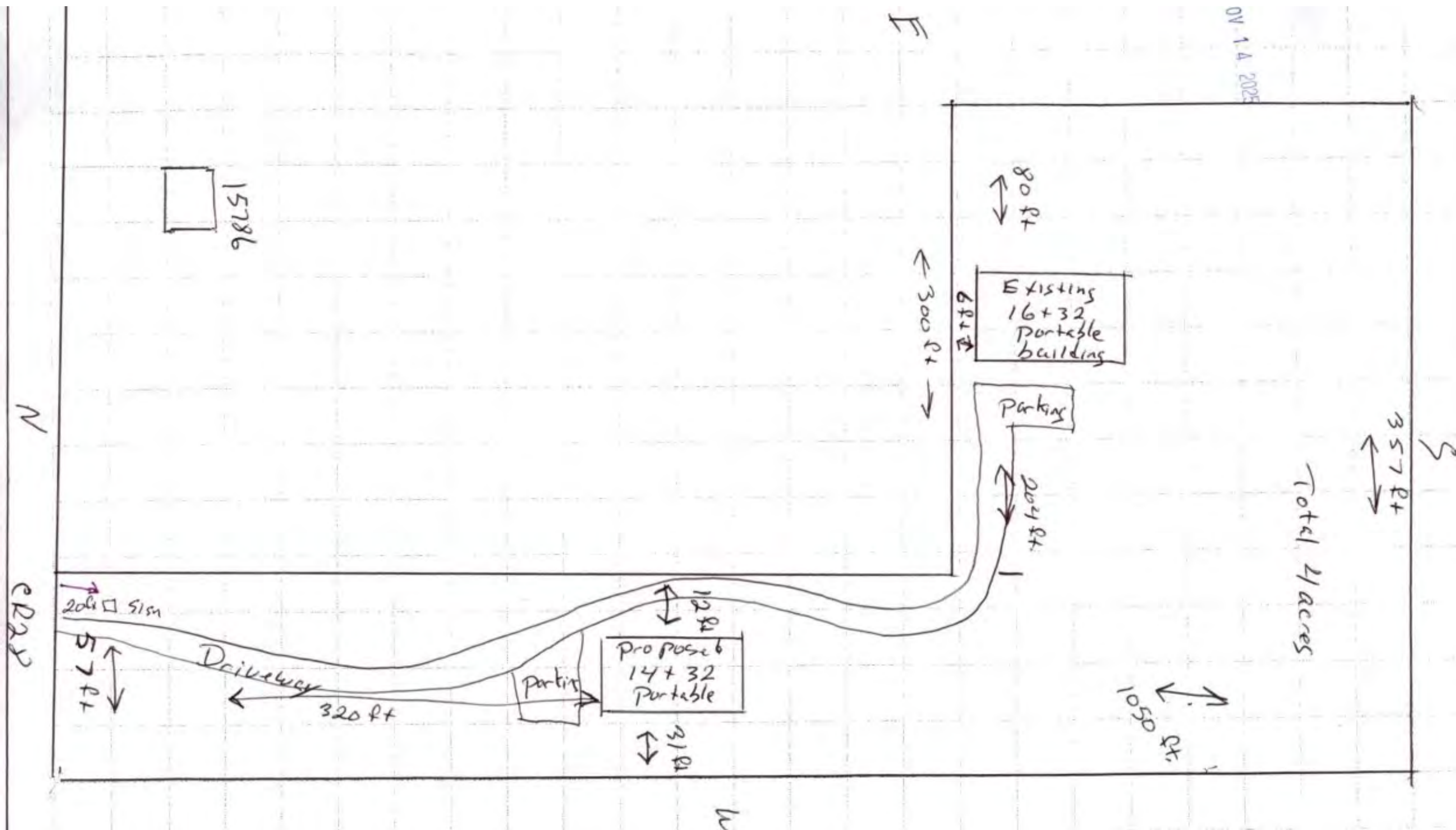




Facing west



07-14-2023





# ***BZA Staff Report***

*Prepared by the Department of Planning and Development*

**Hearing Date:** December 18, 2025

**Transaction Number:** SUP-0727-2025.

**Parcel Number(s):** 20-04-18-426-012.000-032.

**Existing Zoning:** A-1.

**Petition:** For a Special Use for an agricultural use for the keeping of animals on a tract of land containing less than 3 acres and for a 20 ft. Developmental Variance (Ordinance requires 75 ft.) to allow for the construction of a residence 55 ft. from the centerline of the right-of-way.

**Petitioner:** Michael King.

**Location:** West side of CR 33, 1,400 ft. north of CR 4, in York Township.

**Site Description:**

- Physical Improvement(s) – Shed.
- Proposed Improvement(s) – Replacement residence, agricultural building.
- Existing Land Use – Residential.
- Surrounding Land Use – Residential, agricultural.

**History and General Notes:**

- None.

**Staff Analysis:**

*For a Special Use for an agricultural use for the keeping of animals on a tract of land containing less than 3 acres, staff finds that:*

1. The Special Use will be consistent with the spirit, purpose, and intent of the Development Ordinance. A Special Use for an agricultural use is allowed in the A-1 zone.
2. The Special Use will not cause substantial and permanent injury to the appropriate use of neighboring property. This is a 2.13-acre parcel in a low-density residential and agricultural area, and the area will remain residential and agricultural in character.
3. The Special Use will substantially serve the public convenience and welfare by providing for a hobby opportunity.



# ***BZA Staff Report (Continued)***

***Hearing Date:*** December 18, 2025

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

1. The Elkhart County Advisory Board of Zoning Appeals approval shall not be effective until the Commitment form has been executed, recorded, and returned to the Elkhart County Advisory Board of Zoning Appeals staff for placement in the petition file.

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

1. The request is approved in accordance with the site plan submitted (dated 11/14/2025) and as represented in the Special Use application.
2. The agricultural use is limited to one (1) adult horse.

*For a 20 ft. Developmental Variance (Ordinance requires 75 ft.) to allow for the construction of a residence 55 ft. from the centerline of the right-of-way, staff finds that:*

1. Approval of the request will not be injurious to public health, safety, morals, or general welfare. The front setback for the proposed home will be 10 ft. less than that of the home that has been demolished, and driveway sight distances are not affected.
2. Approval of the request will not cause substantial adverse effect on neighboring property. This is a 2.13-acre parcel in a low-density residential and agricultural area, and the area will remain residential and agricultural in character.
3. Strict application of the terms of the Development Ordinance would result in an unnecessary hardship in the use of the property. Buildable area on the parcel is limited by wetlands at the rear.

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 11/14/2025) and as represented in the Developmental Variance application.



# PLAN COMMISSION & BOARD OF ZONING APPEALS

Special Use - Non Mobile Home

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

4230 Elkhart Road, Goshen, Indiana, 46526

Phone - (574) 971-4678

Fax - (574) 971-4578

Date: 11/14/2025 Meeting Date: December 18, 2025 Transaction #: SUP-0727-2025  
Board of Zoning Appeals Public Hearing

Description: for a Special Use for an agricultural use for the keeping of horses on a tract of land containing less than 3 acres and for a 20 ft. Developmental Variance (Ordinance requires 75 ft.) to allow for the construction of a residence 55 ft. from the center line of the right-of-way.

Contacts: Applicant Land Owner  
Michael King Michael King  
52137 County Road 131 52137 County Road 131  
Bristol, IN 46507 Bristol, IN 46507

Site Address: 51537 County Road 33 Parcel Number: 20-04-18-426-012.000-032  
Bristol, IN 46507

Township: York  
Location: West Side Of County Road 33, 1,400 ft. North Of County Road 4

Subdivision: Lot #

Lot Area: 2.13 Frontage: 160.00 Depth: 584.00

Zoning: A-1 NPO List:

Present Use of Property: RESIDENTIAL

Legal Description:

Comments: PARCEL CREATION DATE: 8/21/98  
DEMO PERMIT FOR OLD HOUSE ISSUED BR-2296-2025

Applicant Signature: Department Signature:



## Special Use — Questionnaire

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

- 1) Tell us what you want to do. I want to have horses on my  
2.13 acre parcel
- 2) Tell us why this activity won't hurt your neighbors or the community. they will be  
fenced in
- 3) Is there a subdivision covenant that says you can't do this activity? ☐ Y ☒ N  
If yes, does the subdivision have an active homeowners' association? ☐ Y ☐ N
- 4) Will the activity create noise, vibration, smoke, dust, odor, heat, or glare? ☒ Y ☐ N If yes, fill out below.  
Tell us what will create those things. The horses will create some  
noise  
Tell us how you'll reduce the impact of those things on neighbors. \_\_\_\_\_
- 5) Will there be buffering (fences, trees, shrubs, mounds)? ☒ Y ☐ N  
If yes, tell us about it. There's a row of trees both side  
of the property
- 6) 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
- 7) Will the activity use buildings or additions? ☒ Y ☐ N If yes, fill out below.  
**Building or addition 1** Existing? ☐ Y ☒ N Size and height to the peak: 24'x40' 15' to peak  
Tell us what you'll use it for. I'll use to shelter the horses  
**Building or addition 2** Existing? ☐ Y ☐ N Size and height to the peak: \_\_\_\_\_  
Tell us what you'll use it for. \_\_\_\_\_  
**Building or addition 3** Existing? ☐ Y ☐ N Size and height to the peak: \_\_\_\_\_  
Tell us what you'll use it for. \_\_\_\_\_
- 8) Does this application include animals? ☒ Y ☐ N  
If yes, tell us what kind and how many of each. There will be about  
2-3 horses

Next page ➡



## Special Use — Questionnaire

- 9) Does this application include a business or nonprofit (church, school, other) based all or in part on this property? ☐ Y ☒ N If yes, fill out below.

How many employees do you have now? Full time: \_\_\_\_\_ Part time: \_\_\_\_\_

How many employees do you want? Full time: \_\_\_\_\_ Part time: \_\_\_\_\_

How many of the employees won't live onsite? \_\_\_\_\_

What will be the days and hours of operation on this property? \_\_\_\_\_

How many parking spaces do you have now? \_\_\_\_\_

How many parking spaces do you want? \_\_\_\_\_

Will there be outside storage or display areas on this property? ☐ Y ☒ N

If yes, tell us what will be stored outside or displayed. \_\_\_\_\_

Will there be retail sales on this property? ☐ Y ☒ N

If yes, tell us what will be sold. \_\_\_\_\_

Approximately how many customers (clients, guests, students, members) will be on this property per day? \_\_\_\_\_

Will there be pickups or deliveries on this property? ☐ Y ☐ N If yes, fill out below.

Tell us how often. \_\_\_\_\_

Tell us the kind of vehicles used. \_\_\_\_\_

Does the application include 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

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



# Developmental Variance — Questionnaire

Name: Michael King

1) Tell us what you want to do. I want to build a house 55 ft. from CL of the road

2) Tell us why you can't change what you're doing so you don't need a variance. I want more space in the backyard.

3) Tell us why the variance won't hurt your neighbors or the community. There is no reason it should hurt them in any way.

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: 38' x 46' 20' to peak  
Tell us what you'll use it for. Its a house

**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. \_\_\_\_\_



SUP-0727-2025



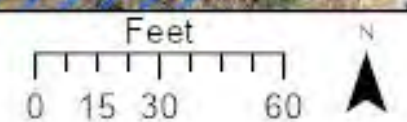
A-1

GR-33

Source: Esri, TomTom, Garmin, FAO, NOAA, 2025 © OpenStreetMap contributors, and the GIS User Community

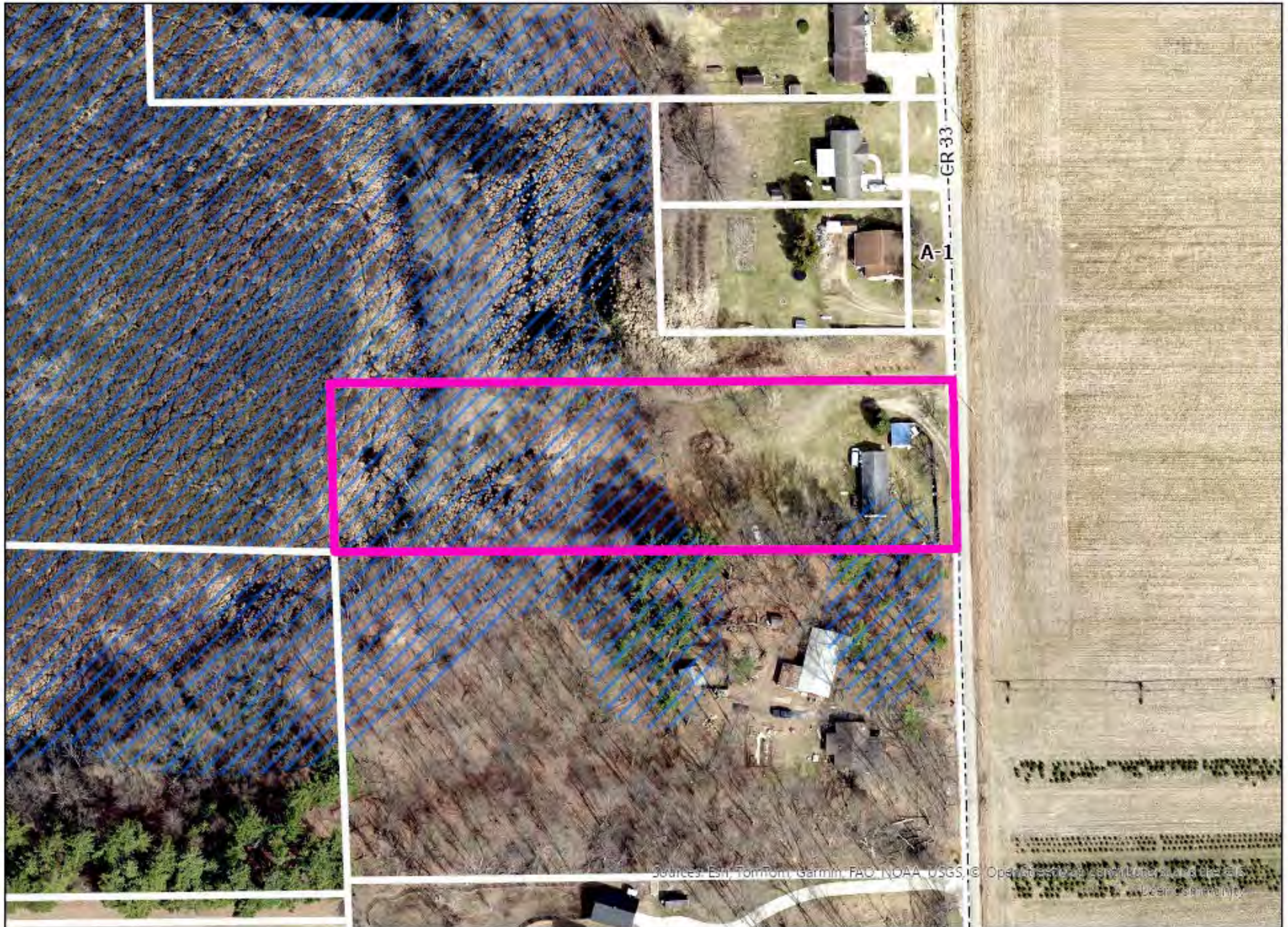
2025 Aerials

1 inch equals 60 ft



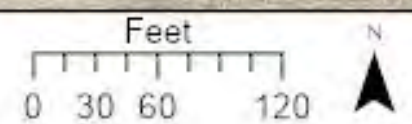


SUP-0727-2025



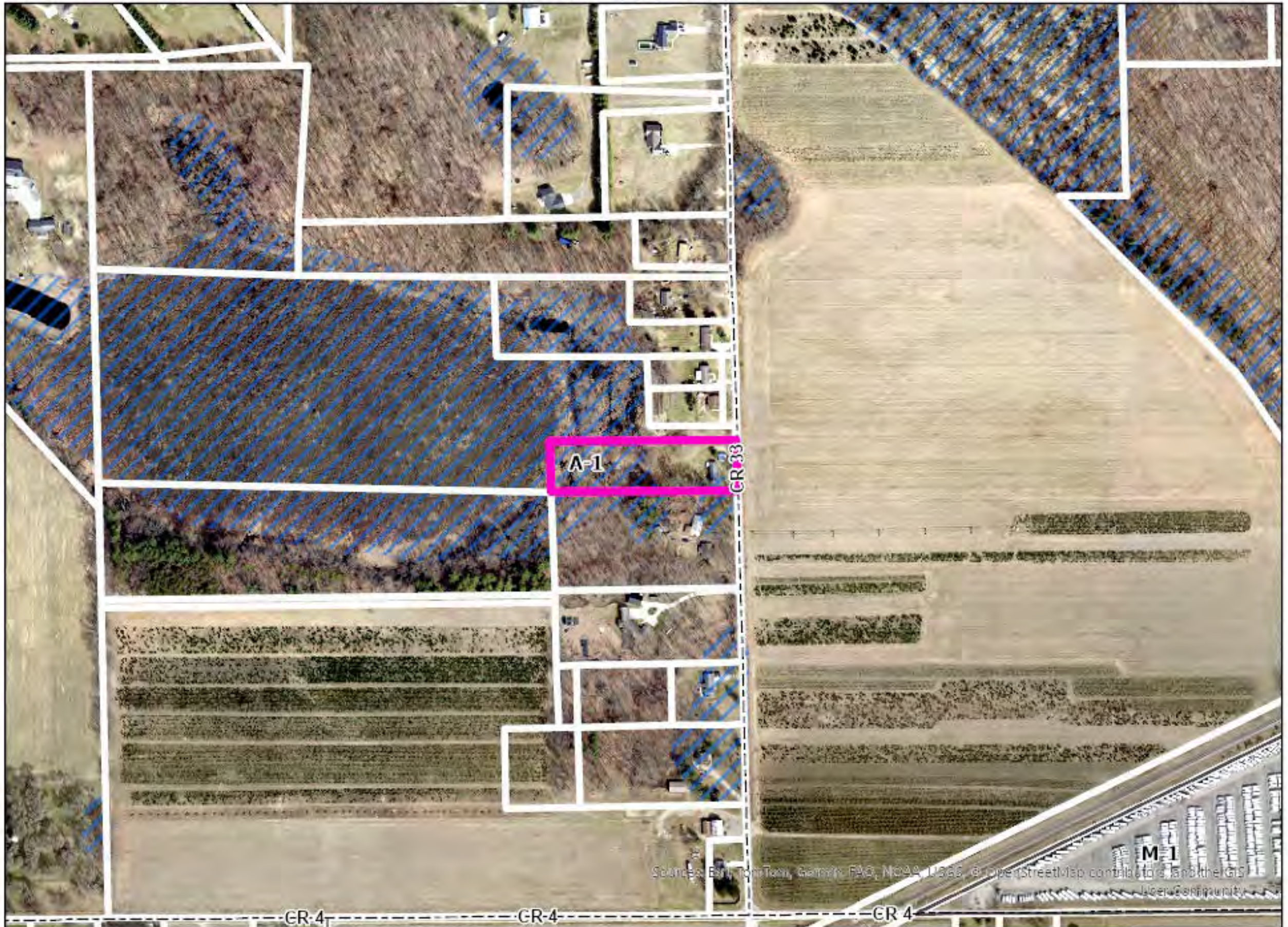
2025 Aerials

1 inch equals 120 ft



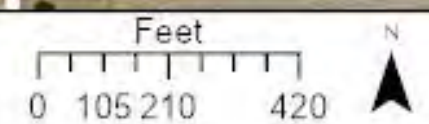


SUP-0727-2025



2025 Aerials

1 inch equals 400 ft







Subject property





Facing north





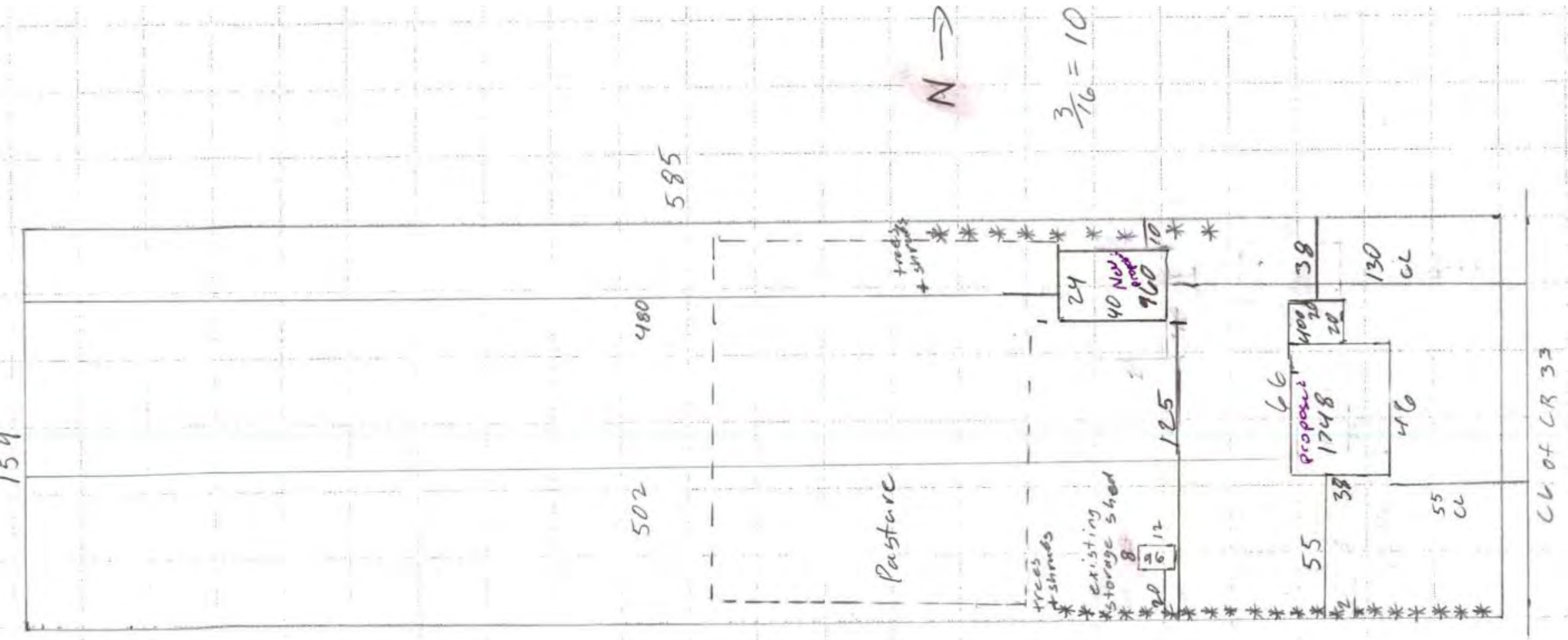
Facing south





Facing east







# ***BZA Staff Report***

*Prepared by the Department of Planning and Development*

***Hearing Date:*** December 18, 2025

***Transaction Number:*** SUP-0733-2025.

***Parcel Number(s):*** 20-11-12-103-005.000-014.

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

***Petition:*** For a Special Use for a home workshop/business for a woodworking business, for a Developmental Variance to allow for 7 outside employees (Ordinance allows 4), and for a Developmental Variance to allow for the total square footage of accessory structures to exceed that allowed by right.

***Petitioner:*** Joseph A. Miller (Land Contract Holder) & Aaron & Rachel Schrock (Land Contract Buyers).

***Location:*** Northwest corner of SR 4 & CR 29, in Elkhart Township.

***Site Description:***

- Physical Improvement(s) – Residence, agricultural structures.
- Proposed Improvement(s) – Detached accessory structure.
- Existing Land Use – Residential, Agricultural.
- Surrounding Land Use – Residential, Agricultural.

***History and General Notes:***

- None.

***Staff Analysis:***

*For a Special Use for a home workshop/business for a woodworking business, staff finds that:*

1. The Special Use will be consistent with the spirit, purpose, and intent of the Development Ordinance. A Special Use for a home workshop/business is allowed in the A-1 zoning district.
2. The Special Use will not cause substantial and permanent injury to the appropriate use of neighboring property. This is a large 13.21-acre parcel in a moderately dense residential, agricultural, and commercial area, and the property will remain residential in character. The subject parcel is near an M-2 zone district; therefore, the home workshop/business would not have a negative impact on the adjacent properties.
3. The Special Use will substantially serve the public convenience and welfare by providing a local woodworking business.



# ***BZA Staff Report (Continued)***

***Hearing Date:*** December 18, 2025

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

1. The Elkhart County Advisory Board of Zoning Appeals approval shall not be effective until the Commitment form has been executed, recorded, and returned to the Elkhart County Advisory Board of Zoning Appeals staff for placement in the petition file.

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

1. The request is approved in accordance with the site plan submitted (dated 11/17/2025) and as represented in the Special Use application.
2. No backing onto or off SR 4 with semi tractor trailers.
3. Sound mitigation for any generator must be used to ensure there is no audible sound at the property lines.

*For a Developmental Variance to allow for 7 outside employees (Ordinance allows 4) and for a Developmental Variance to allow for the total square footage of accessory structures to exceed that allowed by right, staff finds that:*

1. Approval of the request will not be injurious to public health, safety, morals, or general welfare. The request is 4,138 sq. ft., or 73%, over what is allowed by right, and this size of building is what can be found on neighboring properties in the area. With the additional 3 more employees than the ordinance allows, this will not be a significant increase as to add to the daily traffic on SR 4.
2. Approval of the request will not cause substantial adverse effect on neighboring property. This is a large 13.21-acre parcel in a medium-density residential and agricultural area, and the property will remain residential 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 use of the variances, the petitioner wouldn't have enough employees, or inside storage space, to run a successful business.

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

1. Variances from the developmental standards of the Development 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 (dated 11/17/2025) and as represented in the Developmental Variance application.



# PLAN COMMISSION & BOARD OF ZONING APPEALS

Special Use - Non Mobile Home

Elkhart County Planning & Development  
Public Services Building

4230 Elkhart Road, Goshen, Indiana, 46526

Phone - (574) 971-4678

Fax - (574) 971-4578

Date: 11/17/2025 Meeting Date: December 18, 2025 Transaction #: SUP-0733-2025  
Board of Zoning Appeals Public Hearing

Description: for a Special Use for a home workshop/business for a woodworking business, for a Developmental Variance to allow for 7 outside employees (Ordinance allows 4), and 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>Contract Purchaser</u>	<u>Land Owner</u>
Clinton Builders 62021 State Road 13 Goshen, IN 46528	Clinton Builders 62021 State Road 13 Goshen, IN 46528	Aaron L. Schrock & Rachel Schrock 15006 County Road 28 Goshen, IN 46528	Joseph A. Miller (Land Contract Holder) 16801 Sr 4 Goshen, IN 46528

Site Address: 16801 State Road 4 Goshen, IN 46528	Parcel Number: 20-11-12-103-005.000-014
--	---

Township: Elkhart  
Location: NORTHWEST CORNER OF SR 4 AND CR 29

Subdivision:	Lot #
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Lot Area: 13.21	Frontage: 509.50	Depth: 556.24
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Zoning: A-1	NPO List:
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Present Use of Property: RESIDENTIAL

Legal Description:

Comments: PARCEL CREATED 5/8/2003  
OPEN PERMIT #BR-1790-2016 FOR ADDITION TO RESIDENCE NEEDS FINAL INSPECTIONS  
RESIDENCE = 2,836 SQ FT X 200% = 5,672 SQ FT, MINUS 936 (DETACHED GARAGE), 378 (DETACHED GARAGE), AND  
216 (DETACHED GARAGE), WITH PROPOSED BUILDING OF 72 X 100 AND 20 X 40 FOR OFFICE, = 8,000 SQ FT,  
WHICH IS AN OVERAGE OF 3,858 SQ FT

Applicant Signature:	Department Signature:
----------------------	-----------------------



## Special Use — Questionnaire

Name Joseph Miller / Aaron Schrock1) Tell us what you want to do. Build a new 8,000 sq. ft. woodworking shop2) Tell us why this activity won't hurt your neighbors or the community. project site will meet all setback requirements, to avoid hindering any neighbors or community members3) Is there a subdivision covenant that says you can't do this activity? ☐ Y ☒ N  
If yes, does the subdivision have an active homeowners' association? ☐ Y ☐ N4) Will the activity create noise, vibration, smoke, dust, odor, heat, or glare? ☒ Y ☐ N If yes, fill out below.Tell us what will create those things. There will be a generator on site to run woodworking shopTell us how you'll reduce the impact of those things on neighbors. Will put generator in sound absorbing room5) Will there be buffering (fences, trees, shrubs, mounds)? ☐ Y ☒ N

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

6) Does the property need well and septic? Well: existing ☒ Y ☐ N Septic: ☒ Y ☐ NDoes the property need a new septic system? ☒ Y ☐ NIf a new septic system is needed, did the Health Department say there's enough space for it? ☒ Y ☐ N7) Will the activity use buildings or additions? ☒ Y ☐ N If yes, fill out below.**Building or addition 1** Existing? ☐ Y ☒ N Size and height to the peak: 72'x100'x29'Tell us what you'll use it for. production & warehouse**Building or addition 2** Existing? ☐ Y ☒ N Size and height to the peak: 20'x40'x16'Tell us what you'll use it for. office, utility, bathroom, an breakroom**Building or addition 3** Existing? ☐ Y ☒ N Size and height to the peak: 14'x20'x13'Tell us what you'll use it for. Generator room8) Does this application include animals? ☐ Y ☒ N

If yes, tell us what kind and how many of each. \_\_\_\_\_

Next page ➡



## Special Use — Questionnaire

- 9) Does this application include a business or nonprofit (church, school, other) based all or in part on this property? ☒ Y ☐ N If yes, fill out below.

How many employees do you have now? Full time: 7 Part time: \_\_\_\_\_

How many employees do you want? Full time: 10 Part time: \_\_\_\_\_

How many of the employees won't live onsite? 7

What will be the days and hours of operation on this property? Monday thru Friday  
5:00 Am to 1:00 PM

How many parking spaces do you have now? 3

How many parking spaces do you want? 5

Will there be outside storage or display areas on this property? ☐ Y ☒ N

If yes, tell us what will be stored outside or displayed. \_\_\_\_\_

Will there be retail sales on this property? ☐ Y ☒ N

If yes, tell us what will be sold. \_\_\_\_\_

Approximately how many customers (clients, guests, students, members) will be on this property per day?

2 per day

Will there be pickups or deliveries on this property? ☒ Y ☐ N If yes, fill out below.

Tell us how often. twice daily

Tell us the kind of vehicles used. pickup & 24' trailer

Does the application include 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

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

\_\_\_\_\_



employees (4 max who don't live there)

Developmental Variance — Questionnaire

Name: Joseph Miller / Aaron Schrock

1) Tell us what you want to do. We need 7 employees to build cabinet orders / an over sq. footage

2) Tell us why you can't change what you're doing so you don't need a variance. We need the work force to fulfill our orders.

3) Tell us why the variance won't hurt your neighbors or the community. Will use safety precautions for everybody's protection

4) Does the property need well and septic? Well: ☒ Y ☐ N Septic: ☒ Y ☐ N  
Does the property need a existing 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: 72' x 100' x 29'  
Tell us what you'll use it for. production & warehouse

**Building or addition 2** Size and height to the peak: 20' x 40' x 14'  
Tell us what you'll use it for. office, utility, bathroom, and breakroom

**Building or addition 3** Size and height to the peak: 14' x 20' x 13'  
Tell us what you'll use it for. Generator Room

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. \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_



This letter gives the approval  
for homeowner (Joseph Miller) to  
continue with proposed building project,  
of an 8,000 sq. ft. woodworking shop  
for A+R Woodworking c/o Aaron Schrock

Land owner Joe Miller

Buyer / shop owner Aaron Schrock

Agent / Builder David Dvorog



Source: Esri, TomTom, Garmin, FAO, NOAA, USGS, © OpenStreetMap contributors, and the GIS User Community

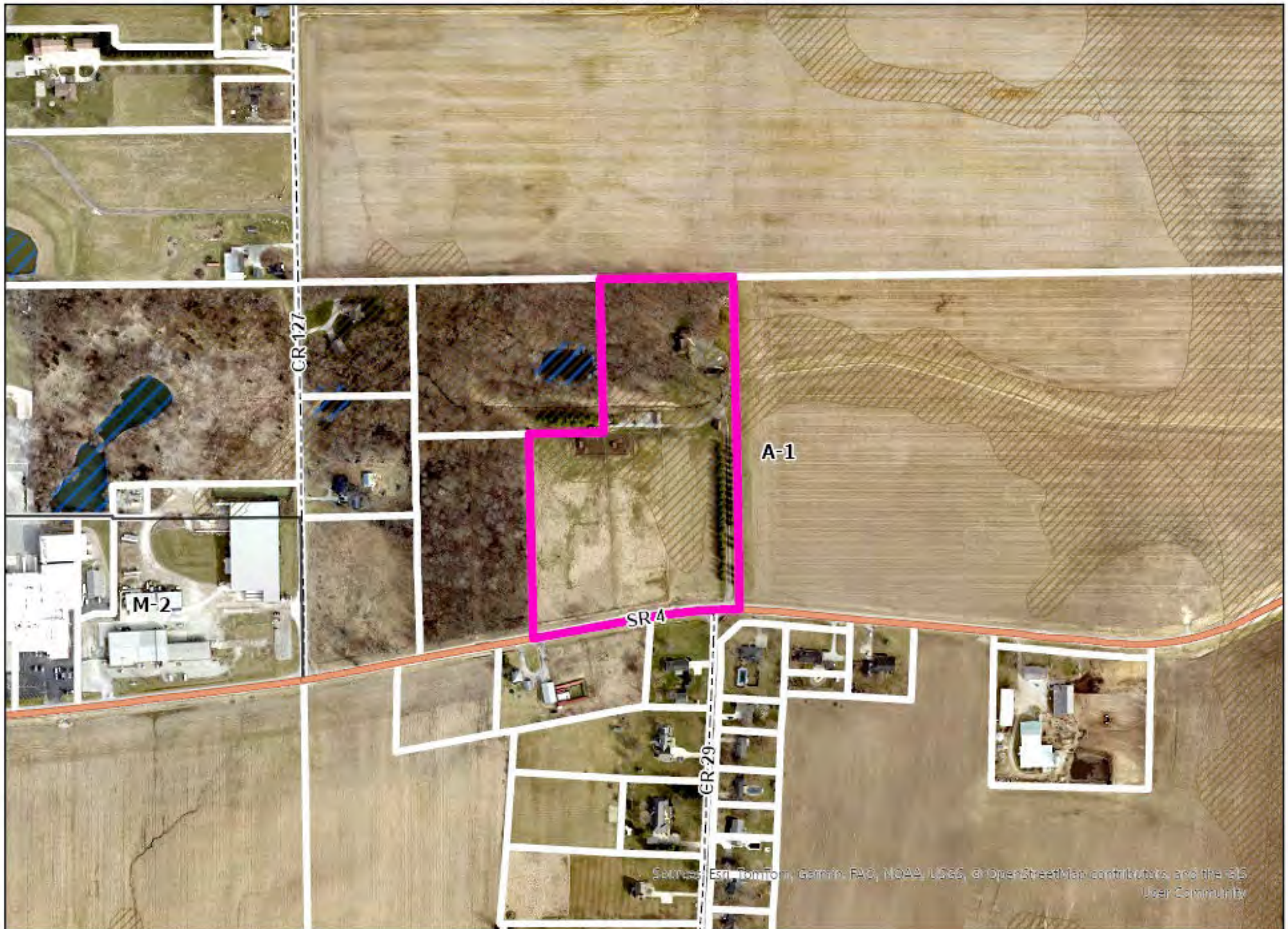
Feet

0 50 100 200

N

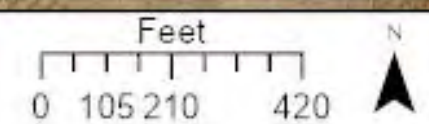


SUP-0733-2025



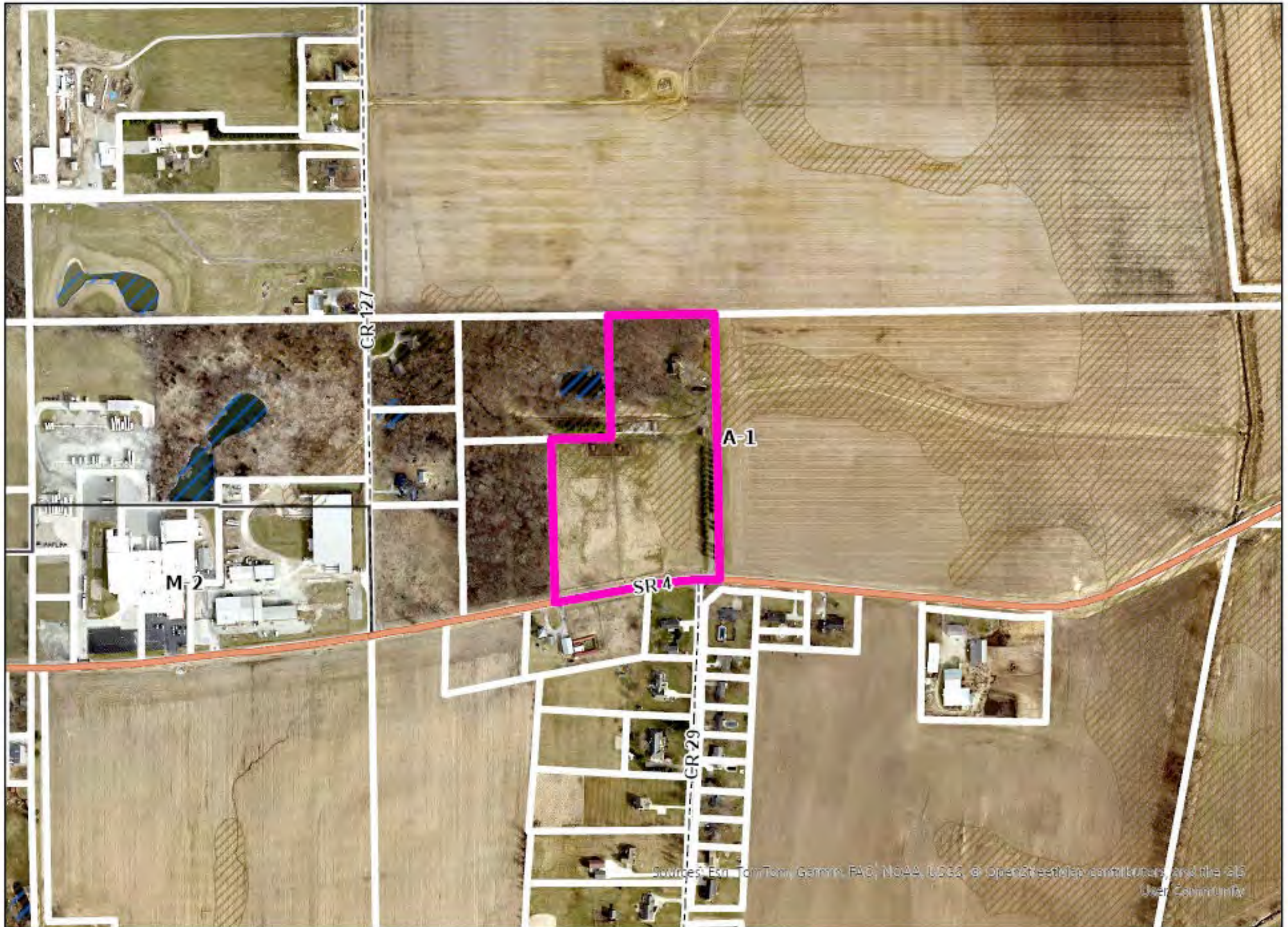
2025 Aerials

1 inch equals 400 ft





SUP-0733-2025



2025 Aerials

1 inch equals 500 ft







Subject property





Subject property, from SR 4





Subject property, proposed building site





Facing west





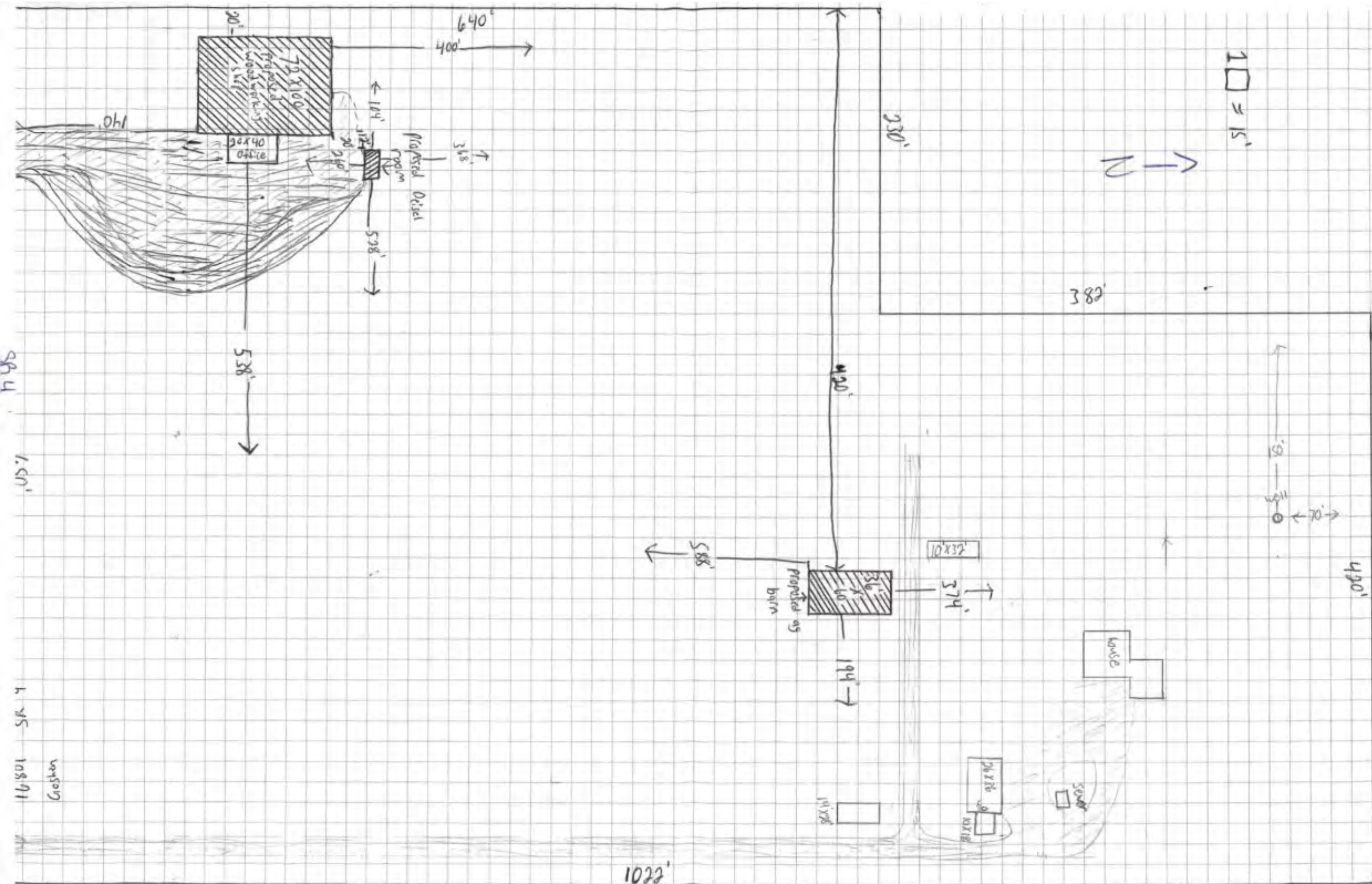
Facing east





Facing south





10' = 15'

2

70' →  
5' →  
15' →  
10' →

490'

1022'

16801 SR 4  
Goshen



# ***BZA Staff Report***

*Prepared by the Department of Planning and Development*

**Hearing Date:** December 18, 2025

**Transaction Number:** SUP-0732-2025.

**Parcel Number(s):** 20-04-18-200-004.000-032.

**Existing Zoning:** A-1.

**Petition:** For a Special Use for an agricultural use for the keeping of animals on a tract of land containing less than 3 acres, for a 24 ft. Developmental Variance (Ordinance requires 75 ft.) to allow for the construction of an accessory structure 51 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.

**Petitioner:** Edward R. Eggleston.

**Location:** West side of CR 33, 630 ft. south of CR 29, in York Township.

**Site Description:**

- Physical Improvement(s) – Residence.
- Proposed Improvement(s) – Accessory structure.
- Existing Land Use – Residential, agricultural.
- Surrounding Land Use – Residential, agricultural.

**History and General Notes:**

- None.

**Staff Analysis:**

*For a Special Use for an agricultural use for the keeping of animals on a tract of land containing less than 3 acres, staff finds that:*

1. The Special Use will be consistent with the spirit, purpose, and intent of the Development Ordinance. The keeping of animals on a tract of land containing less than 3 acres is allowed by Special Use in the A-1 zoning district.
2. The Special Use will not cause substantial and permanent injury to the appropriate use of neighboring property. This is a 2.43-acre parcel in a low-density residential and agricultural area, and the property will remain residential and agricultural in character.
3. The Special Use will substantially serve the public convenience and welfare by providing a hobby opportunity and a local source of food.



# ***BZA Staff Report (Continued)***

***Hearing Date:*** December 18, 2025

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

1. The Elkhart County Advisory Board of Zoning Appeals approval shall not be effective until the Commitment form has been executed, recorded, and returned to the Elkhart County Advisory Board of Zoning Appeals staff for placement in the petition file.

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

1. The request is approved in accordance with the site plan submitted (dated 11/17/2025) and as represented in the Special Use application.
2. The agricultural use is limited to a maximum of twelve (12) chickens, no roosters.

*For a 24 ft. Developmental Variance (Ordinance requires 75 ft.) to allow for the construction of an accessory structure 51 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, staff finds that:*

1. Approval of the request will not be injurious to public health, safety, morals, or general welfare. The request is 2,042 sq. ft., or 214%, over what is allowed by right due to the relatively small living area of the existing house and the proposed accessory structure will not hinder sight distance.
2. Approval of the request will not cause substantial adverse effect on neighboring property. This is a 2.43-acre parcel in a low-density residential and agricultural area, and the property will remain residential and agricultural in character.
3. Strict application of the terms of the Development Ordinance would result in an unnecessary hardship in the use of the property. The location of the proposed accessory structure maximizes land use by conserving open space.

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

1. Variances from the developmental standards of the Development 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 (dated 11/17/2025) and as represented in the Developmental Variance application.



# PLAN COMMISSION & BOARD OF ZONING APPEALS

Special Use - Non Mobile Home

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

4230 Elkhart Road, Goshen, Indiana, 46526

Phone - (574) 971-4678

Fax - (574) 971-4578

Date: 11/17/2025 Meeting Date: December 18, 2025 Transaction #: SUP-0732-2025  
Board of Zoning Appeals Public Hearing

Description: for a Special Use for an agricultural use for the keeping of animals on a tract of land containing less than 3 acres and for a 24 ft. Developmental Variance (Ordinance requires 75 ft. to allow for the construction of an accessory structure 51 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

Contacts: <u>Applicant</u>	<u>Land Owner</u>
Edward R. Eggleston	Edward R. Eggleston
51241 County Road 33	51241 County Road 33
Bristol, IN 46507	Bristol, IN 46507

Site Address: 51241 County Road 33 Bristol, IN 46507	Parcel Number: 20-04-18-200-004.000-032
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Township: York  
Location: West side of CR 33, 630 ft. south of CR 29

Subdivision:	Lot #
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Lot Area: 2.43	Frontage: 320.00	Depth: 323.00
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Zoning: A-1	NPO List:
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Present Use of Property: RESIDENTIAL

Legal Description:

Comments: PARCEL CREATION DATE: 4/23/79  
STORAGE EQUATION: RESIDENCE 864 X 110% = 950 SQ. FT.  
MINUS (480) GARAGE  
MINUS (112) SHED  
MINUS (2,400) PROPOSED ACCESSORY BUILDING  
= -2,042 SQ. FT. AVAILABLE (NEED FOR DEV. VARIANCE)

Applicant Signature:	Department Signature:
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# Special Use — Questionnaire

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

1) Tell us what you want to do. Put up a 40'x60' Pole Barn to  
move chicken coop up front to raise & extra  
space to work on my cars.

2) Tell us why this activity won't hurt your neighbors or the community. \_\_\_\_\_  
Would like it close to The house  
Not close to any neighbors, NO ROOSTERS!

3) Is there a subdivision covenant that says you can't do this activity? ☐ Y ☒ N  
 If yes, does the subdivision have an active homeowners' association? ☐ Y ☐ N

4) Will the activity create noise, vibration, smoke, dust, odor, heat, or glare? ☐ Y ☒ N If yes, fill out below.  
 Tell us what will create those things. \_\_\_\_\_

Tell us how you'll reduce the impact of those things on neighbors. \_\_\_\_\_

5) Will there be buffering (fences, trees, shrubs, mounds)? ☐ Y ☒ N  
 If yes, tell us about it. \_\_\_\_\_

6) 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

7) Will the activity use buildings or additions? ☐ Y ☒ N If yes, fill out below.  
**Building or addition 1** Existing? ☐ Y ☐ N Size and height to the peak: \_\_\_\_\_  
 Tell us what you'll use it for. \_\_\_\_\_

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

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

8) Does this application include animals? ☒ Y ☐ N  
 If yes, tell us what kind and how many of each. 12 chickens

Next page ➡



## Special Use — Questionnaire

- 9) Does this application include a business or nonprofit (church, school, other) based all or in part on this property? ☐ Y ☒ N If yes, fill out below.

How many employees do you have now? Full time: \_\_\_\_\_ Part time: \_\_\_\_\_

How many employees do you want? Full time: \_\_\_\_\_ Part time: \_\_\_\_\_

How many of the employees won't live onsite? \_\_\_\_\_

What will be the days and hours of operation on this property? \_\_\_\_\_

How many parking spaces do you have now? \_\_\_\_\_

How many parking spaces do you want? \_\_\_\_\_

Will there be outside storage or display areas on this property? ☐ Y ☐ N

If yes, tell us what will be stored outside or displayed. \_\_\_\_\_

Will there be retail sales on this property? ☐ Y ☐ N

If yes, tell us what will be sold. \_\_\_\_\_

Approximately how many customers (clients, guests, students, members) will be on this property per day? \_\_\_\_\_

Will there be pickups or deliveries on this property? ☐ Y ☐ N If yes, fill out below.

Tell us how often. \_\_\_\_\_

Tell us the kind of vehicles used. \_\_\_\_\_

Does the application include 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

- 10) Tell us anything else you want us to know. Wanting this 40x60 pole  
Beam to Have the chickens closer to the house  
and have a extra space to work on my cars.





DEPARTMENT OF THE ARMY  
U.S. ARMY CORPS OF ENGINEERS, DETROIT DISTRICT  
REGULATORY BRANCH  
MICHIANA SECTION  
2422 VIRIDIAN DRIVE SUITE # 200  
SOUTH BEND, IN 46628

October 29, 2025

Regulatory Branch  
File No. LRE-2025-00546-120

Edward Eggleston  
51241 County Road 33  
Bristol, Indiana 46507

Dear Mr. Eggleston:

We have reviewed the information that you recently submitted for a proposed project at 51241 County Road 33, in Bristol, Elkhart County, Indiana. Per your description of the project, we understand the project involves the construction of a barn.

The discharge of dredge or fill material into waters of the United States, including adjacent wetlands, must be authorized by the Department of the Army. The authority of the Corps of Engineers to regulate the discharge of dredged and/or fill material into waters of the United States including adjacent wetlands, is contained in Section 404 of the Clean Water Act and regulations promulgated pursuant to that Act. Please be advised that filling and grading work, mechanized landclearing, the sidecasting of excavated material, and some forms of piling installation constitute or otherwise involve discharges of dredged and/or fill material under the Corps' regulatory authority.

We have determined that a Department of Army (DA) permit is **not** required for the work indicated on the enclosed plans, as the work does not involve the discharge of dredged and/or fill material into waters of the United States and/or adjacent wetlands. Any construction activity other than shown on the plans you provided, or which occur outside your specified work area, may render this review invalid. To fully document your proposed activity, we have made your application and copies of the enclosed plans a part of our permanent records.

If you anticipate discharging any dredged or fill material into a water of the United States including adjacent wetlands and/or you anticipate any construction or other work waterward of the Ordinary High-Water Mark of a Navigable Water of the U.S., you will need to apply for and receive authorization from the Corps prior to starting such work. The necessary permit application can be found on our website at <https://www.lrd.usace.army.mil/Wetlands-Permits/Article/3647635/regulatory-program-indiana/>. Please complete and return the application following the procedures set forth in the application. Plan view and cross-sectional view drawings, in 8½" x 11" format,



should accompany the application. Drawings and a narrative on the form should specifically identify and describe all the structures, work, and discharges which we regulate as described above, including temporary or construction measures.

Please note that this letter does not address nor include any consideration for geographic jurisdiction on aquatic resources and shall not be interpreted as such. Should you have any questions, please contact me at the above address, by E-Mail at Aaron.W.Damrill@usace.army.mil, or by telephone at 574-235-8133. In all communications, please refer to File Number LRE-2025-00546-120.

We are interested in your thoughts and opinions concerning your experience with the Detroit District, Corps of Engineers Regulatory Program. If you are interested in letting us know how we are doing, you can complete an electronic Customer Service Survey from our web site at <https://regulatory.ops.usace.army.mil/customer-service-survey/>. Alternatively, you may contact us and request a paper copy of the survey that you may complete and return to us by mail or fax. Thank you for taking the time to complete the survey, we appreciate your feedback.

Sincerely,

A handwritten signature in black ink, appearing to read "Aaron Damrill".

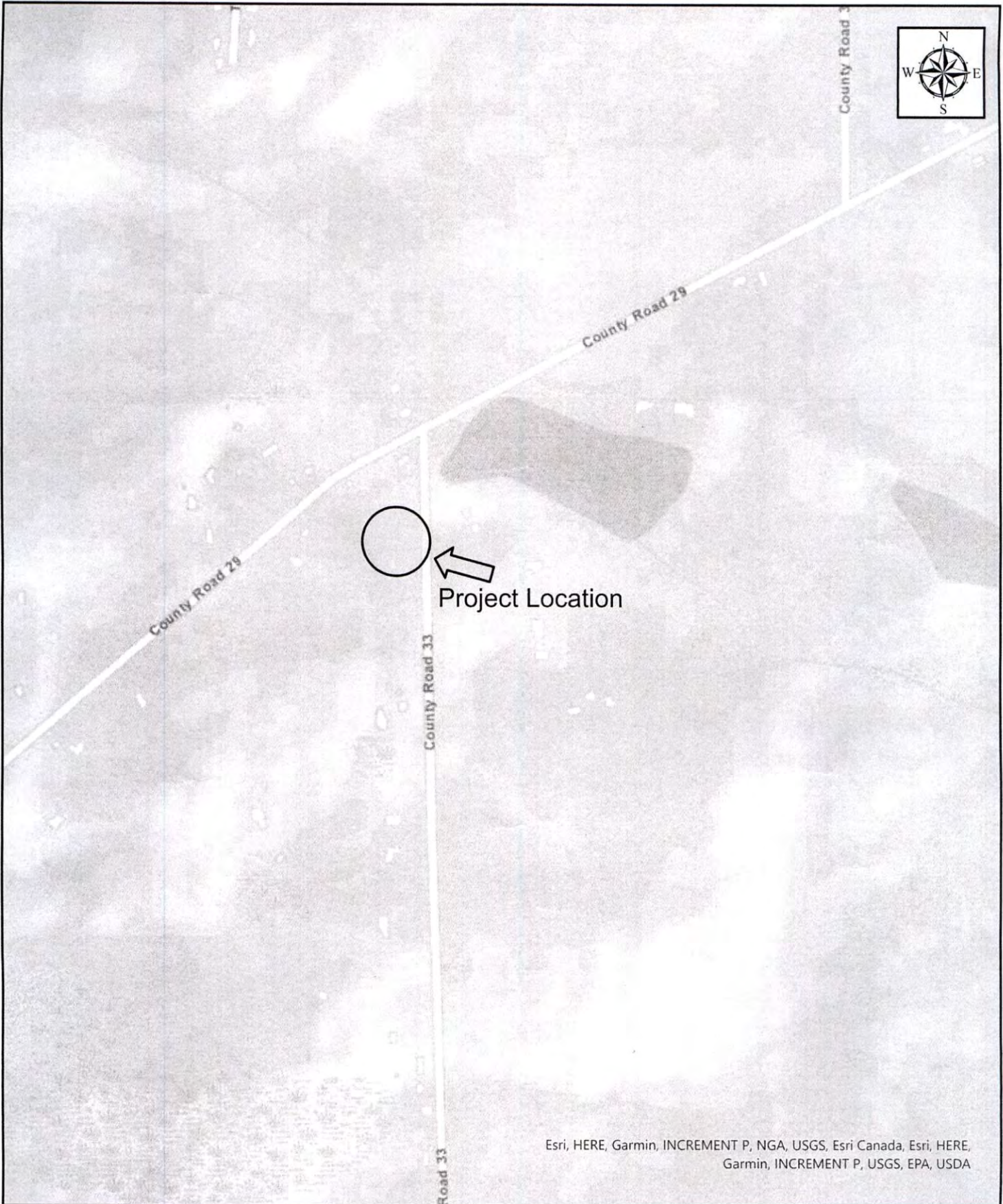
Aaron W. Damrill  
Chief, Michiana Section  
Regulatory Branch

Enclosure


Copy Furnished

IDNR/Division of Water, w/encl.  
IDEM, w/encl.





Esri, HERE, Garmin, INCREMENT P, NGA, USGS, Esri Canada, Esri, HERE, Garmin, INCREMENT P, USGS, EPA, USDA

	<p><b>LRE-2025-00546-120;</b> <b>Project Location</b></p>	<p>0 0.05 0.1 0.2 mi</p> <p>Map Center: 85.755987°W 41.750366°N</p>	<p>Map Created by: A. Damrill Date: 10/29/2025 Coordinate System: WGS 1984 Web Mercator Auxiliary Sphere</p>
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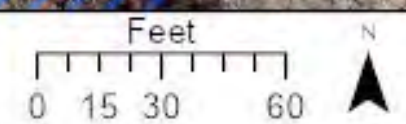


SUP-0732-2025



2025 Aerials

1 inch equals 60 ft



Sources: Esri, TomTom, Garmin, FAO, NOAA, USGS, OpenStreetMap contributors, and the GIS User Community

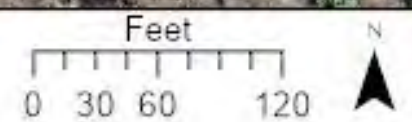


SUP-0732-2025



2025 Aerials

1 inch equals 120 ft



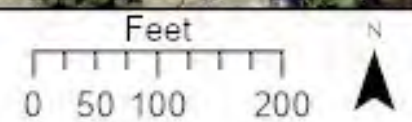


SUP-0732-2025



2025 Aerials

1 inch equals 200 ft







Subject property facing west





Facing east





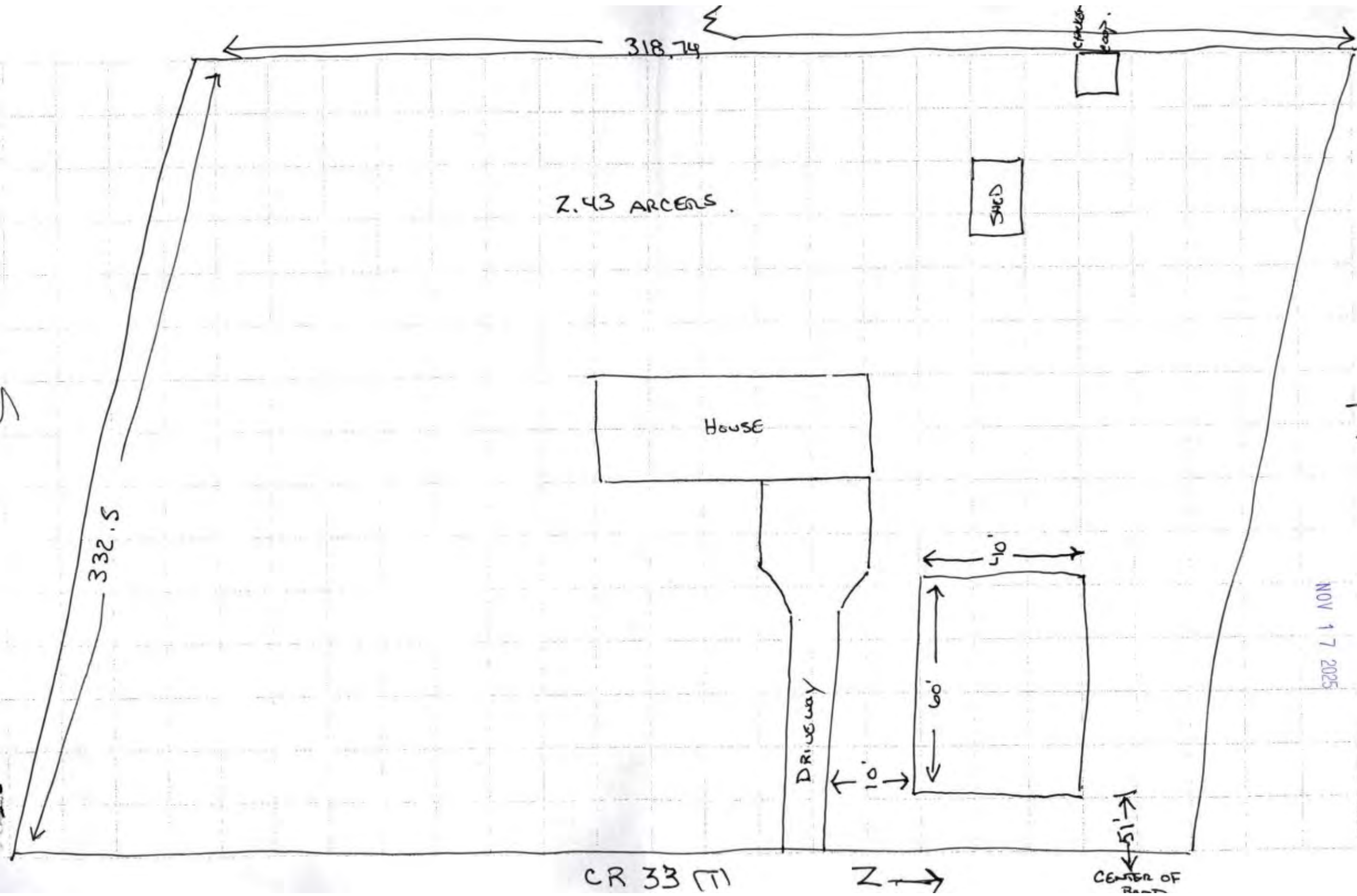
Facing north





Facing south





NOV 17 2025



# ***BZA Staff Report***

*Prepared by the Department of Planning and Development*

**Hearing Date:** December 18, 2025

**Transaction Number:** SUP-0730-2025.

**Parcel Number(s):** 20-12-03-400-027.000-007 & 20-12-03-400-028.000-007.

**Existing Zoning:** A-1.

**Petition:** For a Special Use for a home workshop/business for a construction/masonry business, for a Developmental Variance to allow for 10 outside employees (Ordinance allows 4), and for a 15 ft. Developmental Variance (Ordinance requires 75 ft.) to allow for the construction of a residence 60 ft. from the centerline of the right-of-way.

**Petitioner:** Duane E. Miller & Cheryl K. Miller, Husband & Wife (Land Contract Holders), & Marion D. Troyer & Jolene R. Troyer (Land Contract Buyers).

**Location:** North side of CR 30, 825 ft. west of SR 13, in Clinton Township.

**Site Description:**

- Physical Improvement(s) – Home to be demolished, accessory structures, agricultural structures.
- Proposed Improvement(s) – Replacement home.
- Existing Land Use – Residential, agricultural.
- Surrounding Land Use – Residential, agricultural.

**History and General Notes:**

- None.

**Staff Analysis:**

*For a Special Use for a home workshop/business for a construction/masonry business, staff finds that:*

1. The Special Use will be consistent with the spirit, purpose, and intent of the Development Ordinance. A Special Use for a home workshop/business is allowed in the A-1 zone.
2. The Special Use will not cause substantial and permanent injury to the appropriate use of neighboring property. This is a 12-acre property in a low-density residential and agricultural area, the property will remain residential and agricultural in character, and all business storage is proposed to be indoors.
3. The Special Use will substantially serve the public convenience and welfare by providing for a local masonry service.



# ***BZA Staff Report (Continued)***

***Hearing Date:*** December 18, 2025

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

1. The Elkhart County Advisory Board of Zoning Appeals approval shall not be effective until the Commitment form has been executed, recorded, and returned to the Elkhart County Advisory Board of Zoning Appeals staff for placement in the petition file.
2. Business operations may not begin until the business owner lives onsite.

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

1. The request is approved in accordance with the site plan submitted (dated 11/17/2025) and as represented in the Special Use application.

*For a Developmental Variance to allow for 10 outside employees (Ordinance allows 4) and for a 15 ft. Developmental Variance (Ordinance requires 75 ft.) to allow for the construction of a residence 60 ft. from the centerline of the right-of-way, staff finds that:*

1. Approval of the request will not be injurious to public health, safety, morals, or general welfare. The six additional outside employees will not increase the density of the neighborhood, all work is performed offsite, and the proposed home will observe a greater setback than that of the existing one.
2. Approval of the request will not cause substantial adverse effect on neighboring property. This is a 12-acre property in a low-density residential and agricultural area, and the property will remain residential and agricultural in character.
3. Strict application of the terms of the Development Ordinance would result in an unnecessary hardship in the use of the property. The employee request is what would be expected for any home-based masonry business in a low-density area, and the setback request allows reuse of an existing attached garage.

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

1. Variances from the developmental standards of the Development 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 (dated 11/17/2025) and as represented in the Developmental Variance application.



# PLAN COMMISSION & BOARD OF ZONING APPEALS

Special Use - Non Mobile Home

## Elkhart County Planning & Development Public Services Building

4230 Elkhart Road, Goshen, Indiana, 46526

Phone - (574) 971-4678

Fax - (574) 971-4578

SUP-0730-2025

Date: 11/17/2025 Meeting Date: December 18, 2025  
Board of Zoning Appeals Public Hearing Transaction #: SUP-0730-2025

Description: for a Special Use for a home workshop/business for a construction/masonry business, for a Developmental Variance to allow for 10 outside employees (Ordinance allows 4), for a 15 ft. Developmental Variance (Ordinance requires 75 ft.) to allow for the construction of a residence 60 ft. from the centerline of the right-of-way

Contacts: Contract Purchaser Land Owner  
Marion D. Troyer And Jolene Duane E. Miller And Cheryl K.  
R. Troyer (Land Contract Miller, Husband And Wife  
Buyer) (Land Contract Holder)  
14192 Cr 44 12141 Cr 30  
Millersburg, IN 46543 Middlebury, IN 46540

Site Address: 12141 County Road 30 Parcel Number: 20-12-03-400-027.000-007  
Middlebury, IN 46540 20-12-03-400-028.000-007

Township: Clinton  
Location: North Side Of County Road 30, 825 ft. West Of Sr 13

Subdivision: Lot #

Lot Area: 12.29 Frontage: 339.00 Depth: 1,408.00

Zoning: A-1 NPO List:

Present Use of Property: RESIDENTIAL

Legal Description:

Comments: PARCEL CREATED 7/26/2001  
RESIDENCE = 1,992 SQ FT X 200% = 3,985 SQ FT, MINUS ACC BLDG AT 50 X 90 = 4,500 SQ FT, WHICH IS AN OVERAGE OF 516 SQ FT

Applicant Signature: Department Signature:



# Special Use — Questionnaire

Name: Duane & Cheryl Miller / Marion & Jolene Trayer

- 1) Tell us what you want to do. I would like to use an existing 40' x 90' shop currently listed as storage for a home base for a construction type business (mostly masonry and masonry repair)
- 2) Tell us why this activity won't hurt your neighbors or the community. We are a family owned small business performing a needed service to the Michiana area. All material to be stored indoors.
- 3) Is there a subdivision covenant that says you can't do this activity? ☐ Y ☒ N  
If yes, does the subdivision have an active homeowners' association? ☐ Y ☒ N
- 4) Will the activity create noise, vibration, smoke, dust, odor, heat, or glare? ☐ Y ☐ N If yes, fill out below.  
Tell us what will create those things. Potential for occasional noise, using skid loader/fork lift to load truck/trailers.  
Tell us how you'll reduce the impact of those things on neighbors. plant additional trees to help contain noise
- 5) Will there be buffering (fences, trees, shrubs, mounds)? ☒ Y ☐ N  
If yes, tell us about it. There are currently some trees planted, we plan on planting additional trees to "surround" the business shop.
- 6) 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
- 7) Will the activity use buildings or additions? ☒ Y ☐ N If yes, fill out below.  
**Building or addition 1** Existing? ☒ Y ☐ N Size and height to the peak: 50' x 90' x 20' tall  
Tell us what you'll use it for. Storing business equipment & tools & material  
**Building or addition 2** Existing? ☐ Y ☐ N Size and height to the peak: \_\_\_\_\_  
Tell us what you'll use it for. \_\_\_\_\_  
**Building or addition 3** Existing? ☐ Y ☐ N Size and height to the peak: \_\_\_\_\_  
Tell us what you'll use it for. \_\_\_\_\_
- 8) Does this application include animals? ☐ Y ☒ N  
If yes, tell us what kind and how many of each. \_\_\_\_\_

Next page ➡



## Special Use — Questionnaire

- 9) Does this application include a business or nonprofit (church, school, other) based all or in part on this property? ☒ Y ☐ N If yes, fill out below.

How many employees do you have now? Full time: 8 Part time: 2

How many employees do you want? Full time: 8 Part time: 2

How many of the employees won't live onsite? All

What will be the days and hours of operation on this property? Mon-Fri 5am-3pm

Average of 1/2 hr in morning + evening

How many parking spaces do you have now? 3

How many parking spaces do you want? 3

Will there be outside storage or display areas on this property? ☐ Y ☒ N

If yes, tell us what will be stored outside or displayed. \_\_\_\_\_

Will there be retail sales on this property? ☐ Y ☒ N

If yes, tell us what will be sold. \_\_\_\_\_

Approximately how many customers (clients, guests, students, members) will be on this property per day?

0

Will there be pickups or deliveries on this property? ☒ Y ☐ N If yes, fill out below.

Tell us how often. 1-3 per week average

Tell us the kind of vehicles used. truck + trailer or flatbed truck

Does the application include 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

- 10) Tell us anything else you want us to know. we currently don't foresee additional growth in employee #s or business building needs.



## Developmental Variance — Questionnaire

Name: Duane & Cheryl Miller / Marion & Blene Troyer

- 1) Tell us what you want to do. Tear down existing house and part/all? of breezeway. Rebuild new house attached to the existing garage with a breezeway.
- 2) Tell us why you can't change what you're doing so you don't need a variance. We would like the house to extend 12ft+ beyond the face of the existing structure to allow a window on the west wall for lighting.
- 3) Tell us why the variance won't hurt your neighbors or the community. The setback of the proposed house is farther off the road than the existing house
- 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): No sign requested  
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. There will be no showroom/storefront
- 9) Tell us anything else you want us to know. The main reason for wanting to have the house situated where it is proposed is to utilize the mature trees on site and existing structures.



I Duane Miller give Marion Troyer permission to apply for a variance/special use and/or Building/Septic permit for 12141 County Road 30 Middlebury, IN 46540. We have a signed purchase agreement and will have closing in the near future.

Duane Miller 11/14/2025

Duane Miller

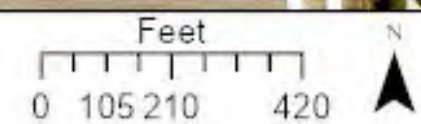


SUP-0730-2025

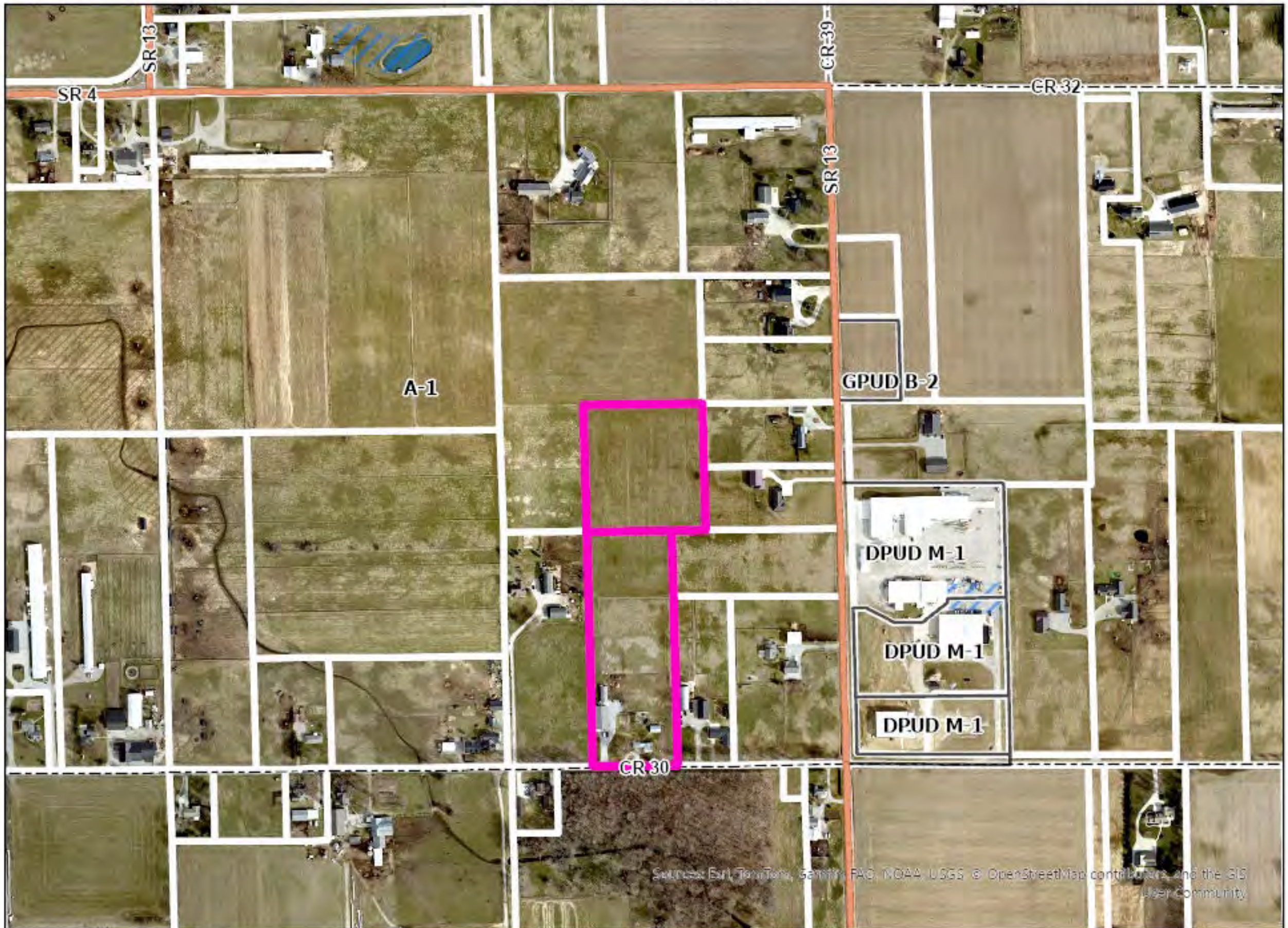


2025 Aerials

1 inch equals 400 ft



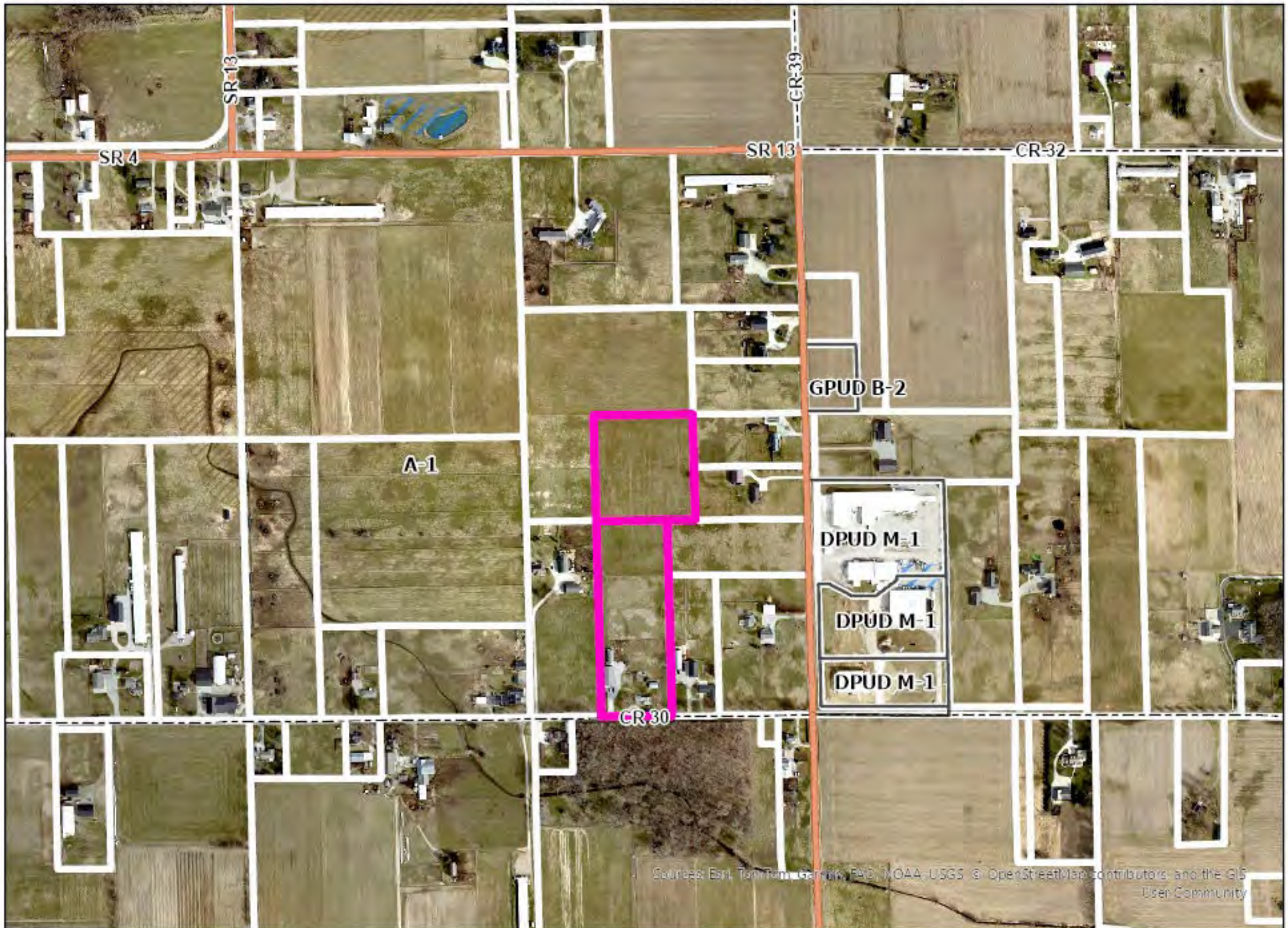




Sources: Esri, TerraMetrics, FAO, NOAA, USGS, © OpenStreetMap contributors, and the GIS User Community



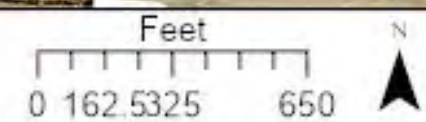
SUP-0730-2025



Sources: Esri, TomTom, Garmin, FAO, NOAA, USGS © OpenStreetMap contributors, and the GIS User Community

2025 Aerials

1 inch equals 600 ft







**Subject property (accessory structure)**





Subject property (home to be replaced)





Facing west





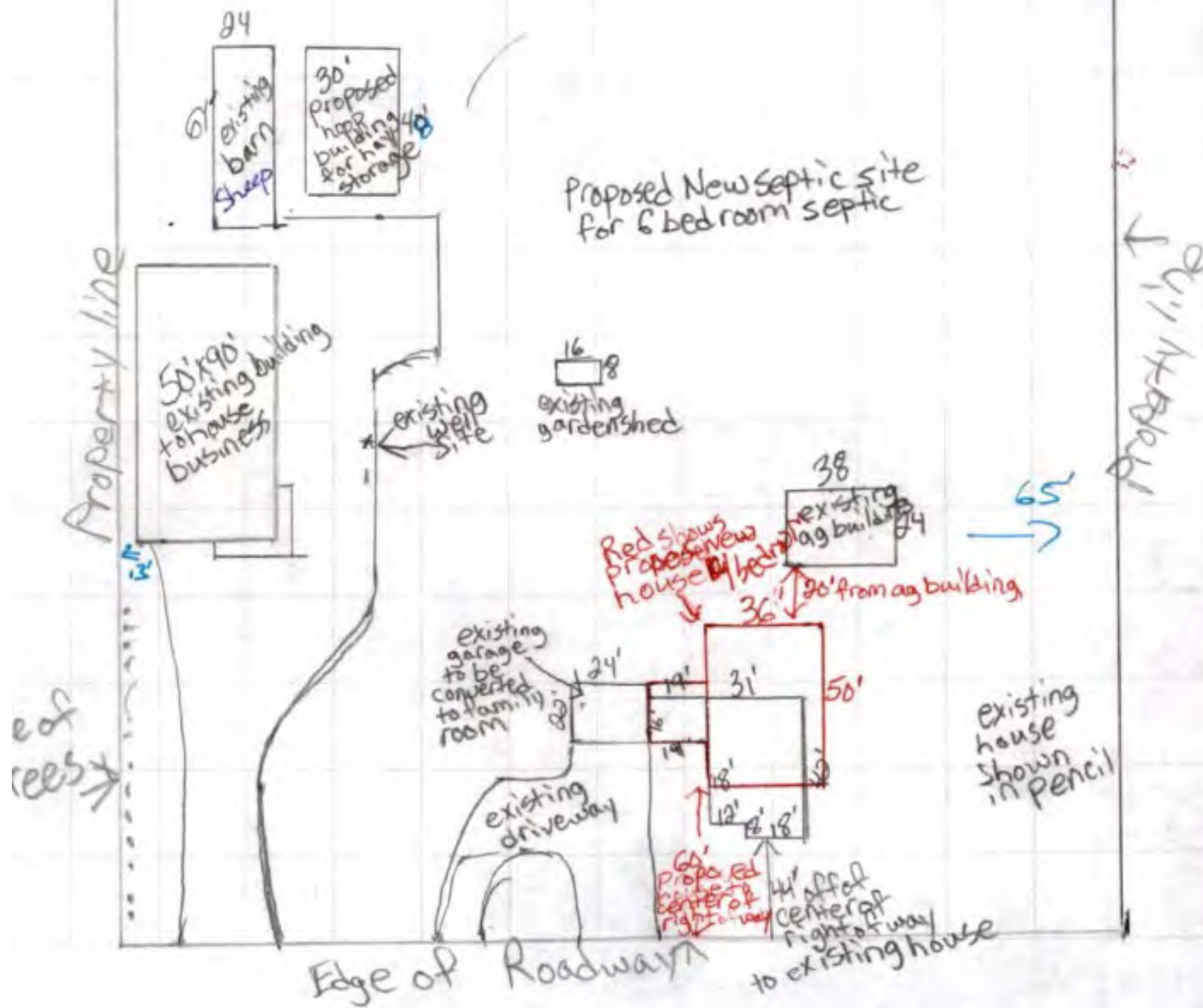
Facing east





Facing south







# ***BZA Staff Report***

*Prepared by the Department of Planning and Development*

**Hearing Date:** December 18, 2025

**Transaction Number:** UV-0743-2025.

**Parcel Number(s):** 20-02-33-279-006.000-026 & 20-02-33-279-009.000-026.

**Existing Zoning:** R-2.

**Petition:** For a Use Variance for a kennel.

**Petitioner:** Brenda Sue Waterson.

**Location:** West side of Wilson St., 315 ft. south of Glenmore St., in Osolo Township.

**Site Description:**

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

**History and General Notes:**

- **October 23, 2025** – A complaint for running a kennel was made (CODE-0764-2025).
- **March 29, 2023** – A complaint for trash was made (CODE-0166-2023). Closed on 4/24/2023.
- **November 16, 2022** – BZA approved a 30 ft. Developmental Variance (Ordinance requires 50 ft.) to allow for an existing carport 20 ft. from the centerline of the right-of-way (DV-0734-2022).
- **October 25, 2022** – A complaint for junk and abandoned vehicles was made (CODE-0728-2022). Closed on 11/1/2022.

**Staff Analysis:**

Staff finds that:

1. The request will be injurious to the public health, safety, morals, and general welfare of the community. Kennels are best sited in large-parcel agricultural or commercial/industrial areas.
2. The use and value of the area adjacent to the subject property will be affected in a substantially adverse manner. This is a 0.35-acre property in a dense residential area, and a kennel would create a nuisance to the surrounding neighbors.
3. A need for the Use Variance does not arise from a condition that is peculiar to the property involved. This is a residential parcel in a residential zone.
4. Strict enforcement of the terms of the Development Ordinance would not constitute an unnecessary hardship if applied to the subject property. The petitioner may still keep up to the maximum number of dogs allowed by right (5).
5. The Use Variance does interfere substantially with the Elkhart County Comprehensive Plan. The Comprehensive Plan states that residential uses should be protected from conflicting land uses.

Staff recommends **DENIAL**.



# PLAN COMMISSION & BOARD OF ZONING APPEALS

Elkhart County Planning & Development  
Public Services Building

4230 Elkhart Road, Goshen, Indiana, 46526

Phone - (574) 971-4678

Fax - (574) 971-4578

Use Variance - Use Variance

Date: 11/25/2025 Meeting Date: December 18, 2025  
Board of Zoning Appeals Public Hearing Transaction #: UV-0743-2025

Description: for a Use Variance for a kennel

Contacts: <u>Applicant</u>	<u>Land Owner</u>
Brenda Sue Waterson	Brenda Sue Waterson
54339 Wilson St	54339 Wilson St
Elkhart, IN 46514	Elkhart, IN 46514

Site Address: 54339 Wilson St Elkhart, IN 46514	Parcel Number: 20-02-33-279-006.000-026 20-02-33-279-009.000-026
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Township: Osolo  
Location: WEST SIDE OF WILSON ST., 315 FT SOUTH OF GLENMORE ST

Subdivision: HASTING PARK	Lot # 73 & 256
---------------------------	----------------

Lot Area: 0.35 Frontage: 180.60 Depth: 202.00

Zoning: R-2	NPO List:
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Present Use of Property: RESIDENTIAL

Legal Description:

Comments: SEE CODE 0764-2025 STILL UNDER REVIEW  
SEE DV-0734-2022 APPROVED 11-16-2022  
PER DANNY---APPLICANT WAS ADVISED THEY NEEDED A USE VARIANCE BUT DANNY CHANGED IT TO A  
SPECIAL USE HOMEWORKSHOP/BUSINESS 11-17-2025 JB  
INITIALLY ENTERED AS SPECIAL USE #SUP-0731-2025, BUT CHANGED TO THIS USE VARIANCE - KB/DR/LG -  
11/25/2025

Applicant Signature:

Department Signature:



Name: Brenda Waterson1) Tell us what you want to do. Dog Breeding Kennel

2) Tell us why your case is different from other cases in the county so that a variance should be allowed.

Because I have more than 5 dogs for breeding.3) Tell us why the variance won't hurt your neighbors or the community. Because there well mantance and small4) Will the activity create noise, vibration, smoke, dust, odor, heat, or glare? ☒ Y ☐ N If yes, fill out below.Tell us what will create those things. some dog barking ~~but~~Tell us how you'll reduce the impact of those things on neighbors. Tell them to shut up and they do5) Will there be buffering (fences, trees, shrubs, mounds)? ☒ Y ☐ NIf yes, tell us about it. Privacy Fence6) Does the property need well and septic? Well: ☐ Y ☒ N Septic: ☐ Y ☒ NDoes the property need a new septic system? ☐ Y ☒ NIf a new septic system is needed, did the Health Department say there's enough space for it? ☐ Y ☐ N7) Does what you want to do include buildings or additions? ☐ Y ☒ N If yes, fill out below.**Building or addition 1** Existing? ☐ Y ☐ N Size and height to the peak: \_\_\_\_\_Tell us what you'll use it for. South side of residence only, no other areas or bldgs. are used for the kennel.**Building or addition 2** Existing? ☐ Y ☐ N Size and height to the peak: \_\_\_\_\_

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

**Building or addition 3** Existing? ☐ Y ☐ N Size and height to the peak: \_\_\_\_\_

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

8) Is there a subdivision covenant that says you can't do this activity? ☐ Y ☒ NIf yes, does the subdivision have an active homeowners' association? ☐ Y ☒ N9) Does this application include an accessory structure without a residence at this time? ☐ Y ☒ NIf yes, are there plans for a residence on this property? ☐ Y ☒ N If yes, fill out below.

Tell us when it will be built. \_\_\_\_\_

Tell us the approximate size. \_\_\_\_\_

10) Does this application include animals? ☒ Y ☒ N

If yes, tell us what kind and the maximum number of each.

15 Tea cup Yorkie and 6 Boston Terriers 2 Cane Corso  
(Estimated not more than 15-20 total at any one time.)



# Use Variance — Questionnaire

- 11) Does this application include a business or nonprofit (church, school, other) based all or in part on this property? ☒ Y ☒ N If yes, fill out below.

How many employees do you have now? Full time: 0 Part time: 1

How many employees do you want? Full time: 0 Part time: 1

How many of the employees won't live onsite? 1

What will be the days and hours of operation on this property? 0

How many parking spaces do you have now? 3

How many parking spaces do you want? 3

Will there be outside storage or display areas on this property? ☐ Y ☒ N

If yes, tell us what will be stored outside or displayed. \_\_\_\_\_

Will there be retail sales on this property? ☐ Y ☒ N

If yes, tell us what will be sold. \_\_\_\_\_

Approximately how many customers (clients, guests, students, members) will be on this property per day?

1

Will there be pickups or deliveries on this property? ☒ Y ☐ N If yes, fill out below.

Tell us how often. Varies depending on puppies available

Tell us the kind of vehicles used. car

Does the application include 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

- 12) Tell us anything else you want us to know. These dogs are small but loved.

4 bedrooms each divided in 2, results in 4 interior areas, each with a doggie door to its own outside enclosure, for 4 outside enclosures.

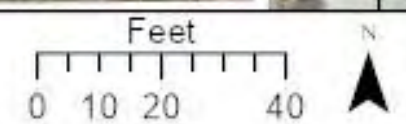


UV-0743-2025



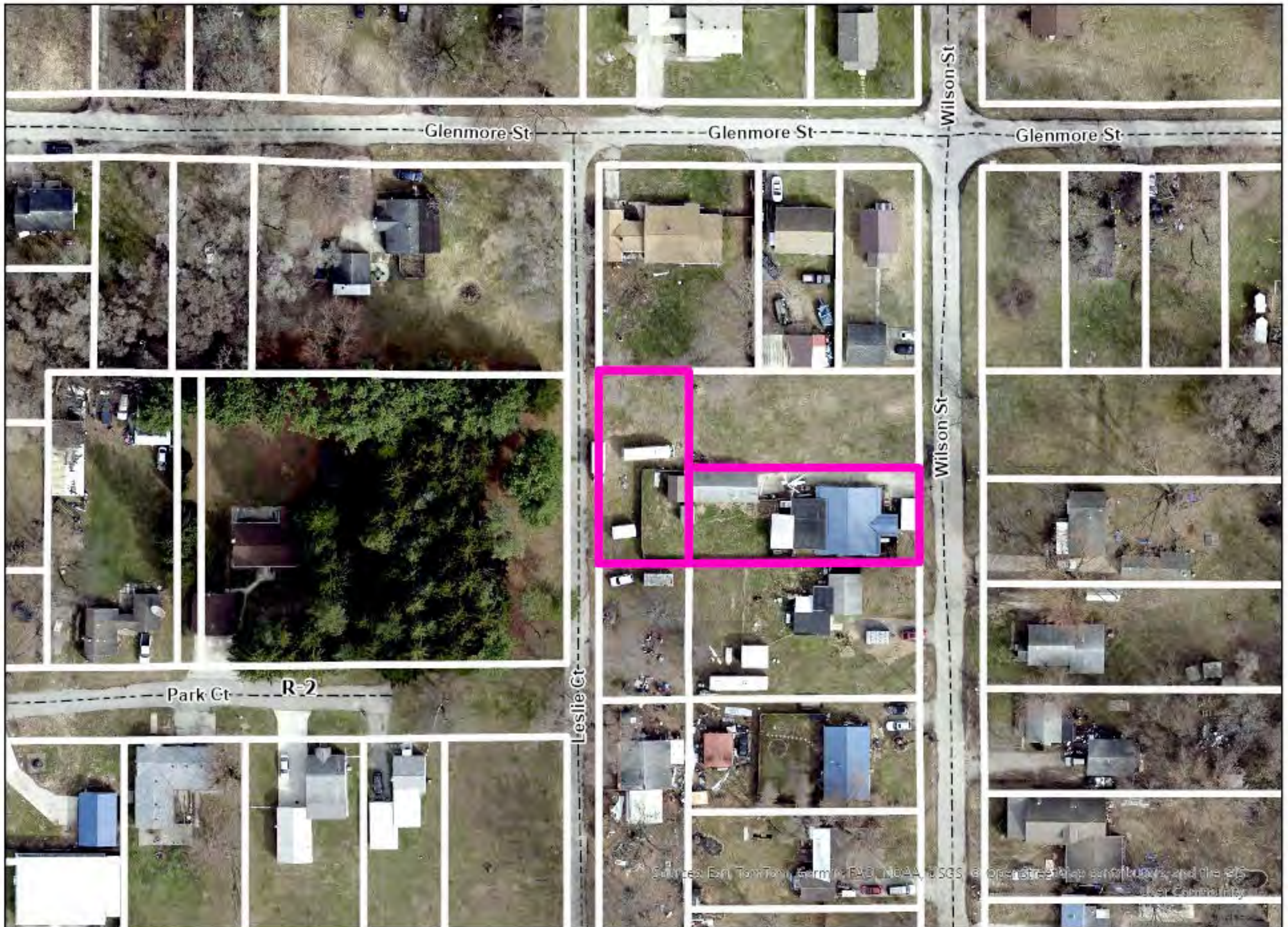
2025 Aerials

1 inch equals 40 ft



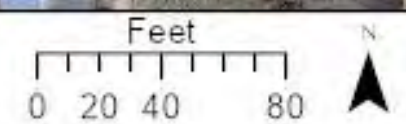


UV-0743-2025

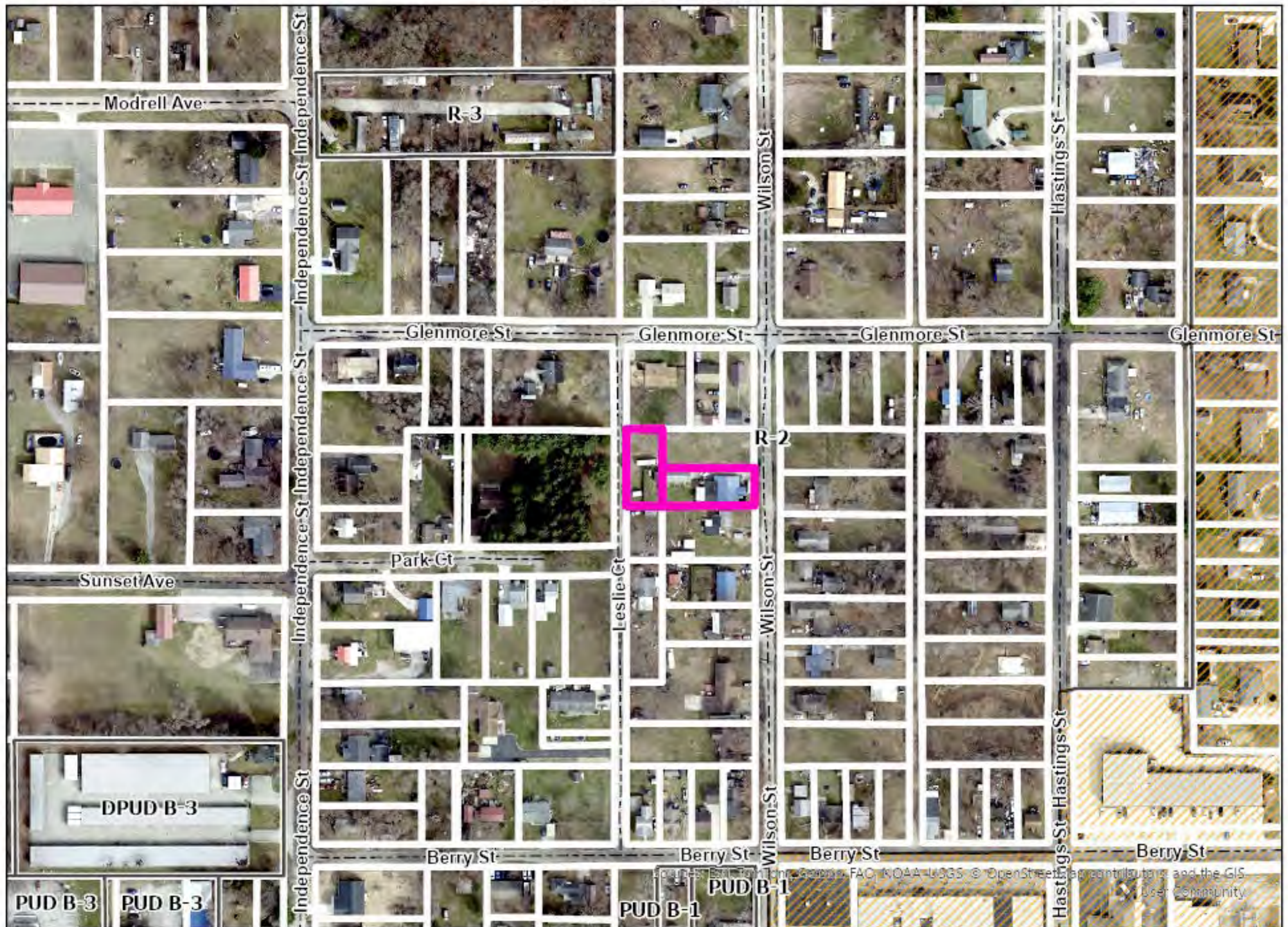


2025 Aerials

1 inch equals 80 ft

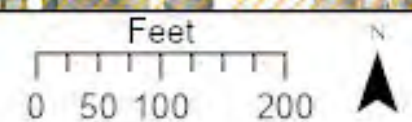






2025 Aerials

1 inch equals 200 ft







Subject property facing west





Facing east





Facing north

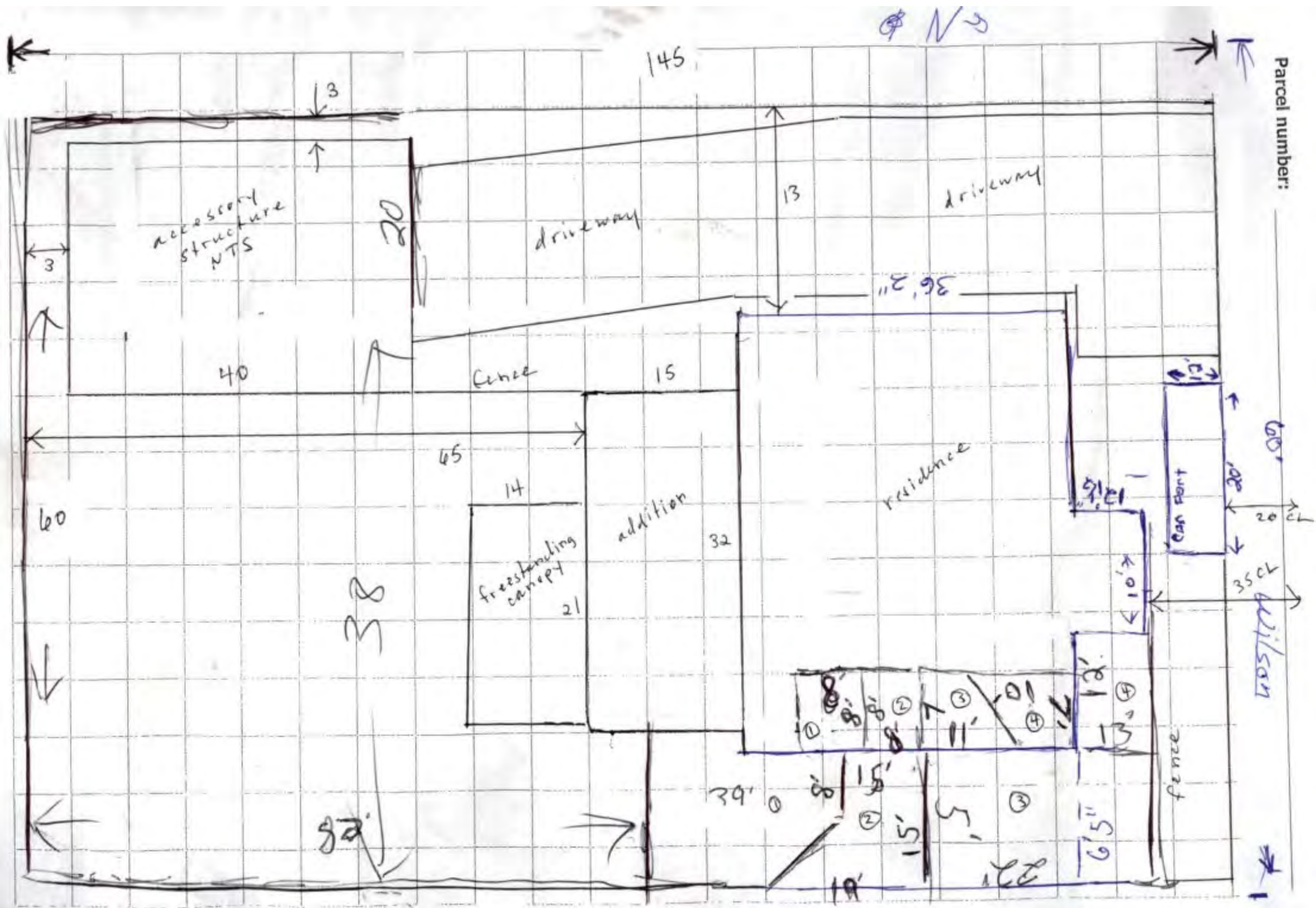




Facing south



600	20	✓	621507
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# ***BZA Staff Report***

*Prepared by the Department of Planning and Development*

**Hearing Date:** December 18, 2025

**Transaction Number:** DV-0684-2025.

**Parcel Number(s):** 20-05-03-155-019.000-005.

**Existing Zoning:** B-3.

**Petition:** For a 178 sq. ft. Developmental Variance (Ordinance allows 64 sq. ft.) to allow for a 242 sq. ft. electronic message center.

**Petitioner:** Brian Adams.

**Location:** North side of Old US Highway 20, 175 ft. west of Corwin St., in Cleveland Township.

**Site Description:**

- Physical Improvement(s) – Commercial building (auto repair).
- Proposed Improvement(s) – EMC billboard.
- Existing Land Use – Commercial.
- Surrounding Land Use – Commercial.

**History and General Notes:**

- **January 20, 2009** – The Board of County Commissioners adopted the Northwest Gateway Area Plan as an amendment to the Elkhart County Comprehensive Land Use Plan.
- **August 17, 2020** – The Board of County Commissioners approved a multiparcel rezoning from M-1 to B-3 for the north side of Old US 20.

**Staff Analysis:**

Staff finds that:

1. Approval of the request will be injurious to public health, safety, morals, or general welfare. The Northwest Gateway Area Plan and the B-3 rezoning were steps in a long-term effort to phase out industrial uses and enhance viewsheds along subject area roadways. The area plan further addresses the visual clutter, motorist distraction, and neighborhood impact arising from the current amount and incoordination of signage, recommending establishment of a desired signage style for the Old US 20 corridor. Whereas an electronic message center larger than ordinance limits will disturb the viewshed, increase impact on drivers and residents, and undermine the area improvement effort.
2. Approval of the request will cause substantial adverse effect on neighboring property. This is a 1-acre parcel in a historically industrial area. Neighboring property in this area should be protected from any uses other than those that will advance the long-term vision for “a thriving residential community, prosperous retail centers, employment destinations, and recreational opportunities” as cast by the area plan.
3. Strict application of the terms of the Development Ordinance would not result in an unnecessary hardship in the use of the property. The two existing billboards on this corridor may remain.

Staff recommends **DENIAL**.



# 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: 10/24/2025 Meeting Date: December 18, 2025 Transaction #: DV-0684-2025  
Board of Zoning Appeals Public Hearing

Description: for a 178 sq. ft. Developmental Variance (Ordinance allows 64 sq. ft.) to allow for a 242 sq. ft. Electronic Message Center

Contacts: <u>Applicant</u>	<u>Authorized Agent</u>	<u>Land Owner</u>
Lamar Advertising 1335 Mishawaka Ave South Bend, IN 46615	Lamar Advertising 1335 Mishawaka Ave South Bend, IN 46615	Brian Adams 30759 Old Us 20 West Elkhart, IN 46514

Site Address: 30759 Us Highway 20 Elkhart, IN 46514	Parcel Number: 20-05-03-155-019.000-005
--	---

Township: Cleveland  
Location: NORTH SIDE OF OLD US 20, 175 FT. WEST OF CORWIN ST.

Subdivision:	Lot #
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Lot Area: 1.09	Frontage: 98.17	Depth: 348.50
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Zoning: B-3	NPO List:
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Present Use of Property: AUTO REPAIR

Legal Description:

Comments: PARCEL CREATED 1/21/1988  
REZONED TO B-3 ON RZ-0396-2020 APPROVED ON 7/9/2020  
PREVIOUS SIGN PERMIT #SN-1923-2016 COMPLETED  
MOVED FROM DV HEARING ON 12/17/2025 TO BZA ON 12/18/2025 - KB 11/25/2025

Applicant Signature:	Department Signature:
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# Developmental Variance — Questionnaire

Name: LAMAR ADVERTISING

- 1) Tell us what you want to do. REMOVE A 14x40 BILLBOARD & REBUILD A 11x22 DIGITAL POSTER BILLBOARD 270' TO THE EAST
- 2) Tell us why you can't change what you're doing so you don't need a variance. DIGITAL IS ALLOWED FIRST NOT THE STANDARD SIZE OUR INDUSTRY USES.
- 3) Tell us why the variance won't hurt your neighbors or the community. THERE ARE BILLBOARDS ALLOWED IN THIS ZONING DISTRICT & WE ARE REPLACING AN EXISTING ONE WITH A SMALLER ONE.
- 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): 11x22 (h.f. 40 max.)  
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. \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_



# Northwest Gateway Area Plan

## Vision, Goals & Objectives

*Adopted December 2008, Elkhart County Redevelopment Commission*

### Introduction

The *Northwest Gateway Area Plan* is a long-range, 20-year community visioning document that outlines the desired land use, transportation, design, and economic development strategies for a portion of Cleveland and Baugo townships in northwestern Elkhart County. It is an undertaking of the Elkhart County Redevelopment Commission and managed by the Elkhart County Planning & Development Department. With the creation of the Tax Increment Finance (TIF) district and concurrent commercial development along Old US 20, the Redevelopment Commission recognizes that the Northwest Gateway Area is likely to experience significant change in its physical and economic composition in the coming years. In preparation for these changes in use and function, the Redevelopment Commission determined that a plan should be created for the entire Northwest Gateway Area to establish a vision and guide all future growth and development. In late 2007, the Elkhart County Redevelopment Commission and the Elkhart County Planning & Development Department initiated this planning process with the purpose of:

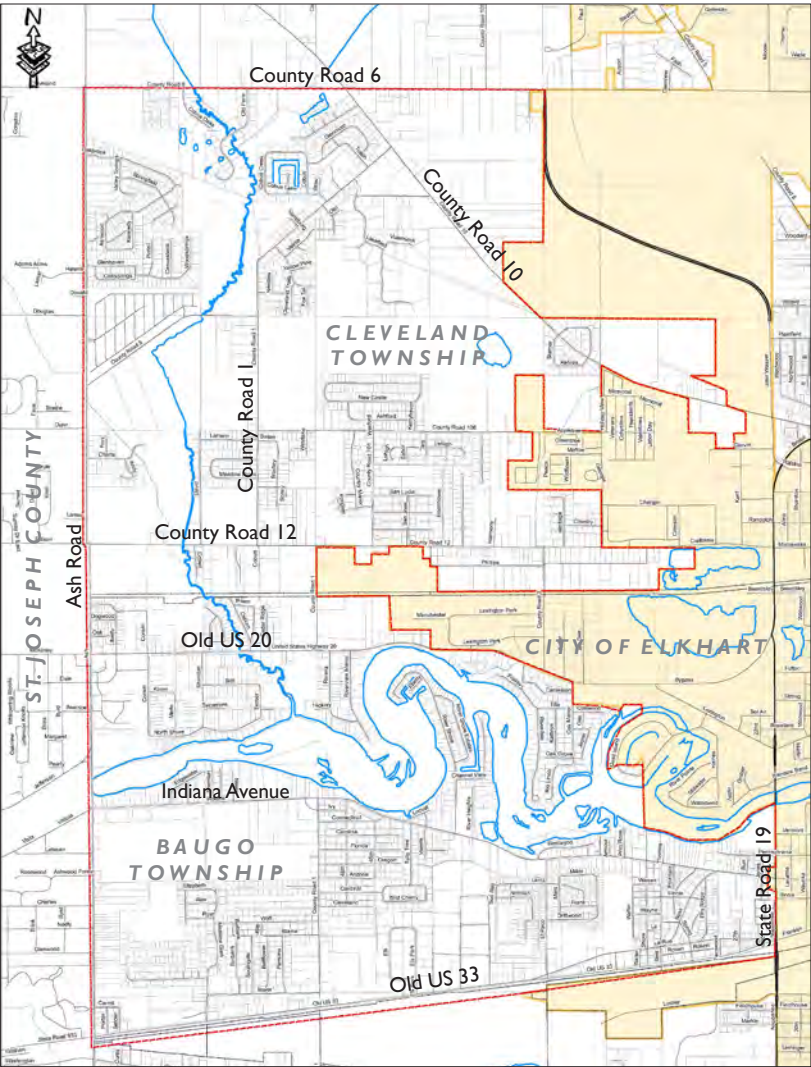
- Creating a 20-year vision for the area
- Providing direction for future economic development opportunities
- Managing and promoting responsible, high quality growth
- Organizing infrastructure improvements
- Creating partnerships among public, private, and not-for-profit sectors

### Boundaries

Aptly named, the Northwest Gateway Area is located in the northwestern corner of Elkhart County, Indiana. The area is the entry point into the County from both the north and the west. It is bounded by County Road 6 to the north, the Elkhart City limits to the east, Old US 33 to the south, and Ash/County Line Road to the west. The study area occupies portions of two townships, Cleveland Township to the north and Baugo Township to the south. The study area's western boundary borders St. Joseph County and the Indiana/Michigan state line is less than three miles north.

The Northwest Gateway Area is approximately 9.18 square miles in size. The St. Joseph River bisects the study area and serves as a natural feature and recreational amenity. Interstate 80/90 (Indiana Toll Road) is one mile north of the study area; however, there is no access to it from Ash Road. Four corridors comprise the study area's primary transportation routes that provide access to the City of Elkhart, Mishawaka, and other areas of Elkhart County and Michigan. These corridors include Ash Road, Old US 33, Old US 20, and County Road 6. Three secondary transportation routes also serve the area, including County Road 10, County Road 12, and Indiana Avenue.

### Northwest Gateway Area



### Vision

A vision statement was created by the project Steering Committee through the planning process. This vision is an inspirational description of how the Northwest Gateway Area will advance over the next 20 years. It also serves as the overarching framework prefacing all goals, objectives, recommendations, and action steps. The vision:

***The Northwest Gateway Area will be a welcoming interconnected network of neighborhoods that embraces its natural features and strategic location. The integrated multi-modal transportation system will serve and support a thriving residential community, prosperous retail centers, employment destinations, and recreational opportunities that are well-planned and sensitive to the area's environmental and cultural character.***

From this vision statement, the plan's goals and objectives are organized into four topical areas: 1) Identity, 2) Land Use, 3) Mobility, and 4) Economic Development.

### Identity Goals & Objectives

GOAL	Achieve a sustainable balance between development and natural and cultural resource protection for the purpose of long-term improvement in environmental quality.
OBJECTIVES	<ol style="list-style-type: none"><li>1. Improve and protect the quality and quantity of groundwater and surface water supplies.</li><li>2. Promote preservation of biodiversity and native landscapes, including: significant stands of trees; prairies and wildflower meadows; wetlands and riparian corridors.</li><li>3. Encourage the adherence to low impact development standards that focus on the use of sustainable building materials, methods and best management practices.</li><li>4. Prioritize contaminated sites and implement clean-up and remediation of top priority sites in order to bring them into service either as developable property or as natural/park areas.</li></ol>
GOAL	Promote beautification of the Northwest Gateway Area by capitalizing on unique natural, cultural, and physically significant resources.
OBJECTIVES	<ol style="list-style-type: none"><li>1. Identify, preserve, and enhance viewsheds and scenic qualities along roadways and throughout the Northwest Gateway Area.</li><li>2. Integrate new development into the existing character of the Northwest Gateway Area through protection of open space and installation of context appropriate landscape plantings.</li><li>3. Identify design standards for buildings, hardscapes, and landscapes for use in the process of evaluating proposals for new development on private property and construction within the public right-of-way.</li><li>4. Encourage the use of green buffering to mitigate the physical and visual impacts between conflicting land uses.</li></ol>



GOAL	Create a definable sense of place for the Northwest Gateway Area.
OBJECTIVES	<ol style="list-style-type: none"> <li>1. Develop a brand identity for the Northwest Gateway Area.</li> <li>2. Reinforce the connection and accessibility to the St. Joseph River.</li> <li>3. Identify and mark unique sites, structures, and boundaries of the Northwest Gateway Area to be easily recognizable.</li> <li>4. Create a map of the area that can be used to promote the unique destinations, opportunities, and attributes of the Northwest Gateway Area.</li> <li>5. Adhere to an aesthetic theme that is consistent with the Northwest Gateway brand in all aspects of design, development, and marketing.</li> </ol>

### Land Use Goals & Objectives

GOAL	Maintain and enhance the character and quality of development in residential areas.
OBJECTIVES	<ol style="list-style-type: none"> <li>1. Promote compatible residential densities that protect character and density of existing neighborhoods.</li> <li>2. Provide a range of housing options to serve the needs of current and future residents.</li> <li>3. Ensure that new retail and industrial development is compatible with the scale, character, and adjacent uses.</li> <li>4. Promote higher density mixed-use developments adjacent to parks and the St. Joseph River.</li> <li>5. Create a strategy that stabilizes and protects existing neighborhoods from encroachment of industrial uses.</li> </ol>
GOAL	Maximize the benefits of existing investment in community facilities and infrastructure.
OBJECTIVES	<ol style="list-style-type: none"> <li>1. Create and enforce fiscally sound land use policies that promote efficient use of public infrastructure.</li> <li>2. Promote the strategic location of community facilities so they are accessible to all area residents.</li> <li>3. Manage the type of land uses in the identified gateways.</li> <li>4. Work with City of Elkhart to extend utilities into Northwest Gateway Area to promote development.</li> </ol>
GOAL	Promote redevelopment, infill and reconfiguration of existing underutilized non-residential areas.
OBJECTIVES	<ol style="list-style-type: none"> <li>1. Identify and designate zoning classifications to promote mixed-use development centers.</li> <li>2. Organize industrial areas along Old US 33 to encourage visual cohesiveness, accessibility, and efficiency.</li> <li>3. Infill with new industrial and heavy commercial uses along Old US 33.</li> <li>4. Identify areas for targeted redevelopment.</li> <li>5. Clear unkempt properties to provide “shovel ready” sites that would encourage businesses to locate in priority areas.</li> </ol>

### Mobility Goals & Objectives

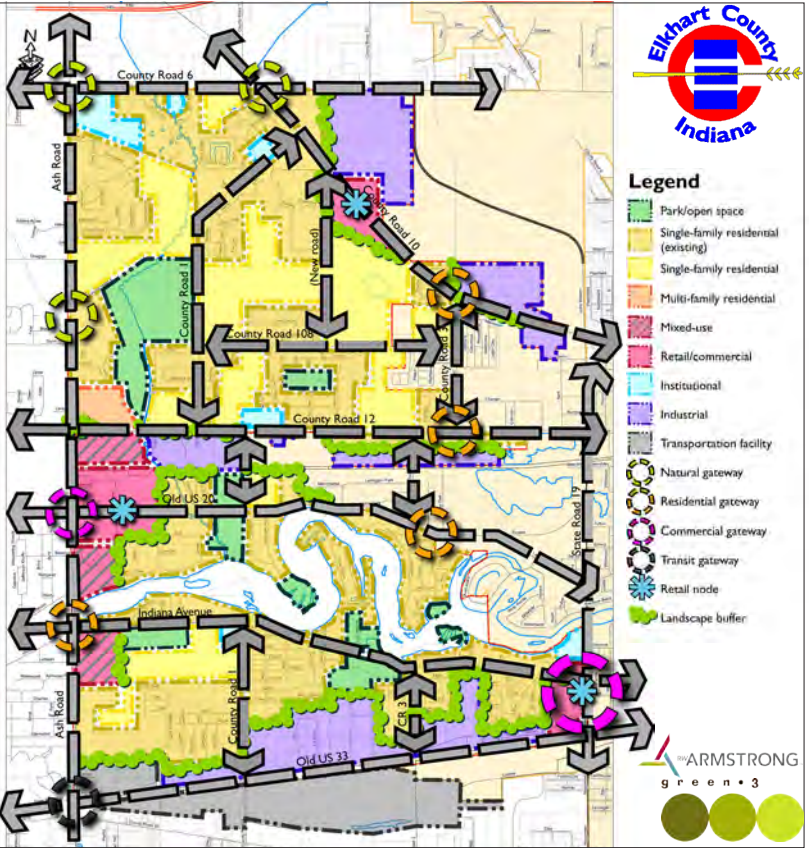
GOAL	Minimize congestion and provide a safe and efficient transportation network.
OBJECTIVES	<ol style="list-style-type: none"> <li>1. Require adequate right-of-way for new developments to plan for expansion and improvements of roadways.</li> <li>2. Identify key travel corridors for potential transit routes and facilities.</li> <li>3. Develop access management standards for identified corridors.</li> <li>4. Identify key travel corridors for improvements and widening.</li> <li>5. Identify and improve intersections of highly traveled roads, including Old US 20 and Ash Road.</li> </ol>
GOAL	Establish a balanced and connected multi-modal transportation system.
OBJECTIVES	<ol style="list-style-type: none"> <li>1. Provide pedestrian access to all neighborhoods, commercial areas, and community facilities without impacting vehicular traffic flow.</li> <li>2. Develop greenways to connect natural areas, parks, and community facilities with the St. Joseph River and regional amenities.</li> <li>3. Construct safe pedestrian and bicycle crossings using American Association of State Highway Officials (AASHTO) standards.</li> <li>4. Connect destinations using system of on- and off-street pedestrian and bicycle facilities.</li> <li>5. Provide for various multi-modal options within the Northwest Gateway Area.</li> </ol>
GOAL	Promote cooperation among the various local, regional and state transportation departments and agencies that have responsibility for the Northwest Gateway’s transportation system.
OBJECTIVES	<ol style="list-style-type: none"> <li>1. Work with St. Joseph County to coordinate improvements along Ash Road.</li> <li>2. Utilize creative and existing funding opportunities to make roadway improvements and provide for multi-modal connections and facilities in the Northwest Gateway Area.</li> <li>3. Work with both St. Joseph and Elkhart counties to ensure that identified improvements are incorporated into both jurisdiction’s transportation plans and budgets.</li> <li>4. Work with MACOG and INDOT to expand multi-modal transportation opportunities and incorporate any desired improvements into on-going and upcoming state projects.</li> </ol>

### Economic Development Goals & Objectives

GOAL	Create an environment that advances the economic development and vitality of the Northwest Gateway Area.
OBJECTIVES	<ol style="list-style-type: none"> <li>1. Work with Elkhart County’s economic development leadership to devise a county-wide, long-range economic revitalization plan which recognizes the relationships among development patterns, commerce, employment, recreation, aesthetics, transportation, tourism, and amenities.</li> <li>2. Market the Northwest Gateway’s strategic location for development.</li> <li>3. Promote coordinated, public-private co-investment in order to support balanced economic development.</li> <li>4. Encourage the retention of quality retailers and promote the development of retail establishments, clustered in identified retail nodes, to serve the needs of the neighborhood residents, employees, and commuters.</li> <li>5. Ensure that public infrastructure capacities are available and adequate to absorb future growth and development.</li> <li>6. Identify incentives to encourage the redevelopment of underutilized properties and conversion of land uses.</li> </ol>

GOAL	Provide retail and commercial service destinations that meet the day-to-day needs of residents and visitors.
OBJECTIVES	<ol style="list-style-type: none"> <li>1. Locate primary retail areas along Old US 20 and Ash Road.</li> <li>2. Encourage small-scale neighborhood retail centers and nodes to serve adjacent residential populations.</li> <li>3. Establish design guidelines to encourage quality building materials, enhanced landscaping, and require maintenance of commercial properties.</li> <li>4. Create economic development strategies for focused commercial gateways so they are stable, income-producing generators.</li> </ol>
GOAL	Partner the Northwest Gateway Area business and residential communities.
OBJECTIVES	<ol style="list-style-type: none"> <li>1. Increase communication and involvement with business interest groups (e.g. Elkhart County Economic Development Corporation, Elkhart Chamber of Commerce, etc.).</li> <li>2. Strengthen neighborhood associations and business cooperation regarding neighborhood opportunities and issues.</li> <li>3. Create Northwest Gateway Area business leadership position (ombudsperson or association).</li> </ol>

### Future Land Use Map







NEW  
CANADA DRY  
GINGER ALE  
LEMONADE

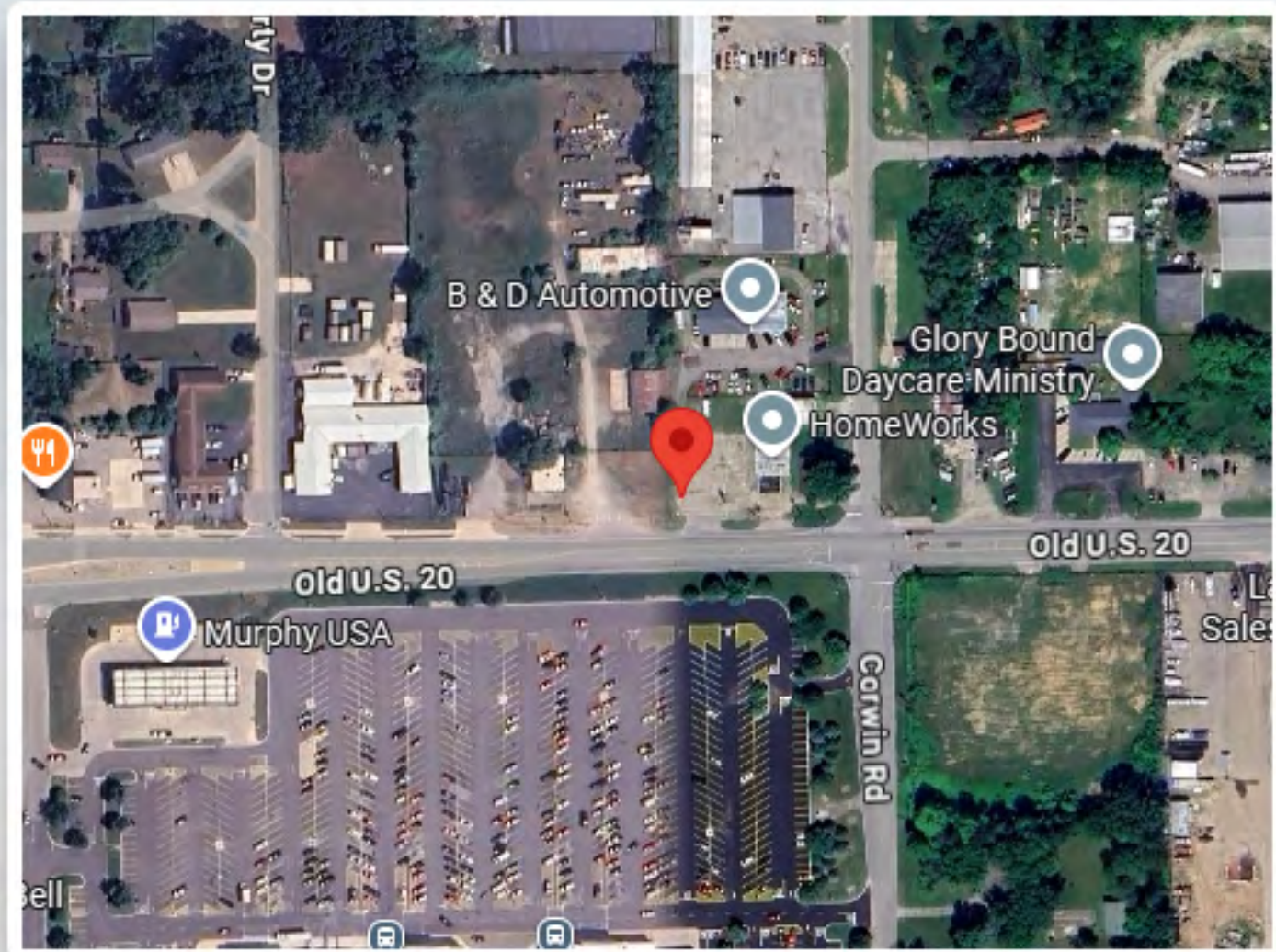
WINDY CITY  
TATTOO

WINDY CITY  
TATTOO

WINDY CITY  
TATTOO

WINDY CITY  
TATTOO





This depiction is for illustrative purposes only and the final structure and placement may vary.

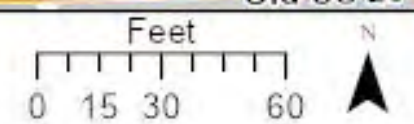


DV-0684-2025



2025 Aerials

1 inch equals 60 ft



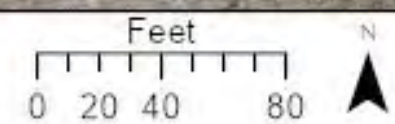


DV-0684-2025

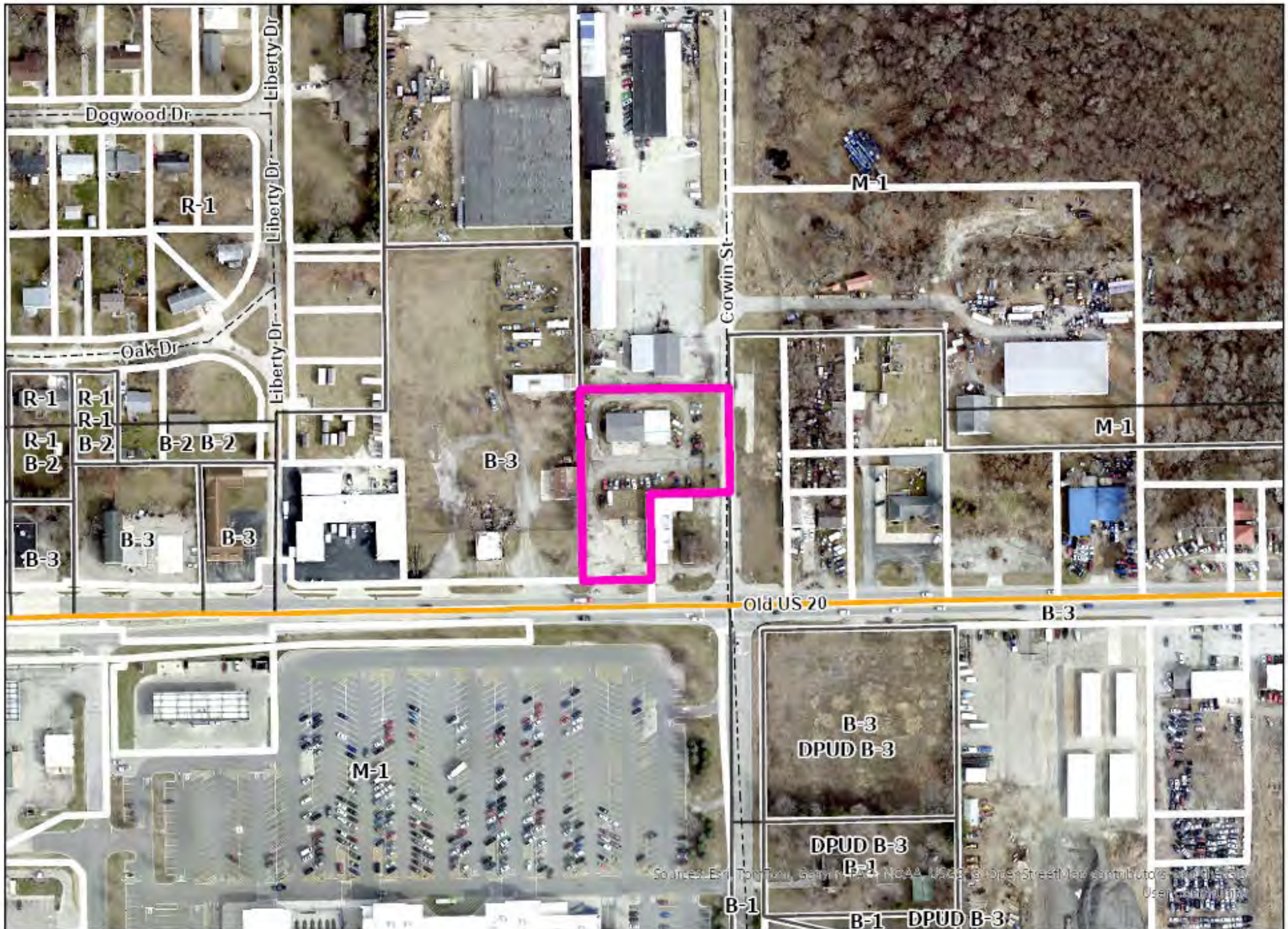


2025 Aerials

1 inch equals 80 ft

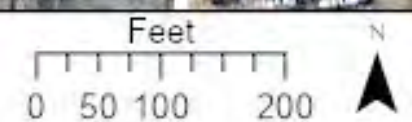






2025 Aerials

1 inch equals 200 ft







Subject property





Facing west





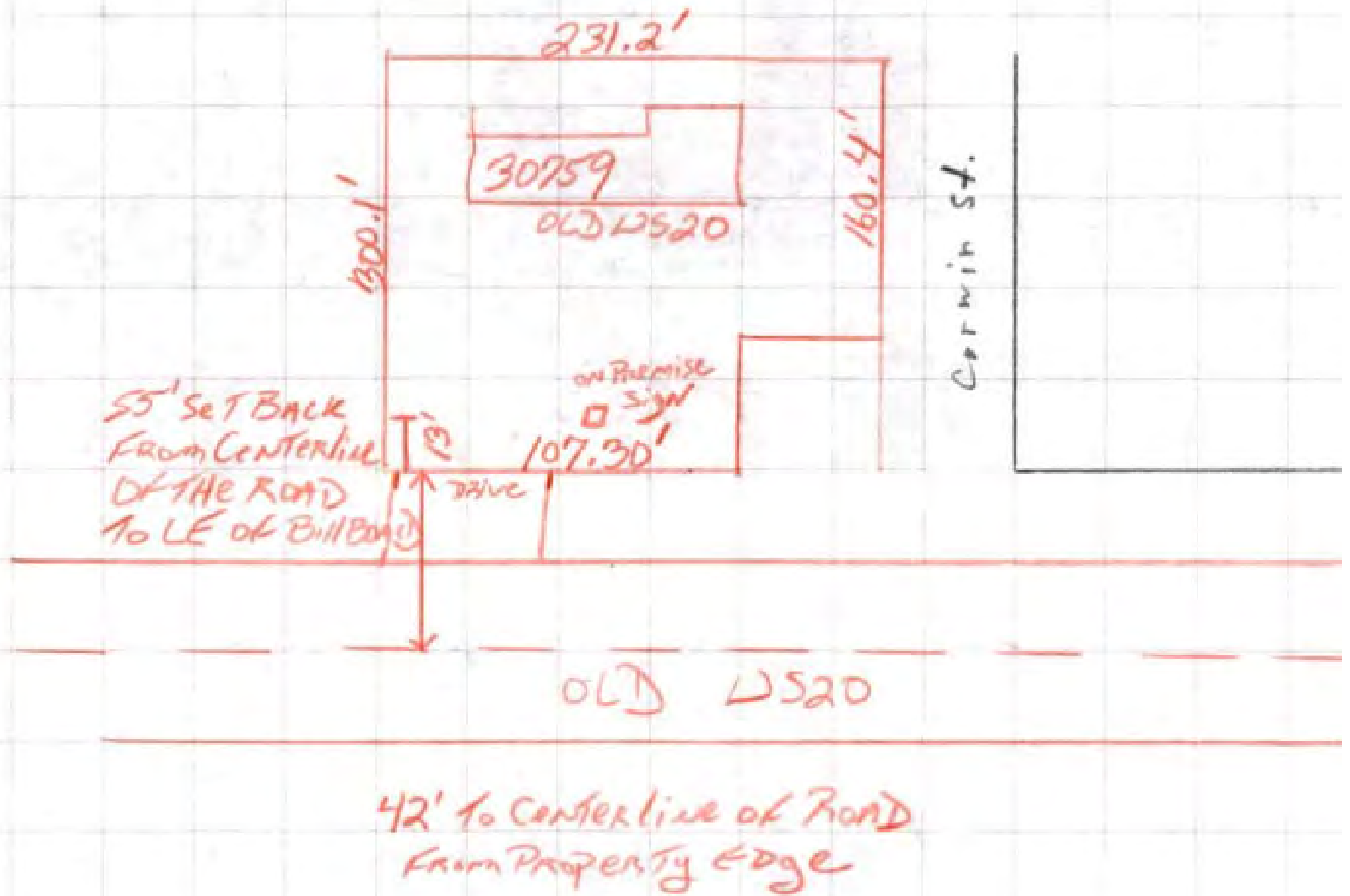
Facing east





Facing south







# ***BZA Staff Report***

*Prepared by the Department of Planning and Development*

**Hearing Date:** December 18, 2025

**Transaction Number:** DV-0603-2025.

**Parcel Number(s):** 20-03-10-351-004.000-030.

**Existing Zoning:** R-2.

**Petition:** For a 40 ft. Developmental Variance (Ordinance requires 50 ft.) to allow for an existing accessory structure 10 ft. from the centerline of the right-of-way.

**Petitioner:** First Class Property Rentals.

**Location:** West side of E. Indiana Lake Rd., 630 ft. north of Church Rd., west of CR 23, in Washington Township.

**Site Description:**

- Physical Improvement(s) – Residence, accessory structure.
- Proposed Improvement(s) – None.
- Existing Land Use – Residential.
- Surrounding Land Use – Residential.

**History and General Notes:**

- **Circa 2013** – The structure was placed.
- **August 11, 2025** – A complaint was made about a structure placed without a permit and in the right-of-way (CODE-0566-2025).
- **September 23, 2025** – The complaint was closed after the variance application was submitted.
- **October 15, 2025** – The Hearing Officer transferred this petition.

**Staff Analysis:**

Staff finds that:

1. Approval of the request will not be injurious to public health, safety, morals, or general welfare. The accessory structure does not constitute a sight distance risk, with few driveways and low volume at the north end of E. Indiana Lake Rd.
2. Approval of the request will not cause substantial adverse effect on neighboring property. This is a 0.14-acre lot in a dense lake neighborhood, and the neighborhood will remain residential in character.
3. Strict application of the terms of the Development Ordinance would result in an unnecessary hardship in the use of the property. Front setback encroachments are typical of small-lot lake neighborhoods serviced by minor streets.



# ***BZA Staff Report (Continued)***

***Hearing Date:*** December 18, 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 petitioner must submit either of the following to the staff for placement in the petition file: A letter from the highway department allowing a portion of the structure in the right-of-way or a survey showing it completely on private property.
3. A building permit and a passing structural inspection must be obtained.
4. The request is approved in accordance with the site plan submitted (dated 9/15/2025) and as represented in the Developmental Variance application.



# 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: 09/16/2025 Meeting Date: October 15, 2025 Transaction #: DV-0603-2025  
Board of Zoning Appeals Public Hearing

Description: for a 40 ft. Developmental Variance (Ordinance requires 50 ft.) to allow for an existing accessory structure 10 ft.  
from the centerline of the right-of-way of E. Indiana Lake Dr.

Contacts: Applicant Land Owner  
First Class Property Rentals - First Class Property Rentals -  
401 Queen Street 401 Queen Street  
1501 West Ave 1501 West Ave  
Goshen, IN 46526 Goshen, IN 46526

Site Address: 50567 East Indiana Lake Rd Parcel Number: 20-03-10-351-004.000-030  
Bristol, IN 46507

Township: Washington  
Location: WEST SIDE OF E. INDIANA LAKE DR., 630 FT. NORTH OF CHURCH RD.,

Subdivision: FERN RIDGE Lot # 4

Lot Area: 0.14 Frontage: 50.00 Depth: 136.00

Zoning: R-2 NPO List:

Present Use of Property: RESIDENTIAL/AIRBNB

Legal Description:

Comments: CODE-0566-2025, CODE-0565-2025, ELEC-R-1564-2025

Applicant Signature: Department Signature:



## Developmental Variance — Questionnaire

Name: Peter Unkovich

1) Tell us what you want to do. Permit for Carport installed 6 years ago. I purchased property August 1<sup>st</sup> And Neighbor is upset about it being an Airbnb. Trying to make life difficult

2) Tell us why you can't change what you're doing so you don't need a variance. Already Installed

3) Tell us why the variance won't hurt your neighbors or the community. It's been there for 6 years. Highway department has no issues. I have signed document from other neighbors they have no issue

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: 8ft High, 22 wide 21 Length

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. Neighbor is upset about it being an Airbnb and told me "I will do everything in my power to shut this down" He's a total bully but has no grounds for it Not being an Airbnb.



Stating I have no complaints or issues about the Carport at 50567 East Indiana lake Road  
Bristol Indiana



Address: 50641 Co Rd 23 Bristol Name: Gary L. Keck

Signature: Gary L. Keck Date: 8-13-2025

Address: 50563 E. Ind lake Rd. Name: Dennis Yoder

Signature: Dennis Yoder <sup>Bristol, Ind.</sup> Date: 8/18/25



# ALL STEEL CARPORTS

2200 N. Granville Ave.  
Muncie, IN 47303  
Phone: (765) 284-0694  
Toll Free: (800) 730-7908  
Fax: (765) 284-2689  
www.allsteelcarports.com

**RECEIVED**

INVOICE #

Date: 5-11-2019

SEP 15 2015

Installed Date:

Dealer: Four Lakes RV

County: Putnam

DEPARTMENT  
PUBLIC SERVICE

Phone: 869-641-8940

Buyer Name(s): Joe & Sandy Hopkins

Buyer Address: 50567 East Indiana Lake Road City: Bristol

State: IN Zip: 46807

Phone (Day) 574-220-5896 (Evening) (Cell)

Installation Site (if different than above):

Email Address: HopkinsSandy6@gmail.com

**NOTE: FRAMES ARE 1 FOOT SHORTER THAN ROOF LENGTH-WISE**

ALL ORDERS C.O.D.



Description	Width	Roof Length	Frame Length	Leg Height	Gauge	Price
x Carport	22	21		8	14	1895
Options:						
<input checked="" type="checkbox"/> Regular Frame	<input type="checkbox"/> A-Frame	<input type="checkbox"/> Vertical Roof	<input type="checkbox"/> All Vertical			
<input checked="" type="checkbox"/> Additional Leg Height			8			140
<input checked="" type="checkbox"/> Both Sides	<input type="checkbox"/> One Side					520
<input type="checkbox"/> Both Ends	<input type="checkbox"/> One End					940
<input type="checkbox"/> Gable Ends						
<input type="checkbox"/> Roll-Up Door	Size:					
<input type="checkbox"/> Walk-In Door	<input type="checkbox"/> 32" X 72"	<input type="checkbox"/> 34" X 76"				
<input type="checkbox"/> Window	30" X 30" Standard					
18 <input type="checkbox"/> Standard Anchors	<input type="checkbox"/> MHA	<input type="checkbox"/> Asphalt	<input checked="" type="checkbox"/> Concrete	<input type="checkbox"/> Supports		180
<input type="checkbox"/> Other						
<input type="checkbox"/> Other						
<input type="checkbox"/> Other						
<input type="checkbox"/> Other						
<input type="checkbox"/> Other	268" w.					
<input type="checkbox"/> Other	265 1/2 len.					3675

Total Sale \$ 3675.00

Approx. Tax \$ 257.25

Tax Exempt #

Non-Tax Contractor Fees \$

Total \$ 3932.25

10% Deposit \$ 367.50

50% Deposit \$

Balance Due \$ 3564.75

Colors:	Roof	Sides
	Peuter	Peuter
	Ends	Trim
	Peuter	Grey Zinc

Installation	<input type="checkbox"/> Ground	<input checked="" type="checkbox"/> Cement	<input type="checkbox"/> Asphalt	<input type="checkbox"/> Other
Land Level	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No (Building will be installed "as is")		
Electricity	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	Permits:	<input type="checkbox"/> Yes Required <input type="checkbox"/> Not Requ

## Things You Should Know....

All Steel Carports, Inc., (hereinafter "ASC"), is not responsible for permits, covenant searches or restrictions. Please contact your local Building Inspector or Homeowners Association for information. Lot must be level or unit will be installed "AS IS" on lot. Prior to installation, please have any underground cables, gas lines or any other utility lines located and marked. At not be responsible for any damage to underground utility lines. Installation is subject to change due to contractor availability and weather conditions. A down payment of 10% (before tax) is required on all orders and 50% on special orders. Any credit card refunds will be charged 5%. Balance must be paid in full upon installation. No refunds on special orders. Deposits are non-refundable. A \$50 return trip fee (subcontractors) applies. Additional fees may vary upon jobs (cuts, ground leveling, or anything additional the contractors have to extra on site). A fee of \$35 will apply on returned checks.

Buyer agrees that the balance shall be due and payable at the time of installation. In the event that balances due and owing at the time of installation are not paid in full, buyer shall be in default under this agreement. ASC may elect to repossess the carport/garage and buyer hereby consent to allow ASC access to the carport/garage to repossess the carport/ garage, or at it sole discretion ASC may assess interest at a rate of 18% per annum on any unpaid balance. Buyer agrees that in the event of any default under this agreement, buyer shall be responsible reasonable collection agency costs, any attorney's fees and costs incurred as a result of the default. JURISDICTION, it is expressly agreed that in any dispute, suit, claim or legal proceeding any nature arising from the obligations under this agreement, shall be filed in a court of competent jurisdiction in Delaware County, Indiana and be controlled by the law of the State of Indiana. ASC reserves the right to terminate this agreement at any time. All Steel Carports Must Approve All Pricing.

I have read and completely understand the above information and give my approval for construction of the above.

Buyer: Sandy Hopkins Date: 5/11/19

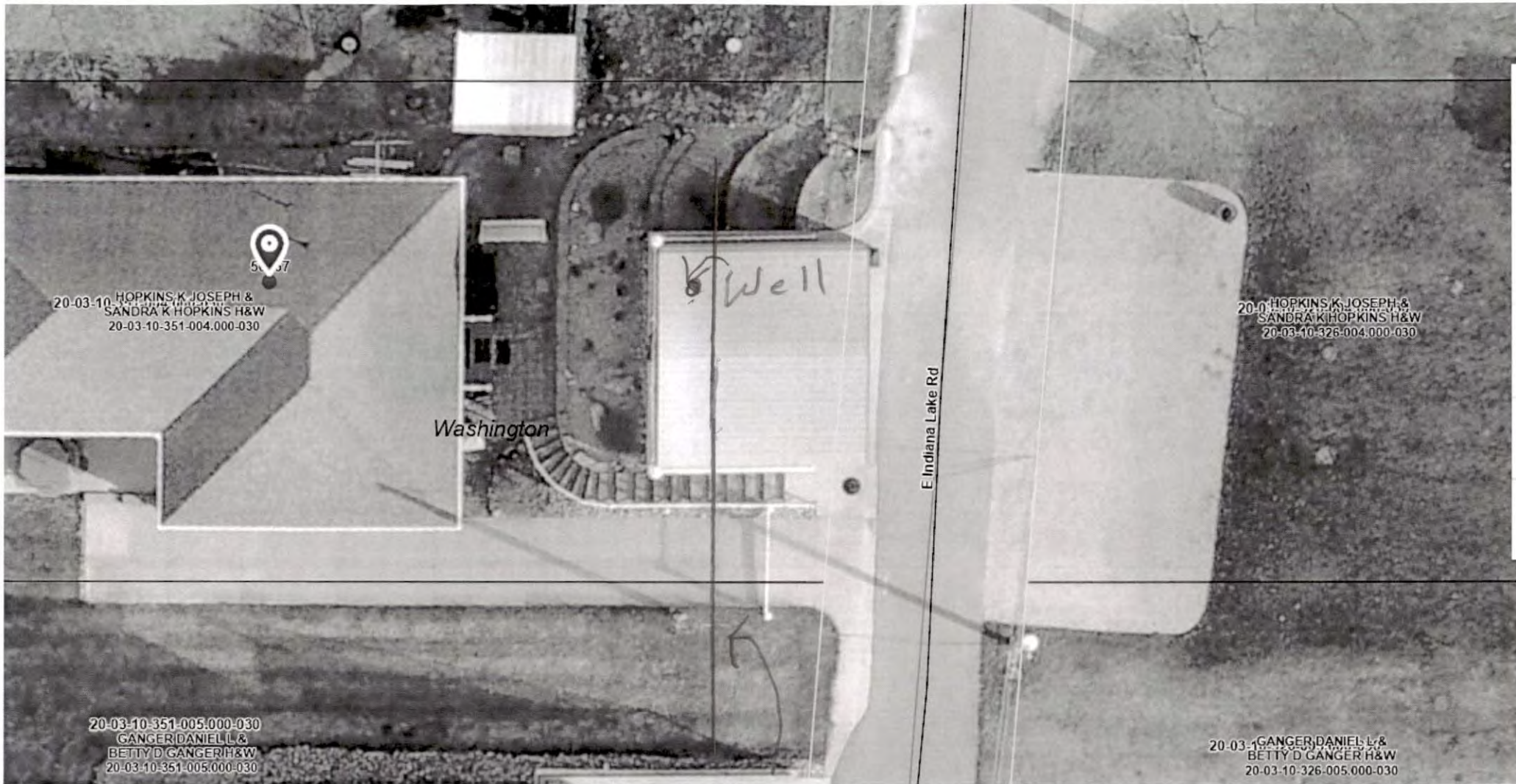
Contractor Name: Date:

☐ Cash ☐ Credit Card ☐ Check #

Card Number:

Exp. Date: Security Code:





20-03-10-351-004.000-030  
HOPKINS, K. JOSEPH &  
SANDRA K. HOPKINS H&W  
20-03-10-351-004.000-030

20-03-10-326-004.000-030  
HOPKINS, K. JOSEPH &  
SANDRA K. HOPKINS H&W  
20-03-10-326-004.000-030

20-03-10-351-005.000-030  
GANGER, DANIEL L. &  
BETTY D. GANGER H&W  
20-03-10-351-005.000-030

20-03-10-326-005.000-030  
GANGER, DANIEL L. &  
BETTY D. GANGER H&W  
20-03-10-326-005.000-030

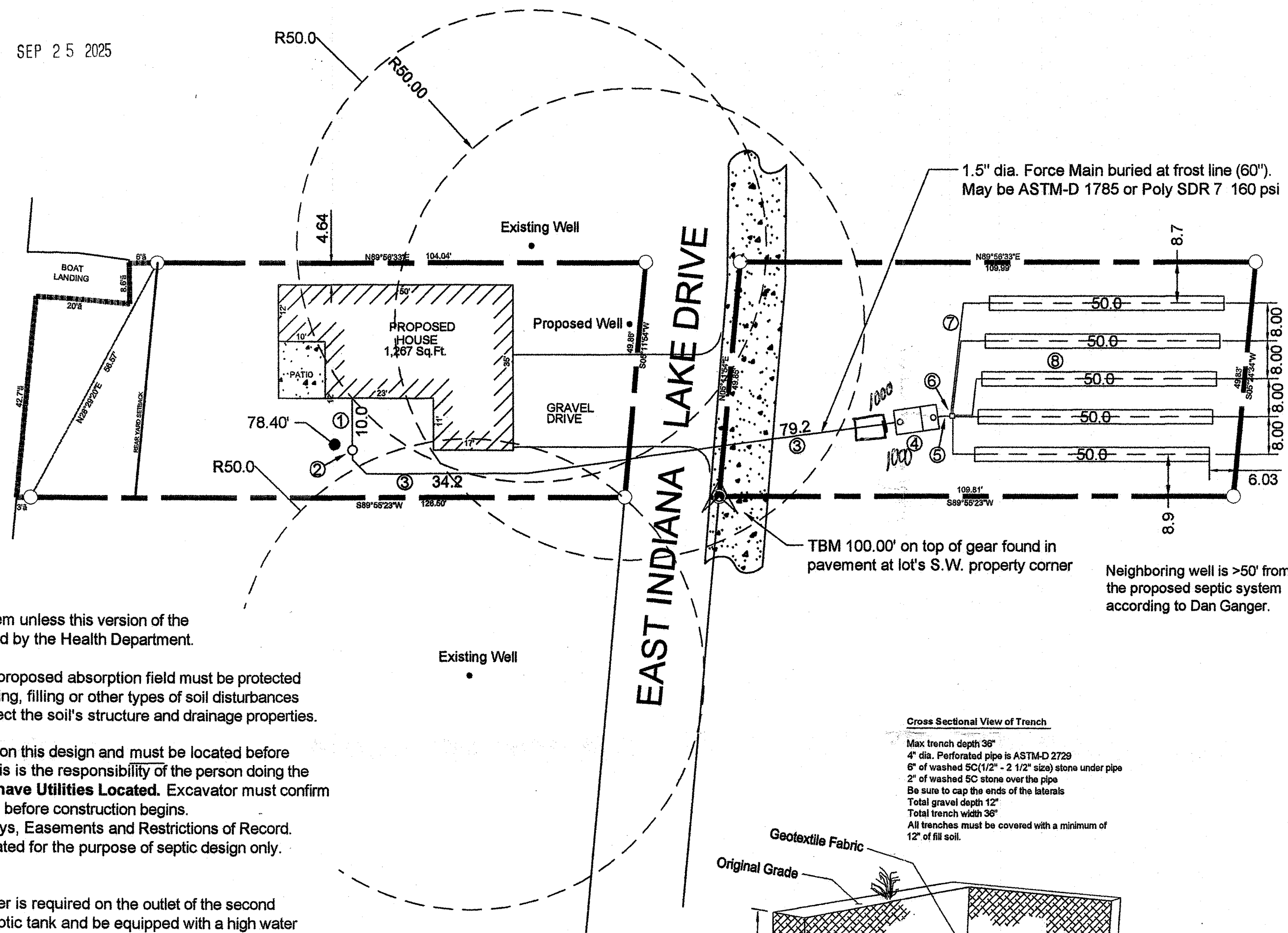
SEP 25 2025

Building Road  
is in Row  
refer to Survey



SEP 25 2025

INDIANA LAKE



Do not install this system unless this version of the plan has been approved by the Health Department.

Note: The area of the proposed absorption field must be protected from compacting, grading, filling or other types of soil disturbances that may adversely effect the soil's structure and drainage properties.

Utilities are not shown on this design and must be located before excavation begins. This is the responsibility of the person doing the digging! **Call 811 to have Utilities Located.** Excavator must confirm the location of all wells before construction begins. Subject to Right-of-Ways, Easements and Restrictions of Record. This plot plan was created for the purpose of septic design only. This is not a survey.

An NSF 46 Effluent filter is required on the outlet of the second compartment of the septic tank and be equipped with a high water alarm.

Glue all pipe to manufacturer's specifications.

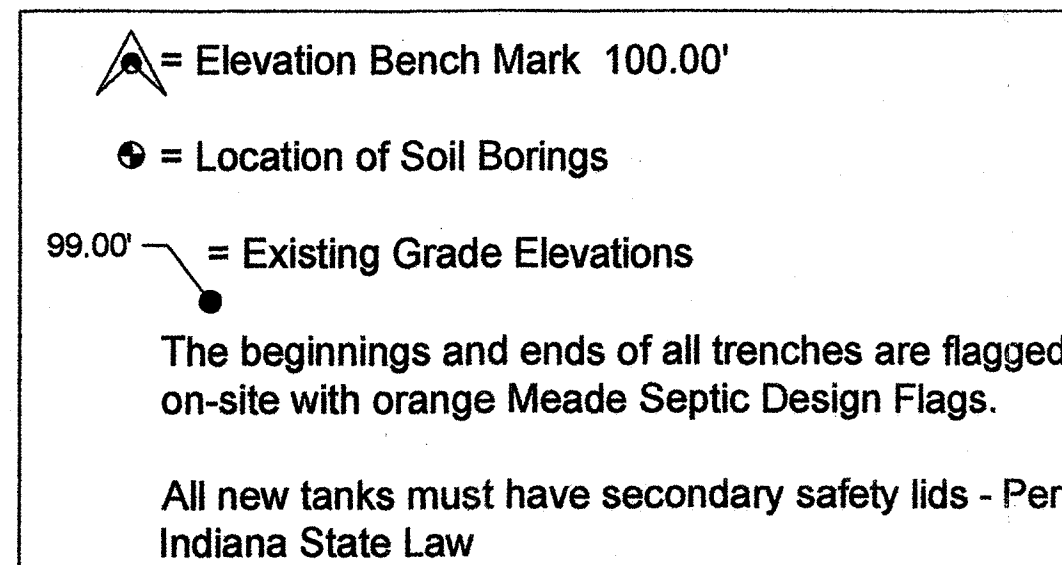
This septic system is sized using an estimated daily flow rate as designated by the Indiana State Septic Rule. Actual flow rates in excess of this daily design rate are likely to cause premature failure of the system. Water from foundation drains (and other clean water discharges) **MUST NOT** discharge into the septic system or on top of the absorption field. Sending softener discharge water to your septic system can lead to premature septic failure. Check with your local Health Department for alternative discharge options.

**Barrier Material:** Barrier material must meet the requirements of 410 IAC 6-8.2 and your local health department.

**Distal Ends of Perforated Pipes:** "The distal end of each gravity distribution lateral shall be capped"

**Pumps:** "Installed in a manner as to allow for removal without entering or dewatering the the dose tank" Pumps "shall be provided with a suitable means of quick, convenient disconnection from the discharge piping." "Fittings and valves shall be of compatible corrosion resistant material."

**Electrical Connections:** All electrical connections should be located outside the tank and riser and inside a weather proof junction box. Junction boxes inside the riser "shall be rated as a NEMA 4X, National Electrical Manufacturers Association, NEMA 250-2003. All connectors to the junction box shall form a watertight seal."



20 0 20 FEET  
SCALE: 1" = 20'

### General Information:

Number of Bedrooms: 3

### Proposed Design Based on Health Department Requirements:

1250 Two Compartment Septic Tank  
750 sq. ft. of Absorption Field  
36 inch Maximum Trench Depth

### Material Key:

#### 1 Gravity Sewer:

Dia. 4" dia.  
Length 10  
Specs: Glued ASTM-D 2665-09 Sch 40

#### 2 24" dia. Sewage Ejection Pit by Farmer Tank

See page two for details

#### 3 Force Main: 1.5" dia. SDR 7 Poly

#### 4 1250 Gal. Two Compartment Septic Tank with NSF 46 Effluent Filter and Two Risers to the Ground Surface:

Tank by: Farmer

#### 5 Effluent Sewer:

Dia. 4" dia.  
Length: 4  
Specs: ASTM-D 3034-06 SDR 35

#### 6 Distribution Box:

6 Outlet by Approved Manufacturer  
Inlet equipped with sweeping tee that extends within 2" of the bottom of Box.

#### 7 Header Pipes:

4" dia.  
ASTM-D 3034-08 SDR 35  
All Header Pipes Slope to Laterals

#### 8 Absorption Field:

Max. Trench Depth: 36 inches  
Number of Trenches: 5  
Length of Trenches ft: 50  
Linear Footage: 250  
Absorption Field sq.ft. 750  
Perforated Pipes are 4 inch dia. ASTM-D 2729-03 or ASTM-F 810-07. Cap Ends

### Elevation Key:

### See the Drawing for Elevation Bench Mark Information

#### 1 Gravity Sewer:

Exits Building at or Above I.E. 76.40  
Inlets Sewage Ejection Pit at I.E. 75.90

#### 2 Sewage Ejection Pit:

Inlets at I.E. 75.90  
Outlets at I.E. 73.40

#### 3 Force Main:

Outlet Ejection Pit at I.E. 73.40  
Inlets Septic Tank at I.E. 101.22

#### 4 Septic Tank:

Inlets Septic Tank at I.E. 101.22  
Outlets Septic Tank at I.E. 100.97

#### 5 Effluent Sewer:

Exits Septic Tank at I.E. 100.97  
Inlets D-Box at I.E. 100.81

#### 6 Distribution Box:

D-Box Inlet I.E. 100.81  
D-Box Outlet I.E. 100.73

#### 7 Header Pipes:

All Header Pipes Connect to Trench Laterals at I.E. 100.65

#### 8 Absorption Trenches:

The Highest Elevation in the Area of the Trenches 103.15  
The Lowest Elevation in the Area of the Trenches 102.3  
All Gravel Trench Perf. Pipe I.E. 100.65  
All Trench Bottoms are Level at 100.15

DATE REVISION

MEADE SEPTIC DESIGN Inc.

WWW.SEPTICDESIGN.COM

Dan Ganger  
Lots 4 & 4 Fem Ridge Addition 1st & Second Add  
Elkhart County

Stuart J. Meade stuart@septicdesign.com  
312 River Vista Drive Goshen, IN 46526-4830  
574.533.1470 Cell 574.215.9289 Fax 574.534.8687

All measurements must be confirmed by the excavator prior to installation.  
Surface inspection shows no signs of buried obstructions.  
All utilities must be marked prior to any digging or excavation.  
All Contents Copyright 2012 Stuart Meade

DATE 10/30/12  
SCALE 1" = 20'

GANER11\_2638.DWG  
PAGE 1 of 2 Job# 2638

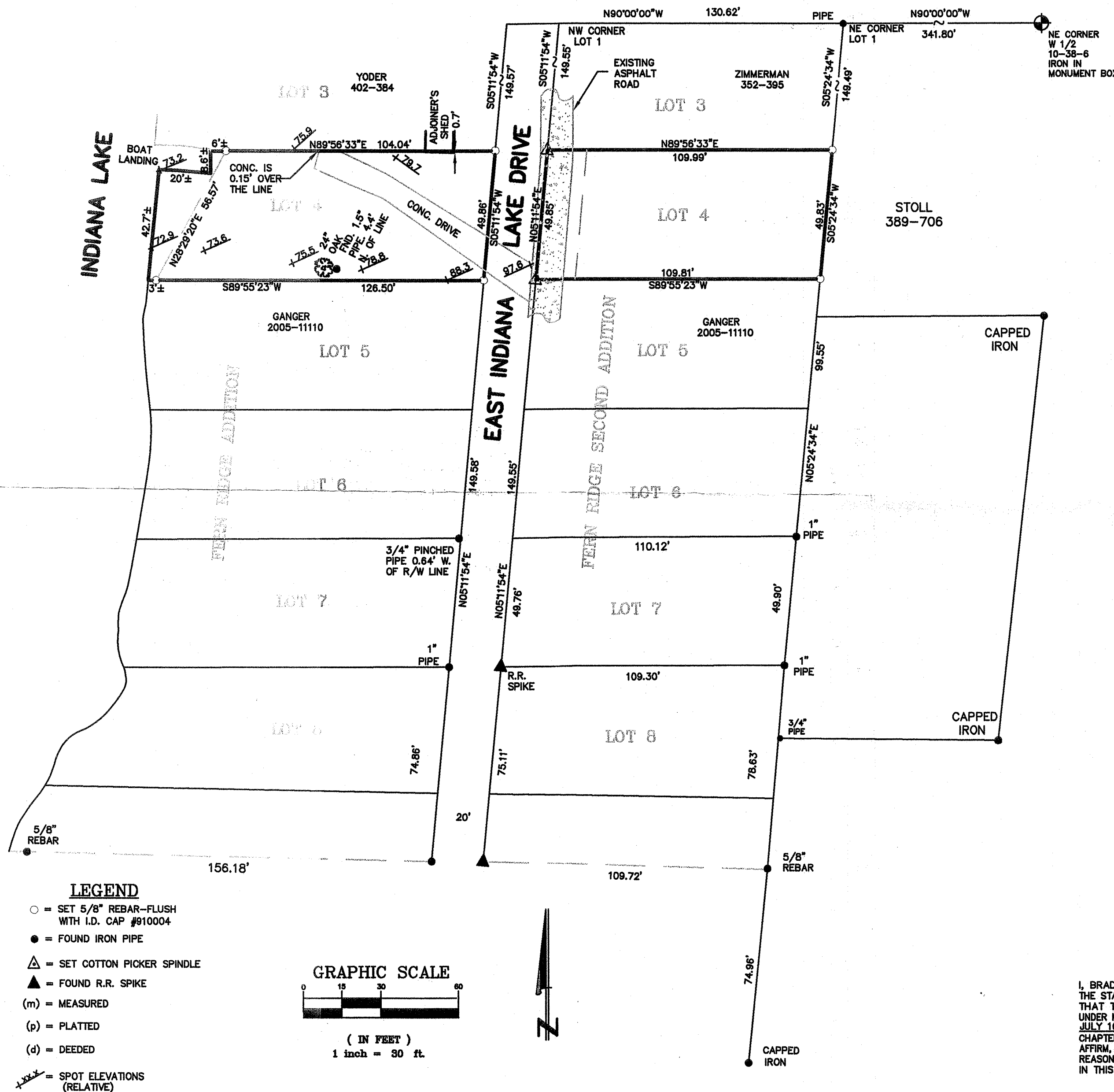


SEP 25 2025

# CERTIFICATE OF SURVEY

A PART OF FERN RIDGE FIRST & SECOND  
SECTION 10, TOWNSHIP 38 NORTH, RANGE 6 EAST  
WASHINGTON TOWNSHIP, ELKHART COUNTY, INDIANA  
OWNER: DANIEL LEE & BETTY DEAN GANGER  
DEED RECORD 413-950

LEGAL DESCRIPTION  
LOT 4 FERN RIDGE ADDITION  
WASHINGTON TOWNSHIP,  
ELKHART COUNTY, INDIANA.  
PLAT BOOK 2, PAGE 107.  
AND  
LOT 4 FERN RIDGE SECOND ADDITION  
WASHINGTON TOWNSHIP,  
ELKHART COUNTY, INDIANA.  
PLAT BOOK 2, PAGE 203.



## SURVEYORS REPORT

1) IN ACCORDANCE WITH TITLE 865, ARTICLE 1, CHAPTER 12 OF THE INDIANA ADMINISTRATIVE CODE, THE FOLLOWING OBSERVATIONS AND OPINIONS ARE SUBMITTED REGARDING THE VARIOUS UNCERTAINTIES IN THE LOCATIONS OF THE LINES AND CORNERS ESTABLISHED ON THIS SURVEY AS A RESULT OF:

- A) VARIANCES IN THE REFERENCE MONUMENTS;
- B) DISCREPANCIES IN RECORD DESCRIPTIONS AND PLATS;
- C) INCONSISTENCIES IN LINES OF OCCUPATION;

**COMMENTS:** ESTABLISHED THE NE & SE CORNERS OF LOT 4 IN FERN RIDGE 2nd, ON LINE, AND AT THEIR PRORATED LOCATION, BETWEEN THE NE CORNER OF LOT 7, AND THE NE CORNER OF LOT 1. ESTABLISHED THE NW & SW CORNERS OF LOT 4 IN FERN RIDGE 2nd ON LINE, AND AT THE PRORATED LOCATION, BETWEEN AN IRON AT THE SW CORNER OF LOT 7, AND THE NW CORNER OF LOT 1. ESTABLISHED THE WEST RIGHT OF WAY LINE EAST INDIANA LAKE DRIVE 20' WEST OF, AND PARALLEL WITH, THE MONUMENTED EAST LINE OF SAID DRIVE. ESTABLISHED THE NORTH AND SOUTH LINES OF LOT 4 IN FERN RIDGE BY PROJECTING THE NORTH AND SOUTH LINES OF LOT 4 IN FERN RIDGE 2nd WESTERLY, TO THE WATER'S EDGE OF INDIANA LAKE.

AS A RESULT OF THE ABOVE OBSERVATIONS, IT IS MY OPINION THAT THE DEGREE OF UNCERTAINTY IN THE LOCATIONS OF THE LINES AND CORNERS ON THIS SURVEY ARE AS FOLLOWS:

RELATIVE POSITIONAL ACCURACY: 0.13' PLUS 50 ppm (SUBURBANA)

DUE TO VARIANCES IN MONUMENTATION: 0.17' N/S & 0.2' E/W

DUE TO DISCREPANCIES IN THE RECORD DESCRIPTION: NONE.

DUE TO INCONSISTENCIES IN THE LINES OF OCCUPATION: 0.7' N/S ON THE NORTH LINE.

THIS PROPERTY IS NOT LOCATED WITHIN THE FLOODPLAIN AS PER INFORMATION OBTAINED FROM FLOOD INSURANCE RATE MAP, NATIONAL FLOOD INSURANCE PROGRAM, COMMUNITY PANEL NUMBER 180056 18039C0065 D, DATED AUGUST 2, 2011.

I, BRADLEY S. CRAMER, A REGISTERED LAND SURVEYOR IN THE STATE OF INDIANA, LICENSE #910004, DO HEREBY CERTIFY THAT THIS REPRESENTS A SURVEY PREPARED BY ME OR UNDER MY DIRECT SUPERVISION. THIS SURVEY WAS COMPLETED ON JULY 10, 2012 IN ACCORDANCE WITH TITLE 865, ARTICLE 1, CHAPTER 12 OF THE INDIANA ADMINISTRATIVE CODE. I FURTHER AFFIRM, UNDER THE PENALTIES FOR PERJURY, THAT I HAVE TAKEN REASONABLE CARE TO REDACT EACH SOCIAL SECURITY NUMBER IN THIS DOCUMENT, UNLESS REQUIRED BY LAW.

Progressive Engineering Inc.		58640 State Road 15 Goshen, IN 46528 Phone (574) 533-0337 Fax (574) 533-9736	
DANIEL GANGER		www.p-e-i.com	
BOUNDARY SURVEY		LOT 4 FERN RIDGE 1 & 2	
DATE	7/18/2012	SCALE	1" = 30'
JOB NO.	2012-1027	DWG. NO.	C-121027

COUNTY ROAD 23

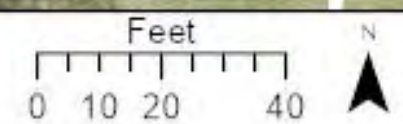


DV-0603-2025



2025 Aerials

1 inch equals 40 ft





DV-0603-2025



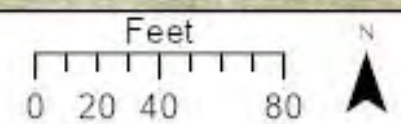
R-2

E-Indiana-Lake-Rd

Sources: Esri, TomTom, Garmin, FAO, NOAA, USGS, © OpenStreetMap contributors, and the GIS User Community

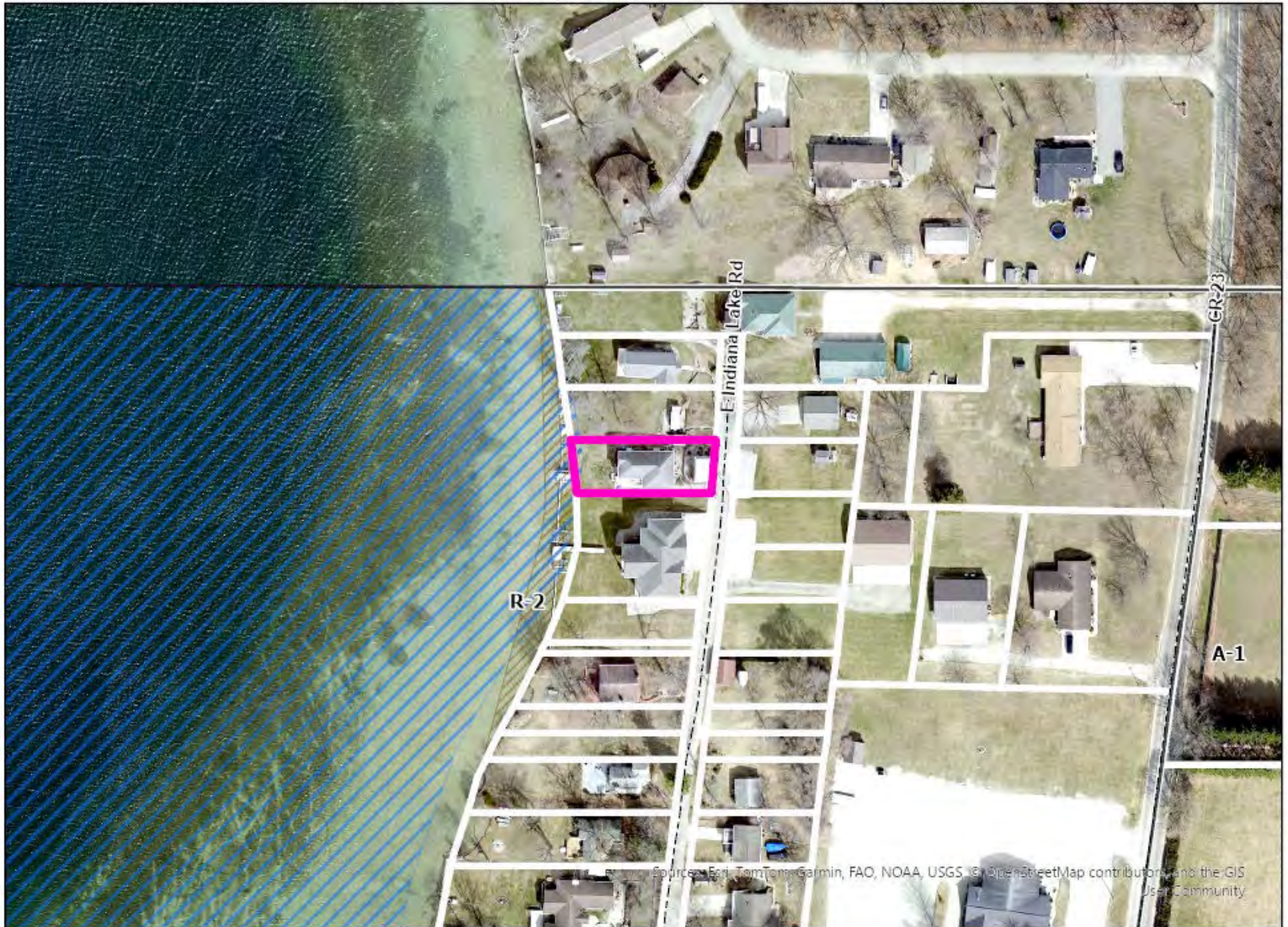
2025 Aerials

1 inch equals 80 ft



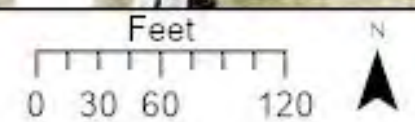


DV-0603-2025



2025 Aerials

1 inch equals 120 ft







Subject property





Facing south





Facing north





Facing east



132.17

(4)

R-2

50567

HOPKINS K JOSEPH & SANDRA K HOPKINS H&W  
20-03-10-351-004.000-030

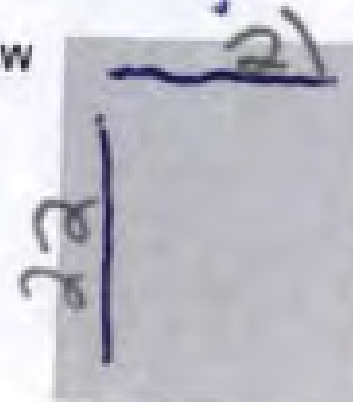
50.07

FERN RIDGE

Washington

122.26

7'



50

50

E-Indiana-Lake

centerline

12'



# ***BZA Staff Report***

*Prepared by the Department of Planning and Development*

**Hearing Date:** December 18, 2025

**Transaction Number:** SUP-0605-2025.

**Parcel Number(s):** 20-02-29-301-005.000-026.

**Existing Zoning:** R-1.

**Petition:** For a Special Use for a home workshop/business for a roofing business, for a Developmental Variance to allow for 5 outside employees (Ordinance allows 4), and for a Developmental Variance to allow for the total square footage of accessory structures to exceed that allowed by right.

**Petitioner:** Jesus Ocampo.

**Location:** East side of CR 7, 3,585 ft. south of CR 6, in Osolo Township.

## ***Site Description:***

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

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

- **April 4, 2025** – A complaint was received about a roofing and dumpster business being run on the property (CODE-0158-2025).
- It should be noted that the B-2 zoned parcel to the west is used as an office location and went through the proper rezoning process in 2018. The B-2 zoning district is a transitional zoning that can be found located near residentially zoned districts.
- **July 17, 2025** – The BZA denied a Use Variance for a waste-related service and tabled the Special Use for a home workshop/business for a roofing business.
- **October 16, 2025** – The BZA approved the petitioner's request to withdraw the Special Use for a home workshop/business for a roofing business (UV-0405-2025).
- **November 20, 2025** – The BZA tabled this petition.

## ***Staff Analysis:***

*For a Special Use for a home workshop/business for a roofing business, staff finds that:*

1. The Special Use will not be consistent with the spirit, purpose, and intent of the Development Ordinance. The ordinance states a need to regulate the density of residential uses and the intensity of the nonresidential uses. The intensity of the requested roofing business is above which is normally seen in a medium-density residential area.
2. The Special Use will cause substantial and permanent injury to the appropriate use of neighboring property. The roofing business has already caused concerns in respect to noise, lights, and trash to the neighboring properties, and those neighboring properties should be protected from the conflicting land use of the business.
3. The Special Use will not substantially serve the public convenience and welfare as the business can be operated on a property that is zoned for business uses.

Staff recommends **DENIAL**.



# ***BZA Staff Report (Continued)***

***Hearing Date:*** December 18, 2025

*For a Developmental Variance to allow for 5 outside employees (Ordinance allows 4), staff finds that:*

As a result of the Special Use denial recommendation, this Developmental Variance is moot.

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

1. Approval of the request will not be injurious to public health, safety, morals, or general welfare. The request is 1,421 sq. ft., or 123 percent, over what is allowed by right and the building will be placed at the far back of the property as to not cause issues for adjacent properties.
2. Approval of the request will not cause substantial adverse effect on neighboring property. This is a 1.08-acre lot in a medium-density residential area, the lot will remain residential in character, and all other standards including maximum height are met.
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 prevent a structure that fits the character of the neighborhood and indoor storage of personal items.

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 9/17/2025) and as represented in the Developmental Variance application.



# PLAN COMMISSION & BOARD OF ZONING APPEALS

Special Use - Non Mobile Home

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

4230 Elkhart Road, Goshen, Indiana, 46526

Phone - (574) 971-4678

Fax - (574) 971-4578

Date: 09/17/2025 Meeting Date: November 20, 2025 Transaction #: SUP-0605-2025  
Board of Zoning Appeals Public Hearing

Description: for a Special Use for a home workshop/business for a roofing business, for a Developmental Variance to allow for 5 outside employees (ordinance allows 4) and 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>Land Owner</u>	<u>Land Owner</u>
America Martinez 53670 County Road 7 Elkhart, IN 46514	America Martinez 53670 County Road 7 Elkhart, IN 46514	Jesus Ocampo 53670 Cr 7 Elkhart, IN 46514

Site Address: 53670 County Road 7 Elkhart, IN 46514	Parcel Number: 20-02-29-301-005.000-026
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Township: Osolo  
Location: East side of County Road 7, 3585 ft. South of County Road 6

Subdivision:	Lot #
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Lot Area: 1.08	Frontage: 73.00	Depth: 635.00
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Zoning: R-1	NPO List:
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Present Use of Property: RESIDENTIAL

Legal Description:

Comments: SEE ORIGINAL UV-0405-2025: THE UV GOT DENIED, THE SPECIAL USE WAS TABLED INDEFINITELY 7-17-2025 JB PETITIONER CAME IN TO WITHDRAW THE SPECIAL USE PORTION OF THE ORGIINAL REQUEST AND REAPPLY-DR 9/17/25  
PARCEL CREATION DATE 3/1/62

Applicant Signature:	Department Signature:
----------------------	-----------------------



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

- 1) Tell us what you want to do. store 4 trailers & work truck in the back yard. Build a pole barn to store RV, materials, and personal items
- 2) Tell us why your case is different from other cases in the county so that a variance should be allowed.  
\_\_\_\_\_  
\_\_\_\_\_
- 3) Tell us why the variance won't hurt your neighbors or the community. will install Privacy fencing and store all materials inside. keep the in and out to a minimum
- 4) Will the activity create noise, vibration, smoke, dust, odor, heat, or glare? ☐ Y ☒ N If yes, fill out below.  
Tell us what will create those things. \_\_\_\_\_  
\_\_\_\_\_  
Tell us how you'll reduce the impact of those things on neighbors. \_\_\_\_\_  
\_\_\_\_\_
- 5) Will there be buffering (fences, trees, shrubs, mounds)? ☒ Y ☐ N  
If yes, tell us about it. New fencing will be installed in the back part of the house
- 6) 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
- 7) Does what you want to do include buildings or additions? ☒ Y ☐ N If yes, fill out below.  
**Building or addition 1** Existing? ☐ Y ☒ N Size and height to the peak: 50' x 40' x 12' L W H  
Tell us what you'll use it for. Storage of materials & Personal RV  
**Building or addition 2** Existing? ☐ Y ☐ N Size and height to the peak: \_\_\_\_\_  
Tell us what you'll use it for. \_\_\_\_\_  
**Building or addition 3** Existing? ☐ Y ☐ N Size and height to the peak: \_\_\_\_\_  
Tell us what you'll use it for. \_\_\_\_\_
- 8) Is there a subdivision covenant that says you can't do this activity? ☐ Y ☒ N  
If yes, does the subdivision have an active homeowners' association? ☐ Y ☐ N
- 9) Does this application include an accessory structure without a residence at this time? ☐ Y ☒ N  
If yes, are there plans for a residence on this property? ☐ Y ☐ N If yes, fill out below.  
Tell us when it will be built. \_\_\_\_\_  
Tell us the approximate size. \_\_\_\_\_
- 10) Does this application include animals? ☐ Y ☒ N  
If yes, tell us what kind and the maximum number of each. \_\_\_\_\_  
\_\_\_\_\_



# Use Variance — Questionnaire

11) Does this application include a business or nonprofit (church, school, other) based all or in part on this property? ☒ Y ☐ N If yes, fill out below.

How many employees do you have now? Full time: 6 Part time: \_\_\_\_\_

How many employees do you want? Full time: \_\_\_\_\_ Part time: \_\_\_\_\_

How many of the employees won't live onsite? 5

What will be the days and hours of operation on this property? M-F Sat. 7am 8pm

How many parking spaces do you have now? 5

How many parking spaces do you want? 5

Will there be outside storage or display areas on this property? ☒ Y ☒ N

If yes, tell us what will be stored outside or displayed. 4 trailers

Will there be retail sales on this property? ☐ Y ☒ N

If yes, tell us what will be sold. \_\_\_\_\_

Approximately how many customers (clients, guests, students, members) will be on this property per day? \_\_\_\_\_

Will there be pickups or deliveries on this property? ☒ Y ☐ N If yes, fill out below.

Tell us how often. Every Thursday

Tell us the kind of vehicles used. Truck Drops of Gutter materials

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

**Sign 1** Dimensions (length and width). 5 ft x 3 ft

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

12) Tell us anything else you want us to know. No longer have dumpsters



# CODE CASE DETAILED REPORT CODE-0158-2025

## FOR REPORT TEXT LIBRARY: MUNICIPALITY\_NAME

**Case Type:** Zoning **Project:** **Opened Date:** 04/04/2025  
**Status:** Notice of Violation **District:** Osolo **Closed Date:** 05/06/2025  
**Assigned To:** Richard Masters **Description:** RUNNING A ROOFING AND DUMPSTER BUSINESS OUT OF RESIDENCE.

<b>Parcel:</b> 20-02-29-301-005.000-026 Main	<b>Address:</b> 53670 County Road 7 EAST ON CR Main 7, NORTH OF EDWARDS RD. Elkhart, IN 46514	<b>Zone:</b> R-1 (Single-Family Residential District)
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### Owner

Jesus Ocampo  
53670 Cr 7  
Elkhart, IN 46514  
Mobile: 5743229129

Activity Type	Activity Number	Activity Name	User	Created On
Email	CMAActivity-0888-2025		Richard Masters	06/05/2025
Email	CMAActivity-0798-2025		Richard Masters	05/28/2025
Incoming Phone Call	CMAActivity-0701-2025		Richard Masters	05/15/2025
Letter	CMAActivity-0703-2025		Richard Masters	05/15/2025
Misc. Communication	MCCMAActivity-0817-2025		Amber Weiss	05/28/2025
Misc. Information	CMAActivity-0823-2025		Richard Masters	05/29/2025
Misc. Information	CMAActivity-1449-2025		Richard Masters	08/04/2025
Misc. Information	CMAActivity-1377-2025		Richard Masters	07/24/2025
Outgoing Phone Call	CMAActivity-1867-2025		Richard Masters	10/01/2025
Outgoing Phone Call	CMAActivity-1868-2025		Richard Masters	10/01/2025
Outgoing Phone Call	CMAActivity-0875-2025		Richard Masters	06/04/2025
Site Visit	CMAActivity-0702-2025		Richard Masters	05/15/2025
Site Visit	CMAActivity-1872-2025		Richard Masters	10/01/2025
Site Visit	CMAActivity-0636-2025		Richard Masters	05/06/2025



53670 CR 7, Elkhart. Photos taken by Ricky Masters on 10/01/25.

Alleged Violation: Running a business



I went by the site. I noticed that there were 4 dumpsters on the property. Two of the dumpsters were filled with trash. Two of the dumpsters were drop bins and the other two were dumping trailers. There was also trash and debris piled around the dumpsters.





53670 CR 7, Elkhart. Photos taken by Ricky Masters on 10/01/25.  
Alleged Violation: Running a business





53670 CR 7, Elkhart. Photo taken by Kevin Head on 10/14/25.







I went by the site. There was a large yellow truck that is used to move dumpsters or bins. The dumpsters were removed from the property, but there were two vehicles where the dumpsters were. A truck was parked in the middle of the grass, and a junked vehicle was also parked by their back fence. There were A Frames stacked along the other side of the property as well.





53670 CR 7, Elkhart. Photos taken by Ricky Masters on 11/3/25.



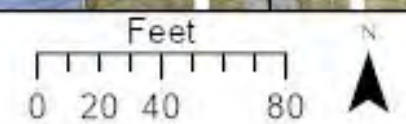


SUP-0605-2025



2025 Aerials

1 inch equals 80 ft



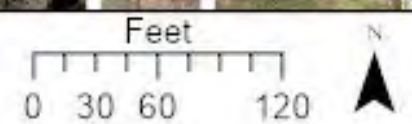


SUP-0605-2025



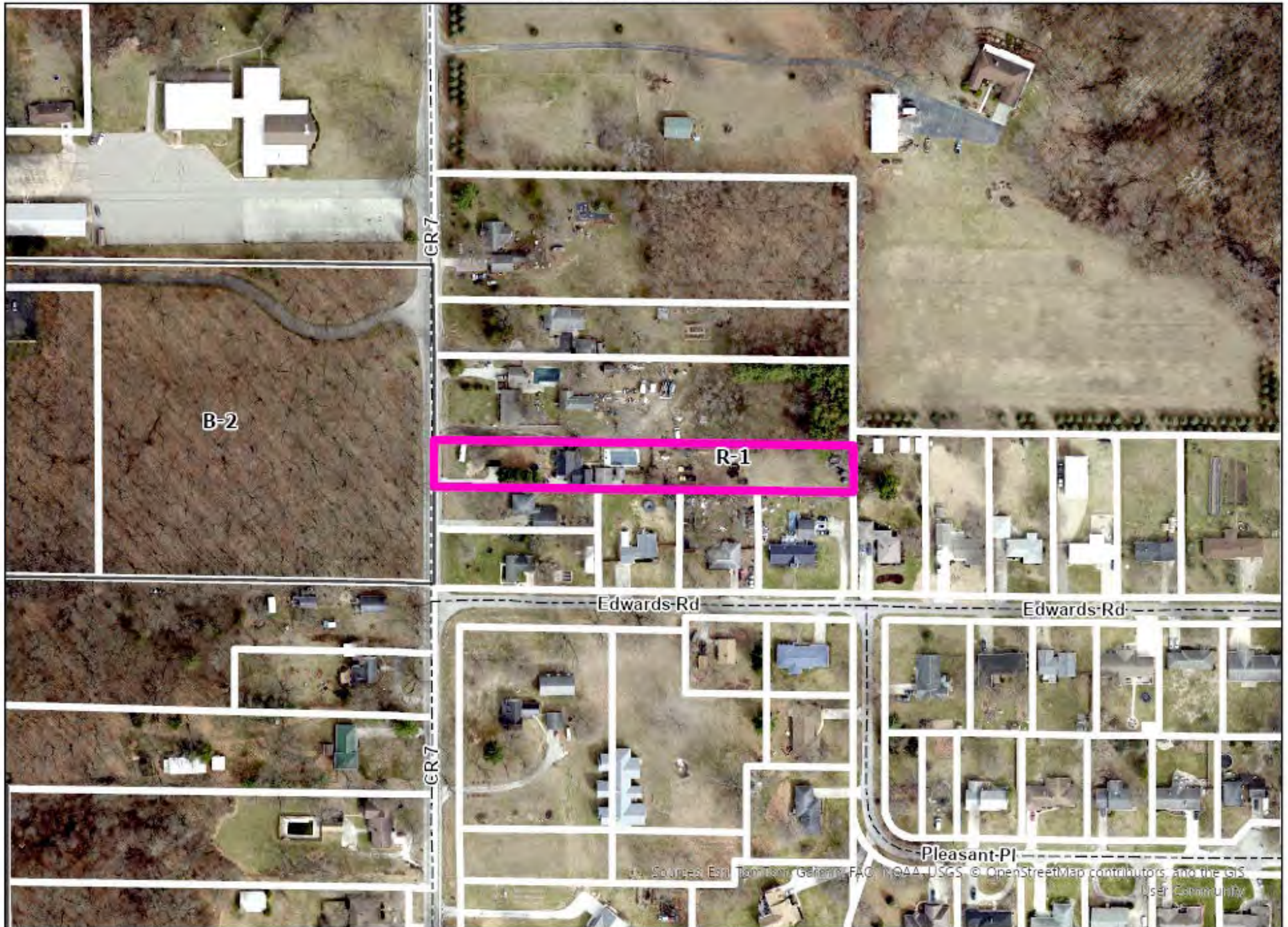
2025 Aerials

1 inch equals 120 ft



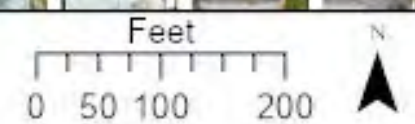


SUP-0605-2025



2025 Aerials

1 inch equals 200 ft







Subject property





Facing south





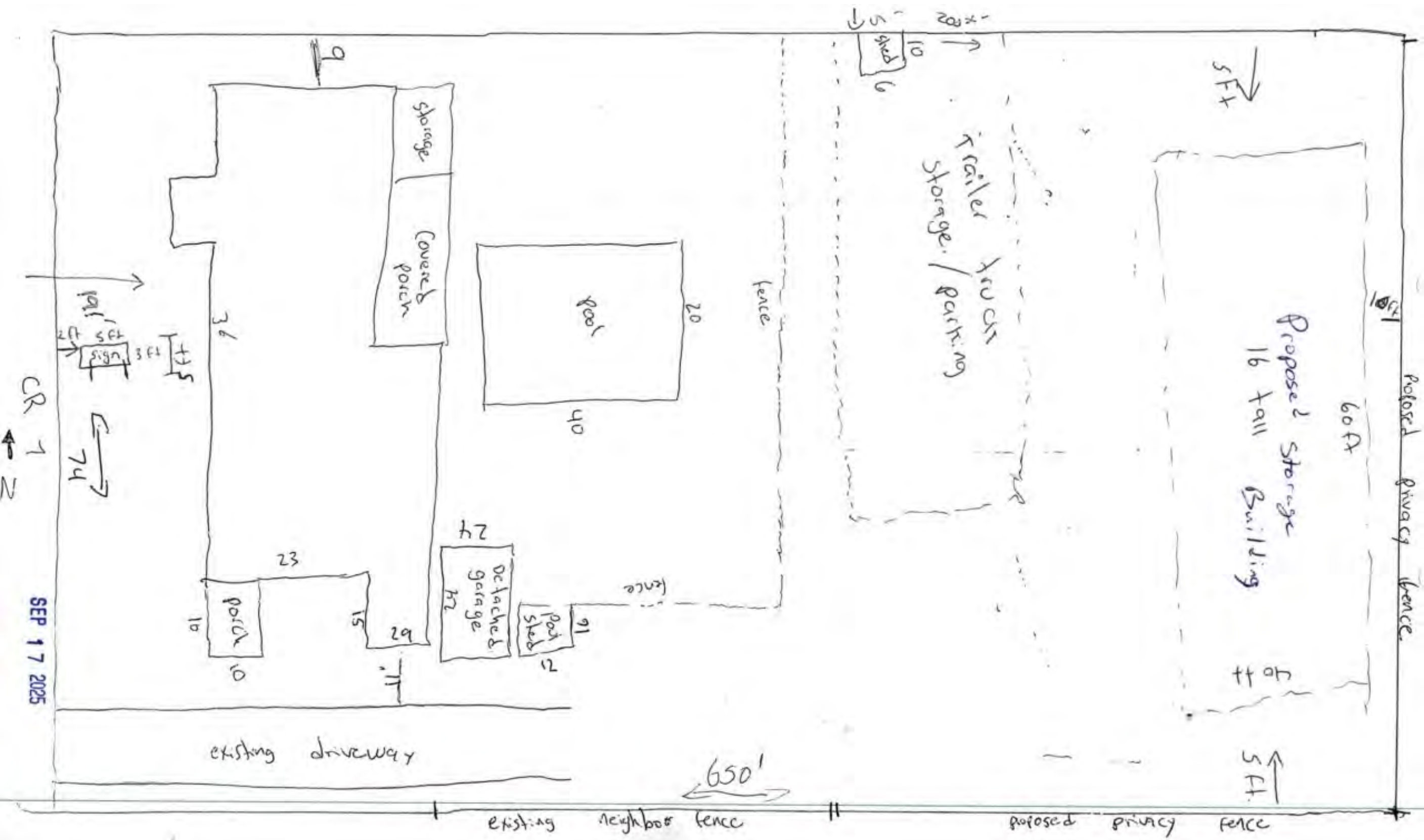
Facing north





Facing west





CR 1

SEP 17 2025



# ***BZA Staff Report***

*Prepared by the Department of Planning and Development*

**Hearing Date:** December 18, 2025

**Transaction Number:** SUP-0663-2025.

**Parcel Number(s):** 20-14-01-200-005.000-028, 20-14-01-200-007.000-028.

**Existing Zoning:** A-1.

**Petition:** For a Special Use for an agribusiness, for a Special Use for a home workshop/business for a diesel repair shop, for a Developmental Variance to allow for 32 outside employees (Ordinance allows 4), and for a Developmental Variance to allow the total square footage of accessory structures to exceed that allowed by right.

**Petitioner:** Eagle Real Estate Group, LLC.

**Location:** Northwest corner of CR 142 and CR 17, in Union Township.

**Site Description:**

- Physical Improvement(s) – Office building, storage buildings, cell tower.
- Proposed Improvement(s) – New building & parking lot.
- Existing Land Use – Commercial, residential.
- Surrounding Land Use – Agricultural, residential.

**History and General Notes:**

- **August 19, 1999** – The BZA approved a Special Use for an Agri-Business (hauling milk for dairy farmers) in an A-1 district (Specifications F - #56) (993031).
- **June 16, 2016** – The BZA approved a Special Use for a wireless communications facility and a 90 ft. Developmental Variance to allow for the placement of said facility's tower 60 ft. from the north property line (Ordinance requires the height of the tower, or 150 ft.) (SUP-0224-2016).
- **November 20, 2025** – The BZA tabled this petition.

**Staff Analysis:**

*For a Special Use for an agribusiness and for a Special Use for a home workshop/business for a diesel repair shop, staff finds that:*

1. The Special Uses will not be consistent with the spirit, purpose, and intent of the Development Ordinance. The agribusiness for hauling milk has doubled in size and diesel truck repairs for the general public have been added without BZA approval. The scope of the request and the conflicting standards between an agribusiness and a home workshop/business can be resolved through the DPUD process.
2. The Special Uses will cause substantial and permanent injury to the appropriate use of neighboring property. Low-density agricultural and residential areas should be protected from more intense commercial uses.
3. The Special Uses will not substantially serve the public convenience and welfare. The public is best served by the protections offered by a DPUD, which is the appropriate process for mixed and/or more intense uses.

Staff recommends **DENIAL**.



# ***BZA Staff Report (Continued)***

***Hearing Date:*** December 18, 2025

*For a Developmental Variance to allow for 32 outside employees (Ordinance allows 4) and for a Developmental Variance to allow the total square footage of accessory structures to exceed that allowed by right, staff finds that:*

As a result of the denial recommendations for the Special Uses, the Developmental Variances are moot.



# PLAN COMMISSION & BOARD OF ZONING APPEALS

Special Use Amendment - Non Mobile Home

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

4230 Elkhart Road, Goshen, Indiana, 46526

Phone - (574) 971-4678

Fax - (574) 971-4578

Date: 10/10/2025 Meeting Date: November 20, 2025  
Board of Zoning Appeals Public Hearing Transaction #: SUP-0663-2025

Description: for a Special Use for an agribusiness, for a Special Use for a home workshop/business for a diesel repair shop,  
for a Developmental variance to allow for 32 outside employees (Ordinance allows 4), and for a Developmental  
Variance to allow for the total square footage to exceed that allowed by right.

Contacts: Applicant Land Owner  
Eagle Real Estate Group Llc Eagle Real Estate Group Llc  
P.O Box 150 P.O Box 150  
New Paris, IN 46553 New Paris, IN 46553

Site Address: 22153 County Road 142 Parcel Number: 20-14-01-200-005.000-028  
Goshen, IN 46526 20-14-01-200-007.000-028

Township: Union  
Location: NORTHWEST CORNER OF CR 142 AND CR 17

Subdivision: Lot #

Lot Area: 14.60 Frontage: 1,662.00 Depth: 594.00

Zoning: A-1 NPO List:

Present Use of Property: RESIDENCE, AGRIBUSINESS

Legal Description:

Comments: PARCEL CREATION DATE : 3/1/1962  
SEE SUP-0224-2016 APPROVED JUNE 16, 2016  
TOWER OPERATOR: FOURWAY COMPUTER PRODUCTS, INC., 51061 SR 933 N., SOUTH BEND, IN. SEE 993031, SU  
FOR AN AGRIBUSINESS, APPROVED 8-19-99.

Applicant Signature: Department Signature:



**Special Use — Questionnaire**

Name: Eagle Real Estate Group

- 1) Tell us what you want to do. Our current truck maintenance shop burnt so we want to build a new shop on the same property to replace it.
- 2) Tell us why this activity won't hurt your neighbors or the community. There has been a shop at this location since 1994. New one will be more visually appealing, and will allow us to continue serving the community with diesel repair as we have done for many years.
- 3) Is there a subdivision covenant that says you can't do this activity? ☐ Y ☒ N  
If yes, does the subdivision have an active homeowners' association? ☐ Y ☐ N
- 4) Will the activity create noise, vibration, smoke, dust, odor, heat, or glare? ☐ Y ☒ N If yes, fill out below.  
Tell us what will create those things. \_\_\_\_\_  
Tell us how you'll reduce the impact of those things on neighbors. \_\_\_\_\_
- 5) Will there be buffering (fences, trees, shrubs, mounds)? ☒ Y ☐ N  
If yes, tell us about it. There is a fence surrounding the property
- 6) 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
- 7) Will the activity use buildings or additions? ☒ Y ☐ N If yes, fill out below.  
**Building or addition 1** Existing? ☐ Y ☒ N Size and height to the peak: 100Wx150Lx25T  
Tell us what you'll use it for. Diesel mechanic and parts sales  
**Building or addition 2** Existing? ☐ Y ☐ N Size and height to the peak: \_\_\_\_\_  
Tell us what you'll use it for. \_\_\_\_\_  
**Building or addition 3** Existing? ☐ Y ☐ N Size and height to the peak: \_\_\_\_\_  
Tell us what you'll use it for. \_\_\_\_\_
- 8) Does this application include animals? ☐ Y ☒ N  
If yes, tell us what kind and how many of each. \_\_\_\_\_

**Next page ➡**



### Special Use — Questionnaire

- 9) Does this application include a business or nonprofit (church, school, other) based all or in part on this property? ☒ Y ☐ N If yes, fill out below.

How many employees do you have now? Full time: 27 Part time: 6

How many employees do you want? Full time: 27 Part time: 6

How many of the employees won't live onsite? 32

What will be the days and hours of operation on this property? M-F 7A-4P

How many parking spaces do you have now? 24

How many parking spaces do you want? 30

Will there be outside storage or display areas on this property? ☒ Y ☐ N

If yes, tell us what will be stored outside or displayed. 22-25 TRUCKS

22-30 TRAILERS

Will there be retail sales on this property? ☒ Y ☐ N

If yes, tell us what will be sold. Truck Parts

Approximately how many customers (clients, guests, students, members) will be on this property per day? 10

Will there be pickups or deliveries on this property? ☒ Y ☐ N If yes, fill out below.

Tell us how often. 4-5 days a week

Tell us the kind of vehicles used. Amazon vans, UPS, Fedex trucks

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

**Sign 1** Dimensions (length and width). 5x10

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). 12x8

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

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

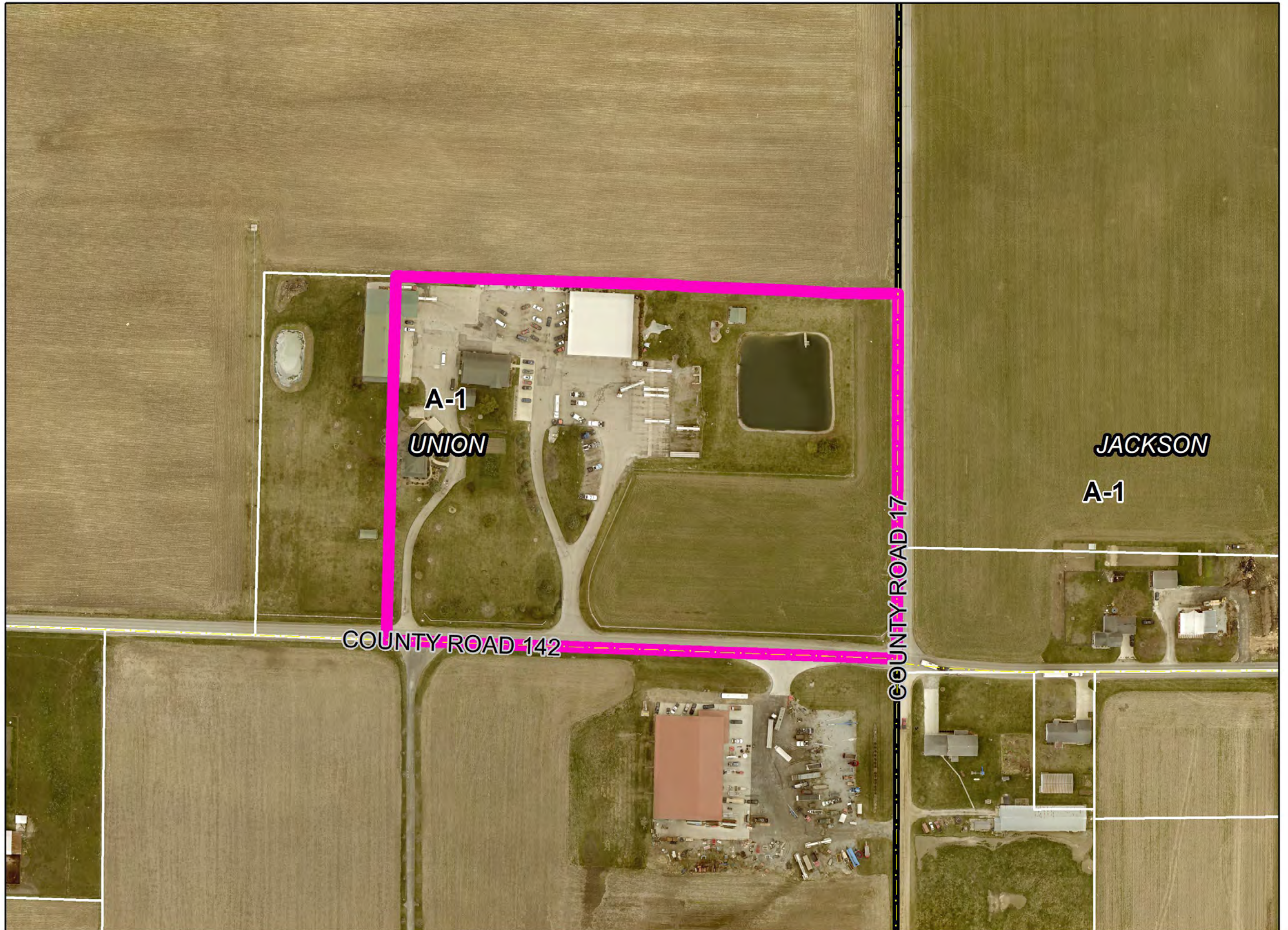
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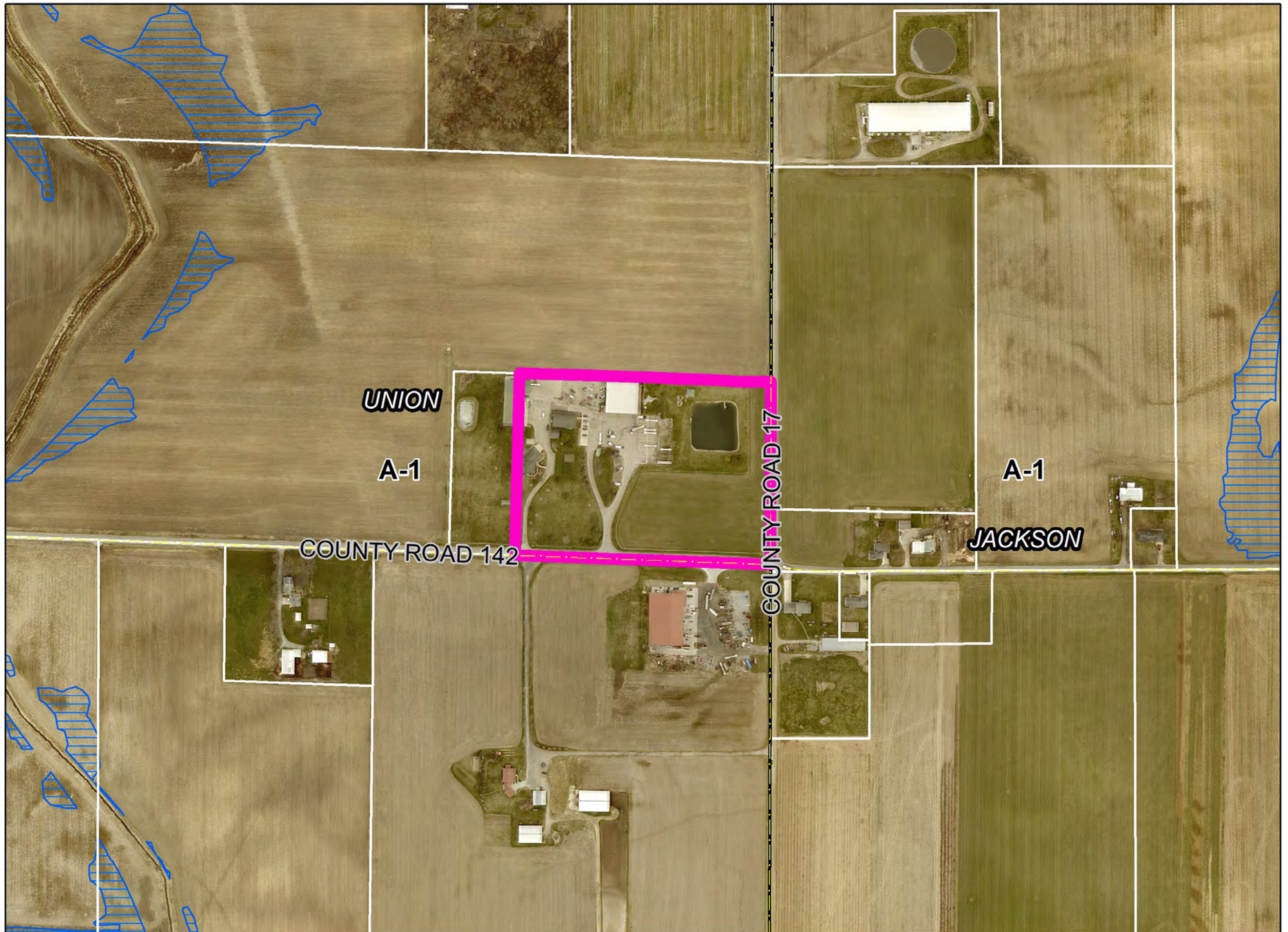
JACKSON















Subject property facing north





Facing south





Facing east





Facing west



