

**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>Caleb Christner & Crystal Christner, Husband & Wife</i> | (Page 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. | |
| | Location: | North end of the easement, North of CR 36, 520 ft. West of CR 43, in Clinton Township, zoned A-1. DV-0392-2026 | |
| B. | Petitioner: | <i>Ryan J. Zimmerman & Serra M. Zimmerman, Husband & Wife</i> | (Page 2) |
| | Petition: | for a 1 ft. Developmental Variance (Ordinance allows 25 ft.) to allow for an accessory structure 26 ft. in height. | |
| | Location: | West side of CR 7, 450 ft. South of CR 28, common address of 61085 CR 7 in Harrison Township, zoned A-1. DV-0428-2026 | |
| C. | Petitioner: | <i>Greta Burtsfield</i> | (Page 3) |
| | Petition: | for a 5 ft. Developmental Variance (Ordinance requires 10 ft.) to allow for the construction of a pool 5 ft. from the rear property line. | |
| | Location: | North side of East Lawrence St., 320 ft. East of Mill St., common address of 406 E. Lawrence St. in Middlebury Township, zoned R-1. DV-0440-2026 | |
| D. | Petitioner: | <i>Bobby S. Williams & Paula Williams, Husband & Wife</i> | (Page 4) |
| | Petition: | for a 17 ft. Developmental Variance (Ordinance requires 75 ft.) to allow for the construction of a porch addition to an existing residence 58 ft. from the centerline of the right-of-way of CR 126. | |
| | Location: | Southwest corner of CR 126 & CR 19, common address of 20518 CR 126 in Jefferson Township, zoned A-1. DV-0441-2026 | |

- Ann Prough – Appointed by Plan Commission: term 1/1/26 – 12/31/26

Hearing Officer Staff Report

Prepared by the Department of Planning and Development

Hearing Date: August 19, 2026

Transaction Number: DV-0392-2026.

Parcel Number(s): 20-12-14-400-004.000-007.

Existing Zoning: A-1.

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

Petitioner: Caleb Christner & Crystal Christner, Husband & Wife.

Location: North end of the easement, north of CR 36, 520 ft. west of CR 43, in Clinton Township.

Site Description:

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

History and General Notes:

- None.

Staff Analysis:

Staff finds that:

1. Approval of the request will not be injurious to public health, safety, morals, or general welfare. All normal access standards apply, including using a dust-free surface and obtaining a residential driveway permit.
2. Approval of the request will not cause substantial adverse effect on neighboring property. This is an 11.96-acre tract in a low-density residential and agricultural area, and the area will remain residential and agricultural in character.
3. Strict application of the terms of the Development Ordinance would result in an unnecessary hardship in the use of the property. Only one new home will be served by the easement.

Hearing Officer Staff Report (Continued)

Hearing Date: August 19, 2026

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 6/18/2026) and as represented in the Developmental Variance application.
3. A subdivision is required.

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: 06/17/2026 Meeting Date: August 19, 2026 Transaction #: DV-0392-2026
Board of Zoning Appeals Public Hearing

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

Contacts: <u>Applicant</u>	<u>Land Owner</u>	<u>Private Surveyor</u>
Advanced Land Surveying Of Northern Indiana, Inc. 17120 County Road 46 New Paris, IN 46553	Caleb Christner And Crystal Christner, Husband And Wife 57747 County Road 37 Middlebury, IN 46540	Advanced Land Surveying Of Northern Indiana, Inc. 17120 County Road 46 New Paris, IN 46553

Site Address: 00000 County Road 36 GOSHEN, IN 46528	Parcel Number: 20-12-14-400-004.000-007
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Township: Clinton
Location: NORTHEAST END OF THE EASEMENT, NORTH OF CR 36, 520 FT WEST OF CR 43

Subdivision:	Lot #
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Lot Area: 12.14	Frontage: 0.00	Depth:
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Zoning: A-1	NPO List:
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Present Use of Property: VACANT

Legal Description:

Comments: PARCEL CREATED 5/2/2024
APPLICANT IS IN PROCESS OF PREPARING ADMIN SUB
APPLICANT WILL PROVIDE SITE PLAN VIA E-MAIL

Applicant Signature:	Department Signature:
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Developmental Variance — Questionnaire

Name: Caleb Christner

- 1) Tell us what you want to do. I NEED A 50' ROAD FRONTAGE VARIANCE WHERE 100' IS REQUIRED TOGET PERMIT TO BUILD A NEW HOUSE

(Ronnie meant to put 0 frontage, not 50 ft.)

- 2) Tell us why you can't change what you're doing so you don't need a variance. THIS IS THE ONLY ACCESS WE HAVE TO THIS LOT

- 3) Tell us why the variance won't hurt your neighbors or the community. IT IS IN AN A-1 ZONE WHERE THE AREA IS AGRICULTURAL AND RESIDENTIAL.

- 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: 1-STORY 3488 SQ. FT HOUSE

Tell us what you'll use it for. TO LIVE IN

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. LONNIE & RHODA YODER, & SL BONTRAGER REAL ESTATE

Tell us how many parcels will use the easement. 1

- 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

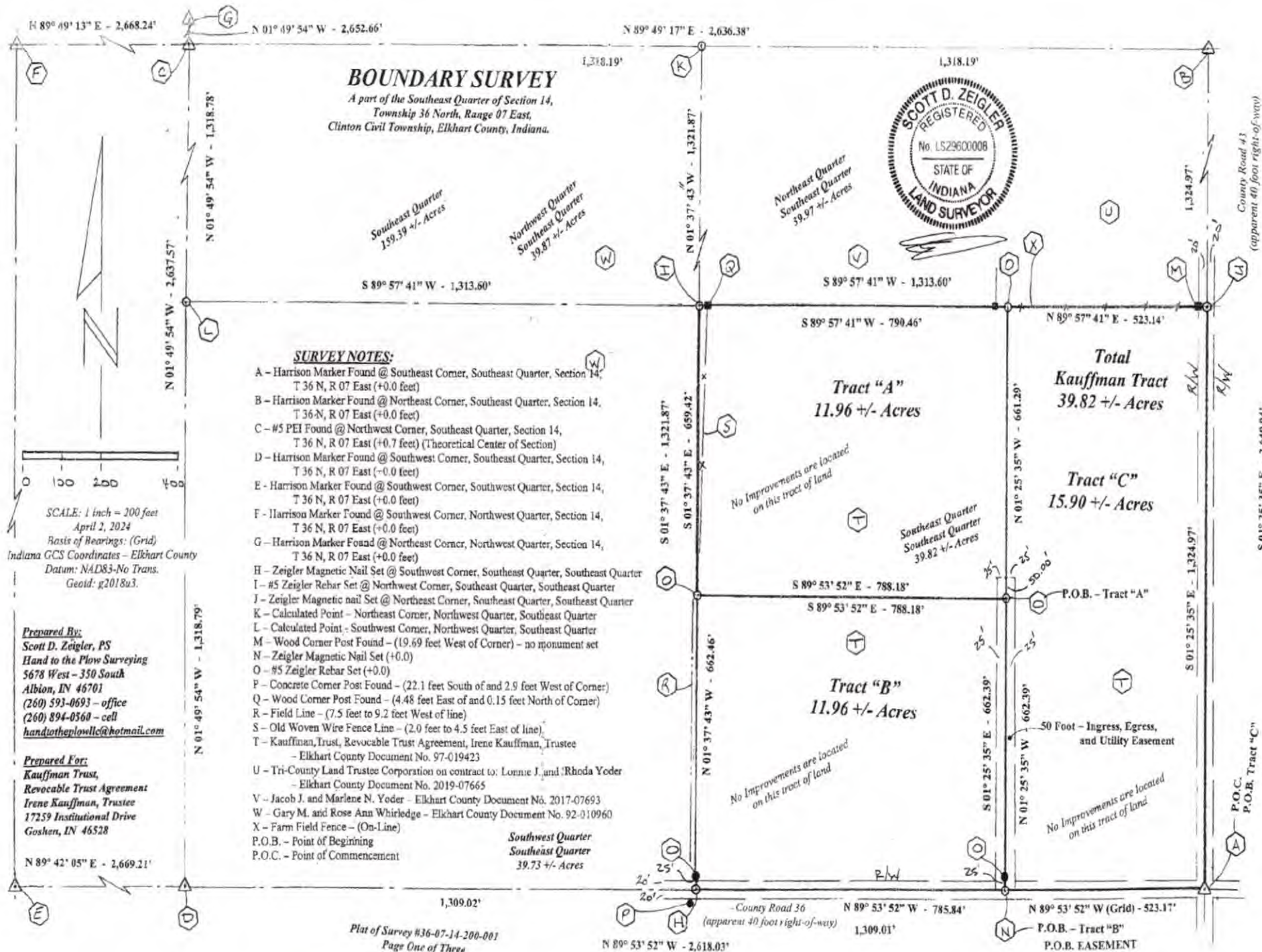
Freestanding? ☐ Y ☐ N Wall mounted? ☐ Y ☐ N

- 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 BOUGHT THE LAND WITH A 50' EASEMENT AND WERE NOT AWARE WE NEEDED 100'

(No, ~~50~~ ~~50~~ it's 0 road frontage, yes 50 ft. emt.)



BOUNDARY SURVEY
*A part of the Southeast Quarter of Section 14,
Township 36 North, Range 07 East,
Clinton Civil Township, Elkhart County, Indiana.*

LEGAL DESCRIPTION – TRACT “A”
(Auction Tract 5)

A tract of land located in the Southeast Quarter of Section 14, Township 36 North, Range 07 East, in Clinton Civil Township, Elkhart County, the State of Indiana. Said tract being an Original Survey as prepared by Scott D. Zeigler, PS #LS29600008, dba Hand to the Plow Surveying, LLC; 5678 West – 350 South, Albion, Indiana 46701, being represented as Plat of Survey #36-07-14-200-001. Said tract being part of a tract of land conveyed to Irene Kauffman, Trustee for the “Kauffman Trust,” Revocable Trust Agreement, as described in Elkhart County Document No. 97-019423, and being more particularly described as follows, to-wit:

Commencing at a Harrison Marker located at the Southeast corner of said Southeast Quarter; thence North 89 degrees 53 minutes 52 seconds West (Grid – Indiana GCS – Elkhart County), along the South line of said Southeast Quarter, for 523.17 feet to a Zeigler Magnetic Nail; thence North 01 degrees 25 minutes 35 seconds West, parallel with the East line of said Southeast Quarter, for 662.39 feet to a #5 Zeigler Rebar; said point being the **Point of Beginning** for this description; thence continuing North 01 degrees 25 minutes 35 seconds West, parallel with the East line of said Southeast Quarter, for 661.29 feet to the North line of the Southeast Quarter of said Southeast Quarter; said point being marked by a #5 Zeigler Rebar; thence South 89 degrees 57 minutes 41 seconds West, along the North line of the Southeast Quarter of said Southeast Quarter, for 790.46 feet to the Northwest corner of the Southeast Quarter of said Southeast Quarter; said point being marked by a #5 Zeigler Rebar; thence South 01 degrees 37 minutes 43 seconds East, along the West line of the Southeast Quarter of said Southeast Quarter, for 659.42 feet to a #5 Zeigler Rebar; thence South 89 degrees 53 minutes 52 seconds East, parallel with the South line of said Southeast Quarter, for 788.18 feet to the **Point of Beginning**. Said tract containing **11.96 Acres**, more or less, and is subject to all public road right-of-ways and easements of record.

Said tract being BENEFITTED by a 50 (Fifty) foot Ingress, Egress and Utility Easement, being 25 (Twenty-Five) feet on each side of the following described centerline, more particularly described as follows, to-wit:

Commencing at a Harrison Marker located at the Southeast corner of said Southeast Quarter; thence North 89 degrees 53 minutes 52 seconds West (Grid – Indiana GCS – Elkhart County), along the South line of said Southeast Quarter, for 523.17 feet to a Zeigler Magnetic Nail; said point being the **Point of Beginning** for this description; thence North 01 degrees 25 minutes 35 seconds West, parallel with the East line of said Southeast Quarter, for 662.39 feet to a #5 Zeigler Rebar; thence continuing North 01 degrees 25 minutes 35 seconds West, parallel with the East line of said Southeast Quarter, for 50.00 feet to the terminus point of said Ingress, Egress, and Utility Easement.

Plat of Survey #36-07-14-200-001
Page Two of Three

LEGAL DESCRIPTION – TRACT “B”
(Auction Tract 6)

A tract of land located in the Southeast Quarter of Section 14, Township 36 North, Range 07 East, in Clinton Civil Township, Elkhart County, the State of Indiana. Said tract being an Original Survey as prepared by Scott D. Zeigler, PS #LS29600008, dba Hand to the Plow Surveying, LLC; 5678 West – 350 South, Albion, Indiana 46701, being represented as Plat of Survey #36-07-14-200-001. Said tract being part of a tract of land conveyed to Irene Kauffman, Trustee for the “Kauffman Trust,” Revocable Trust Agreement, as described in Elkhart County Document No. 97-019423, and being more particularly described as follows, to-wit:

Commencing at a Harrison Marker located at the Southeast corner of said Southeast Quarter; thence North 89 degrees 53 minutes 52 seconds West (Grid – Indiana GCS – Elkhart County), along the South line of said Southeast Quarter, for 523.17 feet to a Zeigler Magnetic Nail; said point being the **Point of Beginning** for this description; thence continuing North 89 degrees 53 minutes 52 seconds West, along the South line of said Southeast Quarter, for 785.84 feet to the Southwest corner of the Southeast Quarter of said Southeast Quarter; said point being marked by a Zeigler Magnetic Nail; thence North 01 degrees 37 minutes 43 seconds West, along the West line of the Southeast Quarter of said Southeast Quarter, for 662.46 feet to a #5 Zeigler Rebar; thence South 89 degrees 53 minutes 52 seconds East, parallel with the South line of said Southeast Quarter, for 788.18 feet to a #5 Zeigler Rebar; thence South 01 degrees 25 minutes 35 seconds East, parallel with the East line of said Southeast Quarter, for 662.39 feet to the **Point of Beginning**. Said tract containing **11.96 Acres**, more or less, and is subject to all public road right-of-ways and easements of record.

Said tract being SUBJECT to a 50 (Fifty) foot Ingress, Egress and Utility Easement, being 25 (Twenty-Five) feet on each side of the following described centerline, more particularly described as follows, to-wit:

Commencing at a Harrison Marker located at the Southeast corner of said Southeast Quarter; thence North 89 degrees 53 minutes 52 seconds West (Grid – Indiana GCS – Elkhart County), along the South line of said Southeast Quarter, for 523.17 feet to a Zeigler Magnetic Nail; said point being the **Point of Beginning** for this description; thence North 01 degrees 25 minutes 35 seconds West, parallel with the East line of said Southeast Quarter, for 662.39 feet to a #5 Zeigler Rebar; thence continuing North 01 degrees 25 minutes 35 seconds West, parallel with the East line of said Southeast Quarter, for 50.00 feet to the terminus point of said Ingress, Egress, and Utility Easement.

LAND SURVEYOR'S CERTIFICATE

I, Scott D. Zeigler, hereby certify that I am a Land Surveyor licensed in compliance with the laws of the State of Indiana and certify that this plat of survey correctly represents a survey completed under my direction on **April 2, 2024**, and that all monuments shown actually exist and their location, type, and material are accurately shown.
AFFIRMATION STATEMENT: I affirm, under the penalties for perjury, that I have taken reasonable care to redact each Social Security number in this document, unless required by law.

Scott D. Zeigler, PS #LS29600008
Hand to the Plow Surveying, LLC
5678 West – 350 South
Albion, Indiana 46701
260-593-0693 Office; 260-894-0560 - Cell
szeigler@handtothelowsurveying.com



LEGAL DESCRIPTION – TRACT “C”
(Auction Tracts 7 and 8)

A tract of land located in the Southeast Quarter of Section 14, Township 36 North, Range 07 East, in Clinton Civil Township, Elkhart County, the State of Indiana. Said tract being an Original Survey as prepared by Scott D. Zeigler, PS #LS29600008, dba Hand to the Plow Surveying, LLC; 5678 West – 350 South, Albion, Indiana 46701, being represented as Plat of Survey #36-07-14-200-001. Said tract being part of a tract of land conveyed to Irene Kauffman, Trustee for the “Kauffman Trust,” Revocable Trust Agreement, as described in Elkhart County Document No. 97-019423, and being more particularly described as follows, to-wit:

Beginning at a Harrison Marker located at the Southeast corner of said Southeast Quarter; thence North 89 degrees 53 minutes 52 seconds West (Grid – Indiana GCS – Elkhart County), along the South line of said Southeast Quarter, for 523.17 feet to a Zeigler Magnetic Nail; thence North 01 degrees 25 minutes 35 seconds West, parallel with the East line of said Southeast Quarter, for 662.39 feet to a #5 Zeigler Rebar; thence continuing North 01 degrees 25 minutes 35 seconds West, parallel with the East line of said Southeast Quarter, for 661.29 feet to the North line of the Southeast Quarter of said Southeast Quarter; said point being marked by a #5 Zeigler Rebar; thence North 89 degrees 57 minutes 41 seconds East, along the North line of the Southeast Quarter of said Southeast Quarter, for 523.14 feet to the Northeast corner of the Southeast Quarter of said Southeast Quarter; said point being marked by a Zeigler Magnetic Nail; thence South 01 degrees 25 minutes 35 seconds East, along the East line of said Southeast Quarter, for 1,324.97 feet to the **Point of Beginning**. Said tract containing **15.90 Acres**, more or less, and is subject to all public road right-of-ways and easements of record.

Said tract being SUBJECT to a 50 (Fifty) foot Ingress, Egress and Utility Easement, being 25 (Twenty-Five) feet on each side of the following described centerline, more particularly described as follows, to-wit:

Commencing at a Harrison Marker located at the Southeast corner of said Southeast Quarter; thence North 89 degrees 53 minutes 52 seconds West (Grid – Indiana GCS – Elkhart County), along the South line of said Southeast Quarter, for 523.17 feet to a Zeigler Magnetic Nail; said point being the **Point of Beginning** for this description; thence North 01 degrees 25 minutes 35 seconds West, parallel with the East line of said Southeast Quarter, for 662.39 feet to a #5 Zeigler Rebar; thence continuing North 01 degrees 25 minutes 35 seconds West, parallel with the East line of said Southeast Quarter, for 50.00 feet to the terminus point of said Ingress, Egress, and Utility Easement.

A survey of the above-described tracts of land is represented on Plat of Survey #36-07-14-200-001 as prepared by Hand to the Plow Surveying, LLC; 5678 West – 350 South, Albion, Indiana 46701. The above-described tracts of land do not lie within a Flood Prone Area.

BOUNDARY SURVEY

*A part of the Southeast Quarter of Section 14,
Township 36 North, Range 07 East,
Clinton Civil Township, Elkhart County, Indiana.*

Surveyor's Report

Survey #36-07-14-200-001

In Accordance with Title 865 IAC 1-12, Sections 1-30 the following observations and opinions are being submitted with regard to the availability and condition of reference monuments; inconsistencies in occupation and possession lines; clarity or ambiguity of the record description(s) used and/or adjoiner's descriptions, and the random error in measurement (relative positional accuracy). The relative positional accuracy for the corners of the tract represented on this survey is within the specifications for a Rural Survey as set forth in Title 865 IAC 1-12-7. The purpose of this survey was to determine the boundary of a tract of land conveyed to Irene Kauffman, Trustee for the "Kauffman Trust," Revocable Trust Agreement, as described in Elkhart County Document No. 97-019425, then divide the entire tract into THREE new tracts of land. Two of the new tracts will be contain 11.96 Acres and one tract will contain 15.90 Acres. The Northwest most tract will be accessed by a 50 foot ingress, egress, and utility easement. This tract of land is located in the Southeast Quarter of Section 14, Township 36 North, Range 07 East, Clinton Civil Township, Elkhart County. Previous surveys by Hand to the Plow Surveying, LLC were used in the completion of this survey. Additional information used to complete this survey was the location of the monuments found at or near the corners of the adjoining parcels and the physical evidence found in the field.

A. Availability and condition of reference monuments.

The monuments found at the governmental section corners are as shown on the attached Plat of Survey. The Harrison Markers that were found are county referenced and accepted as the corners that they represent. The Center of Section 14 was held as a #5 PEI Rebar found at the Theoretical Center of Section and has been used by other surveyors in the area.

B. Theory of Location

The South line of the Kauffman tract is the South line of the Southeast Quarter as defined by the found Harrison Markers. The East line of the Kauffman tract of land is the East line of the Southeast Quarter as defined by the found Harrison Markers. The Center of Section 14 was established at a found #5 PEI Rebar located at the Theoretical Center of Section. The Southeast Quarter was divided into quarters by intersecting the lines between the mid points on the North, South, East and West lines of the Southeast Quarter. Tract "C" contains 15.90 Acres with the West line being parallel with the East line of the Southeast Quarter. Tracts "A" and "B" both contain 11.96 Acres, with the North line of Tract "B" being parallel with the South line of the Southeast Quarter. A fifty (50) foot ingress, egress, and utility easement for access to Tract "A" is located with its centerline on the common line between Tracts "B" and "C" and extends by 50 feet North of the Southeast corner of Tract "A."

C. Inconsistencies in occupation and possession lines.

Possession along the East and South lines of the Kauffman tract is to the county roads, with the deed line following the approximate centerline of the county roads. Possession along the North line of the Kauffman tract is to an existing fence line that generally follows the deed line. Possession along the Northern portion of the West line of the Kauffman tract is to a fence line that is generally located between 2.0 feet and 4.5 feet to the East of the deed line. Possession along the Southern portion of the West line of the Kauffman tract is to a field line that is generally located between 7.5 feet and 9.2 feet to the West of the deed line.

D. Clarity or ambiguity of the record description used and/or adjoiner's descriptions.

None were observed.

LAND SURVEYOR'S CERTIFICATE

I, Scott D. Zeigler, hereby certify that I am a Land Surveyor licensed in compliance with the laws of the State of Indiana and certify that this plat of survey correctly represents a survey completed under my direction on **April 2, 2024**, and that all monuments shown actually exist and their location, type, and material are accurately shown.

AFFIRMATION STATEMENT: I affirm, under the penalties for perjury, that I have taken reasonable care to redact each Social Security number in this document, unless required by law.


Scott D. Zeigler, PS #LS29600008
Hand to the Plow Surveying, LLC
5678 West - 350 South
Albion, Indiana 46701
260-593-0693 - Office; 260-894-0560 - Cell
szeigler@handtothelowsurveying.com



General Comments

The fieldwork for this survey was completed on March 26, 2024. The field notes for this survey are kept on file within the records of Hand to the Plow Surveying, LLC and are referenced to this survey by the Plat of Survey/Drawing Number. All equipment and software used to complete this survey is owned and/or leased by Hand to the Plow Surveying, LLC, serial numbers are available upon request. All references to a "Rebar Set" on this Plat of Survey shall mean that a 5/8-inch diameter by 2-foot long reinforcing rod with a red plastic cap imprinted as follows: "Scott D. Zeigler" (on line 1) LS 29600008 (on line 2) was set at said location on or before the date listed above. References to a "Marker Spike and Tag set" on the Plat of Survey shall indicate that a steel nail marker with a stainless-steel washer stamped: "Scott D. Zeigler," "LS 29600008" manufactured by Bemtsen Industries was set flush with the paved surface at said location. References to a "Brass Marker set" on the Plat of Survey shall indicate that a brass monument stamped: "Zeigler," "LS 29600008" manufactured by Bemtsen Industries was set flush with the concrete surface at said location. This survey was made in accordance with the most recent edition of Title 865 of the Indiana Administrative Code. A copy of this code is on file within the records of Hand to the Plow Surveying, LLC. The Plat of Survey number is the same as the surveyor's file number. This survey was completed without the benefit of an up-to-date title commitment and/or abstract. Therefore, an accurate title search may reveal facts that could change parts of this survey. The depth of all monuments recovered in completing this survey are considered to be found flush with the ground unless otherwise noted. Those monuments that were set while completing this survey were set flush with the ground unless noted differently. The flood hazard statement shown on this survey was interpreted from the most current flood maps available. Therefore, the accuracy of the flood hazard statement shown on this survey is subject to map scale uncertainty and to any other uncertainty in location or elevation on the referenced Flood Insurance Rate Map (FIRM). The tract of land represented by the attached Plat of Survey is subject to all public road right-of-ways and easements of record. It is the responsibility of the landowner and/or their agent(s) to adhere to all zoning ordinances, building codes and other applicable regulations when placing improvements on this parcel of land.

*Plat of Survey #36-07-14-200-001
Page Three of Three*

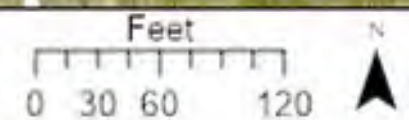
DV-0392-2026



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

2025 Aerials

1 inch equals 120 ft

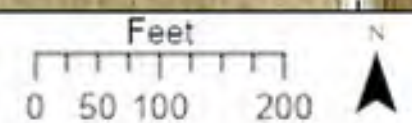


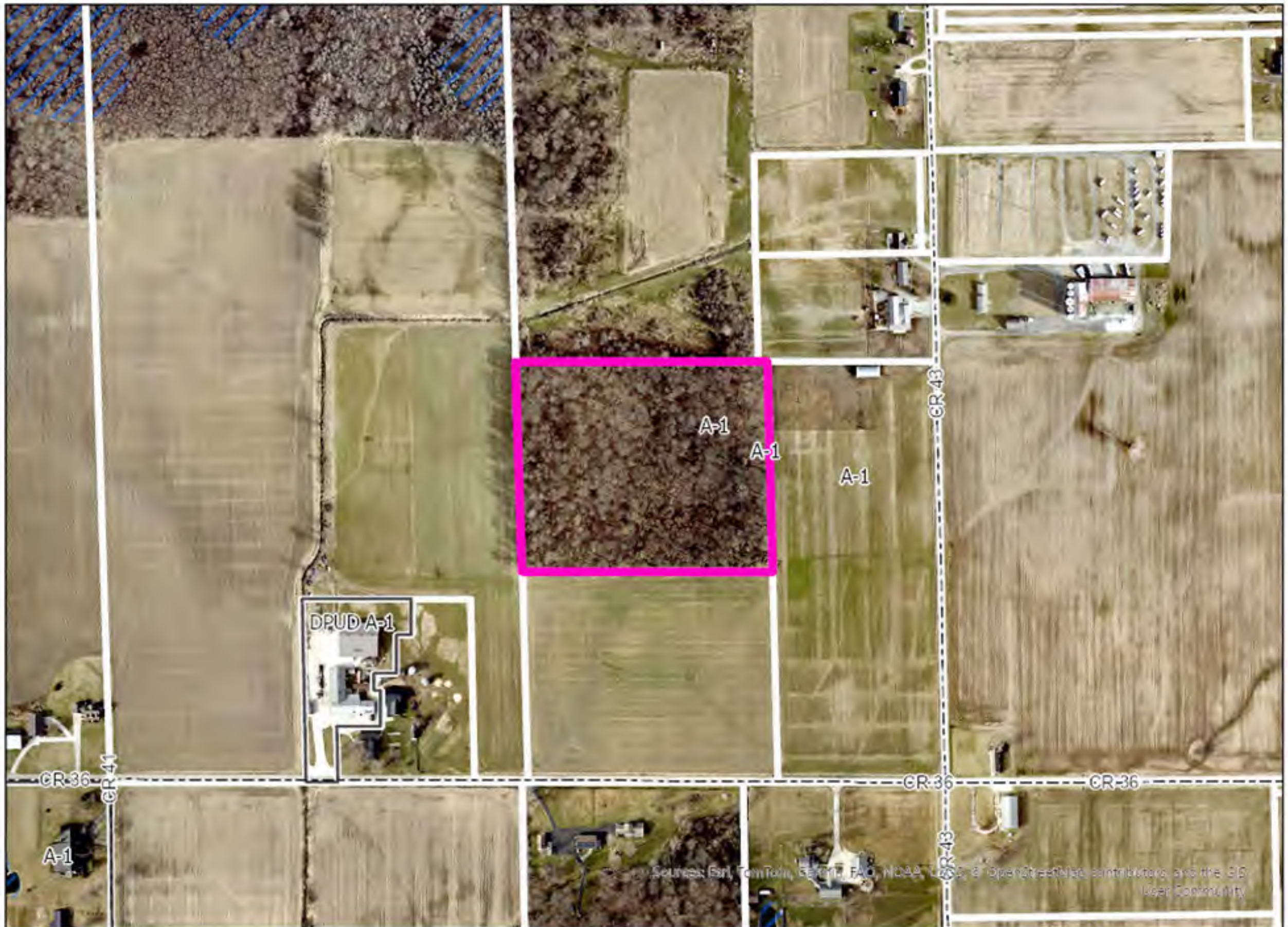
DV-0392-2026



2025 Aerials

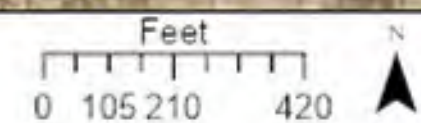
1 inch equals 200 ft





2025 Aerials

1 inch equals 400 ft





Subject property



Facing west



Facing east



Facing south



Hearing Officer Staff Report

Prepared by the Department of Planning and Development

Hearing Date: August 19, 2026

Transaction Number: DV-0428-2026.

Parcel Number(s): 20-10-06-200-004.000-016 & part of 20-10-06-200-008.000-016.

Existing Zoning: A-1.

Petition: For a 1 ft. Developmental Variance (Ordinance allows 25 ft.) to allow for an accessory structure 26 ft. in height.

Petitioner: Ryan J. Zimmerman & Serra M. Zimmerman, Husband & Wife.

Location: West side of CR 7, 450 ft. south of CR 28, in Harrison Township.

Site Description:

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

History and General Notes:

- None.

Staff Analysis:

Staff finds that:

1. Approval of the request will not be injurious to public health, safety, morals, or general welfare. The structure will not affect sight distance and observes all other development standards.
2. Approval of the request will not cause substantial adverse effect on neighboring property. All property neighboring this 3-acre parcel is agricultural.
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 project scale typical of low-density, rural communities.

Hearing Officer Staff Report (Continued)

Hearing Date: August 19, 2026

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

1. A variance from the developmental standards of the Development Ordinance is void unless an Improvement Location Permit is issued within 180 calendar days from the date of the grant and construction work completed within 1 year from the date of the issuance of the building permit (where required).
2. The request is approved in accordance with the site plan submitted (dated 7/2/2026) and as represented in the Developmental Variance application.

PLAN COMMISSION & BOARD OF ZONING APPEALS

Developmental Variance - Developmental Variance

Elkhart County Planning & Development
Public Services Building

4230 Elkhart Road, Goshen, Indiana, 46526

Phone - (574) 971-4678

Fax - (574) 971-4578

Date: 07/02/2026 Meeting Date: August 19, 2026 Transaction #: DV-0428-2026
Board of Zoning Appeals Public Hearing

Description: for a 1 ft. Developmental Variance (Ordinance allows 25 ft.) to allow for an accessory structure 26 ft. in height

Contacts: <u>Applicant</u>	<u>Authorized Agent</u>	<u>Builder</u>	<u>Land Owner</u>
Pacemaker Buildings, Inc. Po Box 259 North Webster, IN 46555	Pacemaker Buildings, Inc. Po Box 259 North Webster, IN 46555	Pacemaker Buildings, Inc. Po Box 259 North Webster, IN 46555	Ryan J. Zimmerman & Serra M. Zimmerman, Husband & Wife 61085 County Road 7 Elkhart, IN 46517

Site Address: 61085 County Road 7 Elkhart, IN 46517	Parcel Number: 20-10-06-200-004.000-016 Part of 20-10-06-200-008.000-016
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Township: Harrison
Location: West Side Of County Road 7, 450 ft. South Of County Road 28

Subdivision:	Lot #
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Lot Area: 3.00	Frontage: 275.00	Depth: 450.00
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Zoning: A-1	NPO List:
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Present Use of Property: RESIDENTIAL

Legal Description:

Comments: PARCEL 20-10-06-200-004-016 1 ACRE (PARCEL CREATION DATE 10-24-2005)
PART OF PARCEL 20-10-06-200-008-016 2 ACRES RECORDED 6-29-2026
NEWLY RECORDED DEED 6-29-2026 WITH BOTH TOTAL 3 ACRES REVIEWED BY JASON
DWELLING 2543 SF X 200% = 5,086 SF MINUS ATTACHED GARAGE 792 SF MINUS SHED 96 SF = 4,198 SF MINUS
PROPOSED BUILDING 3,000 SF = 1,198 SF AVAILABLE PERSONAL STORAGE

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

Developmental Variance — Questionnaire

Name: Ryan Zimmerman

1) Tell us what you want to do. Increase maximum peak ~~height~~ height on a 50' x 60' Pole building from 25' to 26'

2) Tell us why you can't change what you're doing so you don't need a variance. Building style & type & aesthetics don't allow

3) Tell us why the variance won't hurt your neighbors or the community. The Building is in farm country. Set backs are more than required. No houses close by.

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

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

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

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

Building or addition 1

Size and height to the peak: 50' x 60' 26'

Tell us what you'll use it for. Accessory structure - Personal 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

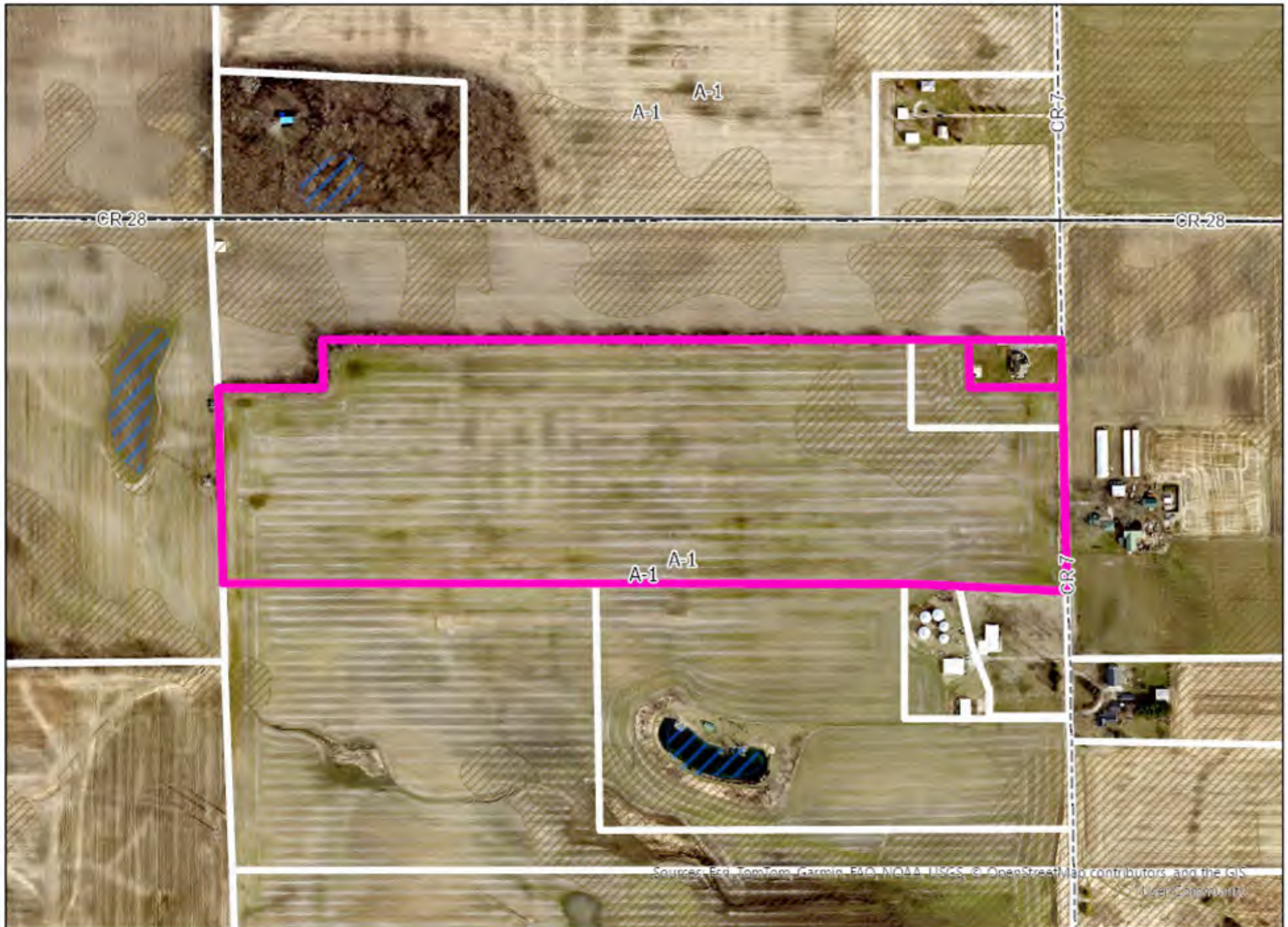
Freestanding? ☐ Y ☐ N Wall mounted? ☐ Y ☐ N

Sign 3 Dimensions (length and width): _____

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

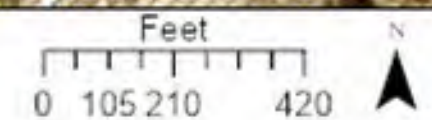
Electronic message board? ☐ Y ☐ N If no, lighted? ☐ Y ☐ N

DV-0428-2026

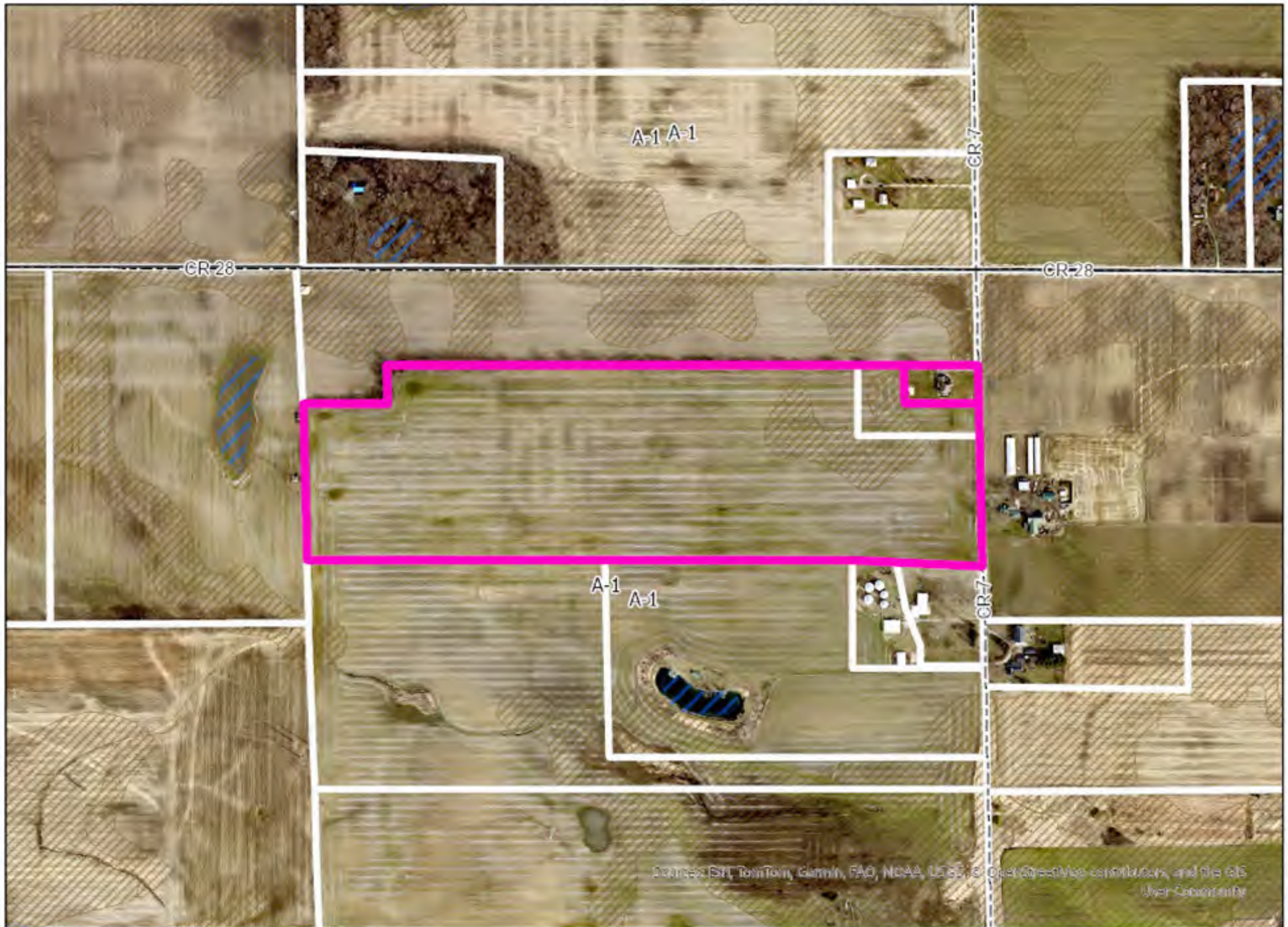


2025 Aerials

1 inch equals 400 ft



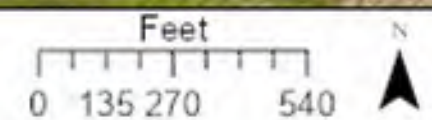
DV-0428-2026



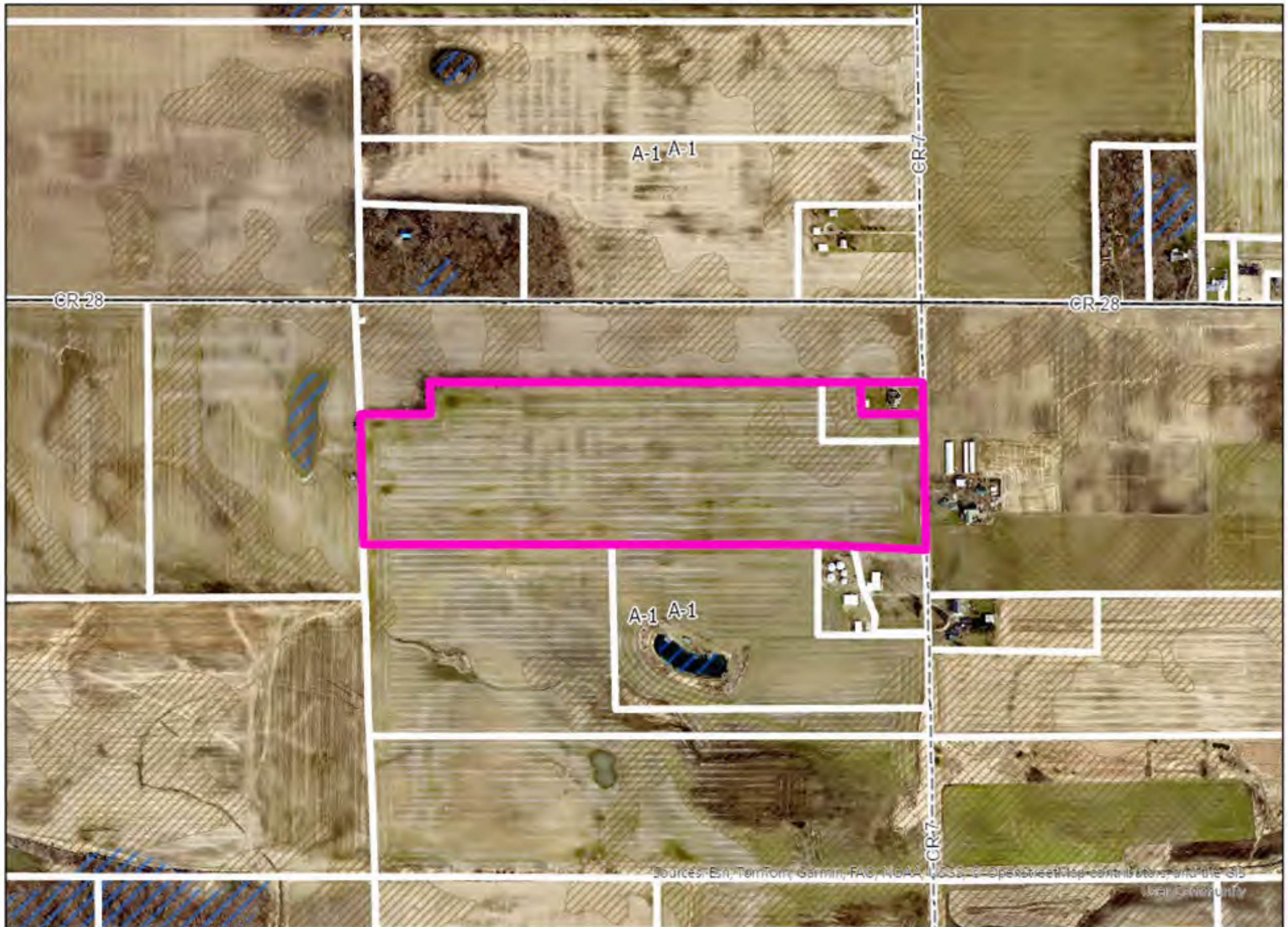
Sources: Esri, TomTom, Garmin, FAO, NOAA, USGS, © OpenStreetMap contributors, and the GIS User Community

2025 Aerials

1 inch equals 500 ft

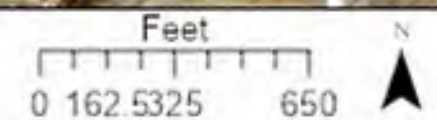


DV-0428-2026



2025 Aerials

1 inch equals 600 ft





Subject property



Building site



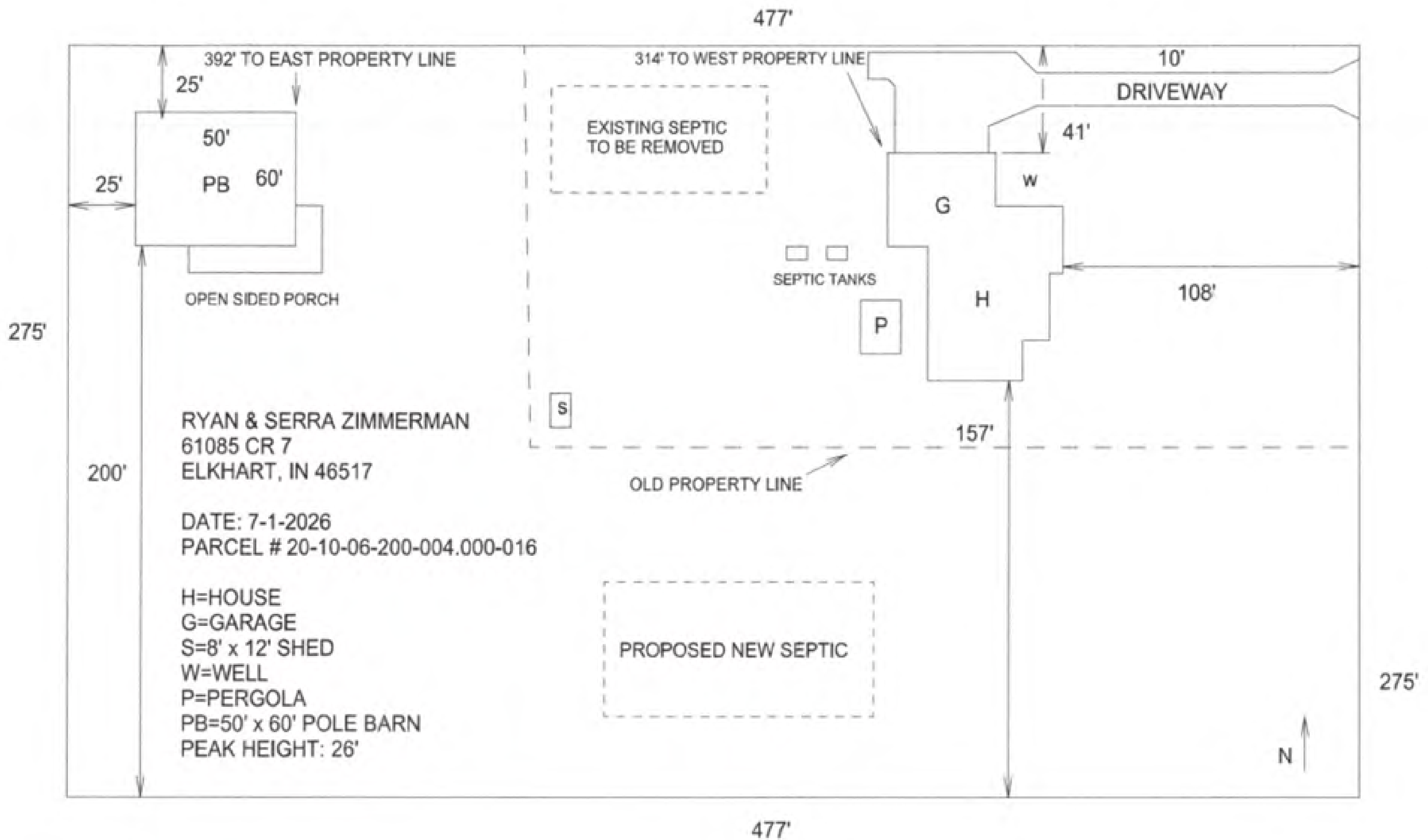
Facing south



Facing north



Facing east



Hearing Officer Staff Report

Prepared by the Department of Planning and Development

Hearing Date: August 19, 2026

Transaction Number: DV-0440-2026.

Parcel Number(s): 20-08-10-411-010.000-035.

Existing Zoning: R-1.

Petition: For a 5 ft. Developmental Variance (Ordinance requires 10 ft.) to allow for the construction of a pool 5 ft. from the rear property line.

Petitioner: Greta Burtsfield.

Location: North side of East Lawrence St., 320 ft. east of Mill St., in Middlebury Township.

Site Description:

- Physical Improvement(s) – Residence, accessory structure.
- Proposed Improvement(s) – Pool.
- 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. A 5 ft. rear setback for a pool poses no risk to public safety, and all other standards are met.
2. Approval of the request will not cause substantial adverse effect on neighboring property. Neighboring properties are two other residential parcels and a church backyard, and the site 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. Rear setback encroachments are typical of dense town neighborhoods.

Hearing Officer Staff Report (Continued)

Hearing Date: August 19, 2026

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 7/7/2026) and as represented in the Developmental Variance application.

PLAN COMMISSION & BOARD OF ZONING APPEALS

Developmental Variance - Developmental Variance

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

4230 Elkhart Road, Goshen, Indiana, 46526

Phone - (574) 971-4678

Fax - (574) 971-4578

Date: 07/07/2026 Meeting Date: August 19, 2026
Board of Zoning Appeals Public Hearing Transaction #: DV-0440-2026

Description: for a 5 ft. Developmental Variance (Ordinance requires 10 ft.) to allow for the construction of a pool 5 ft. from
the rear property line

Contacts: <u>Applicant</u>	<u>Authorized Agent</u>	<u>Land Owner</u>
Karl Schrock	Karl Schrock	Greta Burtsfield 406 Lawrence St. Middlebury, IN 46540

Site Address: 406 East Lawrence St Middlebury, IN 46540	Parcel Number: 20-08-10-411-010.000-035
--	---

Township: Middlebury
Location: North side of East Lawrence, 50 ft. west of Bluebird Lane

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

Lot Area: 0.21	Frontage: 100.00	Depth: 84.00
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Zoning: R-1	NPO List:
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Present Use of Property: RESIDENTIAL

Legal Description:

Comments:

Applicant Signature:

Department Signature:

Developmental Variance — Questionnaire

Name: Karl Schrock

1) Tell us what you want to do. Install in-ground swimming pool

2) Tell us why you can't change what you're doing so you don't need a variance. The back yard is tight and there is not enough room to get the 10' set back from the back property line.

3) Tell us why the variance won't hurt your neighbors or the community. I'm asking for a 5' set back. The back yard will be enclosed with a new 6' tall privacy fence posing no risk to the neighbors.

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? N/A ☐ 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: 28' x 14' Pool

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. _____

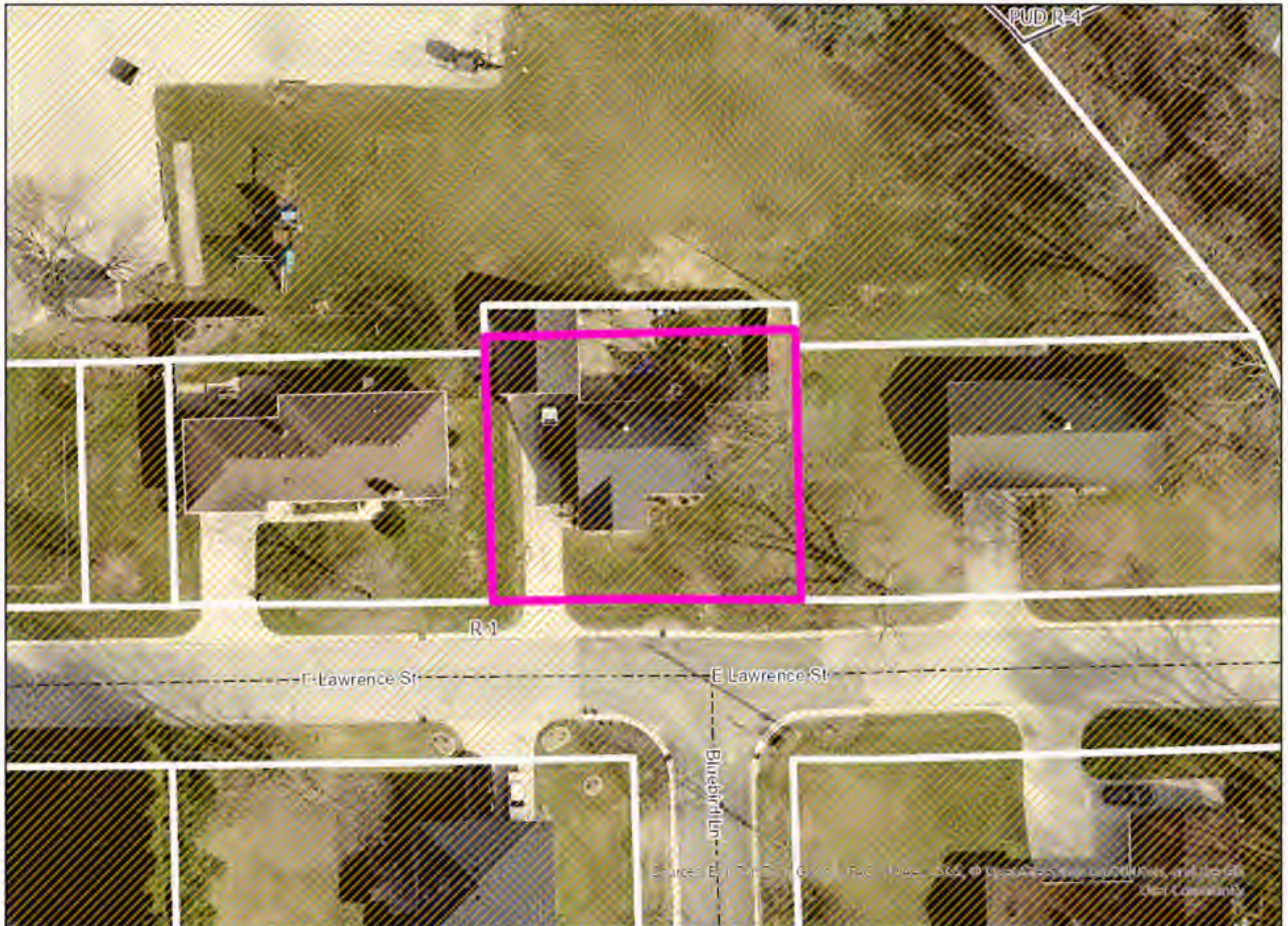
This letter is for the neighbors of:
Greta Burtsfield and Karl Schrock
406 E. Lawrence St. , Middlebury, IN 46540

The purpose of this letter is to inform and to ask for the support of our neighbors. We are filing for a variance for the installation of an in ground pool. Elkhart County zoning asks for pools to be 10 ft. from the back property line. We are asking to install the pool 5 ft. from the back property line. The pool will be surrounded by a new 6 ft. tall privacy fence and should not have any detrimental effects on neighboring properties. The property that borders our back property line is Roselawn Mennonite Church. They have given a verbal approval of our request. The neighbors on each side of our property are listed below and by signing below have given their approval and support of our request.

x Dale Koppchen
502 East Lawrence St.
Middlebury In.

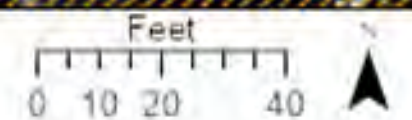
x Edwin & Anne Loder
404 E Lawrence St
Middlebury In.

DV-0440-2026

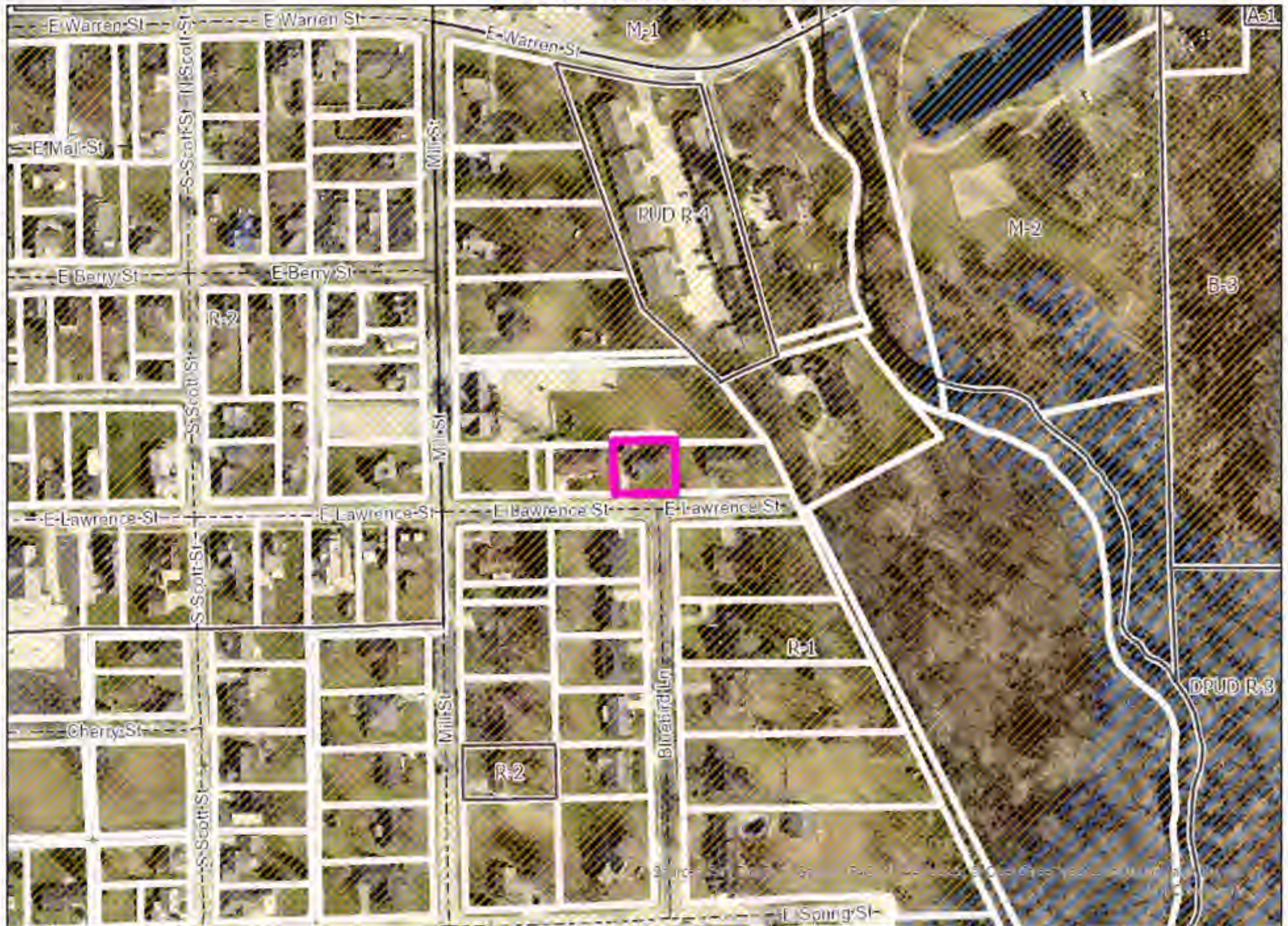


2025 Aerials

1 inch equals 40 ft

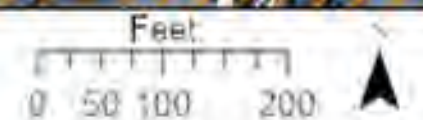


DV-0440-2026



2025 Aerials

1 inch equals 200 ft





Subject property



Proposed pool site



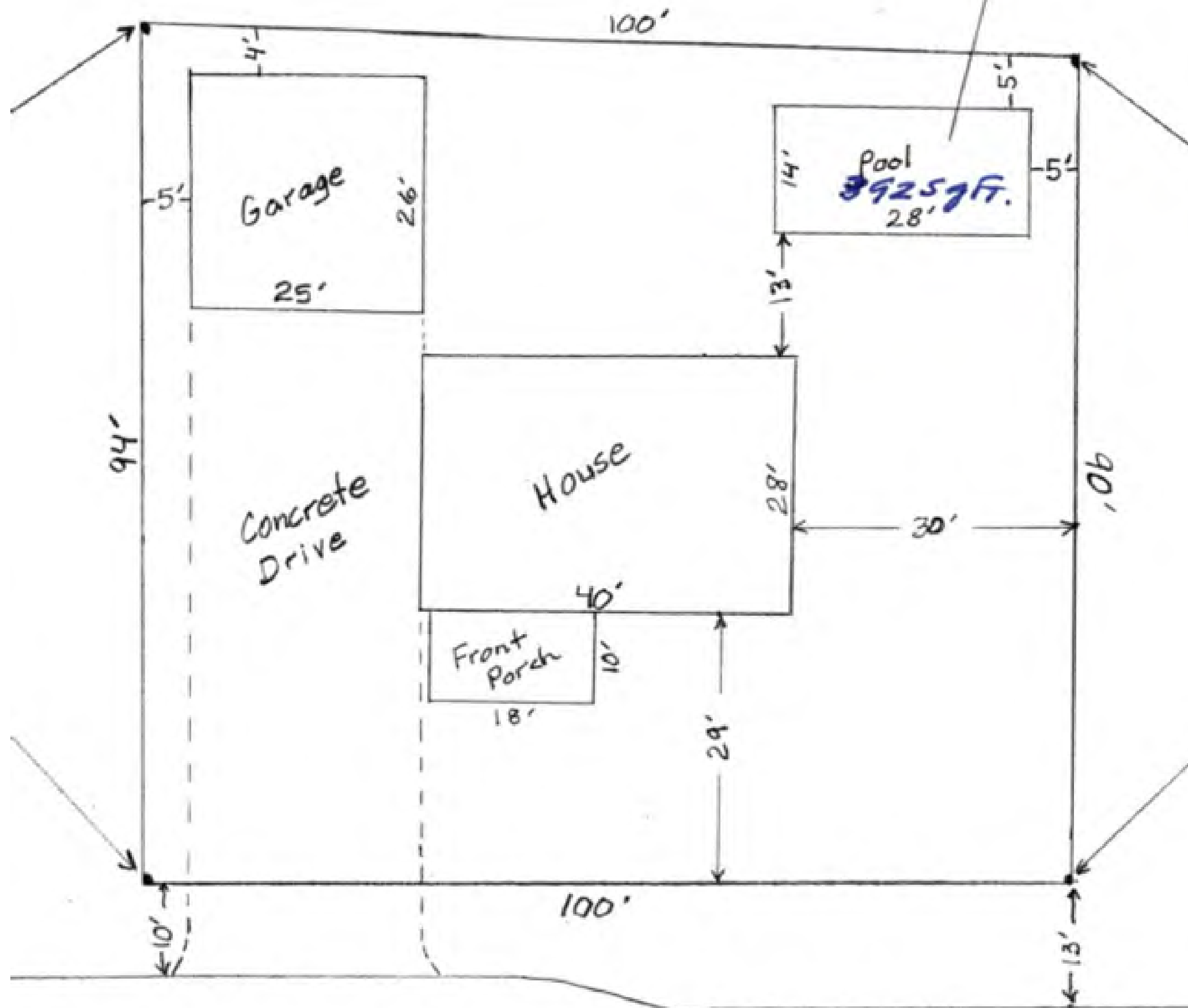
Facing east



Facing west



Facing south



406 E. Lawrence St.

Hearing Officer Staff Report

Prepared by the Department of Planning and Development

Hearing Date: August 19, 2026

Transaction Number: DV-0441-2026.

Parcel Number(s): 20-07-32-326-003.000-019.

Existing Zoning: A-1.

Petition: For a 17 ft. Developmental Variance (Ordinance requires 75 ft.) to allow for the construction of a porch addition to an existing residence 58 ft. from the centerline of the right-of-way of CR 126.

Petitioner: Bobby S. Williams & Paula Williams, Husband & Wife.

Location: Southwest corner of CR 126 & CR 19, in Jefferson Township.

Site Description:

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

History and General Notes:

- None.

Staff Analysis:

Staff finds that:

1. Approval of the request will not be injurious to public health, safety, morals, or general welfare. The porch addition does not interfere with sight distance to and from the intersection.
2. Approval of the request will not cause substantial adverse effect on neighboring property. This is a 1.75-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. Without the benefit of a setback variance, no front additions could be constructed.

Hearing Officer Staff Report (Continued)

Hearing Date: August 19, 2026

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 7/8/2026) and as represented in the Developmental Variance application.

PLAN COMMISSION & BOARD OF ZONING APPEALS

Developmental Variance - Developmental Variance

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

4230 Elkhart Road, Goshen, Indiana, 46526

Phone - (574) 971-4678

Fax - (574) 971-4578

Date: 07/08/2026 Meeting Date: August 19, 2026
Board of Zoning Appeals Public Hearing Transaction #: DV-0441-2026

Description: for a 17 ft. Developmental Variance (Ordinance requires 75 ft.) to allow for the construction of a porch addition to an existing residence 58 ft. from the centerline of the right-of-way of County Road 126

Contacts: <u>Applicant</u>	<u>Authorized Agent</u>	<u>Land Owner</u>
New Horizon Builders 12634 Cr 4 Middlebury, IN 46540	New Horizon Builders 12634 Cr 4 Middlebury, IN 46540	Bobby S. Williams And Paula Williams, Husband And Wife 20518 County Road 126 Goshen, IN 465287407

Site Address: 20518 County Road 126
Goshen, IN 46528

Parcel Number: 20-07-32-326-003.000-019

Township: Jefferson
Location: SOUTHWEST CORNER OF CR 126 & CR 19

Subdivision: Lot #

Lot Area: 1.75 Frontage: 595.00 Depth: 155.00

Zoning: A-1 NPO List:

Present Use of Property: RESIDENTIAL

Legal Description:

Comments: PARCEL CREATED 3/1/1962

Applicant Signature:

Department Signature:

Developmental Variance — Questionnaire

Name: Bobby Scott Williams

1) Tell us what you want to do. We want to install a 7'x7' porch roof over the front door.

2) Tell us why you can't change what you're doing so you don't need a variance. The house is too close to the road. If we do anything it needs a variance.

3) Tell us why the variance won't hurt your neighbors or the community. It is a private residence and in no way interferes with the neighbors or the community.

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: 7'x7' x 12' tall at the peak.
Tell us what you'll use it for. roof over front door

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. _____

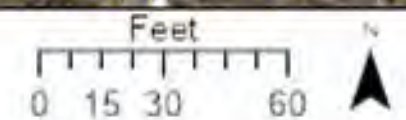
9) Tell us anything else you want us to know. _____

DV-0441-2026



2025 Aerials

1 inch equals 60 ft

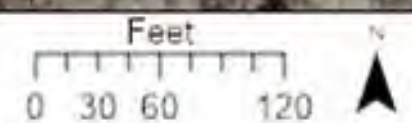


DV-0441-2026

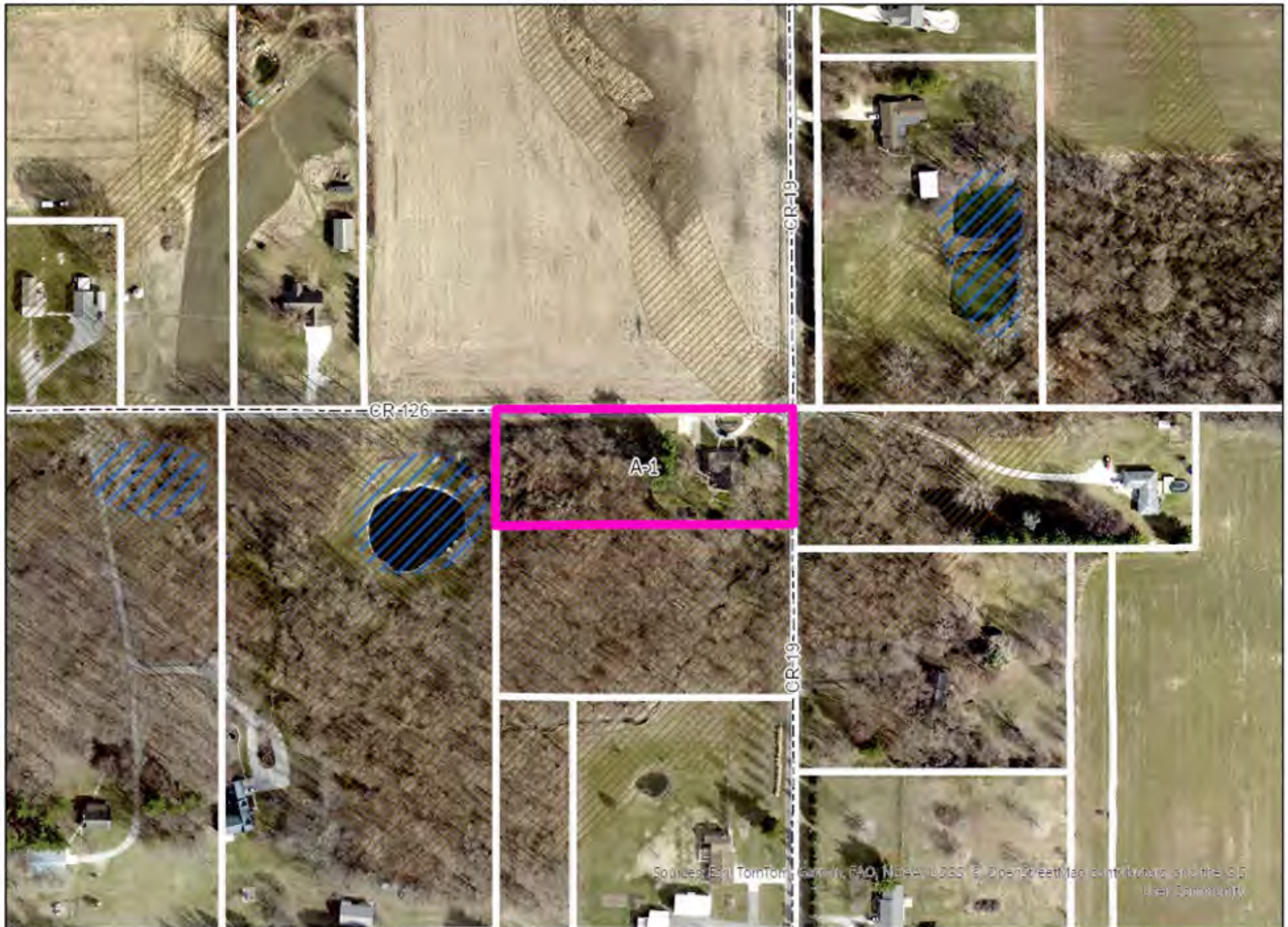


2025 Aerials

1 inch equals 120 ft

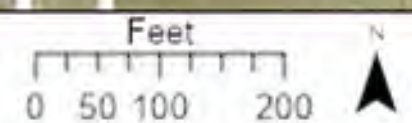


DV-0441-2026



2025 Aerials

1 inch equals 200 ft



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



Subject property



Facing east



Facing west



Facing north

CR

126

10

— 480' —

JUL 8 2026

N ↑

85

Proposed path

7' in

Well

Bobby Scott Williams — 345' —
20518 CR 126
Goshen IN 46528
574-350-0800

Existing House

84' —

CR 19

— 181½' —

Septic

85' —

Hearing Officer Staff Report

Prepared by the Department of Planning and Development

Hearing Date: August 19, 2026

Transaction Number: DV-0453-2026.

Parcel Number(s): 20-16-20-400-008.000-003.

Existing Zoning: A-1.

Petition: For a 22 ft. Developmental Variance (Ordinance requires 75 ft.) to allow for the construction of a residential addition 53 ft. from the centerline of the right-of-way and for a 37 ft. Developmental Variance (Ordinance requires 75 ft.) to allow for an existing residence 38 ft. from the centerline of the right-of-way.

Petitioner: Michael L. Bontrager.

Location: North side of CR 50, 525 ft. west of CR 35, in Benton Township.

Site Description:

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

History and General Notes:

- None.

Staff Analysis:

Staff finds that:

1. Approval of the request will not be injurious to public health, safety, morals, or general welfare. The front setback of the proposed addition is 15 ft. greater than that of the existing structure, which has stood at its location since approximately 1900 with no history of injury to public safety.
2. Approval of the request will not cause substantial adverse effect on neighboring property. All neighboring property is agricultural in use, with one adjoining home to the east.
3. Strict application of the terms of the Development Ordinance would result in an unnecessary hardship in the use of the property. Most homes on this portion of CR 50 are nonconforming, and strict application would prevent additions to any part of the home.

Hearing Officer Staff Report (Continued)

Hearing Date: August 19, 2026

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 7/13/2026) and as represented in the Developmental Variance application.

PLAN COMMISSION & BOARD OF ZONING APPEALS

Developmental Variance - Developmental Variance

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

4230 Elkhart Road, Goshen, Indiana, 46526

Phone - (574) 971-4678

Fax - (574) 971-4578

Date: 07/13/2026 Meeting Date: August 19, 2026 Transaction #: DV-0453-2026
Board of Zoning Appeals Public Hearing

Description: for a 22 ft. Developmental Variance (Ordinance requires 75 ft.) to allow for the construction of a residential addition 53 ft. from the centerline of the right-of-way and for a 37 ft. Developmental Variance (Ordinance requires 75 ft.) to allow for an existing residence 38 ft. from the centerline of the right-of-way of County Road 50.

Contacts: <u>Applicant</u>	<u>Land Owner</u>
Michael L. Bontrager	Michael L. Bontrager
14091 County Road 50	14091 County Road 50
Syracuse, IN 46567	Syracuse, IN 46567

Site Address: 14091 County Road 50 Syracuse, IN 46567	Parcel Number: 20-16-20-400-008.000-003
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Township: Benton
Location: North side of CR 50, 525 ft. West of CR 35

Subdivision:	Lot #
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Lot Area: 3.00	Frontage: 288.00	Depth: 227.00
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Zoning: A-1	NPO List:
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Present Use of Property: RESIDENTIAL

Legal Description:

Comments: PARCEL CREATION DATE: 11/20/25

Applicant Signature:	Department Signature:
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Developmental Variance — Questionnaire

Name: Michael Bontrager

1) Tell us what you want to do. put on a mud room or wash house to the house

2) Tell us why you can't change what you're doing so you don't need a variance. I need it to go on the north-west side because of the way the house is designed

3) Tell us why the variance won't hurt your neighbors or the community. nobody else lives close so it will not effect them

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: 9'x14' 11' to peak

Tell us what you'll use it for. Mudroom and entrance and wash room

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

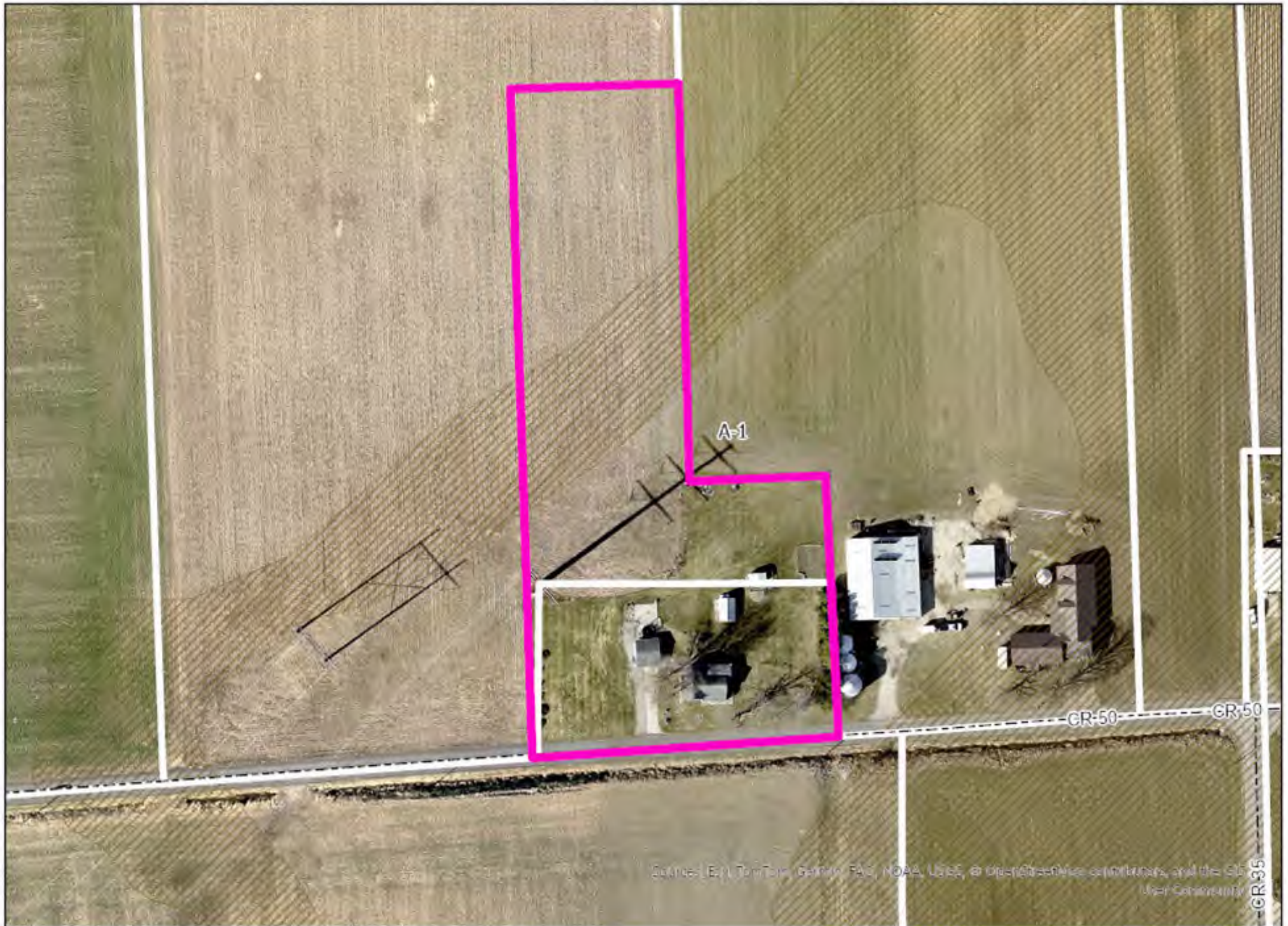
Freestanding? ☐ Y ☐ N Wall mounted? ☐ Y ☐ N

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

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

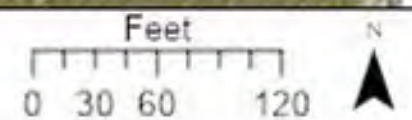
9) Tell us anything else you want us to know. _____

DV-0453-2026



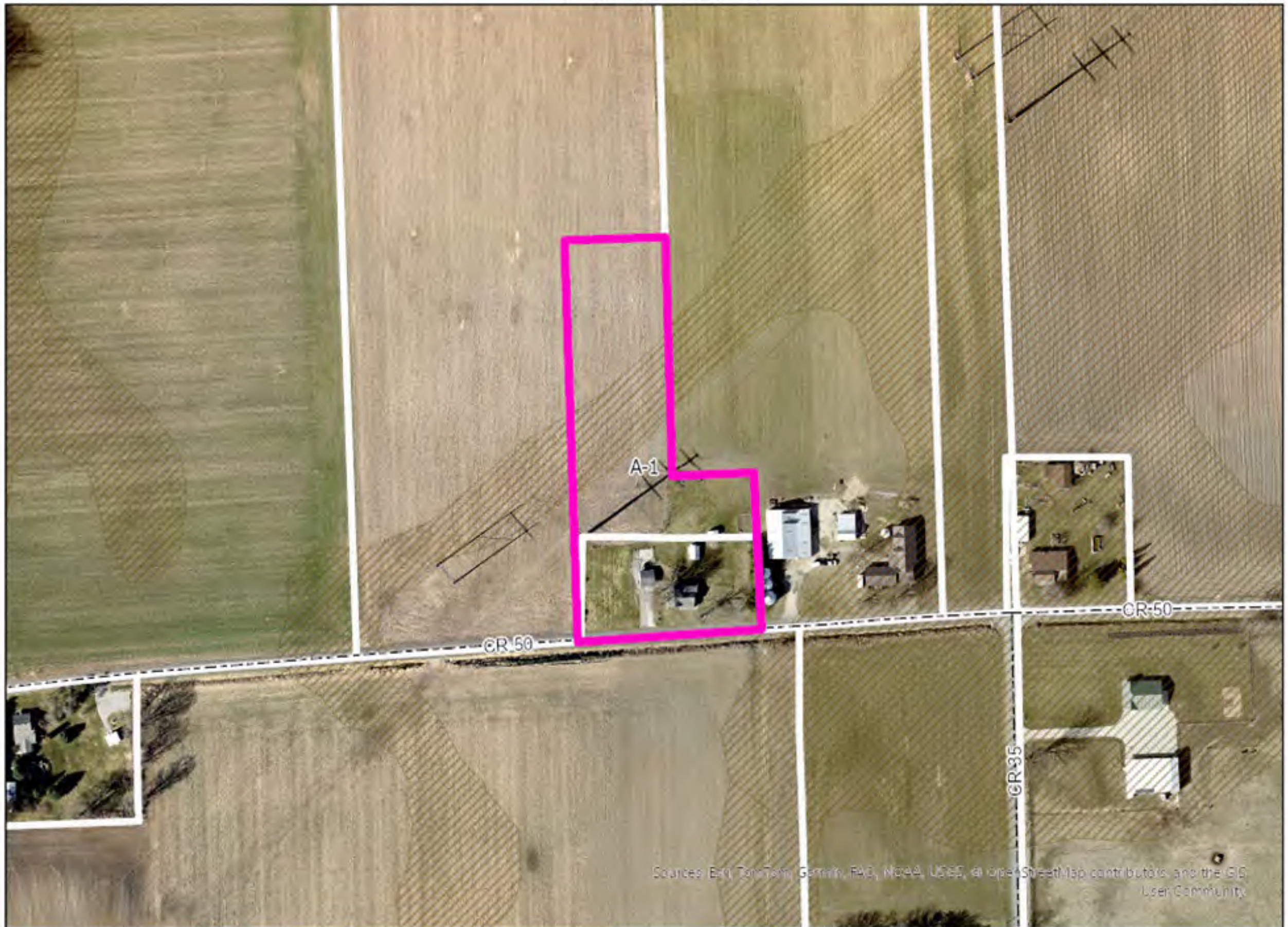
2025 Aerials

1 inch equals 120 ft



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

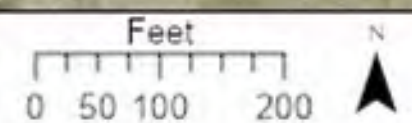
DV-0453-2026



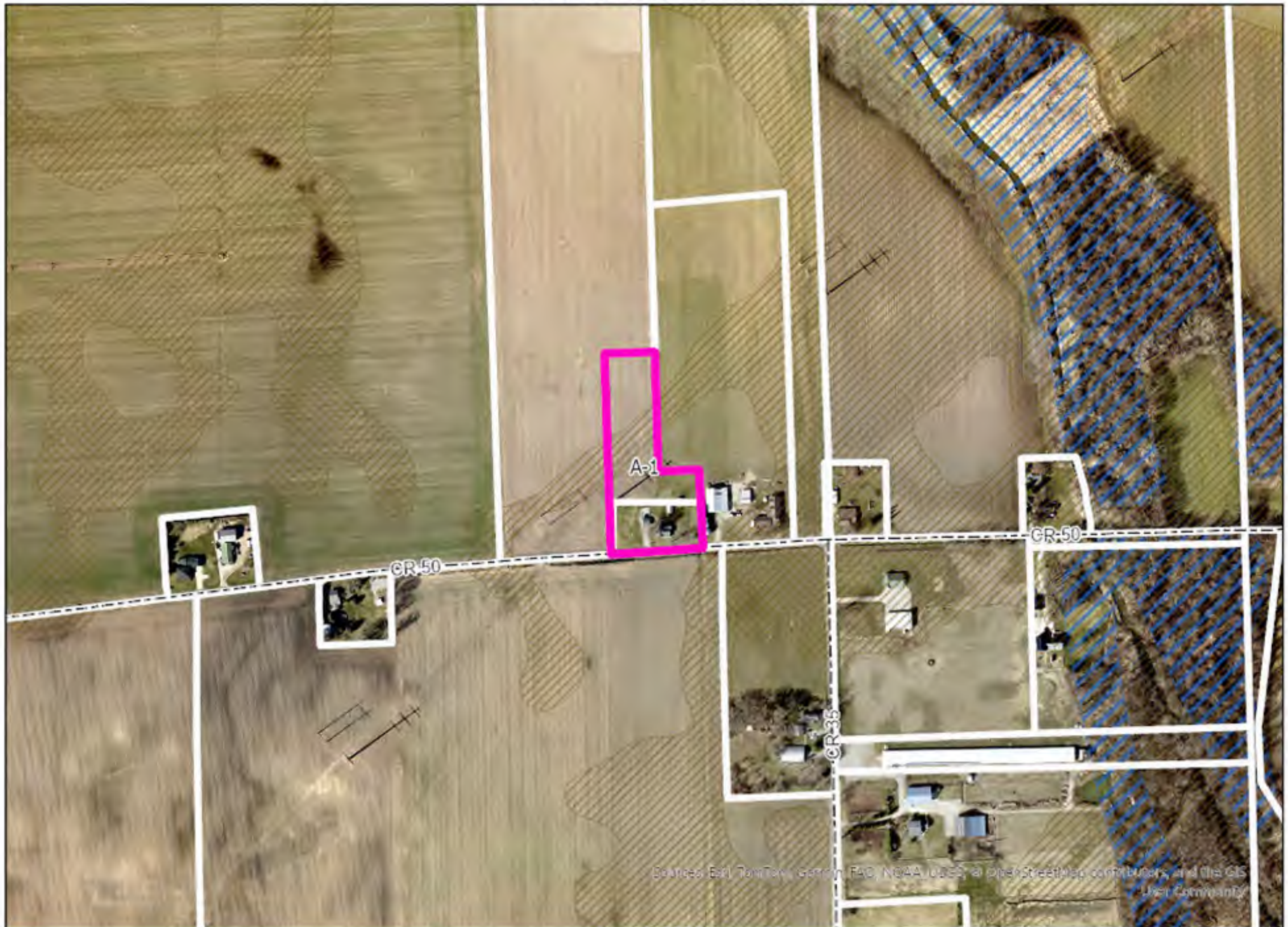
Sources: Esri, DeLorme, Garmin, FAO, NOAA, USGS, © OpenStreetMap contributors, and the GIS User Community

2025 Aerials

1 inch equals 200 ft

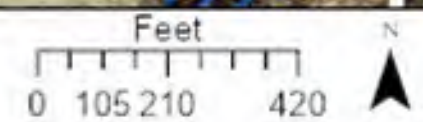


DV-0453-2026



2025 Aerials

1 inch equals 400 ft





Subject property



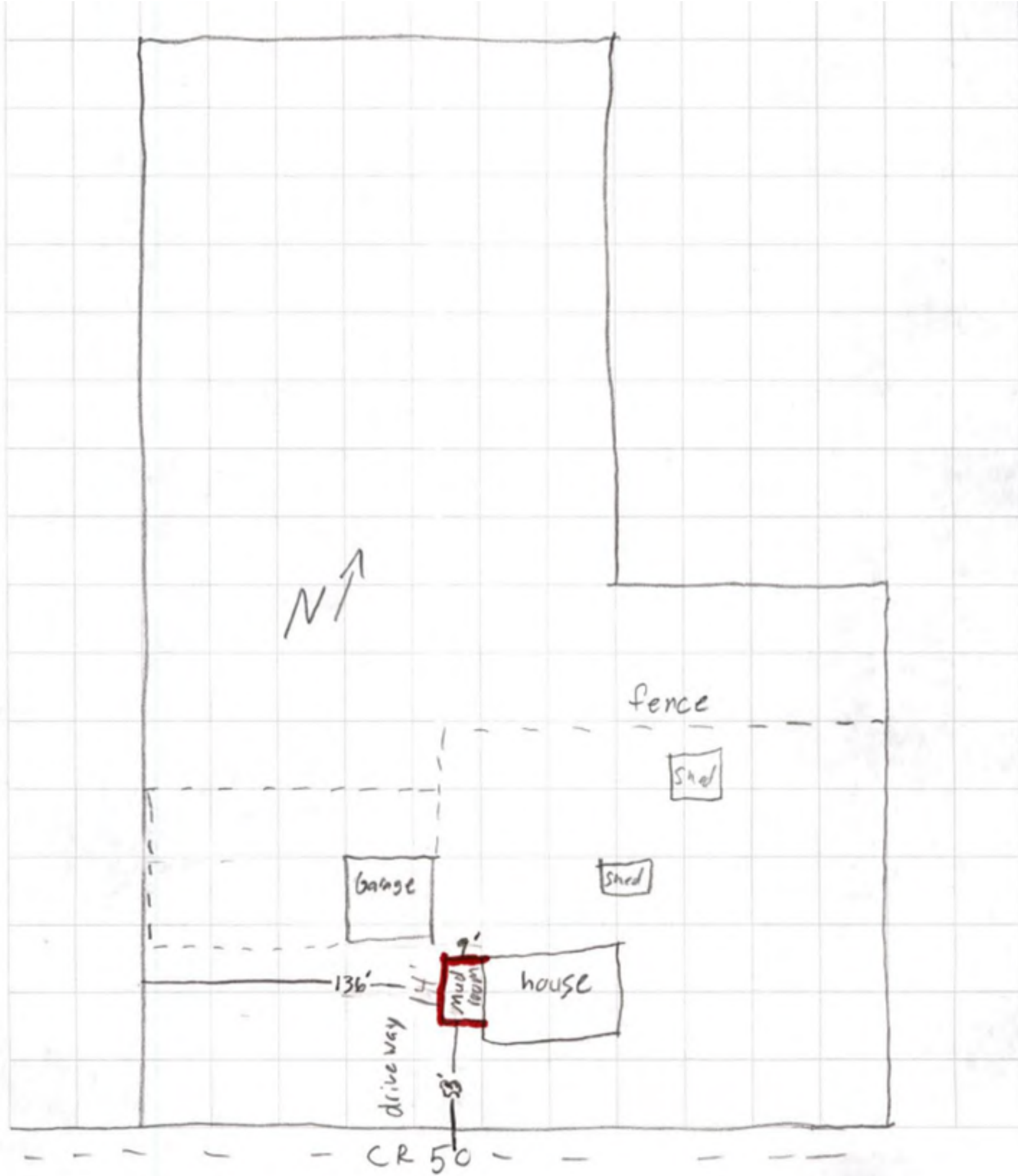
Facing east



Facing west



Facing south



Hearing Officer Staff Report

Prepared by the Department of Planning and Development

Hearing Date: August 19, 2026

Transaction Number: DV-0455-2026.

Parcel Number(s): 20-04-09-400-015.000-032.

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.

Petitioner: James P. Greensides & Nicole Greensides, Husband & Wife.

Location: South side of the easement, 510 ft. east of the intersection of State Line Rd. & CR 35, in York Township.

Site Description:

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

History and General Notes:

- **July 15, 2026** – The Hearing Officer approved a road frontage variance for the 3-acre parcel at the end of this easement.

Staff Analysis:

Staff finds that:

1. Approval of the request will not be injurious to public health, safety, morals, or general welfare. The existing access serves only 3 residential parcels that are all 2 or more acres, and further development on this access is limited by wetlands at the east.
2. Approval of the request will not cause substantial adverse effect on neighboring property. This is a 3-acre parcel in a low-density residential and agricultural area, and the area will remain residential and agricultural in character.
3. Strict application of the terms of the Development Ordinance would result in an unnecessary hardship in the use of the property. Strict application would unnecessarily disregard a functioning, low-volume driveway arrangement.

Hearing Officer Staff Report (Continued)

Hearing Date: August 19, 2026

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 7/13/2026) and as represented in the Developmental Variance application.
3. A subdivision is required.
4. A recorded document must be submitted for staff approval showing the easement serving the subject property.

PLAN COMMISSION & BOARD OF ZONING APPEALS

Developmental Variance - Developmental Variance

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

4230 Elkhart Road, Goshen, Indiana, 46526

Phone - (574) 971-4678

Fax - (574) 971-4578

Date: 07/13/2026 Meeting Date: August 19, 2026 Transaction #: DV-0455-2026
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
and/or served by an access easement

Contacts: Applicant Land Owner
James A. Greensides And James A. Greensides And
Nicole Greensides, Husband Nicole Greensides, Husband
And Wife And Wife
13344 State Line Road 13344 State Line Road
Bristol, IN 46507 Bristol, IN 46507

Site Address: 00000 State Line Road Parcel Number: 20-04-09-400-015.000-032
BRISTOL, IN 46507

Township: York
Location: SOUTH SIDE OF THE EASEMENT, 510 FT. EAST OF THE CR 35 & STATE LINE ROAD INTERSECTION

Subdivision: Lot #

Lot Area: 3.00 Frontage: 432.00 Depth: 288.00

Zoning: A-1 NPO List:

Present Use of Property: VACANT

Legal Description:

Comments: PARCEL CREATION DATE: 3/31/26

Applicant Signature: Department Signature:

Developmental Variance — Questionnaire

Name: James and Nicole Greensides

1) Tell us what you want to do. build new home on property on an easement.

2) Tell us why you can't change what you're doing so you don't need a variance. property lines up to State Line Road dirt drive and our new driveway would come out onto this Road.

3) Tell us why the variance won't hurt your neighbors or the community. family land - all family who have built on land

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: 25.2

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. Self (James & Nicole Greensides)

Tell us how many parcels will use the easement. 1

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. _____

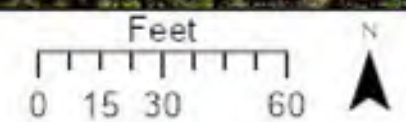
9) Tell us anything else you want us to know. _____

DV-0455-2026



2025 Aerials

1 inch equals 60 ft

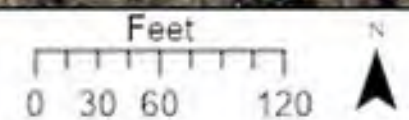


DV-0455-2026



2025 Aerials

1 inch equals 120 ft

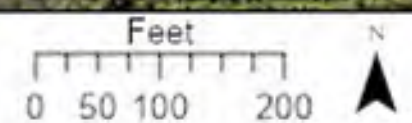


DV-0455-2026



2025 Aerials

1 inch equals 200 ft





Easement property (facing east)



Facing south

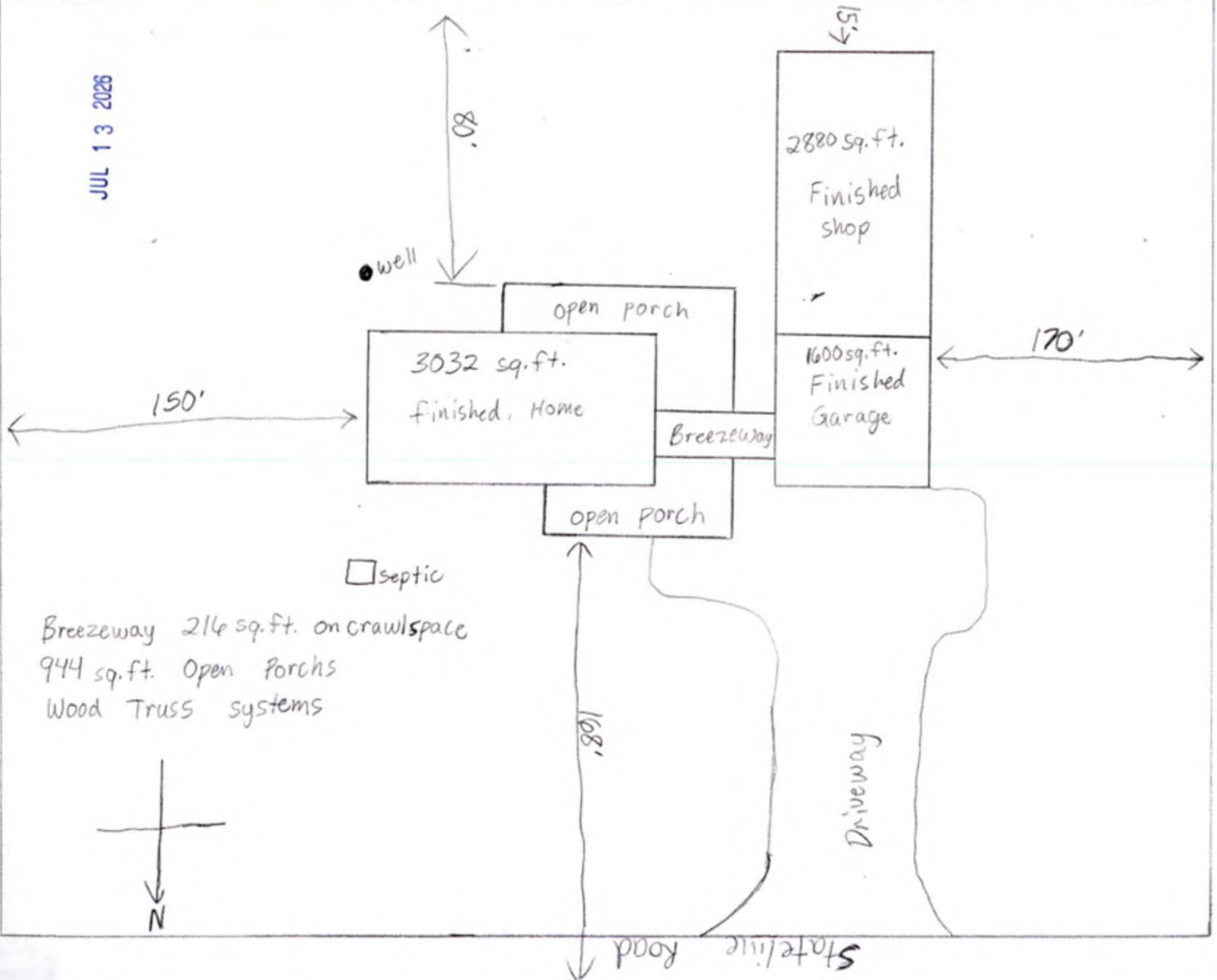


Facing north



Facing west

JUL 13 2026



Hearing Officer Staff Report

Prepared by the Department of Planning and Development

Hearing Date: August 19, 2026

Transaction Number: SUP-0454-2026.

Parcel Number(s): Part of 20-15-36-400-015.000-018.

Existing Zoning: A-1.

Petition: For a Special Use for a mobile home and for a Developmental Variance to allow for the placement of a mobile home within 300 ft. of a residence.

Petitioner: Daniel Armbruster & Deborah Armbruster, Husband & Wife.

Location: South side of CR 56, 2,880 ft. west of CR 29, in Jackson Township.

Site Description:

- Physical Improvement(s) – Residence, garage, and shed.
- Proposed Improvement(s) – Mobile home.
- Existing Land Use – Residential.
- Surrounding Land Use – Residential, agricultural.

History and General Notes:

- **September 15, 1989** – BZA approved a SUP for a mobile home (83-130-SU).
- **October 1992** – The mobile home was removed.
- Advanced Land Surveying will be submitting a 2 lot minor subdivision to split the property.

Staff Analysis:

For a Special Use for a mobile home, staff finds that:

1. The Special Use will be consistent with the spirit, purpose, and intent of the Development Ordinance. A mobile home is allowed by Special Use in the A-1 zone.
2. The Special Use will not cause substantial and permanent injury to the appropriate use of neighboring property. This is a 1.191-acre parcel in a low density residential and agricultural area, and the parcel will remain residential in character.
3. The Special Use will substantially serve the public convenience and welfare by providing for an affordable housing opportunity.

Hearing Officer Staff Report (Continued)

Hearing Date: August 19, 2026

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 7/13/2026) and as represented in the Special Use application.

For a Developmental Variance to allow for the placement of a mobile home 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. There was a previous mobile home on the property and the mobile home will be on a separate lot after the subdivision.
2. Approval of the request will not cause substantial adverse effect on neighboring property. This is a 1.191-acre parcel in a low density residential and agricultural area, and the parcel will remain residential in character.
3. Strict application of the terms of the Development Ordinance would result in an unnecessary hardship in the use of the property. Without the benefit of the variance, the mobile home could not be placed on the property.

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

1. A variance from the developmental standards of the Development Ordinance is void unless an Improvement Location Permit is issued within 180 calendar days from the date of the grant and construction work completed within 1 year from the date of the issuance of the building permit (where required).
2. The request is approved in accordance with the site plan submitted (dated 7/13/2026) and as represented in the Developmental Variance application.

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: 07/13/2026 Meeting Date: August 19, 2026
Board of Zoning Appeals Public Hearing Transaction #: SUP-0454-2026

Description: for a Special Use for a mobile home and for a Developmental Variance to allow for the placement of a mobile home within 300 ft. of a residence

Contacts: <u>Applicant</u>	<u>Land Owner</u>
Daniel Armbruster And	Daniel Armbruster And
Deborah Armsbruster, Husband	Deborah Armsbruster, Husband
And Wife	And Wife
16224 County Road 56	16224 County Road 56
Syracuse, IN 46567	Syracuse, IN 46567

Site Address: 00000 County Road 56 Syracuse, IN 46567	Parcel Number: Part of 20-15-36-400-015.000-018
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Township: Jackson
Location: South Side Of County Road 56, 2,880 Ft West of CR 29 (West of 16224 CR 56)

Subdivision:	Lot #
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Lot Area: 171.00	Frontage: 1.19	Depth: 277.00
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Zoning: A-1	NPO List:
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Present Use of Property: RESIDENTIAL

Legal Description:

Comments: SEE USE VARIANCE #UV-0381-2026 APPLIED FOR BUT THEN WITHDRAWN
PREVIOUS SPECIAL USE FOR MOBILE HOME (83-130-SU), GRANTED IN SEPTEMBER, 1989. LATER CLOSED AS
MOBILE HOME HAD BEEN REMOVED.
PARCEL CREATED 1/8/1993 ... ADVANCED LAND SURVEYING IS IN PROCESS OF SPLITTING PARCEL INTO 2 LOTS -
OK PER JASON AND DANIELLE TO PROCEED WITH SPECIAL USE FOR MOBILE HOME.
FEES WAIVED FOR THIS AND FOR MOBILE HOME PERMIT SINCE USE VARIANCE WAS PAID FOR - OK PER LAURA
G.

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

Special Use for a Mobile Home — Questionnaire

Name: Daniel & Deborah Armbruster

- 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. son & daughter-in-law

- 2) Tell us who will live in the mobile home. Daniel & Deborah Armbruster

- 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. There has been a mobile^{home} in that location in the past with no issue from neighbors.

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

- 6) Tell us the size of the mobile home. 15' x 76'

- 7) Tell us the year of the mobile home. 2026

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

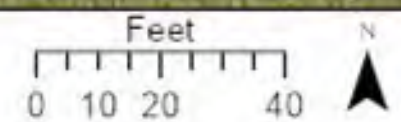
SUP-0454-2026



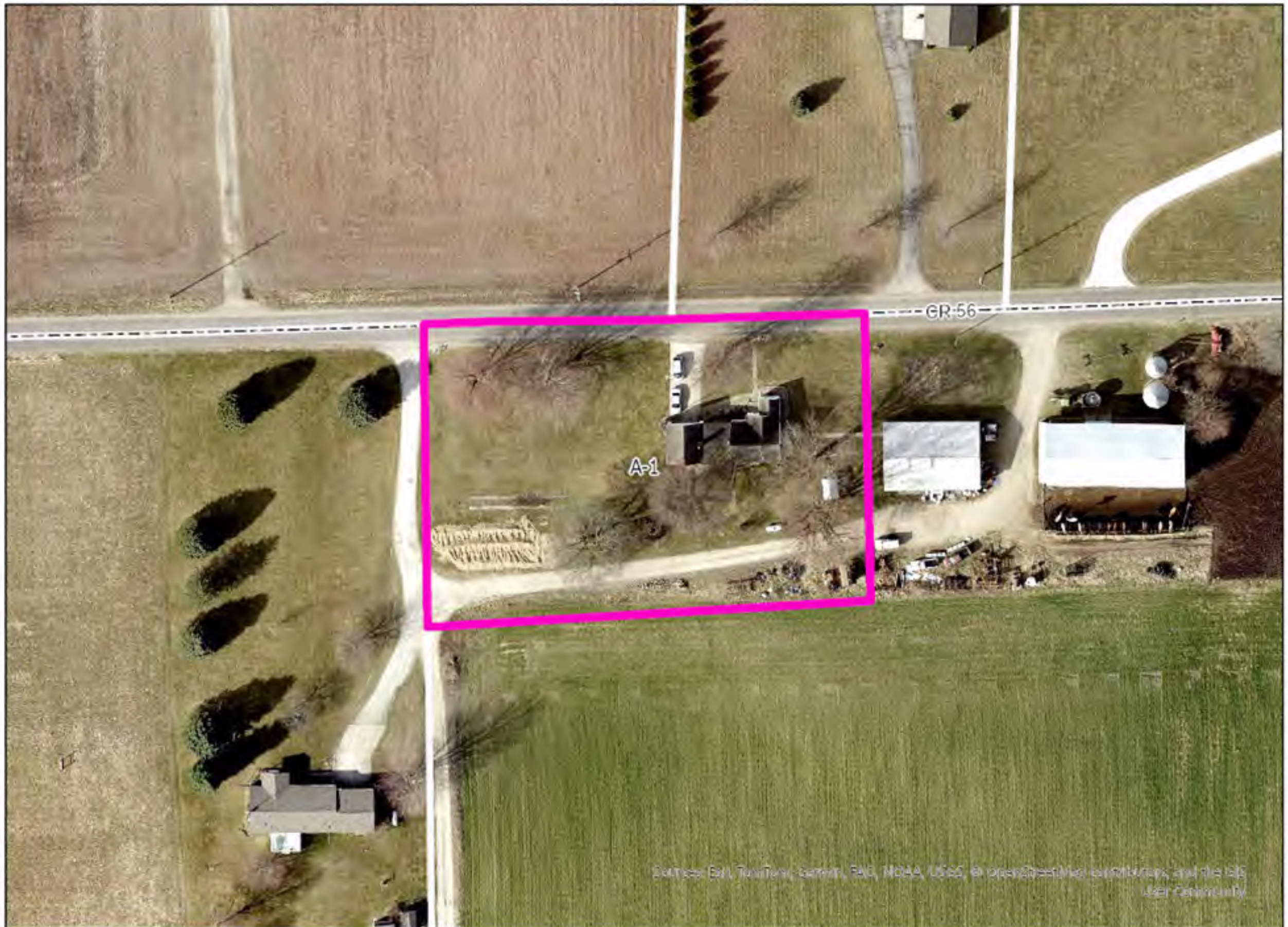
Source: Esri, DeLorme, Garmin, FAO, NOAA, USGS, et OpenStreetMap contributors, and the GIS User Community

2025 Aerials

1 inch equals 40 ft

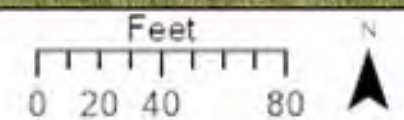


SUP-0454-2026



2025 Aerials

1 inch equals 80 ft



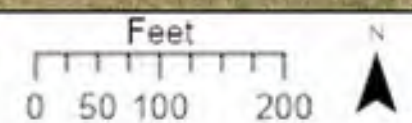
SUP-0454-2026



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

2025 Aerials

1 inch equals 200 ft





Subject property facing south



Facing north



Facing east



Facing west

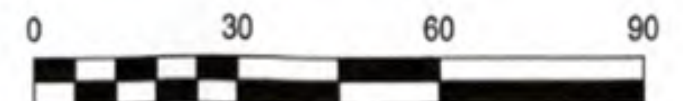
COUNTY ROAD 56

N 89°54'17" E 277.60'

JUL 13 2026

DANIEL C. & DORIS M. ARMBRUSTER
DR 92 05029

DANIEL C. & DORIS M.
ARMBRUSTER
DR 91 05312



DANIEL C. & DORIS M. ARMBRUSTER
DR 91 05312

