AGENDA

ELKHART COUNTY BOARD OF ZONING APPEALS

JULY 17, 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 19th day of June 2025.

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

SPEC	IAL USES	9:00 A.M. (WARNI	<u>ER)</u>
A.	Petitioner:	Sarah Lynne Swiergosz & Michael Joseph Swiergosz, (Pa	ge10)
		Wife & Husband	
	Petition:	for a Special Use for an agricultural use for the keeping of animals on a	a tract
		of land containing less than 3 acres.	
	Location:	West side of Nottingham Ln., 1,045 ft. South of Janiper Dr., 1,145 ft. W	est of
		CR 15, common address of 60427 Nottingham Ln. in Concord Town	nship,
		zoned R-1. SUP-0342	2-2025
B.	Petitioner:	Merle E. Miller & Mary E. Miller, Husband & Wife (Pag	ge 11)
	Petition:	for a Special Use for a catering establishment.	5 - /
	Location:	West side of SR 15, 2,550 ft. South of US 6, common address of 72493	SR 15
		in Jackson Township, zoned A-1. SUP-0395	5-2025
C.	Petitioner:	David Chupp & Carrie Chupp, Husband & Wife (Buyers) (Pag	ge 12)
		& Beulah M. Schlabach (Seller)	
	Petition:	for a Special Use for an agricultural use for the keeping of animals on a of land containing less than 3 acres.	a tract
	Location:	East side of CR 35, 700 ft. North of CR 20, common address of 58864 C	CR 35
		in Middlebury Township, zoned A-1. SUP-0389	
D.	Petitioner:	Acres Inc. (Pag	ge 13)
	Petition:	for a Special Use for a nature preserve.	
	Location:	South side of CR 12, 1,995 ft. East of CR 131, in Middlebury Township,	zoned

SUP-0404-2025

A-1.

9:30 A.M. (HESSER)

E. Petitioner: Timothy Yoder & Janae Schrock (Buyers) & Matthew (Page 14)

Herr & Adrena Mathieu (Sellers)

Petition: for a Special Use for an agricultural use for the keeping of animals on a tract

of land containing less than 3 acres.

Location: North side of CR 14, 900 ft. West of Bristol Ave. (CR 8), common address of

13043 CR 14 in Middlebury Township, zoned A-1. SUP-0394-2025

F. Petitioner: Elkhart Christian Academy, Inc. (Page 15)

Petition: for an amendment to an existing Special Use for a school to allow for a

building addition, additional parking, sign, drive, playground and tennis

courts.

Location: Northeast corner of CR 22 & CR 9, common address of 25887 CR 22 in

Concord Township, zoned R-1. SUP-0403-2025

SPECIAL USE/DEVELOPMENTAL VARIANCES

G. Petitioner: Dewey R. Price & Diana K. Price, Husband & Wife (Page 16)

Petition: for a Special Use for a roadside stand & for a Developmental Variance to

allow for the total square footage of accessory structures to exceed that

allowed by right.

Location: South side of CR 50, 675 ft. West of CR 9, common address of 26150 CR 50

in Union Township, zoned A-1. SUP-0399-2025

H. Petitioner: Rosa A. Caldera De Bernal (Page 17)

Petition: for a Special Use for building and home improvement supplies, and for a

Developmental Variance to allow for the total square footage of accessory

structures to exceed that allowed by right.

Location: North side of CR 4, 855 ft. West of CR 7, common address of 27357 CR 4 in

Osolo Township, zoned A-1. SUP-0368-2025

USE VARIANCE/SPECIAL USE

I. Petitioner: Jesus Ocampo (Page 18)

Petition: for a Use Variance to allow for a waste related service & for a Special Use for

a home workshop/business for a roofing business.

Location: East side of CR 7, 3,460 ft. South of CR 6, common address of 53670 CR 7

in Osolo Township, zoned R-1. UV-0405-2025

TABLED

J. Petitioner: AMMF Trustee Corporation (Land Contract Holder) (Page 19)

& Jesse A. Borkholder & Angela S. Borkholder, Husband & Wife (Land Contract Purchasers)

Petition: for a 9 ft. Developmental Variance (Ordinance requires 10 ft.) to allow for the

construction of an accessory structure 1 ft. from the rear property line.

Location: South side of CR 42, 1,900 ft. east of Ash Rd., common address of 30622 CR

42 in Locke Township, zoned A-1. DV-0230-2025

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

ADJOURNMENT

Debra Cramer – Appointed by Commissioners: term 1/1/25 – 12/31/28 Cory White – Appointed by Council: term 1/1/25 – 12/31/28 Randy Hesser – Appointed by Commissioners: term 1/1/22 – 12/31/25 Steve Warner – Appointed by Commissioners: term 1/1/25 – 12/31/28 Roger Miller – Appointed by Plan Commission: term 1/1/25-12/13/28

Alternates:

John Gardner – Appointed by Commissioners: term 1/1/25-12/31/25 David Miller – Appointed by Commissioners: term 1/1/25-12/31/25

BZA MINUTES

ELKHART COUNTY BOARD OF ZONING APPEALS MEETING HELD ON THE 19th DAY OF JUNE 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: Mae Kratzer, Plan Director; Jason Auvil, Zoning Administrator; Laura Gilbert, Administrative Coordinator; Danielle Richards, Planner; Danny Dean, Planner; and James W. Kolbus, Attorney for the Board.

Roll Call.

Present: Debra Cramer, Steve Warner, Cory White, Roger Miller, Randy Hesser.

- 2. A motion was made and seconded (Miller/Cramer) that the minutes of the regular meeting of the Board of Zoning Appeals held on the 15th day of May 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 *Michael A. Thompson & Rikki L. Thompson*, *Husband & Wife* for a Special Use for a home workshop/business for massage therapy on property located on the East side of River Shore Ln., 1,900 ft. North of CR 16, common address of 55964 River Shore Ln. in Baugo Township, zoned R-1, came on to be heard.

Mr. Auvil presented the Staff Report/Staff Analysis, which is attached for review as *Case #SUP-0265-2025*.

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

Rikki Thompson, 55964 River Shore Ln., Elkhart was present for this request. Mrs. Thompson stated she wants to use a room in her home to do massage therapy and spa treatments. Mrs. Cramer asked how many clients Mrs. Thompson will have at one time and wanted clarification on the six requested parking spots. Mrs. Thompson clarified she has a driveway that will fit six cars, but she will only have one client at a time.

Lisa Burns, 55974 River Shore Ln., Elkhart was present to remonstrate. She stated her concerns about traffic because of the neighborhood children and walkers. She continued by stating that she is concerned about Mrs. Thompson's clients blocking her driveway. She also stated she is opposed to the massage business being in a residential neighborhood, and there is an HOA for the subdivision. Ms. Burns submitted a letter in remonstrance from Margaret Everingham, 55931 River Shore Ln., Elkhart. [Attached to file as remonstrator exhibit #1].

Mrs. Thompson came back to the podium to address the concerns of Lisa Burns. She started by saying that the HOA is not a legal entity. Mr. Hesser asked how long she has been operating her massage business from her home. Mrs. Thompson confirmed that she has been running her business from her home since February, just friends or family at this time. Mr. Miller asked about the sign in her yard. Mrs. Thompson stated she did not remove it because she was told staff would

be out to take pictures to verify if the sign meets the standards required. Mrs. Cramer asked how many clients she will have in a week. Mrs. Thompson replied between 2 and 3 per week.

The public hearing was closed at this time.

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

Motion: Action: Approve, **Moved by** Debra Cramer, **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 massage therapy 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 4/25/2025) and as represented in the Special Use application.

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

Yes: Debra Cramer, Steve Warner, Cory White, Roger Miller, Randy Hesser.

5. The application of *Elkhart County Feral Cat Coalition Incorporated* for a Special Use for a veterinary clinic and for a Special Use for a kennel on property located on the Southwest corner of CR 10 & 1, common address of 29604 CR 10 in Cleveland 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-0320-2025*.

There were fourteen neighboring property owners notified of this request.

Ms. Lucy Tener, 55974 Sheridan Blvd., Elkhart and Ms. Sue Beggs 116 Gage Ave., Elkhart were present on behalf of the Elkhart County Feral Cat Coalition. Ms. Tener stated they wish to expand their building to give the public vet more room to work on the cats and to add another building for possible future expansion. Mrs. Cramer asked how long the cats stay after being spayed or neutered. Ms. Tener stated they are kept for recuperation during the day and go back to their owners the same evening.

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** Debra Cramer, **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 veterinary clinic and for a Special Use for a kennel 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 5/12/2025) and as represented in the Special Use application.

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

Yes: Debra Cramer, Steve Warner, Cory White, Roger Miller, Randy Hesser.

6. The application of *First Baptist Church of Elkhart* for an amendment to an existing Special Use for a place of worship to allow for additional parking, pickle ball courts, a free-standing monument sign, and construction of an addition to the existing church on property located on the West side of CR 17, 705 ft. North of CR 10, common address of 53953 CR 17 in Osolo 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-0321-2025*.

There were eighty-four neighboring property owners notified of this request.

After Mr. Auvil presented the Staff Report he clarified a few things regarding the complaints that stemmed from the pickle ball courts. He stated that the noise ordinance is handled by the County Sheriff. He continued to clarify that the pickle ball courts already exist and that no permit was required to build the courts. Mr. Auvil stated the reason for the petition is expansion to the church which requires a new site plan (updated and including the pickle ball courts).

Crystal Welsh, Abonmarche Consultants, 303 River Race Dr., Goshen was present on behalf of First Baptist Church of Elkhart for this request. Ms. Welsh clarified that the pickle ball courts already exist and there is no plan to expand the courts. She continued by saying that the site plan submitted is the most current plan showing all existing and future structures. Ms. Welsh reiterated the purpose of the amendment is to expand the size of the church and to allow for more parking. She also stated there is no intention of removing any of the tree lines that help insulate the surrounding neighborhoods. Ms. Welsh noted that the church also owns property that borders CR 10, where there could be future expansion and an entrance off of CR 10, which is shown on the site plan.

Karen Matheson, 22424 Hanover Dr., Bristol, was present in remonstrance. Ms. Matheson is not in favor of the pickle ball courts, as they are close to her backyard. She stressed the noise is intolerable and constant. She continued saying when the lights go off at 10 p.m., the pickle ball players use their car headlights to continue playing well into the early morning hours. Ms. Matheson stated she has called code enforcement and the Sheriff's office to no avail. Ms. Matheson also stated she is not in favor of a community center on the church property.

Ralph Ervin, 22438 Hanover Dr., Bristol, was also present to speak against the pickle ball courts. Mr. Ervin's complaint is against the noise created by the pickle ball courts and the late hours people are playing. He also complained about the traffic on CR 17.

Crystal Welsh came back to the podium in rebuttal. She stated there is no intention of a community center. She continued to say the entrance to CR 10 is not a current option but is there for possible future expansion. Mr. Hesser inquired if the church owns the property down to CR 10. Ms. Welsh responded yes. Mr. Hesser then asked Mr. Auvil if the church will need to amend the Special Use in the future if they do add an entrance from CR 10. Mr. Auvil said no, and Ms. Welsh noted it is shown on the site plan. Mr. Miller needed clarification regarding the north part of the

property that butts up against Hanover Dr. Ms. Welsh stated the church does own the property, but there is no intention of creating access to Hanover Dr.

Phil Byars, 56584 CR 29, Goshen, Pastor of the First Baptist Church spoke in rebuttal to the previous remonstrators. Mr. Byars stated the church wants to have a property that is friendly to the community. He continued by saying they are trying to be good neighbors. Mr. Hesser asked if there is a fence around the pickle ball courts. Mr. Byars stated each court has a 4 ft. fence around it, but the fences are not intended to keep people out. Mr. Byars continued by saying pickle ball hours are enforced using security cameras. He explained if people are playing after hours a church employee comes to the church and asks them to leave. Mr. Byars also stated they do not have a security guard for the church. Ms. Kratzer clarified that the original Special Use for the church included a recreational area, and the pickle ball courts are part of the recreation area allowed by the Special Use. She continued to say the pickle ball courts are on the current site plan, since it is being updated for the amendment. Mr. Hesser asked Mr. Byars what steps the church would be willing to take to secure the courts and enforce the limited hours. Mr. Byars responded he would need time to think that through, and the church would be willing to take counsel regarding the matter. He continued by saying the church modeled the pickle ball courts after other public park courts, and the hours are similar to other park courts. Mrs. Cramer stated that the parks courts are regulated and enforced by the Park's Department, and it sounds like enforcement is the main issue regarding the pickle ball courts. Mrs. Cramer continued by asking if the hours are posted at the pickle ball courts. Mr. Byars stated yes, and the rules are posted as well.

Mr. Hesser asked Ms. Welsh how important the construction schedule is for the church. Ms. Welsh stated it is time-sensitive, and they do not want the approval of the Special Use to be delayed or postponed. She went on to say they would prefer approval with time allowed to come up with a plan regarding the pickle ball courts. Mr. Hesser stated it would be acceptable to him to approve this request with an added commitment to address the issues of enforcing the posted pickle ball hours.

The public hearing was closed at this time.

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

Motion: Action: Approve, **Moved by** Debra Cramer, **Seconded by** Steve Warner 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 place of worship to allow for additional parking, pickle ball courts, a free-standing monument sign, and construction of an addition to the existing church 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. Petitioner to present a commitment to staff for approval, addressing the issues of security and enforcement of the posted pickle ball hours and dates.

The following commitment was imposed:

1. The request is approved in accordance with the site plan submitted (dated 5/12/2025) and as represented in the Special Use Amendment application.

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

Yes: Debra Cramer, Steve Warner, Cory White, Roger Miller, Randy Hesser.

7. The application of *Marc Roth & Judith L. Roth, Husband & Wife* 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 15 ft. Developmental Variance (Ordinance requires 75 ft.) to allow for an existing residence 60 ft. from the centerline of the right-of-way on property located on the South side of CR 10, 700 ft. Southeast of CR 8, East of CR 17, common address of 21768 CR 10 in Washington Township, zoned R-1, came on to be heard.

Mr. Auvil presented the Staff Report/Staff Analysis, which is attached for review as *Case #SUP-0304-2025*.

There were 9 neighboring property owners notified of this request.

Judith Roth, 21768 CR 10, was present for this request. Mrs. Roth stated she just wants to keep some chickens on her property. Mrs. Cramer asked Mrs. Roth if she has a plan to get rid of the waste. Mrs. Roth stated she has space to compost. She continued to say she does not have any chickens yet and had not thought about putting wasted disposal on her site plan. Mrs. Roth stated she does have a garden that could be used for disposal of the waste.

Jack Welter, 21560 CR 10, Elkhart, was present in remonstration of this request. Mr. Welter expressed concerns about waste running off into the river and about the degradation of the neighborhood.

Tyler Steele, 21710 CR 10, Elkhart was also present in remonstrance of this request. Mr. Steel stated he lives two doors down from the subject property and has concerns about the neighborhood aesthetics. He continued by saying he is also worried about the waste run-off.

Mrs. Roth came back to the podium and stated she would make sure the waste does not run into the river. Mr. Hesser needed clarification regarding the location of her garden. Mr. Miller inquired about a fence for the chickens. Mrs. Roth stated she does intend to have a fence, but it is not on the site plan.

The public hearing was closed at this time.

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

Motion: Action: Approve, **Moved by** Debra Cramer, **Seconded by** Randy Hesser 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 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 revised site plan must be submitted showing the fenced area and waste plan for staff approval.

The following commitments were imposed:

- 1. The request is approved in accordance with the site plan submitted (dated 5/7/2025) and as represented in the Special Use application.
- 2. The agricultural use is limited to a maximum of six (6) chickens at any one time, no roosters.

Further, the motion also included that a 15 ft. Developmental Variance (Ordinance requires 75 ft.) to allow for an existing residence 60 ft. from the centerline of the right-of-way 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. 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 carried by unanimous roll call vote (summary: Yes = 5).

Yes: Debra Cramer, Steve Warner, Cory White, Roger Miller, Randy Hesser.

** It should be noted that Mr. Hesser recused himself and stepped down. **

8. The application of *Elkhart Community School Building Corporation* for an amendment to an existing Special Use for a school to allow for an electronic message board and for a Developmental Variance to allow for an electronic message board within 300 ft. of a residence on property located on the Northeast corner of CR 6 & CR 1, common address of 24975 CR 6 in Osolo 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-0317-2025*.

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

Gary Potts, Professional Permits, 58171 Dragon Fly Ct., Osceola, was present for this request. Mr. Potts stated Elkhart Community Schools are updating all their signs to electronic message boards and removing the old signs.

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** Roger Miller, **Seconded by** Cory White 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 school to allow for an electronic message board 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 5/23/2025) and as represented in the Special Use Amendment application.

Further the motion also included that a Developmental Variance to allow for an electronic message board within 300 ft. of a residence 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. The request is approved in accordance with the site plan submitted (dated 5/23/2025) and as represented in the Developmental Variance application.

Vote: Motion passed (**summary:** Yes = 4, No = 0, Abstain = 1). **Yes:** Debra Cramer, Steve Warner, Cory White, Roger Miller.

Abstain: Randy Hesser.

9. The application of *Elkhart Community Schools* for an amendment to an existing Special Use for a school to allow for an electronic message board and for a Developmental Variance to allow for an electronic message board within 300 ft. of a residence on property located on the South side of Indiana Ave., 700 ft. West of Maple St. (CR 23), common address of 705 Indiana St. in Washington 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-0316-2025*.

There were fifty-five neighboring property owners notified of this request.

Gary Potts, Professional Permits, 58171 Dragon Fly Ct., Osceola, was present for this request. Mr. Potts stated Elkhart Community Schools are updating all their signs to electronic message boards and removing the old signs.

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** Roger Miller, **Seconded by** Debra Cramer 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 school to allow for an electronic message board 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 5/23/2025) and as represented in the Special Use Amendment application.

Further the motion also included that a Developmental Variance to allow for an electronic message board within 300 ft. of a residence 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. The request is approved in accordance with the site plan submitted (dated 5/23/2025) and as represented in the Developmental Variance application.

Vote: Motion passed (**summary:** Yes = 4, No = 0, Abstain = 1). **Yes:** Debra Cramer, Steve Warner, Cory White, Roger Miller.

Abstain: Randy Hesser.

10. The application of *Elkhart Community Schools* for an amendment to an existing Special Use for a school to allow for an electronic message board and for a Developmental Variance to allow for an electronic message board within 300 ft. of a residence on property located on the Northwest side of CR 1, 1,000 ft. Southwest of CR 10, common address of 53403 CR 1 in Cleveland Township, zoned A-1, came on to be heard.

Mr. Dean presented the Staff Report/Staff Analysis, which is attached for review as *Case #SUP-0318-2025*.

There were forty neighboring property owners notified of this request.

Gary Potts, Professional Permits, 58171 Dragon Fly Ct., Osceola, was present for this request. Mr. Potts stated Elkhart Community Schools are updating all their signs to electronic message boards and removing the old signs.

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** Roger Miller, **Seconded by** Debra Cramer 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 school to allow for an electronic message board 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 5/23/2025) and as represented in the Special Use Amendment application.

Further the motion also included that a Developmental Variance to allow for an electronic message board within 300 ft. of a residence 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. The request is approved in accordance with the site plan submitted (dated 5/23/2025) and as represented in the Developmental Variance application.

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

Yes: Cory White, Debra Cramer, Roger Miller, Steve Warner.

Abstain: Randy Hesser.

11. The application of *Elkhart Community Schools Feeser Elementary School Building Corporation* for an amendment to and existing Special Use for a school to allow for an electronic message board and for a Developmental Variance to allow for an electronic message board within 300 ft. of a residence on property located on the North side of CR 4, 1,500 ft. West of Cassopolis St. (SR 19), common address of 26665 CR 4 in Osolo Township, zoned R-2, came on to be heard.

Mr. Dean presented the Staff Report/Staff Analysis, which is attached for review as *Case #SUP-0319-2025*.

There were forty-five neighboring property owners notified of this request.

Gary Potts, Professional Permits, 58171 Dragon Fly Ct., Osceola, was present for this request. Mr. Potts stated Elkhart Community Schools are updating all their signs to electronic message boards and removing the old signs.

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** Roger Miller, **Seconded by** Debra Cramer 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 school to allow for an electronic message board 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 5/23/2025) and as represented in the Special Use Amendment application.

Further the motion also included that a Developmental Variance to allow for an electronic message board within 300 ft. of a residence 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. The request is approved in accordance with the site plan submitted (dated 5/23/2025) and as represented in the Developmental Variance application.

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

Yes: Cory White, Debra Cramer, Roger Miller, Steve Warner.

Abstain: Randy Hesser.

It should be noted that Mr. Hesser returned to the Board at this time

12. The application of *Tri-County Land Trustee Corporation (Land Contract Holder) & Martin Graber & Lucinda Graber (Land Contract Purchasers)* for a Special Use for a home workshop/business for a woodworking shop 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 CR 31, 2,130 ft. South of CR 14, common address of 56831 CR 31 in Jefferson Township, zoned A-1, came on to be heard.

Mrs. Richards presented the Staff Report/Staff Analysis, which is attached for review as *Case #SUP-0095-2025*.

There were ten neighboring property owners notified of this request.

Mrs. Richards stated she received a phone call and an email from the petitioner requesting to withdraw his petition.

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: Withdraw, **Moved by** Randy Hesser, **Seconded by** Steve Warner that the request for a Special Use for a home workshop/business and for a Developmental Variance to allow for the total square footage of accessory structures to exceed that allowed by right be withdrawn at the request of the petitioner.

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

Yes: Debra Cramer, Steve Warner, Cory White, Roger Miller, Randy Hesser.

13. The application of AMMF Trustee Corporation (Land Contract Holder) & Jesse A. Borkholder & Angela S. Borkholder, Husband & Wife (Land Contract Purchasers) for a 9 ft. Developmental Variance (Ordinance requires 10 ft.) to allow for the construction of an accessory structure 1 ft. from the rear property line on property located on the south side of CR 42, 1,900 ft. east of Ash Rd., common address of 30622 CR 42 in Locke Township, zoned A-1, came on to be heard.

Mr. Dean presented the Staff Report/Staff Analysis, which is attached for review as *Case #DV-0230-2025*.

Mr. Dean explained that this request was transferred from the previous month's Hearing Officer meeting.

There were 4 neighboring property owners notified of this request.

Jesse Borkholder, 30622 CR 42, Wakarusa was present for this request. Mr. Borkholder said the request for the Developmental Variance comes after exhausting all other options. He continued by saying he offered to purchase land from Mr. Holdeman who owns the land that backs up to his property, but Mr. Holdeman refused. Mr. Borkholder continued by saying there was never a professional survey done with the purchase of his property, and the property lines were assumed. Mr. Borkholder pointed out that Mr. Holdeman is retired, and the land is leased to another farmer. He stressed there is no way to discern the actual property line. Mr. Borkholder continued by saying he has lived on the property for 14 years, and there have never been any issues regarding the safety of his children due to the farming of the land behind his property. Finally, Mr. Borkholder stated the variance is vital to them to be able to build the accessory structure needed. Mr. Warner asked if any survey has been done since the request for the Developmental Variance was put into motion. Mr. Borkholder stated no survey has been done as far as he knows. Mr. Hesser then asked how he knew where the property line is located. Mr. Borkholder answered he really does not know where the property line is located. He continued by saying Mr. Holdeman sold the land without having it

surveyed and just measured the land via the legal description. Mr. Miller stated he is concerned that the property owner wants a 1 ft. variance, but the location of the property line is in question.

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

Motion: Table, **Moved by** Roger Miller, **Seconded by** Steve Warner that the request for a 9 ft. Developmental Variance (Ordinance requires 10 ft.) to allow for the construction of an accessory structure 1 ft. from the rear property line on property be tabled to allow the petitioner time to obtain a survey of the property.

Mr. Hesser then stated he would like to hear from Mr. Holdeman as he doesn't feel like he has enough information to vote on the motion to table the request.

Richard Holdeman, 30830 CR 42, Wakarusa came on in remonstrance. He stated he purchased the land to farm, and farming is a way of life for him. He purchased 80 acres in 1979. He explained he sold 4.11 acres to a previous owner before Mr. Borkholder purchased the 4.11 acres. Mr. Holdeman continued by saying there was never a survey, and there is no certainty of the property line. He also stated that at the Hearing Officer meeting it was recommended that a survey be done.

The public hearing was closed at this time.

Motion: Action: Amend, **Moved by** Randy Hesser, **Seconded by** Debra Cramer that this request or a 9 ft. Developmental Variance (Ordinance requires 10 ft.) to allow for the construction of an accessory structure 1 ft. from the rear property line on property be tabled until the July 17, 2025, Advisory Board of Zoning Appeals meeting to allow the petitioner time to obtain a survey of the property.

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

Yes: Debra Cramer, Steve Warner, Cory White, Roger Miller, Randy Hesser.

14. The application of *Daniel R. Holderread (Owner)*, *Michael Peffley (Appellant)* for a 9 ft. Developmental Variance (Ordinance requires 10 ft.) to allow for the construction of an attached accessory structure 1 ft. from the south side property line, for a 15 ft. Developmental Variance (Ordinance requires 50 ft.) to allow for the construction of an attached accessory structure 35 ft. from the centerline of the right-of-way of 46th St., 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 southwest corner of 46th St. & Cardinal Ave., common address of 56539 46th St. in Baugo Township, zoned R-1, came on to be heard.

Mr. Auvil presented the Staff Report/Staff Analysis, which is attached for review as Case #DV-0239-2025.

There were ten neighboring property owners notified of this request.

There were no remonstrators present.

Mrs. Richards presented the request to withdraw the appeal from the appellant.

The public hearing was closed at this time.

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

Motion: Withdraw, **Moved by** Randy Hesser, **Seconded by** Debra Cramer that the appeal for DV-0239-2025 be withdrawn at the request of the appellant. The Hearing Officer approval stands.

Vote: Motion carried by unanimous roll call vote (**summary:** Yes = 5). **Yes:** Debra Cramer, Steve Warner, Cory White, Roger Miller, Randy Hesser.

13.	The meeting was adjourned at 11:08 a.m.	
Respe	ctfully submitted,	
Jean I	Boyer, Recording Secretary	
Randy	Hesser, Chairman	
rum.	, 1145541, Chummun	
Debra	L. Cramer, Secretary	

BZA Staff Report

Prepared by the **Department of Planning and Development**

Hearing Date: July 17, 2025

Transaction Number: SUP-0342-2025.

Parcel Number(s): 20-06-35-276-027.000-009.

Existing Zoning: R-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.

Petitioner: Sarah Lynne Swiergosz & Michael Joseph Swiergosz, Wife & Husband.

Location: West side of Nottingham Ln., 1,045 ft. south of Janiper Dr., 1,145 ft. west of CR 15, in Concord Township.

Site Description:

- ➤ Physical Improvement(s) Residence and accessory structure.
- ➤ Proposed Improvement(s) Chicken coop.
- > Existing Land Use Residential.
- ➤ Surrounding Land Use Residential.

History and General Notes:

➤ April 25, 2025 – A complaint was made for chickens in an R-1 zone (CODE-0174-2025).

Staff Analysis:

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 R-1 zoning district.
- 2. The Special Use will not cause substantial and permanent injury to the appropriate use of neighboring property. This is a 0.47-acre lot in a moderately dense residential area, and the property will remain residential in character.
- 3. The Special Use will substantially serve the public convenience and welfare by providing a hobby opportunity and a local source of food.

BZA Staff Report (Continued)

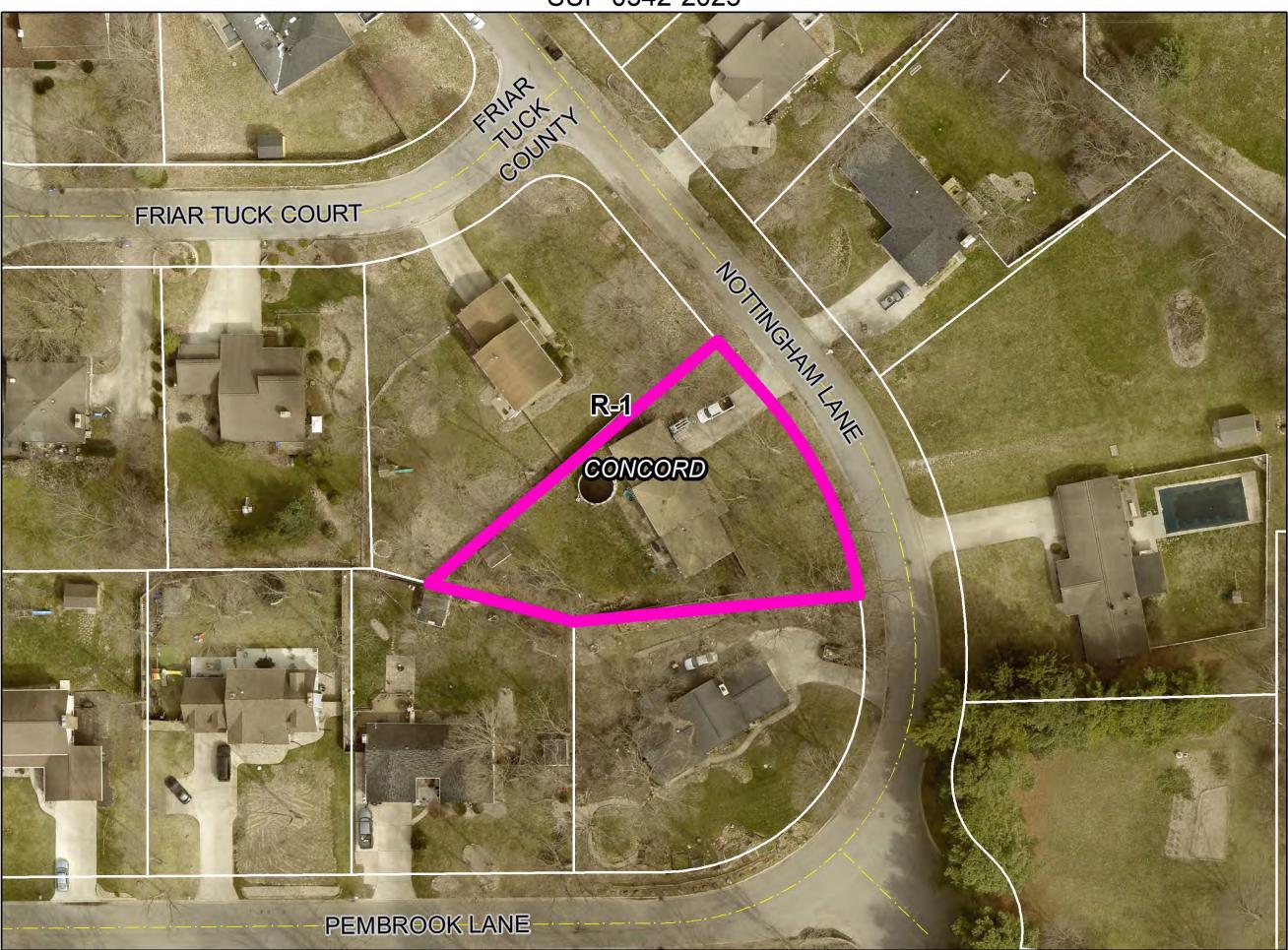
Hearing Date: July 17, 2025

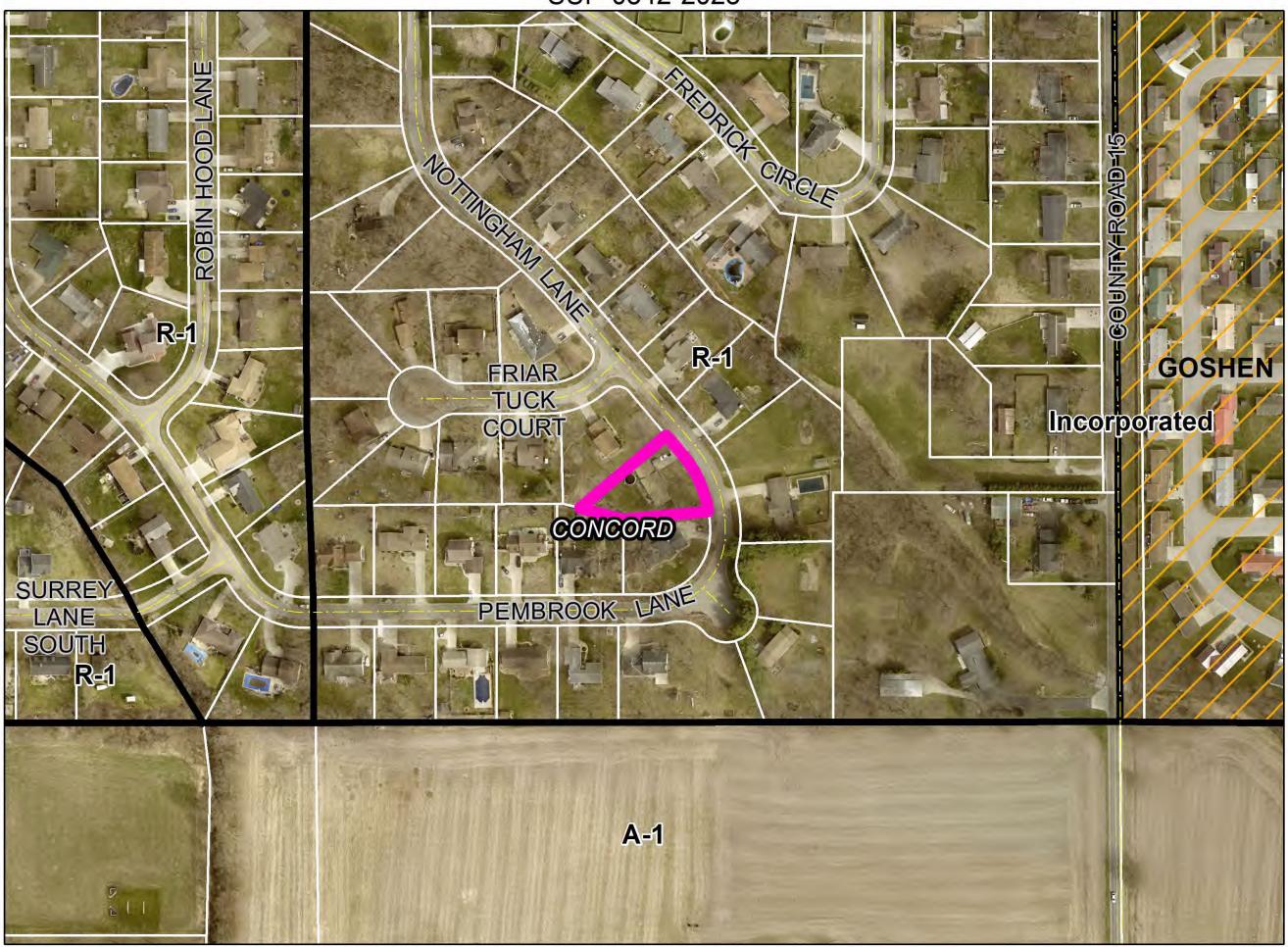
Staff recommends **APPROVAL** with the following condition(s) imposed:

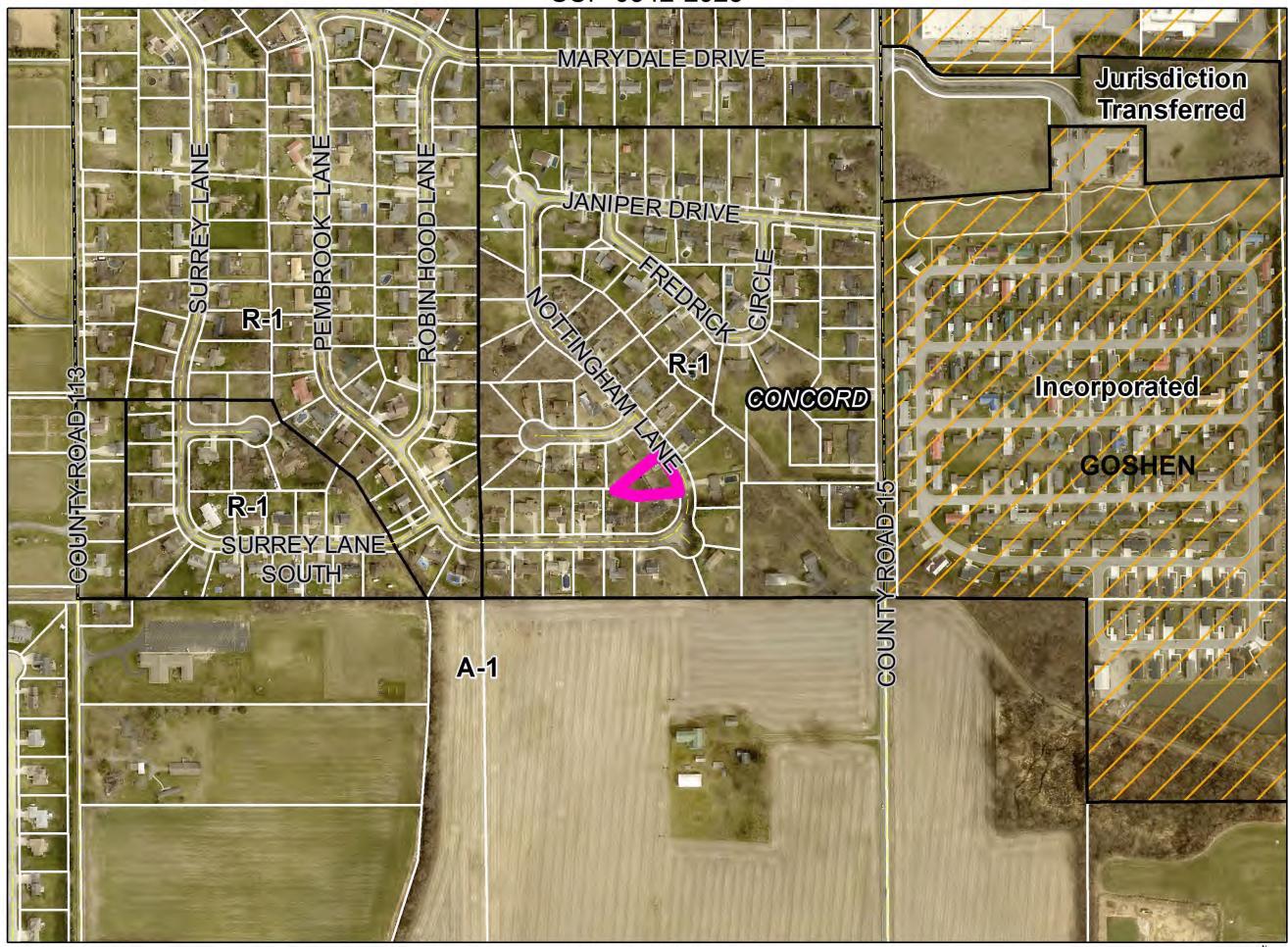
1. The Elkhart County Advisory Board of Zoning Appeals approval shall not be effective until the Commitment form has been executed, recorded, and returned to the Elkhart County Advisory Board of Zoning Appeals staff for placement in the petition file.

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

- 1. The request is approved in accordance with the site plan submitted (dated 5/21/2025) and as represented in the Special Use application.
- 2. The agricultural use is limited to a maximum of twelve (12) chickens at any one time, no roosters.









Subject property facing west



Facing east



Facing north



Facing south

PLAN COMMISSION & BOARD OF ZONING APPEALS

Elkhart County Planning & Development Public Services Building

4230 Elkhart Road, Goshen, Indiana, 46526 Phone - (574) 971-4678

Special Use - Non Mobile Home Fax - (574) 971-4578 July 17, 2025 05/21/2025 SUP-0342-2025 Date: Meeting Date: Transaction #: 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 Contacts: Applicant Land Owner Sarah Lynne Swiergosz & Sarah Lynne Swiergosz & Michael Joseph Swiregosz, Michael Joseph Swiregosz, Husband & Wife Husband & Wife 60427 Nottingham Ln 60427 Nottingham Ln Elkhart, IN 46517 Elkhart, IN 46517 20-06-35-276-027.000-009 Site Address: 60427 Nottingham Ln Parcel Number: Elkhart, IN 46517 Concord Township: West side of Nottingham Lane, South of Janiper Drive, 1,145 Ft. West of CR 15 Location: SHERWOOD FOREST 32 Subdivision: Lot# 145.00 140.00 0.47 Lot Area: Frontage: Depth: Zoning: R-1 NPO List: 07/02/2025 RESIDENTIAL Present Use of Property: Legal Description: Complaint code 0174-2025 for chickens Comments: Applicant Signature: Department Signature:

Elkhart County Planning & Development

(574) 971-4678 DPS@ElkhartCounty.com

Application
Site address: 60427 Nottingham Lane Elkhart, IN 46517
Site address: 60427 Nottingham Lane Elkhart, IN 46517 Parcel number(s): 21-06-35-276-027.000-009
Current property owner
Name: Michael and Sarah Swiergosz
Name: Michael and Sarah Swiergosz Address: 60427 Nottingham Lane Elwhart, IN 46517
Phone: 574-370-2145 Email: Sarahswiergosz, ss@gmail.com
Other party □ Agent □ Buyer □ Land contract purchaser □ Lessee
Name:
Address:
Phone: Email:
By signing below, I understand that if my application is approved, there may be conditions that will have to be met before approval is final and building permits can be started. I also understand that the conditions may include a commitment that the property owner is responsible for completing and returning. Signature of current property owner or authorized agent:
Description: For a Special Use for an agricultural use for the Keeping of animals on a tract of land containing less than 3 acres.
Parcel creation date: NA Subdivision required?
Location: N S E corner side end of Nothingham Lane ,
Subdivision and lot number, if applicable: SHERWOOD FOREST LOT 32 Present use: Residential
Present use: V to 1(1)PV to a

Special Use — Questionnaire

Var	ne: Michael and Sarah Swiergosz
1)	Tell us what you want to do. Legally have chickens on my property located in the county.
2)	Tell us why this activity won't hurt your neighbors or the community. Hens are not a vicio
	type of animal. They do not make noise like roosters. Coop Cleaned regularly to minimize small
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? $\ \square\ \ Y\ \square\ \ N$
1)	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.
	Will there be buffering (fences, trees, shrubs, mounds)? If y IN If yes, tell us about it. Property already has enclosed Fence around entire area. Hens have designated enclosure/coop that is s
5)	Does the property need well and septic? Well: □ Y ☑ N Septic: □ Y □ N
	Does the property need a <u>new</u> septic system? \square Y \square N If a new septic system is needed, did the Health Department say there's enough space for it? \square Y \square N \bigwedge
)	Will the activity use buildings or additions? \square Y \square N If yes, fill out below.
	Building or addition 1 Existing? □ Y N Size and height to the peak: 5×15. Tell us what you'll use it for chicken coop.
	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.
3)	Does this application include animals? VY IN hers If yes, tell us what kind and how many of each. mixed breed 基 max 17

Special Use — Questionnaire

now many e	mployees do you h	nave now? Full t	ime:	Par	t time:	_
How many e	mployees do you v	want? Full time:		Part time	e:	
How many o	f the employees w	on't live onsite?				
What will be	the days and hour	rs of operation on	this property? _			
How many pa	arking spaces do y	ou have now?				
How many pa	arking spaces do y	ou want?				
Will there be	outside storage or	r display areas on	this property?		N	
If yes, tell us	what will be store	ed outside or displa	ayed.			
Will there be	retail sales on this	s property?	Y 🗆 N			
If yes, tell us	what will be sold.					
Approximatel	y how many custo	omers (clients, gue	ests, students, m	embers) will	be on this property p	oer (
Tell us how		ies on this propert			fill out below.	
Tell us hov	v often. kind of vehicles u					
Tell us hov Tell us the Does the app	v often. kind of vehicles u	sed. gns? □ Y 🗹	N If yes, fill o	ut below.		
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BZA Staff Report

Prepared by the **Department of Planning and Development**

Hearing Date: July 17, 2025

Transaction Number: SUP-0395-2025.

Parcel Number(s): 20-15-32-226-009.000-018.

Existing Zoning: A-1.

Petition: For a Special Use for a catering establishment.

Petitioner: Merle E. Miller & Mary E. Miller, Husband & Wife.

Location: West side of SR 15, 2,550 ft. south of US 6, in Jackson Township.

Site Description:

➤ Physical Improvement(s) – Residence, accessory structure.

- ➤ Proposed Improvement(s) None.
- ➤ Existing Land Use Residential.
- ➤ Surrounding Land Use Agricultural, commercial.

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 catering establishment 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 3-acre parcel is bordered on all sides by open agricultural area or large homesites, it is served by a major road, and there will be little to no customer traffic.
- 3. The Special Use will substantially serve the public convenience and welfare by providing for a local catering option.

BZA Staff Report (Continued)

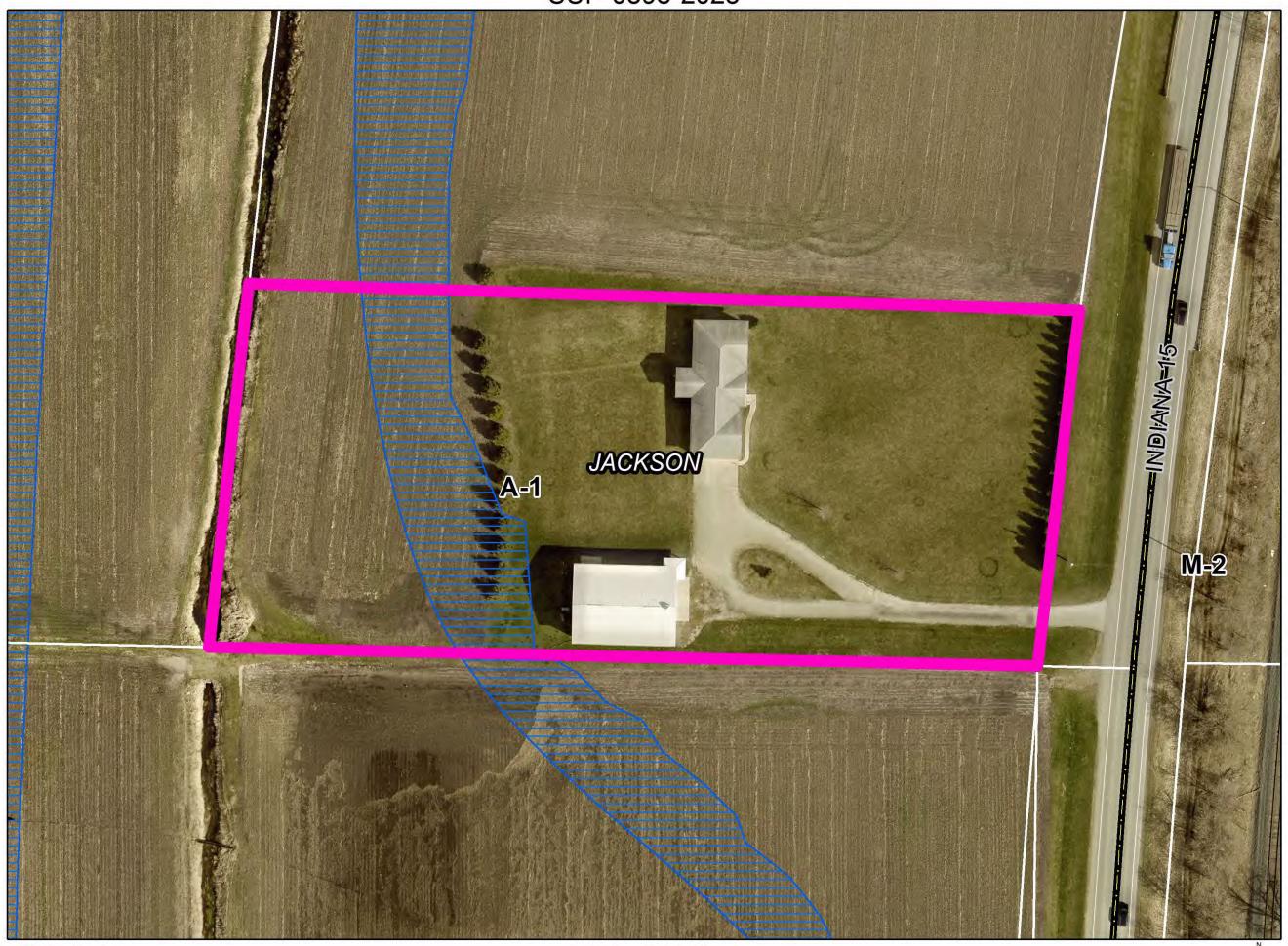
Hearing Date: July 17, 2025

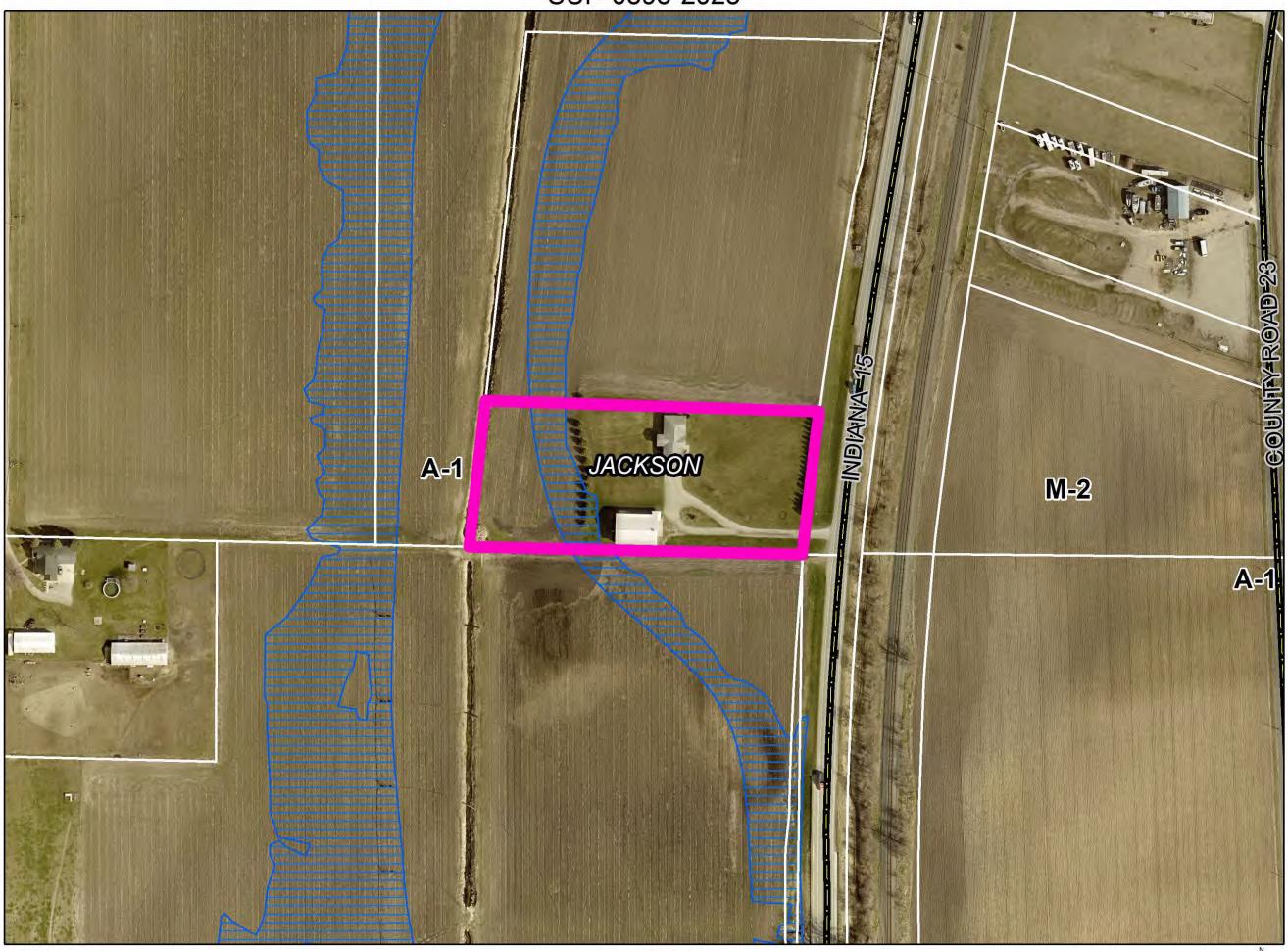
Staff recommends **APPROVAL** with the following condition(s) imposed:

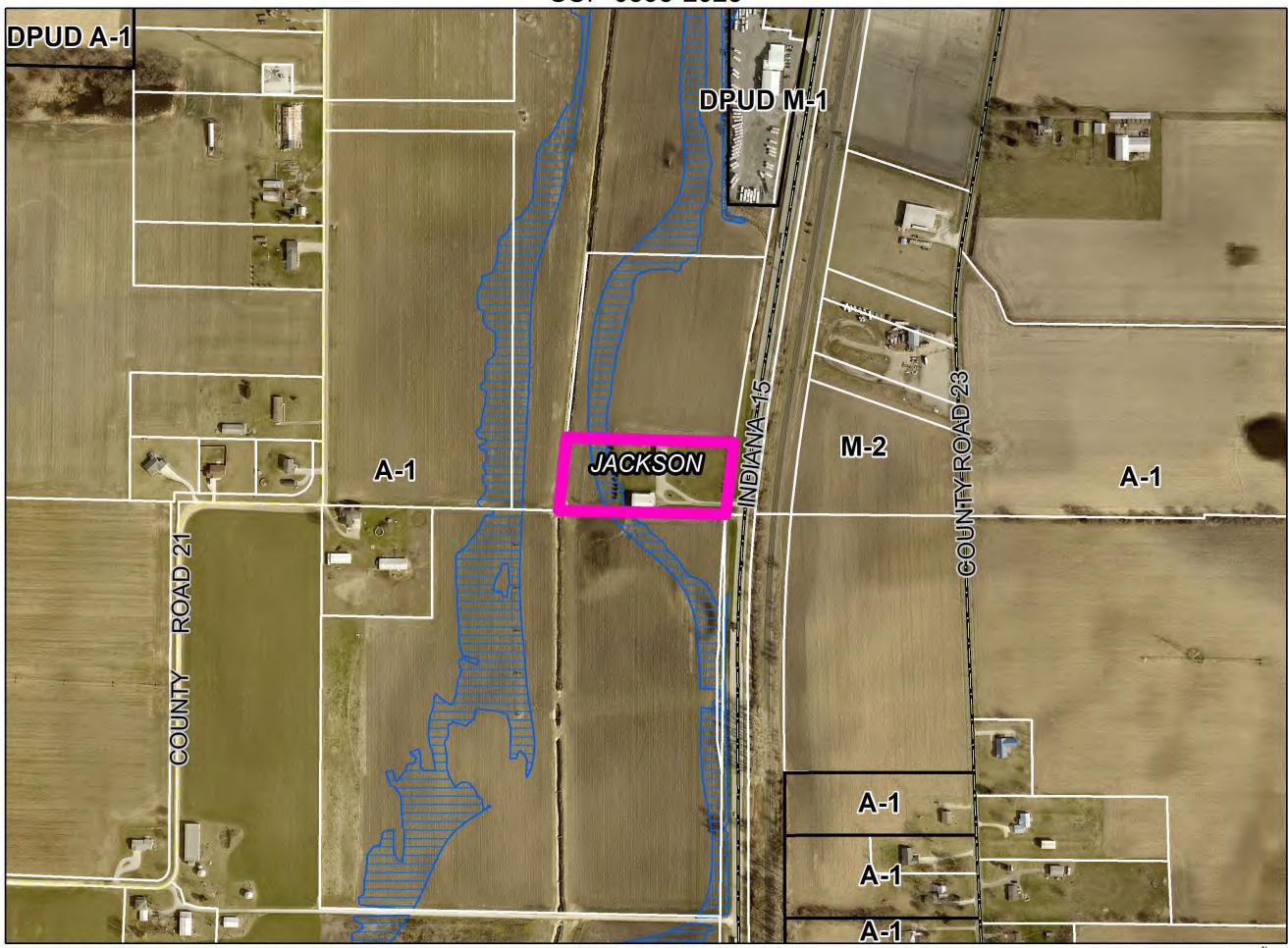
- 1. The Elkhart County Advisory Board of Zoning Appeals approval shall not be effective until the Commitment form has been executed, recorded, and returned to the Elkhart County Advisory Board of Zoning Appeals staff for placement in the petition file.
- 2. A revised site plan must be submitted for staff approval showing the proposed sign's height, the right-of-way line, and the sign's setback from the right-of-way line (minimum 3 ft.).

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.









Subject property



Subject property



Facing north



Facing south



Facing east

PLAN COMMISSION &

Elkhart County Planning & Development Public Services Building

4230 Elkhart Road, Goshen, Indiana, 46526 Phone - (574) 971-4678 Fax - (574) 971-4578

BOARD OF ZONING APPEALS

Special Use - Non Mobile Home

Date: 06/13/2025	Acating Data:	17, 2025 Appeals Public Hearing Transacti	on #: SUP-0395-2025
Description: for a Special Use for a Ca	atering Establishment		
Contacts: Applicant Merle E Miller And Mary E Miller, Husband And Wife 72493 State Road 15 New Paris, IN 46553	Land Owner Merle E Miller And Mary E Miller, Husband And Wife 72493 State Road 15 New Paris, IN 46553		
Site Address: 72493 State Road 13 New Paris, IN 4655		Parcel Number:	20-15-32-226-009.000-018
Township: Jackson Location: West Side of SR 15, 255	50 ft. South of US 6 North of S Coun	ty Line Rd	
Subdivision:		Lot#	
Lot Area: 3	5.00 Frontage: 196.59		Depth: 546.71
Zoning: A-1		NPO List: 07/02/2025	
Present Use of Property: RESIDEN	VTIAL		
Legal Description:			
Comments: Parcel Creation Date - 11 20ft x 48ft of the existing	/5/2024 g 48ft x 64ft building will be used for	the catering establishment.	
Applicant Signature:		Department Signature:	

Elkhart County Planning & Development

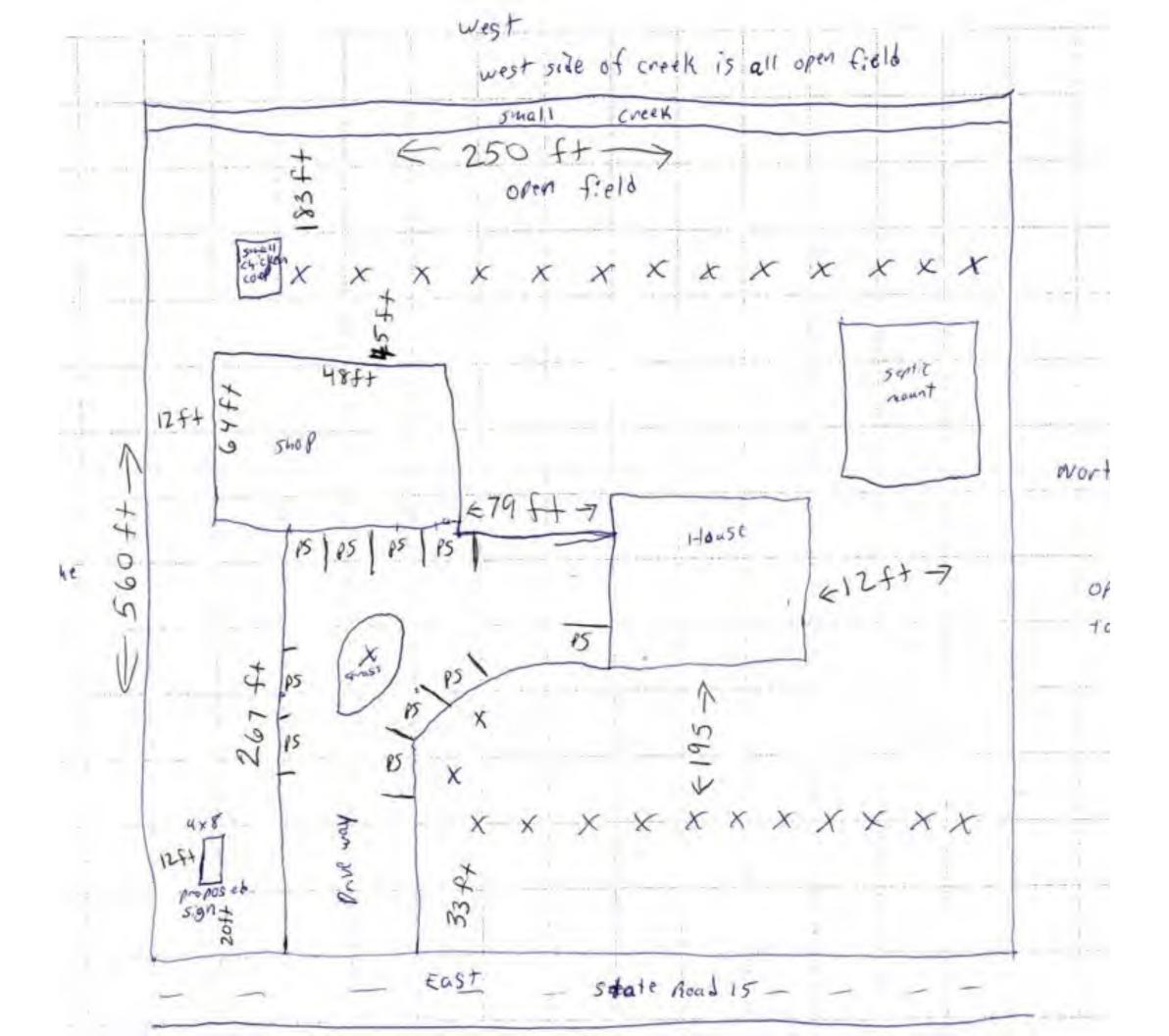
Application
Site address: 72493 St Rd 15 New Paris IN 46553
Parcel number(s): _70-15-37-226-009-000-018
Current property owner
Name: Merle 3 Mary Miller
Address: 72493 St Rd 15 New Paris IN 46553
Phone: 574.354.7737 Email: merle 2730@gmail.com
Other party Agent Buyer Land contract purchaser Lessee
Name:
Address:
Phone: Email:
By signing below, I understand that if my application is approved, there may be conditions that will have to be met before approval is final and building permits can be started. I also understand that the conditions may include a commitment that the property owner is responsible for completing and returning.
Signature of current property owner or authorized agent: Merle & Miller
Description: for a Special Use for a Catering Establishment Without a Drive In or Drive Through
Parcel creation date: 1 5 2024 Subdivision required?
Residential accessory breakdown, if applicable: N/A
Location: N S E W corner Gide end of SR15, and selected of SR15, and selected of SCOUNTY Line Rd, in Lackson Township
Frontage:196.59 Depth:546.71 Area:3 acres
Subdivision and lot number, if applicable:
Present use: Residential

Tell us what you want to do. open a commercial Kitchen to Cater
Tell us why this activity won't hurt your neighbors or the community. It will not involve them. There won't be increased traffic or noise.
Is there a subdivision covenant that says you can't do this activity?
If yes, does the subdivision have an active homeowners' association? \Box Y \Box N Will the activity create noise, vibration, smoke, dust, odor, heat, or glare? \Box Y \blacksquare 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.
Will there he buffering (fences trees chrubs mounds)? \(\sigma\) \\
Will there be buffering (fences, trees, shrubs, mounds)? Y N If yes, tell us about it.
If yes, tell us about it. Does the property need well and septic? Well: □ Y ☒ N Septic: □ Y ☒ N Does the property need a new septic system? □ Y ☒ N
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
Does the property need well and septic? Well: \[\text{Y} \text{ \text{N}} \ \text{N} \] Does the property need a new septic system? \[\text{Y} \text{ \text{N}} \ \text{N} \] If a new septic system is needed, did the Health Department say there's enough space for it? \[\text{Y} \text{ \text{N}} \ \text{N} \] Will the activity use buildings or additions? \[\text{Y} \text{ \text{N}} \ \text{N} \] Building or addition 1 Existing? \[\text{Y} \text{ \text{N}} \ \text{N} \] Size and height to the peak: \[\text{Y} \text{ \text{V}} \ \text{ \text{V}} \ \text{ \text{V}} \ \text{ \text{V}} \ \text{V} \ \text
Does the property need well and septic? Well:
Does the property need well and septic? Well:
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 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. Will be using Y N Size and height to the peak: The Assir will be for personal storage Building or addition 2 Existing? N Size and height to the peak:

Next page ⇒

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	this application include a business or nonprofit ch, school, other) based all or in part on this property? X Y D N If yes, fill out below.
110	ow many employees do you have now? Full time: none Part time: 3-4
	ow many employees do you want? Full time: 1-2 Part time: 3-4
	ow many of the employees won't live onsite? all of them
W	nat will be the days and hours of operation on this property? Since we are a catering
	ompany it all depends, mainly Thur Fr Sat from 9-3
	ow many parking spaces do you have now?
Но	ow many parking spaces do you want?
Wi	ill there be outside storage or display areas on this property? 🛛 Y 💢 N
If	yes, tell us what will be stored outside or displayed.
W	ill there be retail sales on this property? □ Y 🌣 N
	yes, tell us what will be sold.
_	
\//	ill there be pickups or deliveries on this property? \n Y \square N If yes, fill out below.
	Tell us how often. Once a wonth
	Tell us the kind of vehicles used. Small /916
	Tell as the kind of vehicles used.
Dr	bes the application include signs? 💢 Y 🙀 N If yes, fill out below.
	gn 1 Dimensions (length and width). 4'x8'
	Existing?
	Electronic message board? □ Y 🗷 N If no, lighted? □ Y 🗷 N
	Freestanding?
	ign 2 Dimensions (length and width).
	Existing?
	Electronic message board? □ Y □ N If no, lighted? □ Y □ N
	Freestanding?
Si	ign 3 Dimensions (length and width).
	Existing?
	Electronic message board? □ Y □ N If no, lighted? □ Y □ N
	Freestanding?
Tel	I us anything else you want us to know. We appreciate you guys helpfulness



BZA Staff Report

Prepared by the **Department of Planning and Development**

Hearing Date: July 17, 2025

Transaction Number: SUP-0389-2025.

Parcel Number(s): 20-08-21-351-002.000-034.

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.

Petitioner: David Chupp & Carrie Chupp, Husband & Wife (Buyers), & Beulah M. Schlabach (Seller).

Location: East side of CR 35, 700 ft. north of CR 20, in Middlebury Township.

Site Description:

- ➤ Physical Improvement(s) Residence and accessory structure.
- ➤ Proposed Improvement(s) 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. An agricultural use on less than 3 acres is allowed by Special Use 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 1.99-acre parcel in a low-density residential and agricultural area, and the parcel will remain residential and agricultural in character.
- 3. The Special Use will substantially serve the public convenience and welfare by providing a transportation option.

BZA Staff Report (Continued)

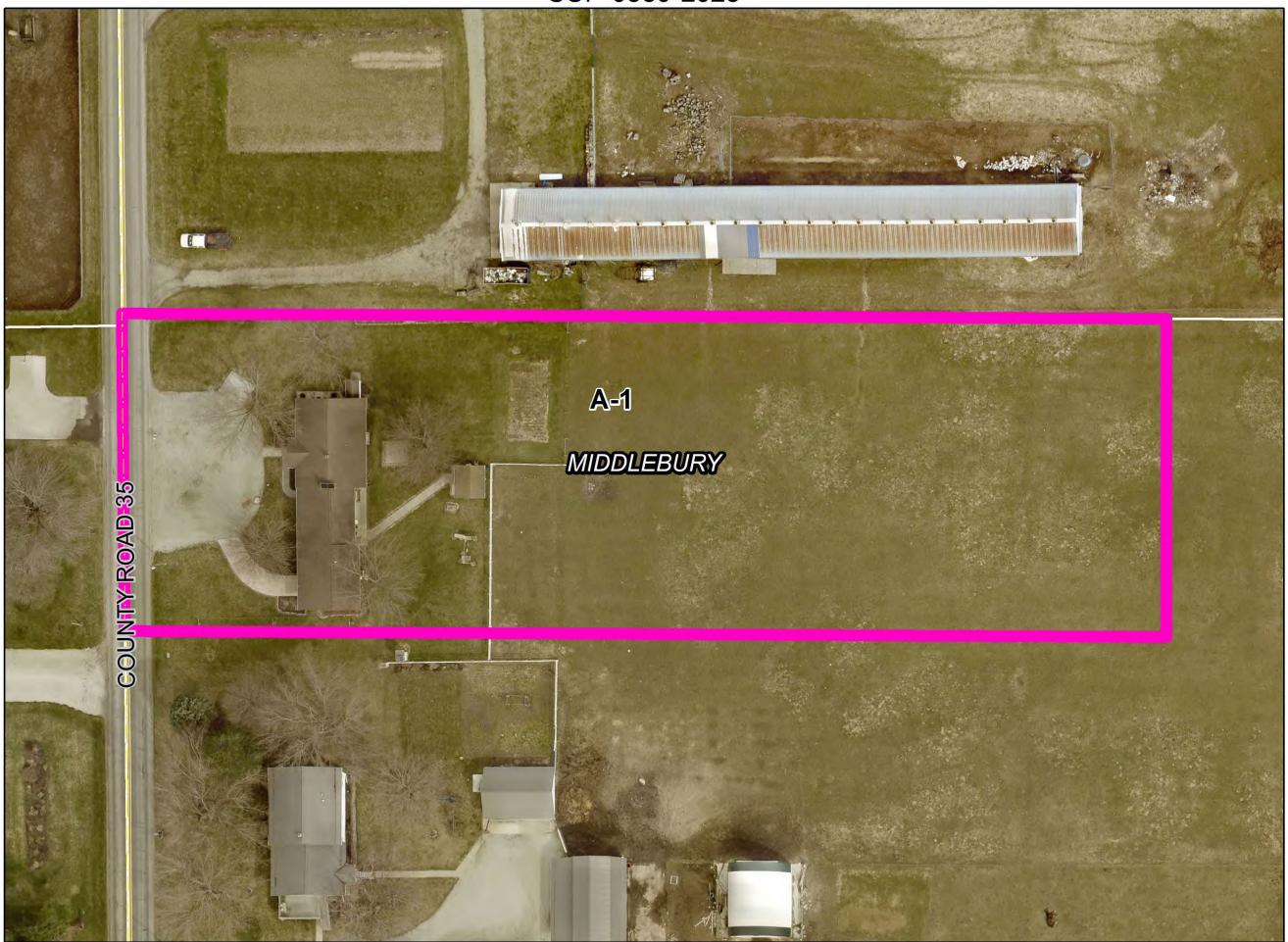
Hearing Date: July 17, 2025

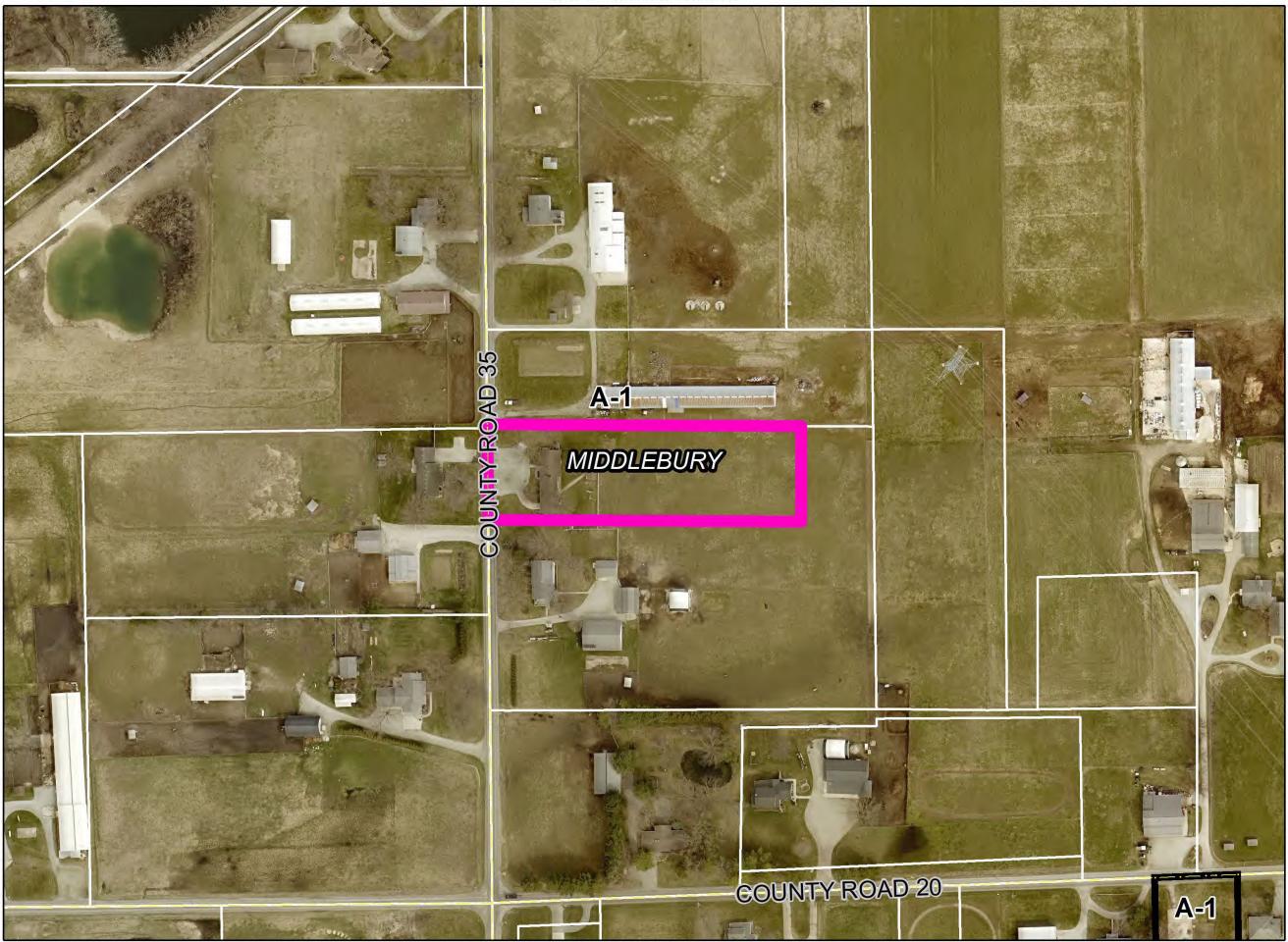
Staff recommends **APPROVAL** with the following condition(s) imposed:

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.

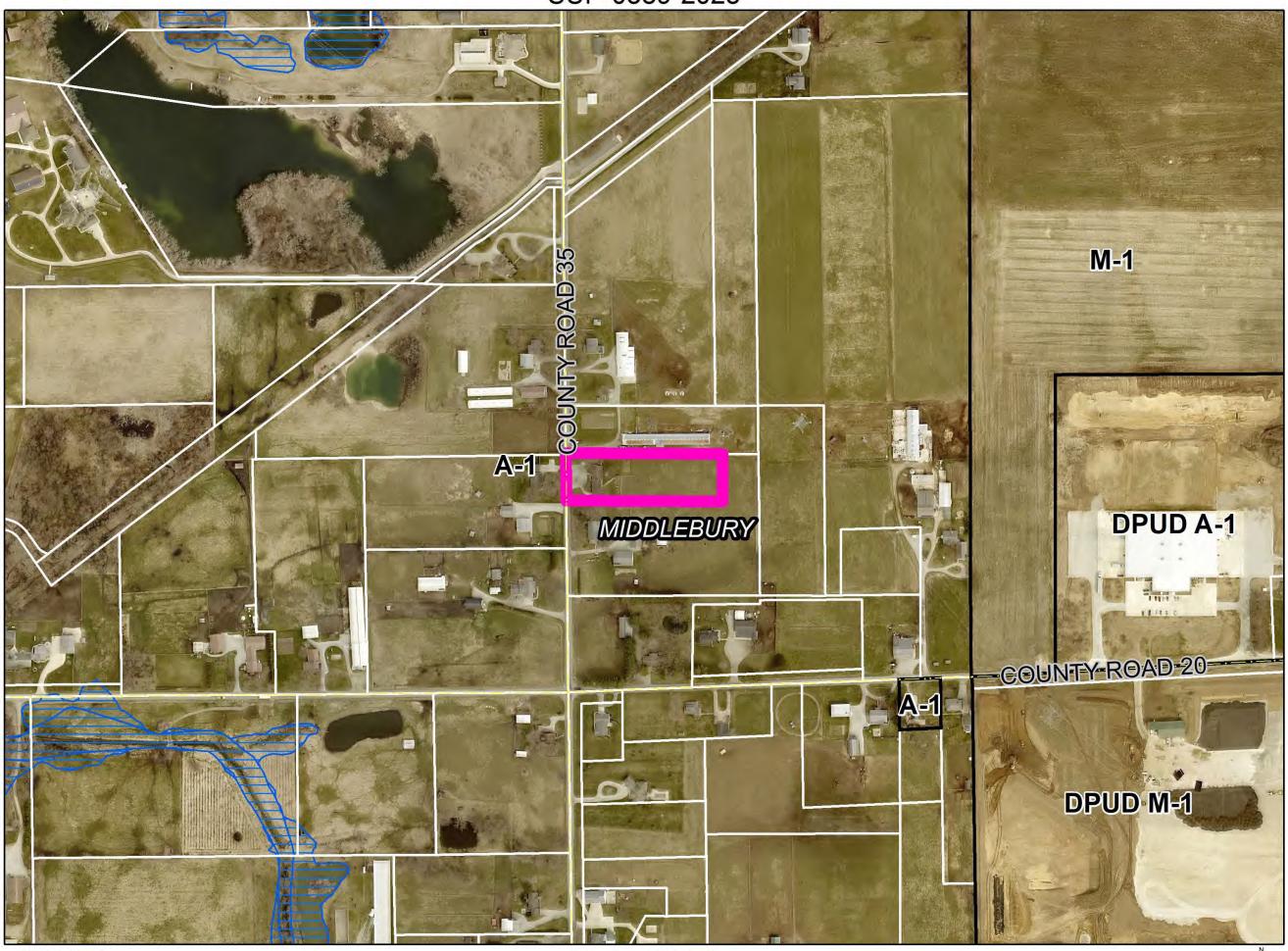
Staff recommends **APPROVAL** with the following commitment(s) imposed:

- 1. The request is approved in accordance with the site plan submitted (dated 6/12/2025) and as represented in the Special Use application.
- 2. The request is limited to a maximum of two (2) adult horses at any one time.





SUP-0389-2025





Subject property facing east



Facing west



Facing north



Facing south

PLAN COMMISSION & BOARD OF ZONING APPEALS

Elkhart County Planning & Development Public Services Building

4230 Elkhart Road, Goshen, Indiana, 46526 Phone - (574) 971-4678

Special Use - Non Mobile Home Fax - (574) 971-4578 July 17, 2025 06/12/2025 SUP-0389-2025 Date: Meeting Date: Transaction #: 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 Contacts: Applicant **Authorized Agent** Land Owner Land Owner Maple City Roofing Maple City Roofing David & Carrie Chupp (Buyer) Beulah M. Schlabach (Seller) 64265 County Road 35 64265 County Road 35 11979 County Road 20 58864 County Road 35 Goshen, IN 46528 Goshen, IN 46528 Middlebury, IN 46540 Middlebury, IN 46540 Site Address: 20-08-21-351-002.000-034 58864 County Road 35 Parcel Number: Middlebury, IN 46540 Middlebury Township: East Side Of County Road 35, 700 Feet North Of County Road 20 Location: Subdivision: Lot# 1.99 155.00 487.00 Lot Area: Frontage: Depth: A-1 NPO List: 07/02/2025 Zoning: RESIDENTIAL Present Use of Property: Legal Description: Comments:

Department Signature:

Applicant Signature:

4230 Elkhart Road Elkhart County Goshen, Indiana 46526 Planning & Development DPS@ElkhartCounty.com

Application
Site address: 58864 CR 35 Middlebury IN 46540
Parcel number(s):
Current property owner
Name: Beula Schlabach
Address: 58864 CR 35 Middlebury IN 46540
Phone: <u>574-825-1010</u> Email:
Other party Agent Buyer Land contract purchaser Lessee Name: Chris Yoder / Maple City Roofing Address: 64265 CR 35 Goshen IN 46528 Phone: 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: Yoder

	Staff Use Only
Description: FOR A	SPECIAL USE FOR AN AGIRICULTURAL USE FOR
THE KEEPING	OF ANIMALS ON A TRACT OF LAND CONTAINING
LESS THAN 3	3 ACRES
Parcel creation date: _(119197
	□ Y ♥ N If yes, □ AS □ Minor □ Major
Subdivision required?	
Subdivision required?	□ Y ☑ N If yes, □ AS □ Minor □ Major
Subdivision required? Residential accessory bre	□ Y ♥ N If yes, □ AS □ Minor □ Major eakdown, if applicable: Attached
Subdivision required? Residential accessory bre Location: N S E W	Pakdown, if applicable: Attached corner of end of CO 35
Subdivision required? Residential accessory bre Location: N S © W 700 ft.	Pakdown, if applicable: Attached. corner of the end of CR 25 N S E W of CR 20 ,
Subdivision required? Residential accessory bree Location: N S © W	Corner of end of CR 35 N S E W of CR 20 Township
Subdivision required? Residential accessory bree Location: N S © W	Pakdown, if applicable: Attached. corner of the end of CR 25 N S E W of CR 20 ,

Special Use — Questionnaire Name: Chris Yoder 1) Tell us what you want to do. Build a barn on a 2 acre parcel with buggy storage in lend 2) Tell us why this activity won't hurt your neighbors or the community. All neighbors have horses 4 barns. 3) Is there a subdivision covenant that says you can't do this activity? \square Y X N If yes, does the subdivision have an active homeowners' association? $\ \square\ \ Y\ \ \square\ \ N$ 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. If yes, tell us about it. horse fence to hold animals 6) Does the property need well and septic? Well: DY XN Septic: DY XN it has I already Does the property need a <u>new</u> septic system? \[\sum \text{Y} \quad \text{N} \] If a new septic system is needed, did the Health Department say there's enough space for it? \square Y \square 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: 30 ×50, 18 peak Tell us what you'll use it for. herses & boggy Existing? \(\subseteq \text{ Y } \subseteq \text{ N } \) Size and height to the peak: Building or addition 2 Tell us what you'll use it for. **Building or addition 3** Existing? □ Y □ N Size and height to the peak:

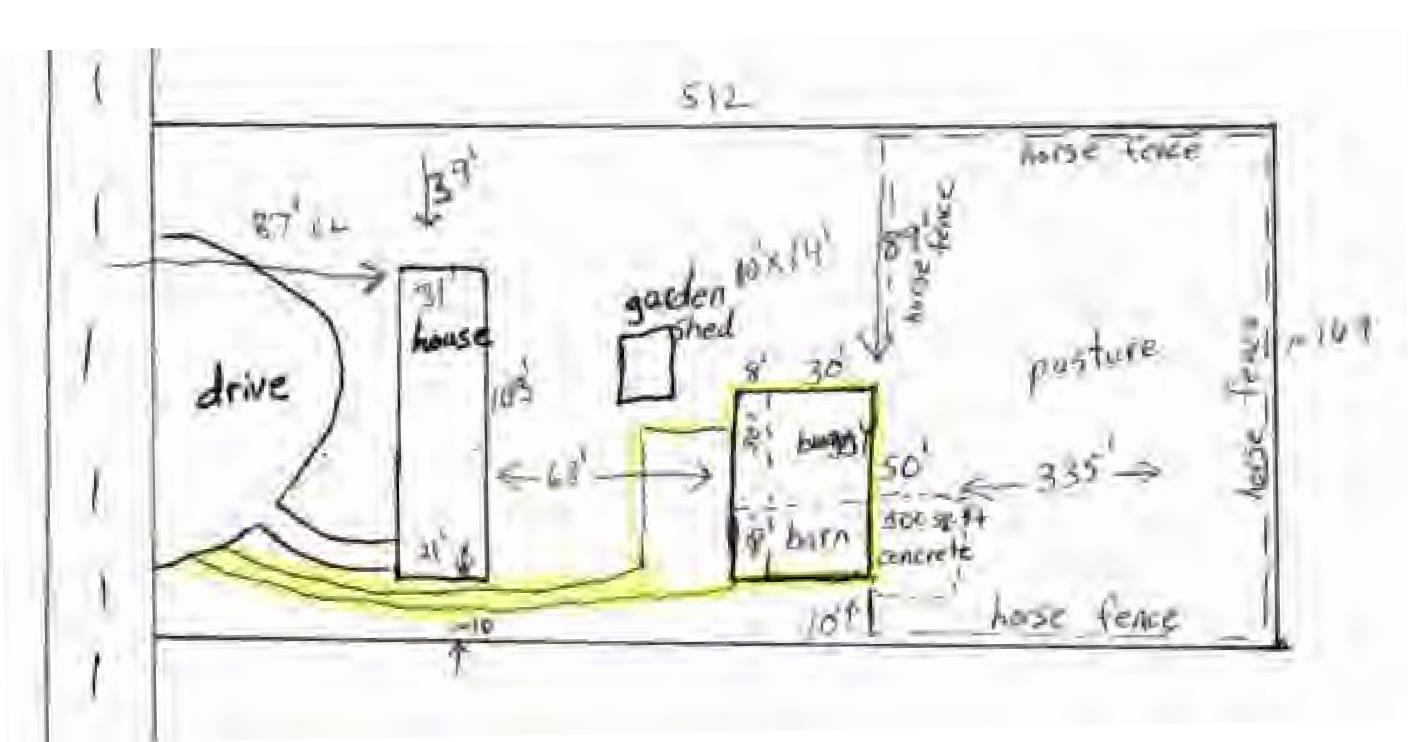
Next page -

Tell us what you'll use it for.

8) Does this application include animals? $\nearrow X Y \square N$

If yes, tell us what kind and how many of each. 2 or 3 horse

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?		nployees do you ha				
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?						
How many parking spaces do you want? Will there be outside storage or display areas on this property?						
How many parking spaces do you want? Will there be outside storage or display areas on this property?	How many na	rking spaces do vo	ou have now?			
Will there be outside storage or display areas on this property?						
If yes, tell us what will be stored outside or displayed. Will there be retail sales on this property?						
Will there be retail sales on this property?						
Approximately how many customers (clients, guests, students, members) will be on this property per of the state of the sta	- //	110000000000000000000000000000000000000	,			
Tell us how often. Tell us the kind of vehicles used. Does the application include signs?	Will there be	retail sales on this	property?	/ \square N		
Will there be pickups or deliveries on this property?	If yes, tell us	what will be sold.				
Will there be pickups or deliveries on this property?						
Tell us how often. Tell us the kind of vehicles used. Does the application include signs?	Approximately	how many custo	mers (clients, gue	sts, students, n	nembers) will be or	n this property per
Tell us how often. Tell us the kind of vehicles used. Does the application include signs?						
Tell us how often. Tell us the kind of vehicles used. Does the application include signs?						
Tell us how often. Tell us the kind of vehicles used. Does the application include signs?	and the second					
Tell us the kind of vehicles used. Does the application include signs?	Will there be	pickups or deliveri	ies on this propert	V? LY L	N If yes, fill ou	it below.
Does the application include signs?					20.00	
Sign 1 Dimensions (length and width). Existing?	Tell us how	often.			20.00	
Existing?	Tell us how	often.			20.00	
Existing?	Tell us how	v oftenkind of vehicles us	sed			
Freestanding?	Tell us how Tell us the Does the app	kind of vehicles us	sed	N If yes, fill	out below.	
Sign 2 Dimensions (length and width). Existing?	Tell us how Tell us the Does the app Sign 1	kind of vehicles us lication include sig Dimensions (leng	gns?	N If yes, fill	out below.	
Sign 2 Dimensions (length and width). Existing?	Tell us how Tell us the Does the app Sign 1 Existing?	kind of vehicles us lication include sig Dimensions (leng	gns?	N If yes, fill □ Y □ N	out below.	
Existing?	Tell us how Tell us the Does the app Sign 1 Existing? Electronic r	v often. kind of vehicles us lication include sig Dimensions (leng Y N message board?	gns?	N If yes, fill □ Y □ N If no, lighted	out below.	
Electronic message board?	Tell us how Tell us the Does the app Sign 1 Existing? Electronic r Freestandin	kind of vehicles us lication include sig Dimensions (leng Y N message board?	gns?	N If yes, fill Y N If no, lighted ted? Y	out below.	
Freestanding?	Tell us how Tell us the Does the app Sign 1 Existing? Electronic r Freestandir Sign 2	kind of vehicles us lication include sig Dimensions (leng Y N message board? ng? Y Y N Dimensions (leng	gns?	N If yes, fill □ Y □ N If no, lighted ted? □ Y	out below.	
Sign 3 Dimensions (length and width). Existing? □ Y □ N Double faced? □ Y □ N Electronic message board? □ Y □ N If no, lighted? □ Y □ N	Tell us how Tell us the Does the app Sign 1 Existing? Electronic r Freestandir Sign 2 Existing?	kind of vehicles us lication include sig Dimensions (leng Y N message board? ng? Y N Dimensions (leng	gns?	N If yes, fill Y N If no, lighted ted? Y N	out below.	
Existing? \square Y \square N Double faced? \square Y \square N Electronic message board? \square Y \square N If no, lighted? \square Y \square N	Tell us how Tell us the Does the app Sign 1 Existing? Electronic r Freestandir Sign 2 Existing? Electronic r	kind of vehicles us lication include sig Dimensions (leng Y N message board? Dimensions (leng Y N N message board?	gns?	N If yes, fill Y N If no, lighted ted? Y N If no, lighted	out below.	
Electronic message board? \square Y \square N If no, lighted? \square Y \square N	Tell us how Tell us the Does the app Sign 1 Existing? Electronic r Freestandir Sign 2 Existing? Electronic r Freestandir	kind of vehicles us lication include sign Dimensions (length of the length) Dimensions (length) Dimensions	gns?	N If yes, fill Y N If no, lighted ted? Y N If no, lighted	out below.	
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recotanding: Li Li IV Wall Mounted: Li Li IV	Tell us how Tell us the Does the app Sign 1 Existing? Electronic r Freestandin Sign 2 Existing? Electronic r Freestandin Sign 3 Existing?	kind of vehicles us lication include sign Dimensions (length of the length) Dimensions (length)	gns?	N If yes, fill Y N If no, lighted ted? Y N If no, lighted ted? Y	out below.	
	Tell us how Tell us the Does the app Sign 1 Existing? Electronic r Freestandir Sign 2 Existing? Electronic r Freestandir Sign 3 Existing? Electronic r Electronic r Electronic r Electronic r	kind of vehicles us lication include sign Dimensions (length of the length) Dimensions (length) Dimensions	gns?	N If yes, fill Y N If no, lighted ted? Y N If no, lighted ted? Y N If no, lighted	out below.	



BZA Staff Report

Prepared by the **Department of Planning and Development**

Hearing Date: July 17, 2025

Transaction Number: SUP-0404-2025.

Parcel Number(s): 20-08-05-100-002.000-034, 20-08-05-100-005.000-034, 20-08-06-200-005.000-034,

20-08-06-400-033.000-034, 20-08-06-400-034.000-034.

Existing Zoning: A-1.

Petition: For a Special Use for a nature preserve.

Petitioner: Acres Inc.

Location: South side of CR 12, 1,995 ft. east of CR 131, in Middlebury Township.

Site Description:

➤ Physical Improvement(s) – Corn cribs (far south).

- ➤ Proposed Improvement(s) None.
- Existing Land Use Natural area, agricultural (center and far east).
- ➤ 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 nature preserve 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 vast 203-acre wetland property in a low-density area, and the use will have little impact on the property's surroundings.
- 3. The Special Use will substantially serve the public convenience and welfare by safeguarding an area of high value to the watershed and providing for a community amenity.

BZA Staff Report (Continued)

Hearing Date: July 17, 2025

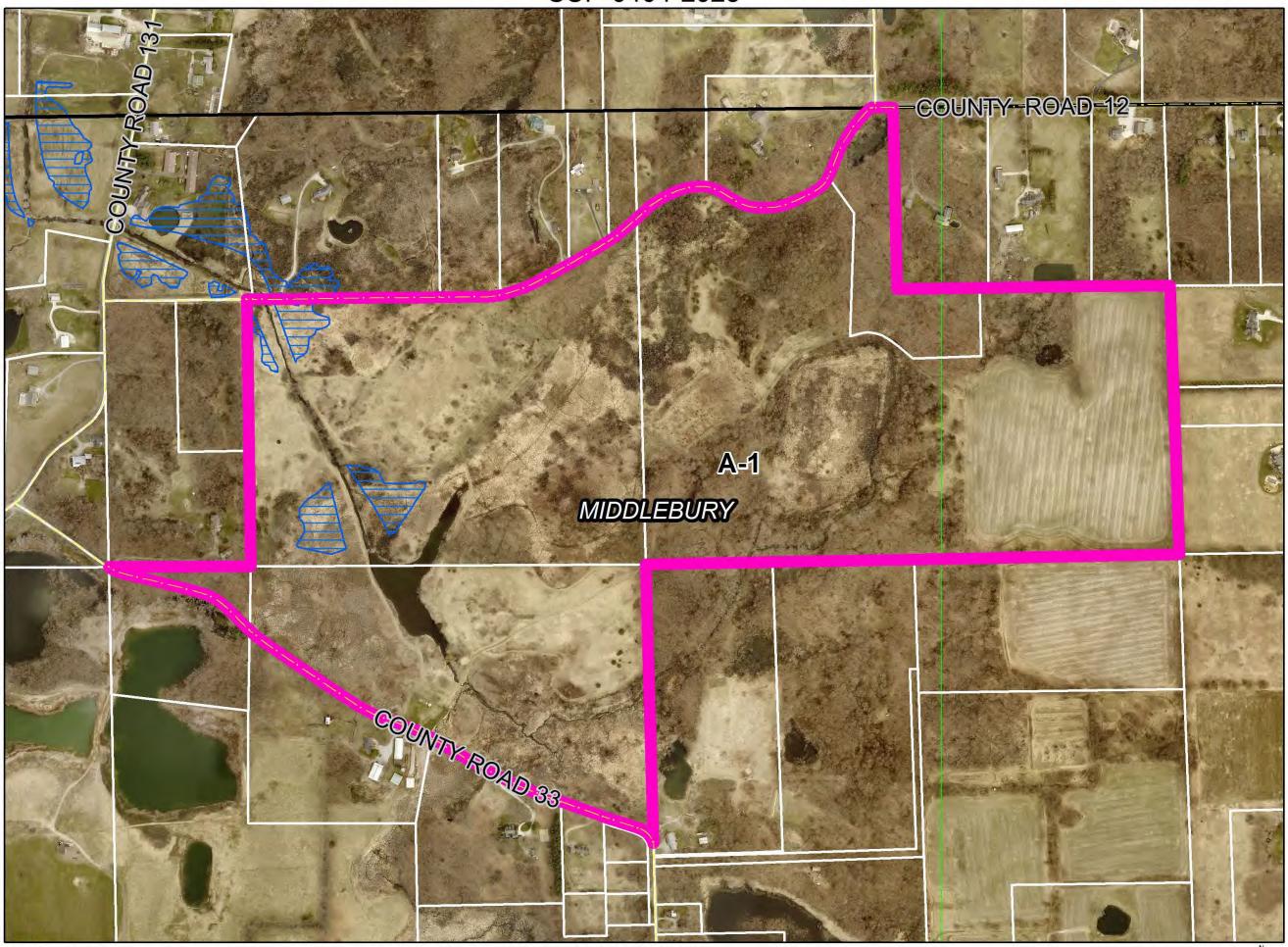
Staff recommends **APPROVAL** with the following condition(s) imposed:

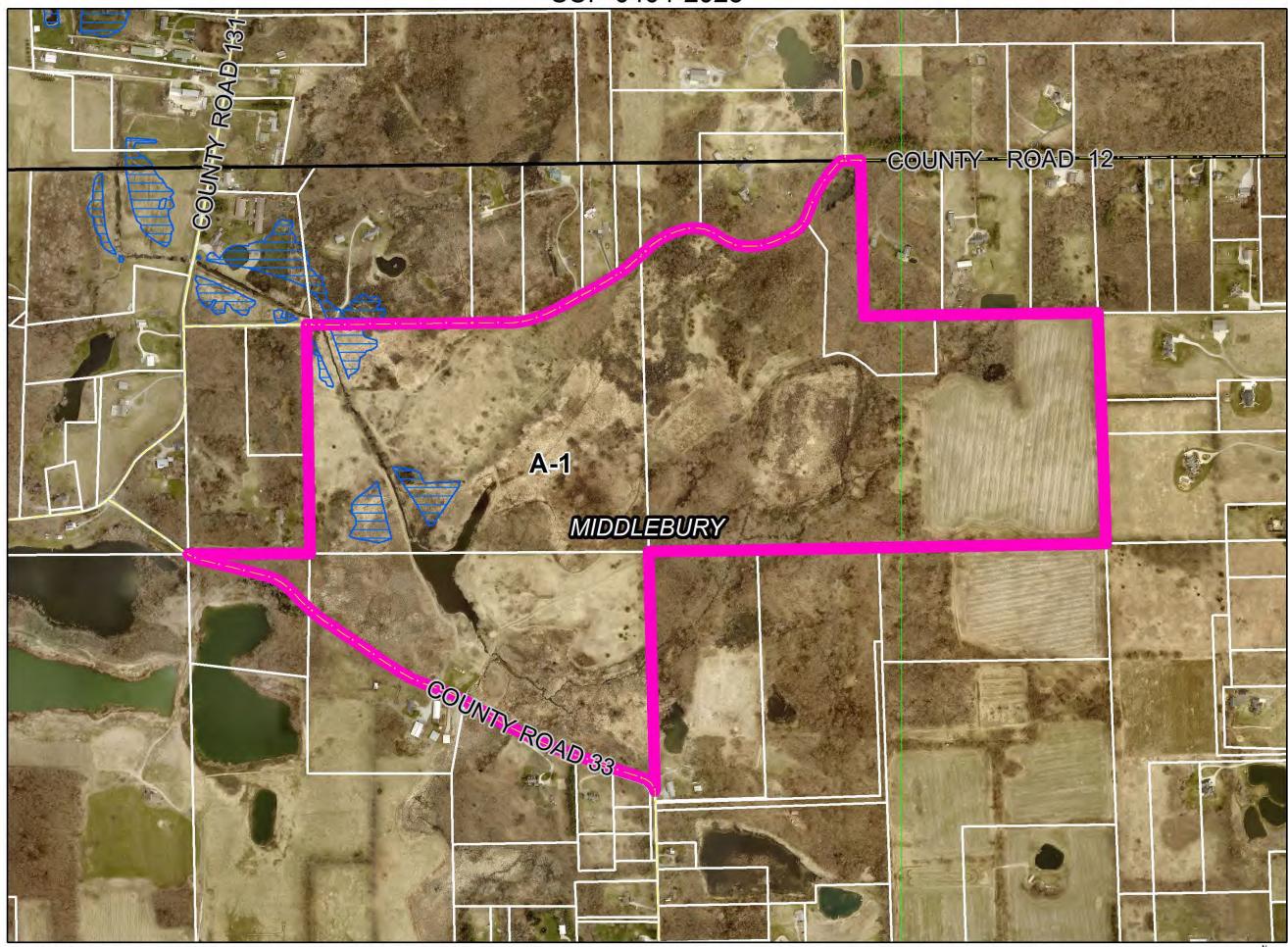
1. The Elkhart County Advisory Board of Zoning Appeals approval shall not be effective until the Commitment form has been executed, recorded, and returned to the Elkhart County Advisory Board of Zoning Appeals staff for placement in the petition file.

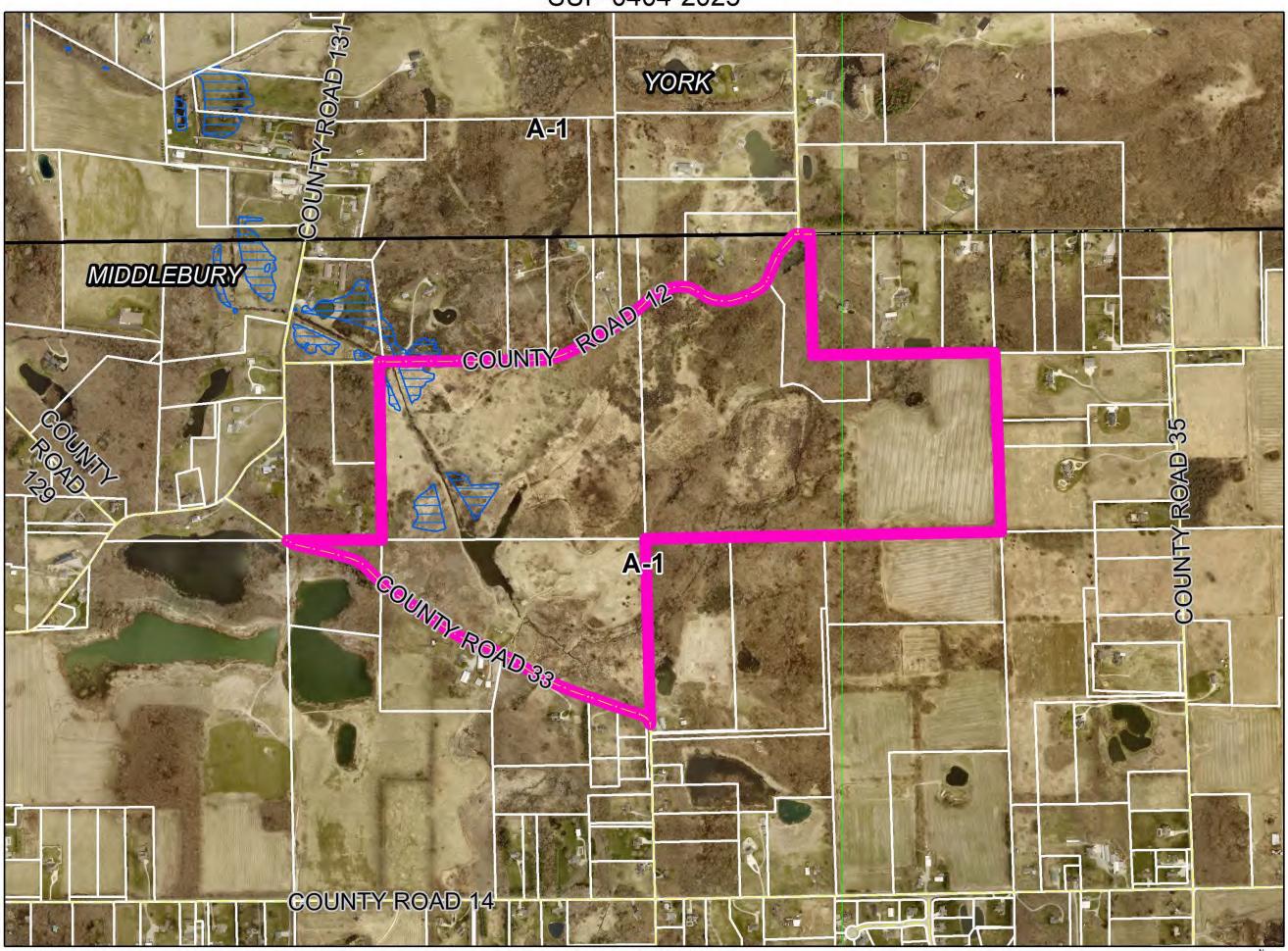
Staff recommends **APPROVAL** with the following commitment(s) imposed:

1. The request is approved in accordance with the site plan submitted (dated 6/16/2025) and as represented in the Special Use application.

SUP-0404-2025









Facing southeast from CR 12



Facing southwest from CR 12



Facing west



Facing east



Facing north

PLAN COMMISSION &

Elkhart County Planning & Development Public Services Building

4230 Elkhart Road, Goshen, Indiana, 46526 Phone - (574) 971-4678 Fax - (574) 971-4578

BOARD OF ZONING APPEALS Special Use - Non Mobile Home

Date: 06/16/2025 Meeting Date:		17, 2025 Appeals Public Hearing Transa	action #: SUP-0404	4-2025
Description: for a Special Use for a Nature Preserve				
Contacts: Applicant Land Owner Acres Inc., An Indiana Acres Inc., An Nonprofit Corporation Nonprofit Corp 1802 Chapman Rd 1802 Chapman Huntertown, IN 46748 Huntertown, IN	ooration Rd			
Site Address: 00000 County Road 12 MIDDLEBURY, IN 46540		Parcel Number:	20-08-05-100-00 20-08-05-100-00 20-08-06-200-00 20-08-06-400-03 20-08-06-400-03	5.000-034 5.000-034 3.000-034
Township: Middlebury Location: SOUTH SIDE OF CR 12, 1995 FT. EAST 0	OF CR 131			
Subdivision:		Lot#		
Lot Area: 203.26 Frontage:	3,621.16		Depth:	4,905.00
Zoning: A-1		NPO List: 07/02/2025		
Present Use of Property: VACANT				
Legal Description:				
Comments: PARCEL CREATION - 3/1/1962				
Applicant Signature:		Department Signature:		

Elkhart County Planning & Development

Site address:	No address curre	ntly.		
Parcel number(s):	20-08-06-200-005 000-034, 20-08	-06-400-033,000-034, 20-0	18-05-100-005.000-034, 20-08-05-100-002.000-034, 20	-08-06-400-034.000-034
	* 20-08-06-200-005.000-034 is par	rcel with parking/address p	oint.	200, 200, 200, 200, 200, 200, 200, 200,
Current property	owner			
Name: ACRE	SINC			
Address: 1802	Chapman Road			
Phone: 260-63	37-2273		Email:	
Other party	□ Agent □	Buyer [Land contract purchaser	□ Lessee
Name:				
Address:				
Phone:			Email:	
be met before appr may include a com	roval is final and buil mitment that the pro	ding permits coperty owner is	is approved, there may be cor an be started. I also understar responsible for completing ar red agent: Opanna St	nd that the conditions and returning.

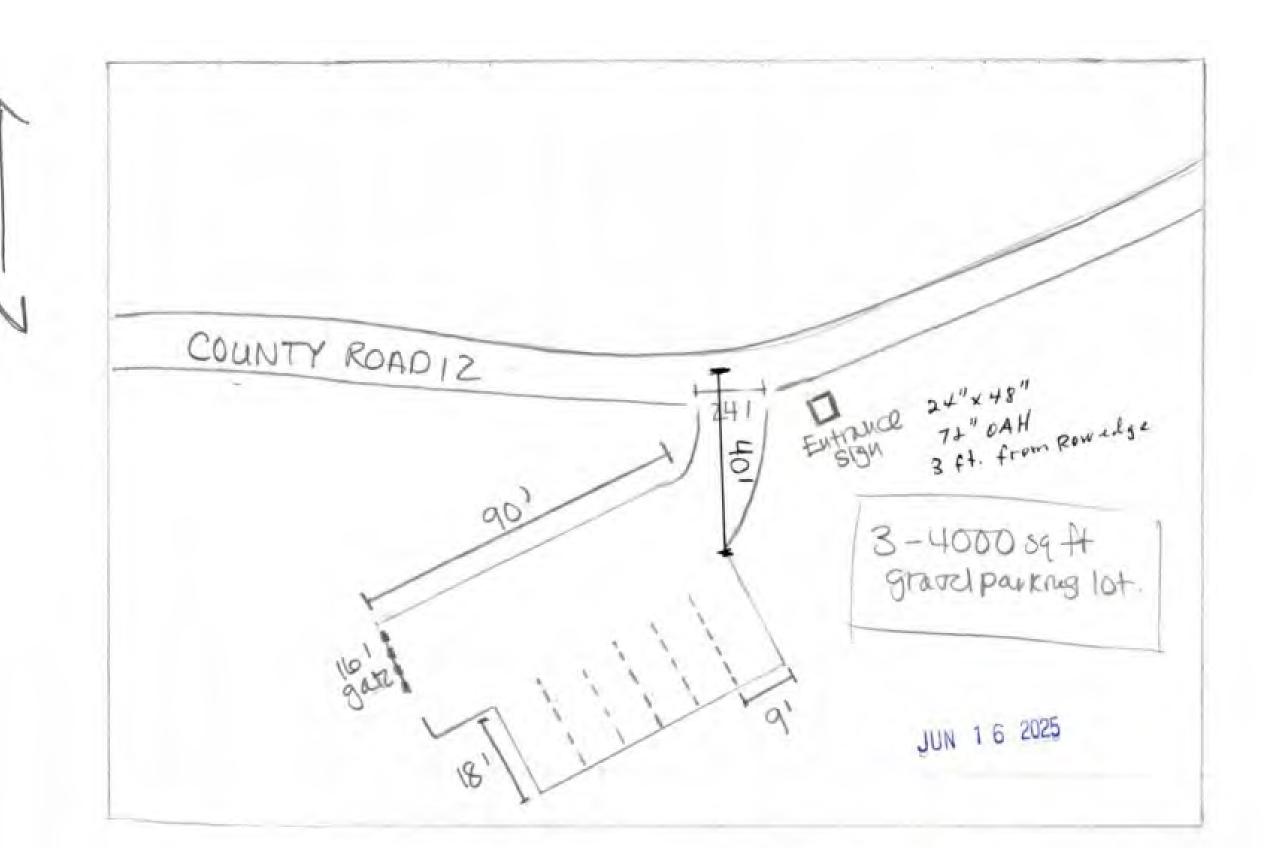
Staff Use Only Description: A Special Use for Nature preserve	2
Parcel creation date: 9/24/2002 Subdivision required?	
ocation: N S E W corner side end of CL 12. 3, 2,775 ft. N S E W of CR 131. MIDDLE BURY Township rontage: 3,560 ft. Depth: 2,956 ft. Area; 203.257acres subdivision and lot number, if applicable:	. ř
resent use: VACANT LAND.	

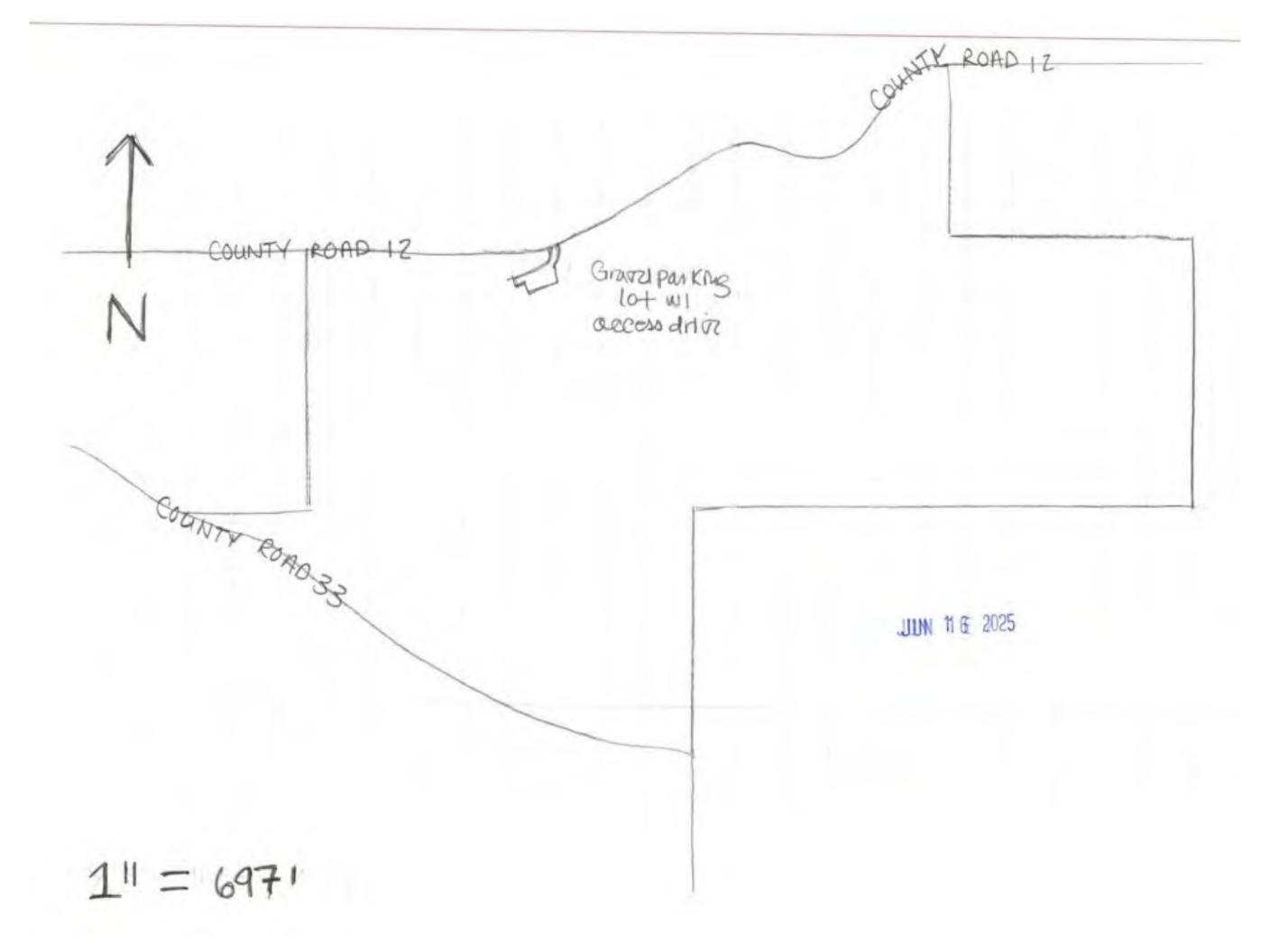
A-1 ZONE.

1)	Tell us what you want to do. The property will be one of our nature preserves that is open to the public from dawn until dusk. The property have a gravel parking lot and some trails which will be maintained.
2)	Tell us why this activity won't hurt your neighbors or the community. Very little changes will occur to the property, and will provide benefit to local residents and neighbors through the providing of access to well
	maintained trails, beautiful natural areas, and opportunity for community engagement and well-being.
3)	Is there a subdivision covenant that says you can't do this activity? \square Y \boxtimes N If yes, does the subdivision have an active homeowners' association? \square Y \boxtimes N
4)	Will the activity create noise, vibration, smoke, dust, odor, heat, or glare? ☐ Y ☑ N If yes, fill out below the smoke 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 <u>new</u> 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.

Next page 🔿

	(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? Dawn to dusk, 7 days a we				
	How many parking spaces do you have now?0				
	How many parking spaces do you want? 6				
	Will there be outside storage or display areas on this property? $\ \square\ \ Y\ \ \boxtimes\ \ N$				
	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? It depends on time of year and other factors- but we might expect an average of 3-8 people visiting the				
per lay	property, averaged out over the course of a year.				
	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). 48" 72" 24" 48" 72" 0AH				
	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?				
	Electronic message board? ☐ Y ☐ N If no, lighted? ☐ Y ☐ N				
	Freestanding?				
	Sign 3 Dimensions (length and width).				
	Existing?				
	Electronic message board? ☐ Y ☐ N If no, lighted? ☐ Y ☐ N				
	Freestanding?				





BZA Staff Report

Prepared by the **Department of Planning and Development**

Hearing Date: July 17, 2025

Transaction Number: SUP-0394-2025.

Parcel Number(s): 20-08-04-476-009.000-034.

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.

Petitioner: Timothy Yoder & Janae Schrock (Buyers) & Matthew Herr & Adrena Mathieu (Sellers).

Location: North side of CR 14, 900 ft. west of Bristol Ave. (CR 8), in Middlebury Township.

Site Description:

➤ Physical Improvement(s) – Residence, shed.

- ➤ Proposed Improvement(s) Combined accessory structure and barn.
- ➤ Existing Land Use Residential.
- ➤ Surrounding Land Use Residential, agricultural, church.

History and General Notes:

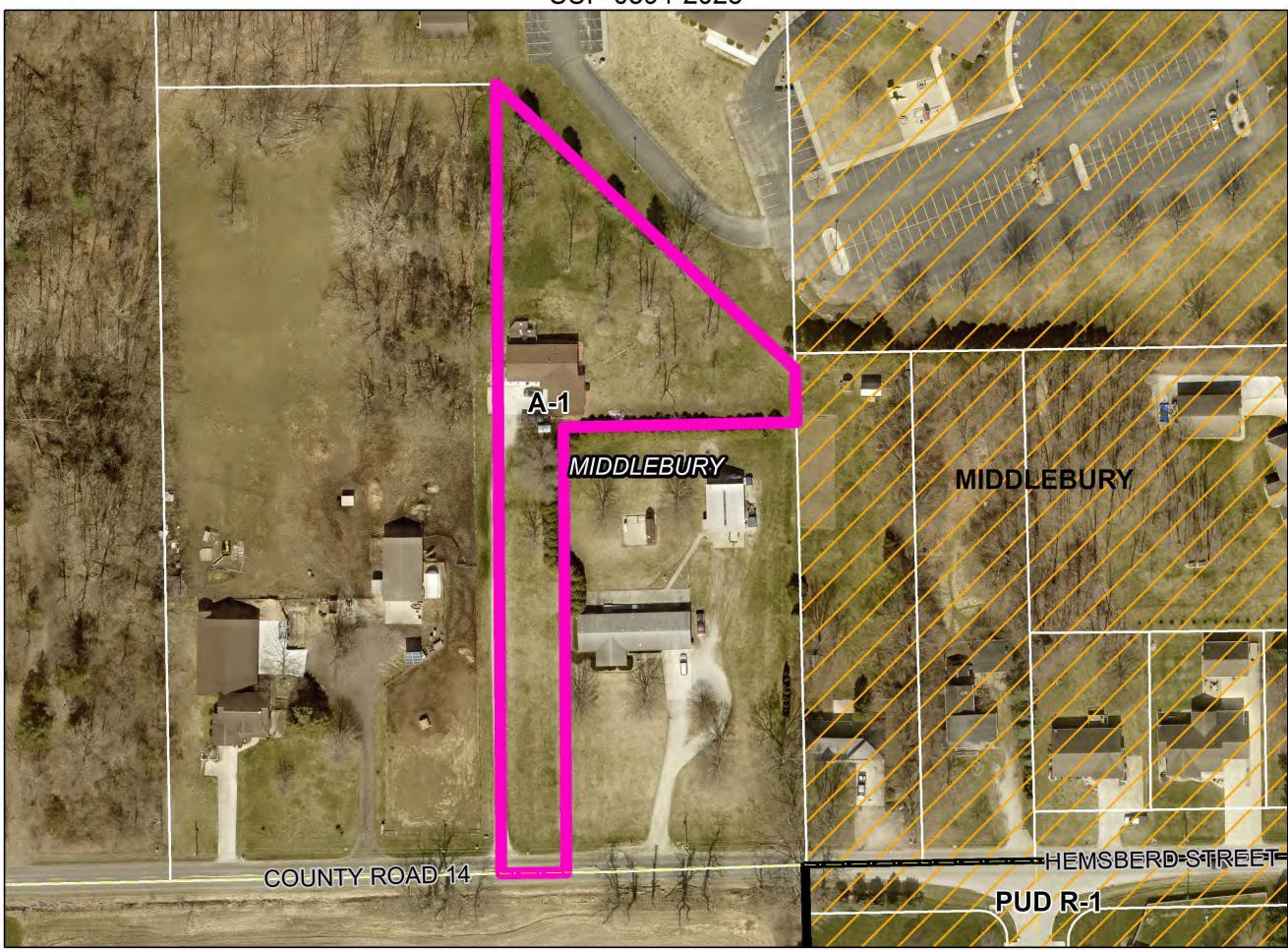
➤ July 17, 1997 – The BZA approved an appeal to allow construction of a home on property not subdivided in accordance with the subdivision ordinance and depth and width variances.

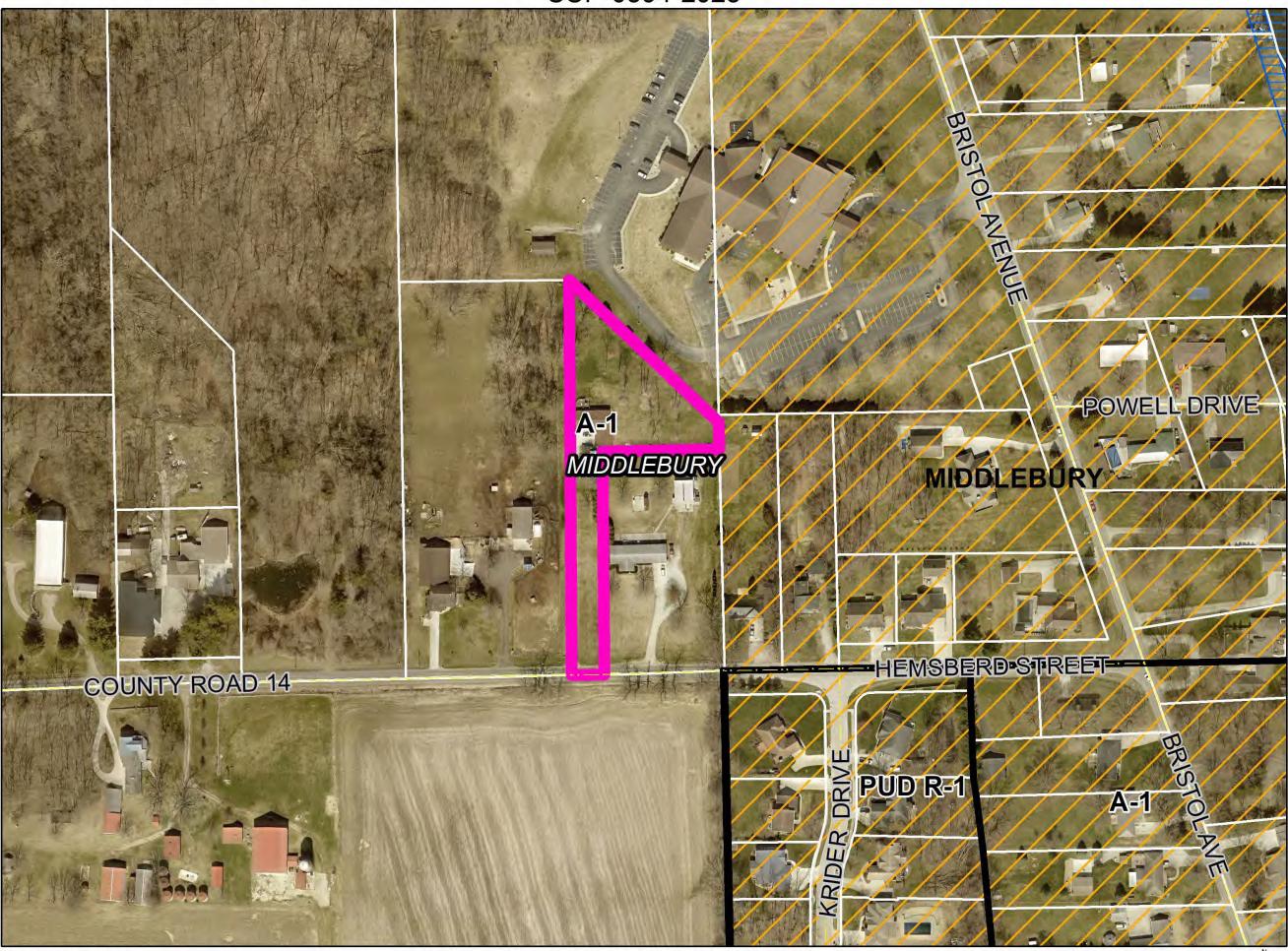
Staff Analysis:

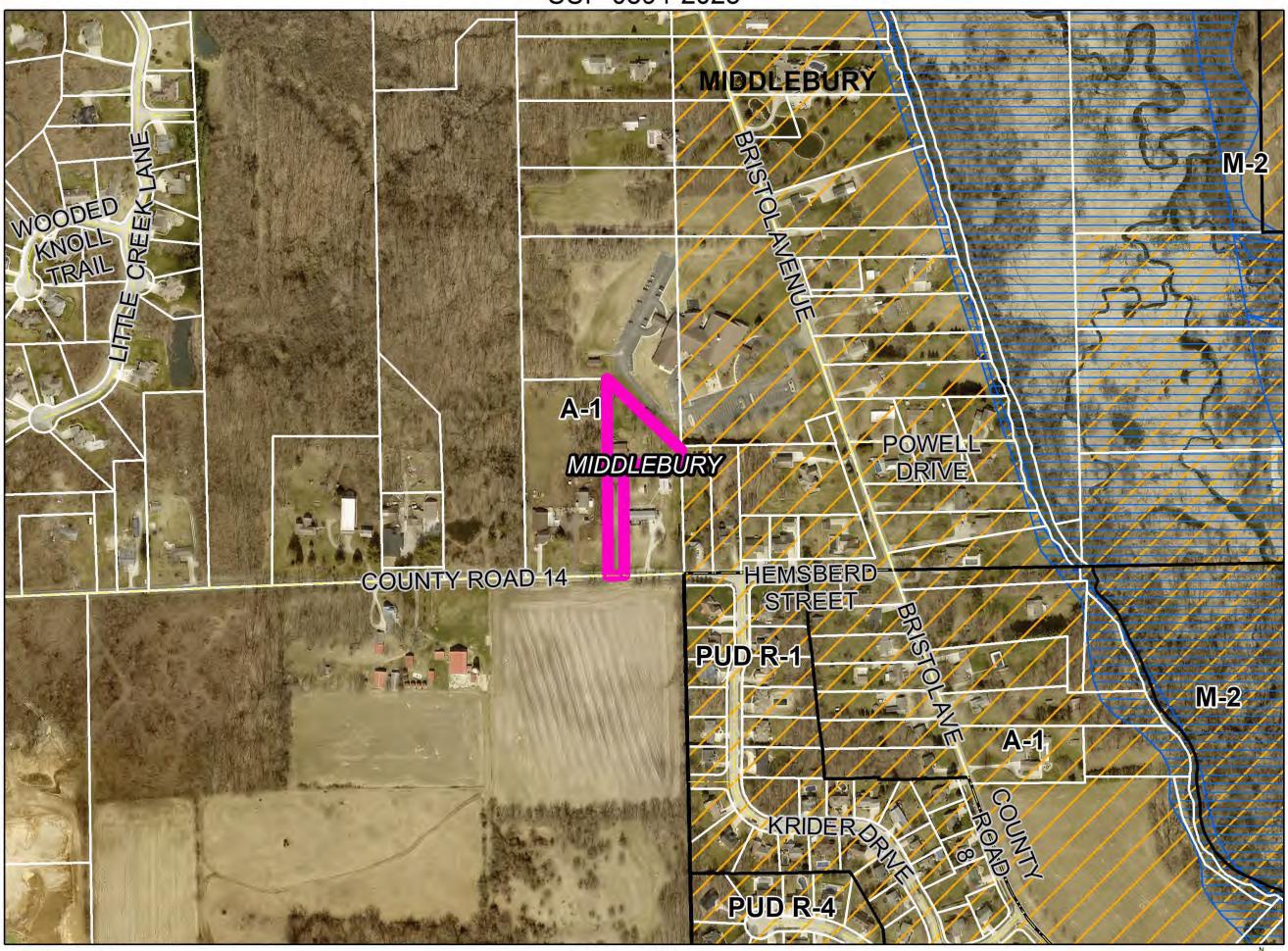
Staff finds that:

- 1. The Special Use will not be consistent with the spirit, purpose, and intent of the Development Ordinance. The scope and scale of the proposed agricultural use on less than 3 acres is too intense for this property.
- 2. The Special Use will cause substantial and permanent injury to the appropriate use of neighboring property. This is a 1.45-acre parcel in a residential and mixed-use area, and the property should remain residential in character.
- 3. The Special Use will not substantially serve the public convenience and welfare. The ANR Department of the Purdue University Extension recommends 2 acres of pasture per horse, the staff recommends at least 1 acre of pasture per horse, and the site plan shows only approximately 0.35 acres of pasture.

Staff recommends **DENIAL**.









Subject property



Area labeled pasture



Area labeled pasture



Facing east



Facing west



Facing south

PLAN COMMISSION & BOARD OF ZONING APPEALS

Elkhart County Planning & Development Public Services Building

4230 Elkhart Road, Goshen, Indiana, 46526 Phone - (574) 971-4678

Special Use - Non Mobile Home Fax - (574) 971-4578 July 17, 2025 06/13/2025 SUP-0394-2025 Date: Meeting Date: Transaction #: 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 Contacts: Applicant **Authorized Agent** Land Owner Land Owner Matthew Herr And Adrena Nathan Schwartz Matthew Herr And Adrena Timothy And Janae Schrock Mathieu (Joint Tenants) Herr Yoder (Buyer) 52037 County Road 25 Mathieu (Joint Tenants) Herr Bristol, IN 46507 11601 N 225 W (Seller) (Seller) Rome City, IN 46784 13043 County Road 14 13043 County Road 14 Middlebury, IN 46540 Middlebury, IN 46540 20-08-04-476-009.000-034 Parcel Number: Site Address: 13043 County Road 14 Middlebury, IN 46540 Middlebury Township: North Side Of County Road 14, 900 Feet West Of County Road 8 Location: Subdivision: Lot# 60.00 645.52 1.45 Lot Area: Frontage: Depth: NPO List: Zoning: A-1 07/02/2025 RESIDENTIAL Present Use of Property: Legal Description: Comments: PARCEL CREATED 9/26/1997 RESIDENCE = 1,568 SQ FT X 110% = 1,724 SQ FT MINUS 748 (GARAGE), LEAVES 976 SQ FT. PROPOSED BARN IS 30 X 24 (HALF TO BE USED FOR PERSONAL STORAGE = 360) - WHICH LEAVES 616 SQ FT AVAILABLE FOR PERSONAL STORAGE. SEE APPEAL #972668 FOR ROAD FRONTAGE - APPROVED 7/17/1997 - KB Applicant Signature: Department Signature:

Elkhart County (574) 971-4678 Planning & Development DPS@ElkhartCounty.com

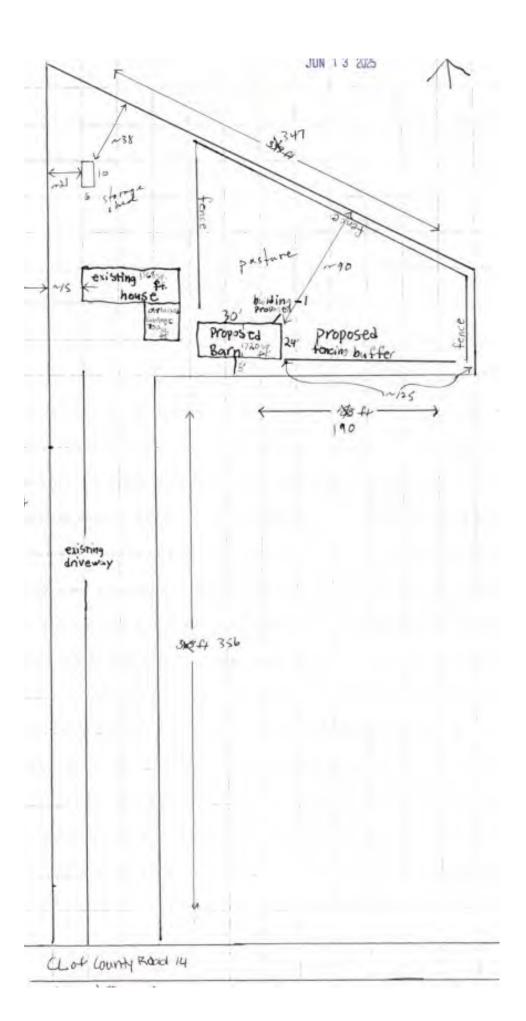
Application
Site address: 13043 County Road 14 Middle bury Indiana 46540
Parcel number(s):
Current property owner
Name: Malthew Herr & Adresa Mathieu
Address: 50211 County Road 652, Mattawan, MI 49071
Name: Malthew Herr & Adrena Mathieu Address: 50211 County Road 652, Mattawen, MI 49071 Phone: 574-304-3184 Email: Patriot 86@hetmail.com
Other party ☐ Agent ☒ Buyer ☐ Land contract purchaser ☐ Lessee
Name: Timothy Yoder
Address: 11601 N 225W Rome City I.N. 46784
Phone: 360-502-1280 Email: NA
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:
Description: 19 annals
Parcel creation date: 9-26 1997
Subdivision required? ☐ Y ☐ N If yes, ☐ AS ☐ Minor ☐ Major
Residential accessory breakdown, if applicable:
Location: N S E W corner side end of CR 14 ,
in <u>Middlebury</u> Township
Frontage: Depth: Area: acres
Subdivision and lot number, if applicable:
Present use:

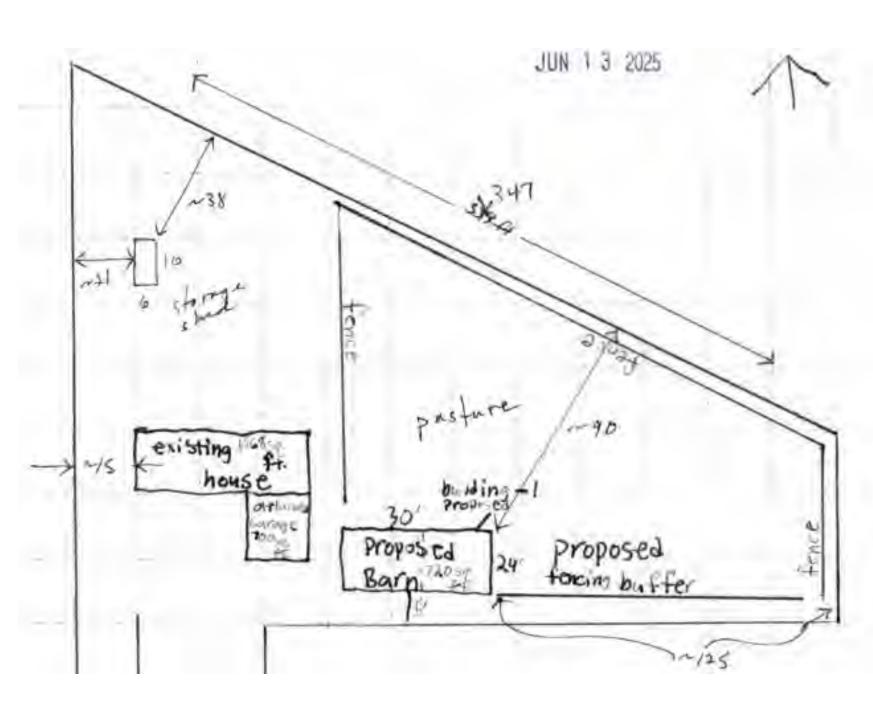
plan on purchasing!				
Tell us why this activity won't hurt your neighbors or the community. I will keep the horse in a fence and feed and core for him.				
Is there a subdivision covenant that says you can't do this activity? □ Y ☑ N				
If yes, does the subdivision have an active homeowners' association? $\ \square\ \ Y\ \square\ \ N$				
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.				
Will there be buffering (fences, trees, shrubs, mounds)? \(\times \)				
If yes, tell us about it. I would like to install a fence to Keepthe				
If yes, tell us about it. I would like to install a fence to keep the horse in. Does the property need well and septic? Well: Y Y N Septic: Y Y N				
If yes, tell us about it. I would like to install a fence to keep the horse in. Does the property need well and septic? Well: Y Y N Septic: Y N Does the property need a new septic system? Y N				
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If yes, tell us about it. \[\sum_{\text{vould like to install a fence to keepthe}} \] Does the property need well and septic? Well: \[\text{Y \sum N} \] Does the property need a new septic system? \[\text{Y \sum N} \] If a new septic system is needed, did the Health Department say there's enough space for it? \[\text{Y \sum N} \] Will the activity use buildings or additions? \[\text{Y \sum N} \] Will the activity use buildings or additions? \[\text{Y \sum N} \] Tell us what you'll use it for. \[\text{Io Store hay for the horse and feed him.} \] Building or addition 2 Existing? \[\text{Y \sum N} \] Size and height to the peak: \[\text{Y \sum N \sum N} \] Size and height to the peak: \[\text{Y \sum N \sum N} \]				
If yes, tell us about it. I would like to install a fence to keep the horse in. Does the property need well and septic? Well: Y 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 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'wide 30' long 15' high Tell us what you'll use it for. To Store hay for the horse and feed him.				
If yes, tell us about it. Norse in- Does the property need well and septic? Well:				

Next page ⇒



	nployees do you have now? Full time:				
	the employees won't live onsite?				
	he days and hours of operation on this property?				
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low many pa	rking spaces do you have now?				
How many pa	rking spaces do you want?				
Will there be	outside storage or display areas on this property?	\square Y \square N			
If yes, tell us what will be stored outside or displayed.					
Will there be retail sales on this property? □ Y □ N					
f yes, tell us	what will be sold.				
Approximatel	y how many customers (clients, guests, students, me	embers) will be on this property per			
Tell us how	pickups or deliveries on this property? Y Often				
Tell us how	v often.	the state of the state of			
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Tell us the	kind of vehicles used.	ut below.			
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BZA Staff Report

Prepared by the **Department of Planning and Development**

Hearing Date: July 17, 2025

Transaction Number: SUP-0403-2025.

Parcel Number(s): 20-06-21-351-005.000-009, 20-06-21-376-006.000-009, 20-06-21-376-007.000-009,

20-06-21-376-005.000-009.

Existing Zoning: R-1.

Petition: For an amendment to an existing Special Use for a school to allow for a building addition, additional parking, a sign, a drive, and playground and tennis courts.

Petitioner: Elkhart Christian Academy, Inc.

Location: Northeast corner of CR 22 & CR 9, in Concord Township.

Site Description:

➤ Physical Improvement(s) – School campus.

- ➤ Proposed Improvement(s) Addition to existing school and campus.
- > Existing Land Use Educational.
- ➤ Surrounding Land Use Residential, agricultural, commercial.

History and General Notes:

- ➤ May 19, 2011 The Board of Zoning Appeals approved a Special Use for an existing school (25943CR 22-110421-2).
- ➤ June 20, 2011 The Board of County Commissioners approved a rezoning from R-1 PUD to R-1 (PC 2011-06).
- ➤ June 18, 2015 The Board of Zoning Appeals approved an amendment to an existing Special Use for a school to allow for the construction of a gymnasium and parking area (25943CR 22-150515-1).

Staff Analysis:

Staff finds that:

- 1. The Special Use Amendment will be consistent with the spirit, purpose, and intent of the Development Ordinance. This is an existing Special Use for a school.
- 2. The Special Use Amendment will not cause substantial and permanent injury to the appropriate use of neighboring property. This is a 35-acre parcel in a mixed-use, medium-density area, and the school has had no complaints since it was established in 1973.
- 3. The Special Use Amendment will substantially serve the public convenience and welfare by allowing a school expansion to accommodate more students, faculty, and outdoor recreation.

Page 15a

BZA Staff Report (Continued)

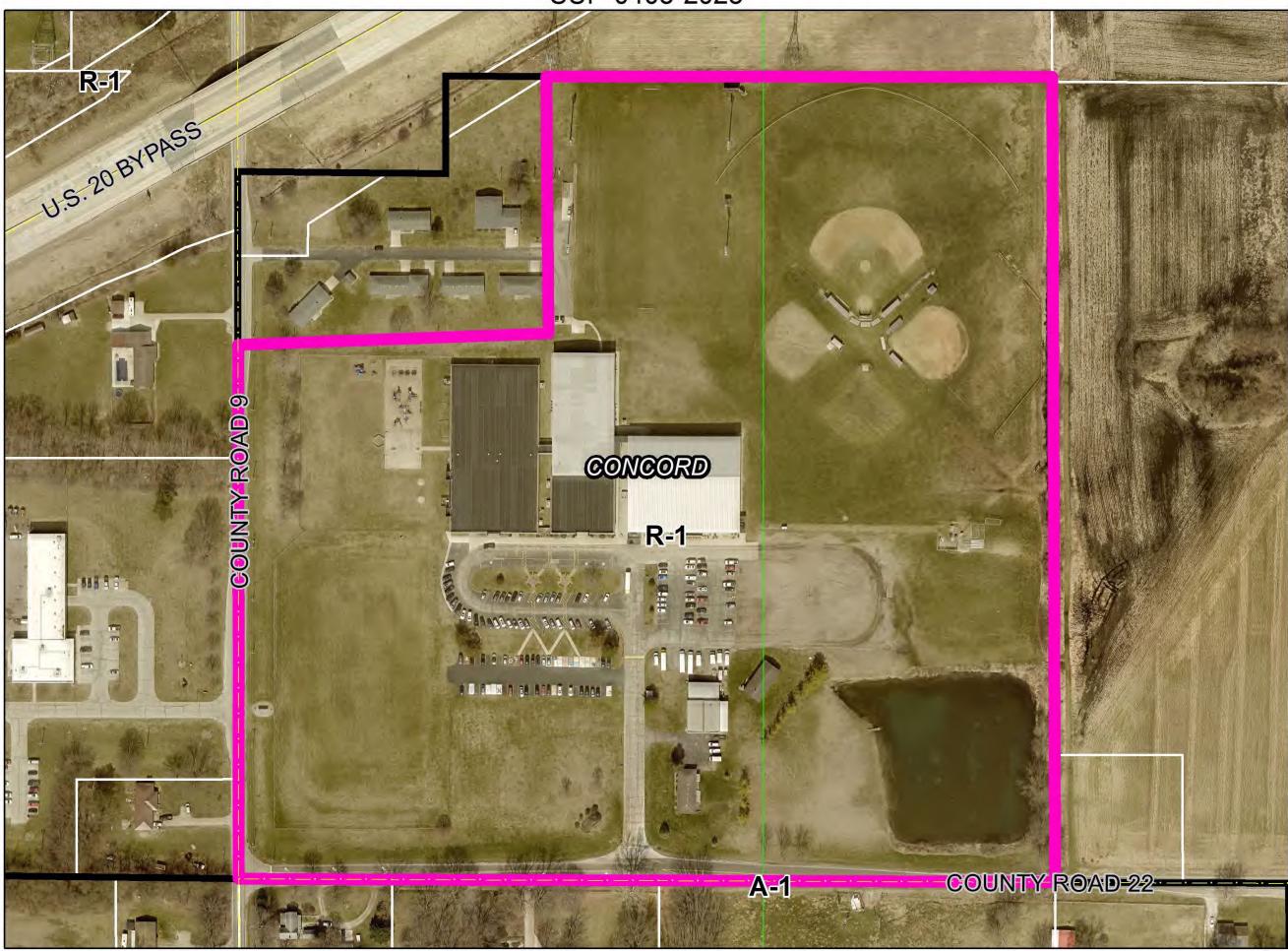
Hearing Date: July 17, 2025

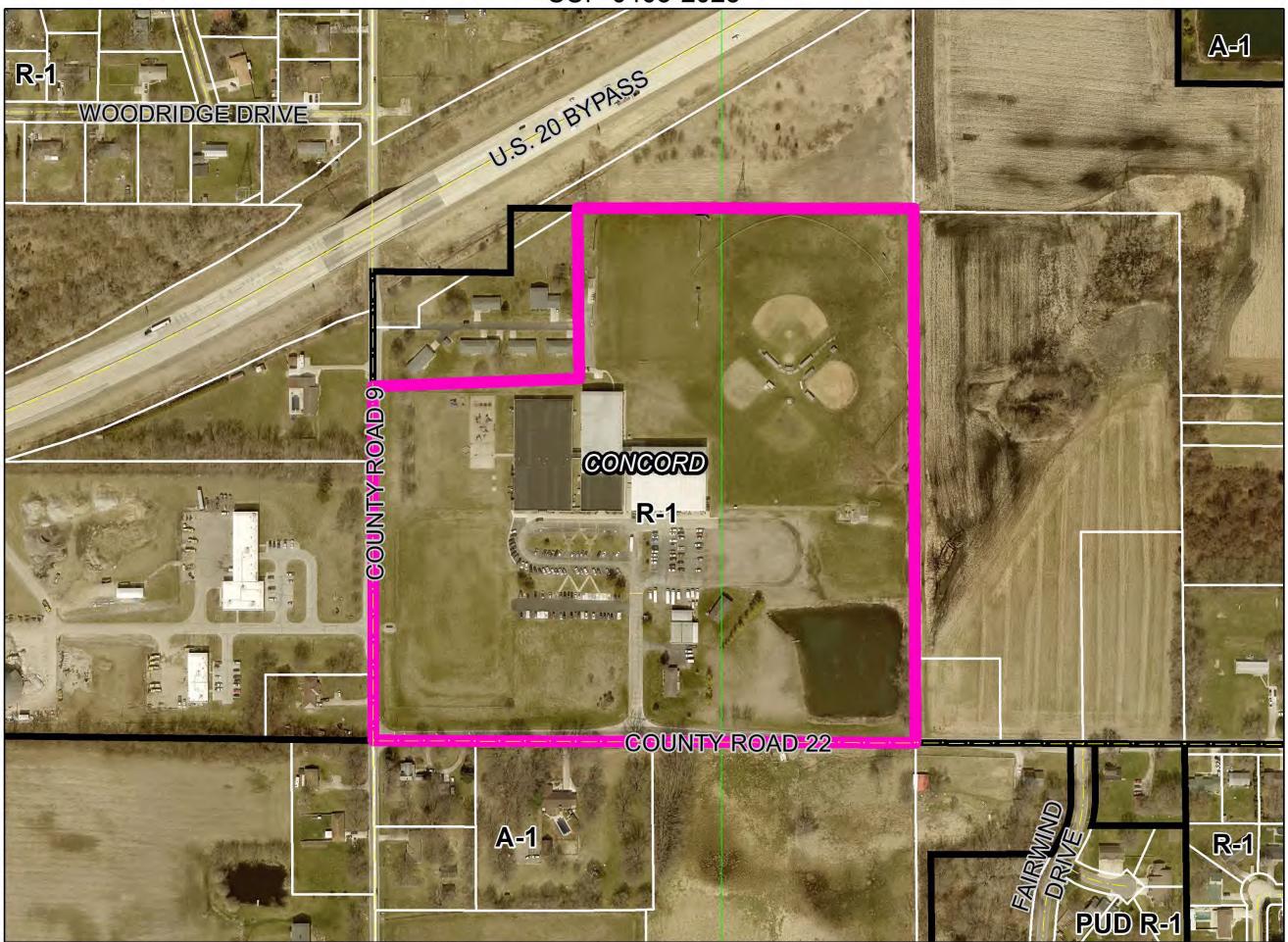
Staff recommends **APPROVAL** with the following condition(s) imposed:

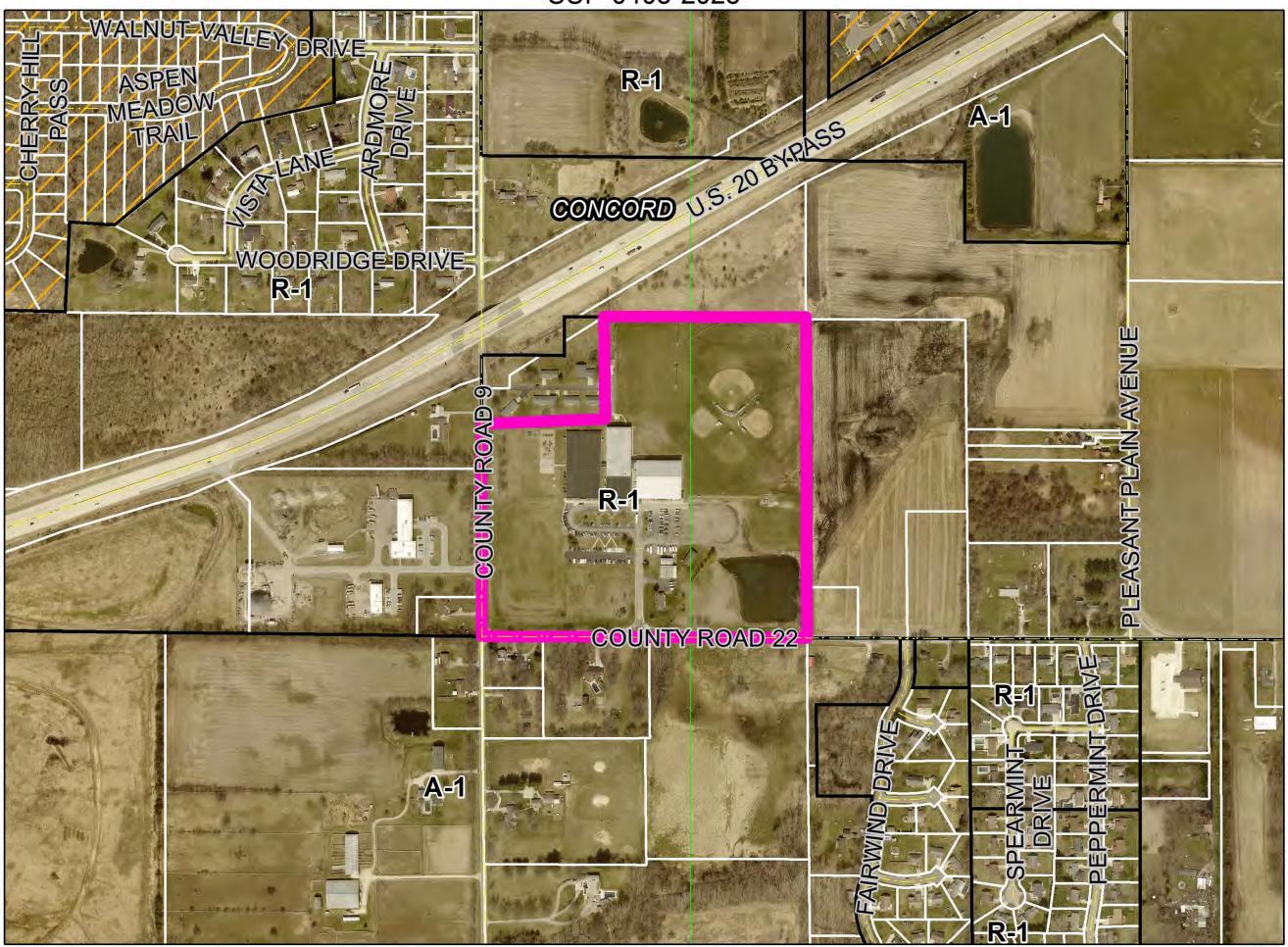
- 1. The Elkhart County Advisory Board of Zoning Appeals approval shall not be effective until the Commitment form has been executed, recorded, and returned to the Elkhart County Advisory Board of Zoning Appeals staff for placement in the petition file.
- 2. A revised site plan must be submitted for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

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 Amendment application.









Subject property



Location proposed parking & tennis courts



Proposed addition location



Facing east



Facing west



Facing south

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

Special Use Amendment - Non Mobile Home

July 17, 2025 06/16/2025 SUP-0403-2025 Date: Meeting Date: Transaction #: Board of Zoning Appeals Public Hearing Description: for an Amendment to an existing Special Use for a school to allow for a building addition, additional parking, sign, drive, playground and tennis courts. Contacts: Applicant **Authorized Agent** Builder Land Owner Abonmarche Consultants Abonmarche Consultants Dj Construction Elkhart Christian Academy, Inc 303 River Race Dr. Suite 206 303 River Race Dr. Suite 206 3414 Elkhart Rd 25943 Cr 22 Goshen, IN 46526 Goshen, IN 46526 Goshen, IN 46526 Elkhart, IN 46517 20-06-21-351-005.000-009 Site Address: 25887 County Road 22 Parcel Number: 20-06-21-376-005.000-009 Elkhart, IN 46517 20-06-21-376-006.000-009 20-06-21-376-007.000-009 Concord Township: NORTHEAST CORNER OF CR 22 AND CR 9 Location: Subdivision: Lot# 35.25 2,130.00 Lot Area: Frontage: Depth: R-1 Zoning: NPO List: 07/02/2025 **SCHOOL** Present Use of Property: Legal Description: Comments: SEE SPECIAL USE #25943CR22-110421-2 FOR AN EXISTING SCHOOL, APPROVED 5/1/2011 AND SPECIAL USE AMENDMENT #25943CR22-150515-1 FOR CONSTRUCTION OF A GYM, APPROVED 6/19/2015. JASON REVIEWED AT COUNTER - KB 6/16/2025 Applicant Signature: Department Signature:

Present use:

Elkhart County Planning and Development

	Application				
Site	address: 25887 COUNTY RD 22				
Parcel nu	mber(s): 20-06-21-351-005.000-00920-06-21-376-006.000-009; 20-06-21-376-005.00				
Current :	property owner				
Name:	ELKHART CHRISTIAN ACADEMY INC				
	25887 COUNTY RD 22				
	(574) 293-1609 Email: adam@djconstruction.com				
Other pa					
_	Abonmarche Consultants, Crystal Welsh				
Address:	000 B' B B' O I NI 10500				
	574-314-1027 Email: cwelsh@abonmarche.com				
may inclu	t before approval is final and building permits can be started. I also understand that the conditional clude a commitment that the property owner is responsible for completing and returning. ture of current property owner or authorized agent:				
Descripti	Staff Use Only				
Descripti	Staff Use Only				
	Staff Use Only				
Parcel cr	Staff Use Only				
Subdivisi	Staff Use Only on:eation date:				
Parcel cr Subdivisi Resident Location:	Staff Use Only On: Peation date: On required?				
Parcel cressions of the contractions of the co	Staff Use Only on: eation date: on required?				

N	ame: ELKHART CHRISTIAN ACADEMY INC
1	Tell us what you want to do. Proposed building expansion, interior renovations of the existing building,
a. 2:	dding parking, new drive off of CR 22, sign for the new drive on CR 22, revisions to the existing drive on CR 2, relocation of the existing sign at the existing drive on CR 22, replace the existing playground, and add nnis facilities to the campus.
is relatively small proposed addition reducing impact of	Tell us why this activity won't hurt your neighbors or the community. Proposed building expansion and renovation compared to the existing building and will add class rooms, a resource center, and administrative offices. The nal parking will accommodate the growing need on site. The additional drive will allow for better on-site circulation of traffic on CR 22 allowing for more stacking there by reducing the vehicle queue on CR 22, modifications to existing paration of the elementary traffic from the middle and high school.
3)	Is there a subdivision covenant that says you can't do this activity? \square Y 🛛 N
	If yes, does the subdivision have an active homeowners' association? $\ \square\ \ Y\ \square\ \ N/A$
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. N/A
5	Will there be buffering (fences, trees, shrubs, mounds)? □ Y ☒ N If yes, tell us about it. long-range plans will incorporate existing residential and office structures into the school campus
6	Does the property need well and septic? Well:
7	Will the activity use buildings or additions? X
	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 **→**

9)	Does this application include a business or nonprofit (church, school, other) based all or in part on this property? \blacksquare Y \square N If yes, fill out below.
	How many employees do you have now? Full time: 98 Part time:
	How many employees do you want? Full time: 113 Part time:
	How many of the employees won't live onsite? All- no housing on site
	What will be the days and hours of operation on this property? 1.During the school, 7:30-4:00pm for staff
	7:00 am - 7:45 am M, T, Th, F & W 7:00 am -8:40 am After Care 3:30 pm - 5:30 pm
3. After school a	activities 1.Sports; 4:00pm – 6pm 2.Games – varies based on the season and if the number of home games. How many parking spaces do you have now? 248
	How many parking spaces do you want? 331
	Will there be outside storage or display areas on this property? $\ \square\ \ \ \ \ \ \ \ \ \ \ \ \ \ \ \ \ \$
	If yes, tell us what will be stored outside or displayed. N/A
	Will there be retail sales on this property?
	If yes, tell us what will be sold. <u>concessions for sporting events</u>
	Approximately how many customers (clients, guests, students, members) will be on this property per day?
	858 students and 113 staff and administrators (projected totals)
	School sporting events and extracurricular activities up to 1,400
	Will there be pickups or deliveries on this property? ✓ Y □ N If yes, fill out below.
	Tell us how often. Food service deliveries weekly, general office deliveries once a week.
	Tell us the kind of vehicles used. deliveries in box truck
	Does the application include signs? □ Y □ N If yes, fill out below. Existing entrance sign on CR 22 Sign 1 Dimensions (length and width).
	Existing? 🖾 Y 🗆 N Double faced? 🖾 Y 🗆 N
	Electronic message board?
	Freestanding? MY N Wall mounted? Y N New entrance sign on CR 22 Sign 2 Dimensions (length and width).
	Existing? ☐ Y 🗵 N Double faced? 🖾 Y ☐ N
	Electronic message board? \square Y \square N If no, lighted? \boxtimes Y \square N
	Freestanding?
	Sign 3 Dimensions (length and width). New wall mounted sign and logo Existing? □ Y ☒ N Double faced? □ Y □ N
	Electronic message board? Y 🖄 N If no, lighted? Y 🖄 N
	Freestanding? Y N Wall mounted? N
10)	Tell us anything else you want us to know.
	The school has been in operation since 1973 and have not received community complaints.

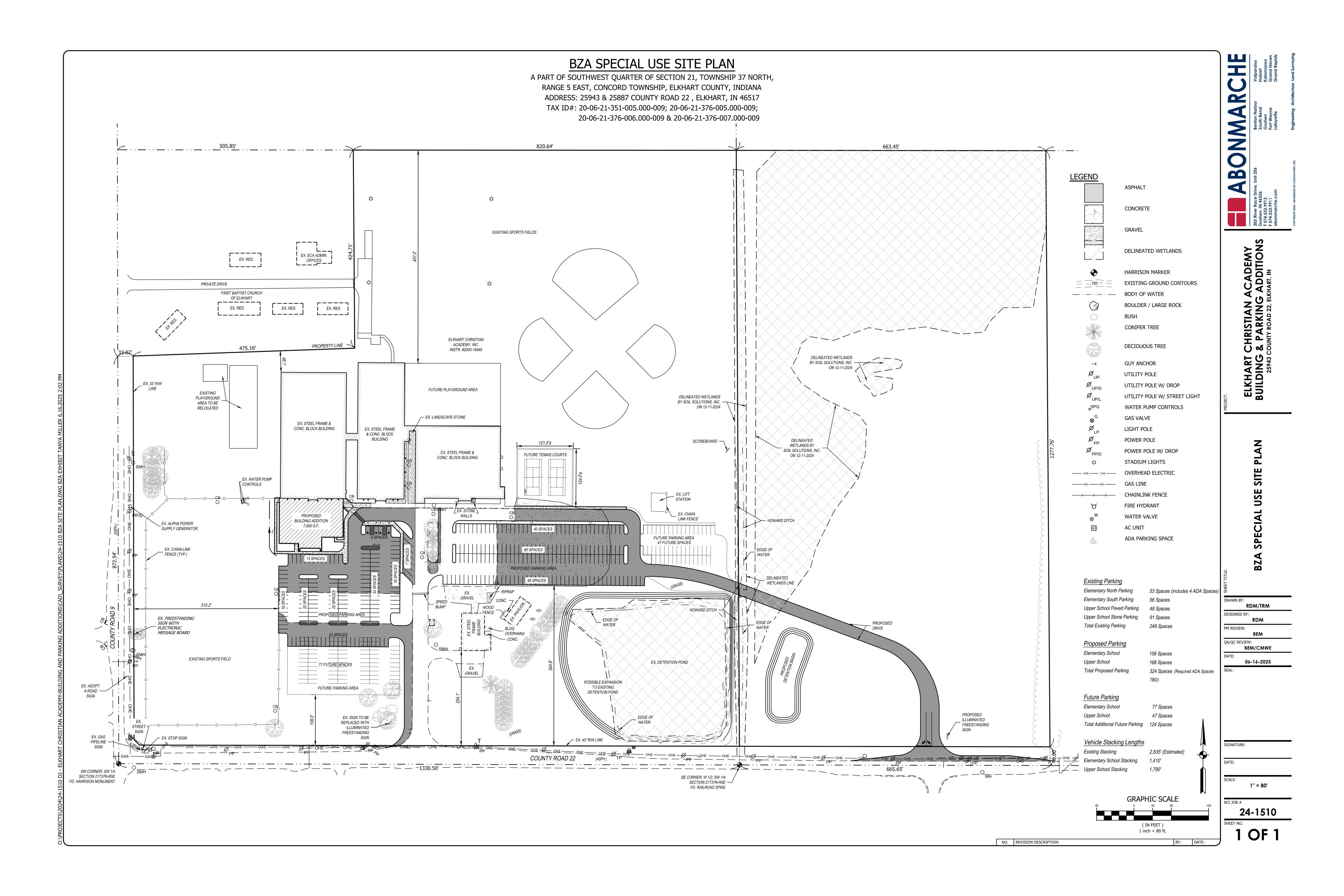


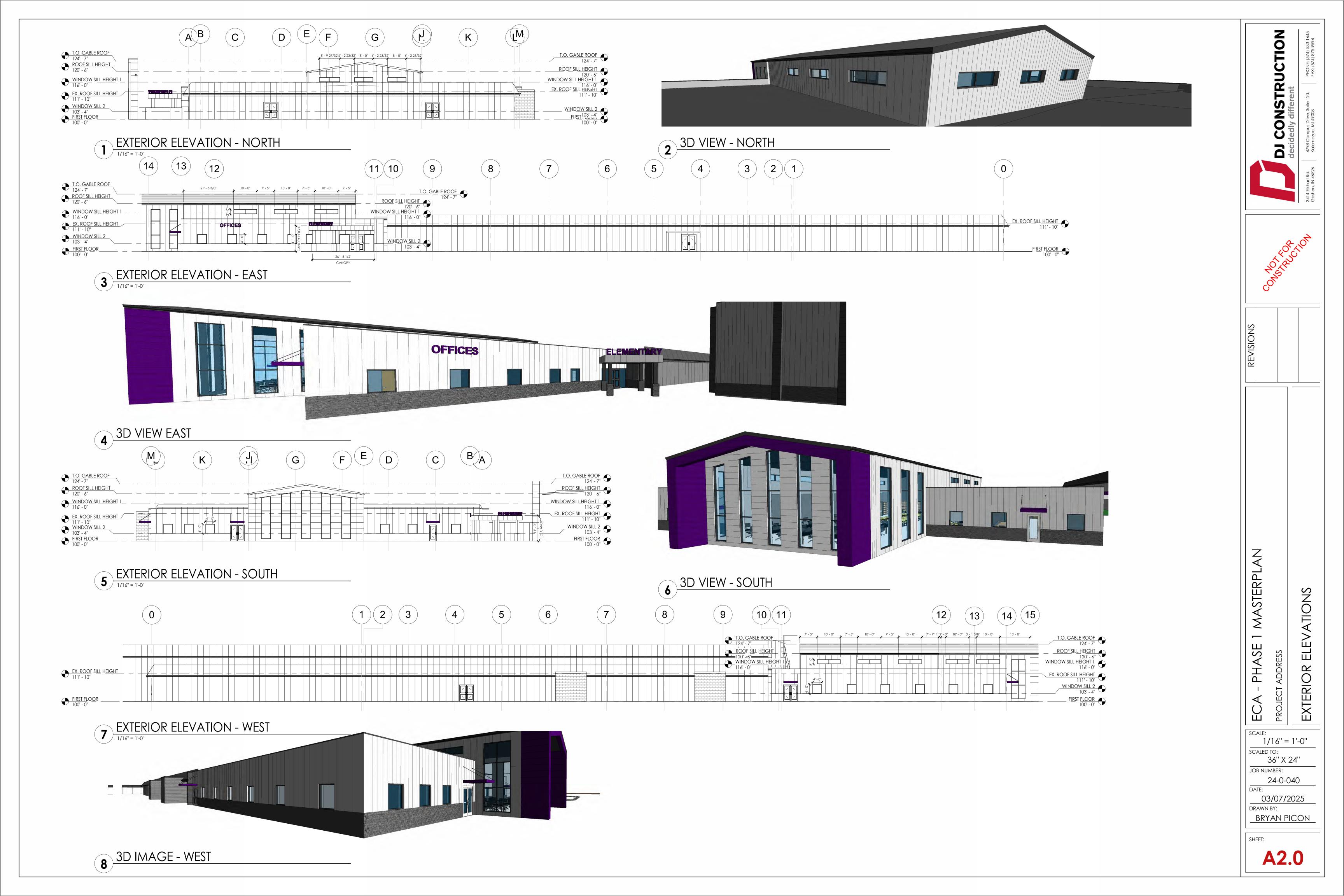
To Whom It May Concern,

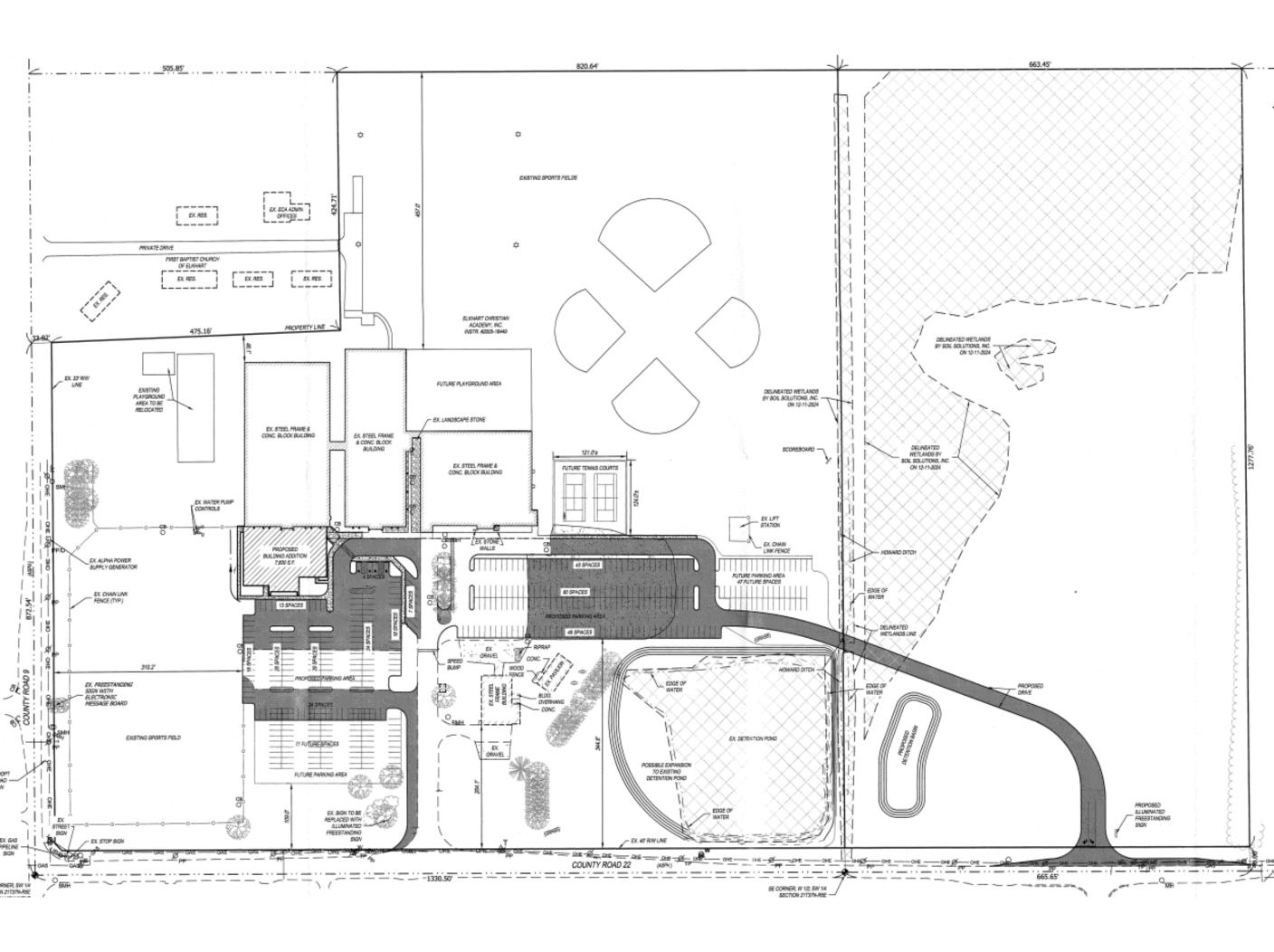
Elkhart Christian Academy is a ministry and partner of First Baptist Church. We are aware of the expansion project and construction to take place on the property of Elkhart Christian Academy and understand the permission needed to access some of the construction through the property owned by FBC. This special interest and usage is understood and we are giving the permission for such purpose.

Sincerely,

Matt Cox Executive Pastor of Operations First Baptist Church of Elkhart www.fbcelkhart.org 574-295-4475







BZA Staff Report

Prepared by the **Department of Planning and Development**

Hearing Date: July 17, 2025

Transaction Number: SUP-0399-2025.

Parcel Number(s): 20-14-20-426-003.000-028.

Existing Zoning: A-1.

Petition: For a Special Use for a roadside stand and for a Developmental Variance to allow for the total square footage of accessory structures to exceed that allowed by right.

Petitioner: Dewey R. Price & Diana K. Price, Husband & Wife.

Location: South side of CR 50, 675 ft. west of CR 9, in Union 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, agricultural.

History and General Notes:

None.

Staff Analysis:

For a Special Use for a roadside stand, 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 roadside stand 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 1.45-acre parcel in a low-density residential and agricultural area, and the property will remain residential in character. The roadside stand will sit off the road at the required setback as to not cause sight issues for adjacent properties.
- 3. The Special Use will substantially serve the public convenience and welfare by allowing for local purchasing of baked goods.

BZA Staff Report (Continued)

Hearing Date: July 17, 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:

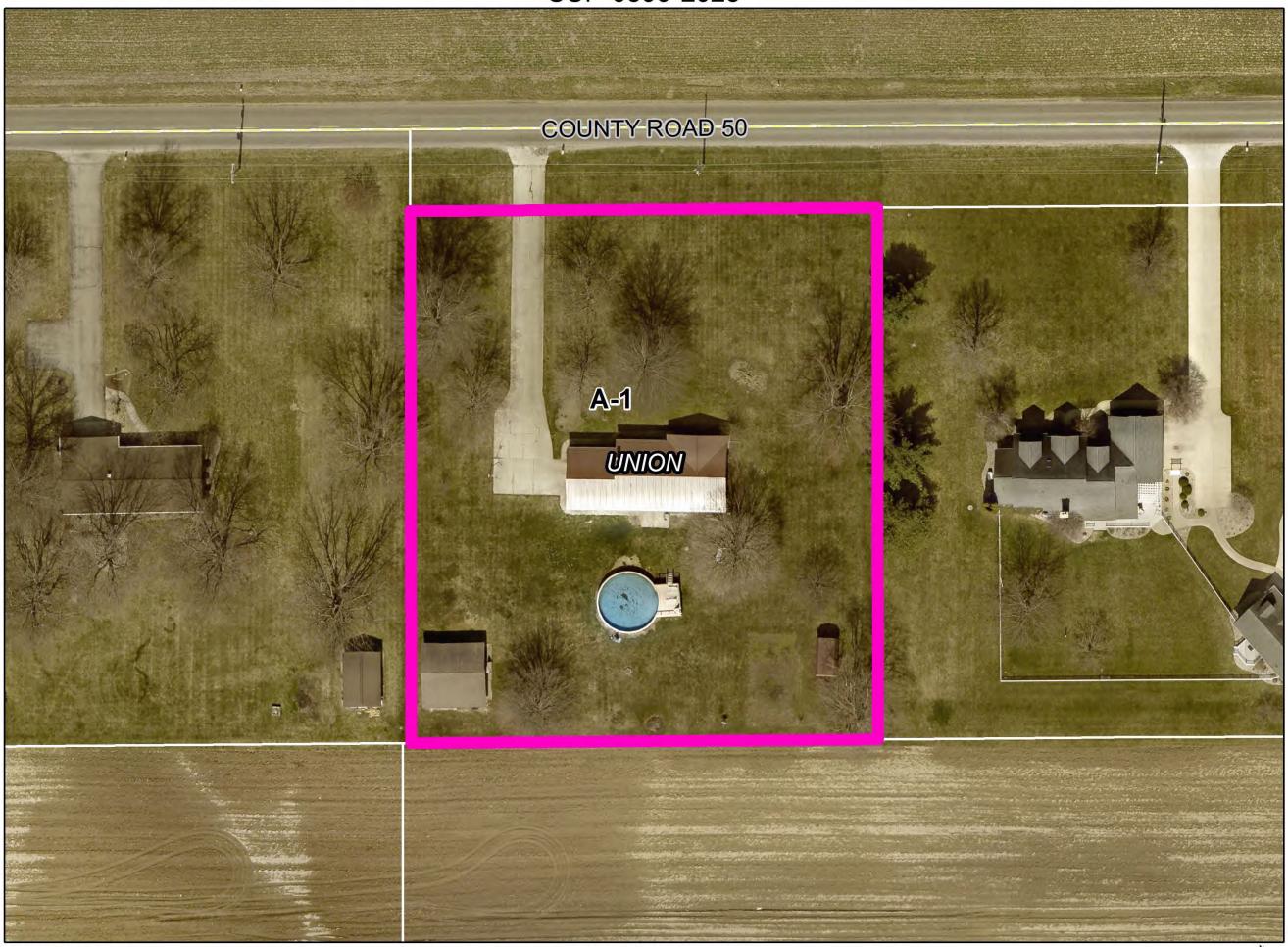
1. The request is approved in accordance with the site plan submitted (dated 6/16/2025) and as represented in the Special Use application.

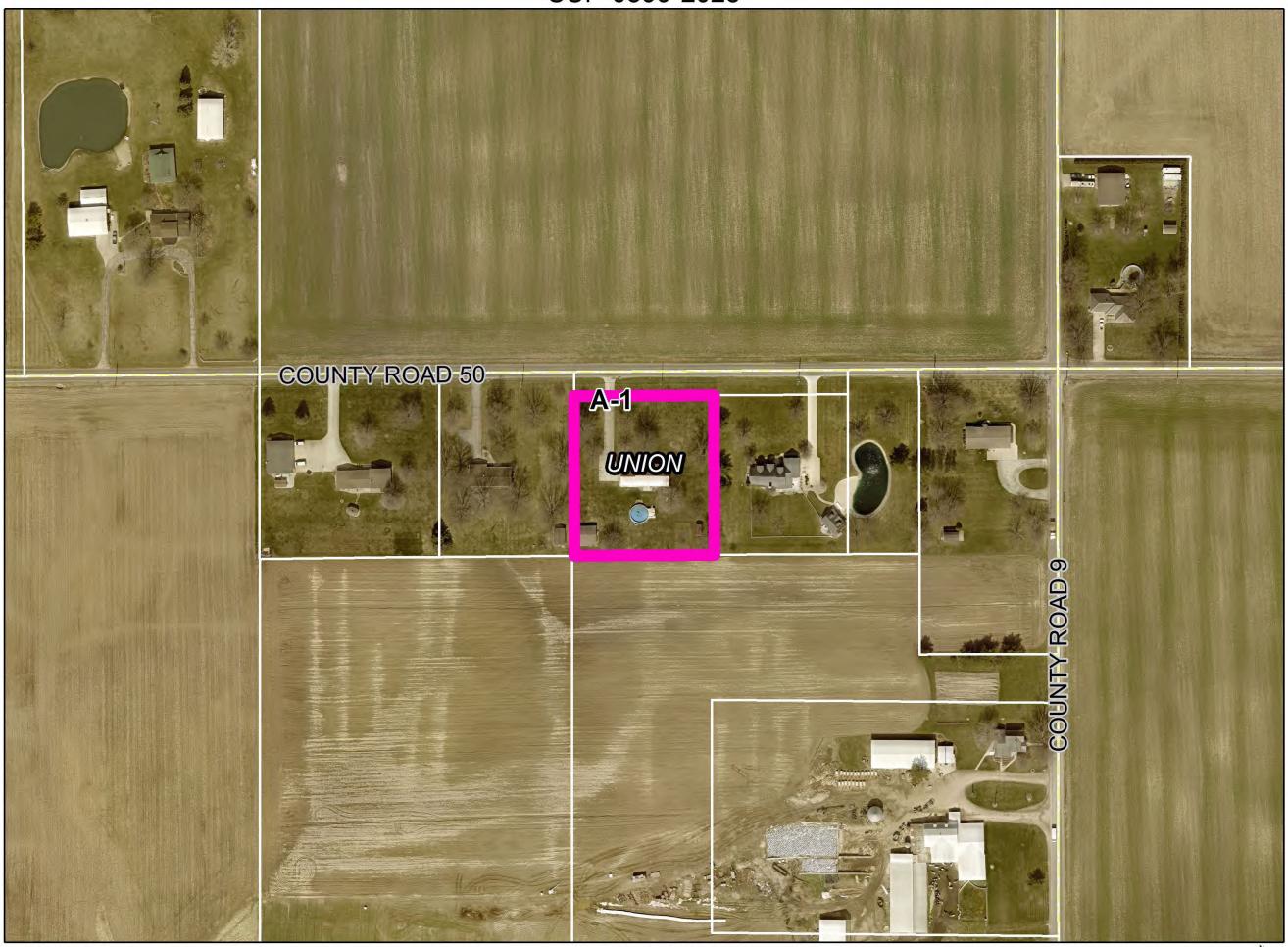
For a Developmental Variance to allow for the total square footage of accessory structures to exceed that allowed by right, staff finds that:

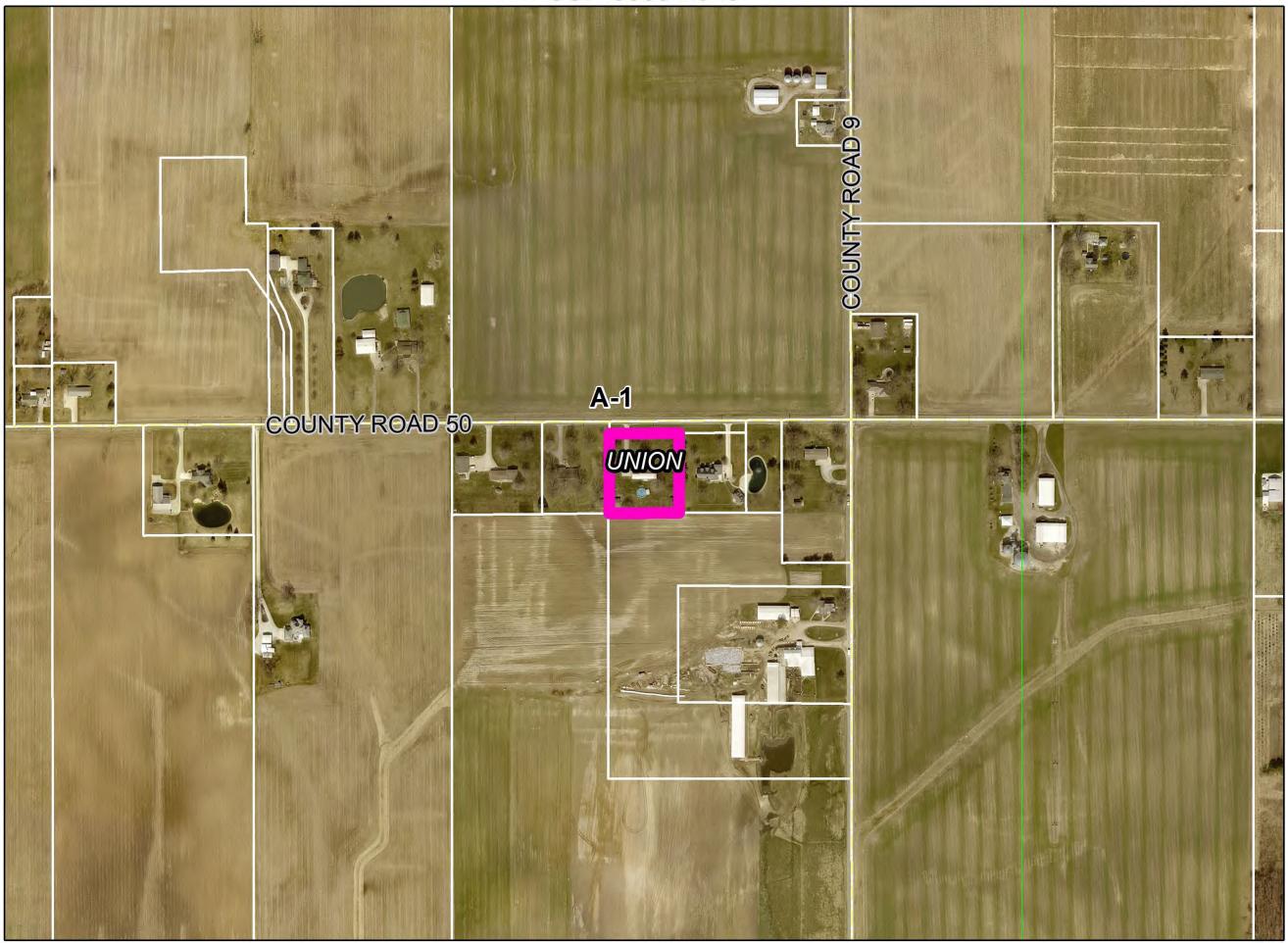
- 1. Approval of the request will not be injurious to public health, safety, morals, or general welfare. The request is 64 sq. ft., or 0.04%, over what is allowed by right, and the structure will meet all other development standards.
- 2. Approval of the request will not cause substantial adverse effect on neighboring property. This is a 1.45-acre parcel in a residential and agricultural area, and the property will remain residential in character. The structure will be placed out of the line of sight of the neighboring residences.
- 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 could not be placed on the property.

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 6/16/2025) and as represented in the Developmental Variance application.









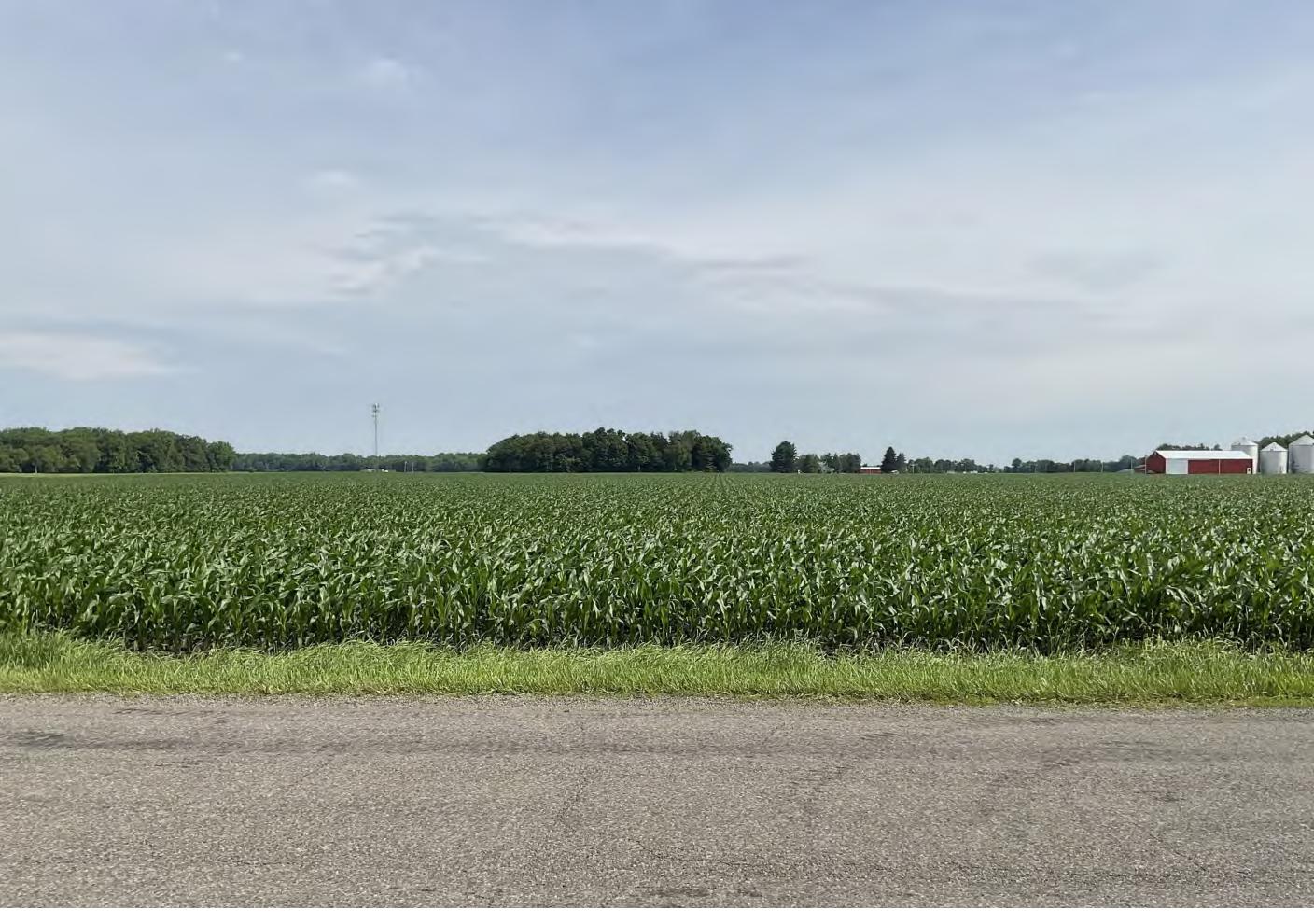
Subject property



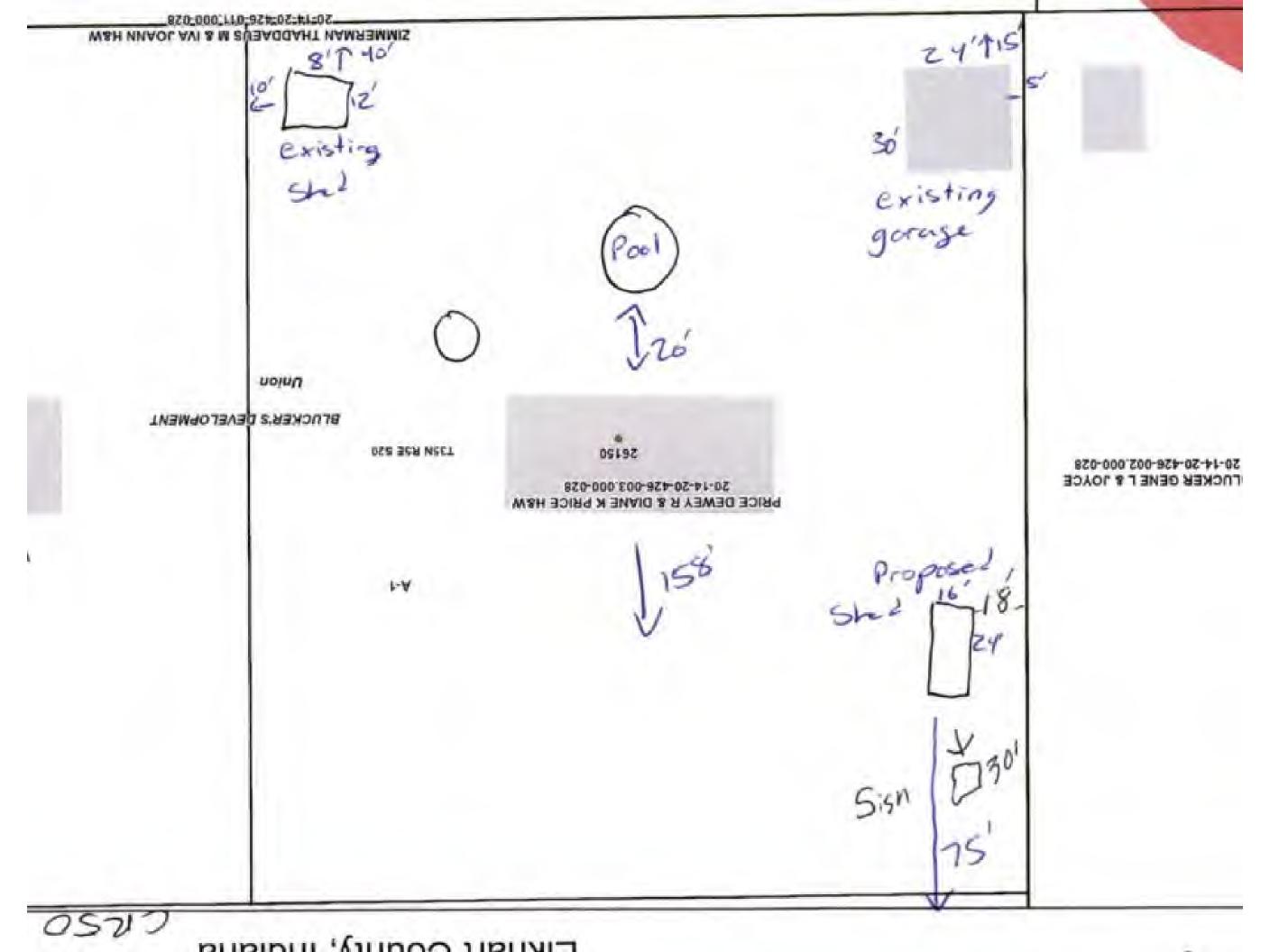
Facing west



Facing east



Facing north



BZA Staff Report

Prepared by the **Department of Planning and Development**

Hearing Date: July 17, 2025

Transaction Number: SUP-0368-2025.

Parcel Number(s): 20-02-18-452-005.000-026 & 20-02-18-452-010.000-026.

Existing Zoning: A-1.

Petition: For a Special Use for building and home improvement supplies and for a Developmental Variance to allow for the total square footage of accessory structures to exceed that allowed by right.

Petitioner: Rosa A. Caldera De Bernal.

Location: North side of CR 4, 855 ft. west of CR 7, in Osolo Township.

Site Description:

➤ Physical Improvement(s) – Residence and accessory structures.

- ➤ Proposed Improvement(s) None.
- Existing Land Use Residential, agricultural.
- ➤ Surrounding Land Use Residential, agricultural.

History and General Notes:

- ➤ August 16, 2017 A complaint for a kennel (cats) was made (CODE-0464-2017). The complaint was closed October 5, 2017.
- ➤ March 4, 2025 A complaint for vehicles and trailers parked in the grass was made (CODE-0075-2025). The complaint was closed March 18, 2025.
- ➤ **April 23, 2025** A complaint for people living in an RV and running a business was made (CODE-0192-2025).
- > April 23, 2025 A compliant for trash in the yard was made (CODE-0193-2025).
- ➤ April 23, 2025 A complaint for junk and abandoned vehicles was made (CODE-0194-2025).

Staff Analysis:

For a Special Use for building and home improvement supplies, staff finds that:

- 1. The Special Use will not be consistent with the spirit, purpose, and intent of the Development Ordinance. The Development Ordinance allows a business for building and home improvement supplies by Special Use when operated in a way that is compatible with its surroundings. There are several valid code complaints for the property.
- 2. The Special Use will cause substantial and permanent injury to the appropriate use of neighboring property. This is a 4-acre property in a residential area of low to moderate density, and the property should remain residential in character. There is unkempt outdoor storage related to the business throughout the property.
- 3. The Special Use will not substantially serve the public convenience and welfare. Residential communities should be supported and protected from conflicting land uses.

Staff recommends **DENIAL**.

BZA Staff Report (Continued)

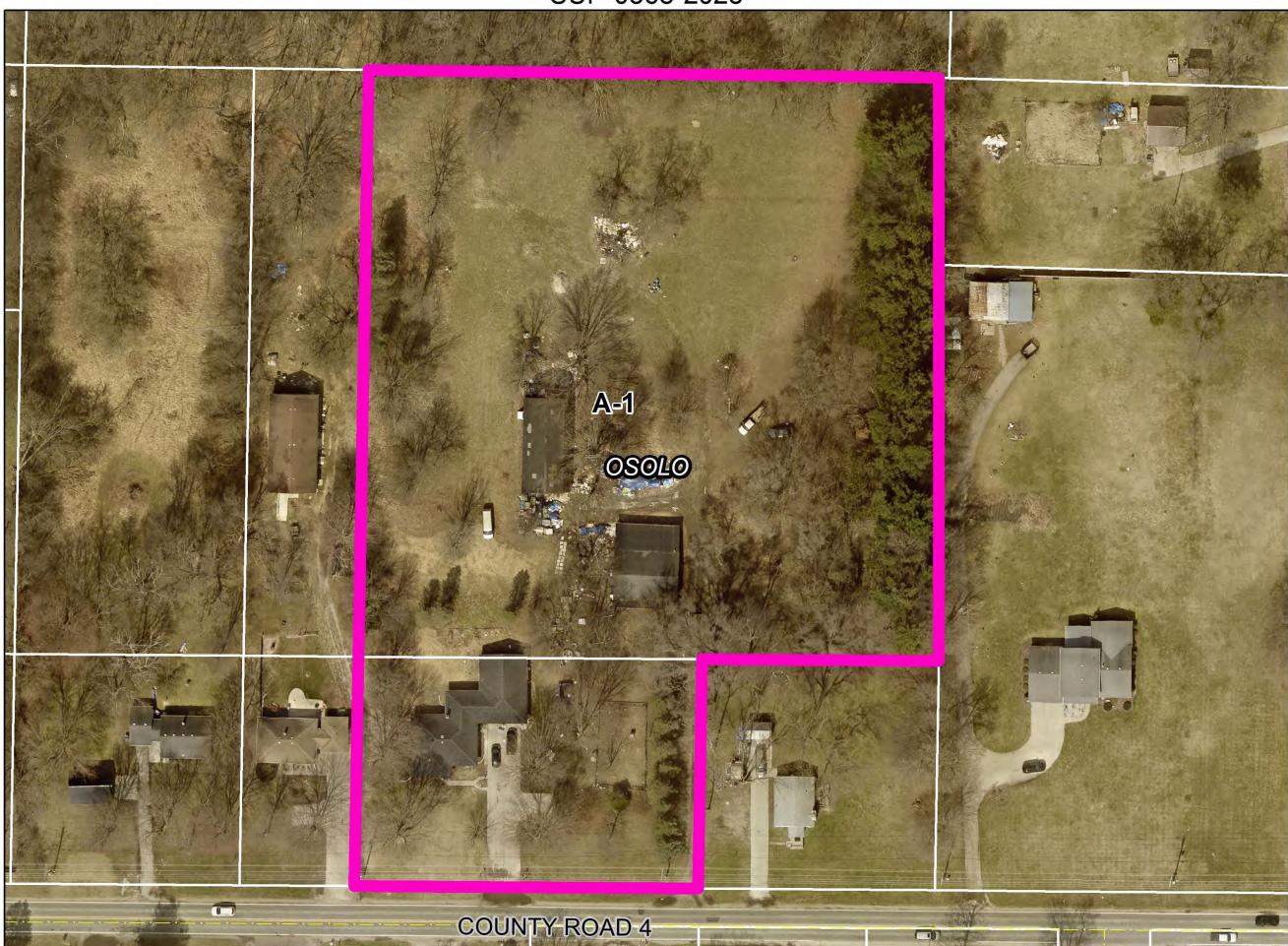
Hearing Date: July 17, 2025

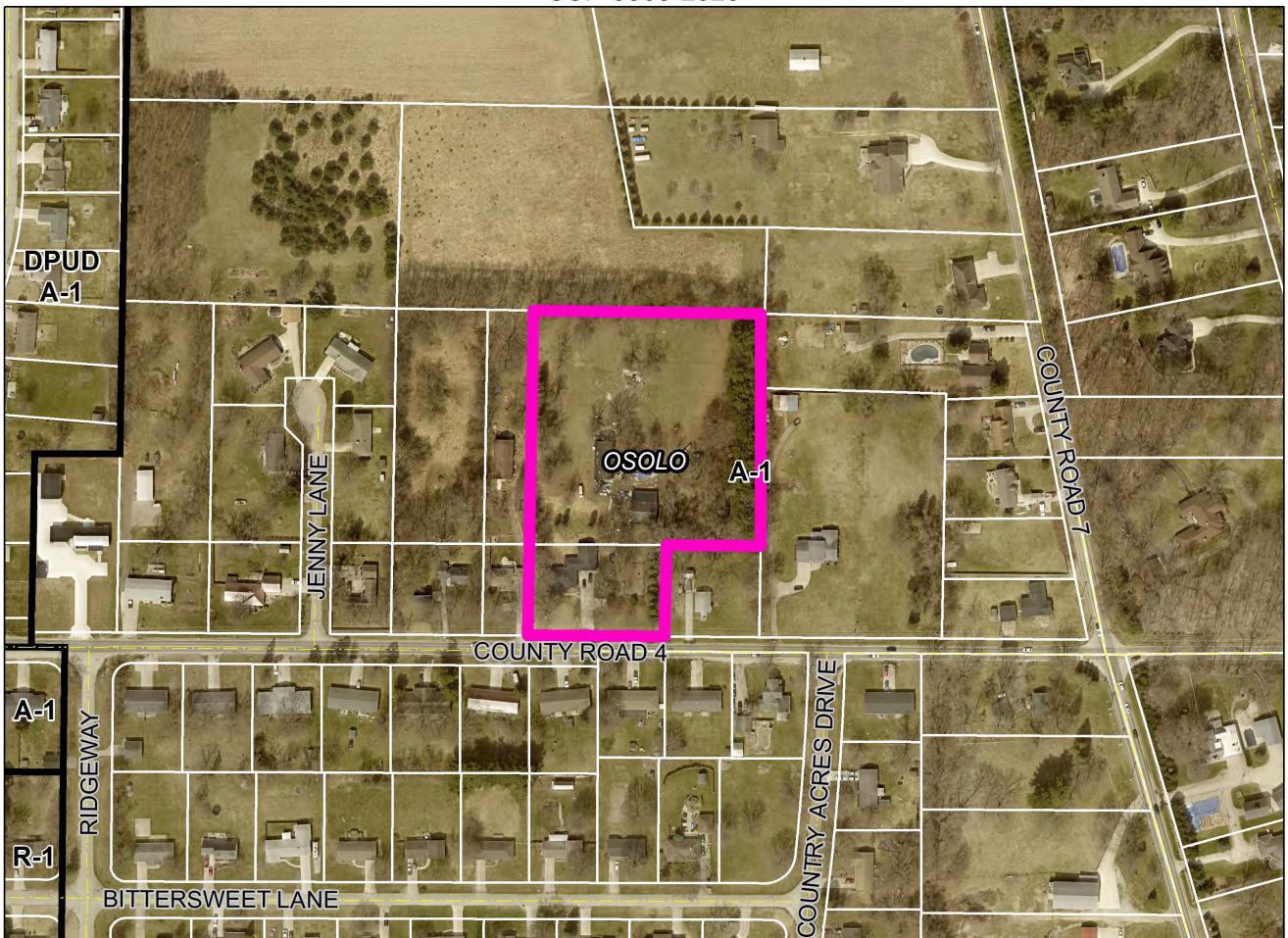
For a Developmental Variance to allow for the total square footage of accessory structures to exceed that allowed by right, staff finds that:

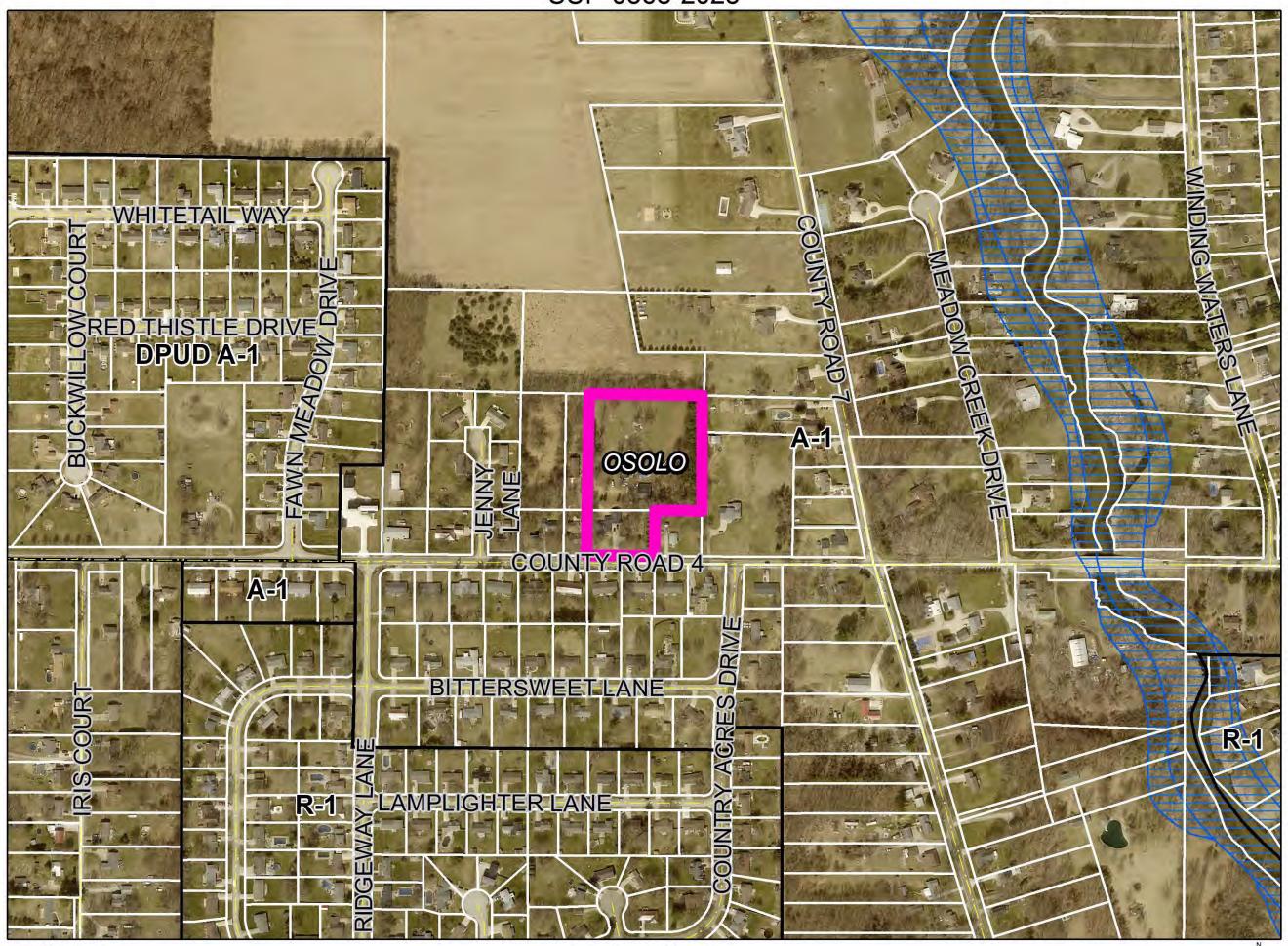
- 1. Approval of the request will not be injurious to public health, safety, morals, or general welfare. These are existing structures, the request is 1,218 sq. ft., or 38.9%, over what is allowed by right, and the structures will meet all other development standards.
- 2. Approval of the request will not cause a substantial adverse effect on neighboring property. This is a 4-acre property in a residential area of low to moderate density, and the property will remain residential in character. The existing accessory structures are located in the rear of the property.
- 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 existing structures would be non-conforming.

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

- 1. A variance from the developmental standards of the Development Ordinance is void unless an Improvement Location Permit is issued within 180 calendar days from the date of the grant and construction work completed within 1 year from the date of the issuance of the building permit (where required).
- 2. The request is approved in accordance with the site plan submitted (dated 6/3/2025) and as represented in the Developmental Variance application.









Subject property facing north



Facing south



Facing east



Facing west

PLAN COMMISSION & BOARD OF ZONING APPEALS

Elkhart County Planning & Development Public Services Building

4230 Elkhart Road, Goshen, Indiana, 46526 Phone - (574) 971-4678

Special Use - Non Mobile Home Fax - (574) 971-4578 July 17, 2025 06/03/2025 SUP-0368-2025 Date: Meeting Date: Transaction #: Board of Zoning Appeals Public Hearing Description: for a Special Use for building and home improvement supplies, and for a Developmental Variance to allow for the total square footage of accessory structures to exceed that allowed by right Contacts: Applicant Land Owner Rosa A. Caldera De Bernal Rosa A. Caldera De Bernal 27357 Cr 4 27357 Cr 4 Elkhart, IN 46514 Elkhart, IN 46514 20-02-18-452-005.000-026 Site Address: 27357 County Road 4 Parcel Number: 20-02-18-452-010.000-026 Elkhart, IN 46514 Township: Osolo Location: North Side Of County Road 4, 855 Feet West of CR 7 MOORES SD 12 13 & 14 Subdivision: Lot# 4.00 225.00 532.00 Lot Area: Frontage: Depth: A-1 NPO List: 07/02/2025 Zoning: A-1 Present Use of Property: Legal Description: CODE- 0075-2025 FOR VEHICLES AND TRAILERS PARKED ON THE GRASS Comments: CODE- 0192-2025 FOR LIVING IN AN RV & RUNNING A BUSINESS CODE- 0193-2025 FOR TRASH IN THE YARD CODE- 0194-2025 FOR INOPERABLE VEHICLES RESIDENCE = 1563 X 200% = 3126 MINUS (624) ATTACHED GARAGE MINUS (1200) PERSONAL STORAGE DETACHED MINUS ((1800) BUSINESS STORAGE + LEAN TO (720)) = 1,218 OVER SQ. FT. ALLOWED. Applicant Signature: Department Signature:

Elkhart County Planning & Development

(574) 971-4678 DPS@ElkhartCounty.com

	Application
Site address:	27357 County Road 4 Elkhart IN
Parcel number(s):	
Current property o	
Name: Rosa	Amalia Caldera de Boxnal
Name: 11034	Amalia Caldera de Bernal 57 County Road 4 Elkhart IN 43 0413 Email: None
Phone: 312 7	103 DH13 Fmail: NOME
	☐ Agent ☐ Buyer ☐ Land contract purchaser ☐ Lessee
	Face it.
	Email:
be met before approv	nderstand that if my application is approved, there may be conditions that will have to val is final and building permits can be started. I also understand that the conditions itment that the property owner is responsible for completing and returning.
Signature of curre	nt property owner or authorized agent: Rosa Caldesa de
	Bernal
supplies &	pecial Use for building and home improvement for a Special Use for parking of commer
Parcel creation dat	
Subdivision require	ed? □ Y 🛱 N If yes, □ AS □ Minor □ Major
Residential accesse	ory breakdown, if applicable:
	E W corner sde end of CRH ,
	ft. NSEØ of CR7,
	Township
Frontage: 22	5 Depth: 532 Area: 4 acres
Subdivision and lo	t number, if applicable: MODRES SD LOT 12, 13 3 14
Present use:	

Special Use - Questionnaire Berna Judy 1) Tell us what you want to do. 2) Tell us why this activity won't hurt your neighbors or the community. none □ Y 🕱 N 3) Is there a subdivision covenant that says you can't do this activity? If yes, does the subdivision have an active homeowners' association? \square Y \square 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. 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 <u>new</u> septic system? ☐ Y 🗷 N If a new septic system is needed, did the Health Department say there's enough space for it? \square Y \square N 7) Will the activity use buildings or additions? N If yes, fill out below. Y Size and height to the peak: 60x 40 **Building or addition 1** Existing? PY N 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. Existing? \square Y \square N Size and height to the peak: Building or addition 3 Tell us what you'll use it for. 8) Does this application include animals? □ Y > N

Next page

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

Special Use — Questionnaire

	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? Monday - Friday 10-7 Saturday - Sunday 10-6 pm				
	How many parking spaces do you have now?				
How many parking spaces do you want?					
	Will there be retail sales on this property? □ Y 🕱 N Werchand is If yes, tell us what will be sold.				
	Approximately how many customers (clients, guests, students, members) will be on this property per day? 4-5 customers per day on good days				
	Will there be pickups or deliveries on this property? ✓ Y □ N If yes, fill out below.				
	Tell us how often. 4-5 DICKUPS on a good days.				
	Tell us the kind of vehicles used. people use personal vehicles				
	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? \square Y \square N If no, lighted? \square Y \square N				
	Freestanding? \square Y \square N Wall mounted? \square Y \square N				
	Sign 2 Dimensions (length and width).				
	Existing? \square Y \square N Double faced? \square Y \square N				
	Electronic message board? \square Y \square N If no, lighted? \square Y \square N				
	Freestanding?				
	Sign 3 Dimensions (length and width).				
	Existing?				
	Electronic message board? \square Y \square N If no, lighted? \square Y \square N				
	Freestanding? \square Y \square N Wall mounted? \square Y \square N				
10)	Tell us anything else you want us to know. My Mother in law stays with us but lam the one who pays Mortgage with				
	my husband. I created a online page to sell				
	and everyone just process up the will				
	and everyone just picks up the mercholise at my house. We don't have a store we just get people to come pick up what is sold online.				
	sold online.				

I, Rosa Amalia Caldera, am the owner of the property located at 27357 County Road 4, Elkhart, Indiana 46514, which I purchased on October 13th, 2021 for the purpose of providing a residence for my son Ivan Bernal, his wife Judy Bernal, and their daughter Yvonn Bernal, along with my husband and myself.

Since the time of purchase, they have been responsible for the monthly mortgage payments, as I retired shortly after and rely on my retirement income, which is limited. The current monthly mortgage payment is \$1,020.56 USD.

My family operates a website where they sell various products through different online platforms. Occasionally, customers come to the property to pick up larger items that cannot be shipped by mail. To facilitate this, we use a separate entrance that leads directly to the back barn, where all pickups are handled.

It is important to note that we don't have a store or show product here as we display all our products online only and never had any issues with customers coming to the property, as there is ample parking space — enough for at least 10 vehicles in the front of the house, and even more space in the back near the barn.

For more information, please feel free to contact me at (574) 336-2883.

Sincerely,

Rosa Amalia Caldera

Rosa Caldera de Bernal

CODE CASE DETAILED REPORT CODE-0193-2025 FOR REPORT TEXT LIBRARY: MUNICIPALITY NAME

Case Type:

Nuisance

Project:

Opened Date: 04/23/2025

Status:

Notice of Violation

District: Osolo Closed Date:

NOT CLOSED

Assigned To:

Dawn Nordman

Description:

TRASH IN YARD (MAY BE ON PARCEL BEHIND RESIDENCE)

Parcel: 20-02-18-452-010.000-026

Main

Address: 27357 County Road 4 North Side

Main

Zone: A-1 (Agricultural)

Of County Road 4, 470 Feet East

Of Jenny Lane Elkhart, IN 46514

Owner

Rosa A. Caldera De Bernal

27357 Cr 4 Elkhart, IN 46514 Mobile: 3127630413

Note

Created By

Date and Time Created

1. SEE MAP ATTACHED TO COMPLAINT FOR DRIVE ENTRANCE. ALSO CODE #0194-2025 FOR INOPERABLE VEHICLES AND #0192-2025 FOR LIVING IN RV

Kerri Burkholder

4/23/2025 1:47 pm

AND RUNNING A BUSINESS

Activity Type

Activity Number

Activity Name User Created On Letter CMActivity-0567-2025 Dawn Nordman 05/01/2025 Site Visit CMActivity-0566-2025 Dawn Nordman 05/01/2025

CODE CASE ACTIVITY REPORT CODE-0194-2025 FOR REPORT TEXT LIBRARY: MUNICIPALITY_NAME

Case Type:

Junk and Abandoned

Assigned To Dawn Nordman

Opened Date: 04/23/2025

Address:

27357 County Road 4 North Side Of County

Road 4, 470 Feet East Of Jenny Lane

Elkhart, IN 46514

Status: Notice of Violation

Closed Date:

Activity Date	Created By	Activity Type	Activity Name	Comments
05/01/2025	Dawn Nordman	Site Visit		4-29-25 On-site inspection there appears to be 3 or 4 vehicles in the far back that look inoperable, see photos
	Dawn Nordman	Letter		5-1-25 I am sending out a junk and abandon vehicle letter, attached

27357 Cr 4 Elkhart, IN 46514 April 29, 2025, photos taken by DN





27357 Cr 4 Elkhart, IN 46514 April 29, 2025, photos taken by DN





27357 Cr 4 Elkhart, IN 46514





27357 Cr 4 Elkhart, IN 46514 April 29, 2025, photos taken by DN





27357 Cr 4 Elkhart, IN 46514 April 29, 2025, photos taken by DN





27357 Cr 4 Elkhart, IN 46514 April 29, 2025, photos taken by DN





27357 Cr 4 Elkhart, IN 46514 April 29, 2025, photos taken by DN

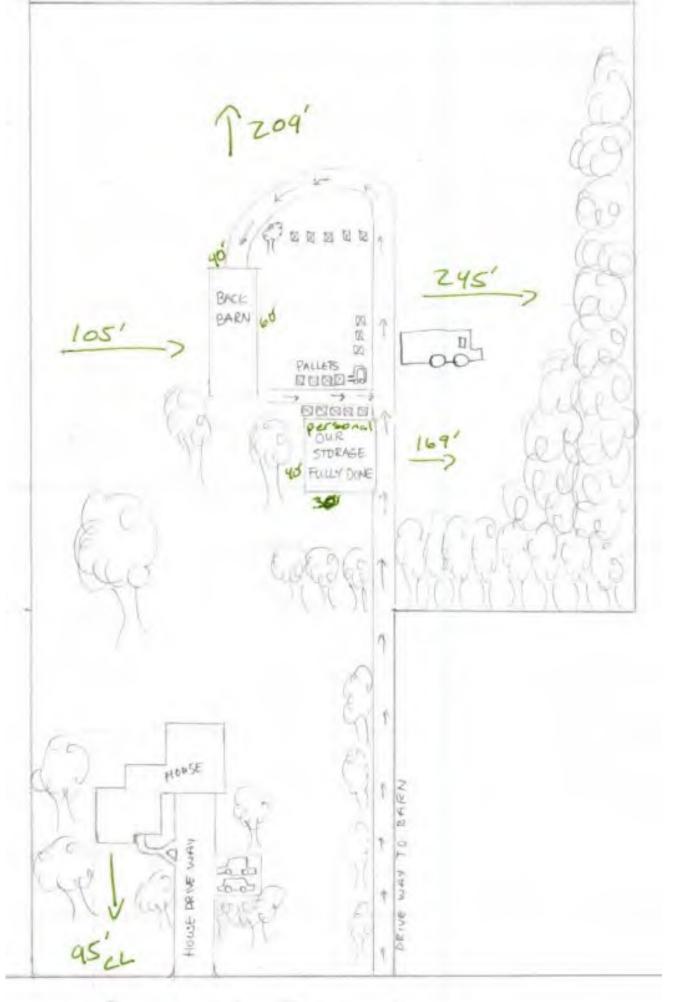




27357 Cr 4 Elkhart, IN 46514 April 29, 2025, photos taken by DN







COUNTY ROAD 4

BZA Staff Report

Prepared by the **Department of Planning and Development**

Hearing Date: July 17, 2025

Transaction Number: UV-0405-2025.

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

Existing Zoning: R-1.

Petition: For a Use Variance to allow for a waste related service and for a Special Use for a home workshop/business for a roofing business.

Petitioner: Jesus Ocampo.

Location: East side of CR 7, 3,460 ft. south of CR 6, in Osolo Township.

Site Description:

> Physical Improvement(s) – Residence, detached accessory structures, pool.

➤ Proposed Improvement(s) – None.

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.

Staff Analysis:

For a Use Variance to allow for a waste related service, staff finds that:

- 1. The request will be injurious to the public health, safety, morals, and general welfare of the community. The residential, R-1, zone is not an appropriate zone for a waste related services business (outdoor storage of dumpsters on an unimproved surface).
- 2. The use and value of the area adjacent to the subject property will be affected in a substantially adverse manner. The required zoning needed for this type of business is M-1, with a Special Use.
- 3. A need for the Use Variance does not arise from a condition that is peculiar to the property involved. The subject parcel, and the adjacent parcels, have been residentially zoned since the original zoning was established in 1959. This is a 1.08-acre parcel in a medium-density residential area and the property would not remain residential in character if this request is approved.
- 4. Strict enforcement of the terms of the Development Ordinance would not constitute an unnecessary hardship if applied to the subject property. The business could be moved to a more appropriate location that is zoned correctly for the intensity of the use.
- 5. The Use Variance does interfere substantially with the Elkhart County Comprehensive Plan, which emphasizes support of residential communities and their protection from conflicting land uses.

Staff recommends **DENIAL**.

Page 18a

BZA Staff Report

(Continued)

Hearing Date: July 17, 2025

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

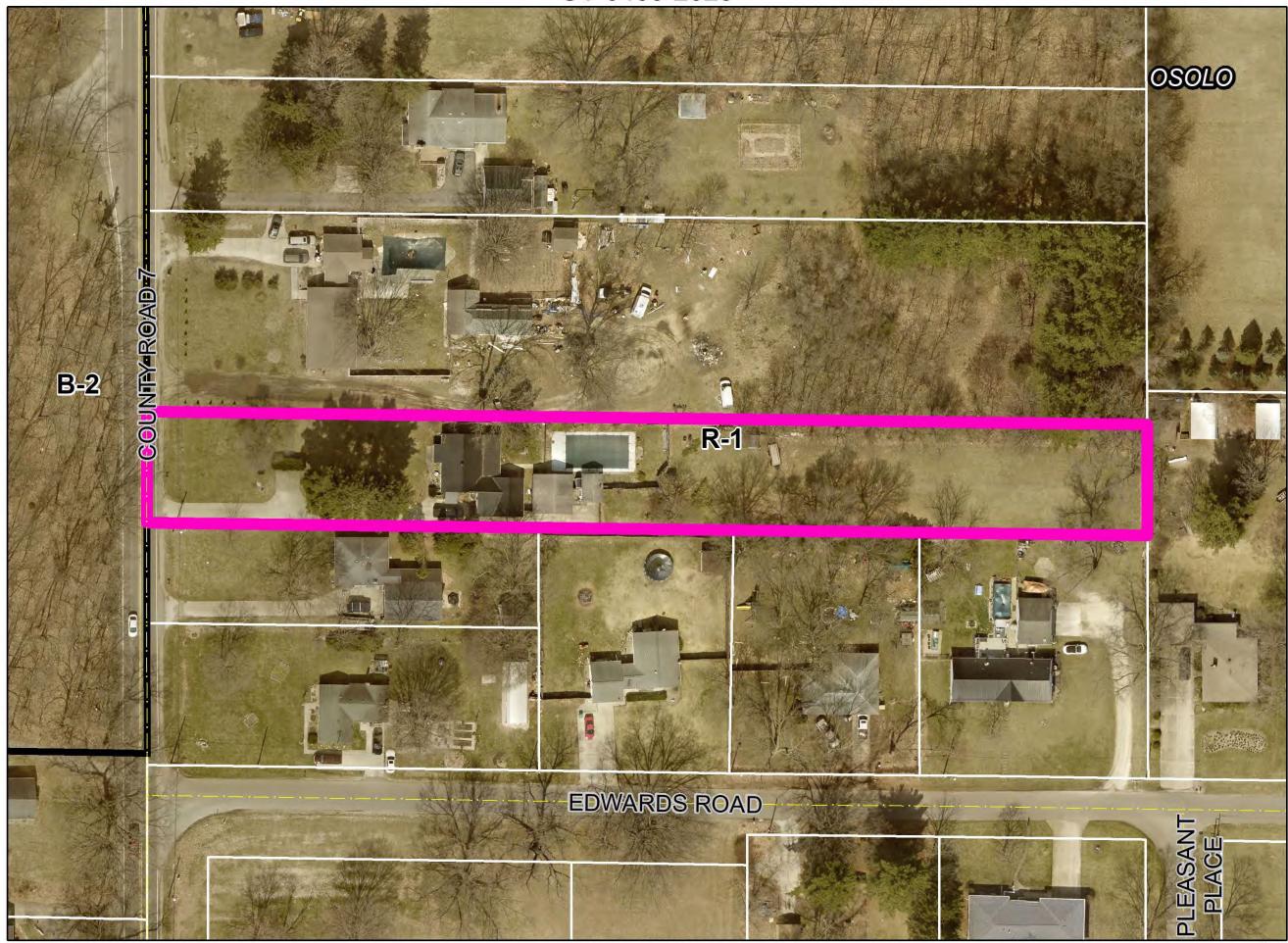
- 1. The Special Use will be consistent with the spirit, purpose, and intent of the Development Ordinance. A Special Use for a home workshop/business for a roofing business is allowed in the R-1 zoning district.
- 2. The Special Use will not cause substantial and permanent injury to the appropriate use of neighboring property. This is a 1.08-acre parcel in a medium-density residential area, and the property will remain residential in character. The roofing business will be done off-site with only materials being stored on the subject property.
- 3. The Special Use will substantially serve the public convenience and welfare by allowing for a local roofing business.

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 (1) showing the location of the building that will be for indoor storage of materials and (2) removing the outdoor storage of dumpsters.

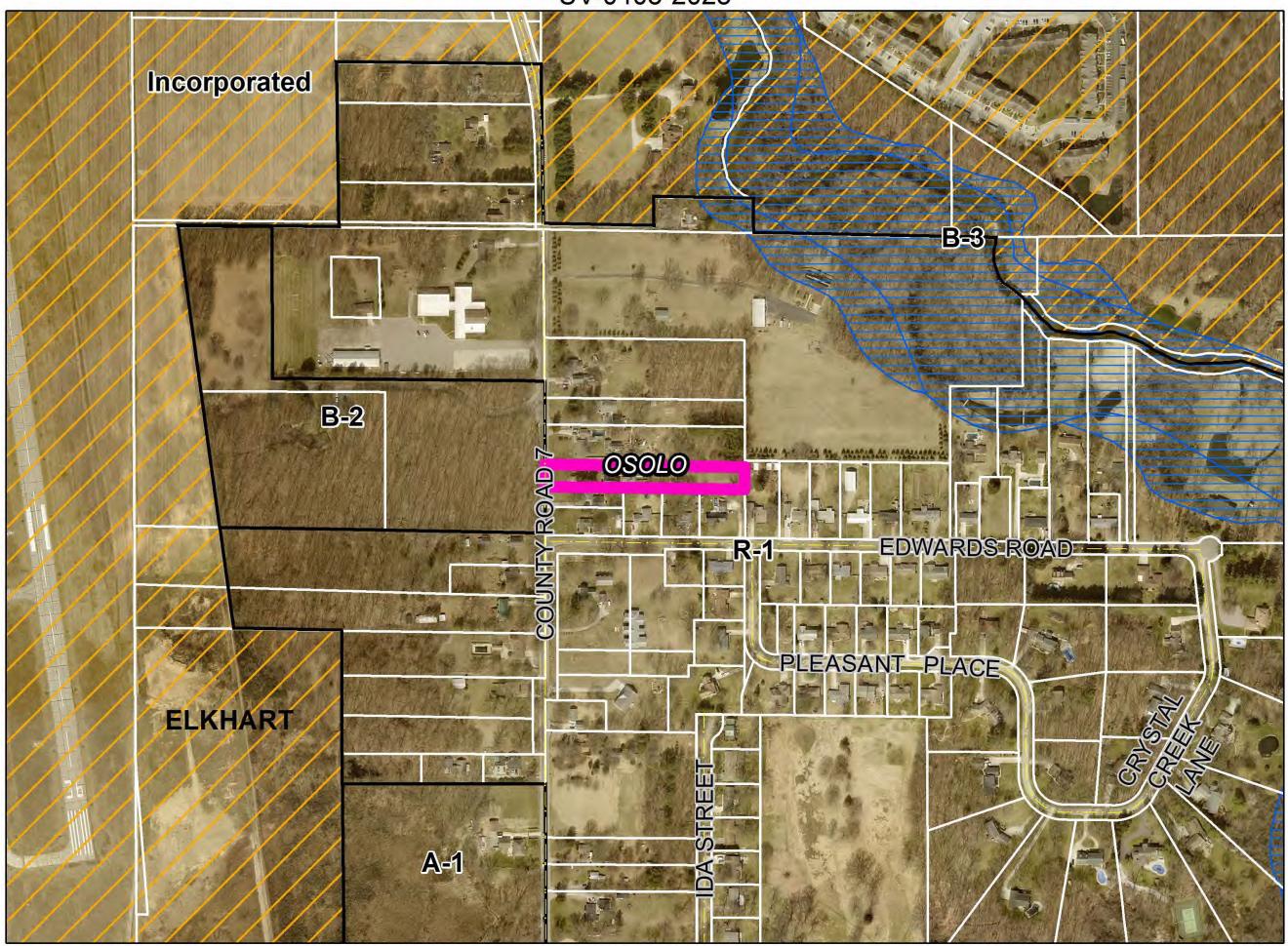
Staff recommends **APPROVAL** with the following commitment(s) imposed:

- 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 outdoor storage of materials is allowed.





UV-0405-2025





Subject property



Facing south



Facing north



Facing west

UV-0405-2025

PLAN COMMISSION &

Elkhart County Planning & Development Public Services Building

4230 Elkhart Road, Goshen, Indiana, 46526 Phone - (574) 971-4678 Fax - (574) 971-4578

BOARD OF ZONING APPEALS

Use Variance - Use Variance

Date: 06/16/2025	Maating Data:	17, 2025 Appeals Public Hearing Transaction #	#: UV-0405-2025
Description: for a Use Variance to a roofing business	allow for a waste related service and for	a Special Use for a home work shop busi	ness for a
Contacts: Applicant America Martinez 53670 County Road 7 Elkhart, IN 46514	Authorized Agent America Martinez 53670 County Road 7 Elkhart, IN 46514	Land Owner Jesus Ocampo 53670 Cr 7 Elkhart, IN 46514	
Site Address: 53670 County Ro Elkhart, IN 4651		Parcel Number: 2	20-02-29-301-005.000-026
Township: Osolo Location: East side of County F	Road 7, 3585 ft. South of County Road 6	5	
Subdivision:		Lot#	
Lot Area:	1.08 Frontage: 73.00	De	epth: 635.00
Zoning: R-1		NPO List: 07/02/2025	
Present Use of Property: RESID	ENTIAL		
Legal Description:			
Comments:			
Applicant Signature:		Department Signature:	
		1	

Elkhart County Planning & Development

(574) 971-4678 DPS@ElkhartCounty.com

Application
Site address: 53670 County Road 7 Elkhent
Parcel number(s): 200229301005,000026
Current property owner
Name: Jesus Ocampo
Address: 53670 CR7
Phone: 574322 9129 Email: Mencam 360 gmail. Com
Other party ☐ Agent ☐ Buyer ☐ Land contract purchaser ☐ Lessee
Name: America Markner
Address: 53670 CL7
Phone: 5743229129 Email: aMerica 11316 @g mad-can
By signing below, I understand that if my application is approved, there may be conditions that will have to be met before approval is final and building permits can be started. I also understand that the conditions may include a commitment that the property owner is responsible for completing and returning.
Signature of current property owner or authorized agent:
Staff Use Only
Description: for a Use Variance to allow for a waster
related service
Parcel creation date: 3 1 4 2
Subdivision required? ☐ Y ☐ N If yes, ☐ AS ☐ Minor ☐ Major
Residential accessory breakdown, if applicable:
Application accessory breakering in applicable.
Location: N S E W corner side end of CR7
in Township
Frontage:
Subdivision and lot number, if applicable: NA
Subdivision and lot number, if applicable: INTIN
Present use: R-1 Residential

	Use Variance — Questionnaire
	ne: HMMa Manuel
.)	Tell us what you want to do. Store work frailers and fricks
	Tell us why your case is different from other cases in the county so that a variance should be allowed. We are willing to work to minimise inconvenience less neighbors by patting up privency 8ft lence arow Property Tell us why the variance won't hurt your neighbors or the community.
3)	Tell us why the variance world hurt your heighbors of the community.
4)	Will the activity create noise, vibration, smoke, dust, odor, heat, or glare? YMN 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)? KY \(\text{N}\) If yes, tell us about it. Shrubs one on the north side of the horse Can 18tall L shape bence for the side of the property
5)	Does the property need well and septic? Well: \square Y \square N Septic: \square Y \square N Does the property need a <u>new</u> septic system? \square Y \square N If a new septic system is needed, did the Health Department say there's enough space for it? \square Y \square 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: Tell us what you'll use it for.
	Building or addition 2 Existing? □ Y □ N Size and height to the peak:
	Building or addition 3 Existing? Y 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
0)	If yes, does the subdivision have an active homeowners' association? Y N N N N N N N N N N N N 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?
	If yes, tell us what kind and the maximum number of each.

Use Variance — Questionnaire

	employees do you have now? Full time: Part time:
	employees do you want? Full time: Part time:
	of the employees won't live onsite?
What will be	e the days and hours of operation on this property?
	parking spaces do you have now?
	parking spaces do you want?
	e outside storage or display areas on this property? PY N
If yes, tell u	s what will be stored outside or displayed. 2 trailers - two truck
Will there b	e retail sales on this property? Y N
If yes, tell u	s what will be sold.
Annessines	ely how many customers (clients, guests, students, members) will be on this property pe
Approximat	ely now many customers (cherits, guests, students, members) will be on this property pe
-	
Will thoro h	o pickups or deliveries on this property? \square \vee \square \square \vee \square
	e pickups or deliveries on this property? Y N If yes, fill out below.
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Tell us h	ow often.
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Elkhart County Planning & Development

(574) 971-4678 DPS@ElkhartCounty.com

Special Use — Questionnaire

lam	e: America Martinez
L) T	and empty dumpters while not in use
<u>2</u>) -	Tell us why this activity won't hurt your neighbors or the community. <u>FavioneAt</u> will mostly be stored in the evening will not cause additional noise
	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? If yes, fill out below Tell us what will create those things. When reversing the forck it beens
	Tell us how you'll reduce the impact of those things on neighbors. Avoid polare night dra
5) '	Will there be buffering (fences, trees, shrubs, mounds)? If Y \(\text{N}\) If yes, tell us about it. Privacy fence can be istalled on rear end of Property
	Does the property need well and septic? Well: 🗹 Y 🗆 N Septic: 🖒 Y 🗆 N Does the property need a <u>new</u> septic system? 🗆 Y 🖒 N
	If a new septic system is needed, did the Health Department say there's enough space for it? □ Y □ N
	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 W 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?
	If yes, tell us what kind and how many of each.

Special Use — Questionnaire

	ployees do you have now		Part tin Part time:	
	ployees do you want?		Fait time.	
	the employees won't live		700-7	-M
wnat wiii be t	ne days and hours of ope	ration on this property	! [am = [
	king spaces do you have	A		
How many pa	king spaces do you want	? 8	,	
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/	what will be stored outside vs (6 Max)	le or displayed	LIMILL	_) OMPH
Will there be	etail sales on this propert	ty? 🗆 Y 🗖 N		
If yes, tell us	what will be sold.			
Will there be	ickups or deliveries on th	nis property? \(\subseteq \text{ Y}	N If yes, fill	out below.
Will there be Tell us how		nis property? Y	N If yes, fill	out below.
Tell us how		nis property? Y	N If yes, fill	out below.
Tell us how	often			out below.
Tell us how	often.			out below.
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CODE CASE DETAILED REPORT CODE-0158-2025 FOR REPORT TEXT LIBRARY: MUNICIPALITY_NAME

Case Type:ZoningProject:Opened Date:04/04/2025Status:Notice of ViolationDistrict:OsoloClosed Date:05/06/2025

Assigned To: Richard Masters Description: RUNNING A ROOFING AND DUMPSTER BUSINESS OUT OF RESIDENCE.

Parcel: 20-02-29-301-005.000-026 Main Address: 53670 County Road 7 EAST ON CR Main Zone: R-1 (Single-Family Residential District)

7, NORTH OF EDWARDS RD.

Elkhart, IN 46514

Owner

Jesus Ocampo 53670 Cr 7

Elkhart, IN 46514 Mobile: 5743229129

Activity Type	Activity Number	Activity Name	User	Created On
Email	CMActivity-0888-2025	•	Richard Masters	06/05/2025
Email	CMActivity-0798-2025		Richard Masters	05/28/2025
Incoming Phone Call	CMActivity-0701-2025		Richard Masters	05/15/2025
Letter	CMActivity-0703-2025		Richard Masters	05/15/2025
Misc. Communication	MCCMActivity-0817-20 25		Amber Weiss	05/28/2025
Misc. Information	CMActivity-0823-2025		Richard Masters	05/29/2025
Outgoing Phone Call	CMActivity-0875-2025		Richard Masters	06/04/2025
Site Visit	CMActivity-0702-2025		Richard Masters	05/15/2025
Site Visit	CMActivity-0636-2025		Richard Masters	05/06/2025

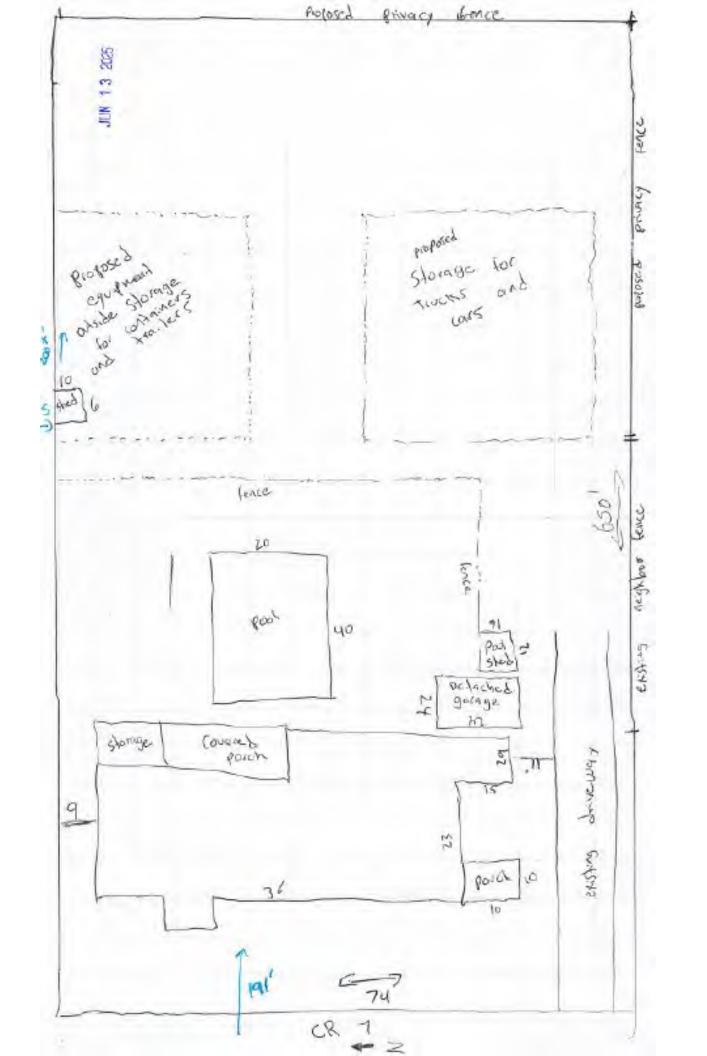
53670 CR 7, Elkhart. Photos taken by Ricky Masters on 5/15/25.





53670 CR 7, Elkhart. Photos taken by Ricky Masters on 5/15/25.





BZA Staff Report

Prepared by the **Department of Planning and Development**

Hearing Date: July 17, 2025

Transaction Number: DV-0230-2025.

Parcel Number(s): 20-13-03-100-007.000-020.

Existing Zoning: A-1.

Petition: For a 9 ft. Developmental Variance (Ordinance requires 10 ft.) to allow for the construction of an accessory structure 1 ft. from the rear property line.

Petitioner: AMMF Trustee Corporation (Land Contract Holder) & Jesse A. Borkholder & Angela S. Borkholder, Husband & Wife (Land Contract Purchasers).

Location: South side of CR 42, 1,900 ft. east of Ash Rd., in Locke Township.

Site Description:

- ➤ Physical Improvement(s) Residence, accessory structures, barns.
- ➤ Proposed Improvement(s) Accessory structure.
- Existing Land Use Residential, agricultural.
- ➤ Surrounding Land Use Residential, agricultural.

History and General Notes:

- ➤ May 14, 2025 The Hearing Officer transferred this petition to the full BZA.
- ➤ June 19, 2025 The BZA tabled this petition to give the applicant time to obtain a survey.
- ➤ The following findings are based on a staff-recommended 5 ft. rear setback for the accessory structure, instead of the requested 1 ft. rear setback.

Staff Analysis:

Staff finds that:

- 1. Approval of the request will not be injurious to public health, safety, morals, or general welfare. The setback encroachment is only at the rear, where there is no risk to public safety or welfare.
- 2. Approval of the request will not cause substantial adverse effect on neighboring property. A staff-recommended 5 ft. rear setback will reduce the need to be on neighboring property for construction and maintenance. The parcel is 4.1 acres and surrounded only by open agricultural property.
- 3. Strict application of the terms of the Development Ordinance would result in an unnecessary hardship in the use of the property. The driveway layout reduces buildable area on the south side of the parcel.

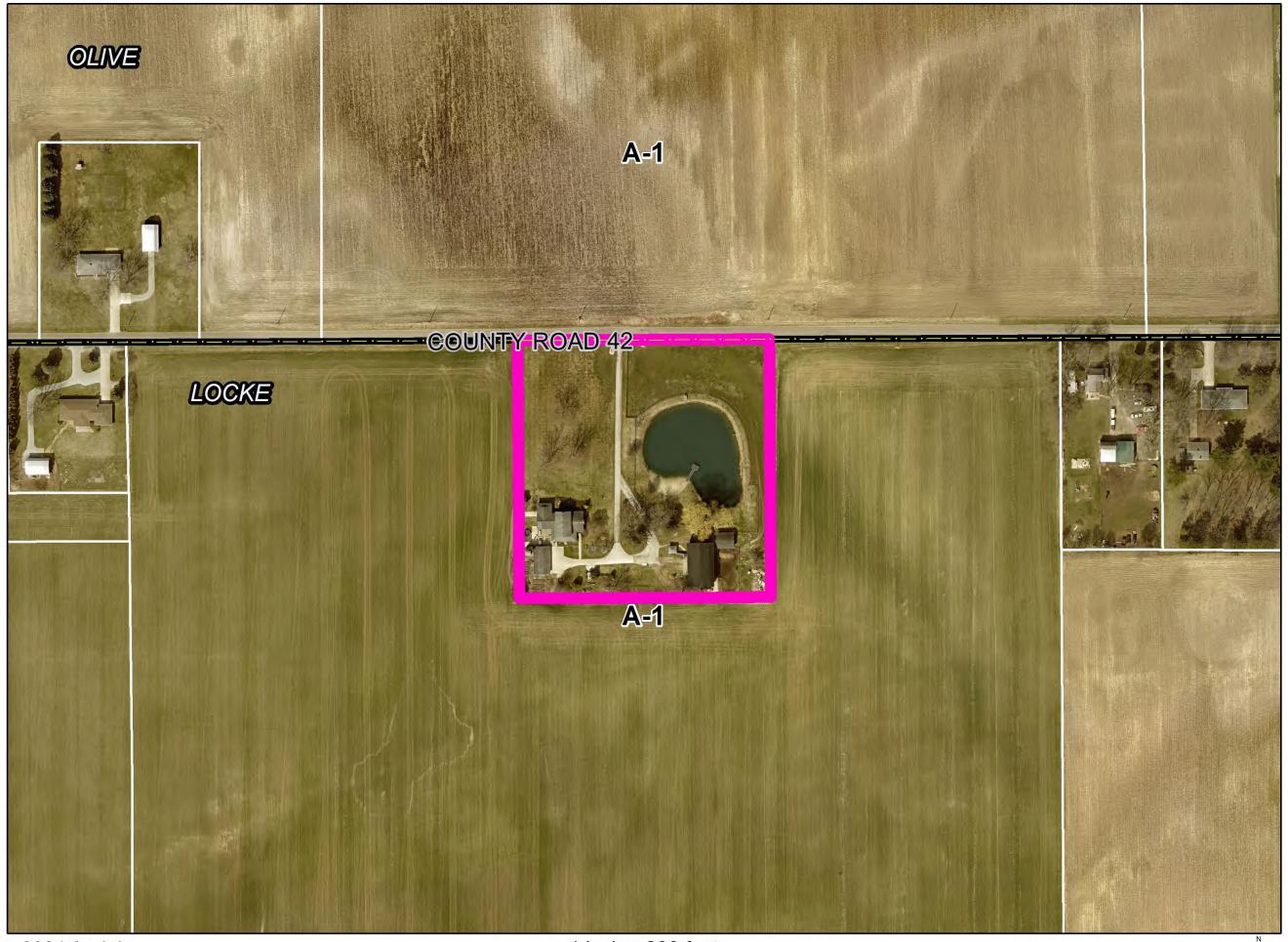
BZA Staff Report (Continued)

Hearing Date: July 17, 2025

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

- 1. A variance from the developmental standards of the Development Ordinance is void unless an Improvement Location Permit is issued within 180 calendar days from the date of the grant and construction work completed within 1 year from the date of the issuance of the building permit (where required).
- 2. A revised site plan must be submitted for staff approval showing all existing structures and a 5 ft. rear setback for the proposed accessory 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.









Subject property



Subject property (building site)



Facing west



Facing east



Facing north

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

Developmental Variance - Developmental Variance

Date: 04/10/2025 M	feeting Date:	•	7 14, 2025 Appeals Public Hearing	Transaction #:	DV-0230-2025
Description: for a 9 ft. Developmental structure 1 ft. from the real	·	nce requires 10 ft.) to allow for the construc	ction of an accessory	
Contacts: Applicant Jesse A. Borkholder And Angela S. Borkholder (Land Contract Purchaser) 30622 County Road 42 Wakarusa, IN 46573	Contract Purc Jesse A. Bork Angela S. Bor Contract Purc 30622 County Wakarusa, IN	cholder And kholder (Land haser) Road 42	Land Owner Ammf Trustee Corpora (Land Contract Holder) 8216 W 1350 N Nappanee, IN 46550		
Site Address: 30622 County Road Wakarusa, IN 46573	42	40373	Parcel Number:	20-1	3-03-100-007.000-020
Township: Locke Location: South Side Of County Re	oad 42, 1,900 Feet	East Of Ash Roa	d		
Subdivision:			Lot #		
Lot Area: 4.	.11 Frontage:	415.00		Depth	: 431.00
Zoning: A-1			NPO List:		
Present Use of Property: RESIDEN	TIAL				
Legal Description:					
Comments: PARCEL CREATED 11/RESIDENCE = 3,502 SQ NEW BUILDINGS (14 X STORAGE BUILDING PERMIT #BI ON-SITE AND SHOWS SINCE IT NEEDS A PER	FT X 200% = 7,0 X 32) 448 SQ FT, A R-1825-2024 HAS ON SITE PLAN,	AND 3,840 (48 X S HAD NO INSPI BUT THEY ARE	80) LEAVES 1,540 SQ I ECTIONS (14 X 32) - PE NOT SURE WHERE IT	FT AVAILABLE FO	IS BUILDING IS
Applicant Signature:			Department Signati	ure:	

Elkhart County Planning & Development

(574) 971-4678 DPS@ElkhartCounty.com

						1100
Site address:	30622	CR 42	Wall	arus 9	IN	465 13
	13-03					
Current property	owner					
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Name:						
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Parcel creation Subdivision requ Residential acce Location: N	date: uired?	N If yes, , if applicable: Side end of E W of Township Township Th: 43)	See als	fachec 42		S

Developmental Variance — Questionnaire

1)	Tell us what you want to do. Build a New Post Frame 48x80 Storage Building
2)	Tell us why you can't change what you're doing so you don't need a variance. Limited Space Between Priveway and Property line.
3)	Tell us why the variance won't hurt your neighbors or the community. I am only Building a Storage Building not to be used for Business of Industrial USE.
4)	Does the property need well and septic? Well: \square Y \square N Septic: $\cancel{\square}$ Y \square N Does the property need a <u>new</u> septic system? $\cancel{\square}$ Y \square N If a new septic system is needed, did the Health Department say there's enough space for it? $\cancel{\square}$ Y \square N
5)	Does the application include variances to allow for buildings or additions? Building or addition 1 Size and height to the peak: Tell us what you'll use it for. Size and height to the peak: Tell us what you'll use it for. Tell us what you'll use it for. Building or addition 3 Size and height to the peak: Size and height to the peak: Size and height to the peak:
	Tell us what you'll use it for.
6)	
6)7)	Tell us what you'll use it for. 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 what you'll use it for. Does the application include a variance for a residence on property with no road frontage?
	Tell us what you'll use it for. Does the application include a variance for a residence on property with no road frontage?
	Tell us what you'll use it for. Does the application include a variance for a residence on property with no road frontage?

