

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

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

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

9:00 A.M.

- | | |
|----|---|
| A. | Petitioner: <i>Paul Slabach & Lorraine Slabach, Husband & Wife</i> (Page 1)
Petition: for a 46 ft. lot-width Developmental Variance (Ordinance requires 100 ft.) to allow for the construction of a residence on proposed Lot 1.
Location: South side of CR 108, 1,580 ft. East of CR 31, in Washington Township, zoned A-1. DV-0385-2025 |
| B. | Petitioner: <i>Dale R. Haeck & Charlene Wright</i> (Page 2)
Petition: for a 40 ft. Developmental Variance (Ordinance requires 75 ft.) to allow for the construction of an accessory structure 35 ft. from the centerline of the right-of-way of CR 15 (Streeter Ln.).
Location: West side of Hunters Court, 300 ft. North of Greenleaf Blvd., East of CR 15 (Streeter Ln.), common address of 54541 Hunters Court in Osolo Township, zoned R-1. DV-0387-2025 |
| C. | Petitioner: <i>Adam Herbster & Briley Herbster, Husband & Wife (Buyers), Steven L. Herbster & Tamara C. Herbster, Husband & Wife (Sellers) & Josh Mathew & Laura A. Mathew, Husband & Wife (Sellers)</i> (Page 3)
Petition: for a Developmental Variance to allow for the construction of a residence on property with no road frontage served by an access easement, for a Developmental Variance to allow for the total square footage of accessory structures to exceed that allowed by right, and for a 3 ft. Developmental Variance (Ordinance allows 30 ft.) to allow for the construction of a residence 33 ft. in height.
Location: Southwest side of the easement, 1,490 ft. South of CR 10, East of SR 13, in York Township, zoned A-1. DV-0390-2025 |

- D. Petitioner: ***Julie Marie Poertner*** (Page 4)
 Petition: for a 14 ft. Developmental Variance (Ordinance requires 50 ft.) to allow for an existing residence and the construction of an accessory structure 36 ft. from the centerline of the right-of-way.
 Location: North side of Lake Dr., 1,180 ft. West of CR 109, common address of 25771 Lake Dr. in Osolo Township, zoned R-2. DV-0391-2025
- E. Petitioner: ***Catherine S. Sailor, Trustee of the Catherine S. Sailor Revocable Trust*** (Page 5)
 Petition: for a Developmental Variance to allow for the total square footage of accessory structures to exceed that allowed by right.
 Location: South side of CR 12, 920 ft. East of CR 3, common address of 28812 CR 12 in Cleveland Township, zoned R-1. DV-0396-2025
- F. Petitioner: ***Steven Holtje & Christine Holtje, Husband & Wife*** (Page 6)
 Petition: for a 1 ft. Developmental Variance (Ordinance requires 5 ft.) to allow for the construction of an accessory structure 4 ft. from the East side property line and for a 3 ft. Developmental Variance (Ordinance allows 18 ft.) to allow for the construction of an accessory structure 21 ft. in height.
 Location: South side of North Shore Dr., 2,045 ft. East of Bell Ave., East of SR 19, common address of 25748 North Shore Dr. in Osolo Township, zoned R-2. DV-0398-2025
- G. Petitioner: ***Darin J. Miller & Michelle Miller, Husband & Wife*** (Page 7)
 Petition: 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 26, 325 ft. East of CR 3, in Baugo Township, zoned A-1. DV-0400-2025

MOBILE HOME SPECIAL USE/DEVELOPMENTAL VARIANCES

- H. Petitioner: ***Robert E French & Lynnette R. French, Husband & Wife*** (Page 8)
 Petition: for a Special Use for a manufactured home not on a permanent foundation and for a Developmental Variance to allow for the placement of a manufactured home not on a permanent foundation within 300 ft. of a residence.
 Location: North side of California Ct., 250 ft. West of CR 11 (Osolo Rd.), common address of 25043 California Ct. in Osolo Township, zoned R-2 SUP-0345-2025
- I. Petitioner: ***Maribel Ramirez*** (Page 9)
 Petition: for a Special Use for a manufactured home not on a permanent foundation and for a Developmental Variance to allow for the placement of a manufactured home not on a permanent foundation within 300 ft. of a residence.
 Location: Northeast corner of Grover St. & Independence St., 1,880 ft. North of CR 10 (E. Bristol St.), common address of 25273 Grover St. in Osolo Township, zoned R-2. SUP-0401-2025

Hearing Officer Staff Report

Prepared by the Department of Planning and Development

Hearing Date: July 16, 2025

Transaction Number: DV-0385-2025.

Parcel Number(s): Part of 20-03-36-200-013.000-030.

Existing Zoning: A-1.

Petition: For a 46 ft. lot width Developmental Variance (Ordinance requires 100 ft.) to allow for the construction of a residence on proposed lot 1.

Petitioner: Paul Slabach & Lorraine Slabach, Husband & Wife.

Location: South side of CR 108, 1,580 ft. east of CR 31, in Washington Township.

Site Description:

- Physical Improvement(s) – Vacant.
- Proposed Improvement(s) – Single-family residence.
- Existing Land Use – Residential.
- Surrounding Land Use – Residential and agricultural.

History and General Notes:

- **October 17, 2012** – The Hearing Officer approved a petition for a 3:1 depth-to-width-ratio variance and a 50 ft. lot width variance to allow for two existing mobile homes (Ordinance requires 100 ft.) for Parcel A and for a 3:1 depth-to-width-ratio variance and a 46 ft. lot width variance to allow for the construction of a residence (Ordinance requires 100 ft.) for Parcel B (16128CR108-120921-1).
- **June 12, 2025** – A primary plat of a 3-lot minor subdivision to be known as Replat of Lot 2 of Sunday Minor Subdivision and Lot 2 of Tredway Minor Subdivision was approved by the Plat Committee (MI-0289-2025).

Staff Analysis:

Staff finds that:

1. Approval of the requests will not be injurious to public health, safety, morals, or general welfare. A lot width reduction does not threaten public safety in a residential area with existing density.
2. Approval of the requests will not cause substantial adverse effect on neighboring property. The proposed parcel will be accessed by an existing driveway. The configuration of the subdivision was the best possible layout to allow only 1 lot to have limited road frontage instead of all 3 lots.
3. Strict application of the terms of the Development Ordinance would result in an unnecessary hardship in the use of the property. Without the benefit of the variance, the property would be non-conforming and a residence could not be built.

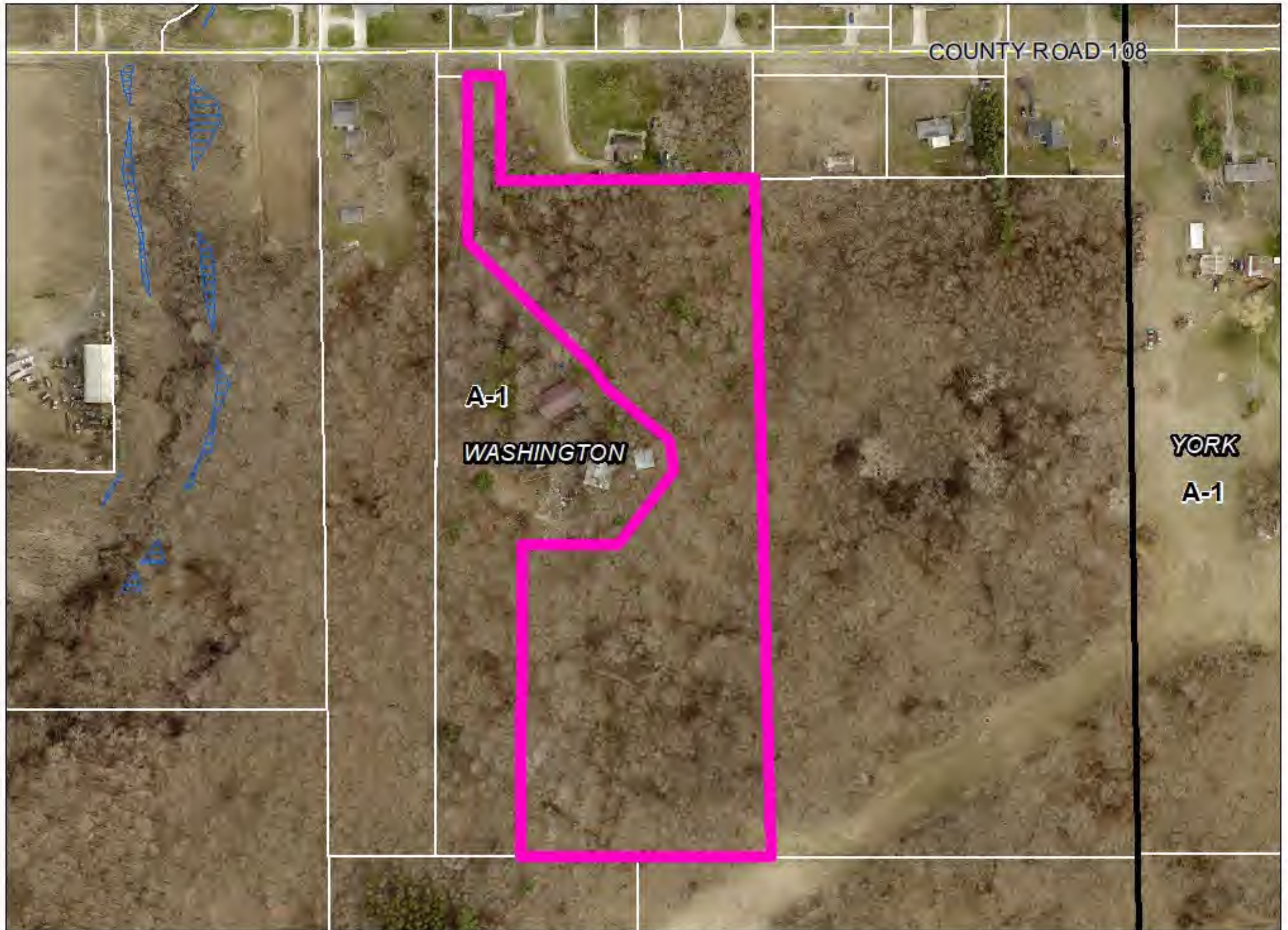
Hearing Officer Staff Report (Continued)

Hearing Date: July 16, 2025

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

1. A variance from the developmental standards of the Development Ordinance is void unless a subdivision plat is recorded within 180 calendar days from the date of the grant.
2. The request is approved in accordance with the site plan submitted (dated 6/11/2025) and as represented in the Developmental Variance application.

DV-0385-2025



2021 Aerials

1 inch = 200 feet









Subject property



Subject property from access driveway



Subject property from CR 108



Facing west



Facing east



Facing north

PLAN COMMISSION & BOARD OF ZONING APPEALS

Developmental Variance - Developmental Variance

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

4230 Elkhart Road, Goshen, Indiana, 46526

Phone - (574) 971-4678

Fax - (574) 971-4578

Date: 06/11/2025 Meeting Date: July 16, 2025 Transaction #: DV-0385-2025
Board of Zoning Appeals Public Hearing

Description: for a 46 ft. lot-width Developmental Variance (Ordinance requires 100 ft.) to allow for the construction of a residence on proposed Lot 1

Contacts: <u>Applicant</u>	<u>Authorized Agent</u>	<u>Land Owner</u>
Advanced Land Surveying Of Northern Indiana, Inc. 17120 County Road 46 New Paris, IN 46553	Advanced Land Surveying Of Northern Indiana, Inc. 17120 County Road 46 New Paris, IN 46553	Paul Slabach And Lorraine Slabach, Husband And Wife 1155 South 400 East Lagrange, IN 46761

Site Address: 00000 Cr 108
BRISTOL, IN 46507

Parcel Number: Part of 20-03-36-200-013.000-030

Township: Washington
Location: SOUTH SIDE OF CR 108, 1,580 FT. EAST OF CR 31

Subdivision: SUNDAY MINOR Lot # 1

Lot Area: 9.00 Frontage: 54.00 Depth: 1,117.00

Zoning: A-1 NPO List: 07/01/2025

Present Use of Property: VACANT LAND

Legal Description:

Comments: EXISTING DV-16128CR108-120921-1 FOR A RESIDENCE ON LOTS 1 & 2 - 3 TO 1 VARIANCE AND ROAD FRONTAGE VARIANCES.

Applicant Signature:

Department Signature:

Application

Site address: Vacant land East of 16128 County Road 108, Bristol, IN 46507

Parcel number(s): Part of 20-03-36-200-018.000-030

Current property owner

Name: Paul and Lorraine Slabach

Address: 1155 South 400 East, Lagrange, IN 46761

Phone: (574) 350-4306

Email: slabachp

Other party



Agent

☐ Buyer

☐ Land contract purchaser

☐ Lessee

Name: Ronnie L. Justice, PLS

Address: 17120 County Road 46, New Paris, IN 46553

Phone: (574) 849-4728

Email: ron@advancedlandsurveying.net

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: Ronnie Justice

Staff Use Only

Description: _____

Parcel creation date: _____

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

Residential accessory breakdown, if applicable: _____

Location: N S E W corner side end of _____ ,
_____ ft. N S E W of _____ ,
in _____ Township

Frontage: _____ Depth: _____ Area: _____ acres

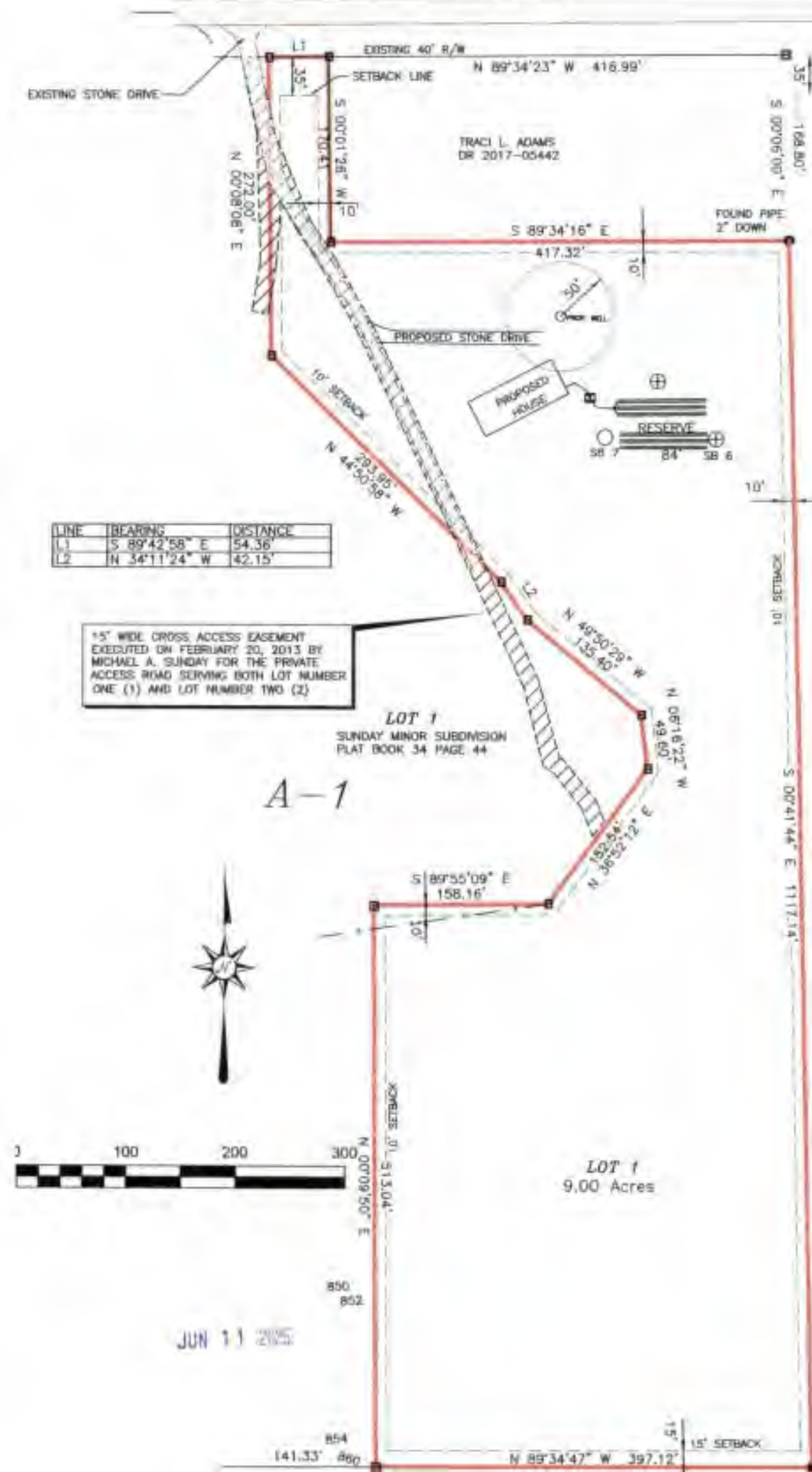
Subdivision and lot number, if applicable: _____

Present use: _____

Developmental Variance — Questionnaire

Name: Paul and Lorraine Slabach

- 1) Tell us what you want to do. build a house on property with 54.36 foot of road frontage where 100'
is required. A Minor is filed on this property for the June 12, 2025 Plat Committee
- 2) Tell us why you can't change what you're doing so you don't need a variance. _____
There is already a drive in this area and property has no other frontage. this was platted in 2013
with a variance and this frontage
- 3) Tell us why the variance won't hurt your neighbors or the community. this is a residential area
- 4) Does the property need well and septic? Well: ☒ Y ☐ N Septic: ☒ Y ☐ N
Does the property need a new septic system? ☒ Y ☐ N
If a new septic system is needed, did the Health Department say there's enough space for it? ☒ Y ☐ N
- 5) Does the application include variances to allow for buildings or additions? ☒ Y ☐ N If yes, fill out below.
Building or addition 1 Size and height to the peak: 35' x 85' 1-story
Tell us what you'll use it for. home
Building or addition 2 Size and height to the peak: _____
Tell us what you'll use it for. _____
Building or addition 3 Size and height to the peak: _____
Tell us what you'll use it for. _____
- 6) Does the application include a variance for a residence on property with no road frontage? ☐ Y ☒ N
If yes, fill out below.
Is the easement existing? ☐ Y ☐ N If the easement is existing, is it recorded? ☐ Y ☐ N
Tell us who owns (will own) the land under the easement. _____
Tell us how many parcels will use the easement. _____
- 7) Does the application include variances for signs? ☐ Y ☒ N If yes, fill out below.
Sign 1 Dimensions (length and width): _____
Existing? ☐ Y ☐ N Double faced? ☐ Y ☐ N
Electronic message board? ☐ Y ☐ N If no, lighted? ☐ Y ☐ N
Freestanding? ☐ Y ☐ N Wall mounted? ☐ Y ☐ N
Sign 2 Dimensions (length and width): _____
Existing? ☐ Y ☐ N Double faced? ☐ Y ☐ N
Electronic message board? ☐ Y ☐ N If no, lighted? ☐ Y ☐ N
Freestanding? ☐ Y ☐ N Wall mounted? ☐ Y ☐ N
Sign 3 Dimensions (length and width): _____
Existing? ☐ Y ☐ N Double faced? ☐ Y ☐ N
Electronic message board? ☐ Y ☐ N If no, lighted? ☐ Y ☐ N
Freestanding? ☐ Y ☐ N Wall mounted? ☐ Y ☐ N
- 8) Does the application include a variance for parking spaces? ☒ Y ☐ N
If yes, tell us how many total there will be. _____
- 9) Tell us anything else you want us to know. _____



Hearing Officer Staff Report

Prepared by the Department of Planning and Development

Hearing Date: July 16, 2025

Transaction Number: DV-0387-2025.

Parcel Number(s): 20-02-36-327-003.000-026.

Existing Zoning: R-1.

Petition: For a 40 ft. Developmental Variance (Ordinance requires 75 ft.) to allow for the construction of an accessory structure 35 ft. from the centerline of the right-of-way of CR 15 (Streeter Ln.).

Petitioner: Dale R. Haeck & Charlene Wright.

Location: West side of Hunters Court, 300 ft. north of Greenleaf Blvd., East of CR 15 (Streeter Ln.), in Osolo Township.

Site Description:

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

History and General Notes:

- **April 19, 2000** – A petition for a 34 ft. Developmental Variance to allow for the construction of a swimming pool 41 ft. from the centerline of CR 15 was withdrawn by the petitioner (20001778).
- **May 17, 2000** – The Hearing Officer approved a 40 ft. Developmental Variance (Ordinance requires 75 ft.) to allow for a pool 34 ft. from the centerline of the right-of-way (20002247).
- **July 20, 2000** – The platted non-access easement for lot 60 was vacated (2000-19577).

Staff Analysis:

Staff finds that:

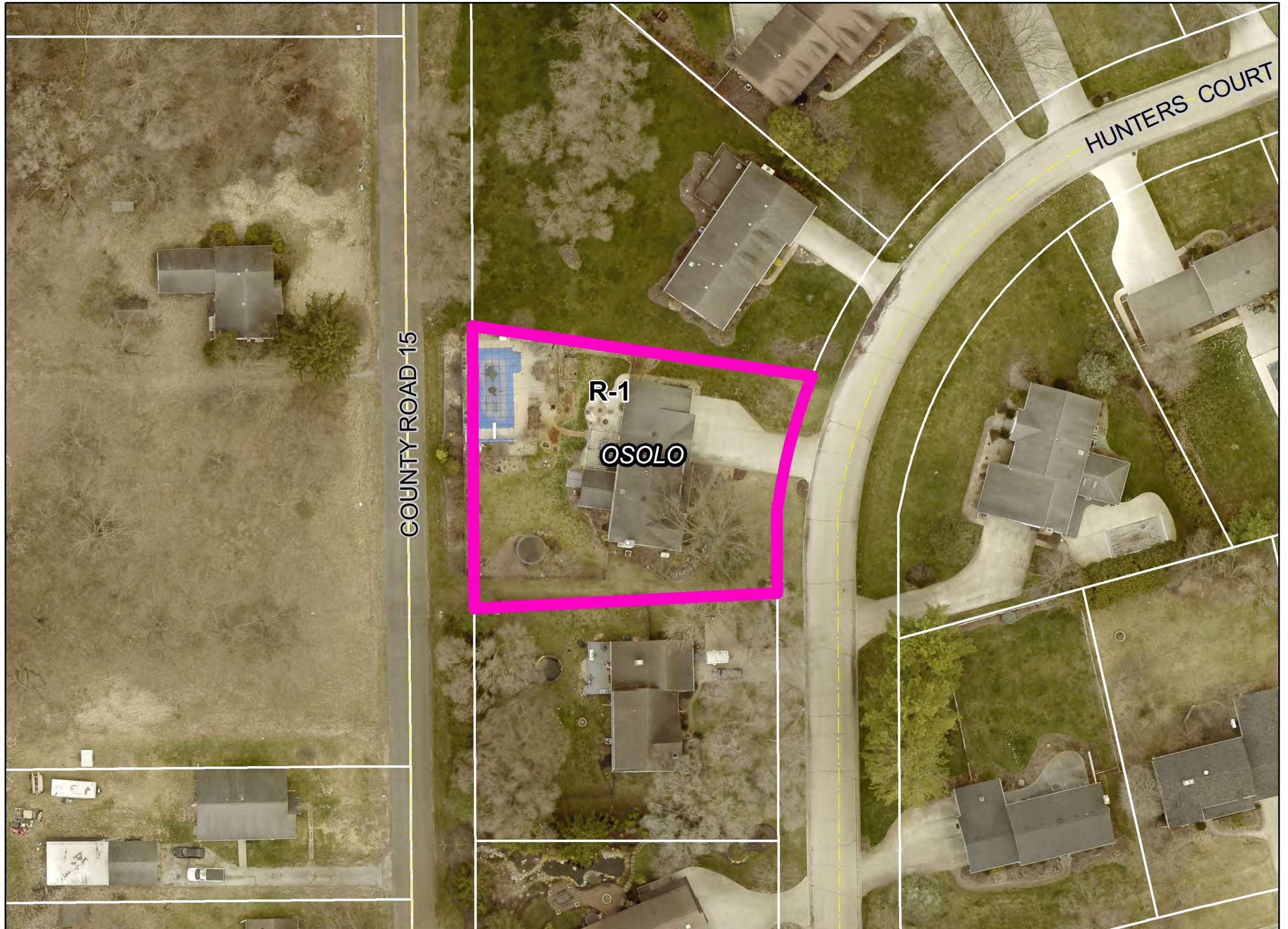
1. Approval of the request will not be injurious to public health, safety, morals, or general welfare. The proposed structure will sit out of the right-of-way and the size will not cause sight issues for traffic on CR 15.
2. Approval of the request will not cause substantial adverse effect on neighboring property. The property is a 0.43-acre parcel in a medium-density residential area and the property will remain residential in character. The structure will not encroach more than the existing pool does, that was previously approved.
3. Strict application of the terms of the Development Ordinance would result in an unnecessary hardship in the use of the property. Due to the layout of the parcel being between two roadways and having to stay a required amount of feet away from the septic, there isn't a way to place a structure on the property without a variance.

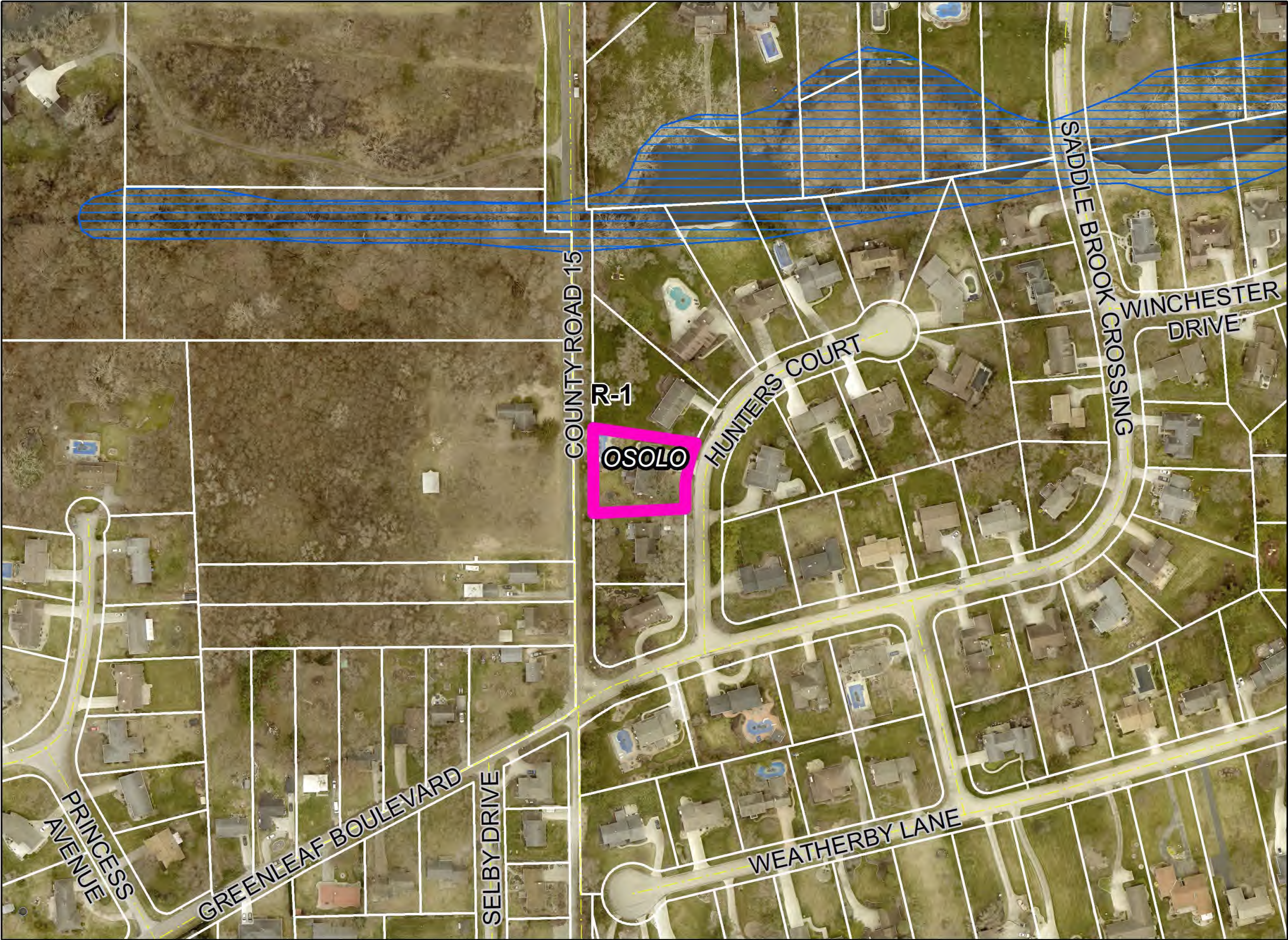
Hearing Officer Staff Report (Continued)

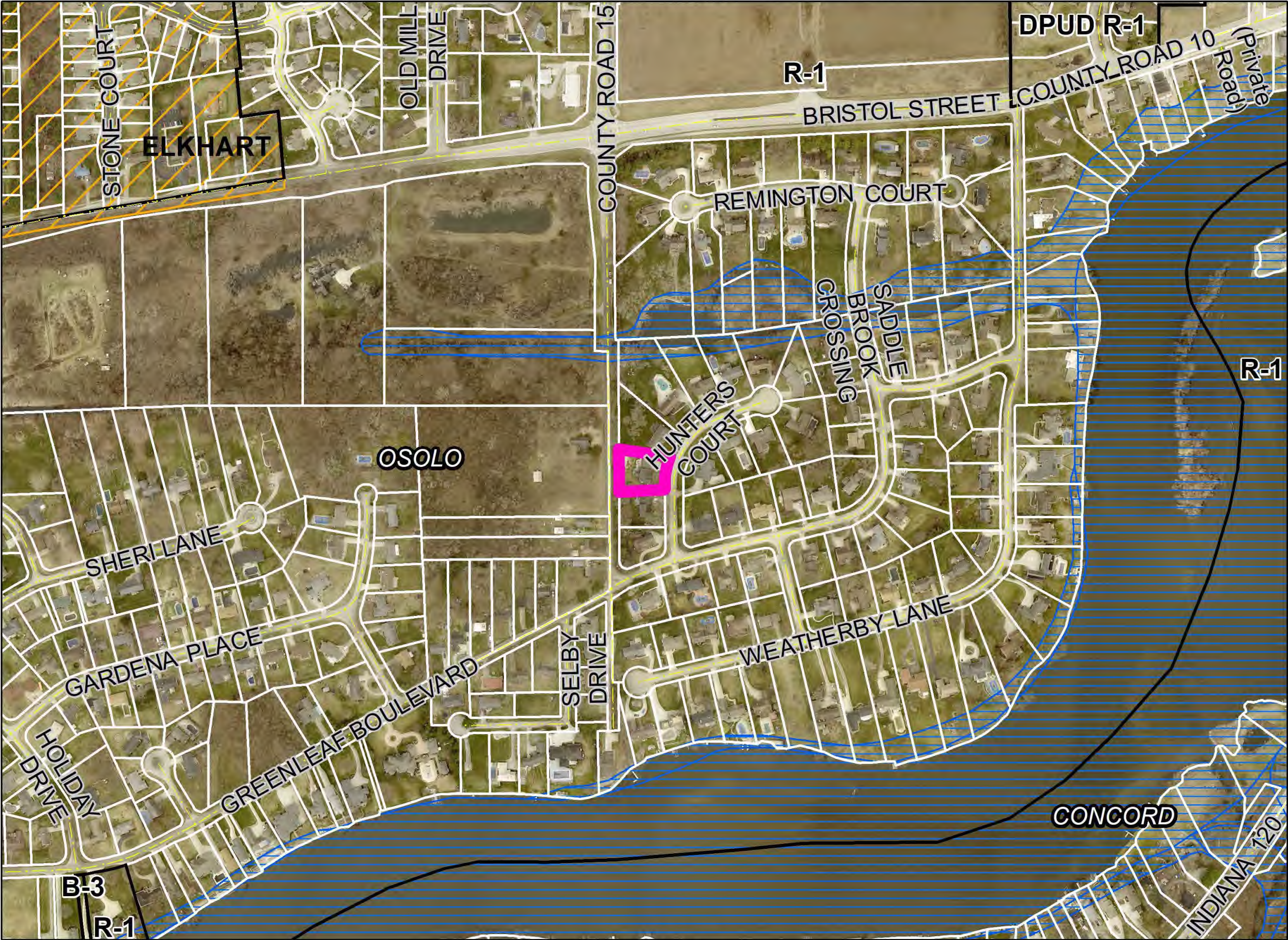
Hearing Date: July 16, 2025

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

1. A variance from the developmental standards of the Development Ordinance is void unless an Improvement Location Permit is issued within 180 calendar days from the date of the grant and construction work completed within 1 year from the date of the issuance of the building permit (where required).
2. The request is approved in accordance with the site plan submitted (dated 6/11/2025) and as represented in the Developmental Variance application.









Subject property



From CR 15 (rear of property) facing north



From CR 15 (rear of property) facing south



Facing north (front of property)



Facing south (front of property)



Facing east

PLAN COMMISSION & BOARD OF ZONING APPEALS

Developmental Variance - Developmental Variance

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

4230 Elkhart Road, Goshen, Indiana, 46526

Phone - (574) 971-4678

Fax - (574) 971-4578

Date: 06/11/2025 Meeting Date: July 16, 2025 Transaction #: DV-0387-2025
Board of Zoning Appeals Public Hearing

Description: for a 40 ft. Developmental Variance (Ordinance requires 75 ft.) to allow for the construction of an accessory structure 35 ft. from the centerline of the right-of-way of CR 15 (Streeter Lane)

Contacts: Applicant Land Owner
Dale R. Haeck & Charle Wright Dale R. Haeck & Charle Wright
Tenants In Common Tenants In Common
54541 Hunters Court 54541 Hunters Court
Elkhart, IN 46514 Elkhart, IN 46514

Site Address: 54541 Hunters Ct Parcel Number: 20-02-36-327-003.000-026
Elkhart, IN 46514

Township: Osolo
Location: West Side Of Hunters Court, 300 Feet North Of Greenleaf Blvd., East of CR 15

Subdivision: HUNTERS POINTE SECOND SD Lot # 60

Lot Area: 0.43 Frontage: 112.00 Depth: 152.00

Zoning: R-1 NPO List: 07/01/2025

Present Use of Property: RESIDENTIAL

Legal Description:

Comments: The easement along CR 15 was vacated for lot 60 7/20/2000 (2000-19577) per the plat
SEE APPROVED DV #20002247 FOR POOL
STORAGE EQUATION: RESIDENCE 3448 X 110% = 3792 SQ. FT.
MINUS (936) ATTACHED GARAGE
MINUS (180) 10 X 8 SHED
EQUALS = 2676 SQ. FT REMAINING AVAILABLE STORAGE SPACE. BB

Applicant Signature:

Department Signature:

Application

Site address: 54541 Hunters Ct., ELKhart, IN 46514

Parcel number(s): 20-02-36-327-003.000-026

ALT Parcel No.: 02-36-327-003-026

Current property owner

Name: Dale Haeck & Charlene Wright

Address: 54541 Hunters Ct., ELKhart, IN 46514

Phone: 708-203-1454

Email: dale@haecks.com

Other party

☐ Agent

☐ Buyer

☐ Land contract purchaser

☐ Lessee

Name: N/A

Address: N/A

Phone: N/A

Email: N/A

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: Dale Haeck

Staff Use Only

Description: DV for setback (rear) CR 15

- existing pool CR # (DV) #20002247

for a

- new shed

Developmental variance (ordinance requires 75 ft) to allow
for the construction of an accessory structure 35 ft from the west
property line

Parcel creation date: N/A

Subdivision required?

☐ Y

☒ N

If yes,

☐ AS

☐ Minor

☐ Major

Residential accessory breakdown, if applicable: Attached.

Location: N S E (W) corner side end of Hunters Ct.,

300 ft. (N) S E W of Greenleaf Blvd

in Osolo Township

Frontage: 112 Depth: 152 Area: .43 acres

Subdivision and lot number, if applicable: HUNTERS POINTE 2nd Lot 60

Present use: Residential

Developmental Variance — Questionnaire

Name: _____

- 1) Tell us what you want to do. Add 10x18 Shed to back yard 35' from center of County Road 15. This is the same distance of ~~pool~~ pool. The pool was a variance as well.
- 2) Tell us why you can't change what you're doing so you don't need a variance. This location proposed for shed is the only location possible on the lot. This avoids septic field.
- 3) Tell us why the variance won't hurt your neighbors or the community. Shed is approved by HOA and matches the house.

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

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

Building or addition 1 Size and height to the peak: 10x18x10' High
Tell us what you'll use it for. _____

Building or addition 2 Size and height to the peak: N/A
Tell us what you'll use it for. _____

Building or addition 3 Size and height to the peak: N/A
Tell us what you'll use it for. _____

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

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

Tell us who owns (will own) the land under the easement. N/A

Tell us how many parcels will use the easement. N/A

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

Sign 1 Dimensions (length and width): N/A

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): N/A

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

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

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

Sign 3 Dimensions (length and width): N/A

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

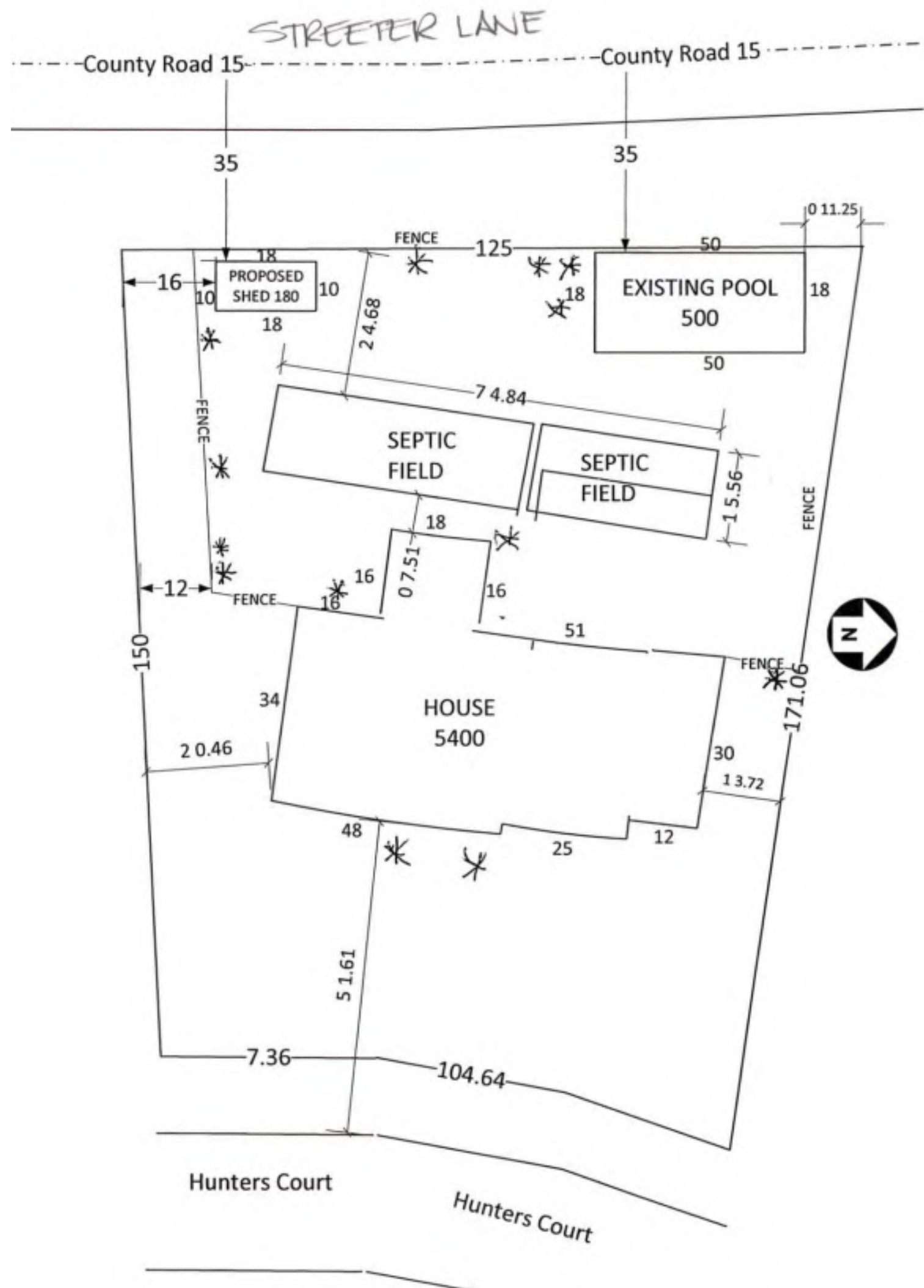
Electronic message board? ☐ Y ☐ N If no, lighted? ☐ Y ☐ N

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

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

If yes, tell us how many total there will be. N/A

- 9) Tell us anything else you want us to know. NO



Hearing Officer Staff Report

Prepared by the Department of Planning and Development

Hearing Date: July 16, 2025

Transaction Number: DV-0390-2025.

Parcel Number(s): Part of 20-04-35-426-009.000-032, part of 20-04-35-476-004.000-032 & part of 20-04-35-476-006.000-032.

Existing Zoning: A-1.

Petition: For a Developmental Variance to allow for the construction of a residence on property with no road frontage served by an access easement, for a Developmental Variance to allow for the total square footage of accessory structures to exceed that allowed by right, and for a 3 ft. Developmental Variance (Ordinance allows 30 ft.) to allow for the construction of residence 33 ft. in height.

Petitioner: Adam Herbster & Briley Herbster, Husband & Wife (Buyers), Steven L. Herbster & Tamara C. Herbster, Husband & Wife (Sellers), & Josh Mathew & Laura A. Mathew, Husband & Wife (Sellers).

Location: Southwest side of the easement, 1,490 ft. south of CR 10, east of SR 13, in York Township.

Site Description:

- Physical Improvement(s) – Vacant.
- Proposed Improvement(s) – Small single-family residence with large, attached accessory structure.
- Existing Land Use – Agricultural, residential.
- Surrounding Land Use – Residential, agricultural.

History and General Notes:

- The petitioner has noted they will be submitting an administrative subdivision.

Staff Analysis:

Staff finds that:

1. Approval of the requests will not be injurious to public health, safety, morals, or general welfare. The request is 2,800 sq. ft., or 71%, over what is allowed by right and only 3 ft. over what is allowed by right. The parcel will be accessed by an existing driveway and the residence will be almost a quarter of a mile off the roadway.
2. Approval of the requests will not cause substantial adverse effect on neighboring property. This will be a 21-acre parcel in a moderately dense residential and agricultural area and the property will remain residential in character. The residence will not be in the line of sight for any adjacent residences as to not obstruct their views.
3. Strict application of the terms of the Development Ordinance would result in an unnecessary hardship in the use of the property. Without the benefit of the variances, the property will be non-conforming, and the residence couldn't be built. The allowance for the small residential area is to allow the petitioner to build a larger residence, without Board action, in the future.

Hearing Officer Staff Report (Continued)

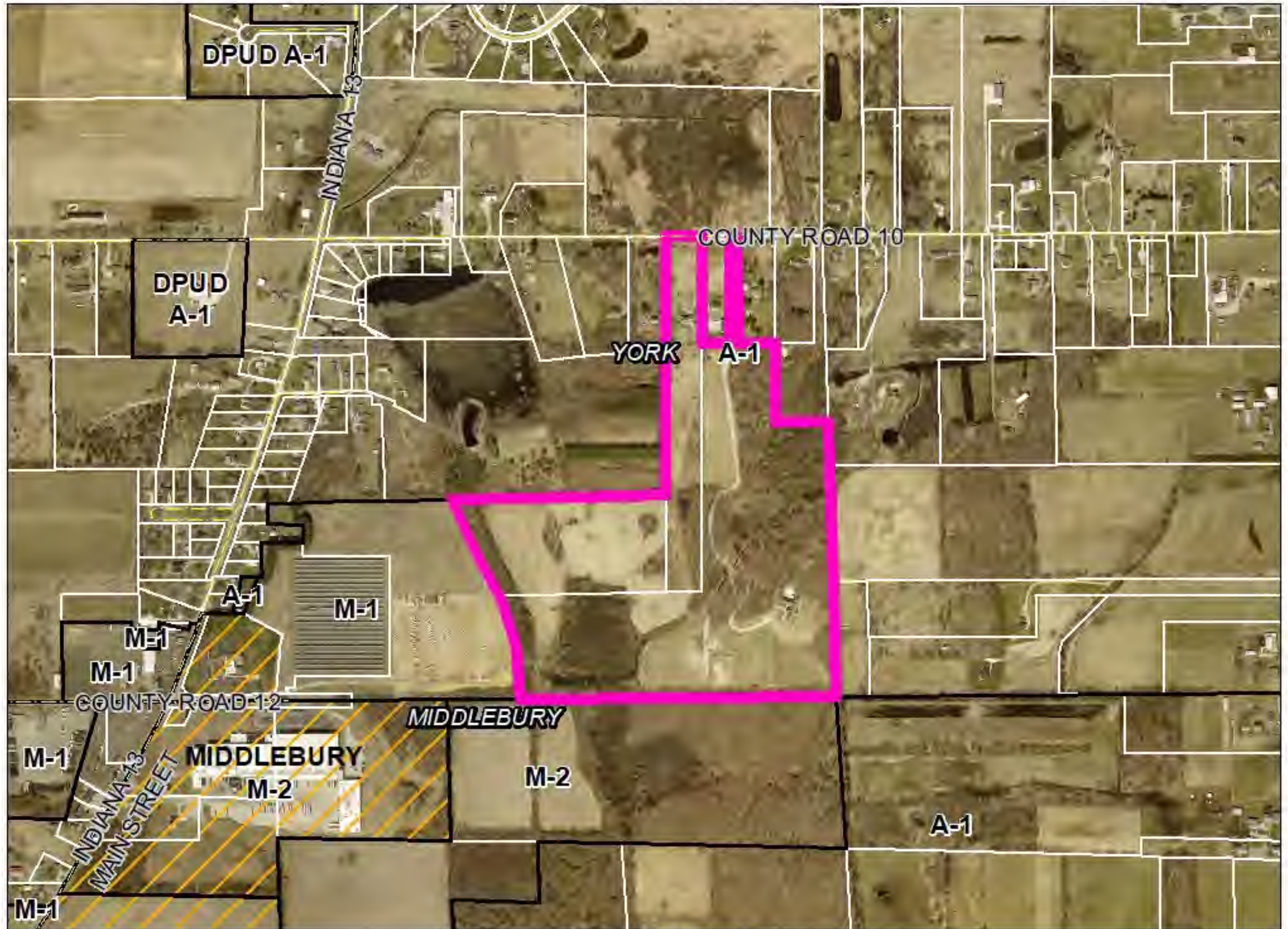
Hearing Date: July 16, 2025

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

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









Subject property, existing driveway access



Subject property, from CR 10



Facing west



Facing east



Facing north

PLAN COMMISSION & BOARD OF ZONING APPEALS

Developmental Variance - Developmental Variance

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

4230 Elkhart Road, Goshen, Indiana, 46526

Phone - (574) 971-4678

Fax - (574) 971-4578

Date: 06/12/2025 Meeting Date: July 16, 2025 Transaction #: DV-0390-2025
Board of Zoning Appeals Public Hearing

Description: for a Developmental Variance to allow for the construction of a residence on property with no road frontage served by an access easement, for a Developmental Variance to allow for the total square footage of accessory structures to exceed that allowed by right, and for a 3 ft. Developmental Variance (Ordinance allows 30 ft.) to allow for the construction of a residence 33 ft. in height.

<u>Applicant</u>	<u>Land Owner</u>	<u>Land Owner</u>
Adam Herbster & Briley Herbster Husband & Wife (Buyers) 11060 Cr 10 Middlebury, IN 46540	Steven L. Herbster & Tamara C. Herbster, Husband & Wife (Sellers) Po Box 398 Middlebury, IN 465400398	Josh Mathew & Laura A. Mathew Husband & Wife (Sellers) 11150 County Road 10 Middlebury, IN 46540

Site Address: 00000 County Road 10 Middlebury, IN 46540	Parcel Number: Part of 20-04-35-426-009.000-032 Part of 20-04-35-476-004.000-032 Part of 20-04-35-476-006.000-032
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Township: York
Location: Southwest side of the easement, 1,490 ft. South of CR 10, East of SR 13

Subdivision:	Lot #
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Lot Area: 21.00	Frontage: 0.00	Depth:
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Zoning: A-1	NPO List: 07/01/2025
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Present Use of Property: RESIDENTIAL

Legal Description:

Comments: BUYER IS CURRENTLY OBTAINING AN ADMINISTRATIVE SUB INCLUDING PART OF THE 3 PARCELS ON THIS APPLICATION. 6-12-2025 JB
WILL NEED RECORDED DEED AND ADMINISTRATIVE SUB INFORMATION WHEN OBTAINED.
SEE DV -CASSIDY & GLORIA FRITZ (96-3819) FOR A 3 TO 1 DEPTH TO WIDTH RATIO & 50 FT. LOT-WIDTH VARIANCE FOR A RESIDENCE.

Applicant Signature:	Department Signature:
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Application

Site address: 11060 CR 10 Middlebury IN 46540

Parcel number(s): 20-04-35-476-004.000-032, 20-04-35-476-006.000-032,

Current property owner part of all 3 parcels 20-04-35-426-009.000-032

Name: Steven + Tamara Herbster

Josh + Laura Matthew

Address: 11060 CR 10 Middlebury IN 46540

11150 CR 10, Middlebury IN

Phone: 574-215-4500

Email: carrieosranch@gmail.com

Other party

☐ Agent

☒ Buyer

☐ Land contract purchaser

☐ Lessee

Name: Adam + Briley Herbster

Address: 11060 CR 10 Middlebury IN 46540

Phone: 719-466-1960

Email: briley.herbster@gmail.com

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

Signature of current property owner or authorized agent:

STEVEN L HERBSTER

Staff Use Only

Description: for a Developmental Variance to allow for the construction of a residence on property with no road frontage served by an access easement, and for a Developmental Variance to allow for the total square footage of accessory structures to exceed that allowed by right, and for a 34' Developmental Variance

Parcel creation date: new split/combo (ordinance allows 30 ft.) to allow for the construction of an accessory structure

Subdivision required? ☒ Y ☐ N If yes, ☒ AS ☐ Minor ☐ Major 33 ft. in height

Residential accessory breakdown, if applicable: new proposed residence = 1,000 sq. ft.
X 200% = 2,000 sq. ft. storage allowed - 4,800 sq. ft.
proposed attached accessory storage = 2,800 sq. ft. over allowed

Location: N (S) E (W) corner (side) end of the easement
1,490 ft. N (S) E (W) of CR 10, East of SR 13
in York Township

Frontage: 0 ft. Depth: _____ Area: 21 acres

Subdivision and lot number, if applicable: _____

Present use: vacant

Developmental Variance — Questionnaire

Name: Adam + Britney Herbster

- 1) Tell us what you want to do. 1) build a 60x80 barn with 1,000 sqft living area and 4,800 sqft storage area, and 2) get driveway variance for property with no road frontage, will share 465 meters of driveway
- 2) Tell us why you can't change what you're doing so you don't need a variance. We'd like to apply for more allowed storage space since we will temporarily live in the barn, then build a large home which will increase our storage space allowed
- 3) Tell us why the variance won't hurt your neighbors or the community. The property is set off the road, completely surrounded by trees, and secluded from neighbors. The barn will be for personal use and very attractive.

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

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

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

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

Building or addition 1 Size and height to the peak: 60ft x 80ft, 33ft peak

Tell us what you'll use it for. Pole barn with 1,000 sq. ft apartment

Building or addition 2 Size and height to the peak: approx 3,000 sq ft

Tell us what you'll use it for. plan to build standard home in 5-7 years

Building or addition 3 Size and height to the peak: _____

Tell us what you'll use it for. _____

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

If yes, fill out below.

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

Tell us who owns (will own) the land under the easement. Steve + Tammy Herbster

Tell us how many parcels will use the easement. two

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

Sign 1 Dimensions (length and width): _____

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

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

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

Sign 2 Dimensions (length and width): _____

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

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

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

Sign 3 Dimensions (length and width): _____

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

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

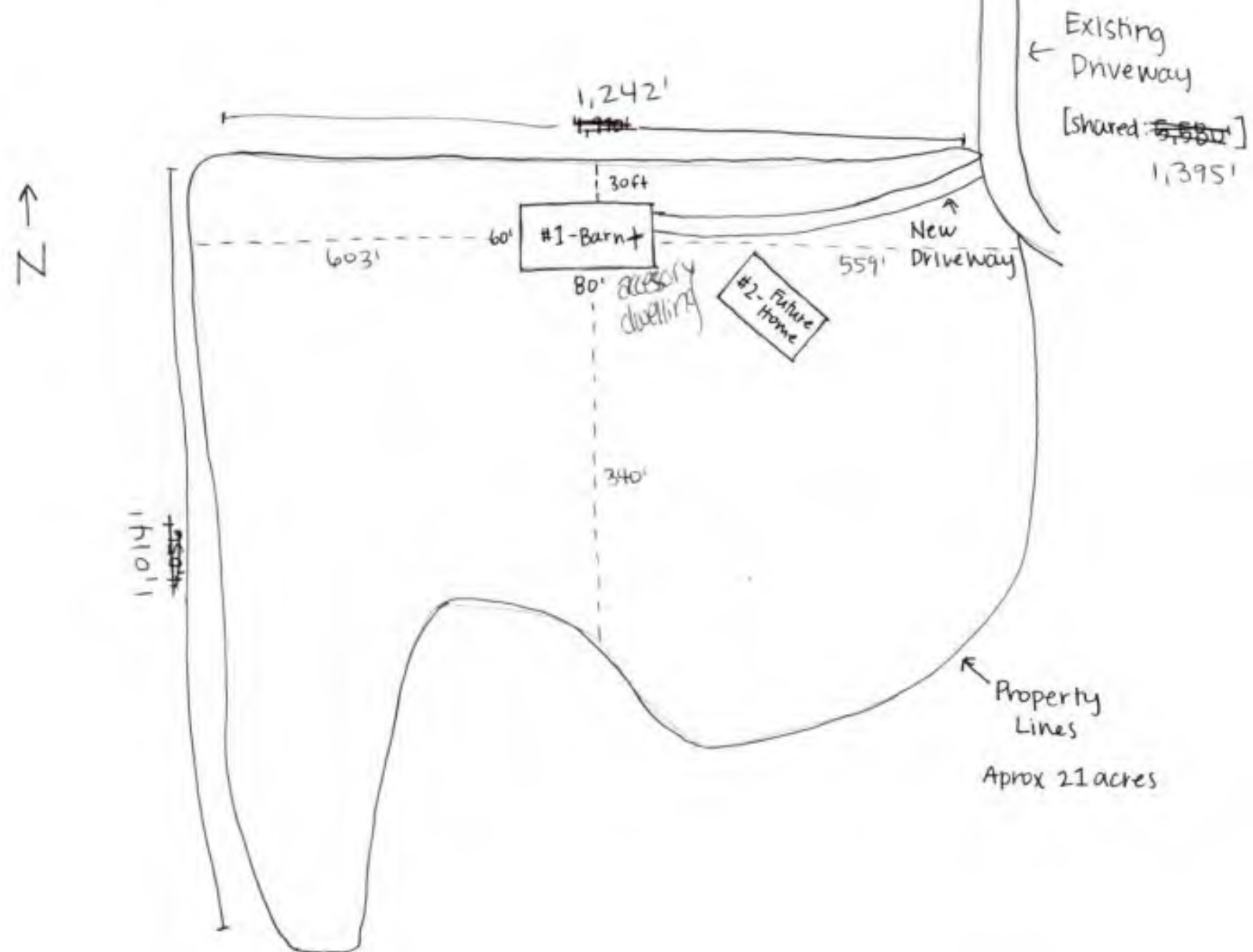
Freestanding? ☐ Y ☐ N Wall mounted? ☐ Y ☐ N

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

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

- 9) Tell us anything else you want us to know. The purchased land will be ²¹~~10~~ acres

County Road 10



Hearing Officer Staff Report

Prepared by the Department of Planning and Development

Hearing Date: July 16, 2025

Transaction Number: DV-0391-2025.

Parcel Number(s): 20-02-16-178-001.000-026.

Existing Zoning: R-2.

Petition: For a 14 ft. Developmental Variance (Ordinance requires 50 ft.) to allow for an existing residence and the construction of an accessory structure 36 ft. from the centerline of the right-of-way.

Petitioner: Julie Marie Poertner.

Location: North side of Lake Dr., 1,180 ft. west of CR 109, in Osolo Township.

Site Description:

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

History and General Notes:

- None.

Staff Analysis:

Staff finds that:

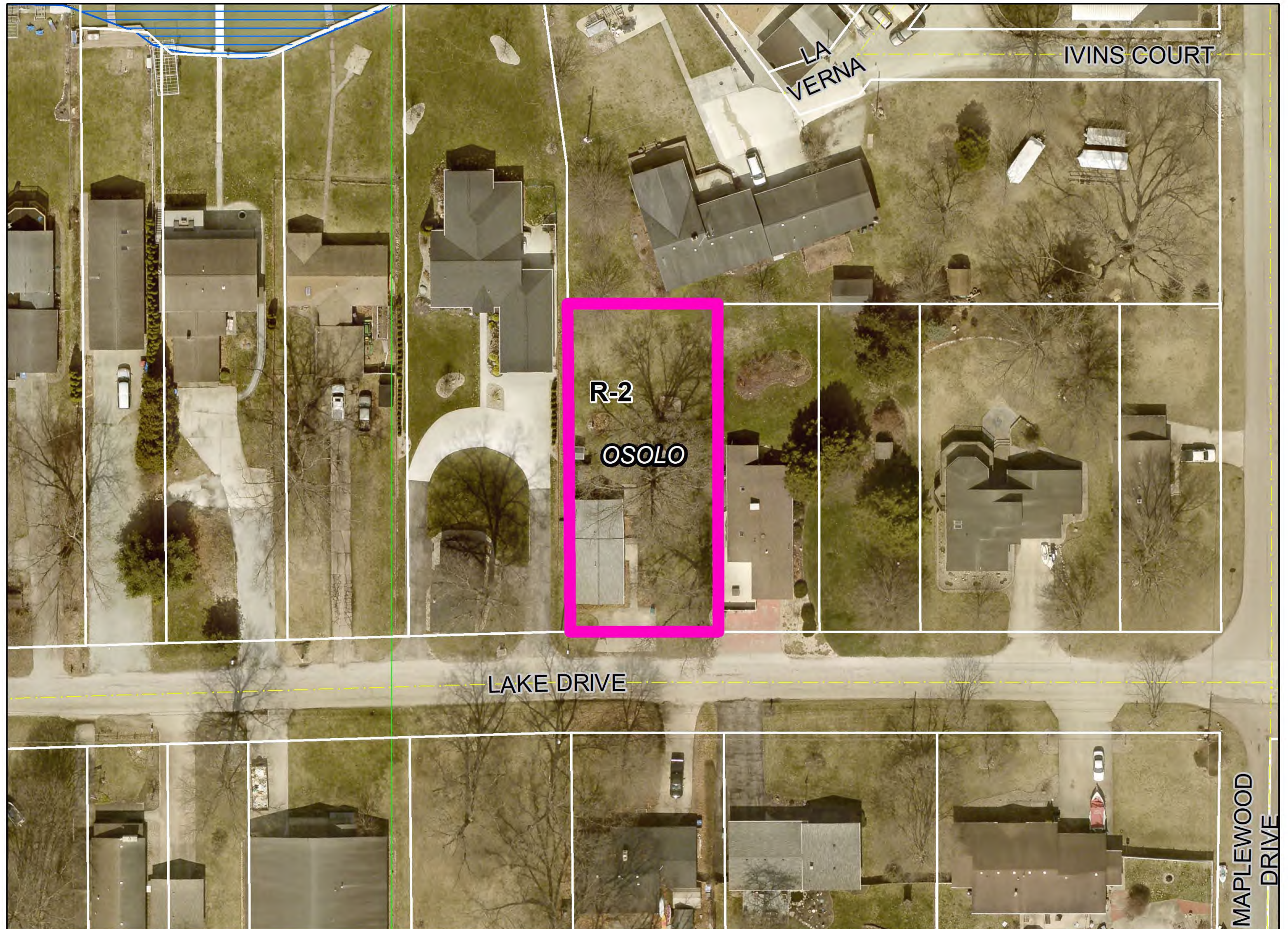
1. Approval of the request will not be injurious to public health, safety, morals, or general welfare. The requested setback matches that of the existing home and will not affect public health or safety.
2. Approval of the request will not cause substantial adverse effect on neighboring property. This is a 0.28-acre lot in a dense lake neighborhood containing many lots with similar encroachments. The lot will remain residential in character.
3. Strict application of the terms of the Development Ordinance would result in an unnecessary hardship in the use of the property. Strict application would prevent a layout that is typical of the neighborhood.

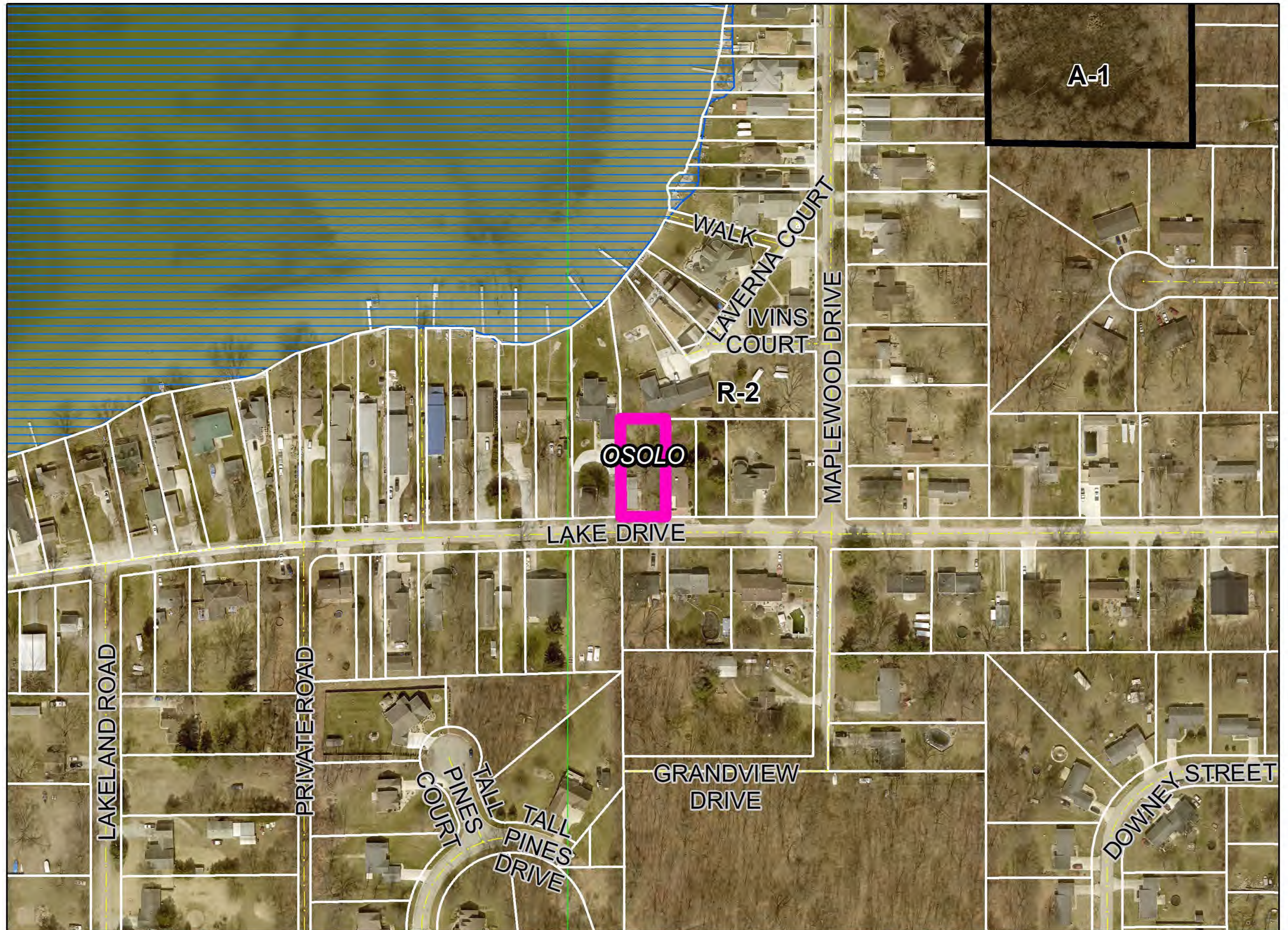
Hearing Officer Staff Report (Continued)

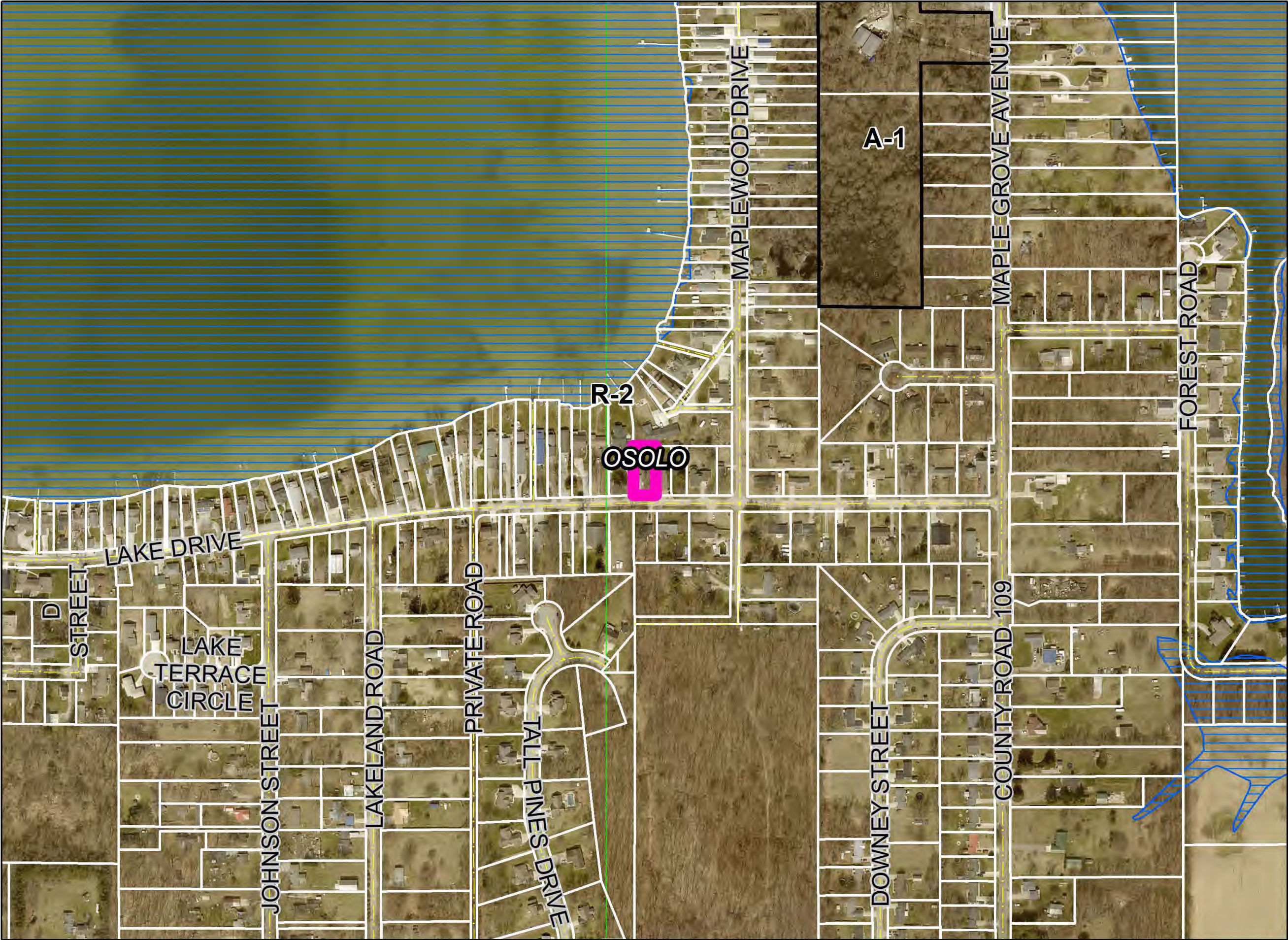
Hearing Date: July 16, 2025

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

1. A variance from the developmental standards of the Development Ordinance is void unless an Improvement Location Permit is issued within 180 calendar days from the date of the grant and construction work completed within 1 year from the date of the issuance of the building permit (where required).
2. The request is approved in accordance with the site plan submitted (dated 6/13/2025) and as represented in the Developmental Variance application.









Subject property



Facing west



Facing east



Facing south

PLAN COMMISSION & BOARD OF ZONING APPEALS

Developmental Variance - Developmental Variance

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

4230 Elkhart Road, Goshen, Indiana, 46526

Phone - (574) 971-4678

Fax - (574) 971-4578

Date: 06/13/2025 Meeting Date: July 16, 2025
Board of Zoning Appeals Public Hearing Transaction #: DV-0391-2025

Description: for a 14 ft. Developmental Variance (Ordinance requires 50 ft.) to allow for the construction of an accessory structure 36 ft. from the centerline of the right-of-way and for a 14 ft. Developmental Variance (Ordinance requires 50 ft.) to allow for an existing residence 36 ft. from the centerline of the right-of-way.

Contacts: Applicant Land Owner
Julie Marie Poertner Julie Marie Poertner
25771 Lake Drive 25771 Lake Drive
Elkhart, IN 46514 Elkhart, IN 46514

Site Address: 25771 Lake Dr Parcel Number: 20-02-16-178-001.000-026
Elkhart, IN 46514

Township: Osolo
Location: North Side of Lake Drive, 1,180 ft. West of CR 109

Subdivision: Silver Beach Lot # 14

Lot Area: 0.28 Frontage: 74.00 Depth: 166.00

Zoning: R-2 NPO List: 07/01/2025

Present Use of Property: RESIDENTIAL

Legal Description:

Comments: DWELLING 1004 SF X 110% = 1104 MINUS SHED 80 SF=1024 SF MINUS PROPOSED GARAGE 336 SF = 688 LEFTOVER
PERSONAL STORAGE 6-13-2025 JB

Applicant Signature:

Department Signature:

Application

Site address: 25771 Lake Dr Elkhart 46514

Parcel number(s): 20-02-16-178-001.000-024

Current property owner

Name: Julie M. Poertner

Address: 25771 Lake Dr Elkhart, IN 46514

Phone: 574-412-4435

Email: juliepoertner@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: Julie M. Poertner

Staff Use Only

Description: _____

Parcel creation date: N/A

Subdivision required?

☐ Y

☒ N

If yes,

☐ AS

☐ Minor

☐ Major

Residential accessory breakdown, if applicable:

1004 X 10% = 1104 - 80 = 1024 - 334 = 688 remaining

Location:

N S E W

corner

side end

of

Lake Drive

11.80

ft.

N S E W

of

CR 109

in

Township

Frontage:

74

Depth:

166

Area:

.283

acres

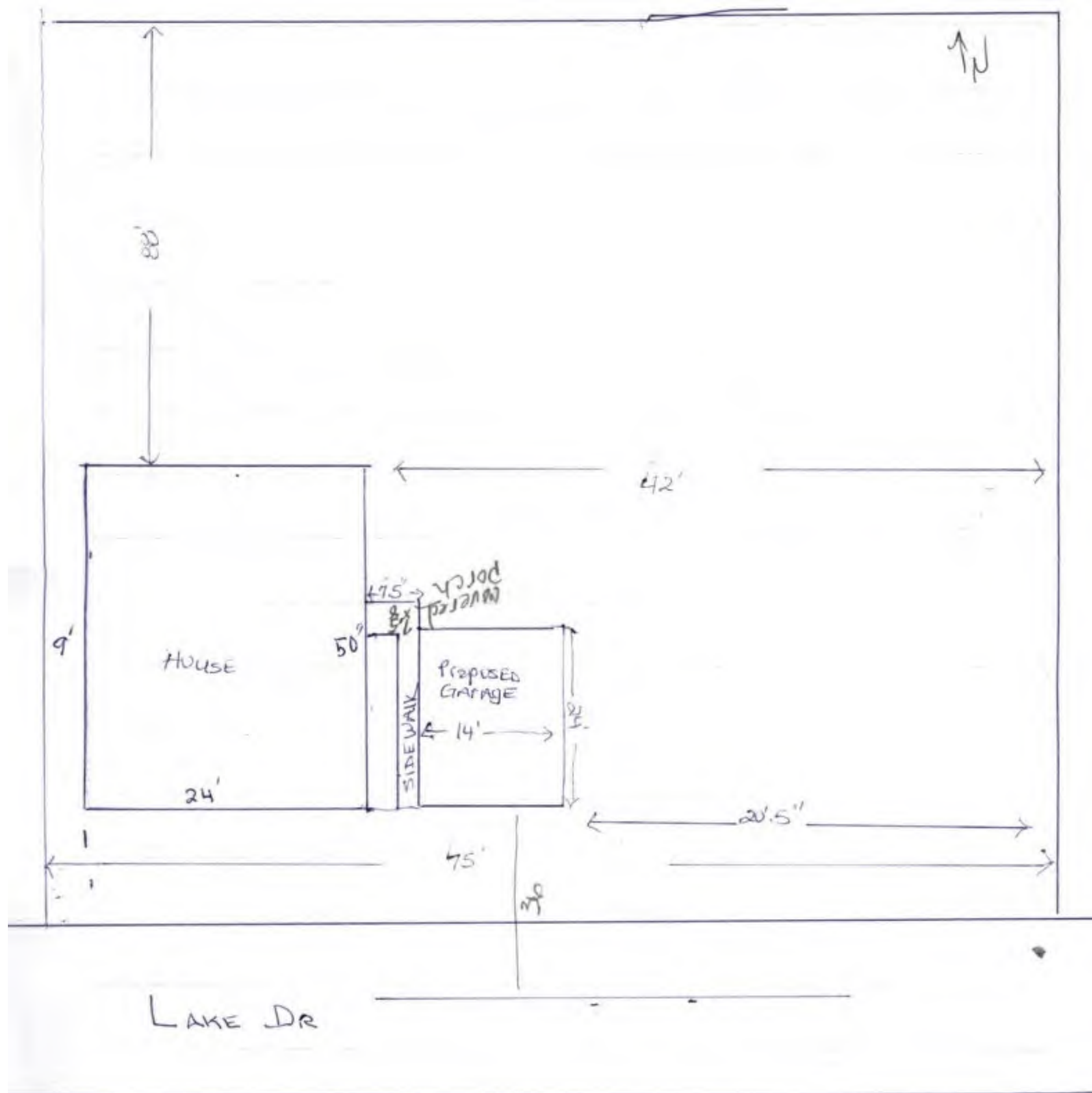
Subdivision and lot number, if applicable:

Present use:

Developmental Variance — Questionnaire

Name: Julie M. Poertner

- 1) Tell us what you want to do. I want to place a pre-built garage size 14x24 on my property with a "breezeway" connection to my front door.
- 2) Tell us why you can't change what you're doing so you don't need a variance. Going through this process I've discovered I will need a variance for my house as well if in the future I would want to sell. As for the garage it would require more work, more to level the ground to set it back.
- 3) Tell us why the variance won't hurt your neighbors or the community. Because it would be at least 20' from the neighbor on that east side of my house and be at the same distance from the road as my home is. Add add'l concrete and wouldn't be where I want it.
- 4) Does the property need well and septic? Well: ☐ Y ☒ N Septic: ☐ Y ☒ N
 Does the property need a new septic system? ☐ Y ☒ N
 If a new septic system is needed, did the Health Department say there's enough space for it? ☐ Y ☐ N
- 5) Does the application include variances to allow for buildings or additions? ☒ Y ☐ N If yes, fill out below.
Building or addition 1 Size and height to the peak: 14x24, 14 ft peak. Will be
 Tell us what you'll use it for. used to hold my vehicle and lawn equipment
Building or addition 2 Size and height to the peak: _____
 Tell us what you'll use it for. _____
Building or addition 3 Size and height to the peak: _____
 Tell us what you'll use it for. _____
- 6) Does the application include a variance for a residence on property with no road frontage? ☒ Y ☐ N
 If yes, fill out below.
 Is the easement existing? ☐ Y ☐ N If the easement is existing, is it recorded? ☐ Y ☐ N
 Tell us who owns (will own) the land under the easement. _____
 Tell us how many parcels will use the easement. _____
- 7) Does the application include variances for signs? ☐ Y ☒ N If yes, fill out below.
Sign 1 Dimensions (length and width): _____
 Existing? ☐ Y ☐ N Double faced? ☐ Y ☐ N
 Electronic message board? ☐ Y ☐ N If no, lighted? ☐ Y ☐ N
 Freestanding? ☐ Y ☐ N Wall mounted? ☐ Y ☐ N
Sign 2 Dimensions (length and width): _____
 Existing? ☐ Y ☐ N Double faced? ☐ Y ☐ N
 Electronic message board? ☐ Y ☐ N If no, lighted? ☐ Y ☐ N
 Freestanding? ☐ Y ☐ N Wall mounted? ☐ Y ☐ N
Sign 3 Dimensions (length and width): _____
 Existing? ☐ Y ☐ N Double faced? ☐ Y ☐ N
 Electronic message board? ☐ Y ☐ N If no, lighted? ☐ Y ☐ N
 Freestanding? ☐ Y ☐ N Wall mounted? ☐ Y ☐ N
- 8) Does the application include a variance for parking spaces? ☐ Y ☒ N
 If yes, tell us how many total there will be. _____
- 9) Tell us anything else you want us to know. I've lived in this house for 41 yrs I'm getting older walking out in the snow/ice and cleaning off my car feels like a safety risk. The neighborhood has changed in this amount of time (41 yrs) and I would feel safer coming and going in the dark at night and leaving early in the am for work.



Hearing Officer Staff Report

Prepared by the Department of Planning and Development

Hearing Date: July 16, 2025

Transaction Number: DV-0396-2025.

Parcel Number(s): 20-05-01-101-007.000-005 & 20-05-01-101-013.000-005.

Existing Zoning: R-1.

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

Petitioner: Catherine S. Sailor, Trustee of the Catherine S. Sailor Revocable Trust.

Location: South side of CR 12, 920 ft. east of CR 3, in Cleveland Township.

Site Description:

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

History and General Notes:

- **January 13, 2025** – Sailor's CR 12 Minor Subdivision was recorded.

Staff Analysis:

Staff finds that:

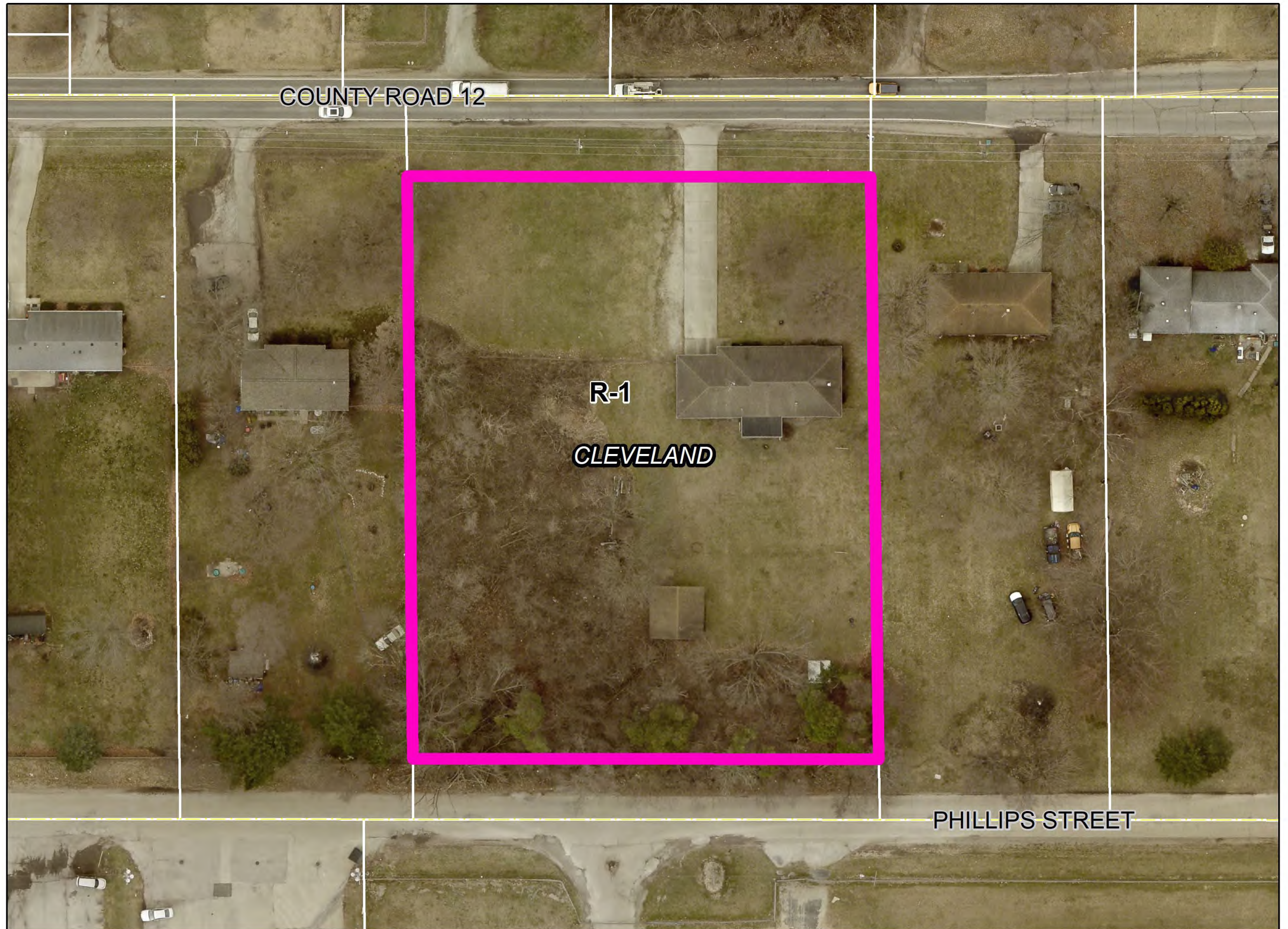
1. Approval of the request will not be injurious to public health, safety, morals, or general welfare. The request is 593 sq. ft., or 36 percent, over what is allowed by right, and the building does not affect sight distance on CR 12 or Phillips St.
2. Approval of the request will not cause substantial adverse effect on neighboring property. This is a 1.73-acre property bordered by industrial uses at the south and residential uses on all other sides, and the property will remain residential in character.
3. Strict application of the terms of the Development Ordinance would result in an unnecessary hardship in the use of the property. The variance is minimal, and the building will be placed near the rear of the property.

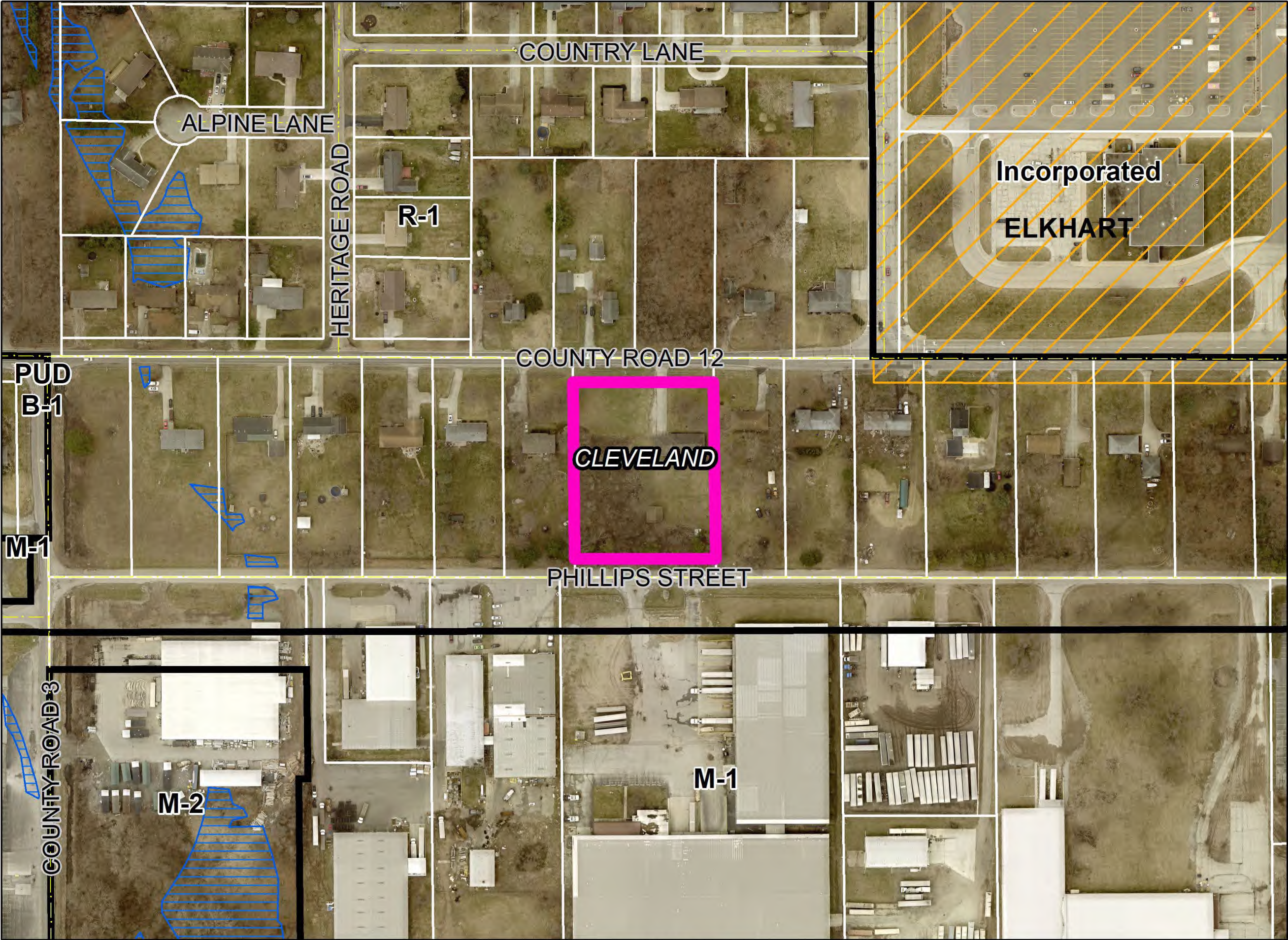
Hearing Officer Staff Report (Continued)

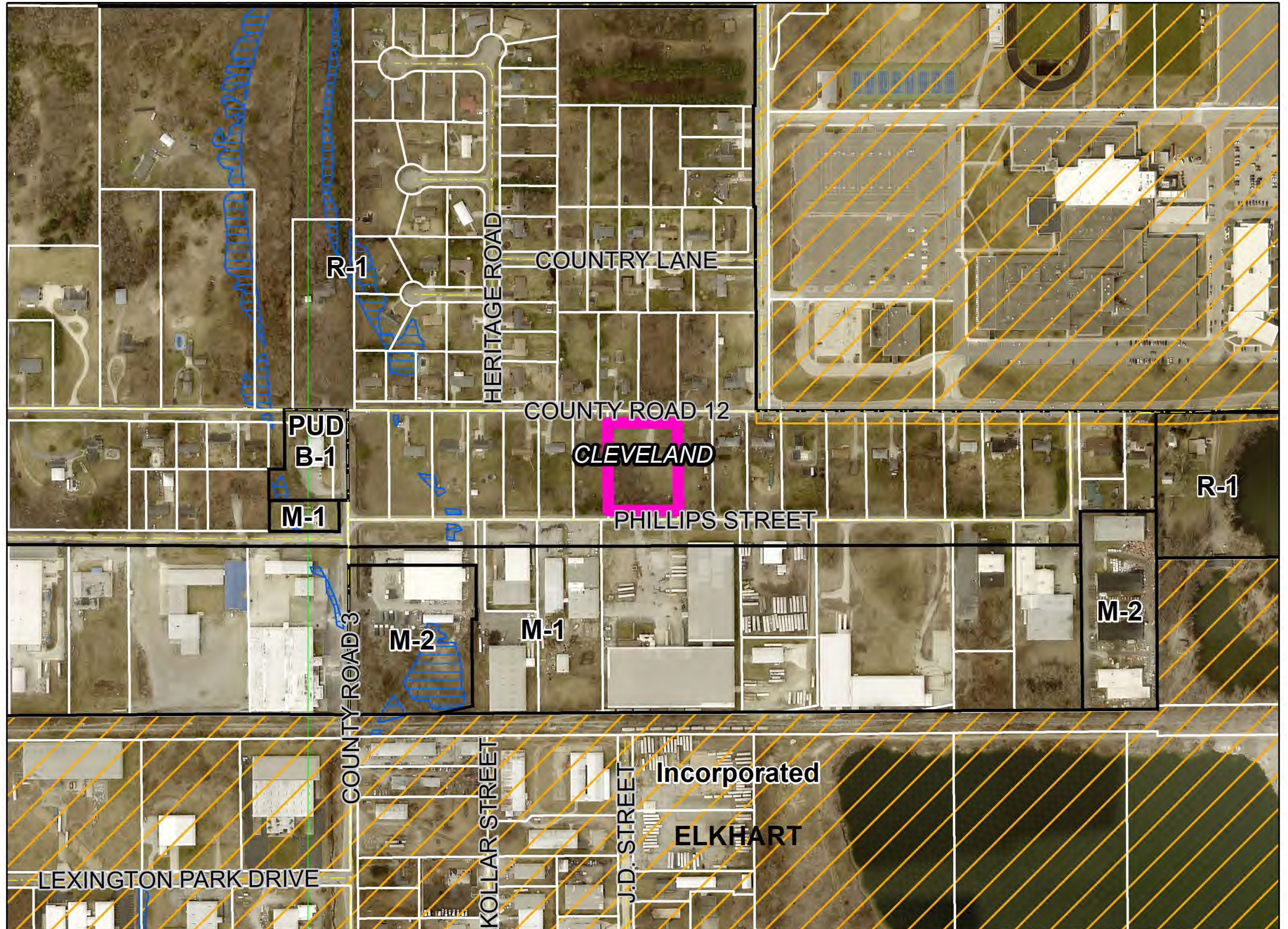
Hearing Date: July 16, 2025

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 (a) the existing 576 sq. ft. accessory structure and its setbacks, (b) the two sheds that will be removed, and (c) revised setbacks for the proposed 1,200 sq. ft. 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



Building site



Facing east



Facing west



Facing north

PLAN COMMISSION & BOARD OF ZONING APPEALS

Developmental Variance - Developmental Variance

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

4230 Elkhart Road, Goshen, Indiana, 46526

Phone - (574) 971-4678

Fax - (574) 971-4578

Date: 06/16/2025 Meeting Date: July 16, 2025 Transaction #: DV-0396-2025
Board of Zoning Appeals Public Hearing

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

Contacts: <u>Applicant</u>	<u>Authorized Agent</u>	<u>Land Owner</u>
Joseph Sailor 55942 Katheryn Drive Elkhart, IN 46514	Joseph Sailor 55942 Katheryn Drive Elkhart, IN 46514	Catherine S. Saylor, Trustee Of The Catherine S. Saylor Revocable Trust 28812 County Road 12 Elkhart, IN 46514

Site Address: 28812 County Road 12 Elkhart, IN 46514	Parcel Number: 20-05-01-101-007.000-005 20-05-01-101-013.000-005
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Township: Cleveland
Location: S side of County Road 12, 920 ft. East of County Road 3

Subdivision: SAILORS CR-12 MINOR	Lot # 1&2
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Lot Area: 1.72	Frontage: 228.00	Depth: 330.00
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Zoning: R-1	NPO List: 07/01/2025
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Present Use of Property: Residential

Legal Description:

Comments:

Applicant Signature:

Department Signature:

Application

Site address: 28812 CR 12 West

Parcel number(s): 05-01-101-007 & 05-01-101-013

Current property owner

Name: Cathryn Sailor

Address: 28812 CR 12 West

Phone: 574-361-8732 Email: _____

Other party

☐ Agent

☐ Buyer

☐ Land contract purchaser

☐ Lessee

Name: Joseph Sailor

Address: 55942 Kathryn Drive

Phone: 574-849-7720 Email: 21ehart1660@comcast.net

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

Signature of current property owner or authorized agent: 

Staff Use Only

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

Parcel creation date: Minor Sub. Sailors CR 12 Minor Subdivision

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

Residential accessory breakdown, if applicable: Attached

Location: N (S) E W corner (side) end of CR 12,
920 ft. N S (E) W of CR 3,
in Cleveland Township

Frontage: 228' Depth: 330' Area: 1.72 acres

Subdivision and lot number, if applicable: _____

Present use: R-1 RESIDENTIAL

Developmental Variance — Questionnaire

Name: _____

Joseph Sauler

- 1) Tell us what you want to do. Construct a Pole Building to store a Car Collection.

- 2) Tell us why you can't change what you're doing so you don't need a variance. I've spent 20,000⁰⁰ to Clean up property of all Brush, garbage and shed and trees removed. ALSO have given Builder 27,000⁰⁰ Down pmt to order materials. Spent 5000⁰⁰ to have it Surveyed
- 3) Tell us why the variance won't hurt your neighbors or the community. Its far enough away from any neighbors. Won't impede their views. ALSO will be keeping Lot mowed Regularly. Will improve Looks in Neighborhood. Will keep Semi Truck drivers from dumping trash.
- 4) Does the property need well and septic? Well: ☐ Y ☒ N Septic: ☐ Y ☒ N
 Does the property need a new septic system? ☐ Y ☒ N
 If a new septic system is needed, did the Health Department say there's enough space for it? ☐ Y ☐ N
- 5) Does the application include variances to allow for buildings or additions? ☒ Y ☐ N If yes, fill out below.

Building or addition 1 Size and height to the peak: 30x40 12 FT ceiling
 Tell us what you'll use it for. Store Car Collection

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

Building or addition 3 Size and height to the peak: _____
 Tell us what you'll use it for. _____
- 6) Does the application include a variance for a residence on property with no road frontage? ☐ Y ☒ N
 If yes, fill out below.
 Is the easement existing? ☐ Y ☐ N If the easement is existing, is it recorded? ☐ Y ☐ N
 Tell us who owns (will own) the land under the easement. _____
 Tell us how many parcels will use the easement. _____
- 7) Does the application include variances for signs? ☐ Y ☒ N If yes, fill out below.

Sign 1 Dimensions (length and width): _____
 Existing? ☐ Y ☐ N Double faced? ☐ Y ☐ N
 Electronic message board? ☐ Y ☐ N If no, lighted? ☐ Y ☐ N
 Freestanding? ☐ Y ☐ N Wall mounted? ☐ Y ☐ N

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

Sign 3 Dimensions (length and width): _____
 Existing? ☐ Y ☐ N Double faced? ☐ Y ☐ N
 Electronic message board? ☐ Y ☐ N If no, lighted? ☐ Y ☐ N
 Freestanding? ☐ Y ☐ N Wall mounted? ☐ Y ☐ N
- 8) Does the application include a variance for parking spaces? ☐ Y ☒ N
 If yes, tell us how many total there will be. _____
- 9) Tell us anything else you want us to know. Semi truck drivers Park there frequently and throw trash all over. I've cleaned it up and will forbid anybody from parking there anymore. Also Rid of homeless people bedding there. Will also be putting in a garden.

CR 12



Hearing Officer Staff Report

Prepared by the Department of Planning and Development

Hearing Date: July 16, 2025

Transaction Number: DV-0398-2025.

Parcel Number(s): 20-02-09-352-027.000-026.

Existing Zoning: R-2.

Petition: For a 1 ft. Developmental Variance (Ordinance requires 5 ft.) to allow for the construction of an accessory structure 4 ft. from the east property line and for a 3 ft. Developmental Variance (Ordinance allows 18 ft.) to allow for the construction of an accessory structure 21 ft. in height.

Petitioner: Steven Holtje & Christine Holtje, Husband & Wife.

Location: South side of North Shore Dr., 2,045 ft. east of Bell Ave., east of SR 19, in Osolo Township.

Site Description:

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

History and General Notes:

- **September 19, 2002** – The BZA approved an Appeal to allow temporary occupancy of a guesthouse and a 15 ft. Developmental Variance to allow construction of the guesthouse 35 ft. from the centerline of the right-of-way.

Staff Analysis:

Staff finds that:

1. Approval of the request will not be injurious to public health, safety, morals, or general welfare. The building meets the size limit and the minimum front setback, and it will not interfere with sight distance along N. Shore Dr.
2. Approval of the request will not cause substantial adverse effect on neighboring property. This is a 0.67-acre property in a dense lake neighborhood containing many lots with similar encroachments. The property will remain residential in character.
3. Strict application of the terms of the Development Ordinance would result in an unnecessary hardship in the use of the property. The driveway layout reduces buildable area on the east side of the property.

Hearing Officer Staff Report (Continued)

Hearing Date: July 16, 2025

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

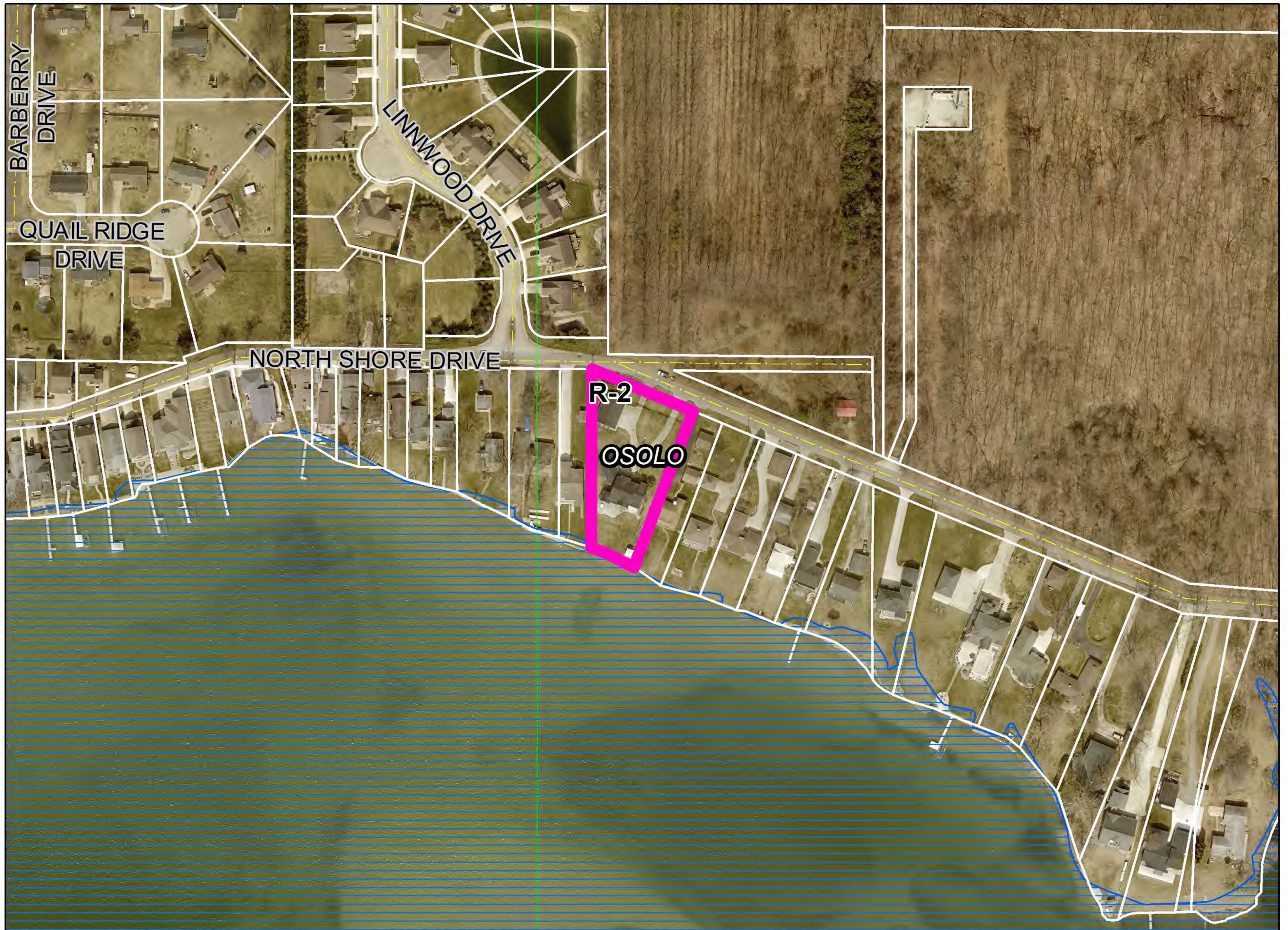
1. Variances from the developmental standards of the Development Ordinance are void unless an Improvement Location Permit is issued within 180 calendar days from the date of the grant and construction work completed within 1 year from the date of the issuance of the building permit (where required).
2. The request is approved in accordance with the site plan submitted (dated 6/16/2025) and as represented in the Developmental Variance application.

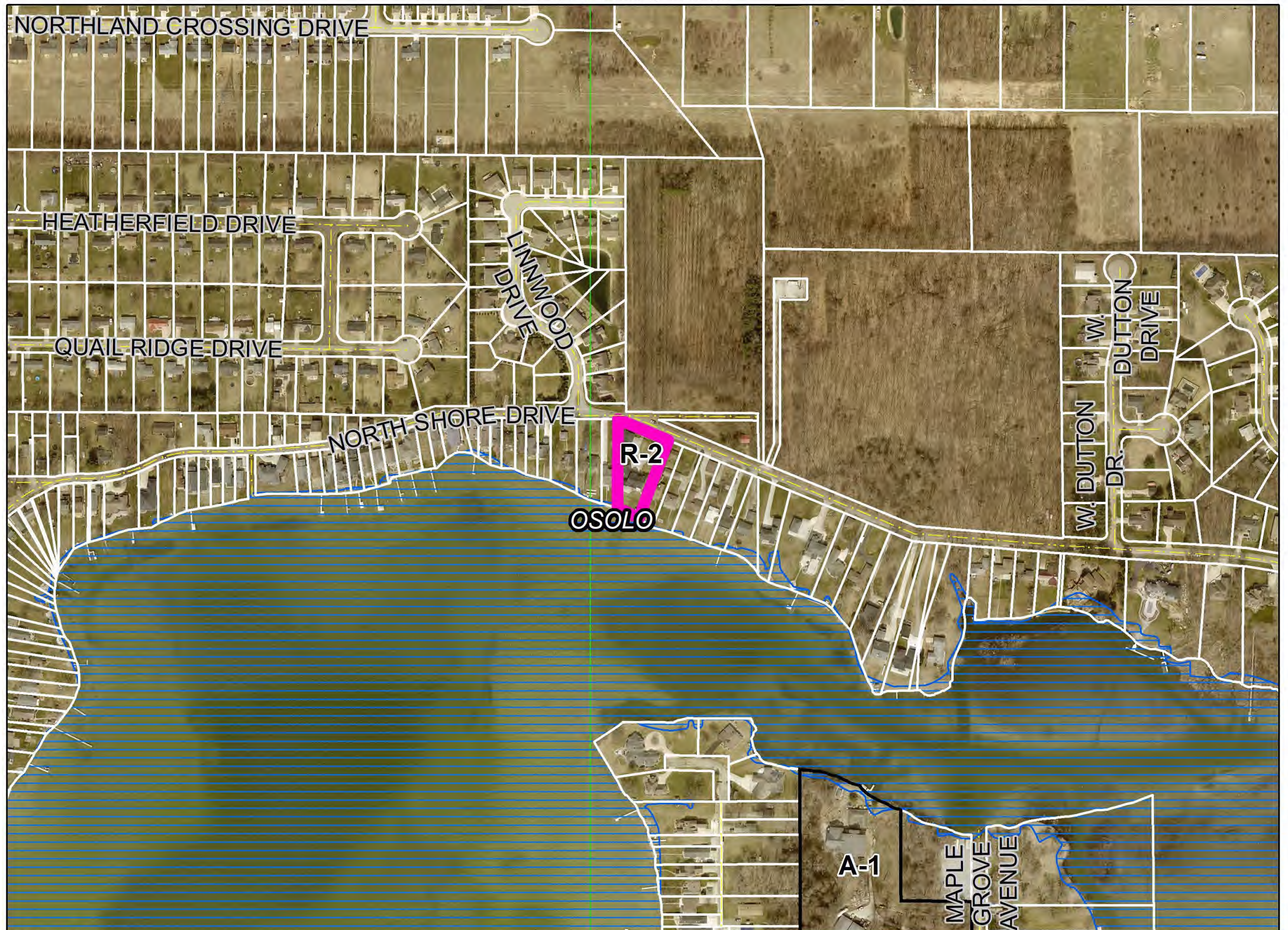


NORTH SHORE DRIVE

R-2

OSOLO







Subject property



Building site



Facing west



Facing east



Facing north

PLAN COMMISSION & BOARD OF ZONING APPEALS

Developmental Variance - Developmental Variance

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

4230 Elkhart Road, Goshen, Indiana, 46526

Phone - (574) 971-4678

Fax - (574) 971-4578

Date: 06/16/2025 Meeting Date: July 16, 2025
Board of Zoning Appeals Public Hearing Transaction #: DV-0398-2025

Description: for a 1 ft. Developmental Variance (Ordinance requires 5 ft.) to allow for the construction of an accessory structure 4 ft. from the east side property line and for a 3 ft. Developmental Variance (Ordinance allows 18 ft.) to allow for the construction of an accessory structure 21 ft. in height.

Contacts: <u>Applicant</u>	<u>Authorized Agent</u>	<u>Land Owner</u>
Van Dyke Building & Remodeling, Llc 19180 Mason St Cassopolis, MI 49031	Van Dyke Building & Remodeling, Llc 19180 Mason St Cassopolis, MI 49031	Steven Holtje And Christine Holtje, Husband And Wife 1300 54Th Ave. Ne Saint Petersburg, FL 33703

Site Address: 25748 North Shore Dr Elkhart, IN 46514	Parcel Number: 20-02-09-352-027.000-026
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Township: Osolo
Location: South Side Of North Shore Dr, 2,045 Ft. East Of Bell Ave., East of SR 19

Subdivision: SUNRISE VIEW	Lot # 1 & 2
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Lot Area: 0.67	Frontage: 186.61	Depth: 230.75
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Zoning: R-2	NPO List: 07/01/2025
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Present Use of Property: RESIDENTIAL

Legal Description:

Comments: RESIDENCE = 4,574 SQ FT X 110% = 5,031 SQ FT, MINUS 838 (ATTACHED GARAGE), 1,734 SQ FT (DETACHED GARAGE) AND 144 (SHED) WITH NEW PROPOSED BUILDING AT 925 SQ FT, WHICH LEAVES 1,390 SQ FT AVAILABLE FOR PERSONAL STORAGE.

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

Application

Site address: 25748 North Shore Dr Elkhart, IN 46514

Parcel number(s): 20-02-09-352-027.000-026

Current property owner

Name: Steven & Christine Holtje

Address: 1300 54th Ave NE St Petersburg, FL 32703

Phone: 727 418-8181

Email: falconsh@aol.com

Other party

☒ Agent

☐ Buyer

☐ Land contract purchaser

☐ Lessee

Name: Bruce Van Dyke (Van Dyke Building + Remodeling LLC)

Address: 19180 Mason St Cassopolis, MI 49031

Phone: 574 849-1050

Email: bvan1357@aol.com

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

Signature of current property owner or authorized agent: Bruce Van Dyke

Staff Use Only

Description: _____

Parcel creation date: _____

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

Residential accessory breakdown, if applicable: _____

Location: N (S) E W corner (side) end of North Shore Dr,
3,650 ft. N S (E) W of SR 19,
in Osolo Township

Frontage: 186.61 Depth: 230.75 Area: .674 acres

Subdivision and lot number, if applicable: Sunrise View Lot 1 & 2

Present use: Residential

Developmental Variance — Questionnaire

Name: Steven & Christine Holtje

1) Tell us what you want to do. Build a detached garage 18.5' x 50' = 925 sq ft

2) Tell us why you can't change what you're doing so you don't need a variance. The building width would be too narrow, the home owner wishes the area proposed to be as wide as possible. NE property line, need a one foot variance.

3) Tell us why the variance won't hurt your neighbors or the community. The neighbors support this project as most of them on the lake have several buildings.

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

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

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

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

Building or addition 1 Size and height to the peak: 18.5' x 50' 21' ft.

Tell us what you'll use it for. _____

Building or addition 2 Size and height to the peak: _____

Tell us what you'll use it for. _____

Building or addition 3 Size and height to the peak: _____

Tell us what you'll use it for. _____

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

If yes, fill out below.

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

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

Tell us how many parcels will use the easement. _____

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

Sign 1 Dimensions (length and width): _____

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

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

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

Sign 2 Dimensions (length and width): _____

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

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

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

Sign 3 Dimensions (length and width): _____

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

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

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

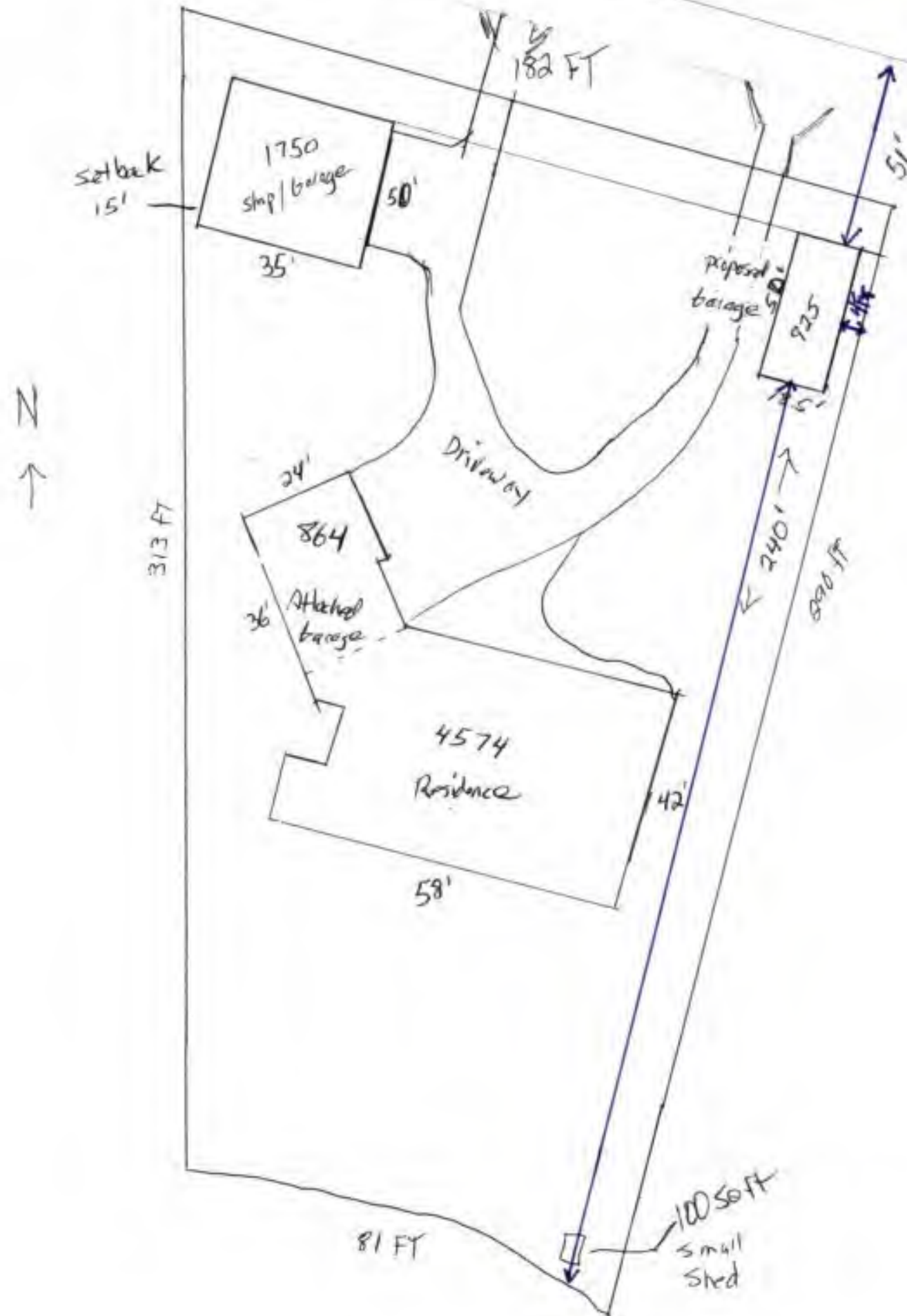
8) Does the application include a variance for parking spaces? ☐ Y ☒ N

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

9) Tell us anything else you want us to know. _____

North Shore Dr

JUN 10 20



Hearing Officer Staff Report

Prepared by the Department of Planning and Development

Hearing Date: July 16, 2025

Transaction Number: DV-0400-2025.

Parcel Number(s): 20-05-25-300-013.000-001.

Existing Zoning: A-1.

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

Petitioner: Darin J. Miller & Michelle Miller, Husband & Wife.

Location: North side of CR 26, 325 ft. east of CR 3, in Baugo Township.

Site Description:

- Physical Improvement(s) – Barn.
- Proposed Improvement(s) – New residence with attached storage.
- Existing Land Use – Residential and agricultural.
- Surrounding Land Use – Residential and agricultural.

History and General Notes:

- None.

Staff Analysis:

Staff finds that:

1. Approval of the request will not be injurious to public health, safety, morals, or general welfare. The request is 1,400 sq. ft., or 77 percent, over what is allowed by right, and the proposed structure meets all other development standards.
2. Approval of the request will not cause substantial adverse effect on neighboring property. This is a 5-acre parcel in a low-density residential and agricultural area, and the parcel will remain residential and agricultural in character.
3. Strict application of the terms of the Development Ordinance would result in an unnecessary hardship in the use of the property. The proposed structure replaces an existing barn and will reduce the need for outdoor storage.

Hearing Officer Staff Report (Continued)

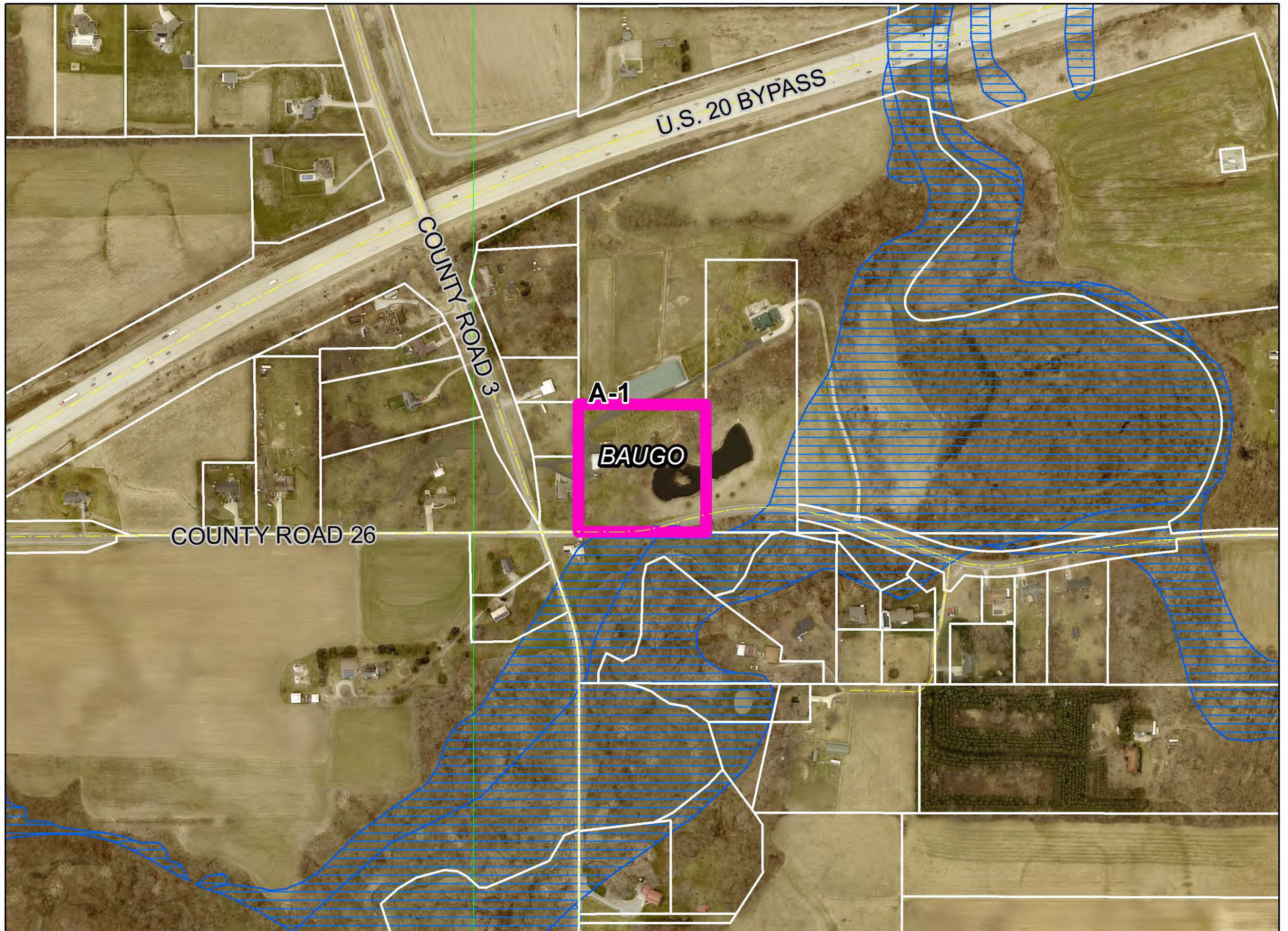
Hearing Date: July 16, 2025

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

1. A variance from the developmental standards of the Development Ordinance is void unless an Improvement Location Permit is issued within 180 calendar days from the date of the grant and construction work completed within 1 year from the date of the issuance of the building permit (where required).
2. The request is approved in accordance with the site plan submitted (dated 6/16/2025) and as represented in the Developmental Variance application.









Subject property facing east



Facing west



Facing north



Facing south

PLAN COMMISSION & BOARD OF ZONING APPEALS

Developmental Variance - Developmental Variance

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

4230 Elkhart Road, Goshen, Indiana, 46526

Phone - (574) 971-4678

Fax - (574) 971-4578

Date: 06/16/2025 Meeting Date: July 16, 2025
Board of Zoning Appeals Public Hearing Transaction #: DV-0400-2025

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

Contacts: <u>Applicant</u>	<u>Authorized Agent</u>	<u>Land Owner</u>
Darin J Miller And Michelle Miller, Husband And Wife 59976 County Road 3 Elkhart, IN 46517	Darin J Miller And Michelle Miller, Husband And Wife 59976 County Road 3 Elkhart, IN 46517	Darin J Miller And Michelle Miller, Husband And Wife 59976 County Road 3 Elkhart, IN 46517

Site Address: 00000 County Road 26 ELKHART, IN 46517	Parcel Number: 20-05-25-300-013.000-001
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Township: Baugo
Location: NORTH SIDE OF CR 26, 325 FT. EAST OF CR 3

Subdivision:	Lot #
--------------	-------

Lot Area: 5.00	Frontage: 400.00	Depth: 420.00
----------------	------------------	---------------

Zoning: A-1	NPO List: 07/01/2025
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Present Use of Property: RESIDENTIAL

Legal Description:

Comments: PERMIT STARTED FOR NEW RESIDENCE ON #BR-1094-2025, BUT HAS TOO MUCH PERSONAL STORAGE (RESIDENCE = 900 SQ FT X 200% = 1,800 SQ FT - PERSONAL STORAGE PORTION OF BUILDING IS 3,200 SQ FT. AG BARN WILL BE DEMOLISHED (45 X 80)

Applicant Signature:

Department Signature:

Application

Site address: 00000 CR 3
Parcel number(s): 20-05-25-300-013

Current property owner

Name: Darin Miller
Address: 28891 CR 26 ELKHART IN 46517
Phone: 574 328-2785 Email: dmiller@millmarkent.com

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

Name: _____
Address: _____
Phone: _____ Email: _____

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

Signature of current property owner or authorized agent: _____

Staff Use Only

Description: Accessory Sq Footage

Permit # BR-1094-2015

Parcel creation date: 10/3/97

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

Residential accessory breakdown, if applicable: Attached.

Location: N S (E) W corner (side) end of CR 3
235 ft. (N) S (E) W of CR 26
in BAUGIO Township

Frontage: 400 Depth: 420 Area: 5. acres

Subdivision and lot number, if applicable: N/A 4063
772

Present use: A-1

Developmental Variance — Questionnaire

Name: Darin Miller

1) Tell us what you want to do. Build a Barn 40x80 with 30x30 Living quarters

2) Tell us why you can't change what you're doing so you don't need a variance. For the Barn storage we need 40x80

3) Tell us why the variance won't hurt your neighbors or the community. 60 acres surround the construction no one will see the Barn

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

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

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

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

Building or addition 1 Size and height to the peak: 40x80x18 height

Tell us what you'll use it for. _____

Building or addition 2 Size and height to the peak: 30x30 x 18 height

Tell us what you'll use it for. _____

Building or addition 3 Size and height to the peak: _____

Tell us what you'll use it for. _____

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

If yes, fill out below.

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

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

Tell us how many parcels will use the easement. _____

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

Sign 1 Dimensions (length and width): _____

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

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

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

Sign 2 Dimensions (length and width): _____

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

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

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

Sign 3 Dimensions (length and width): _____

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

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

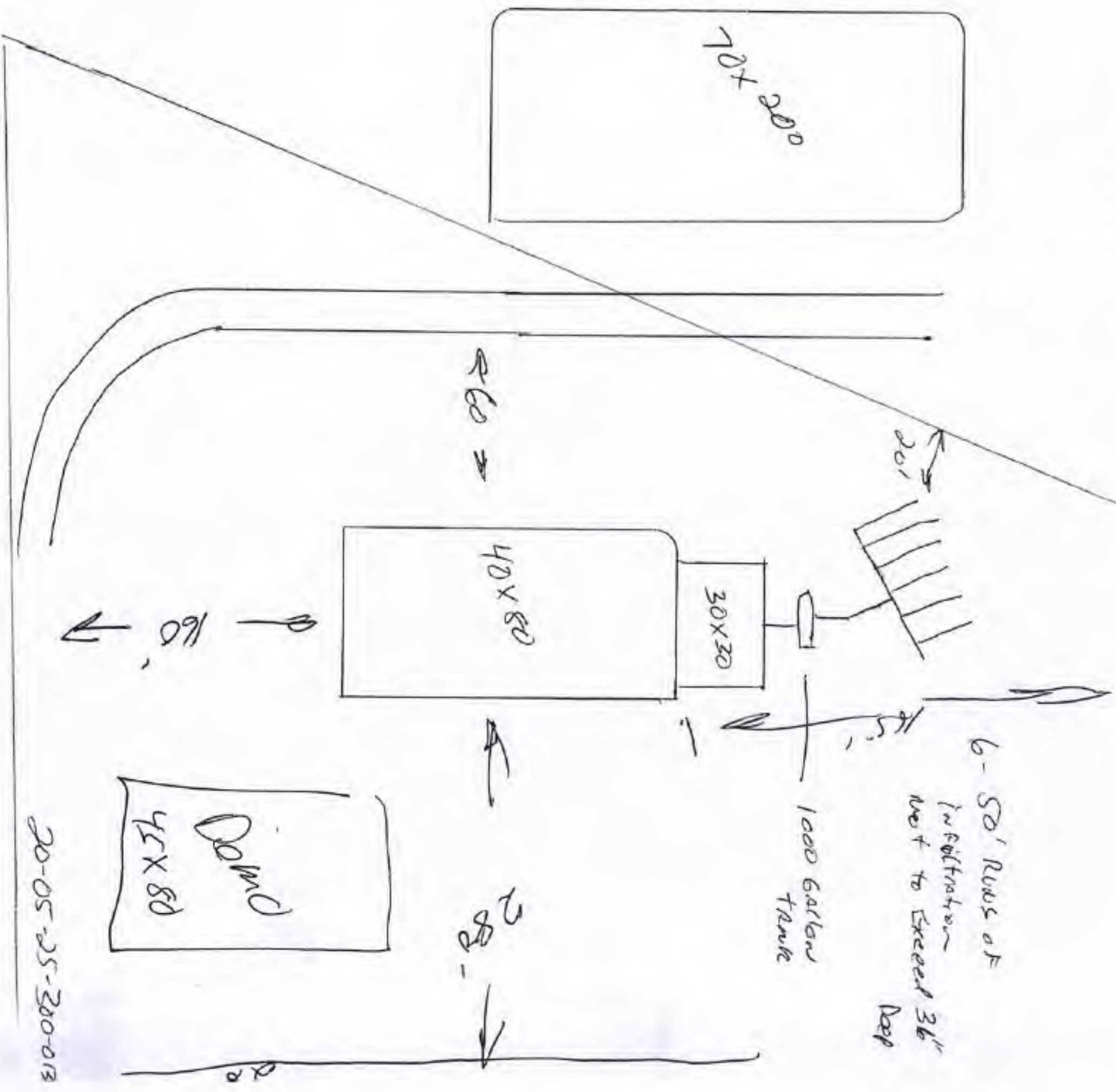
Freestanding? ☐ Y ☐ N Wall mounted? ☐ Y ☐ N

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

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

9) Tell us anything else you want us to know. _____

JUN 16 2025



20-05-25-300-013

2

Hearing Officer Staff Report

Prepared by the Department of Planning and Development

Hearing Date: July 16, 2025

Transaction Number: SUP-0345-2025.

Parcel Number(s): 20-02-33-229-006.000-026 & 20-02-33-229-007.000-026.

Existing Zoning: R-2.

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

Petitioner: Robert E. French & Lynnette R. French, Husband & Wife.

Location: North side of California Ct., 250 ft. west of CR 11 (Osolo Rd.), in Osolo Township.

Site Description:

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

History and General Notes:

- **May 4, 2016** – There was a code complaint for an unsafe house (CODE-0092-2016).
- **November 6, 2019** – A demo permit was issued to remove an unsafe house (BR-2495-2019).
- **May 23, 2025** – An inspection was made to confirm the demolition of the house.
- **February 22, 2024** – A code complaint was made for living in an RV (CODE-0088-2024).
- **March 15, 2024** – The code complaint for living in an RV was closed.

Staff Analysis:

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

1. The Special Use will be consistent with the spirit, purpose, and intent of the Development Ordinance. A manufactured home not on a permanent foundation is allowed by Special Use in the R-2 zoning district.
2. The Special Use will not cause substantial and permanent injury to the appropriate use of neighboring property. This is a 0.25-acre residential parcel in a moderately dense to dense residential area, and the property will remain residential in character.
3. The Special Use will substantially serve the public convenience and welfare by providing an affordable living option and allowing for residential infill development.

Hearing Officer Staff Report (Continued)

Hearing Date: July 16, 2025

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

1. The request is approved subject to Staff renewal every three (3) years and with a one (1) year review to verify compliance with the following:
 - a. The mobile home shall be adequately stabilized and skirted and have tie-downs installed.
 - b. The water supply and sewage disposal system shall be installed in accordance with County Health Department specifications.
 - c. Adequate provisions for storage shall be provided at all times to eliminate exterior storage of personal property, tools, and vehicles, except licensed motor vehicles.
 - d. At all times, the premises shall be kept free of abandoned junk vehicles and parts thereof as described by Indiana State Law.
2. The request is approved in accordance with the site plan submitted (dated 5/22/2025) and as represented in the Special Use application.

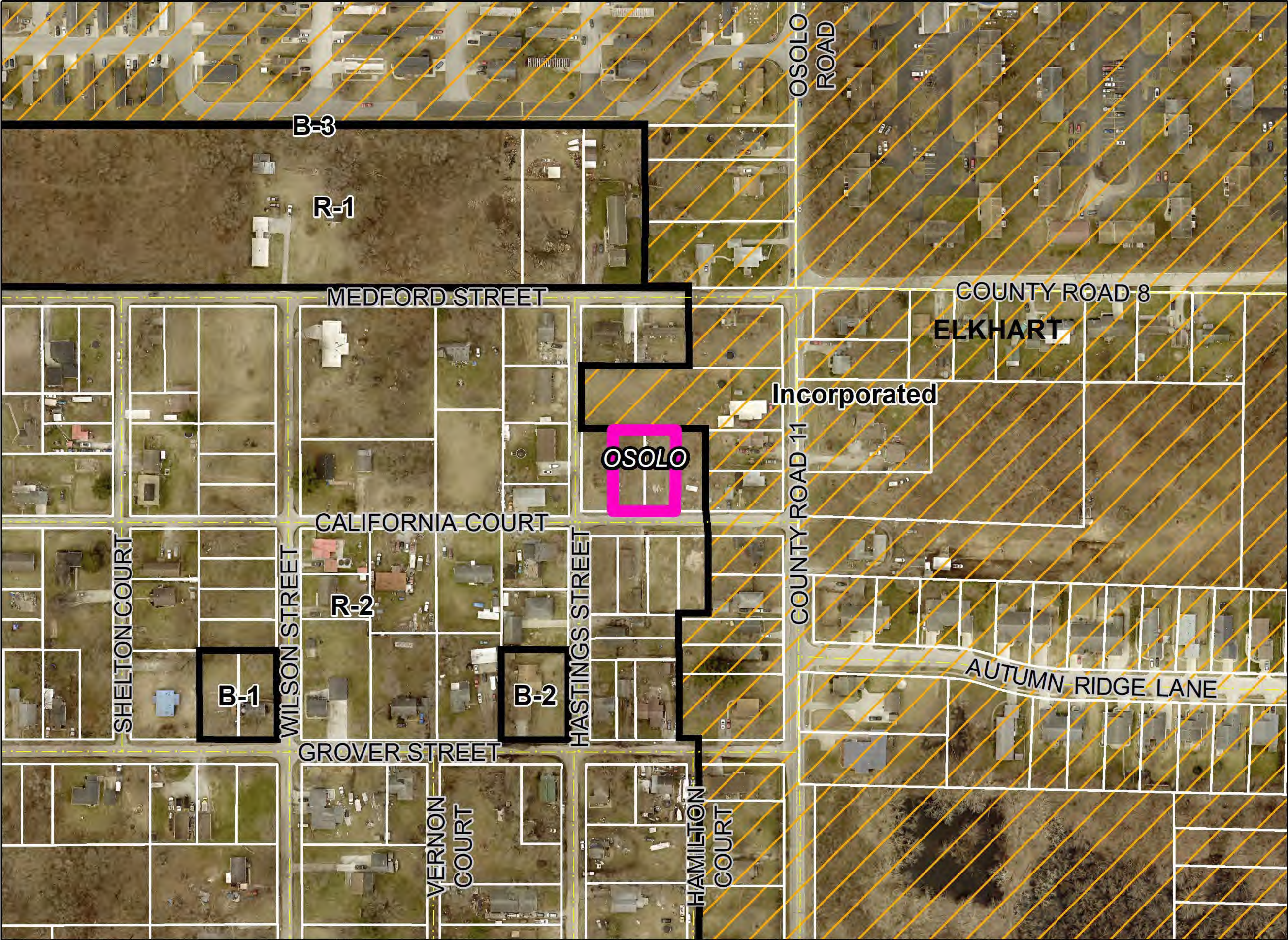
For a Developmental Variance to allow for a manufactured home not on a permanent foundation within 300 ft. of a residence, staff finds that:

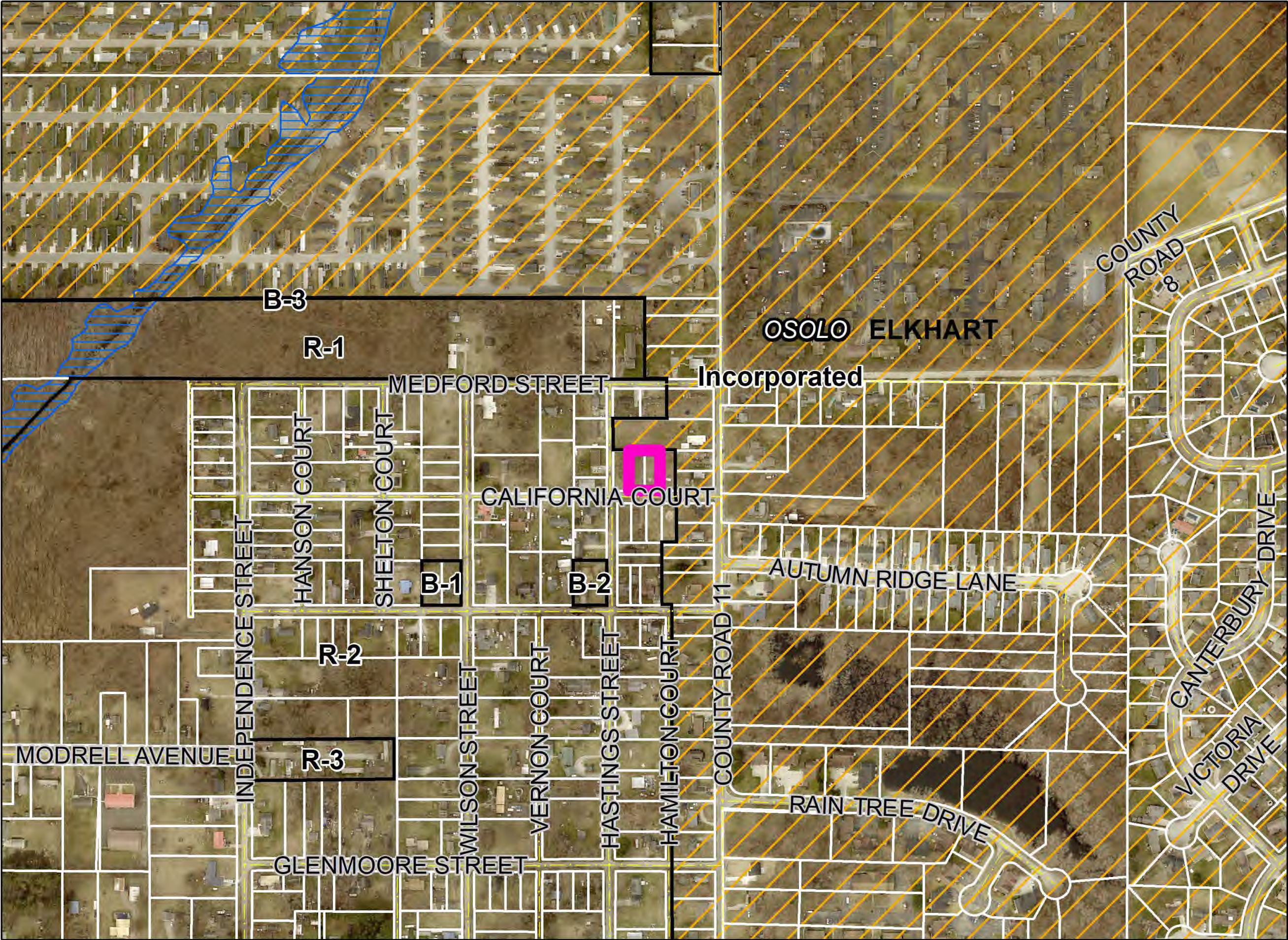
1. Approval of the request will not be injurious to public health, safety, morals, or general welfare. The proposed new home's size and shape are comparable to a stick-built home and the home will replace an unsafe house that was demolished.
2. Approval of the request will not cause substantial adverse effect on neighboring property. This is a 0.25-acre residential parcel in a medium-density area, and the property will remain residential in character. There are other manufactured homes not on a permanent foundation in the neighborhood.
3. Strict application of the terms of the Development Ordinance would result in an unnecessary hardship in the use of the property. Without the benefit of the variance, the manufactured home not on a permanent foundation would be non-conforming.

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

1. A variance from the developmental standards of the Development Ordinance is void unless an Improvement Location Permit is issued within 180 calendar days from the date of the grant and construction work completed within 1 year from the date of the issuance of the building permit (where required).
2. The request is approved in accordance with the site plan submitted (dated 5/22/2025) and as represented in the Developmental Variance application.









Subject property facing north



Facing south



Facing east



Facing west

PLAN COMMISSION & BOARD OF ZONING APPEALS

Special Use - Mobile Home

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

4230 Elkhart Road, Goshen, Indiana, 46526

Phone - (574) 971-4678

Fax - (574) 971-4578

Date: 05/22/2025 Meeting Date: July 16, 2025
Board of Zoning Appeals Public Hearing Transaction #: SUP-0345-2025

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

Contacts: Applicant Land Owner
Robert E. French And Lynnette Robert E. French And Lynnette
R. French, Husband And Wife R. French, Husband And Wife
1732 Connecticut Ave 1732 Connecticut Ave
Elkhart, IN 46514 Elkhart, IN 46514

Site Address: 25043 California Ct Parcel Number: 20-02-33-229-006.000-026
Elkhart, IN 46514 20-02-33-229-007.000-026

Township: Osolo
Location: NORTH SIDE OF CALIFORNIA CT., 250 FT. WEST OF CR 11 (OSOLO RD)

Subdivision: HASTINGS PK UNREC (TIF 159) Lot # 233 and 232

Lot Area: 0.25 Frontage: 100.00 Depth: 130.00

Zoning: R-2 NPO List: 07/01/2025

Present Use of Property: VACANT

Legal Description:

Comments: PREVIOUS DEMO PERMIT #BR-2495-2019 TO BE INSPECTED 5/23/2025
PREVIOUS CODE COMPLAINT FOR UNSAFE (RECTIFIED WITH DEMO) #0092-2016, AND #0088-2024 LIVING IN RV
MARKED AS IN COMPLIANCE.
PROPERTY IS 2 LOTS DEEDED TOGETHER
SITE ADDRESS IS 25053 CALIFORNIA CT.

Applicant Signature:

Department Signature:

#SUP-0345-2025

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

Application

Site address: 25053 CALIFORNIA CT. ELK IN.

Parcel number(s): 20-02-33-229-006

229-007

Current property owner

Name: ROBERT E + LYNNETTE R FRENCH

Address: 1732 CONNECTICUT AVE, ELK IN 46514

Phone: 574-312-5896

Email: LYNNETTE@166@G.MAIL.COM

Other party

☐ Agent

☐ Buyer

☐ Land contract purchaser

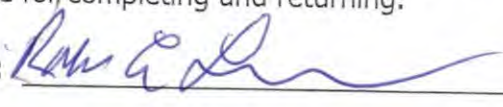
☐ Lessee

Name: _____

Address: _____

Phone: _____ Email: _____

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

Signature of current property owner or authorized agent: 

Staff Use Only

Description: _____

Parcel creation date: _____

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

Residential accessory breakdown, if applicable: _____

Location: N S E W corner side end of _____

250 ft. N S E W of Getz Rd / CR 11

in _____ Township

Frontage: _____ Depth: _____ Area: _____ acres

Subdivision and lot number, if applicable: _____

Present use: _____

Special Use for a Mobile Home — Questionnaire

Name:

ROBERT E. + LYNNETTE R. FRENCH

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

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

- 2) Tell us who will live in the mobile home. MY WIFE + MYSELF

ROBERT E + LYNNETTE R FRENCH

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

If yes, tell us about it.

- 4) Tell us why the mobile home won't hurt your neighbors or the community. This is a vacant property and the home will improve the area.

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

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

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

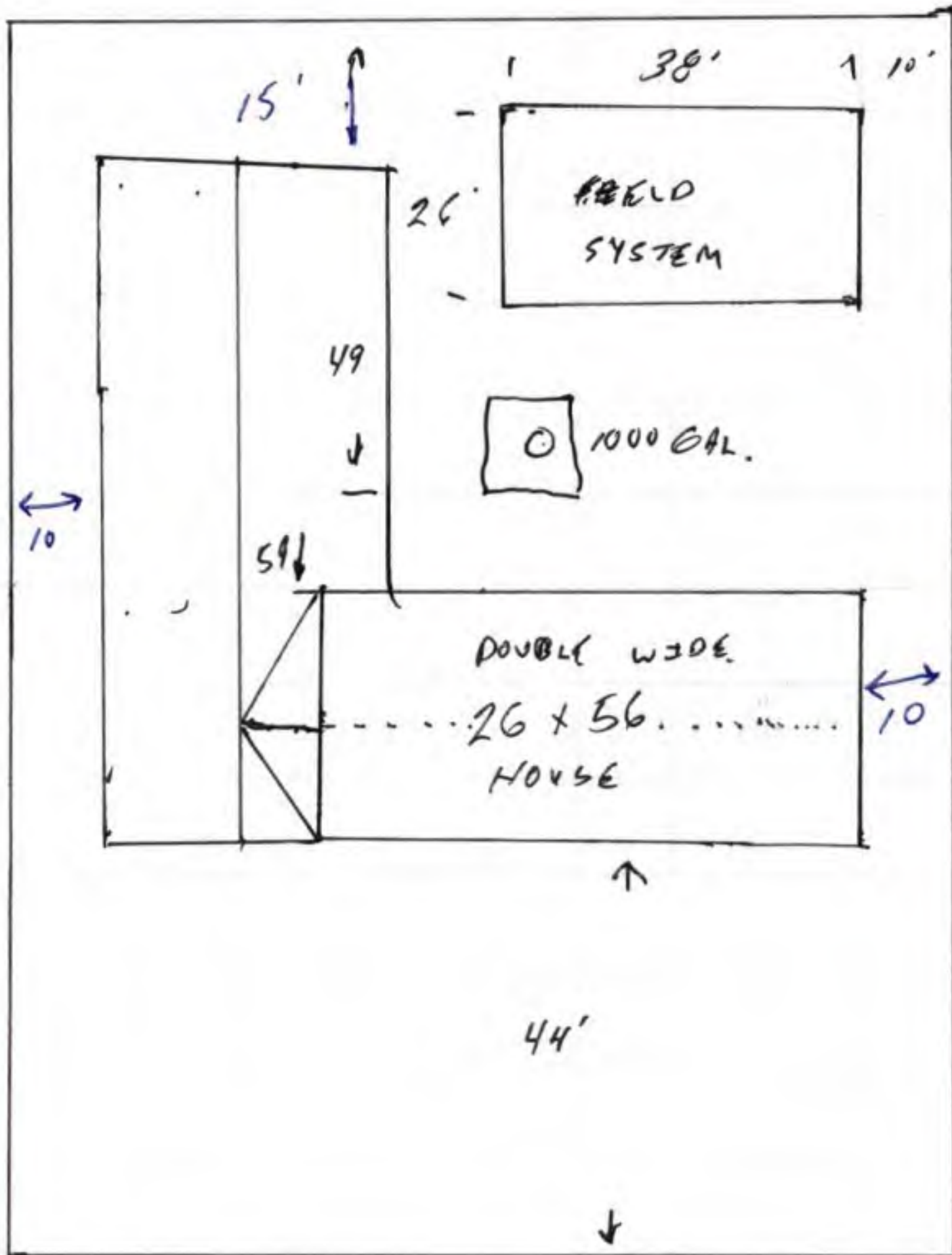
- 6) Tell us the size of the mobile home. 26 x 56

- 7) Tell us the year of the mobile home. ~~1990~~ 2012

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

100' WIDE

N ↑



130 D.

Hearing Officer Staff Report

Prepared by the Department of Planning and Development

Hearing Date: July 16, 2025

Transaction Number: SUP-0401-2025.

Parcel Number(s): 20-02-33-206-007.000-026.

Existing Zoning: R-2.

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

Petitioner: Maribel Ramirez.

Location: Northeast corner of Grover St. & Independence St., 1,880 ft. north of CR 10 (E. Bristol St.), in Osolo Township.

Site Description:

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

History and General Notes:

- **June 28, 2021** – A demo permit was issued to remove a fire-damaged house (BR-1511-2021).

Staff Analysis:

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

1. The Special Use will be consistent with the spirit, purpose, and intent of the Development Ordinance. A manufactured home not on a permanent foundation is allowed by Special Use in the R-2 zoning district.
2. The Special Use will not cause substantial and permanent injury to the appropriate use of neighboring property. This is a 0.35-acre residential parcel in a moderately dense to dense residential area, and the property will remain residential in character.
3. The Special Use will substantially serve the public convenience and welfare by providing an affordable living option and allowing for residential infill development.

Hearing Officer Staff Report (Continued)

Hearing Date: July 16, 2025

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

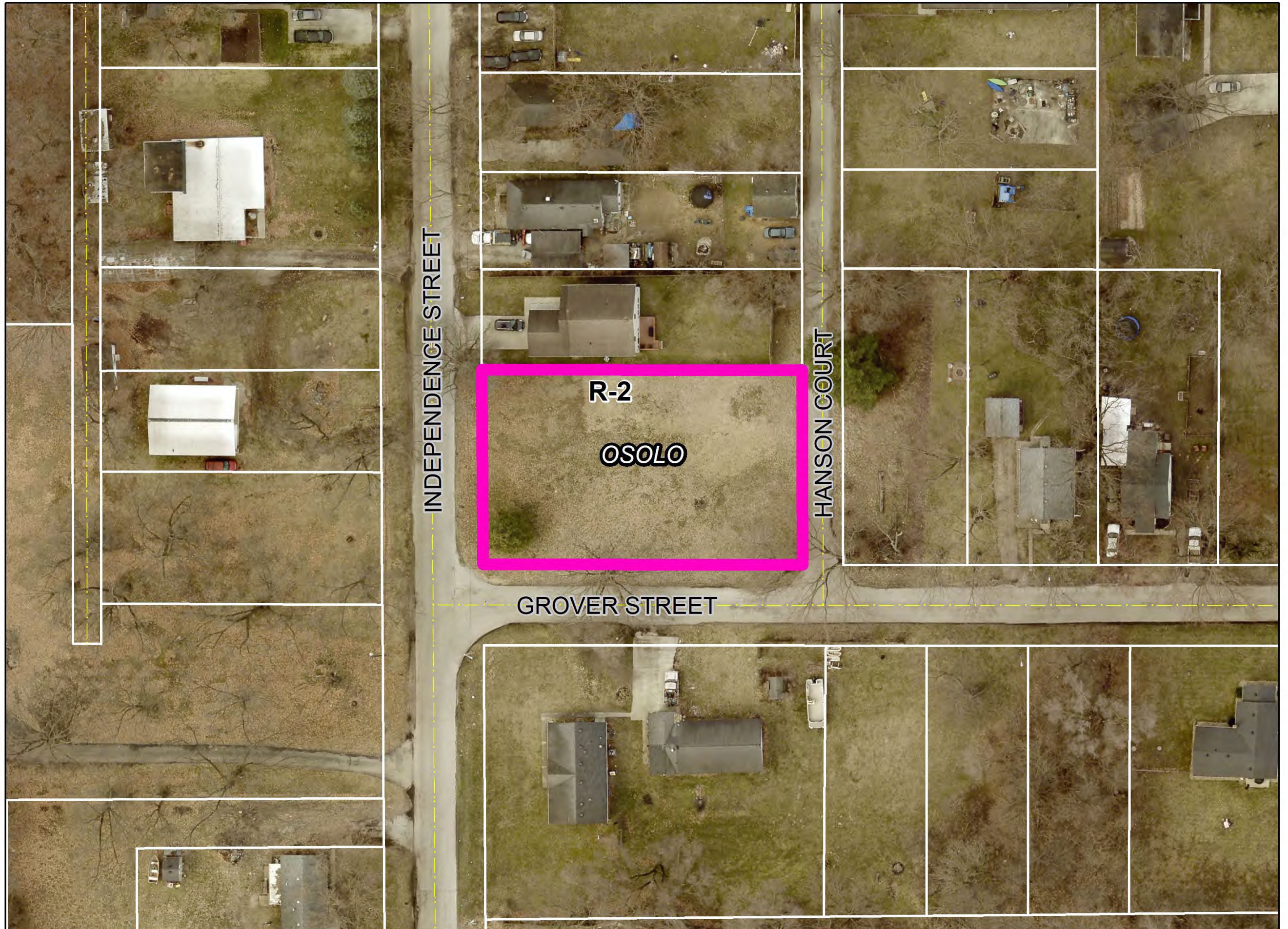
1. The request is approved subject to Staff renewal every three (3) years and with a one (1) year review to verify compliance with the following:
 - a. The mobile home shall be adequately stabilized and skirted and have tie-downs installed.
 - b. The water supply and sewage disposal system shall be installed in accordance with County Health Department specifications.
 - c. Adequate provisions for storage shall be provided at all times to eliminate exterior storage of personal property, tools, and vehicles, except licensed motor vehicles.
 - d. At all times, the premises shall be kept free of abandoned junk vehicles and parts thereof as described by Indiana State Law.
2. The request is approved in accordance with the site plan submitted (dated 6/16/2025) and as represented in the Special Use application.

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

1. Approval of the request will not be injurious to public health, safety, morals, or general welfare. The proposed new home's size and shape are comparable to a stick-built home and the home will replace a house that was destroyed by fire.
2. Approval of the request will not cause substantial adverse effect on neighboring property. This is a 0.35-acre residential parcel in a medium-density area, and the property will remain residential in character. There are other manufactured homes not on a permanent foundation in the neighborhood.
3. Strict application of the terms of the Development Ordinance would result in an unnecessary hardship in the use of the property. Without the benefit of the variance, the manufactured home not on a permanent foundation would be non-conforming.

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

1. A variance from the developmental standards of the Development Ordinance is void unless an Improvement Location Permit is issued within 180 calendar days from the date of the grant and construction work completed within 1 year from the date of the issuance of the building permit (where required).
2. The request is approved in accordance with the site plan submitted (dated 6/16/2025) and as represented in the Developmental Variance application.



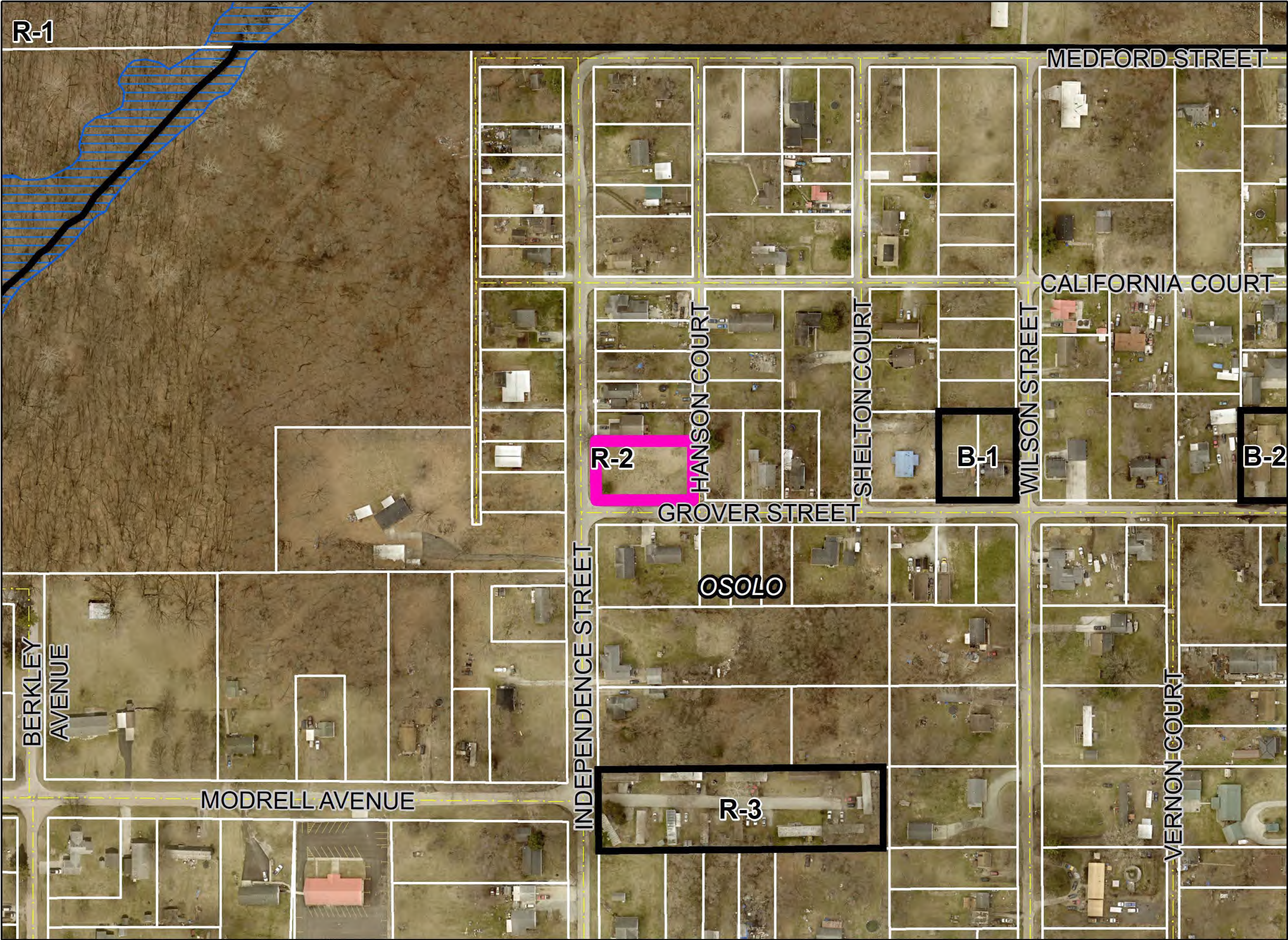
INDEPENDENCE STREET

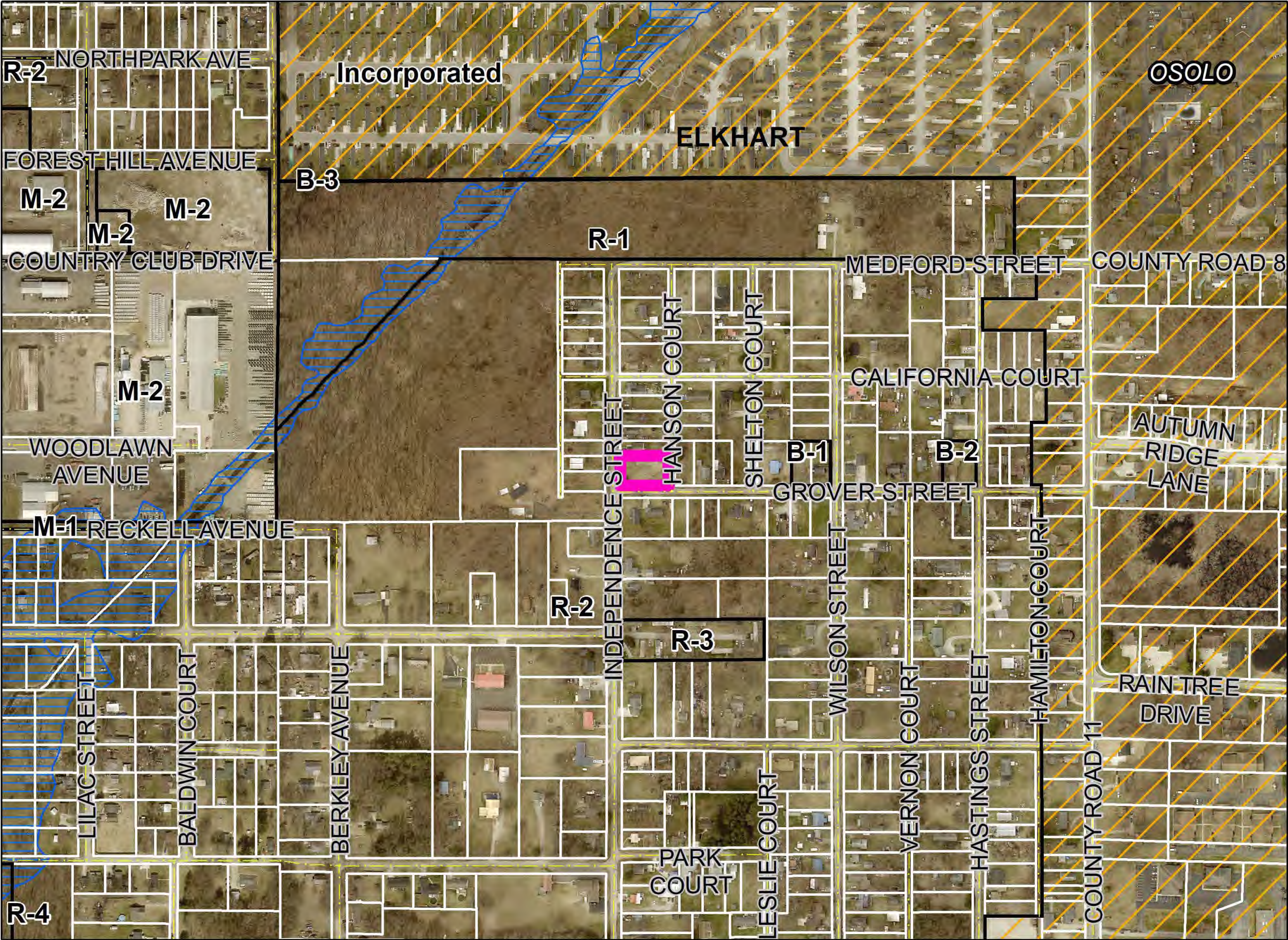
HANSON COURT

GROVER STREET

R-2

OSOLO







Subject property facing north



Facing south



Facing east



Facing west

PLAN COMMISSION & BOARD OF ZONING APPEALS

Special Use - Mobile Home

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

4230 Elkhart Road, Goshen, Indiana, 46526

Phone - (574) 971-4678

Fax - (574) 971-4578

Date: 06/16/2025 Meeting Date: July 16, 2025
Board of Zoning Appeals Public Hearing Transaction #: SUP-0401-2025

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

Contacts: <u>Applicant</u>	<u>Authorized Agent</u>	<u>Land Owner</u>
Maribel Ramirez	Maribel Ramirez	Maribel Ramirez
2256 Bo Railroad	2256 Bo Railroad	2256 Bo Railroad
Elkhart, IN 46514	Elkhart, IN 46514	Elkhart, IN 46514

Site Address: 25273 Grover St Elkhart, IN 46514	Parcel Number: 20-02-33-206-007.000-026
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Township: Osolo
Location: Northeast Corner Of Grover St. And Independence St., 1,880 Ft. North of CR 10/E Bristol St

Subdivision: HASTINGS PK UNREC (TIF 159)	Lot # 142 & 143
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Lot Area: 0.35	Frontage: 254.00	Depth:
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Zoning: R-2	NPO List: 07/01/2025
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Present Use of Property: VACANT

Legal Description:

Comments: SEE DEMO PERMIT #BR-1511-2021 TO BE INSPECTED 6/17/2025

Applicant Signature:

Department Signature:

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

Application

Site address: 25273 Grover St Elkhart IN
Parcel number(s): 20-02-33-206-007-000-026

Current property owner

Name: Maribel Ramirez Dominguez
Address: 2256 B and C Railroad
Phone: (574) 575 8402 Email: maribel2256@icloud.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: Maribel Ramirez D.

Staff Use Only

Description: Mobile home
± 300 ft residence

Parcel creation date: _____

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

Residential accessory breakdown, if applicable: _____

Location: N S E W corner side end of Grover St @ Independence,
1,800 ft. N S E W of CR 10 / Bristol St,
in Osolo Township

Frontage: _____ Depth: _____ Area: .35 acres

Subdivision and lot number, if applicable: Hastings Park Annex Lots 142 & 143

Present use: _____

Special Use for a Mobile Home — Questionnaire

Name: Maribel Ramirez Dominguez

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

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

- 2) Tell us who will live in the mobile home. Maribel Ramirez, Emanuel Del valle,
Mauricio, Genesis Salazar

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

If yes, tell us about it. It's become a hardship on my family
due to the extra expenses of living in a trailer
park. It's getting too expensive

- 4) Tell us why the mobile home won't hurt your neighbors or the community. The mobile home
would be good to bring to an open environment ~~that~~ because
it is under good clean maintenance.

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

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

If yes, did the Health Department say there's enough space for it? ☒ Y ☐ N No records at
Environment
Hebitt

- 6) Tell us the size of the mobile home. 28 x 40

- 7) Tell us the year of the mobile home. 2000 century

- 8) Tell us anything else you want us to know. The mobile home has been renewed
and refurnished. In great conditions.

→ INDEPENDENCE ST

3 blocks high all around not skirt

* The blocks aren't going to hold the weight, the peris is

Pairs 1 1/2" Round
every 8 on
each Frame

41 ft

From
Property Line
→ 15 feet

40 feet Long

2000 century 28x40

~~23x40~~

drive way

103 ft



20 feet

→ HANSON CT

Road

~~25273~~
25273 Grover st, Elkhart IN 46514