

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

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

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

9:00 A.M.

- | | | | |
|----|-------------|--|-----------------|
| A. | Petitioner: | <i>Jack A. Kiefer & Crystal Kiefer</i> | (Page 1) |
| | 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 Old US 33, 1,235 ft. West of CR 1, common address of 30235 Old US 33 in Baugo Township, zoned B-2. DV-0530-2025 | |
| B. | Petitioner: | <i>Logan Michael Moore & Madison Kathleen Moore, Husband & Wife</i> | (Page 2) |
| | Petition: | for a 35 ft. Developmental Variance (Ordinance requires 75 ft.) to allow for an existing residence & addition 40 ft. from the centerline of the right-of-way. | |
| | Location: | South side of CR 146, 2,150 ft. East of CR 31, common address of 15524 CR 146 in Benton Township, zoned A-1. DV-0533-2025 | |
| C. | Petitioner: | <i>William R. Hochstetler & Penny G. Hochstetler, Husband & Wife</i> | (Page 3) |
| | Petition: | for a Developmental Variance to allow for the total square footage of accessory structures to exceed that allowed by right and for a 23 ft. Developmental Variance (Ordinance requires 50 ft.) to allow for the construction of an attached garage 27 ft. from the centerline of the right-of-way. | |
| | Location: | East side of Marvin St., 425 ft. North of CR 4, common address of 51924 Marvin St. in Osolo Township, zoned R-2. DV-0534-2025 | |

- D. Petitioner: ***Gary L. Moore & Lori A. Moore, Husband & Wife*** **(Page 4)**
 Petition: for a 5 ft. Developmental Variance (Ordinance requires 10 ft.) to allow for the construction of an attached accessory structure 5 ft. from the north side property line.
 Location: Southwest side of CR 5, 225 ft. South of CR 1, common address of 51515 CR 5 in Cleveland Township, zoned A-1. DV-0535-2025

TABLED

- E. Petitioner: ***Joaquin Ramirez Soriano & Karla Zulema Aleman Hernandez*** **(Page 5)**
 Petition: for a Special Use for a manufactured home not on a permanent foundation and for a Developmental Variance to allow for the placement of a manufactured home not on a permanent foundation within 300 ft. of a residence.
 Location: North side of Grover St., 950 ft. West of Osolo Rd., common address of 25173 Grover St. in Osolo Township, zoned B-1. SUP-0437-2025

Ann Prough – Appointed by Plan Commission: term 1/1/25 – 12/31/25

Hearing Officer Staff Report

Prepared by the Department of Planning and Development

Hearing Date: September 17, 2025

Transaction Number: DV-0530-2025.

Parcel Number(s): 20-05-15-201-013.000-001 & 20-05-15-226-001.000-001.

Existing Zoning: B-2.

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

Petitioner: Jack A. Kiefer & Crystal Kiefer.

Location: North side of Old US 33, 1,235 ft. west of CR 1, in Baugo Township.

Site Description:

- Physical Improvement(s) – Residence, detached garage.
- Proposed Improvement(s) – Detached garage addition.
- Existing Land Use – Residential.
- Surrounding Land Use – Residential, commercial, railyard.

History and General Notes:

- None.

Staff Analysis:

Staff finds that:

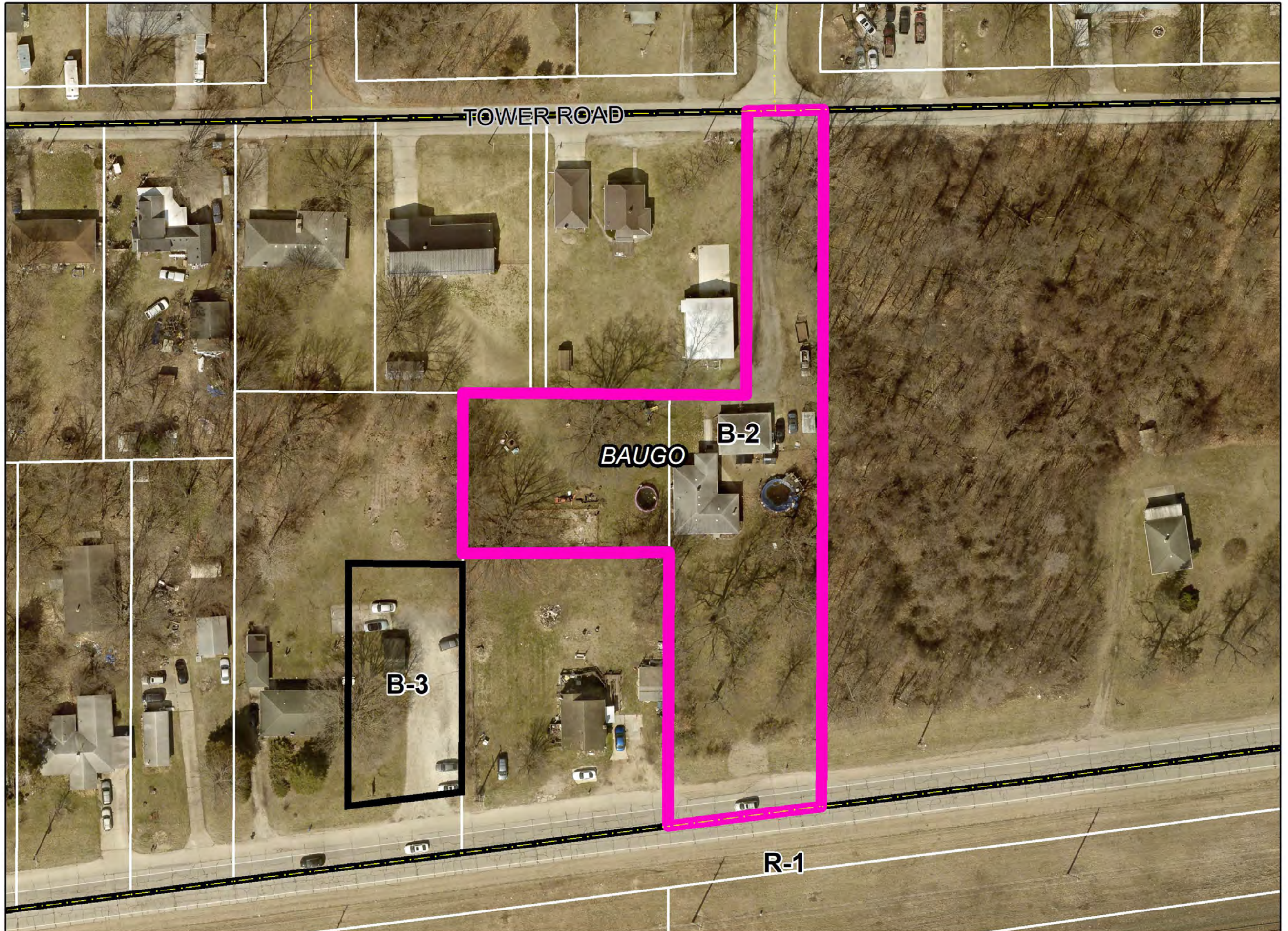
1. Approval of the request will not be injurious to public health, safety, morals, or general welfare. The request is 664 sq. ft., or 49 percent, over what is allowed by right, and the structure meets all other development standards.
2. Approval of the request will not cause substantial adverse effect on neighboring property. This is a 1.19-acre property in a residential and commercial area, and the area will remain residential and commercial in character.
3. Strict application of the terms of the Development Ordinance would result in an unnecessary hardship in the use of the property. The size of the proposed structure matches existing accessory structures on nearby residential and business properties.

Hearing Officer Staff Report (Continued)

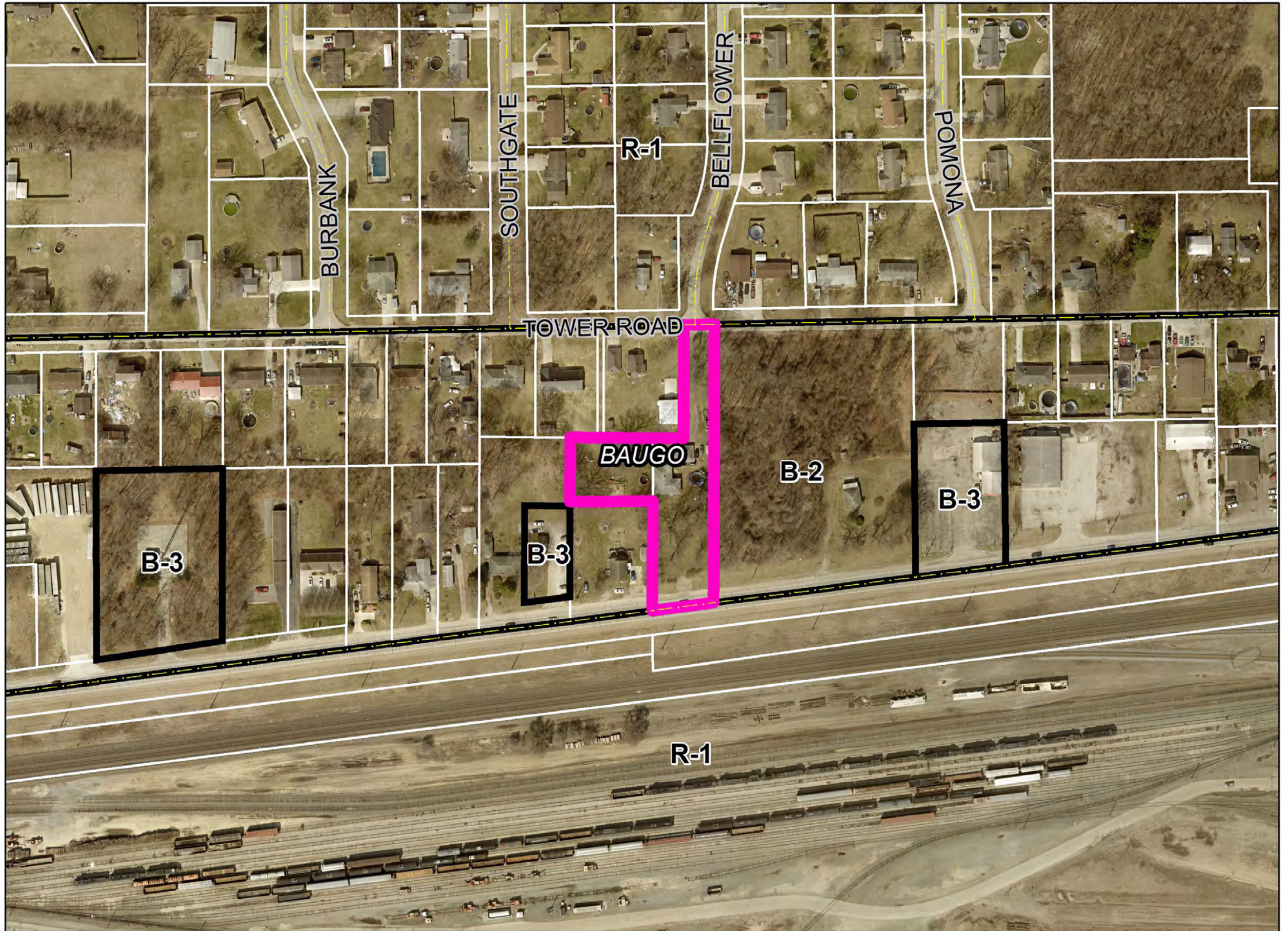
Hearing Date: September 17, 2025

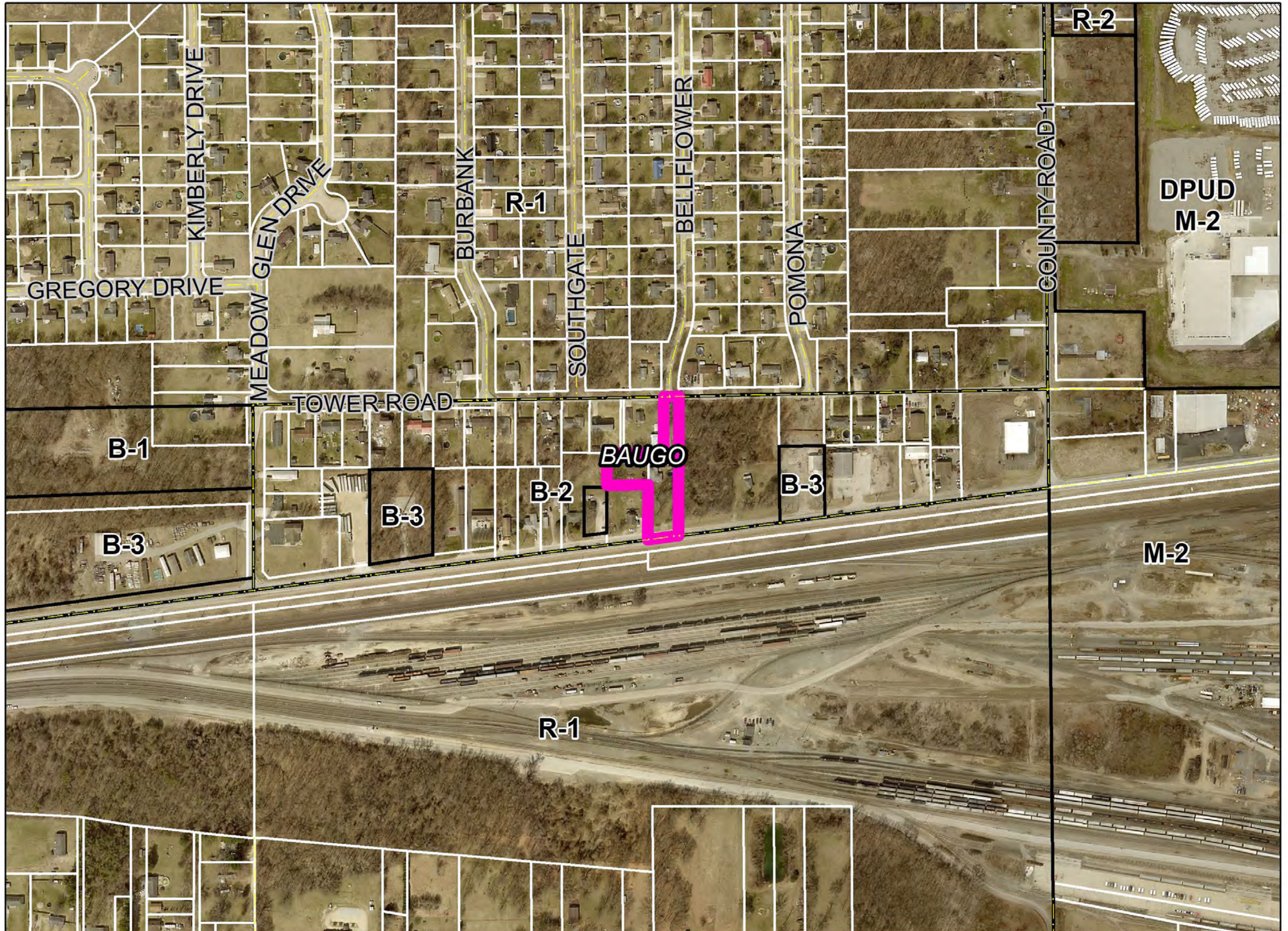
Staff recommends **APPROVAL** with the following condition(s) imposed:

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. The request is approved in accordance with the site plan submitted (dated 8/15/2025) and as represented in the Developmental Variance application.



DV-0530-2025







Subject property



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: 08/15/2025 Meeting Date: September 17, 2025 Transaction #: DV-0530-2025
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: Applicant Land Owner
Jack A. Kiefer And Crystal Jack A. Kiefer And Crystal
Kiefer Kiefer
30235 Us 33 30235 Us 33
Elkhart, IN 46516 Elkhart, IN 46516

Site Address: 30235 Old Us 33 Parcel Number: 20-05-15-201-013.000-001
Elkhart, IN 46516 20-05-15-226-001.000-001

Township: Baugo
Location: North Side Of Old Us 33, 1235 ft. West of CR 1

Subdivision: Lot #

Lot Area: 1.19 Frontage: 50.00 Depth: 395.00

Zoning: B-2 NPO List:

Present Use of Property: RESIDENTIAL

Legal Description:

Comments: PARCEL CREATION DATE: 1/24/69
STORAGE EQUATION: RESIDENCE 1240 X 110% = 1364
MINUS (768) GARAGE
MINUS (1260) PROPOSED GARAGE ADDITION
= -664 SQ. FT AVAILABLE STORAGE

Applicant Signature: Department Signature:

Application

Site address: 30235 OLD US 33

Parcel number(s): 20-05-226-001.000-001

Current property owner

Name: Jack & Crystal Kiefer

Address: _____

Phone: Jack's 1-574-343-7855 Email: _____

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

Name: [Signature]

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

Parcel creation date: 1/24/109

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

Residential accessory breakdown, if applicable: _____

Location: (N) S E W corner (S) side (E) end of OLD US 33,
1235 ft. N S E (W) of CR 1,
in BAUGIO Township

Frontage: 50 Depth: 395 Area: 1.19 acres

Subdivision and lot number, if applicable: N/A

Present use: RESIDENTIAL

Developmental Variance — Questionnaire

Name: Jack Kiefer

1) Tell us what you want to do. add on to my garage for more room

2) Tell us why you can't change what you're doing so you don't need a variance. Because what we want to build require a variance.

3) Tell us why the variance won't hurt your neighbors or the community. I don't think it will be a problem because of location

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: 30' x 42' x 16'
Tell us what you'll use it for. Storage

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): _____

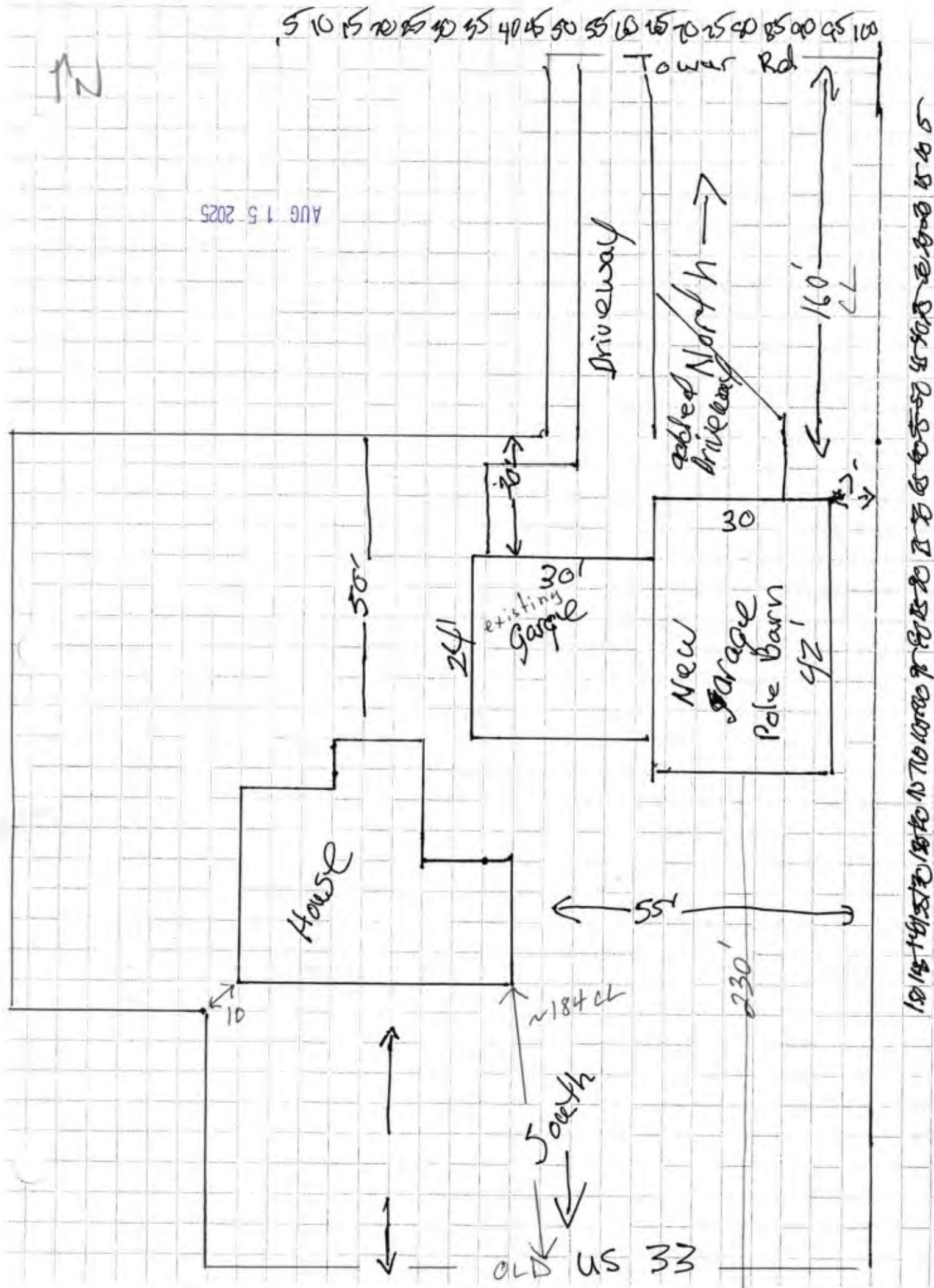
Existing? ☐ Y ☐ N Double faced? ☐ Y ☐ N

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: September 17, 2025

Transaction Number: DV-0533-2025.

Parcel Number(s): 20-16-18-300-003.000-003.

Existing Zoning: A-1.

Petition: For a 35 ft. Developmental Variance (Ordinance requires 75 ft.) to allow for an existing residence and addition 40 ft. from the centerline of the right-of-way.

Petitioner: Logan Michael Moore & Madison Kathleen Moore, Husband & Wife.

Location: South side of CR 146, 2,150 ft. east of CR 31, in Benton Township.

Site Description:

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

History and General Notes:

- The petitioner is aware of the Zollinger Ditch floodplain and applicable flood protection standards.

Staff Analysis:

Staff finds that:

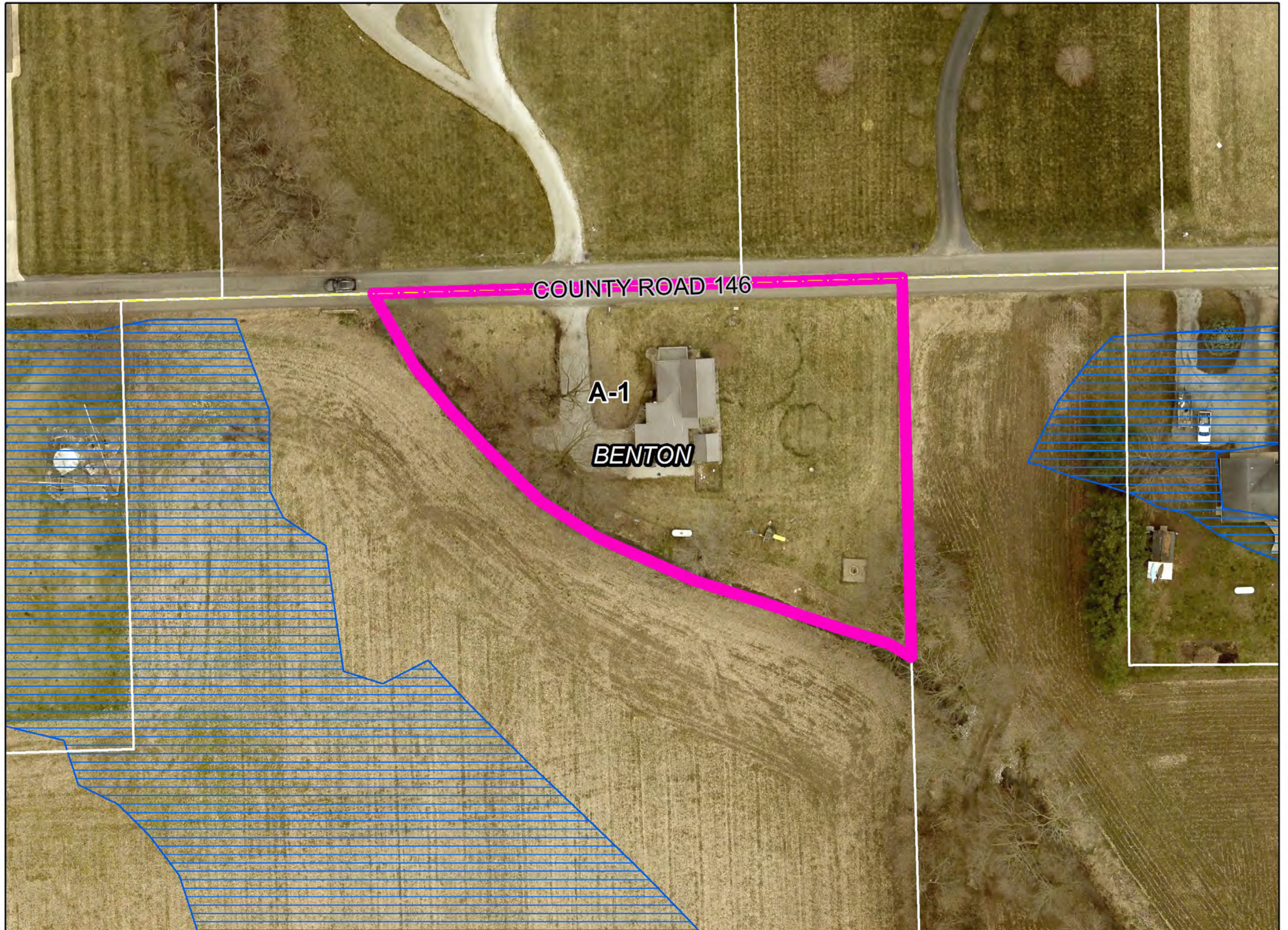
1. Approval of the request will not be injurious to public health, safety, morals, or general welfare. The addition is proposed to observe a greater setback than that of the residence, which has stood without incident since its construction.
2. Approval of the request will not cause substantial adverse effect on neighboring property. This is a 1-acre parcel in a low-density residential and agricultural area, and sight distance and traffic safety are not affected.
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 unnecessarily place any additions at the rear of the home.

Hearing Officer Staff Report (Continued)

Hearing Date: September 17, 2025

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

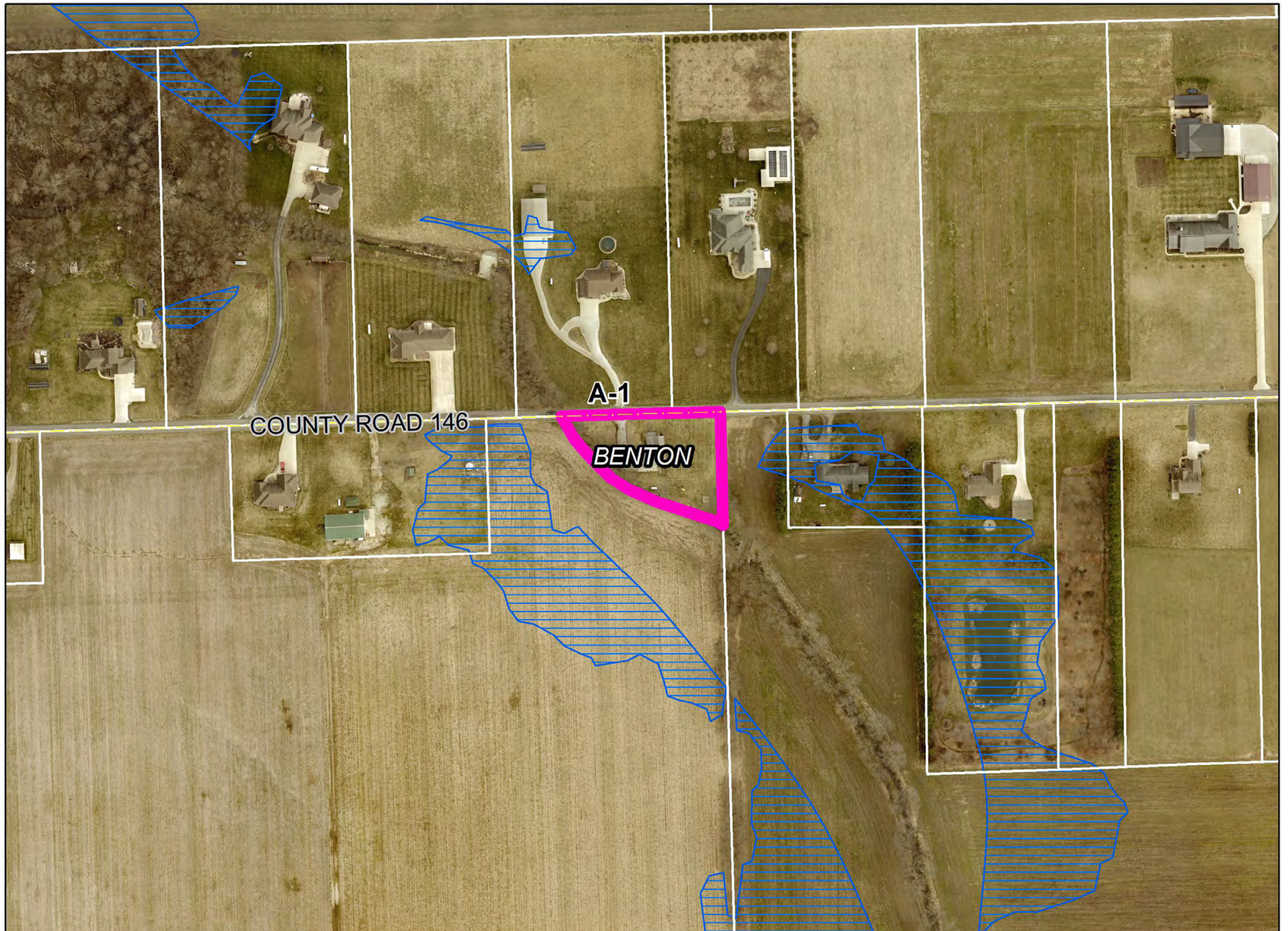
1. A variance from the developmental standards of the Development Ordinance is void unless an Improvement Location Permit is issued within 180 calendar days from the date of the grant and construction work completed within 1 year from the date of the issuance of the building permit (where required).
2. The request is approved in accordance with the site plan submitted (dated 8/15/2025) and as represented in the Developmental Variance application.

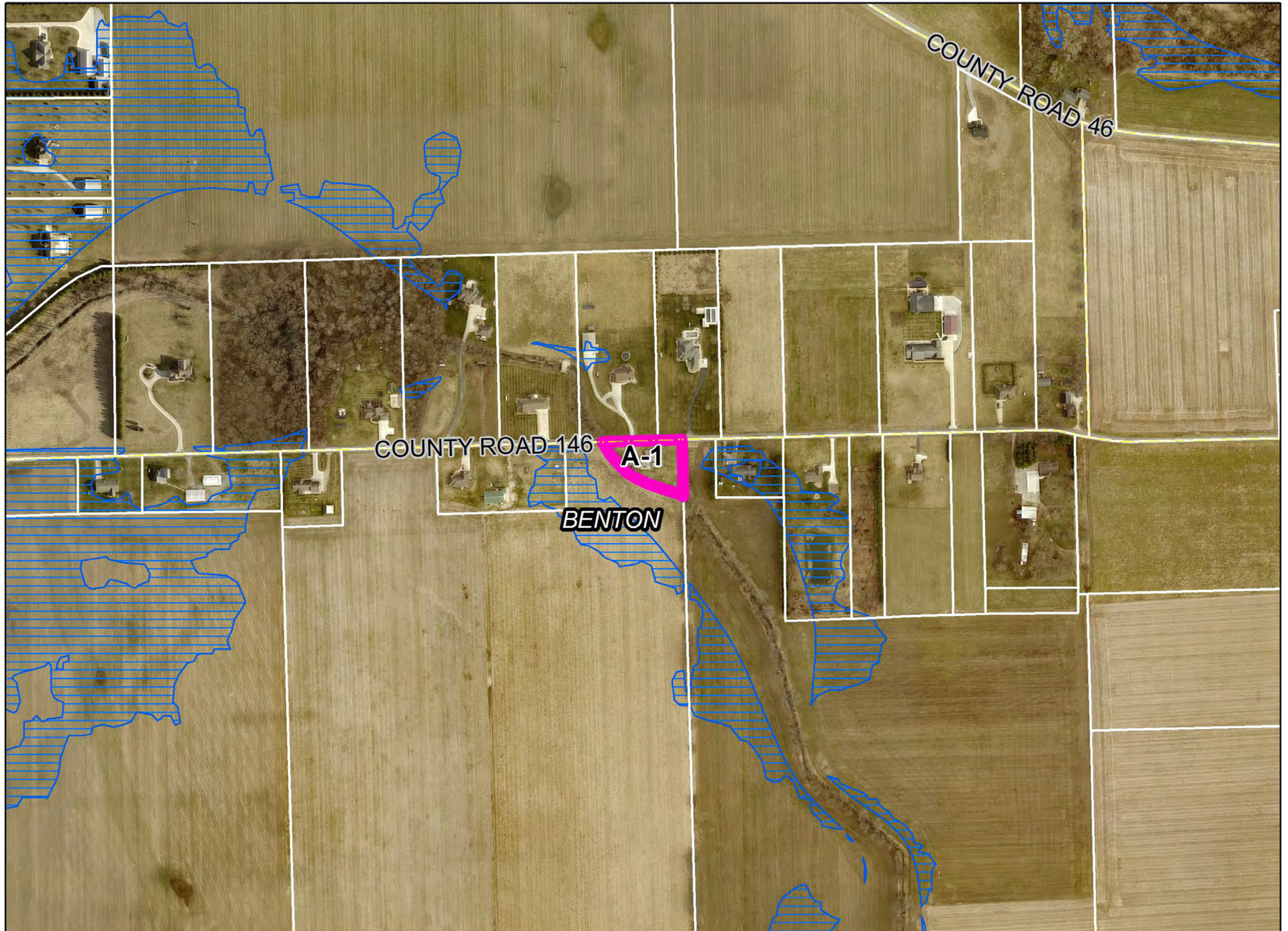


COUNTY ROAD 146

A-1

BENTON







Subject property



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: 08/15/2025 Meeting Date: September 17, 2025
Board of Zoning Appeals Public Hearing Transaction #: DV-0533-2025

Description: for a 35 ft. Developmental Variance (Ordinance requires 75 ft.) to allow for an existing residence and
addition 40 ft. from the centerline of the right-of-way

Contacts: Applicant Land Owner
Logan Michael Moore And Logan Michael Moore And
Madison Kathleen Moore, Madison Kathleen Moore,
Husband And Wife Husband And Wife
15524 County Road 146 15524 County Road 146
Syracuse, IN 46567 Syracuse, IN 46567

Site Address: 15524 County Road 146
Syracuse, IN 46567

Parcel Number: 20-16-18-300-003.000-003

Township: Benton
Location: South Side Of CR 146, 2,150 FT East Of CR 31

Subdivision: Lot #

Lot Area: 1.00 Frontage: 260.91 Depth: 188.10

Zoning: A-1 NPO List:

Present Use of Property: RESIDENTIAL

Legal Description:

Comments: PARCEL CREATION DATE 3/1/1962

Applicant Signature:

Department Signature:

Application

Site address: 15524 County Road 146, Syracuse, IN
Parcel number(s): 201618251005.000003

Current property owner

Name: Logan Moore
Address: 15524 County Road 146, Syracuse, IN
Phone: 918 704 4035 Email: loganmoore7@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: 

Staff Use Only

Description: _____

Parcel creation date: 3/1/1962

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

Residential accessory breakdown, if applicable: _____

Location: - South corner side end of CR 146
2150 ft. - east of CR 31
in Benton Township

Frontage: 260.91 **Depth:** 188.10 **Area:** 1 acres

Subdivision and lot number, if applicable: N/A

Present use: Residential

Developmental Variance — Questionnaire

Name: Logan Moore

1) Tell us what you want to do. Do an addition to my existing home. 1 Master Bedroom and 2 Bathrooms.

2) Tell us why you can't change what you're doing so you don't need a variance. The existing home I am adding on to is too close to the road.

3) Tell us why the variance won't hurt your neighbors or the community. The addition is 5' Back from the front of the house. This will not impair visibility to Drivers in any way.

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

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

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

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

Building or addition 1 Size and height to the peak: 22'

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

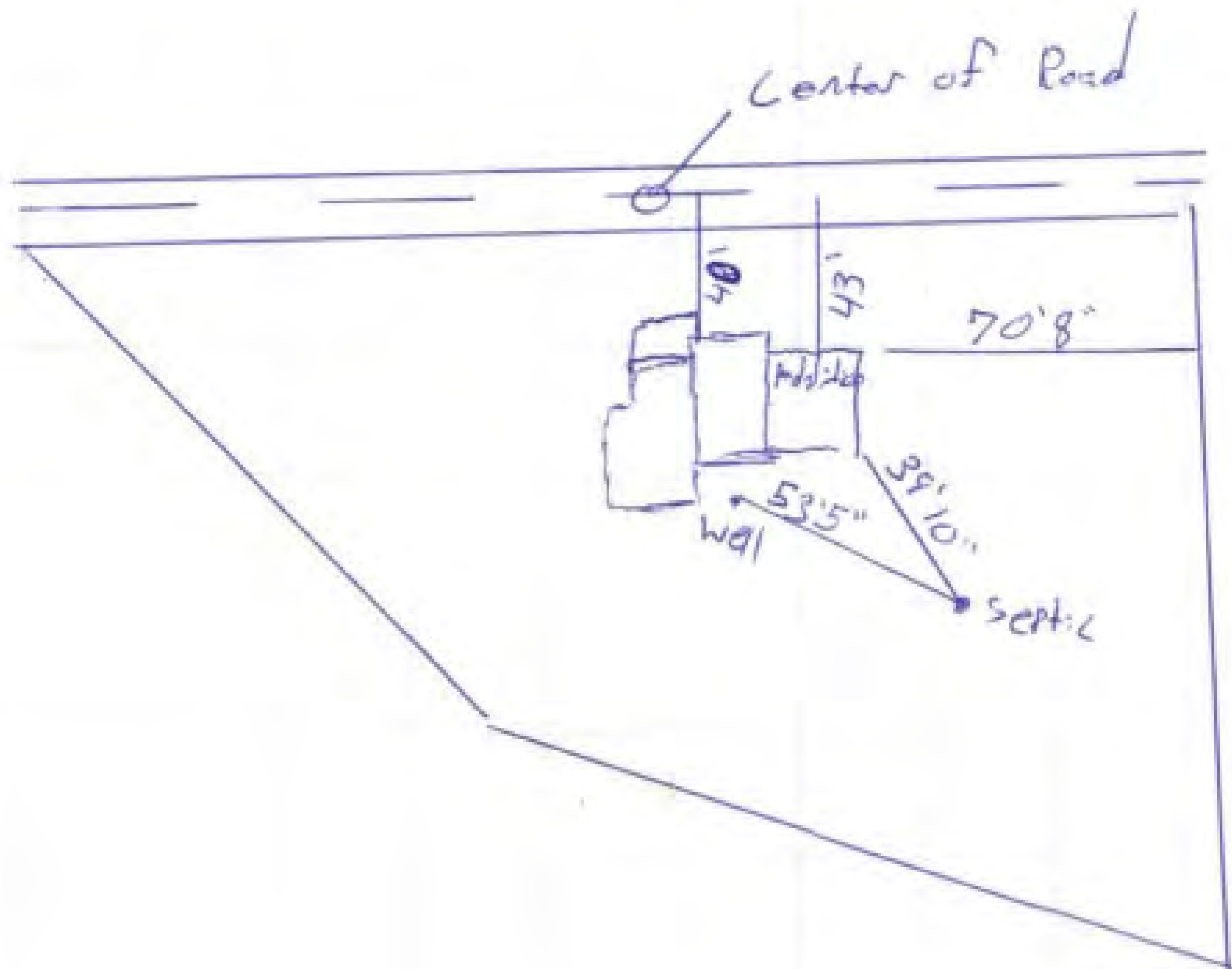
Electronic message board? ☐ Y ☐ N If no, lighted? ☐ Y ☐ N

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. I simply need a variance to be able to get my building permit.
Thank you! -Logan



Hearing Officer Staff Report

Prepared by the Department of Planning and Development

Hearing Date: September 17, 2025

Transaction Number: DV-0534-2025.

Parcel Number(s): 20-02-15-354-002.000-026.

Existing Zoning: R-2.

Petition: For a Developmental Variance to allow for the total square footage of accessory structures to exceed that allowed by right and for a 23 ft. Developmental Variance (Ordinance requires 50 ft.) to allow for the construction of an attached garage 27 ft. from the centerline of the right-of-way.

Petitioner: William R. Hochstetler & Penny G. Hochstetler, Husband & Wife.

Location: East side of Marvin St., 425 ft. north of CR 4, in Osolo Township.

Site Description:

- Physical Improvement(s) – Residence, accessory structures.
- Proposed Improvement(s) – Attached garage addition.
- 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 storage request is 376 sq. ft., or 20 percent, over what is allowed by right, and the addition meets height and side setback requirements.
2. Approval of the request will not cause substantial adverse effect on neighboring property. Only two other homes in this subdivision access the east side of Marvin St., and sight distance from the driveways is not affected. This is a 0.48-acre lot in a low-density residential area, and 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. Modest lot size and the position of the existing home limit options for an attached garage.

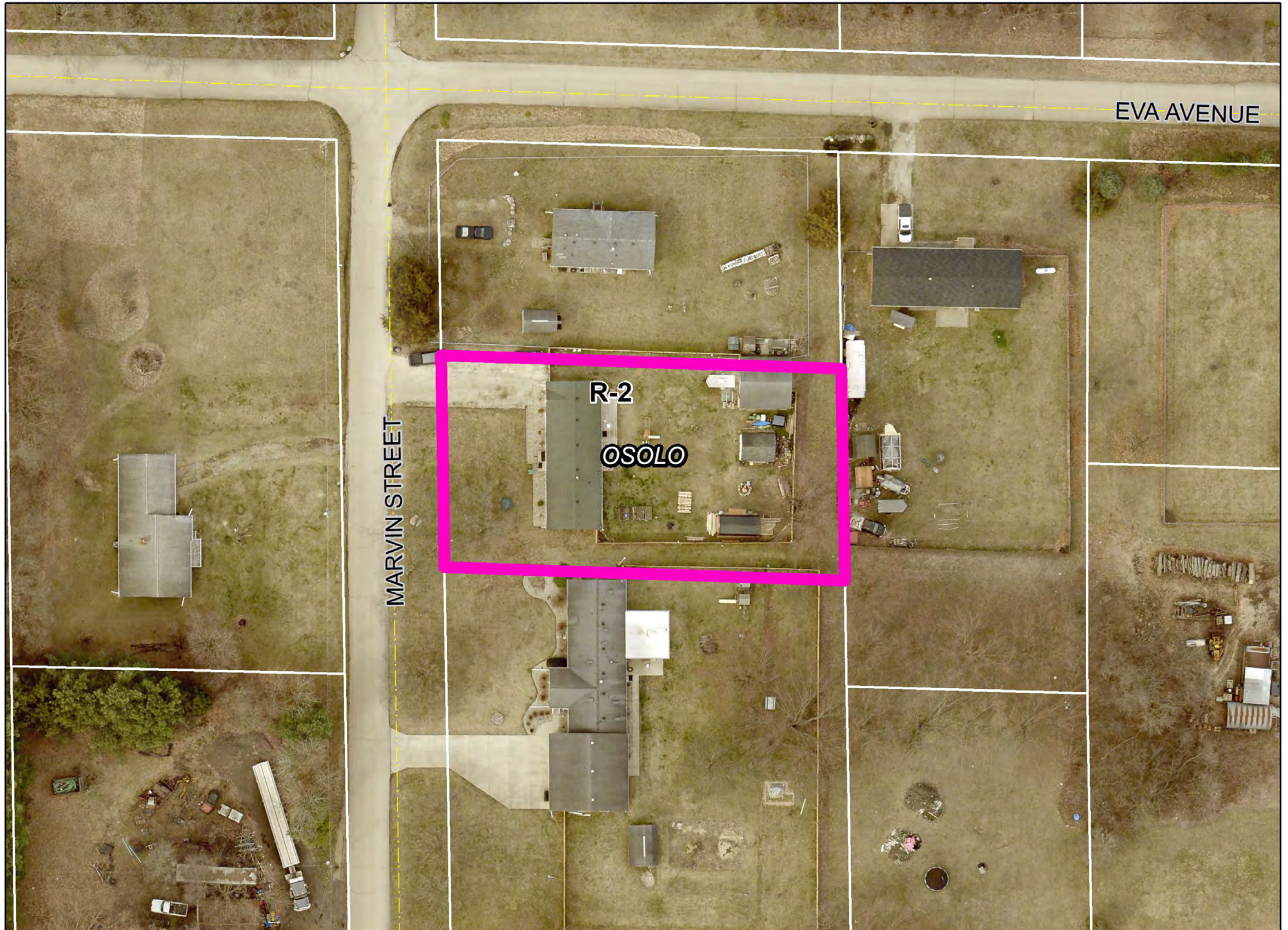
Hearing Officer Staff Report (Continued)

Hearing Date: September 17, 2025

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

1. Variances from the developmental standards of the Development Ordinance are void unless a subdivision plat is recorded within 180 calendar days from the date of the grant.
2. A replat to remove or reduce the platted minimum building setback of 35 ft. from the front property line is required.
3. A revised site plan must be submitted for staff approval accurately showing attached garage and accessory structure locations and setbacks.
4. The request is approved in accordance with the revised site plan to be submitted for staff approval and as represented in the Developmental Variance application.

DV-0534-2025



EVA AVENUE

MARVIN STREET

R-2

OSOLO

DV-0534-2025







Subject property



Subject property



Facing north



Facing south



Facing west

PLAN COMMISSION & BOARD OF ZONING APPEALS

Developmental Variance - Developmental Variance

Elkhart County Planning & Development
Public Services Building

4230 Elkhart Road, Goshen, Indiana, 46526

Phone - (574) 971-4678

Fax - (574) 971-4578

Date: 08/18/2025 Meeting Date: September 17, 2025
Board of Zoning Appeals Public Hearing Transaction #: DV-0534-2025

Description: for a Developmental Variance to allow for the total square footage of accessory structures to exceed that allowed by right and for a 23 ft. Developmental Variance (Ordinance requires 50 ft.) to allow for the construction of an attached garage structure 27 ft. from the centerline of the right-of-way

Contacts: Applicant Land Owner
William R. Hochstetler And William R. Hochstetler And
Penny G. Hochstetler, Penny G. Hochstetler,
Husband And Wife Husband And Wife
51924 Marvin St 51924 Marvin St
Elkhart, IN 46514 Elkhart, IN 46514

Site Address: 51924 Marvin St
Elkhart, IN 46514

Parcel Number: 20-02-15-354-002.000-026

Township: Osolo
Location: East Side Of Marvin St, 425 Ft. North Of County Road 4

Subdivision: LONGS REPLAT IN MILLERS HOME ACRES Lot # 3

Lot Area: 0.48 Frontage: 105.00 Depth: 191.80

Zoning: R-2 NPO List:

Present Use of Property: RESIDENTIAL

Legal Description:

Comments: RESIDENCE = 1,728 SQ FT X 110% = 1,900, MINUS 576 (DETACHED GARAGE) AND 192 (12 X 16 SHED WHICH HAS BEEN REMOVED ON DEMO #BR-1594-2025), AND 200 (10 X 20 SHED), NEW BUILDING IS 30 X 50 = 1,500 SQ FT, WHICH IS AN OVERAGE OF 376 SQ FT.

Applicant Signature:

Department Signature:

Application

Site address: 51924 MARVIN Street EIKHART, 46514
Parcel number(s): 20 02 15 354 002

Current property owner

Name: William R. & PENNY G. HOCHSTETLER
Address: 51924 MARVIN St.
Phone: 574-584-4361 Email: billnpen@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: William R. Hochstetler

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: William Hochstetler

1) Tell us what you want to do. BUILD A GARAGE

2) Tell us why you can't change what you're doing so you don't need a variance. I HAVE EXISTING BUILDINGS ON SITE AND SQ footage limits cause me to HAVE NEED VARIANCE
Also Property AND Road right of way, P/Line limits as well

3) Tell us why the variance won't hurt your neighbors or the community. I HAVE neighbors that already have buildings on their properties that are in place w/ similar variances. my property will look similar to theirs,

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: 30 x 50 x 18

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

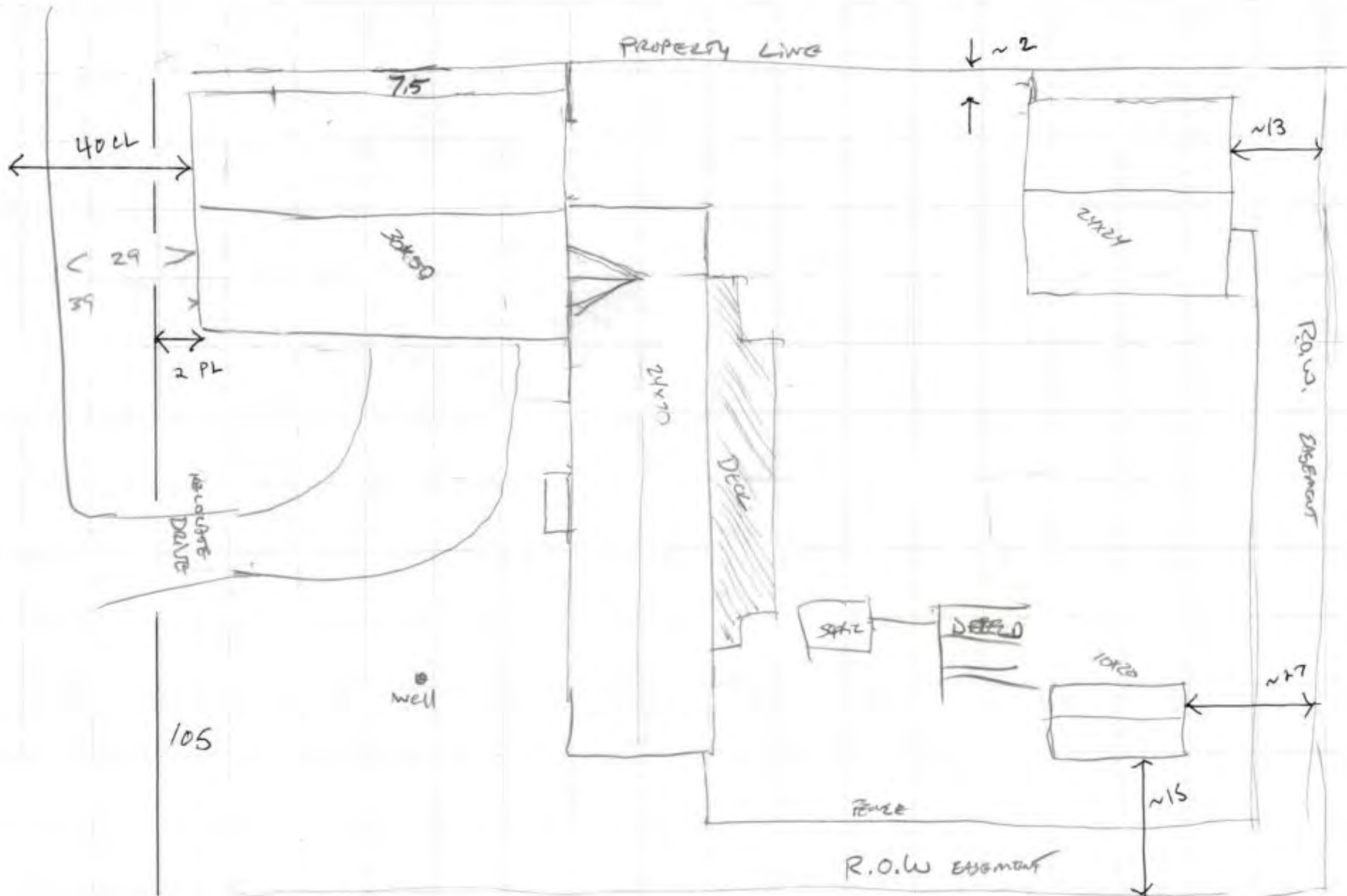
Electronic message board? ☐ Y ☐ N If no, lighted? ☐ Y ☐ N

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. THE NEW GARAGE will allow for access to my back yard if ~~other~~ variances are approved.



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Hearing Officer Staff Report

Prepared by the Department of Planning and Development

Hearing Date: September 17, 2025

Transaction Number: DV-0535-2025.

Parcel Number(s): 20-01-14-403-025.000-005.

Existing Zoning: A-1.

Petition: For a 5 ft. Developmental Variance (Ordinance requires 10 ft.) to allow for the construction of an attached accessory structure 5 ft. from the north side property line.

Petitioner: Gary L. Moore & Lori A. Moore, Husband & Wife.

Location: Southwest side of CR 5, 225 ft. south of CR 1, in Cleveland Township.

Site Description:

- Physical Improvement(s) – Residence, sheds.
- Proposed Improvement(s) – Attached garage addition.
- 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 addition and existing home observe the required front setback, and the project does not exceed the home scale established by the neighborhood.
2. Approval of the request will not cause substantial adverse effect on neighboring property. This is a 0.53-acre parcel in a medium-density residential area, and the proposed setback allows adequate maintenance area.
3. Strict application of the terms of the Development Ordinance would result in an unnecessary hardship in the use of the property. Total proposed storage area is within the limit for the property, and a third stall will reduce the need for outdoor storage.

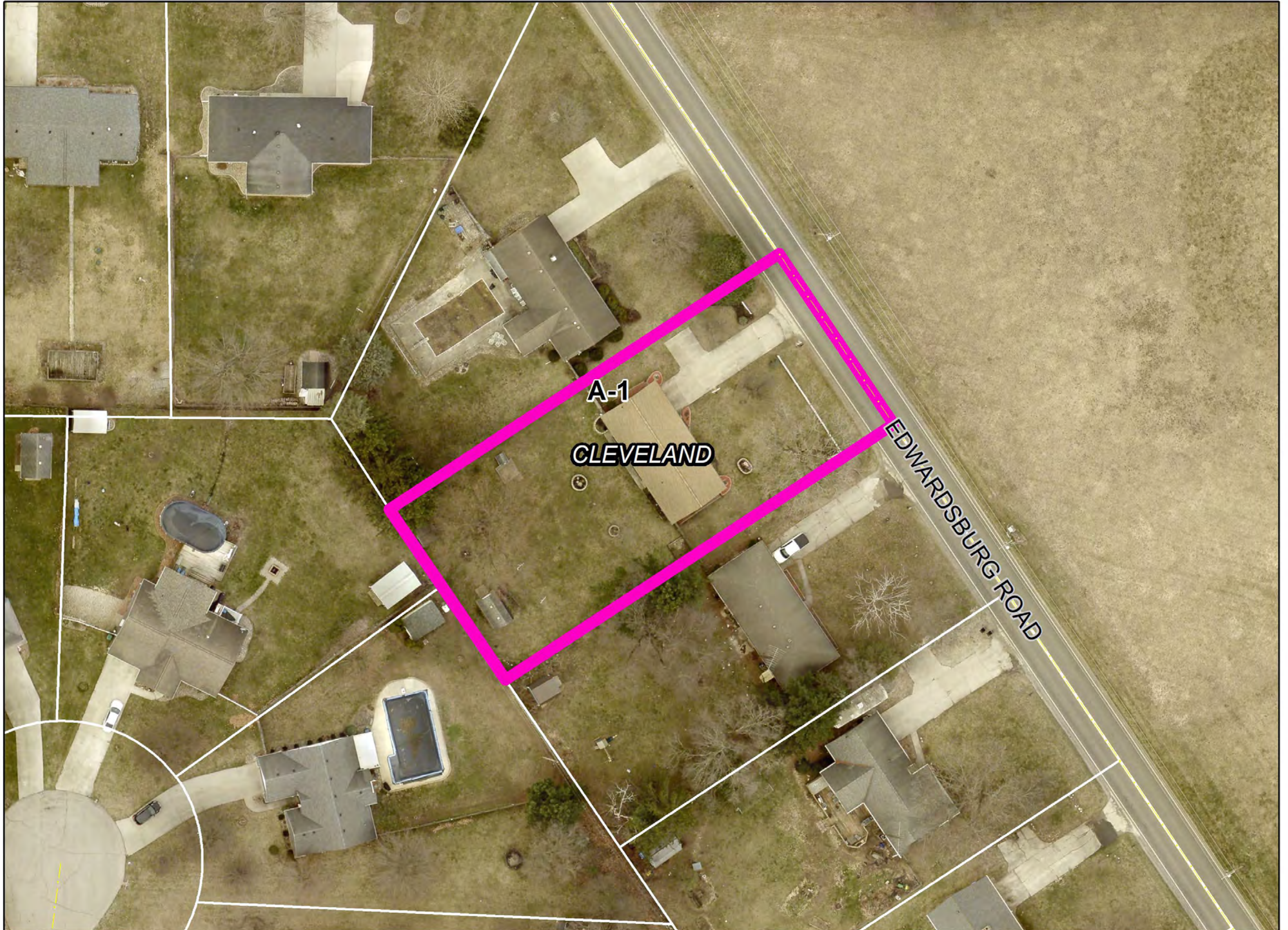
Hearing Officer Staff Report (Continued)

Hearing Date: September 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. The request is approved in accordance with the site plan submitted (dated 8/18/2025) and as represented in the Developmental Variance application.

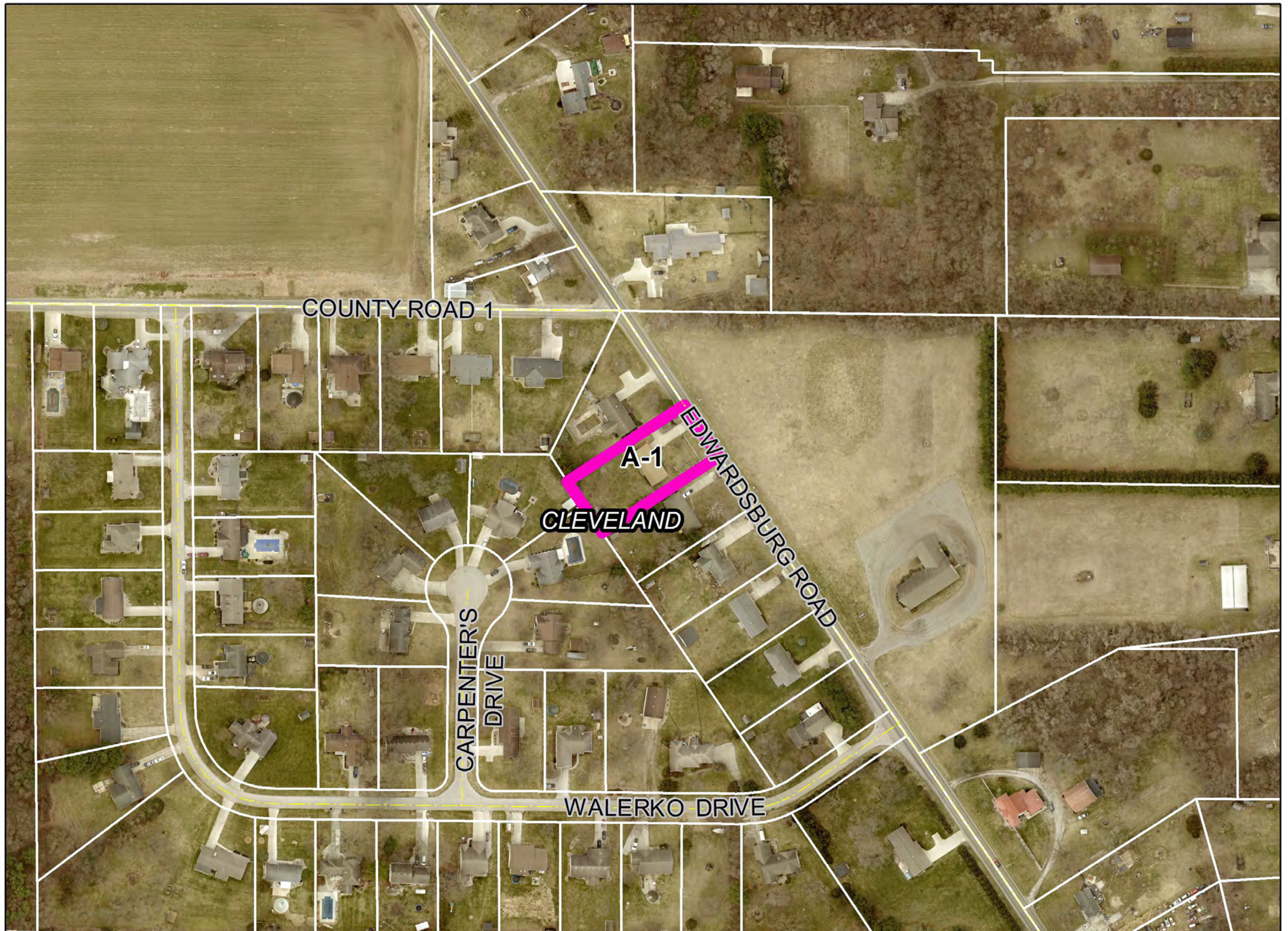
DV-0535-2025

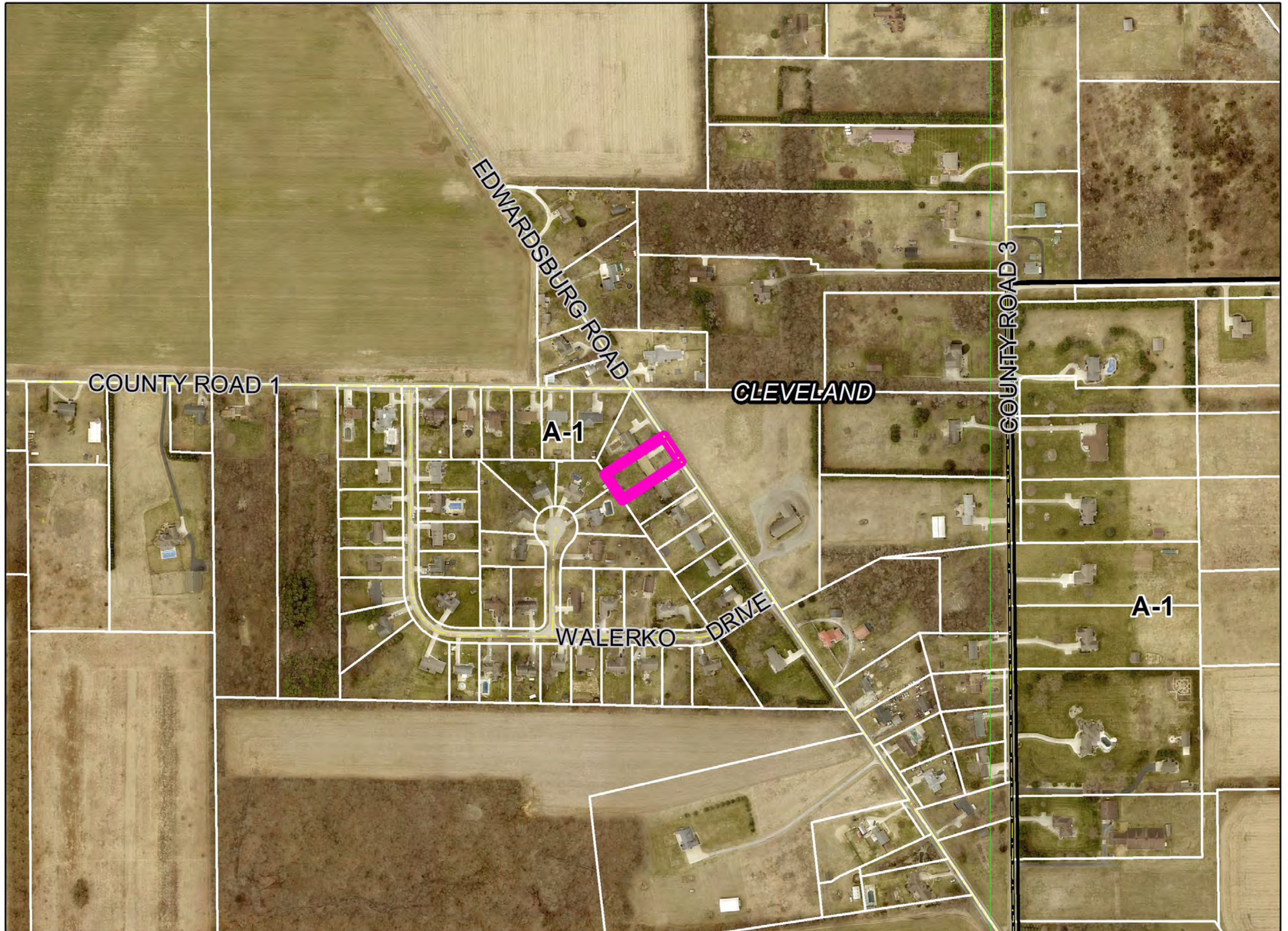


2021 Aerials

1 inch = 60 feet









Subject property



Facing south



Facing north



Facing east

PLAN COMMISSION & BOARD OF ZONING APPEALS

Developmental Variance - Developmental Variance

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

4230 Elkhart Road, Goshen, Indiana, 46526

Phone - (574) 971-4678

Fax - (574) 971-4578

Date: 08/18/2025 Meeting Date: September 17, 2025 Transaction #: DV-0535-2025
Board of Zoning Appeals Public Hearing

Description: for a 5 ft. Developmental Variance (Ordinance requires 10 ft.) to allow for the construction of an attached accessory structure 5 ft. from the north property line

Contacts: <u>Applicant</u>	<u>Applicant</u>	<u>Authorized Agent</u>	<u>Land Owner</u>
Echo Contracting 52251 Cr 11 Elkhart, IN 46514	Gary L. Moore & Lori A. Moore, Husband & Wife 51515 County Road 5 Elkhart, IN 46514	Echo Contracting 52251 Cr 11 Elkhart, IN 46514	Gary L. Moore & Lori A. Moore, Husband & Wife 51515 County Road 5 Elkhart, IN 46514

Site Address: 51515 County Road 5 Elkhart, IN 46514	Parcel Number: 20-01-14-403-025.000-005
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Township: Cleveland
Location: SOUTHWEST SIDE OF CR 5, 225 FT. SOUTHEAST OF CR 1

Subdivision:	Lot #
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Lot Area: 0.53	Frontage: 102.00	Depth: 230.00
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Zoning: A-1	NPO List:
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Present Use of Property: RESIDENTIAL

Legal Description:

Comments: PARCEL CREATION DATE 3-1-1971
DWELLING 1120 SF X 110% = 1232 MINUS ATTACHED GARAGE 560 SF MINUS SHED 160 SF MINUS SHED 80 SF =
432 SF MINUS PROPOSED GARAGE ADDITION 392 SF = 40 SF AVAILABLE PERSONAL STORAGE.

Applicant Signature:	Department Signature:
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Application

Site address: 51515 CR. 5

Parcel number(s): 01-14-403-025-005

Current property owner

Name: Gary Moore

Address: 51515 CR. 5

Phone: 574-304-9388 Email: boardman71@yahoo.com

Other party

☒ Agent ☐ Buyer ☐ Land contract purchaser ☐ Lessee

Name: Echo Contracting, Inc. / Carl Muffley

Address: 52251 CR. 11 46514

Phone: 574-206-6620 Email: boardman71@yahoo.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: Gary L. Moore

Staff Use Only

Description: _____

Parcel creation date: 3-1-71

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

Residential accessory breakdown, if applicable: _____

Location: N (S) E (W) corner (side) end of CR 5,
225 ft. N (S) E (W) of CR 1,
in Cleveland Township

Frontage: 102 Depth: 230 Area: .528 acres

Subdivision and lot number, if applicable: _____

Present use: Residential
Zoning A-1

Developmental Variance — Questionnaire

Name: Gary Moore

1) Tell us what you want to do. Add onto an garage. We are adding 14'x28

2) Tell us why you can't change what you're doing so you don't need a variance. The purpose of the added storage is to accomadate my boat. Withhout the variance, there is not enough space.

3) Tell us why the variance won't hurt your neighbors or the community. Simply put, nothing changes. the new space actually helps because the boat will be housed instead of sitting on grass.

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: 14x28 392 SF 13-14'
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. We are only adding a 3rd stall to an existing 2 car garage. We're getting no closer, 5', to the side property line. This would be ok if it were free standing. Also, we have communicated with that neighbor. They are fine with it.

West Property Line

112'

South Property Line

19'-6"

Existing House

Existing Garage

14' x 28' Proposed Garage Addition

5'-6"

North Property line

Distance 90' to Road center

Existing concrete

5'-6"

Existing Driveway

County Road 5

Center Line

Hearing Officer Staff Report

Prepared by the Department of Planning and Development

Hearing Date: September 17, 2025

Transaction Number: SUP-0437-2025.

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

Existing Zoning: B-1.

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

Petitioner: Joaquin Ramirez Soriano & Karla Zulema Aleman Hernandez.

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

Site Description:

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

History and General Notes:

- **October 25, 2021** – A code complaint was made for burning trash and tires on the property (CODE-0412-2021) and closed 11/15/2021.
- **August 24, 2022** – A code complaint was made for living in an RV (CODE-0538-2022) and closed 10/4/2022.
- **August 20, 2025** – The Hearing Officer tabled this petition.

Staff Analysis:

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

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

Hearing Officer Staff Report (Continued)

Hearing Date: September 17, 2025

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

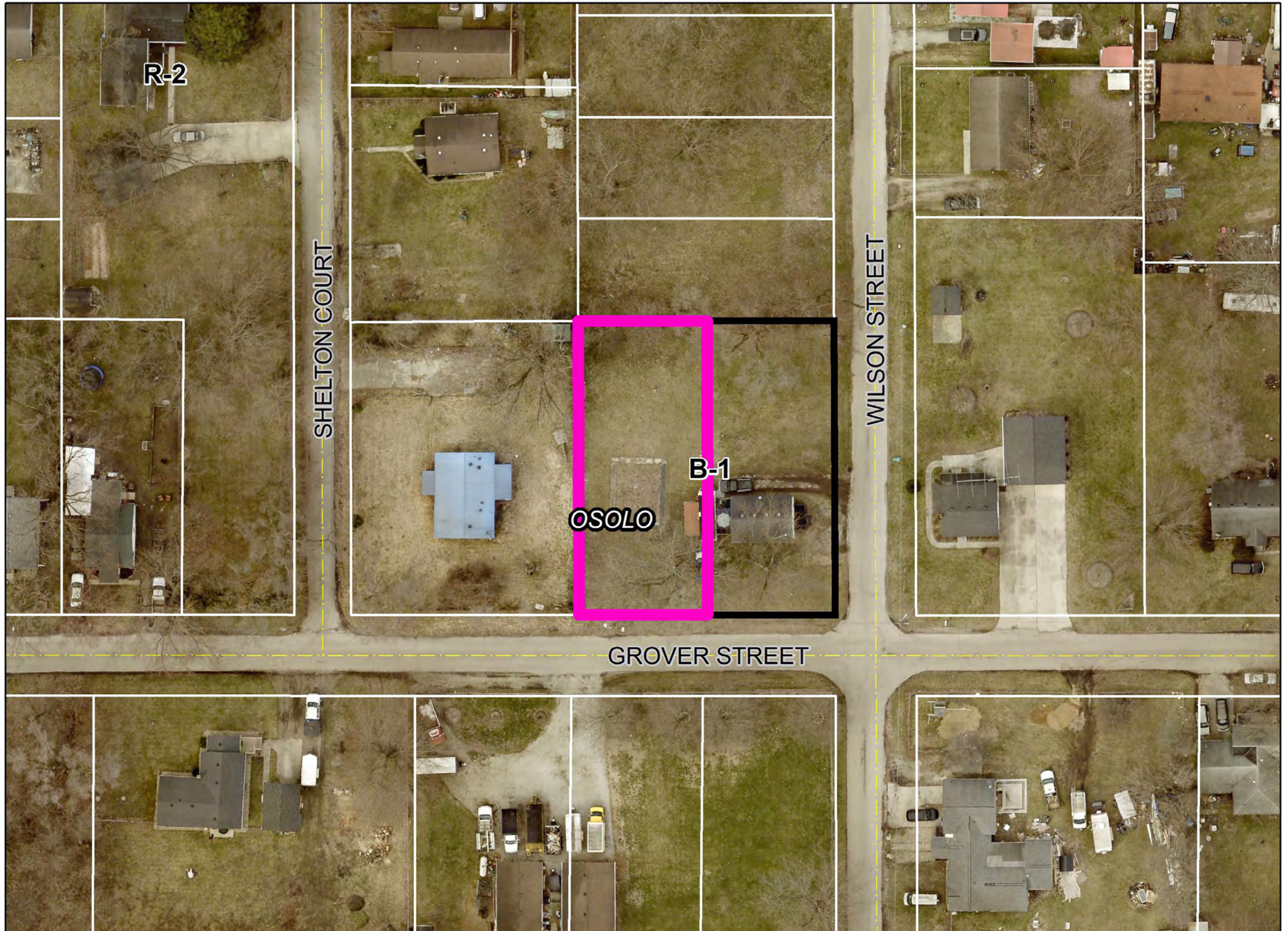
1. The request is approved subject to Staff renewal every three (3) years and with a one (1) year review to verify compliance with the following:
 - a. The mobile home shall be adequately stabilized and skirted and have tie-downs installed.
 - b. The water supply and sewage disposal system shall be installed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

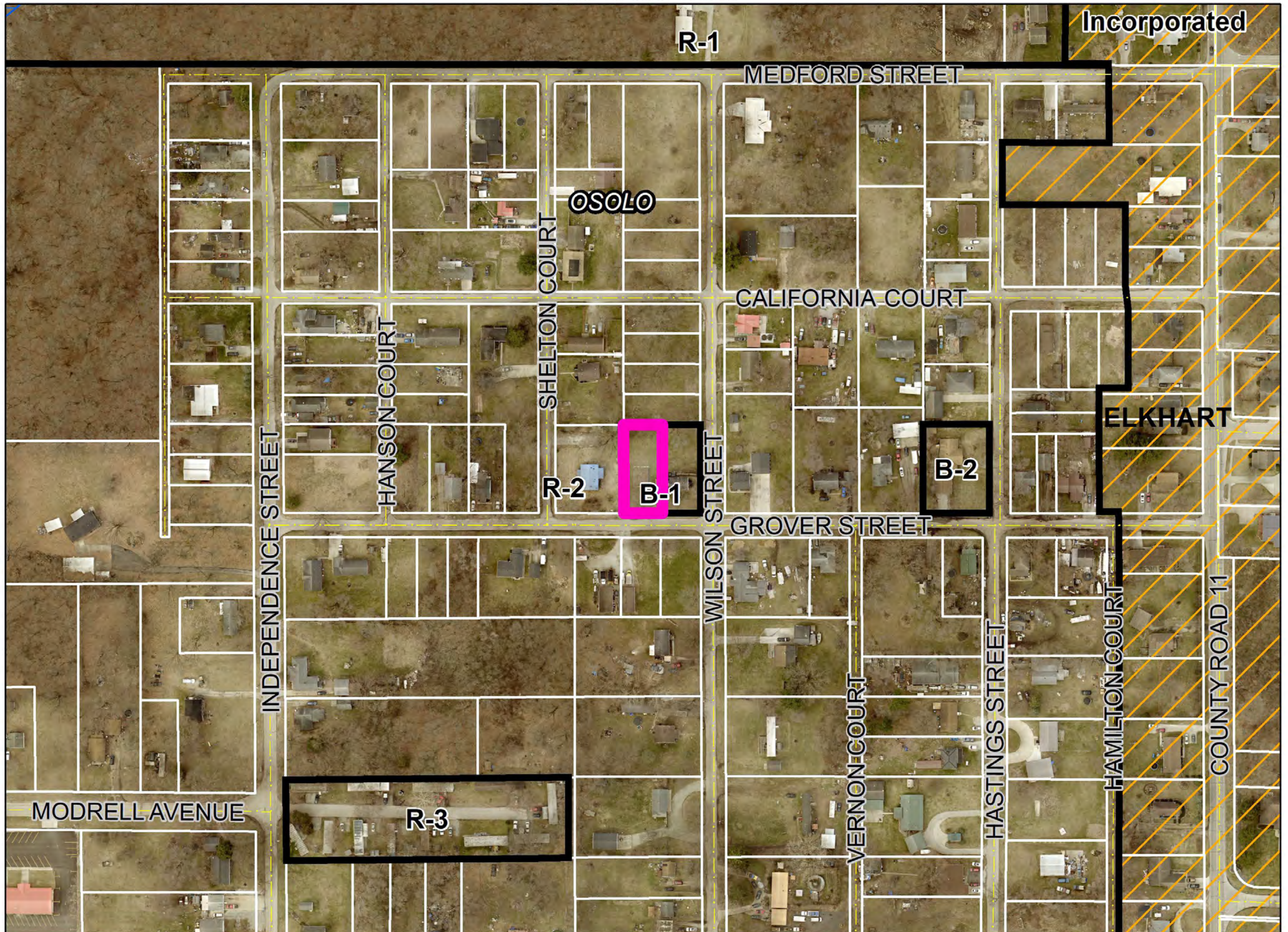
For a Developmental Variance to allow for a manufactured home not on a permanent foundation within 300 ft. of a residence, staff finds that:

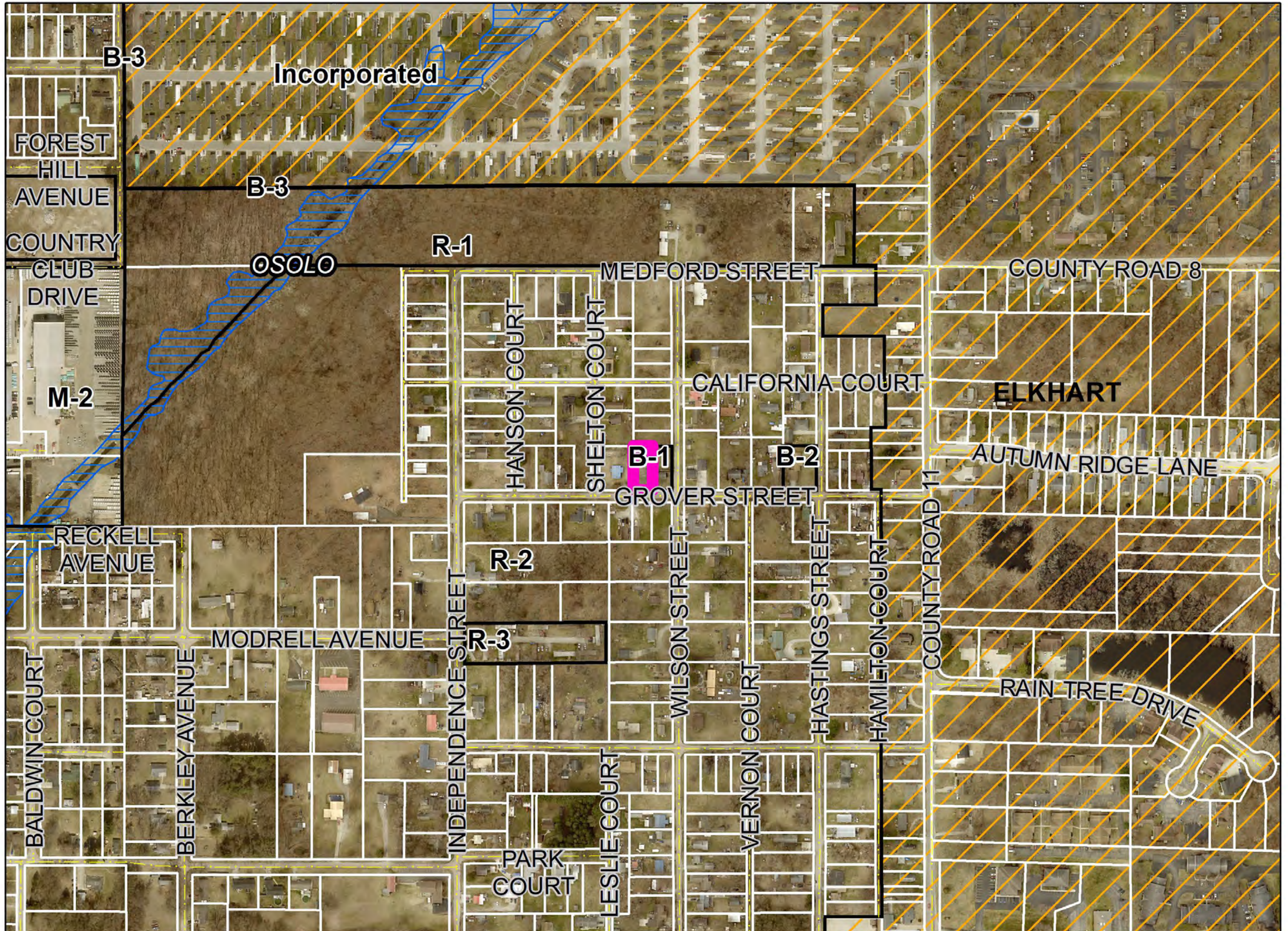
1. Approval of the request will not be injurious to public health, safety, morals, or general welfare. The proposed new home's size and shape are comparable to a stick-built home and the home will replace a home that was demolished.
2. Approval of the request will not cause substantial adverse effect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

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

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









Subject property facing north



Facing south



Facing east



Facing west

PLAN COMMISSION & BOARD OF ZONING APPEALS

Elkhart County Planning & Development
Public Services Building

4230 Elkhart Road, Goshen, Indiana, 46526

Phone - (574) 971-4678

Fax - (574) 971-4578

Special Use - Mobile Home

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

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

Contacts: <u>Applicant</u>	<u>Authorized Agent</u>	<u>Land Owner</u>
Joaquin Ramirez Soriano And Karla Zulema Aleman Hernandez 384 Roxbury Park Goshen, IN 46526	Joaquin Ramirez Soriano And Karla Zulema Aleman Hernandez 384 Roxbury Park Goshen, IN 46526	Joaquin Ramirez Soriano And Karla Zulema Aleman Hernandez 384 Roxbury Park Goshen, IN 46526

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

Subdivision: HASTINGS PARK SECTION 33	Lot # 152
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Lot Area: 0.20	Frontage: 64.00	Depth: 145.00
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Zoning: B-1	NPO List: 08/05/2025
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Present Use of Property: Vacant

Legal Description:

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

Applicant Signature:

Department Signature:

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

Application

Site address: 25173 Grover St. Elkhart, IN 46514

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

Current property owner

Name: Joaquin Ramirez Soriano & Karla Zulema Aleman Hernandez

Address: _____

Phone: (574) 326-5225 574-369-9820 Email: JuakoR86@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: Juako R.S.

Staff Use Only

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

Parcel creation date: N/A

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

Residential accessory breakdown, if applicable: N/A

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

Frontage: 64 Depth: 152 Area: .20 acres

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

Present use: VACANT

Special Use for a Mobile Home — Questionnaire

Name: _____

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

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

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

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

If yes, tell us about it. _____

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

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

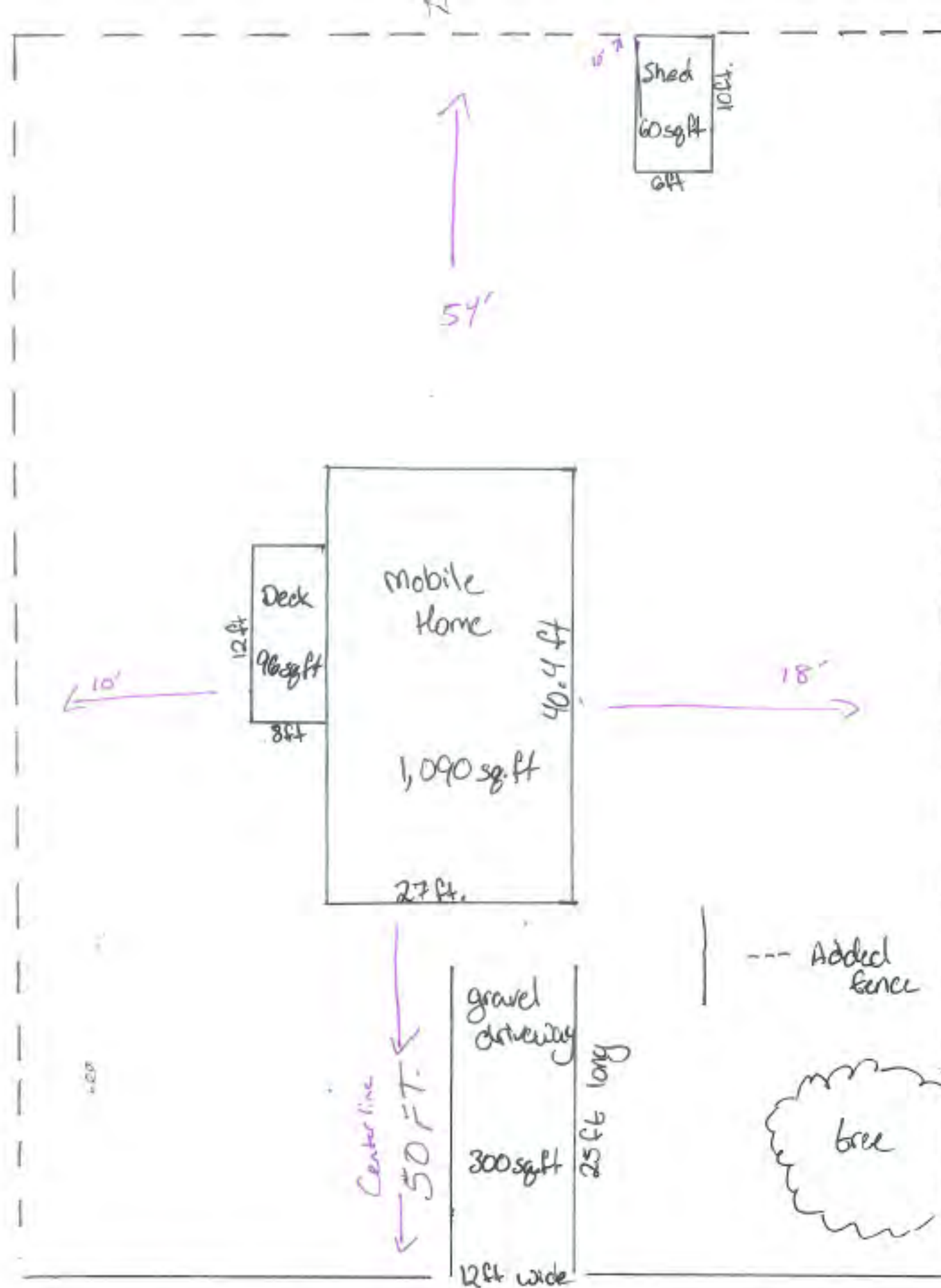
Does the mobile home need a new septic system? ☐ Y ☒ N

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

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

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

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



Grover Street