



D. Petitioner: ***Association for the Disabled of Elkhart County, Inc.*** (Page 9)  
Petition: for an Amendment to an existing Special Use for a social service establishment to allow for the construction of an administrative office building and transportation building.  
Location: South side of West Vistula St. (SR 120), 1,600 ft. Northeast of CR 21, common address of 1671 West Vistula St. in Washington Township, zoned A-1. SUP-0062-2026

**9:30 A.M.**     **(WHITE)**

E. Petitioner: ***ELMR, LLC*** (Page 10)  
Petition: for an Amendment to an existing Special Use for a mining business for the preparation of dirt, sand gravel, and stone for sale to the public to add concrete recycling.  
Location: West side of US 33, 2,700 ft. South of CR 40, common address of 66541 US 33 in Elkhart Township, zoned A-1. SUP-0068-2026

F. Petitioner: ***First Baptist Church of Elkhart*** (Page 11)  
Petition: for an Amendment to an existing Special Use for a church to extend pickle ball court dates and add buffering for the pickle ball courts.  
Location: West side of CR 17, 700 ft. North of CR 10, common address of 53979 CR 17 in Osolo Township, zoned A-1. SUP-0069-2026

G. Petitioner: ***The Board of Trustees of the United Christian School of Elkhart County*** (Page 12)  
Petition: for an Amendment to an existing Special Use for a school to allow for an addition, portable classrooms, and additional parking.  
Location: Southwest corner of CR 52 and CR 101, common address of 29522 CR 52 in Locke Township, zoned A-1. SUP-0070-2026

**SPECIAL USES/DEVELOPMENTAL VARIANCES**

H. Petitioner: ***Taylor W. Augustat & Cara L. Augustat, Husband & Wife*** (Page 13)  
Petition: for a Special Use for an agricultural use for the keeping of animals on a tract of land containing less than 3 acres and for a Developmental Variance to allow for the total square footage of accessory structures to exceed that allowed by right.  
Location: South side of CR 12, 570 ft. West of CR 1, common address of 30083 CR 12 in Cleveland Township, zoned A-1. SUP-0060-2026

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

- I. Petitioner: ***Dulce M. Camilo Rodriguez, Fernando de la Rosa Martinez, & Gamy Nicol Maca*** (Page 14)  
Petition: for a Special Use for an agricultural use for the keeping of animals on a tract of land containing less than 3 acres, for a Special Use for a roadside stand, and for a 23 ft. Developmental Variance (Ordinance requires 50 ft.) to allow for the placement of a roadside stand 27 ft. from the centerline of the right-of-way.  
Location: South side of Danielson Dr., 265 ft. West of Oak Manor Pl., South of Old US 20, common address of 28912 Danielson Dr. in Cleveland Township, zoned R-1. SUP-0061-2026
- J. Petitioner: ***Harlan Martin & Doris Martin, Husband & Wife*** (Page 15)  
Petition: for a Special Use for a home workshop/business for a welding shop, for a Developmental Variance to allow for the total square footage of accessory structures to exceed that allowed by right, and for a 10 ft. Developmental Variance (Ordinance requires 75 ft.) to allow for an existing residence 65 ft. from the centerline of the right-of-way.  
Location: South side of CR 40, 2,000 ft. East of CR 17, common address of 21628 CR 40 in Elkhart Township, zoned A-1. SUP-0056-2026

**DEVELOPMENTAL VARIANCE**

- K. Petitioner: ***Cristina Giles & Evan Giles, Wife & Husband*** (Page 16)  
Petition: for a Developmental Variance to allow for the total square footage of accessory structures to exceed that allowed by right.  
Location: Northwest side of Glenmoor St., 370 ft. Northeast of Doner Ct., common address of 52933 Glenmoor St. in Cleveland Township, zoned A-1. DV-0089-2026

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

- Board Attorney Transition.
- Development Ordinance Amendments Update.

**ADJOURNMENT**

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

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

**BZA MINUTES**  
**ELKHART COUNTY BOARD OF ZONING APPEALS MEETING**  
**HELD ON THE 19<sup>th</sup> DAY OF FEBRUARY 2026 AT 9:00 A.M.**  
**MEETING ROOM – DEPARTMENT OF PUBLIC SERVICES BUILDING**  
**4230 ELKHART ROAD, GOSHEN, INDIANA**

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

**Roll Call.**

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

2. A motion was made and seconded (*White/Cramer*) that the minutes of the regular meeting of the Board of Zoning Appeals held on the 15<sup>th</sup> day of January 2026 be approved as read. The motion was carried with a unanimous roll call vote.

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

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

4. The application of *Marine Riders Michiana (Buyer) & Analia Natalia Nieves (Seller)* for a Special Use for an assembly hall on property located on the Northeast corner of Plainfield Dr. & John Weaver Pkwy., common address of 27911 Plainfield Dr. in Osolo Township, zoned R-2, came on to be heard.

Mr. Dean presented the Staff Report/Staff Analysis, which is attached for review as *Case #SUP-0002-2026*.

Mrs. Cramer clarified the reason for the denial recommendation with Mr. Dean. Mr. Dean stated that staff believes an assembly hall would be too intense for this neighborhood location.

There were twenty neighboring property owners notified of this request.

Mark Hocevar, 57126 Sigulda Rd., Three Rivers, MI, was present for this request. Mr. Hocevar stated their clubhouse is currently located about 1.5 miles from this location on a member's family property in a pole barn. He continued by saying their organization is a not-for-profit 501C that has been operating for about 10 years. Mr. Hocevar stated their organization is made up of Marines and they raise money for Veterans. He continued by saying he is a retired police officer and there is a gentleman that is an active fire fighter that is a member of their organization. Mr. Hocevar explained the purchase of this property would allow them to have a central location for meetings and fundraising. He emphasized they are not the typical motorcycle riding club riding around and firing guns. He noted the building would be used as a place for them to gather and host occasional fundraising events. He continued by saying they will be respectful of the neighborhood. Mr. Warner asked how many people will be expected at an event in relation to the number of parking spaces requested. Mr. Hocevar stated with cars and motorcycles they could possibly have 50-60 people, with more cars in the winter and more motorcycles in the summer. Mr. Hocevar continued by saying the number of motorcycles could be more than the event numbers because most of the motorcycles will be ridden by an individual, not multiple

people. He also stressed that the events will not be late night events. Mr. Hesser asked about the hours of 9 a.m. to 1 p.m. on the application as well as the number of customers 5-25. Mr. Hoker clarified the number of members if about 25, and they do sometimes meet during the day, generally they meet on Fridays at 6 p.m. Mr. Warner clarified the access to the property is from a side road and not a high traffic area.

Greg Hastings, 54093 Westwood Dr., Elkhart, was present in remonstrance. Mr. Hastings stated he recently purchased the property just south of the subject property. He presented a petition with signatures of neighboring property owners against the petition for an assembly hall. *[Attached to file as Remonstrator Exhibit #1]* He continued by stressing the congregating of motorcycles will bring down property values. Mr. Hastings stated when purchasing his property, he researched the zoning of the petitioner's property; discovered it was zoned R-2 and felt confident that nothing crazy would be built on the parcel. He also noted that the current owner lives in Hawaii and has no interest in what happens with the property. Mr. Hastings noted the Board has already addressed the inconsistencies on the petitioner's application and asked that the Board deny the petition. He asked the Board to take note that if there is a name not on the petition against the assembly hall, it is because the owner was not home at the time.

Gregory Whalen, 27561 Plainfield Dr., Elkhart, was present in remonstrance. Mr. Whalen stated Plainfield Dr. has a speed limit of 30 mph and has concerns about motorcycles speeding up and down this road. He continued by saying he is concerned about the assembly hall serving alcohol.

Christy Stinson, 54106 Westwood Dr., Elkhart was also present in remonstrance. Mrs. Stinson stated she lives about 75 ft. from the subject property and is opposed to the assembly hall. She continued by stressing this is a quiet residential neighborhood that she has lived in for 33 years. Mrs. Stinson stated concerns about the increase in traffic, the children playing in the neighborhood, the noise and the potential for crime in the neighborhood which will ultimately affect property values. She continued by saying if the assembly hall is approved, she will most likely want to sell her home and suggested other neighbors might feel the same.

Evan Giles, 52933 Glenmore Dr., Elkhart, spoke in support of the petitioner. Mr. Giles stated the petitioner does not intend to change the character of the neighborhood and they will not be meeting every day. Mr. Giles pointed out the petitioner's parcel is on the edge of the neighborhood and even suggested the Board could allow access from John Weaver Pkwy to avoid disrupting the neighborhood. He continued by saying the club does fundraising and is not a typical motorcycle club. Mr. Giles stressed the club's efforts will benefit the community.

Mr. Hocevar came back to the podium and stated his committee was not aware of the amount of opposition to this petition. He stated they want to be somewhere they are wanted, and he wishes to withdraw the petition.

The public hearing was closed at this time.

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

**Motion: Action:** Withdraw, **Moved by** Debra Cramer, **Seconded by** Roger Miller that this request for a Special Use for an assembly hall be withdrawn at the request of the petitioner.

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

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

**Abstain:** Cory White.

*\*\*It should be noted that Mr. White returned to the Board at this time\*\**

5. The application of **Matthew J. Miller & Luann R. Miller, Husband & Wife** for a Special Use for agricultural use for the keeping of animals on a tract of land containing less than 3 acres on property located on the North side of CR 40, 655 ft. West of CR 43, common address of 11117 CR 40 in Clinton Township, zoned A-1, came on to be heard.

Mr. Dean presented the Staff Report/Staff Analysis, which is attached for review as *Case #SUP-0788-2025*.

There were 6 neighboring property owners notified of this request.

Tim Schmucker, 15900 CR 8, Bristol, was present for this request on behalf of the petitioner. Mr. Schmucker stated the petitioner wishes to build a new barn for horses. Mr. Hesser clarified the horses are for transportation. Mr. Hesser asked Mr. Schmucker the size of the pasture. Mr. Schmucker responded 1.2 to 1.3 acres. Mr. Dean stated his measurement of the pasture came to approximately 1.17 acres. Mr. Schmucker stated he can revise the site plan outlining the pasture area. Mr. Hesser asked Mr. Schmucker if the petitioner would be able to get by with one horse. Mr. Schmucker responded yes. Mr. Warner noted that Jeff Burbrink an agricultural educator for LaGrange County, recommends a minimum of 2 acres of pasture per horse, but 2.5 acres per horse is more desirable. Mr. Hesser clarified that Elkhart County staff recommend a minimum of 1 acre per horse and Purdue University recommends 2 acres per horse. He continued by saying waste management and the availability of hay is also a consideration in the decision being made. Mrs. Cramer noted the horse will be used for transportation, which will provide the needed exercise for the horse.

There were no remonstrators present.

The public hearing was closed at this time.

Mr. Miller expressed concerns about the size of the property, but he believes the horse will have plenty of exercise being used for transportation.

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

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

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

The following commitments were imposed:

1. The request is approved in accordance with the revised site plan to be submitted for staff approval and as represented in the Special Use application.
2. The agricultural use is limited to a maximum of one (1) adult horse at any one time.

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

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

6. The application of **Bradley A. Dewald & Terri L. Dewald, Husband & Wife** for a Special Use for a home workshop/business for an electrical company, and for a Developmental Variance to allow for 11 outside employees (Ordinance allows 4) on property located on the West side of CR 27, 1,070 ft. North of CR 44, common address of 67279 CR 27 in Jackson Township, zoned A-1, came on to be heard.

Mr. Auvil presented the Staff Report/Staff Analysis, which is attached for review as *Case #SUP-0781-2025*.

There were 7 neighboring property owners notified of this request.

Mr. Miller requested clarification as to why the Special Use is needed, if the petitioner has been in business for over 60 years. Mr. Auvil stated the petitioner came to get a permit, and it was discovered there was no Special Use for the property. He noted that the Special Use will bring the business and property in compliance with the Development Ordinance. Mr. Hesser clarified the site plan is not to scale. Mr. Auvil stated it is not required to be to scale, and the site plan submitted is sufficient.

Brad Dewald, 67279 CR 27, Goshen, was present for this request. Mr. Dewald stated the business has been at this location for 13 years. He explained equipment that has been stored outside is being destroyed by the elements. He continued by saying he wants to build a 30' x 60' building to store trucks, trailers and various equipment. Mr. Hesser clarified the work for the business is done offsite. Mr. Dewald stated he has approximately 18 employees, but he and his estimator are occasionally on site. He continued by saying there may be one or two trucks that come to the business in the morning, but are gone by 8 a.m. Mr. Dewald stated the trucks for his employees are taken home with them at night. Mr. Warner asked about the driveway that appears to be a shared driveway. Mr. Dewald stated it is his driveway, but the property lines on the aerial appear to be off by 10 feet.

There were no remonstrators present.

The public hearing was closed at this time.

Mrs. Cramer commented that the business has been on the property for quite some time with no complaints, and she added there will be no onsite employees. Mr. Hesser stated it is consistent with what the Board has approved in the past including having equipment stored inside.

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

**Motion: Action:** Approve, **Moved by** Debra Cramer, **Seconded by** Steve Warner that the Board adopt the Staff Analysis as the Findings and Conclusions of the Board, and based upon these, further moved that this request for a Special Use for a home workshop/business for an electrical company, be approved with the following condition imposed:

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

The following commitment was imposed:

1. The request is approved in accordance with the site plan submitted (dated 12/16/2025) and as represented in the Special Use application.

Further, the motion also included that a Developmental Variance to allow for 11 outside employees (Ordinance allows 4) be approved with the following conditions imposed:

1. A variance from the developmental standards of the Development Ordinance is void unless an Improvement Location Permit is issued within 180 calendar days from the date of the grant and construction work completed within 1 year from the date of the issuance of the building permit (where required).
2. The request is approved in accordance with the site plan submitted (dated 12/16/2025) and as represented in the Developmental Variance application.

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

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

7. The application of *Douglas Murphy & Kelly Murphy, Husband & Wife* for a Special Use for a home workshop/business for a construction business and for a Developmental Variance to allow for the total square footage of accessory structures to exceed that allowed by right on property located on the South side of CR 38, 1,000 ft. East of CR 21, common address of 19810 CR 38 in Elkhart Township, zoned A-1, came on to be heard.

Mrs. Richards presented the Staff Report/Staff Analysis, which is attached for review as *Case #SUP-0001-2026*.

There were 8 neighboring property owners notified of this request.

Douglas Murphy, 19810 CR 38, Goshen, was present for this request. Mr. Murphy stated his business has been in operation for over 30 years, and they just moved to Goshen in December. He explained they have trucks and trailers they would like to store inside. He continued by saying there will be no semi-trucks coming to the property, and all work is done offsite. Mr. Murphy explained his 3 sons work with him, 2 of which live in his house. Mrs. Cramer clarified that Mr. Murphy lives on site.

Andriy Nikolaychuk, 19770 CR 38, Goshen, was present in remonstrance. Mr. Nikolaychuk stated he has concerns about trucks coming in and out of the property and equipment being stored outside.

Douglas Murphy came back to the podium and clarified only a trailer, and a dump truck will be stored outside, and they will be stored behind their building. Mrs. Cramer clarified the trailer and dump truck leave every day and come back at night. Mr. Warner commented on the tree line present on the property as a sound /sight barrier.

There were no remonstrators present.

The public hearing was closed at this time.

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

**Motion: Action:** Approve, **Moved by** Debra Cramer, **Seconded by** Roger Miller that the Board adopt the Staff Analysis as the Findings and Conclusions of the Board, and based upon these, further moved that this request for a Special Use for a home workshop/business for a construction business be approved with the following condition imposed:

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

The following commitments were imposed:

1. The request is approved in accordance with the site plan submitted (dated 1/5/2026) and as represented in the Special Use application.
2. Backing in or backing out from/onto CR 38 with semi tractor trailers is prohibited.

Further, the motion also included that a Developmental Variance to allow for the total square footage of accessory structures to exceed that allowed by right be approved with the following conditions imposed:

1. A variance from the developmental standards of the Development Ordinance is void unless an Improvement Location Permit is issued within 180 calendar days from the date of the grant and construction work completed within 1 year from the date of the issuance of the building permit (where required).
2. The request is approved in accordance with the site plan submitted (dated 1/5/2026) and as represented in the Developmental Variance application.

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

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

8. The application of *Elmer J. Schrock & Mary E. Schrock, Husband & Wife (Buyers) & Myron P. Miller & Janet A. Miller, Husband & Wife (Sellers)* for a Special Use for a home workshop/business for a grocery store and for a 4 ft. Developmental Variance (Ordinance requires 75 ft.) to allow for an existing barn 71 ft. from the centerline of the right-of-way on property located on the North side of CR 34, 465 ft. East of CR 43, common address of 10679 CR 34 in Clinton Township, zoned A-1, came on to be heard.

Mr. Dean presented the Staff Report/Staff Analysis, which is attached for review as *Case #SUP-0790-2025*.

There were 3 neighboring property owners notified of this request.

Mr. Hesser clarified staff is requesting the revised site plan show a minimum of 13 parking spaces and all property lines.

Paul Hostetler, Freedom Builders, 54824 CR 33, Middlebury was present for this request representing the petitioner. Mr. Hostetler submitted a revised site plan for review, which meets staff's request [*Attached to File as Petitioner Exhibit #1*]. He continued by saying the store will have parking spaces for cars and buggies on the east side of the building. Mr. Hostetler also said the owners will add a driveway between the road and the barn to allow for a semi to pull off the road and back up to the building and vice versa. He also noted the property lines have been added to the site plan, as well as the sign that is mentioned in the application. Mr. Hostetler stated the application was not marked yes for a free-standing sign, but they will have one. Mrs. Cramer clarified there is 71 ft. between the barn and the centerline of the road.

There were no remonstrators present.

The public hearing was closed at this time.

Mr. Miller expressed concern that semi drivers will back onto the property regardless of the requirement listed in the commitments. Mr. Hesser stated the Board is not saying the turn-around works only that there is no backing off/onto CR 34.

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

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

1. The Elkhart County Advisory Board of Zoning Appeals approval shall not be effective until the Commitment form has been executed, recorded and returned to the Elkhart County Advisory Board of Zoning Appeals staff for placement in the petition file.
2. A revised site plan must be submitted for staff approval showing (1) all property lines and (2) a minimum of 13 spaces, or 2,340 sq. ft., for parking.

The following commitments were imposed:

1. The request is approved in accordance with the revised site plan to be submitted for staff approval and as represented in the Special Use application.
2. Backing in or backing out from/onto CR 34 with semi tractor trailers is prohibited.

Further, the motion also included that a 4 ft. Developmental Variance (Ordinance requires 75 ft.) to allow for an existing barn 71 ft. from the centerline of the right-of-way be approved with the following conditions imposed:

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

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

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

Staff recommended the Special Use for a home workshop/business for wholesale crafts and furniture (SUP-0633-2020) be rescinded.

**Motion: Action:** Rescind, **Moved by** Randy Hesser, **Seconded by** Cory White that the previous Special Use (SUP-0633-2020) for a home workshop/business for wholesale crafts and furniture be rescinded.

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

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

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

9. The application of **Cristina Giles & Evan Giles, Wife & Husband** for a Special Use for a home workshop/business for a carpentry/home improvement business and for a Developmental Variance to allow for the total square footage of accessory structures to exceed that allowed by

right on property located on the Northwest side of Glenmoor St., 370 ft. Northeast of Doner Ct., common address of 52933 Glenmoor St. in Cleveland Township, zoned A-1, came on to be heard.

Mr. Auvil presented the Staff Report/Staff Analysis, which is attached for review as *Case #SUP-0011-2026*.

Mr. Hesser asked for clarification on the Special Use as it shows two uses on the application. Mr. Auvil stated the petitioner will need to clarify. Mr. Hesser then clarified the concern of staff is the lumber business related to the Special Use. Mr. Auvil stated the main concern is outside storage. He continued by saying current pictures still show equipment being stored outside. Mrs. Cramer noted there appears to be outside storage taking place behind the detached accessory structure.

There were forty neighboring property owners notified of this request.

Evan Giles, 52933 Glenmoor St., Elkhart, was present for this request. Mr. Giles stated his petition is to reaffirm and stay in compliance with the County Ordinance. He continued by saying the accessory structure on his property was built somewhere between 1982 and 1988. Mr. Giles said he is trying to get a permit for an addition to the accessory structure that was previously approved by the Board that expired. Mr. Giles said that he believed the permit timeframe was open-ended. He explained that he is here to have the Board approve what was filed for and approved a couple of years ago. He continued by saying he has had some serious injuries in the past 2 years, which is the reason for the delay in getting his permit for an addition to the accessory structure. Mr. Giles submitted a petition with signatures in support of him renewing the approval from the County for his business and to expand the barn to increase his storage for his business *[Attached to File as Petitioner Exhibit #1]*. He continued by saying 99% of his business is conducted offsite at this time. Mr. Miller asked staff if the permit was open-ended. Mr. Auvil stated it was not. He continued by saying that the petitioner asked for an amendment to the Special Use to remove a privacy fence, resulting in a new commitment being issued. But all other commitments remained the same as the previous approval, including the 2 year renewal period. Mrs. Cramer clarified with Mr. Auvil that the fence removal was approved because the addition to the accessory structure would ensure no outside storage. Mr. Giles continued to state he believes the permit time frame was open-ended. Mrs. Gilbert stated the result letter from the original Developmental Variance approval clearly states 180 days to obtain a permit. She added Developmental Variances are not included on commitments, as they only have conditions. Mr. Giles stated he has had some personal setbacks with his health and just wants to get approved for what was approved previously by the Board. Mrs. Cramer asked Mr. Giles what he is currently doing at this location. Mr. Giles responded he is a landscape contractor and it's mostly where he stores his equipment. He continued to say he will occasionally build a small table or countertop in his accessory structure. Mr. Giles also stated the sawmill which had previously been an issue with the Board is being stored on another property. Mr. Hesser clarified that Mr. Giles is not requesting a saw-mill operation. Mr. Giles claimed the use of the sawmill is more of a hobby. He continued by saying with the addition to the accessory structure, he will be able to store the sawmill on his property again and use it as a hobby. Mr. Miller needed clarification on the complaints that were part of the original application and the reason for the time frame of two years to come back to the Board. Mr. Auvil confirmed the complaints were mostly regarding sound and outside storage related to the sawmill. Mr. Auvil continued by saying the original time frame has expired along with the renewal, and that is why the petitioner is back before the Board. Mr. Miller clarified originally the complaints were

regarding the sawmill and the logs being stored outside. Mr. Auvil stated the Special Use Amendment to remove the privacy fence was conditional on no outside storage being allowed. Mr. Giles stated the fence was required by staff/Board, and he requested to remove it because of the added cost. He continued saying it seems senseless to have a fence, if no outside storage would be allowed. Mrs. Cramer asked Mr. Giles if he is currently running a business on his property, and if it is allowed. Mr. Giles replied he is just asking for what was originally approved by the Board. Mr. Auvil stated the time limit has expired, and there should be no business being operated on the property. Mr. Miller clarified the reason for the time limit on the business was to make sure there were no complaints. Mr. Auvil agreed. Mr. Miller asked if there have been any recent complaints. Mr. Auvil stated no, because Mr. Giles has not been working due to health issues. Mrs. Cramer noticed some outside storage taking place in the front and back of the accessory structure. Mr. Auvil confirmed there are trailers in the front and equipment in the back of the accessory structure. Mr. Giles stated he uses the trailers on various days and behind the accessory structure is firewood for personal use. He continued by saying he splits about 3-6 cords a year for himself and his father who uses it in his home as well. Mr. Giles again stated he is here to bring the property into compliance. Mrs. Cramer clarified that Mr. Giles wishes to have his sawmill as part of his business and that currently he is not approved to run any type of business on his property. Mr. Giles stated it is a small part of the business, and he believes that it shouldn't matter. Mr. Hesser stated it still must be considered. Mr. Hesser needed clarification on what Mr. Giles wants to do as part of the expansion to the accessory structure. Mr. Giles stated he will need to remove  $\frac{3}{4}$  of the current building and add new trusses in the expansion to keep an open concept. Mr. Giles stated the addition was previously approved. Mr. Hesser confirmed that this is a new request. Mr. Hesser continued by asking Mr. Giles what exactly is entailed as part of his business. Mr. Giles stated he is a contractor that does landscaping and some general contracting like roofing. He continued by saying he has customers by appointment at his property approximately 6 times a year. Mr. Hesser confirmed that Mr. Giles provides a wide variety of services, mostly done offsite. Mr. Giles stated the expansion will allow him to do more woodworking on a small scale.

There were no remonstrators present.

The public hearing was closed at this time.

Mr. Hesser noted there is no one at the hearing to speak in opposition to this request, and there have been no recent complaints. He continued by clarifying that the business was approved in the past, but the timeline for the Special Use and the Developmental Variance has expired. Mr. Warned noted that the area is residential in nature, and the size of the requested expansion/addition to the accessory structure seems excessive. Mr. Miller noted that there are trailers stored on the property in this residential neighborhood. He continued by saying the Board should still consider the previous remonstrators that attended the original hearing. Mrs. Cramer clarified that since there has not been any business in operation, there is no way to know if there would have been any complaints. Mr. Hesser asked Mr. Giles to come back to the podium and asked him if he had been operating his business. Mr. Giles stated he never truly stopped running the business outside of what he had to do for his recovery. He continued by saying the length of the recovery is what prohibited him from the addition to the accessory structure. Mr. Giles stated he is before the Board to bring the business and property into compliance, and he made note that the petition he submitted to the Board has signatures from people who previously opposed his petition.

Mr. Auvil came back to the podium and stated inherently, staff does not oppose the Special Use for the business: However, staff does have a problem with the sawmill and logging business, outside storage, and the addition to the existing accessory structure in an A-1 zoned, residential neighborhood. Mr. Hesser stated he is inclined to approve the home workshop/business but in limitation with no sawmill and no outside storage. He continued by clarifying staff is recommending approval of the Developmental Variance to allow the total square footage of the existing accessory structure to exceed that allowed by right but recommends denial for the addition to the exiting accessory structure.

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

**Motion: Action:** Approve **Moved by** Randy Hesser, **Seconded by** Deb Cramer that this request for a Special Use for a home workshop/business for a carpentry/home improvement business be approved based on following Findings and Conclusions of the Board:

1. The Special Use will be consistent with the spirit, purpose, and intent of the Development Ordinance. A Special Use for a home workshop/business is allowed in the A-1 zone.
2. The Special Use will not cause substantial and permanent injury to the appropriate use of neighboring property. This is a 1.02-acre parcel in a dense residential area.
3. The Special Use will substantially serve the public convenience and welfare.

The following conditions were imposed:

1. The Elkhart County Advisory Board of Zoning Appeals approval shall not be effective until the Commitment form has been executed, recorded and returned to the Elkhart County Advisory Board of Zoning Appeals staff for placement in the petition file.
2. A revised site plan must be submitted for staff approval without the proposed addition to the accessory structure.

The following commitments were imposed:

1. The request is approved in accordance with the revised site plan to be submitted for staff approval and as represented in the Special Use Application.
2. No sawmill operations are permitted.
3. No outside storage is permitted.

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

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

**Abstain:** Cory White.

**Motion: Action:** Approve **Moved by** Randy Hesser, **Seconded by** Deb Cramer that the Board adopt the Staff Analysis as the Findings and Conclusions of the Board, and based on these, further moved that this request for a Developmental Variance to allow for the total square footage of **EXISTING** accessory structures to exceed that allowed by right be approved with the following conditions imposed:

1. A variance from the developmental standards of the Development Ordinance is void unless an Improvement Location Permit is issued within 180 calendar days from the date of the grant and construction work completed within 1 year from the date of the issuance of the building permit (where required).

2. A revised site plan must be submitted for staff approval without the proposed addition to the accessory structure.
3. The request is approved in accordance with the revised site plan to be submitted for staff approval and as represented in the Developmental Variance application.

The request for a Developmental Variance to allow for the total square footage of **PROPOSED ADDITIONS** to existing accessory structures to exceed that allowed by right was acted upon as follows: Denied in accordance with the Staff Analysis with the following Findings and Conclusions of the Board:

1. Approval of the request will be injurious to public health, safety, morals, or general welfare. The request is 3,924 sq. ft., or 223 percent, over what is allowed by right and will alter the character of the neighborhood.
2. Approval of the request will cause substantial adverse effect on neighboring property. This is a 1.02-acre parcel in a dense residential area, and the property should remain residential in character.
3. Strict application of the terms of the Development Ordinance would not result in an unnecessary hardship in the use of the property.

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

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

**Abstain:** Cory White.

*\*\*It should be noted that Mr. White returned to the Board at this time\*\**

10. The application of **Gene L. Beachy & Kristina M. Beachy, Husband & Wife** for a Special Use for a home workshop/business for a construction business and for a Developmental Variance to allow for the total square footage of accessory structures to exceed that allowed by right on property located on the West side of CR 35, 510 ft. North of US 20, common address of 56923 CR 35 in Middlebury Township, zoned A-1, came on to be heard.

Mrs. Richards presented the Staff Report/Staff Analysis, which is attached for review as *Case #SUP-0007-2026*.

There were 8 neighboring property owners notified of this request.

Gene Beachy, 56923 CR 35, Middlebury was present for this request. Mr. Beachy stated he wants to add a 38' x 52' shop to his property for his business. Mr. Miller asked Mr. Beachy what he specifically does in his construction business. Mr. Beachy stated he does interior and exterior remodeling to homes. He clarified the new building will be to store his truck and materials for his business. He also stated he has one outside employee that does not come to the shop. Mr. Miller clarified that there will be no deliveries to the property.

There were no remonstrators present.

The public hearing was closed at this time.

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

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

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

The following commitments were imposed:

1. The request is approved in accordance with the site plan submitted (dated 1/9/2026) and as represented in the Special Use application.
2. Backing in or backing out from/onto County Road 35 with semi tractor trailers is prohibited.

Further the motion also included that a Developmental Variance to allow for the total square footage of accessory structures to exceed that allowed by right be approved with the following conditions imposed:

1. A variance from the developmental standards of the Development Ordinance is void unless an Improvement Location Permit is issued within 180 calendar days from the date of the grant and construction work completed within 1 year from the date of the issuance of the building permit (where required).
2. The request is approved in accordance with the site plan submitted (dated 1/9/2026) and as represented in the Developmental Variance application.

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

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

13. The meeting was adjourned at 10:32 a.m.

Respectfully submitted,

---

Jean Boyer, Recording Secretary

---

Randy Hesser, Chairman

---

Debra L. Cramer, Secretary

# ***BZA Staff Report***

*Prepared by the Department of Planning and Development*

**Hearing Date:** March 19, 2026

**Transaction Number:** SUP-0065-2026.

**Parcel Number(s):** 20-13-25-426-008.000-020.

**Existing Zoning:** R-1.

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

**Petitioner:** Dale E. Prochno III & Jessica M. Prochno, Husband & Wife.

**Location:** South side of CR 52, 650 ft. west of N. Main St. (SR 19), in Locke Township.

**Site Description:**

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

**History and General Notes:**

- None.

**Staff Analysis:**

Staff finds that:

1. The Special Use will be consistent with the spirit, purpose, and intent of the Development Ordinance. A Special Use for a home workshop/business for a welding business is allowed in the R-1 zoning district.
2. The Special Use will not cause substantial and permanent injury to the appropriate use of neighboring property. This is a 0.63-acre parcel in a moderately dense mixed-use area and the property will remain residential in character.
3. The Special Use will substantially serve the public convenience and welfare by allowing for a local welding business.

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

*Hearing Date:* March 19, 2026

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

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

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

1. The request is approved in accordance with the site plan submitted (dated 2/13/2026) and as represented in the Special Use 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 - Non Mobile Home

SUP-0065-2026

Date: 02/13/2026

Meeting Date:

March 19, 2026

Board of Zoning Appeals Public Hearing

Transaction #:

SUP-0065-2026

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

Contacts: Applicant

Land Owner

Dale E Prochno, Iii And Jessica Dale E Prochno, Iii And Jessica

M Prochno, Husband And Wife M Prochno, Husband And Wife

28125 Cr 52 28125 Cr 52

Nappanee, IN 46550 Nappanee, IN 46550

Site Address: 28125 County Road 52  
Nappanee, IN 46550

Parcel Number: 20-13-25-426-008.000-020

Township: Locke

Location: SOUTH SIDE OF CR 52, 610 FT. WEST OF N. MAIN ST.

Subdivision:

Lot #

Lot Area: 0.63 Frontage: 125.00

Depth: 220.00

Zoning: R-1

NPO List:

Present Use of Property: RESIDENTIAL

Legal Description:

Comments: PARCEL CREATED 3/1/1962

Applicant Signature:

Department Signature:

Special Use — Questionnaire

Name:

1) Tell us what you want to do. Build and sell barbeque smokers.

2) Tell us why this activity won't hurt your neighbors or the community. Talking proactive measures to ensure noise, air, peace is not disturbed in our community.

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

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

Tell us how you'll reduce the impact of those things on neighbors. Keeping operation contained to garage, purchase welding fume extractor with carbon filter to keep air safe.

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

6) Does the property need well and septic? Well:  Y  N Septic:  Y  N  
Does the property need a new septic system?  Y  N  
If a new septic system is needed, did the Health Department say there's enough space for it?  Y  N

7) Will the activity use buildings or additions?  Y  N If yes, fill out below.  
**Building or addition 1** Existing?  Y  N Size and height to the peak: 25' by 20', roof peak 13'  
Tell us what you'll use it for. \_\_\_\_\_  
**Building or addition 2** Existing?  Y  N Size and height to the peak: \_\_\_\_\_  
Tell us what you'll use it for. \_\_\_\_\_  
**Building or addition 3** Existing?  Y  N Size and height to the peak: \_\_\_\_\_  
Tell us what you'll use it for. \_\_\_\_\_

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

Next page ➡

Special Use — Questionnaire

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

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

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

How many of the employees won't live onsite? N/A

What will be the days and hours of operation on this property? Saturdays, by appointment is what I expect, but could vary slightly

How many parking spaces do you have now? 6

How many parking spaces do you want? 6

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

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

Will there be retail sales on this property?  Y  N

If yes, tell us what will be sold. Barbeque smokers

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

less than 1 per day, on average

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

Tell us how often. Estimated 3-6 times per month

Tell us the kind of vehicles used. Customer vehicles for pickup of barbeque smoker.

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

**Sign 1** Dimensions (length and width). \_\_\_\_\_

Existing?  Y  N Double faced?  Y  N

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

Freestanding?  Y  N Wall mounted?  Y  N

**Sign 2** Dimensions (length and width). \_\_\_\_\_

Existing?  Y  N Double faced?  Y  N

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

Freestanding?  Y  N Wall mounted?  Y  N

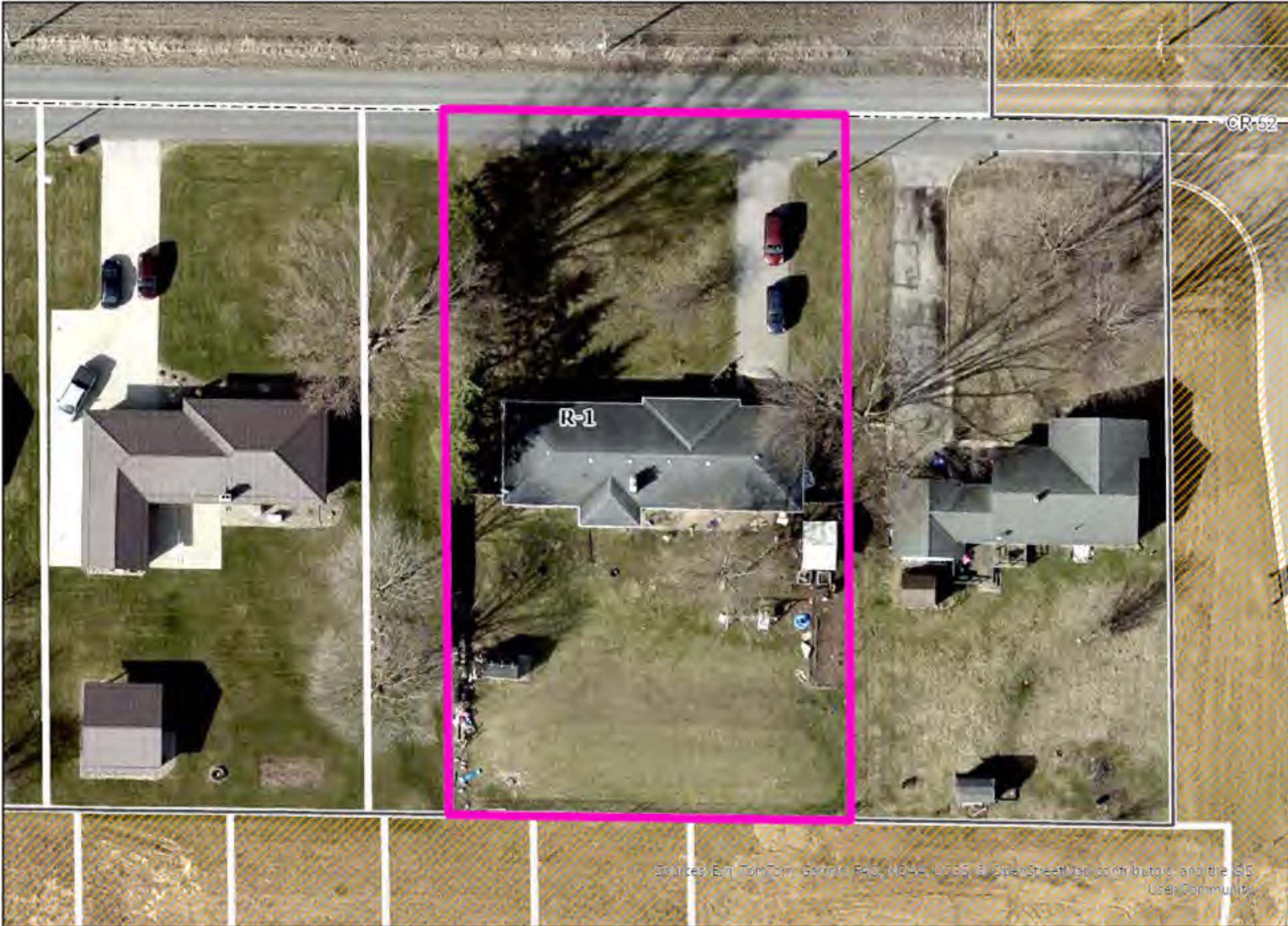
**Sign 3** Dimensions (length and width). \_\_\_\_\_

Existing?  Y  N Double faced?  Y  N

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

Freestanding?  Y  N Wall mounted?  Y  N

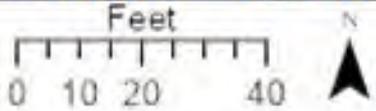
10) Tell us anything else you want us to know. Expected to be small scale business, not full-time operation. Buying steel already cut to size means lower noise levels, mainly welding. Using existing garage will contain most of noise.

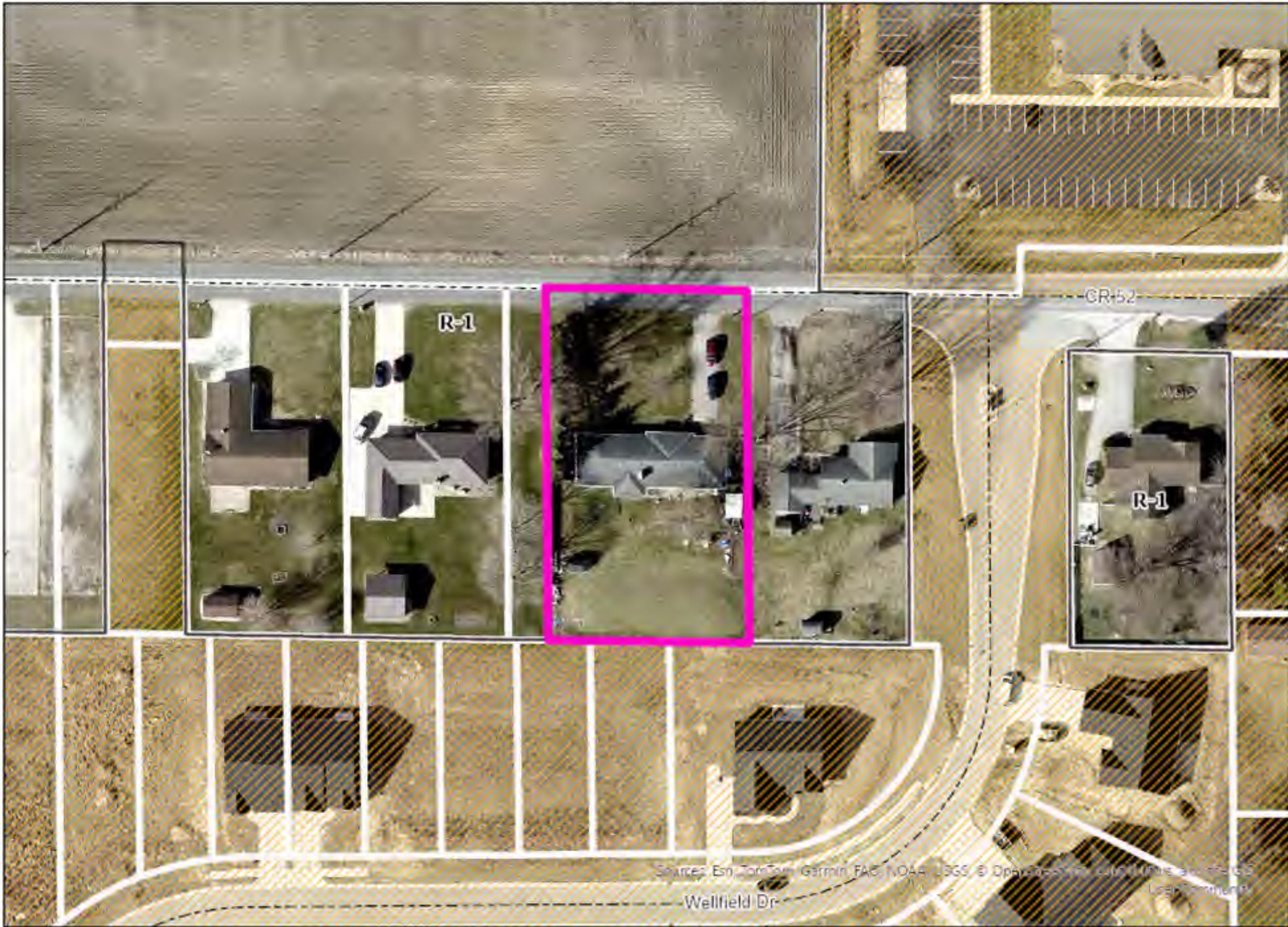


Sources: Esri, TomTom, Garmin, FAO, NOAA, USGS, © OpenStreetMap contributors, and the GIS User Community

2025 Aerials

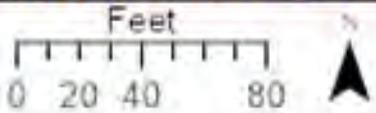
1 inch equals 40 ft





2025 Aerials

1 inch equals 80 ft







Subject property facing south



Facing north



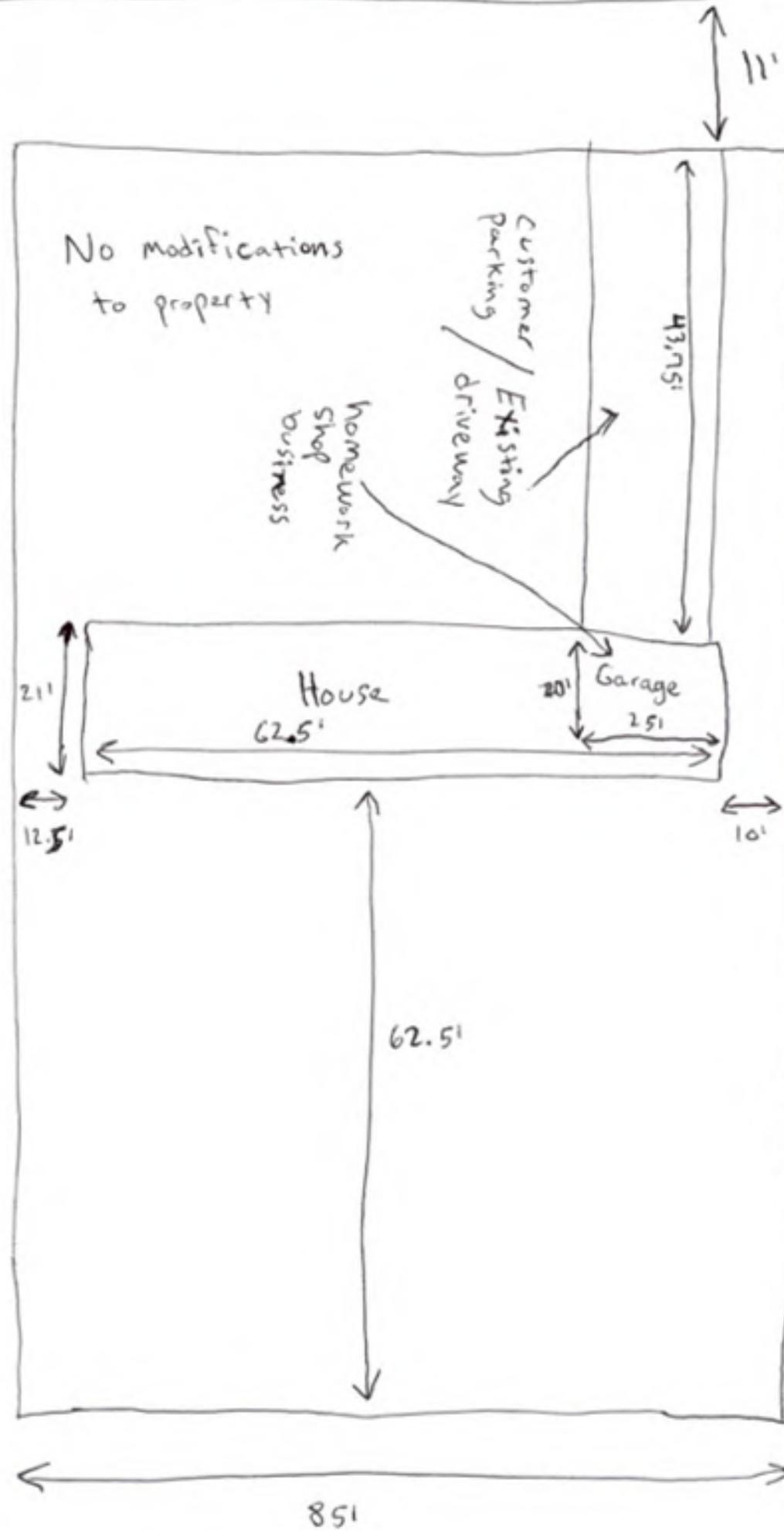
Facing east



Facing west

↓ Centerline CR 52

3 2020



85'

# ***BZA Staff Report***

*Prepared by the Department of Planning and Development*

**Hearing Date:** March 19, 2026

**Transaction Number:** SUP-0049-2026.

**Parcel Number(s):** 20-10-32-200-013.000-016 & 20-10-32-200-021.000-016.

**Existing Zoning:** A-1.

**Petition:** For an Amendment to an existing Special Use for a fire station to add property and to construct a new fire station.

**Petitioner:** Trustee of Harrison Township.

**Location:** Southwest corner of CR 40 and CR 9, in Harrison Township.

**Site Description:**

- Physical Improvement(s) – Fire station.
- Proposed Improvement(s) – Addition.
- Existing Land Use – Residential, agricultural.
- Surrounding Land Use – Residential, agricultural.

**History and General Notes:**

- **July 16, 1981** – The BZA approved a Special Use Permit for a fire station (81-82-SU).

**Staff Analysis:**

Staff finds that:

1. The Special Use Amendment will be consistent with the spirit, purpose, and intent of the Development Ordinance. This is an existing Special Use for a fire station.
2. The Special Use Amendment will not cause substantial and permanent injury to the appropriate use of neighboring property. This is a 2.76-acre property in a low-density residential and agricultural area and the property will remain a fire station.
3. The Special Use Amendment will substantially serve the public convenience and welfare by expanding local emergency services.

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

*Hearing Date:* March 19, 2026

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

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

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

1. The request is approved in accordance with the site plan submitted (dated 2/10/2026) and as represented in the Special Use Amendment 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 Amendment - Non Mobile Home

SUP-0049-2026

Date: 02/10/2026 Meeting Date: March 19, 2026  
Board of Zoning Appeals Public Hearing Transaction #: SUP-0049-2026

Description: for an Amendment to an existing Special Use for a fire station to add property and to construct a new fire station.

<u>Applicant</u>	<u>Authorized Agent</u>	<u>Land Owner</u>
Martin Builder 27608 Cr 36 Goshen, IN 46526	Martin Builder 27608 Cr 36 Goshen, IN 46526	Trustee Of Harrison Township 63095 Cr 13 Goshen, IN 46526

Site Address: 26020 County Road 40 Goshen, IN 46526	Parcel Number: 20-10-32-200-013.000-016 20-10-32-200-021.000-016
--	---

Township: Harrison  
Location: SOUTHWEST CORNER OF CR 40 AND CR 9

Subdivision: Lot #

Lot Area: 2.76 Frontage: 585.00 Depth: 365.00

Zoning: A-1 NPO List:

Present Use of Property: FIRE STATION AND VACANT LAND

Legal Description:

Comments: PARCEL CREATED 3/22/1982  
SEE SPECIAL USE #81-82-SU FOR A FIRESTATION, HARRISON TWP FIRE DEPARTMENT, APPROVED 7/16/1981  
PLAN IS TO BUILD NEW FIRE STATION WITH BASEMENT AREA, BUT PORTAL SHOWS RED/PONDING SOIL.  
APPLICANT SPOKE WITH SURVEYOR & HEALTH DEPT - KB 2/10/2026

Applicant Signature:

Department Signature:

Special Use — Questionnaire

Name: Trustee of Harrison Twp

1) Tell us what you want to do. Build a new Fire station  
to south of the Existing one.

2) Tell us why this activity won't hurt your neighbors or the community. It will bring  
better fire protection to the community  
old Building will be removed from site

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

4) Will the activity create noise, vibration, smoke, dust, odor, heat, or glare?  Y  N If yes, fill out below.  
Tell us what will create those things. when old building and  
concrete gets removed  
Tell us how you'll reduce the impact of those things on neighbors. work in Day  
light hours

5) Will there be buffering (fences, trees, shrubs, mounds)?  Y  N  
If yes, tell us about it. new grass after building is finished

6) Does the property need well and septic? Well:  Y  N Septic:  Y  N septic is  
Does the property need a new septic system?  Y  N Has new one IS already  
If a new septic system is needed, did the Health Department say there's enough space for it?  Y  N Done

7) Will the activity use buildings or additions?  Y  N If yes, fill out below.  
**Building or addition 1** Existing?  Y  N Size and height to the peak: 20' x 12' x 20'  
Tell us what you'll use it for. Fire Trucks 28' to peak  
**Building or addition 2** Existing?  Y  N Size and height to the peak: \_\_\_\_\_  
Tell us what you'll use it for. \_\_\_\_\_  
**Building or addition 3** Existing?  Y  N Size and height to the peak: \_\_\_\_\_  
Tell us what you'll use it for. \_\_\_\_\_

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

Next page ➡

Y

Special Use — Questionnaire

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

How many employees do you have now? Full time: \_\_\_\_\_ Part time: 35

How many employees do you want? Full time: \_\_\_\_\_ Part time: 35

How many of the employees won't live onsite? 0

What will be the days and hours of operation on this property? 24-7 Between

2 Fire stations in Harrison Twp a total of 35 volunteers are between 2 stations

How many parking spaces do you have now? 20

How many parking spaces do you want? 20-25

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

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

Will there be retail sales on this property?  Y  N

If yes, tell us what will be sold. NA

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

NA

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

Tell us how often. NA

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

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

**Sign 1** Dimensions (length and width). 8" x 12" letters on station

Existing?  Y  N Double faced?  Y  N

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

Freestanding?  Y  N Wall mounted?  Y  N

**Sign 2** Dimensions (length and width). \_\_\_\_\_

Existing?  Y  N Double faced?  Y  N

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

Freestanding?  Y  N Wall mounted?  Y  N

**Sign 3** Dimensions (length and width). \_\_\_\_\_

Existing?  Y  N Double faced?  Y  N

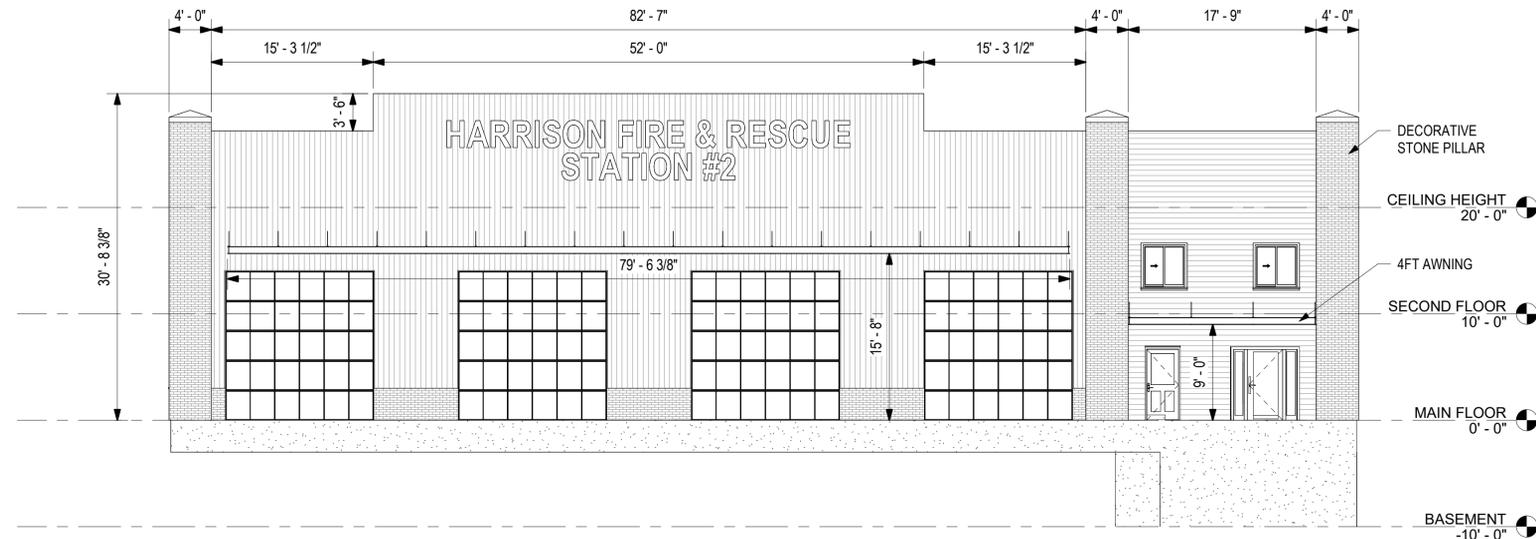
Electronic message board?  Y  N If no, lighted?  Y  N

Freestanding?  Y  N Wall mounted?  Y  N

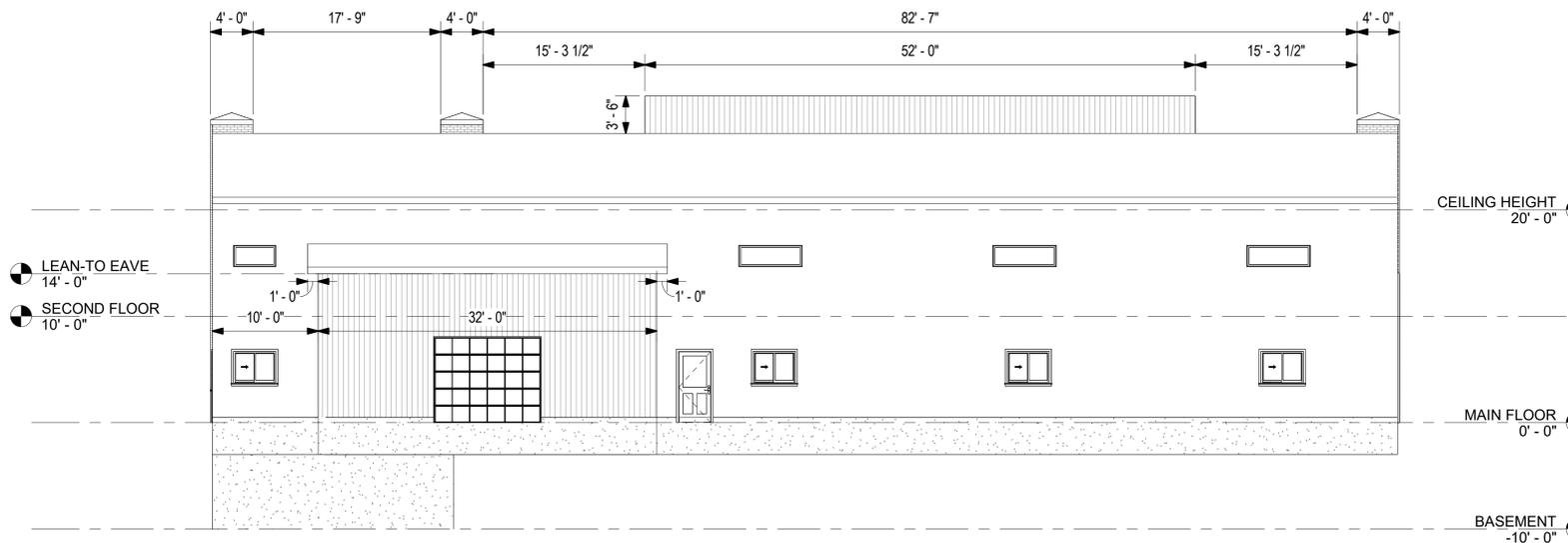
10) Tell us anything else you want us to know. \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_

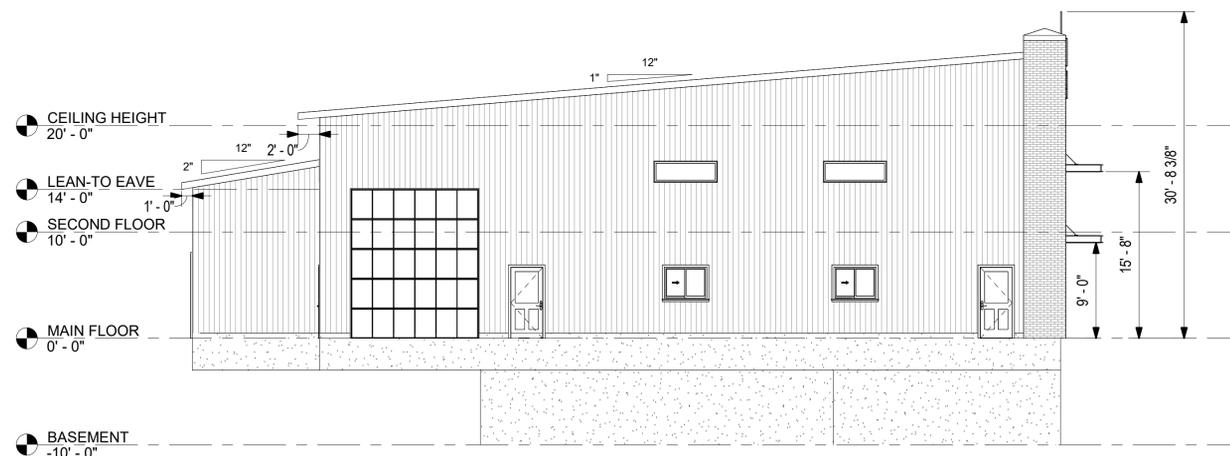
REV.



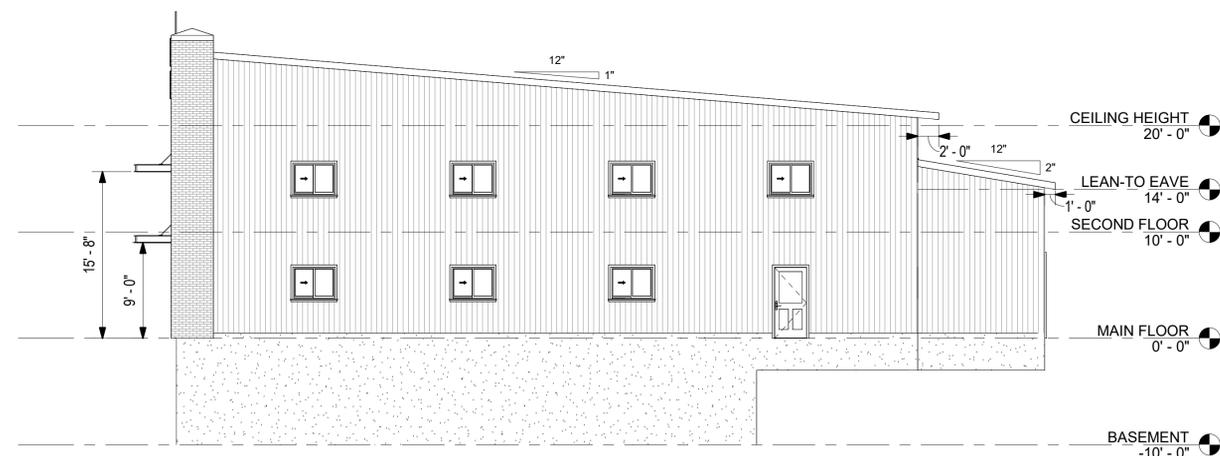
1 NORTH VIEW LOOKING SOUTH  
1/8" = 1'-0"



2 SOUTH VIEW LOOKING NORTH  
1/8" = 1'-0"



3 EAST VIEW LOOKING WEST  
1/8" = 1'-0"



4 WEST VIEW LOOKING EAST  
1/8" = 1'-0"

**MSS Engineering, LLC**  
ENGINEERING, CONSULTING, & DESIGN  
414 W 5th St., Auburn, IN 46706  
Phone: (260) 267-7414  
Email: tamcdaniel@mssengineer.com  
Travis A. McDaniel, PE

**Preliminary**  
02/06/2026 10:13:51 AM

**PROJECT LOCATION:**  
26020 CR 40,  
GOSHEN, IN 46526

**PROJECT NAME:**  
HARRISON FIRE  
STATION (IN)

**DRAWING TITLE:**  
ELEVATIONS

**REVISIONS:**

NO.	DATE	DESCRIPTION	BY
-----	------	-------------	----

**JOB NUMBER:**  
25.066.199

**DRAWN BY:** HN

**ENGINEERED BY:** HN

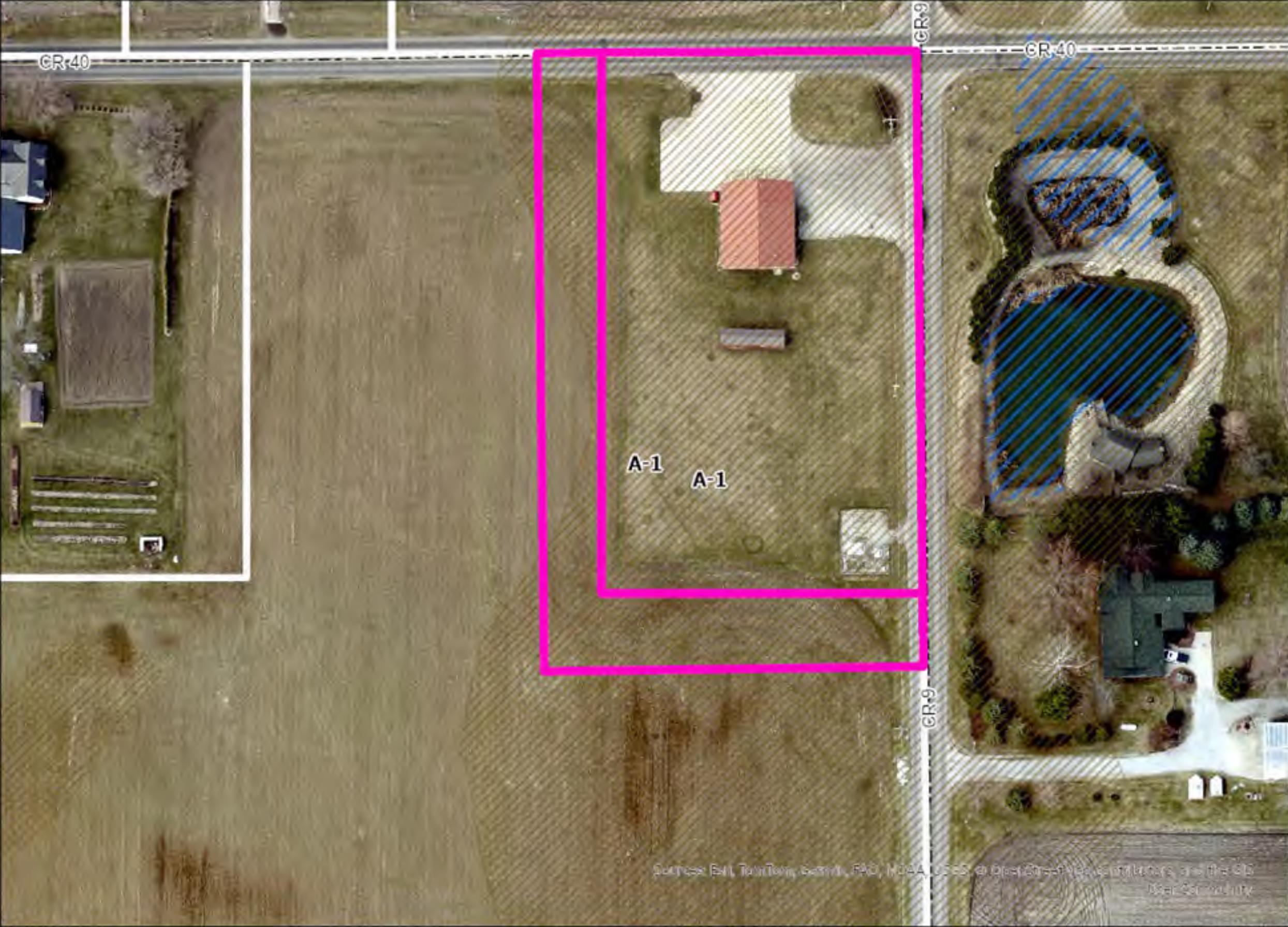
**START DATE:** 9/5/25

**PROGRESS DATE:**

**CERTIFIED DATE:**

**SCALE:** 1/8" = 1'-0"

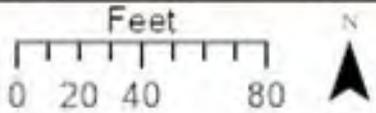
**PAGE NUMBER:**

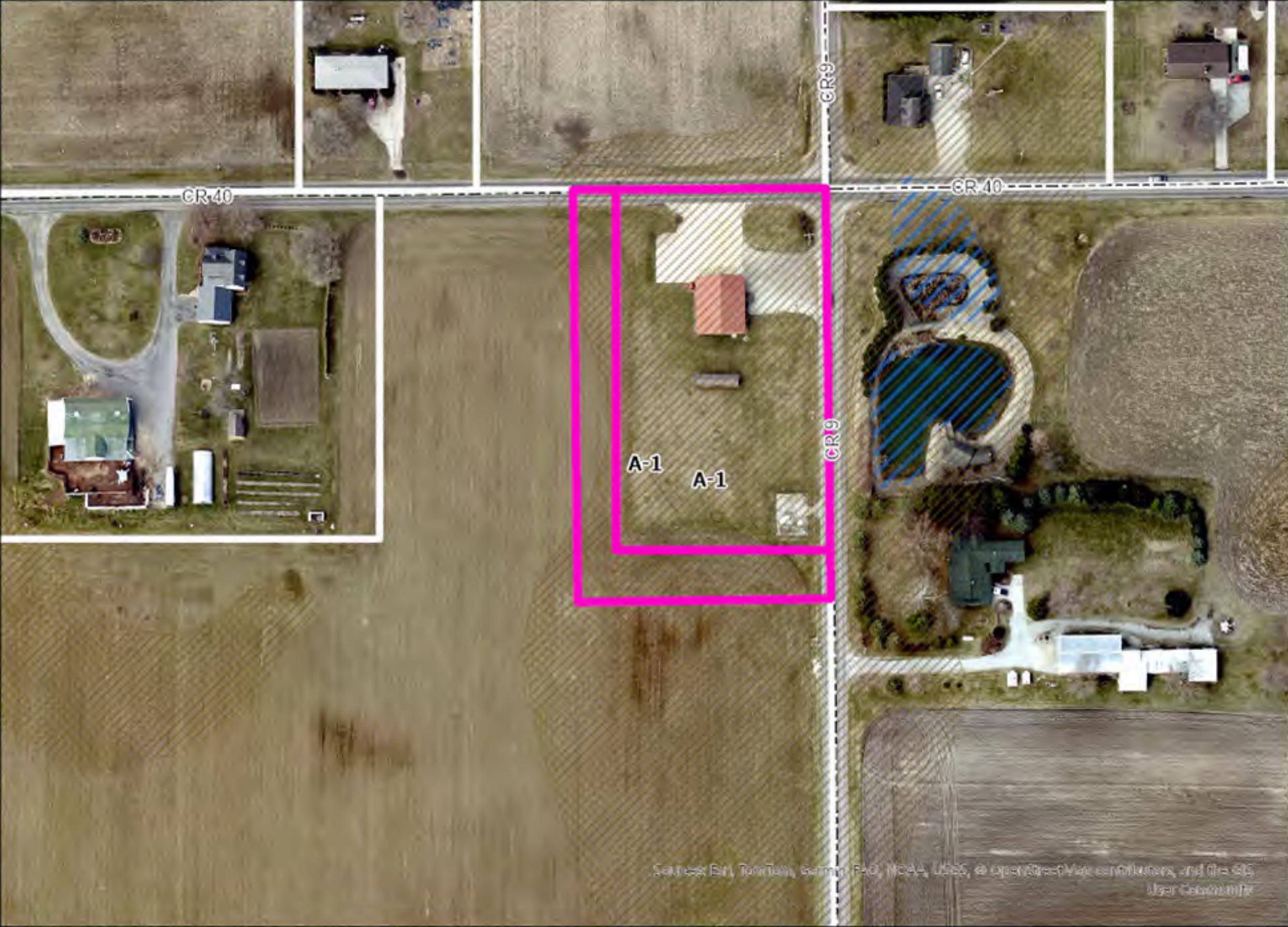


Source: Esri, TomTom, Garmin, FAO, NOAA, USGS, © OpenStreetMap contributors, and the GIS User Community

2025 Aerials

1 inch equals 80 ft

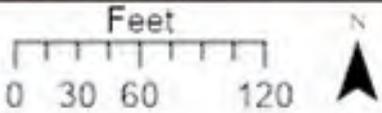


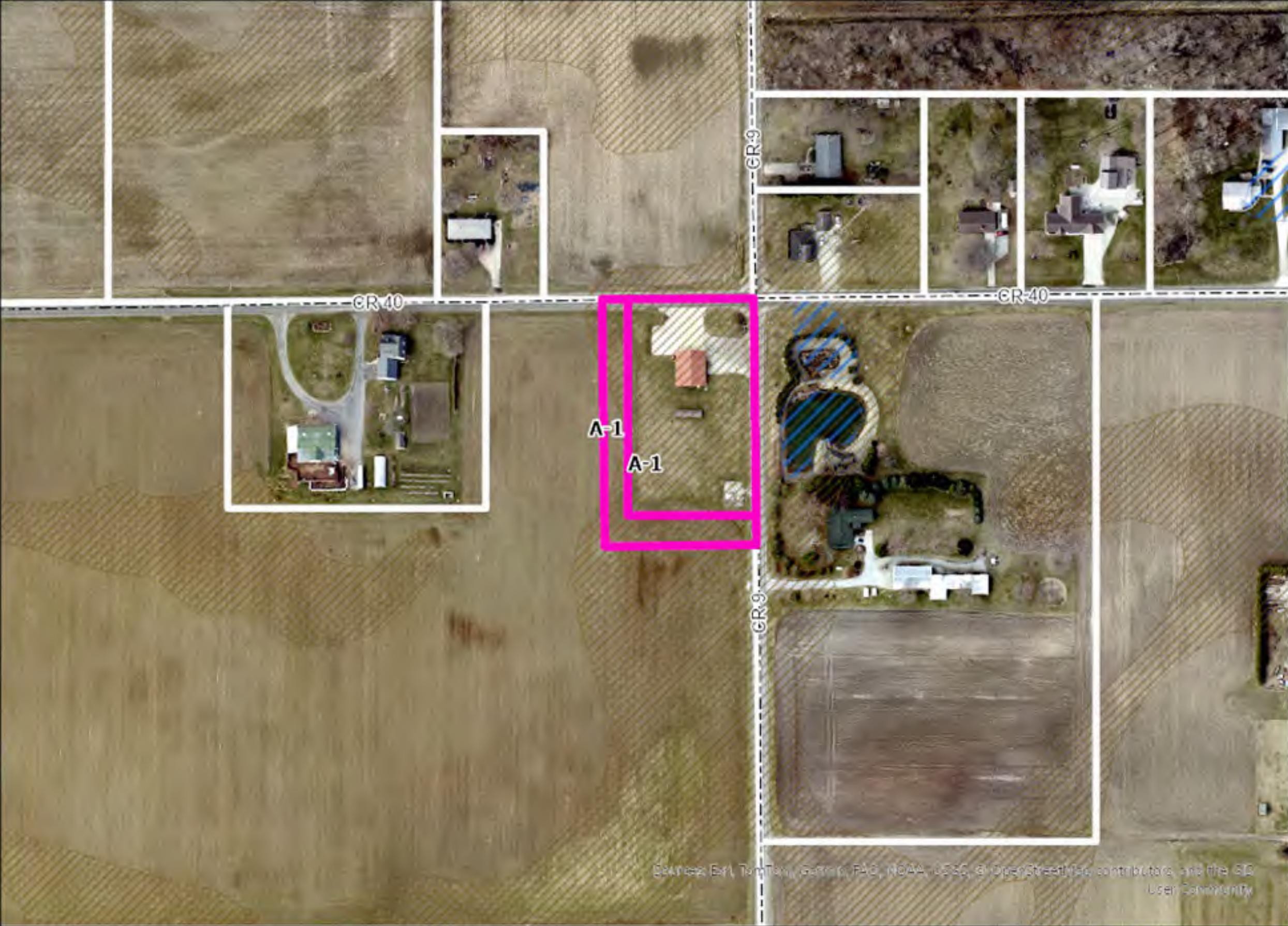


Source: Esri, TomTom, Garmin, F.O. NOAA, USGS, © OpenStreetMap contributors, and the GIS User Community

2025 Aerials

1 inch equals 120 ft

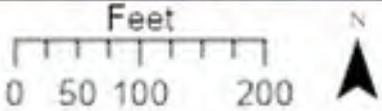




Source: Esri, TomTom, Garmin, FAO, NOAA, USGS, © OpenStreetMap contributors, and the GIS User Community

2025 Aerials

1 inch equals 200 ft





Subject property facing south



Facing north



Facing east



Facing west

REV.

REGION LEGEND

- NEW BUILDING
- EXISTING BUILDING
- DRIVEWAY/SIDEWALKS/ROADS
- WATER
- RIP RAP
- TEMPORARY SEEDING
- PERMANENT SEEDING
- ZONE AE (FLOODWAY)
- ZONE AE

REGION LEGEND

1/4" = 1'-0"

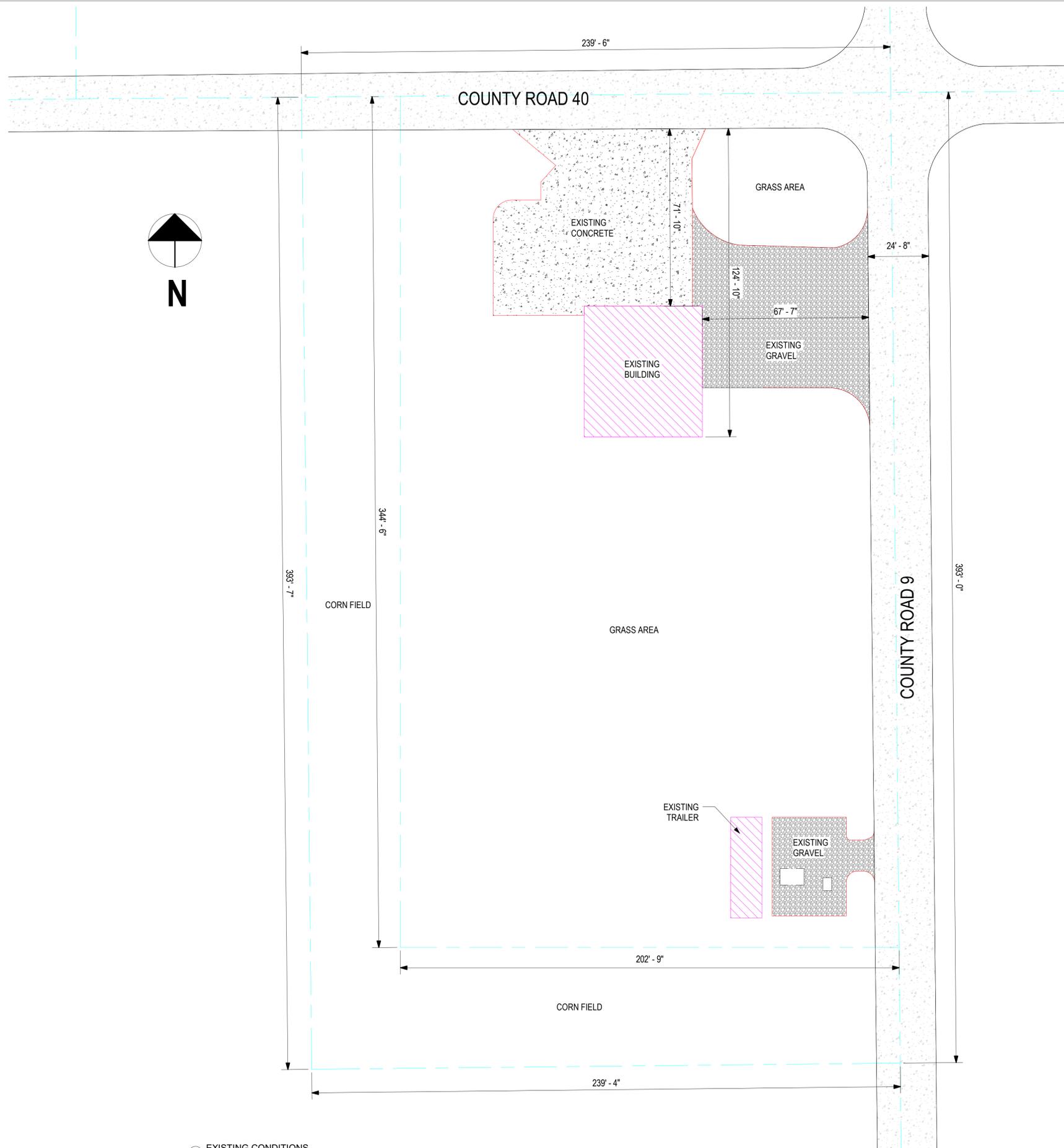
LINETYPE LEGEND

- NEW BUILDING
- EXISTING BUILDING
- PROPERTY LINE
- SETBACK
- SURFACE EDGE
- PARKING LOT LINE
- FENCE
- SOIL REGION
- DEMO
- OVERHEAD
- TELECOM/DATA
- SWALE
- ELECTRIC
- GAS PIPE
- WATER PIPE
- SANITARY PIPE
- STORM PIPE
- EROSION CONTROL
- LINE OF DISTURBANCE
- NATIONAL POLLUTION DISCHARGE ELIMINATION SYSTEM BOUNDARY
- PROPOSED CONTOUR
- EXISTING CONTOUR
- EXISTING ELECTRIC
- EXISTING GAS PIPE
- EXISTING WATER PIPE
- EXISTING STORM PIPE
- EXISTING SANITARY PIPE
- EXISTING FENCE

LINETYPE LEGEND

1" = 20'-0"

NOTE: DIMENSIONS ARE APPROXIMATE. REFER TO PROFESSIONAL SURVEY FOR PRECISE LOT LINE LAYOUT. INFORMATION PROVIDED GATHERED FROM PUBLIC RECORDS.



1 EXISTING CONDITIONS  
3/64" = 1'-0"

**MSS Engineering, LLC**  
ENGINEERING, CONSULTING & DESIGN  
414 W 5th St., Auburn, IN 46706  
Phone: (260) 267-7414  
Email: tamcdaniel@mssengineer.com  
Travis A. McDaniel, PE

**Preliminary**  
02/06/2026 10:13:49 AM

**PROJECT LOCATION:**  
26020 CR 40,  
GOSHEN, IN 46526

**PROJECT NAME:**  
HARRISON FIRE  
STATION (IN)

**DRAWING TITLE:**  
EXISTING SITE PLAN

**REVISIONS:**

NO.	DATE	DESCRIPTION	BY

**JOB NUMBER:**  
25.066.199

**DRAWN BY:** HN

**ENGINEERED BY:** HN

**START DATE:** 9/5/25

**PROGRESS DATE:**

**CERTIFIED DATE:**

**SCALE:** As indicated

**PAGE NUMBER:**

**REGION LEGEND**

- NEW BUILDING
- EXISTING BUILDING
- DRIVEWAY/SIDEWALKS/ROADS
- WATER
- RIP RAP
- TEMPORARY SEEDING
- PERMANENT SEEDING
- ZONE AE (FLOODWAY)
- ZONE AE

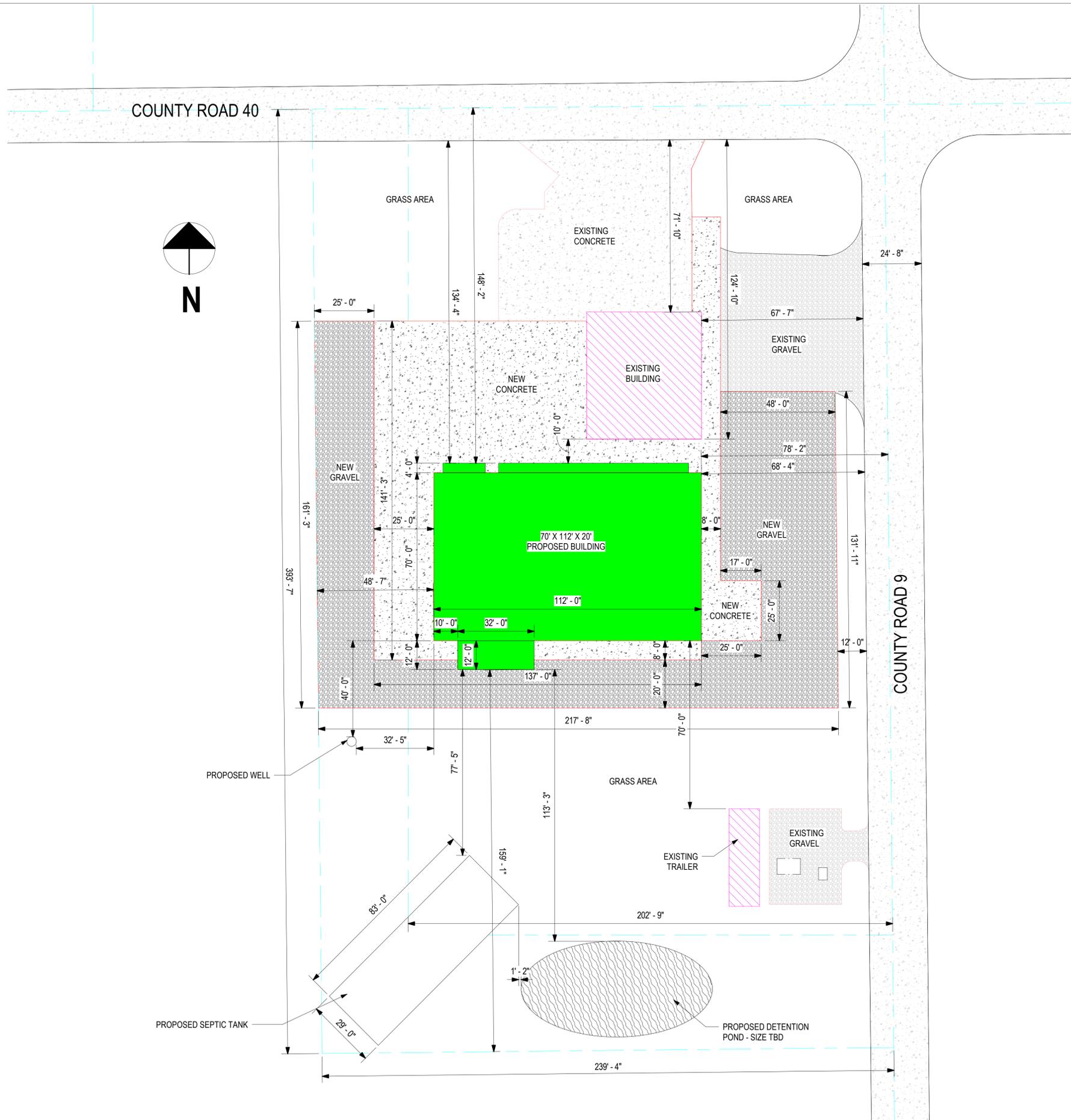
REGION LEGEND  
1/4" = 1'-0"

**LINETYPE LEGEND**

- NEW BUILDING
- EXISTING BUILDING
- PROPERTY LINE
- SETBACK
- SURFACE EDGE
- PARKING LOT LINE
- FENCE
- SOIL REGION
- DEMO
- OVERHEAD
- TELECOM/DATA
- SWALE
- ELECTRIC
- GAS PIPE
- WATER PIPE
- SANITARY PIPE
- STORM PIPE
- EROSION CONTROL
- LINE OF DISTURBANCE
- NATIONAL POLLUTION DISCHARGE ELIMINATION SYSTEM BOUNDARY
- PROPOSED CONTOUR
- EXISTING CONTOUR
- EXISTING ELECTRIC
- EXISTING GAS PIPE
- EXISTING WATER PIPE
- EXISTING SANITARY PIPE
- EXISTING STORM PIPE
- EXISTING FENCE

LINETYPE LEGEND  
1" = 20'-0"

NOTE: DIMENSIONS ARE APPROXIMATE. REFER TO PROFESSIONAL SURVEY FOR PRECISE LOT LINE LAYOUT. INFORMATION PROVIDED GATHERED FROM PUBLIC RECORDS.



1 PROPOSED SITE PLAN  
3/64" = 1'-0"

**MSS Engineering, LLC**  
ENGINEERING, CONSULTING, & DESIGN  
414 W 5th St., Auburn, IN 46706  
Phone: (260) 267-7414  
Email: tamcdaniel@mssengineer.com  
Travis A. McDaniel, PE

**Preliminary**  
02/06/2026 10:13:50 AM

**PROJECT LOCATION:**  
26020 CR 40,  
GOSHEN, IN 46526

**PROJECT NAME:**  
HARRISON FIRE  
STATION (IN)

**DRAWING TITLE:**  
PROPOSED SITE PLAN

**REVISIONS:**

NO.	DATE	DESCRIPTION	BY
-----	------	-------------	----

**JOB NUMBER:**  
25.066.199

**DRAWN BY:** HN

**ENGINEERED BY:** HN

**START DATE:** 9/5/25

**PROGRESS DATE:**

**CERTIFIED DATE:**

**SCALE:** As indicated

**PAGE NUMBER:**

# ***BZA Staff Report***

*Prepared by the Department of Planning and Development*

**Hearing Date:** March 19, 2026

**Transaction Number:** SUP-0034-2026.

**Parcel Number(s):** 20-05-02-302-049.000-005.

**Existing Zoning:** R-1.

**Petition:** For a Special Use for an agricultural use for the keeping of animals on a tract of land containing less than 3 acres.

**Petitioner:** Carl Eugene O’Konski & Shelley Ann O’Konski, Husband & Wife.

**Location:** West side of Riverview Manor Dr., 380 ft. south of Old US 20, in Cleveland Township.

**Site Description:**

- Physical Improvement(s) – Residence, pool, & chicken coop.
- Proposed Improvement(s) – None.
- Existing Land Use – Residential.
- Surrounding Land Use – Residential.

**History and General Notes:**

- **January 8, 2026** – A complaint was made about having chickens (CODE-0011-2026).

**Staff Analysis:**

Staff finds that:

1. The Special Use will be consistent with the spirit, purpose, and intent of the Development Ordinance. The keeping of animals on a tract of land containing less than 3 acres is allowed by Special Use in the R-1 zoning district.
2. The Special Use will not cause substantial and permanent injury to the appropriate use of neighboring property. This is a 1.12-acre property in a moderately dense residential area and the property will remain residential in character.
3. The Special Use will substantially serve the public convenience and welfare by providing a hobby opportunity and a local source of food.

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

*Hearing Date:* March 19, 2026

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

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

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

1. The request is approved in accordance with the site plan submitted (dated 1/22/2026) and as represented in the Special Use application.
2. The agricultural use is limited to a maximum of seventeen (17) chickens, one (1) duck, and no roosters.

# 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 - Non Mobile Home

SUP-0034-2026

Date: 01/22/2026 Meeting Date: March 19, 2026  
Board of Zoning Appeals Public Hearing Transaction #: SUP-0034-2026

Description: for a Special Use for an agricultural use for the keeping of animals on a tract of land containing less than 3 acres

<u>Applicant</u>	<u>Land Owner</u>
Carl Eugene O'Konski And Shelley Ann O'Konski Husband And Wife 55543 Riverview Manor Elkhart, IN 46514	Carl Eugene O'Konski And Shelley Ann O'Konski Husband And Wife 55543 Riverview Manor Elkhart, IN 46514

Site Address: 55543 Riverview Manor Dr Elkhart, IN 46514	Parcel Number: 20-05-02-302-049.000-005
---	---

Township: Cleveland  
Location: WEST SIDE OF RIVERVIEW MANOR DR., 380 FT. SOUTH OF OLD US 20

Subdivision: LUEBKE MANOR	Lot # 3 & 7
---------------------------	-------------

Lot Area: 1.12	Frontage: 112.50	Depth: 430.00
----------------	------------------	---------------

Zoning: R-1	NPO List:
-------------	-----------

Present Use of Property: RESIDENTIAL

Legal Description:

Comments: SEE CODE CASE #0011-2026

Applicant Signature:

Department Signature:

Special Use — Questionnaire

Name: Carl & Shelley O'Koncki

1) Tell us what you want to do. we would like to have a permit to own chickens

2) Tell us why this activity won't hurt your neighbors or the community. they stay in their run we keep the coop clean they are taken properly and we share the eggs with elder & neighbors

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

4) Will the activity create noise, vibration, smoke, dust, odor, heat, or glare?  Y  N If yes, fill out below.  
Tell us what will create those things. just chicken noise - not loud  
no Roosters  
Tell us how you'll reduce the impact of those things on neighbors. By tending to our chicken properly

5) Will there be buffering (fences, trees, shrubs, mounds)?  Y  N  
If yes, tell us about it. we have a fence enclosure around the run

6) Does the property need well and septic? Well:  Y  N Septic:  Y  N  
Does the property need a new septic system?  Y  N  
If a new septic system is needed, did the Health Department say there's enough space for it?  Y  N

7) Will the activity use buildings or additions?  Y  N If yes, fill out below.  
**Building or addition 1** Existing?  Y  N Size and height to the peak: shed 8' width - 10' long  
Tell us what you'll use it for. chicken coop  
**Building or addition 2** Existing?  Y  N Size and height to the peak: \_\_\_\_\_  
Tell us what you'll use it for. \_\_\_\_\_  
**Building or addition 3** Existing?  Y  N Size and height to the peak: \_\_\_\_\_  
Tell us what you'll use it for. \_\_\_\_\_

8) Does this application include animals?  Y  N  
If yes, tell us what kind and how many of each. 17 chicken - 1 ~~very~~ very old Duck

Next page ➡



Special Use — Questionnaire

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

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

How many employees do you want? Full time:   -0-   Part time: \_\_\_\_\_

How many of the employees won't live onsite?   -0-  

What will be the days and hours of operation on this property?   None  

How many parking spaces do you have now?   -0-  

How many parking spaces do you want?   -0-  

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

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

Will there be retail sales on this property?  Y  N

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

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

  None  

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

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

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

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

**Sign 1** Dimensions (length and width). \_\_\_\_\_

Existing?  Y  N Double faced?  Y  N

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

Freestanding?  Y  N Wall mounted?  Y  N

**Sign 2** Dimensions (length and width). \_\_\_\_\_

Existing?  Y  N Double faced?  Y  N

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

Freestanding?  Y  N Wall mounted?  Y  N

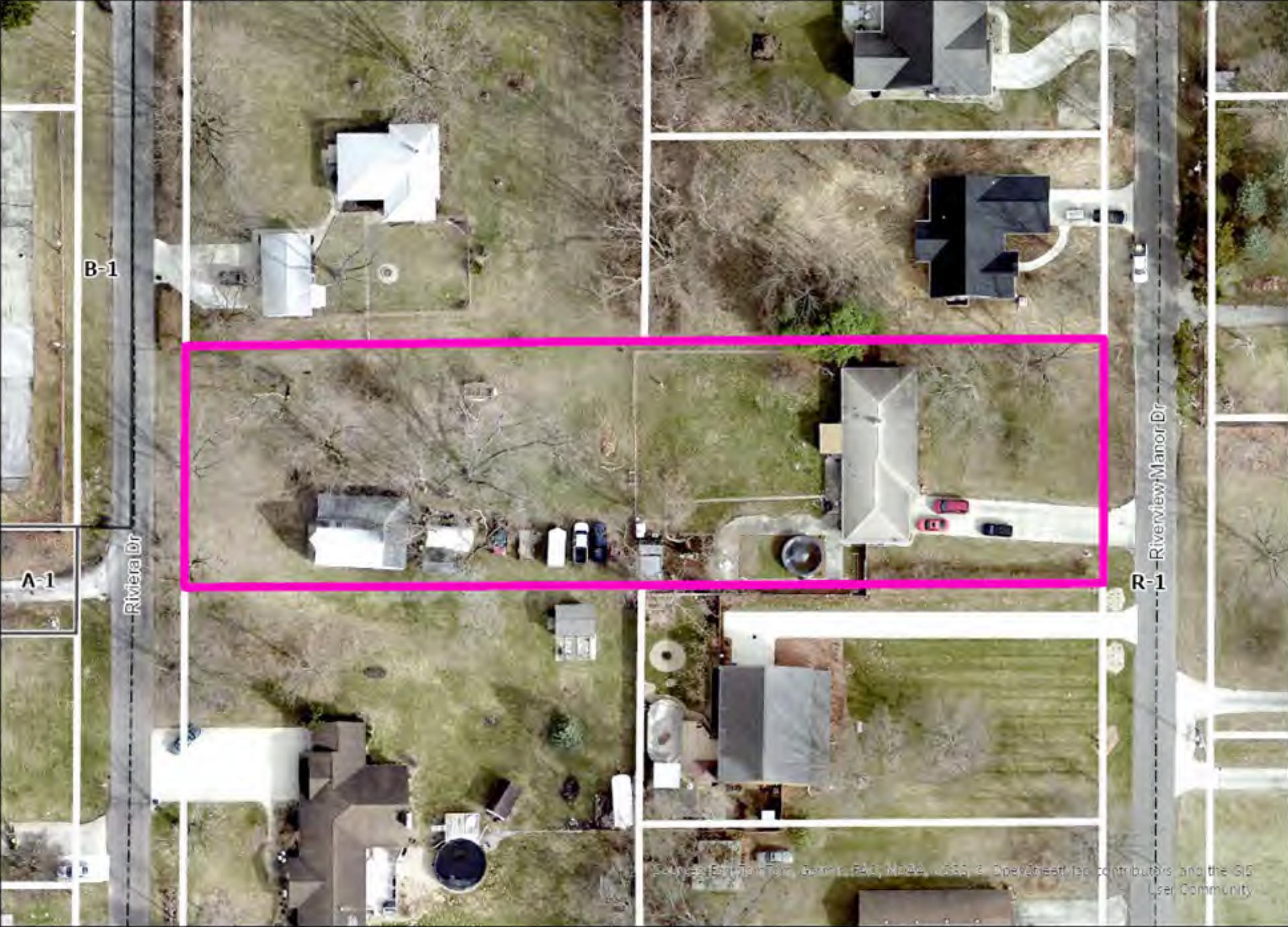
**Sign 3** Dimensions (length and width). \_\_\_\_\_

Existing?  Y  N Double faced?  Y  N

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

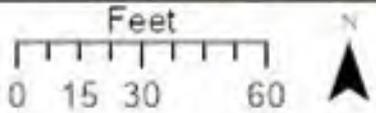
Freestanding?  Y  N Wall mounted?  Y  N

10) Tell us anything else you want us to know.   We use the chickens for egg to feed our family & others who need eggs



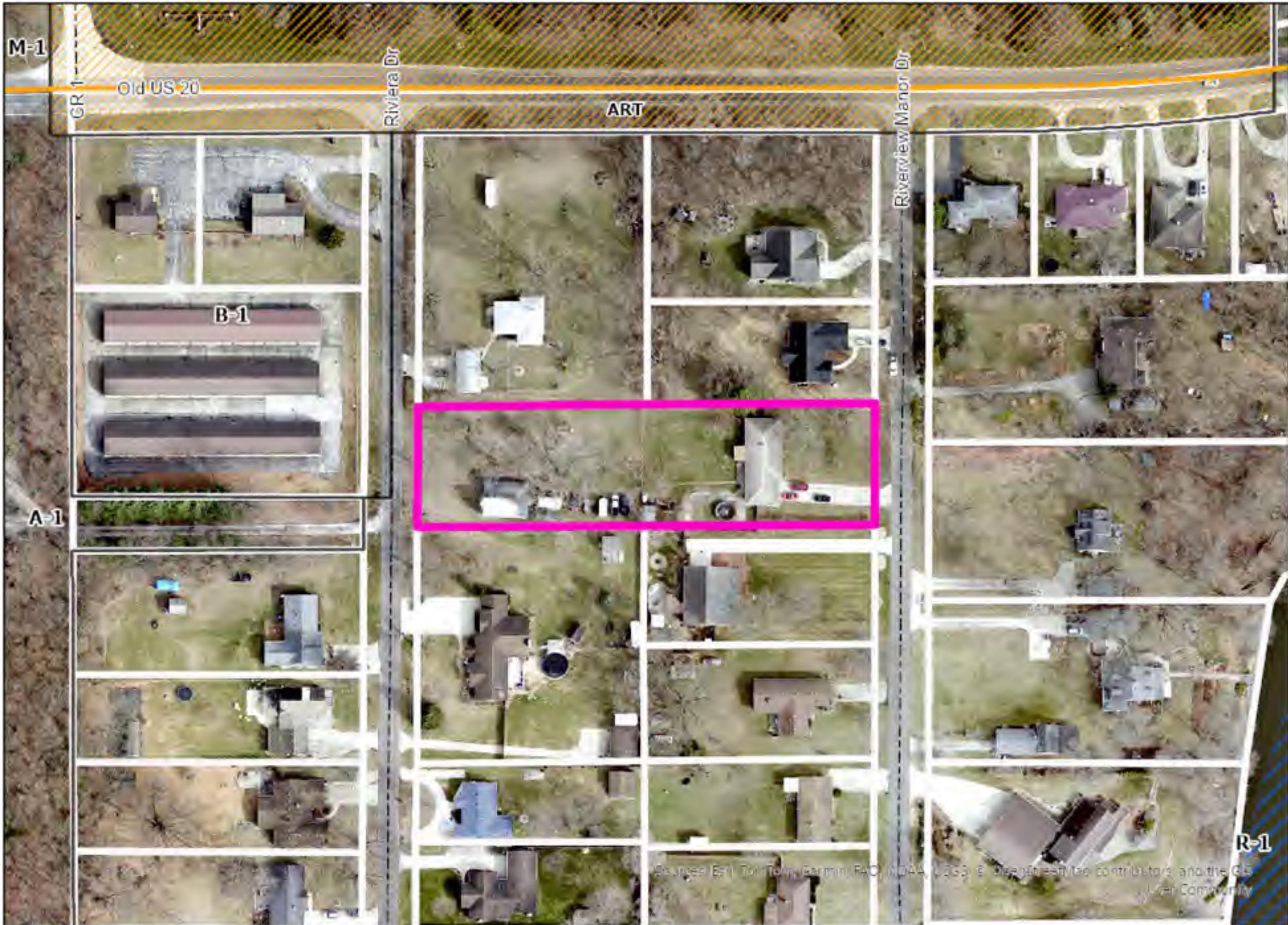
2025 Aerials

1 inch equals 60 ft



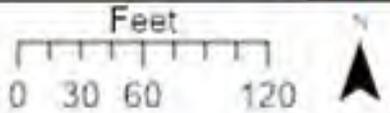
© 2025 Esri, DeLorme, Garmin, FAO, NOAA, USGS, © OpenStreetMap contributors, and the GIS User Community

SUP-0034-2026



2025 Aerials

1 inch equals 120 ft



Source: Esri, TomTom, Garmin, FAO, NOAA, 2023. © OpenStreetMap contributors, and the GIS User Community

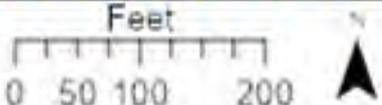
SUP-0034-2026



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

2025 Aerials

1 inch equals 200 ft





**Subject property facing west**



Facing east



Facing north



Facing south

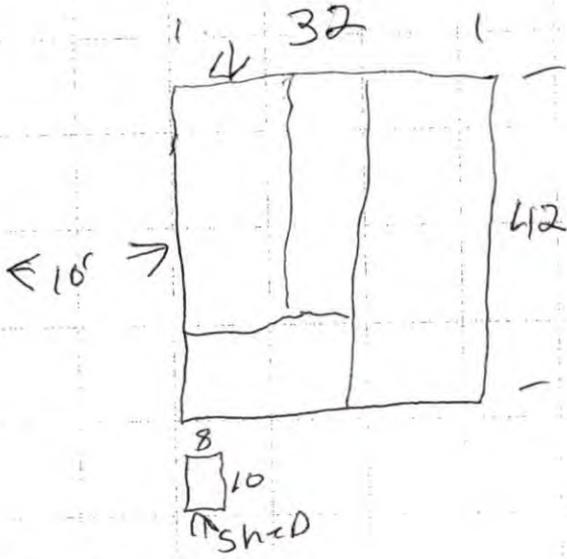
LOT SIZE - 48613 SQ FEET 1.12 ACRES

← 113' →

RIVERVIEW DR

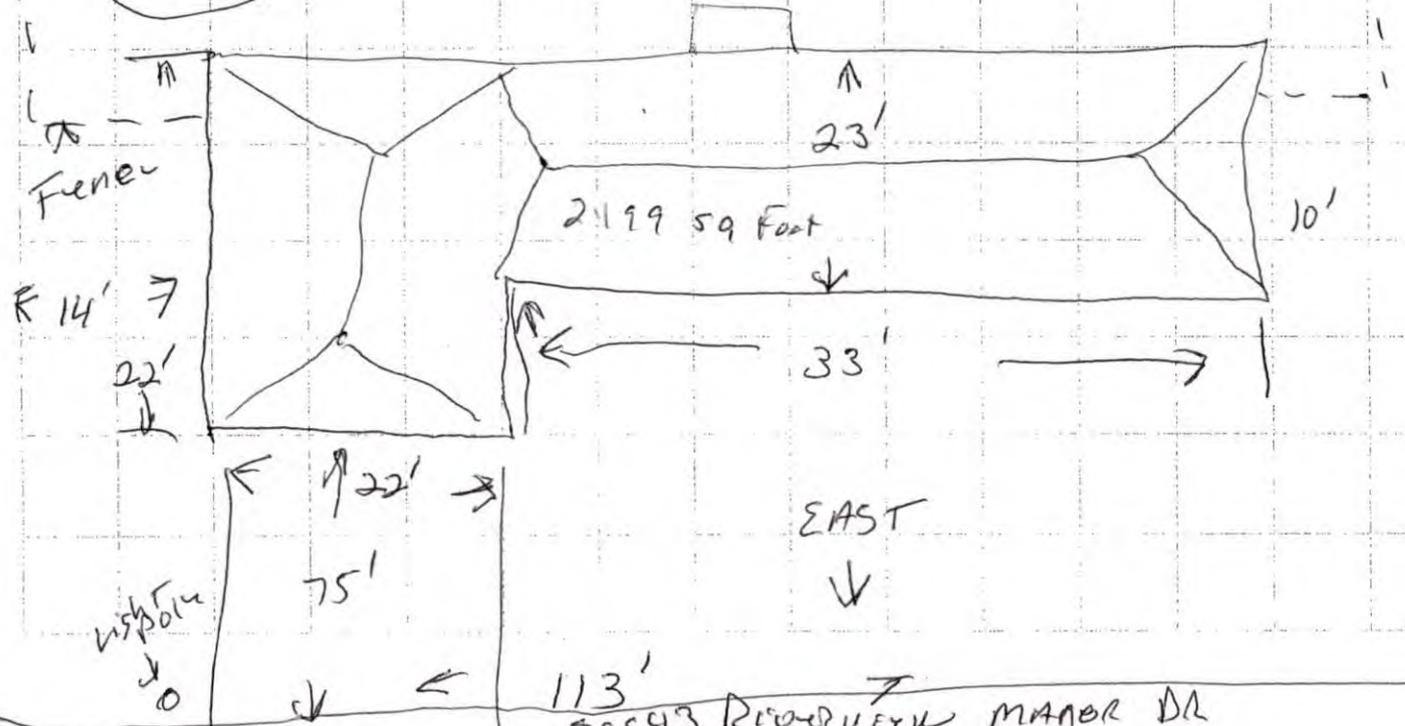
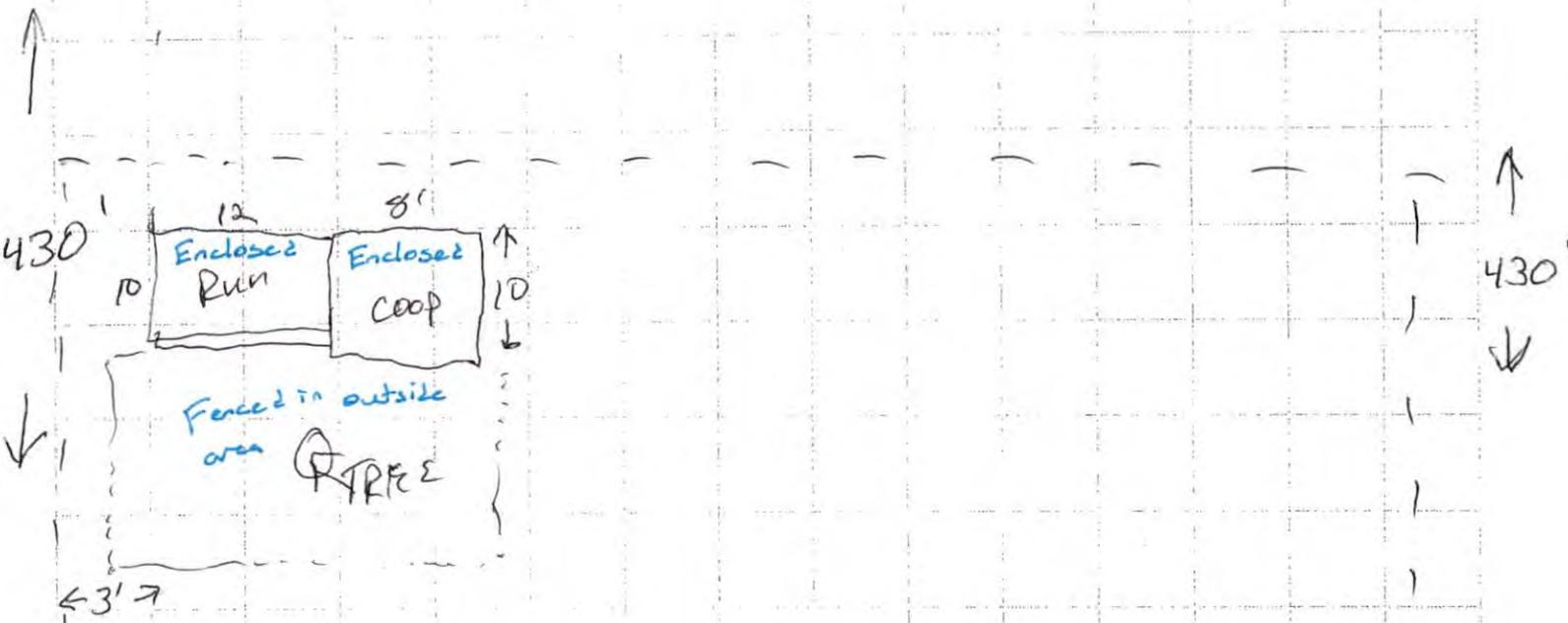
75'

↑  
West



NORTH →

← SOUTH



EAST  
↓

113' RIVERVIEW MANOR DR

# ***BZA Staff Report***

*Prepared by the Department of Planning and Development*

**Hearing Date:** March 19, 2026

**Transaction Number:** SUP-0062-2026.

**Parcel Number(s):** 20-03-28-327-010.000-031, 20-03-28-327-002.000-031, 20-03-28-352-022.000-031, 20-03-28-352-021.000-031.

**Existing Zoning:** A-1.

**Petition:** For an Amendment to an existing Special Use for a social service establishment to allow for the construction of an administrative office building and transportation building.

**Petitioner:** Association for the Disabled of Elkhart County, Inc.

**Location:** South side of West Vistula St. (SR 120), 1,600 ft. northeast of CR 21, in Washington Township.

## ***Site Description:***

- Physical Improvement(s) – Social service campus.
- Proposed Improvement(s) – Two new buildings.
- Existing Land Use – Social service facility.
- Surrounding Land Use – Residential, agricultural.

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

- **February 22, 1973** – The BZA approved a Special Use for a social service establishment (Special Use Permit #279).
- **June 16, 2016** – The BZA approved an amendment to the existing Special Use to allow for an electronic message center within 300 ft. of a residence (DV-0212-2016).
- **March 15, 2018** – The BZA approved an amendment to the existing Special Use to allow for an addition (meeting rooms and family resource center) and placement of a wall sign (SUP-0071-2018).
- **January 19, 2023** – The BZA approved an amendment to the existing Special Use to allow for an electronic message board (SUP-0881-2022).

## ***Staff Analysis:***

Staff finds that:

1. The Special Use Amendment will be consistent with the spirit, purpose, and intent of the Development Ordinance. This is an existing special use for a social service establishment.
2. The Special Use Amendment will not cause substantial and permanent injury to the appropriate use of neighboring property. This is a 33.6-acre property in a low-density residential and agricultural area and the property will remain a social service facility.
3. The Special Use Amendment will substantially serve the public convenience and welfare by expanding a local social service facility.

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

*Hearing Date:* March 19, 2026

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

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

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

1. The request is approved in accordance with the site plan submitted (dated 2/13/2026) and as represented in the Special Use Amendment 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

SUP-0062-2026

Special Use Amendment - Non Mobile Home

Date: 02/13/2026 Meeting Date: March 19, 2026  
Board of Zoning Appeals Public Hearing Transaction #: SUP-0062-2026

Description: for an Amendment to an existing Special Use for a social service establishment to allow for the construction of an administrative office building and transportation building.

<u>Applicant</u>	<u>General Contractor</u>	<u>Land Owner</u>
Jones Petrie Rafinski 325 S Lafayette Blvd South Lafayette Blvd South Bend, IN 46601	Dj Construction 3414 Elkhart Rd Goshen, IN 46526	Association For The Disabled Of Elkhart County, Inc. Po Box 398 Bristol, IN 46507

Site Address: 1671 West Vistula St Bristol, IN 46507	Parcel Number: 20-03-28-327-002.000-031 20-03-28-327-010.000-031 20-03-28-352-021.000-031 20-03-28-352-022.000-031
---	---

Township: Washington  
Location: South side of W Vistula St (SR 120), 1665 ft Northeast of CR 21

Subdivision: Lot #

Lot Area: 33.60 Frontage: 1,200.01 Depth: 1,118.00

Zoning: A-1 NPO List:

Present Use of Property: RESIDENTIAL GROUP HOME

Legal Description:

Comments: PARCEL CREATED 12/30/88  
SPECIAL USE - 0881-2022 APPROVED 1/19/2023  
SPECIAL USE-0071-2018 APPROVED  
SPECIAL USE-ADEC APPROVED 2/22/73  
DV-0212-2016 APPROVED 06/16/2016  
IN DOCUWARE - CASE# 279 & 7/27/72 NEED COMBINED - THEY ARE THEY SAME

Applicant Signature:

Department Signature:

Developmental Variance — Questionnaire

Name: ADEC Bristol

1) Tell us what you want to do. Amend existing Special Use to allow for building additions that will exceed 20% of the combined existing overall building square footage on the subject parcel.

2) Tell us why you can't change what you're doing so you don't need a variance. New additions will provide necessary area for improved administrative services, maintenance facility for buses/vans and secured parking lot for buses/vans.

3) Tell us why the variance won't hurt your neighbors or the community. Improvements are within existing parcel boundary and setbacks limits and will match style and character of existing buildings. Operations of new buildings will not change current traffic patterns.

4) Does the property need well and septic? Well: [ ] Y [x] N Septic: [ ] Y [x] N
Does the property need a new septic system? [ ] Y [x] 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? [x] Y [ ] N If yes, fill out below.
Building or addition 1 Size and height to the peak: 4,000 sf, 25'-1 7/8" height to peak.
Tell us what you'll use it for. Administrative Offices
Building or addition 2 Size and height to the peak: 5,400 sf, 22'-9 7/16" height to peak.
Tell us what you'll use it for. Transportation Building for bus/van maintenance
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 [x] 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 [x] 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
If no, lighted? [ ] Y [ ] N

# PARKING INVENTORY

campus Expansion 2026

Staff/Transients (each)	Area (sf)	Parking Requirement	Parking Space Required	Comments
35	10,626	1 sp/300 sf	35	
150	2,250	1 sp/200 sf	12	Gaining Grounds Conference Center
15		1 sp/staff	15	
64		1 sp/4 transients	16	
4/8	4,542	1 sp/2 dwelling Unit + 1 per employee	8	
4/8	3,253	1 sp/2 dwelling Unit + 1 per employee	8	
30	4,033	1 sp/300 sf	13	
	1,386	1 sp/300 sf	5	5
	3,487	1 sp/250 sf	14	5 sp/bay or 1 sp/250 sf whichever is greater
3 Bays		5 sp/ bay	15	15

No. of Required Spaces	127
No. of Existing Spaces	117
No. of Existing ADA Spaces	10
Demolished Spaces	-10
Added Spaces	12
No. Spaces Provided	<b>129</b>
Additional Spaces Provided	2



## STOL CAMPUS EXPANSION 2025

VENTORY



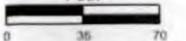
JONES  
PETRIE  
RAFINSKI

South Bend, IN  
p: 514.232.4388

Fort Wayne, IN  
p: 380.422.2522



Feet



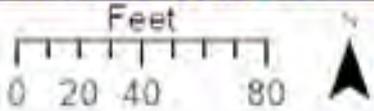
0 35 70



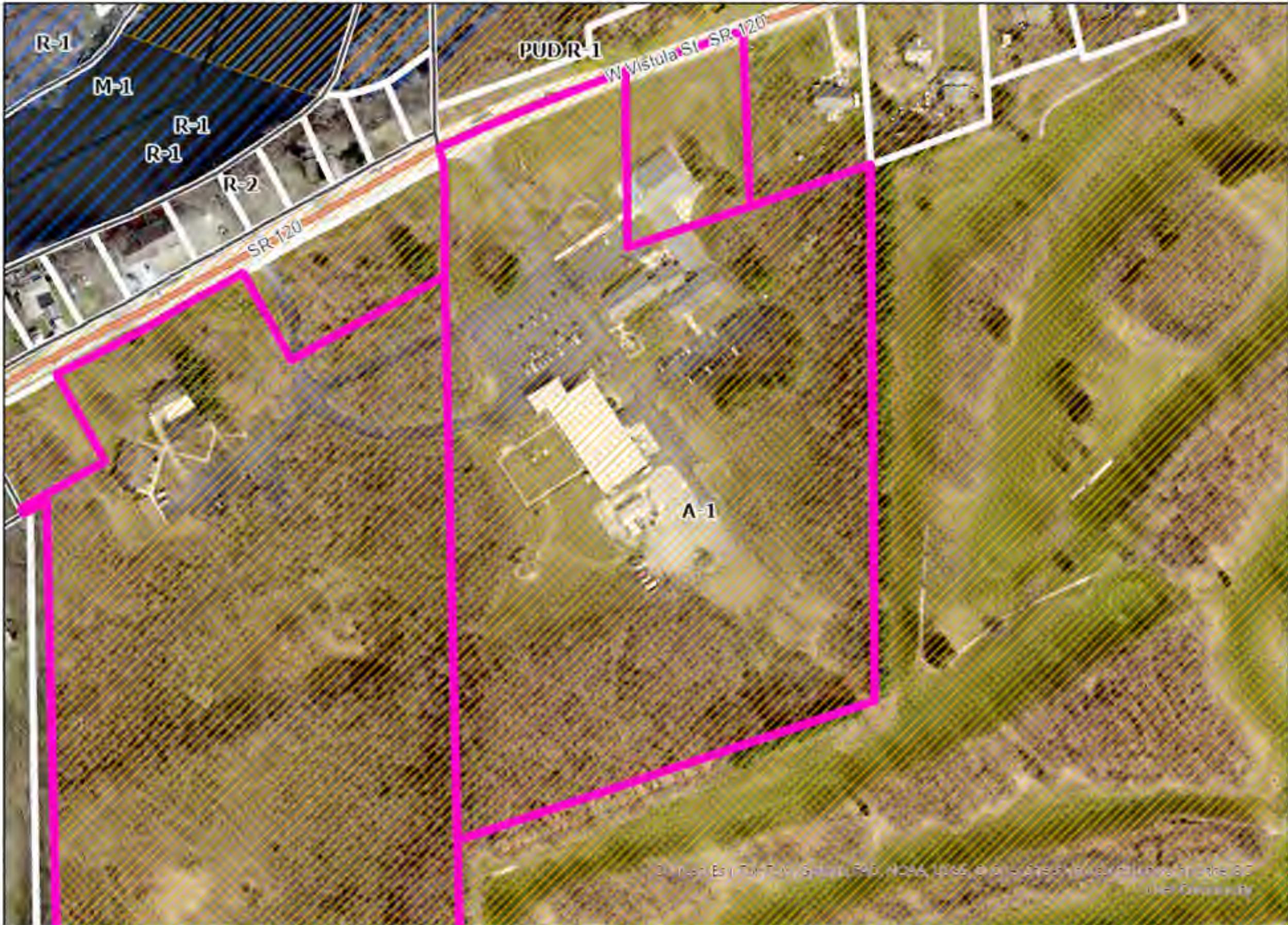
Source: Bill Tuttle, County of Santa Clara, 10/20/2025. Data provided by the County of Santa Clara.

2025 Aerials

1 inch equals 80 ft

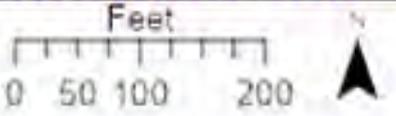


SUP-0062-2026



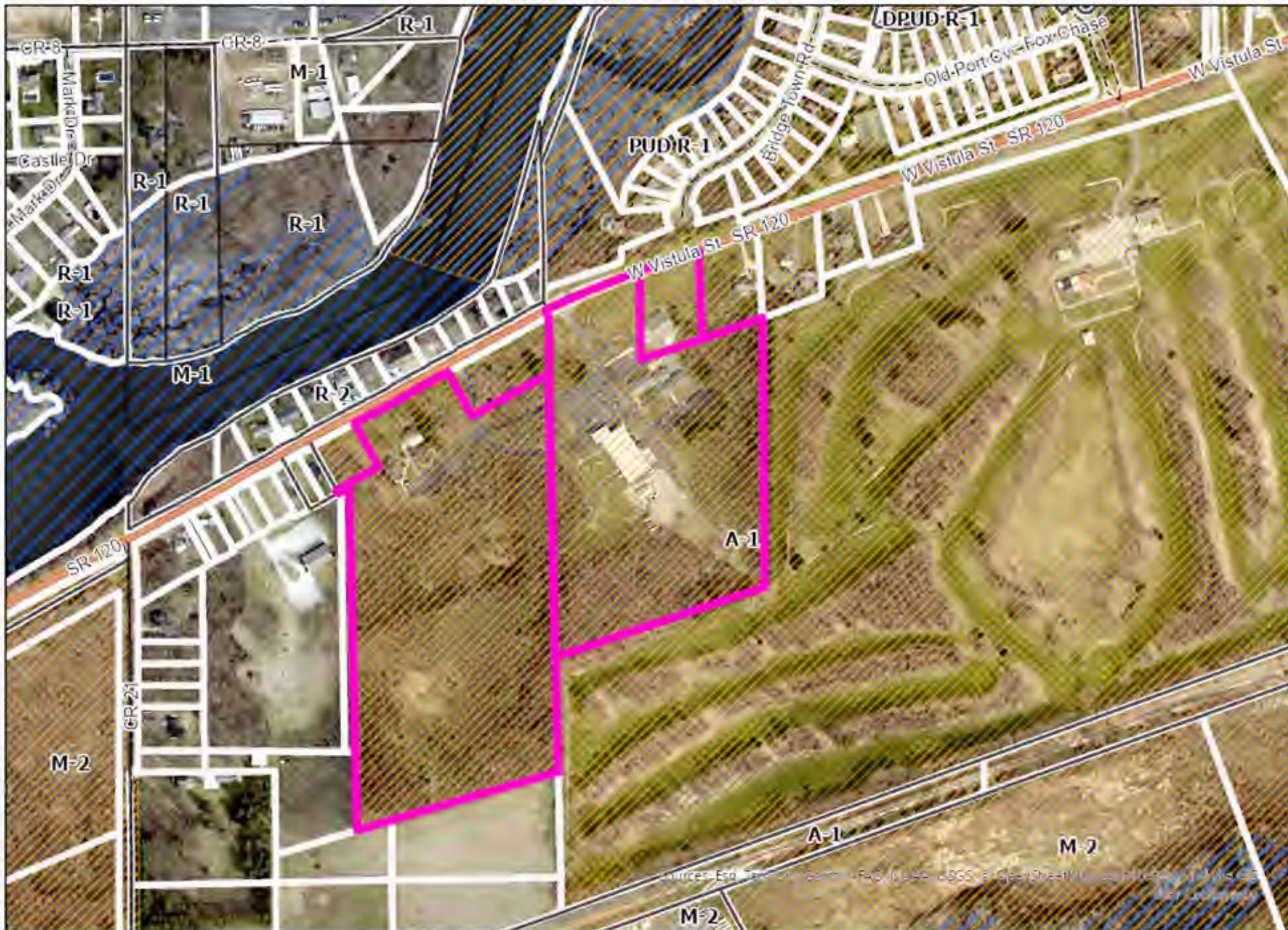
2025 Aerials

1 inch equals 200 ft



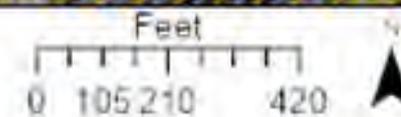
© 2025 Esri, DeLorme, Garmin, FOD, NOAA, USGS, © 2015 Google, and contributors to the Esri World Community

# SUP-0062-2026



2025 Aerials

1 inch equals 400 ft





Subject property facing south



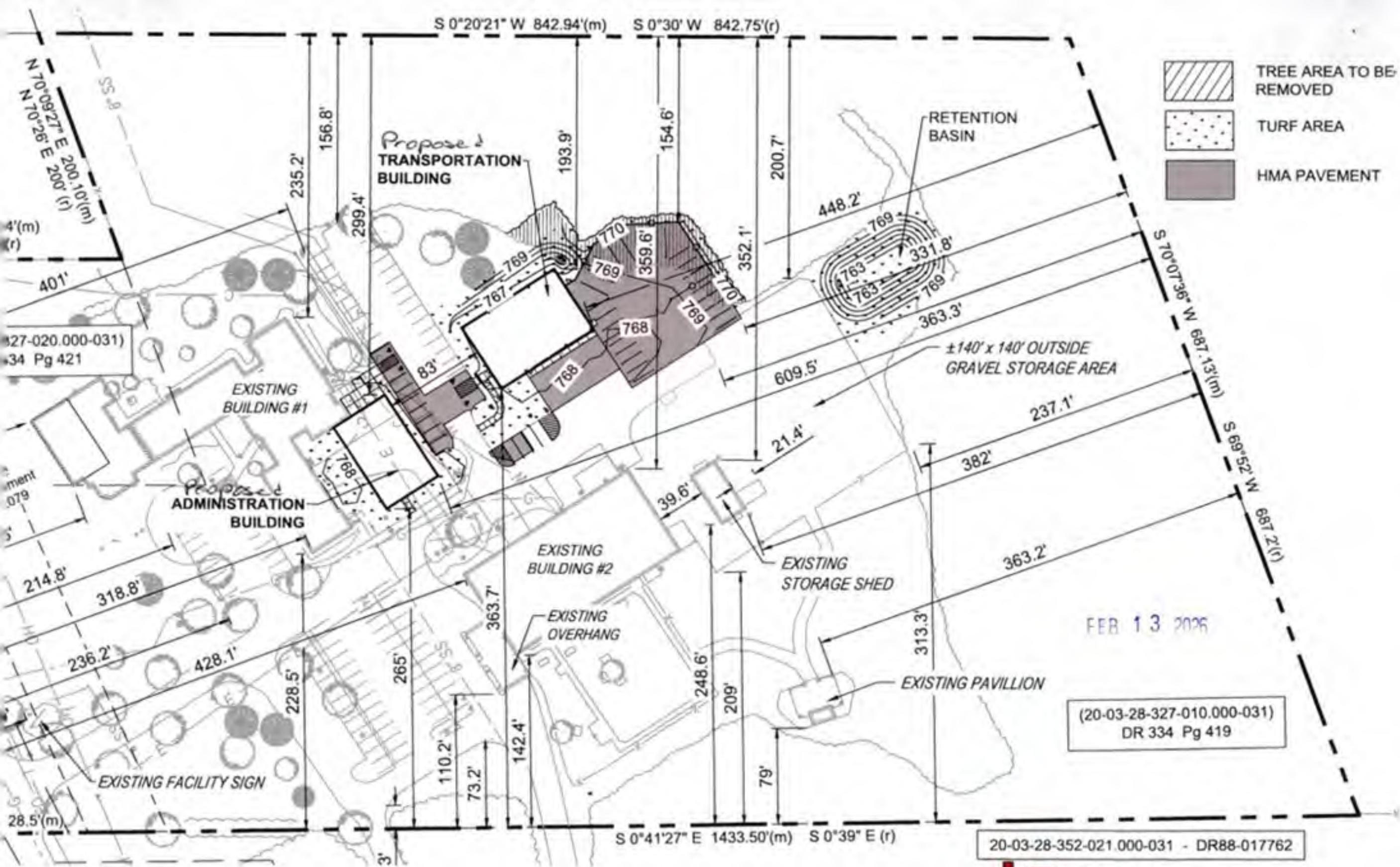
Facing north



Facing east



Facing west



FEB 13 2026

(20-03-28-327-010.000-031)  
DR 334 Pg 419

20-03-28-352-021.000-031 - DR88-017762

CAMPUS EXPANSION 2026

2025-01738



JONES  
PETRIE  
RAFINSKI

South Bend, IN Fort Wayne, IN



# ***BZA Staff Report***

*Prepared by the Department of Planning and Development*

**Hearing Date:** March 19, 2026

**Transaction Number:** SUP-0068-2026.

**Parcel Number(s):** 20-11-36-151-002.000-014, 20-11-36-176-006.000-014, 20-11-36-300-008.000-014.

**Existing Zoning:** A-1.

**Petition:** For an Amendment to an existing Special Use for a mining business for the preparation of dirt, sand, gravel, and stone for sale to the public to add concrete recycling.

**Petitioner:** ELMR, LLC.

**Location:** West side of US 33, 2,700 ft. south of CR 40, in Elkhart Township.

## ***Site Description:***

- Physical Improvement(s) – Resource extraction.
- Proposed Improvement(s) – None.
- Existing Land Use – Commercial.
- Surrounding Land Use – Airport, commercial, residential, agricultural.

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

- **February 16, 2017** – A Special Use for a mining business for the preparation of dirt, sand, gravel, and stone for sale to the public was approved (SUP-0688-2016).
- The original Special Use Permit was approved with 15 commitments. Commitment #1 was no grinding of concrete or asphalt.

## ***Staff Analysis:***

Staff finds that:

1. The Special Use Amendment will not be consistent with the spirit, purpose, and intent of the Development Ordinance. Resource extraction is allowed by Special Use, but concrete grinding is a much more intense operation than what was previously approved.
2. The Special Use Amendment will cause substantial and permanent injury to the appropriate use of neighboring property. The Special Use was granted with a commitment that no grinding of concrete or asphalt take place; by allowing this activity it will cause vibrations that are harmful to the 28 surrounding residential properties and the adjacent airport.
3. The Special Use Amendment will not substantially serve the public convenience and welfare by providing a recycled concrete operation.

Staff recommends **DENIAL**.

# PLAN COMMISSION & BOARD OF ZONING APPEALS

Elkhart County Planning & Development  
Public Services Building

4230 Elkhart Road, Goshen, Indiana, 46526

Phone - (574) 971-4678

Fax - (574) 971-4578

Special Use Amendment - Non Mobile Home

SUP-0068-2026

Date: 02/16/2026 Meeting Date: March 19, 2026  
Board of Zoning Appeals Public Hearing Transaction #: SUP-0068-2026

Description: for an Amendment to an existing Special Use to allow for a mining business for the preparation of dirt, sand, gravel, and store for sale to the public to add concrete recycling.

Contacts: <u>Applicant</u>	<u>Authorized Agent</u>	<u>Land Owner</u>
Abonmarche Consultants 303 River Race Dr. Suite 206 Goshen, IN 46526	Abonmarche Consultants 303 River Race Dr. Suite 206 Goshen, IN 46526	Elmer, Llc 66541 Us Hwy 33 Goshen, IN 46526

Site Address: 66541 Us Highway 33 Goshen, IN 46526	Parcel Number: 20-11-36-151-002.000-014 20-11-36-176-006.000-014 20-11-36-300-008.000-014
---	---

Township: Elkhart  
Location: West Side Of Us 33, 2,700 Miles South Of County Road 40

Subdivision: MILLER FAMILY MINOR Lot # 1 & 2

Lot Area: 130.00 Frontage: 1,460.00 Depth: 2,650.00

Zoning: A-1 NPO List:

Present Use of Property: RESIDENTIAL

Legal Description:

Comments: SEE SUP-0688-2016

Applicant Signature:

Department Signature:

**Special Use — Questionnaire**

Name: Yellow Creek Gravel - 66541 US HWY 33 GOSHEN, IN 46526-9700

- 1) Tell us what you want to do. Modify our existing special use permit to add concrete recycling to our existing operations.
- 2) Tell us why this activity won't hurt your neighbors or the community. This process is similar to our current operations for land use, noise, and traffic. No change will be noticed by our neighbors. This will bring a needed material into the community, having a positive impact.
- 3) Is there a subdivision covenant that says you can't do this activity?  Y  N  
If yes, does the subdivision have an active homeowners' association?  Y  N
- 4) Will the activity create noise, vibration, smoke, dust, odor, heat, or glare?  Y  N If yes, fill out below.  
Tell us what will create those things. The equipment being brought in will produce noise when recycling is occurring. The potential for dust from the crushing equipment exists.  
Tell us how you'll reduce the impact of those things on neighbors. The equipment will be recessed and behind a berm to reduce visibility and noise from the road or surrounding properties. As with current operations, any dust will be mitigated by water the area.
- 5) Will there be buffering (fences, trees, shrubs, mounds)?  Y  N  
If yes, tell us about it. Existing berms in place.
- 6) Does the property need well and septic? Well:  Y  N Septic:  Y  N  
Does the property need a new septic system?  Y  N  
If a new septic system is needed, did the Health Department say there's enough space for it?  Y  N
- 7) Will the activity use buildings or additions?  Y  N If yes, fill out below.  
**Building or addition 1** Existing?  Y  N Size and height to the peak: \_\_\_\_\_  
Tell us what you'll use it for. \_\_\_\_\_  
**Building or addition 2** Existing?  Y  N Size and height to the peak: \_\_\_\_\_  
Tell us what you'll use it for. \_\_\_\_\_  
**Building or addition 3** Existing?  Y  N Size and height to the peak: \_\_\_\_\_  
Tell us what you'll use it for. \_\_\_\_\_
- 8) Does this application include animals?  Y  N  
If yes, tell us what kind and how many of each. \_\_\_\_\_

**Next page ➡**

**Special Use — Questionnaire**

- 9) Does this application include a business or nonprofit (church, school, other) based all or in part on this property?  Y  N If yes, fill out below.
- How many employees do you have now? Full time: 4 Part time: 3
- How many employees do you want? Full time: 5 Part time: 2
- How many of the employees won't live onsite? 7
- What will be the days and hours of operation on this property? Mon- Fri. 6:30 AM to 5:00 PM  
recycling equipment will include 2 additional staff when operating.
- How many parking spaces do you have now? 8
- How many parking spaces do you want? 8
- Will there be outside storage or display areas on this property?  Y  N
- If yes, tell us what will be stored outside or displayed. material both raw and processed are stored on site.
- Will there be retail sales on this property?  Y  N
- If yes, tell us what will be sold. The processed concrete along with the existing materials will be sold to companies and the general public - no change in this process is anticipated.
- Approximately how many customers (clients, guests, students, members) will be on this property per day? Currently approximately 60 trucks/day on average can fluctuate daily. With additional concrete processing it is expected to increase by 5 trucks/day (can fluctuate daily).
- Will there be pickups or deliveries on this property?  Y  N If yes, fill out below.
- Tell us how often. A handful of loads per day (0-3 per day)
- Tell us the kind of vehicles used. truck/trailer
- Does the application include signs?  Y  N If yes, fill out below.
- Sign 1** Dimensions (length and width). \_\_\_\_\_
- Existing?  Y  N Double faced?  Y  N
- Electronic message board?  Y  N If no, lighted?  Y  N
- Freestanding?  Y  N Wall mounted?  Y  N
- Sign 2** Dimensions (length and width). \_\_\_\_\_
- Existing?  Y  N Double faced?  Y  N
- Electronic message board?  Y  N If no, lighted?  Y  N
- Freestanding?  Y  N Wall mounted?  Y  N
- Sign 3** Dimensions (length and width). \_\_\_\_\_
- Existing?  Y  N Double faced?  Y  N
- Electronic message board?  Y  N If no, lighted?  Y  N
- Freestanding?  Y  N Wall mounted?  Y  N
- 10) Tell us anything else you want us to know. The addition of concrete recycling is a logical expansion of our existing business. The equipment is very similar to top soil processing currently on southern side of the site that has been in operation without any noted concern by the adjacent property owner. The material will be move via standard Dump trucks. The material is generally paver sized (1X1ft) but could be as large as 3X4 feet.

December 30, 2025

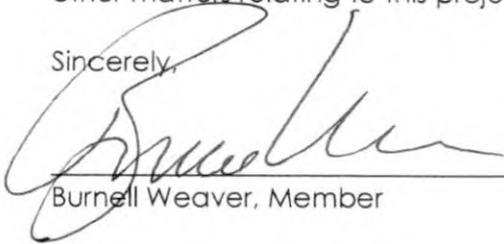
Mr. Jason Auvil, Planning Manager & Zoning Administrator  
Elkhart County Planning and Development  
4230 Elkhart Road  
Goshen, IN 46526

RE: Amending the Special Use SUP-0688-2016  
66541 US HWY 33, GOSHEN, IN 46526-9700  
20-11-36-176-006.000-014, 20-11-36-151-002.000-014, & 20-11-36-300-008.000-014

To Whom It May Concern:

This letter is to verify that ELMR LLC is the owner of the parcels listed above. We authorize Abonmarche Consultants to prepare and submit the special use application, site plan, and provide representation at any hearings relating to the request, and any other matters relating to this project.

Sincerely,

A handwritten signature in black ink, appearing to read "Burnell Weaver", is written over a horizontal line. The signature is cursive and somewhat stylized.

Burnell Weaver, Member



# METROTRAK

The Powerscreen® Metrotrak is a compact, high performing mobile jaw crushing plant featuring an impressive 900mm x 600mm (35" x 23") single toggle jaw crusher. With an aggressive crushing action and a high output even at tight settings, the Metrotrak is ideally suited for operators on the mining, quarrying and recycling industries, especially those working in urban locations or where space is restricted.



## ✓ APPLICATIONS

### AGGREGATE



Sand & gravel  
Blasted rock  
River rock

### RECYCLING



C&D waste  
Overburden  
Foundry waste

### MINING



Processed ores  
Processed minerals

## TECHNICAL HIGHLIGHTS

### INCREASED PRODUCTIVITY

- Superior tunnelling reduces the risk of rebar snagging giving excellent machine uptime.
- Enhanced material flow via new design bypass chute and product conveyor.
- Jaw level sensor option promotes material flow by optimising feeder speeds, increasing daily productivity.
- Powerscreen Pulse intelligent monitoring as standard.

### VERSATILITY

- Ideal for C&D waste / recycling applications with hydraulic deflector plate and hydraulically raise / lower product conveyor options.
- Jaw unblock option combines the benefits of hydrostatic drive with the fuel efficiency of direct drive.

### SERVICEABILITY

- Centralised low level hydraulics and electrics.

# TECHNICAL SPECIFICATION



**1 HOPPER**  
Wear resistant feed hopper  
Length: 4m (13'1")  
Width: 1.8m (5'9")  
Capacity: 3.6m<sup>3</sup> (4.7yds<sup>3</sup>)

**2 CRUSHER**  
High capacity single toggle jaw  
Chamber size: 900mm x 600mm (35" x 23")  
Min CSS: 40mm (1.5")\*  
Max CSS: 100mm (4")\*

**3 PRODUCT CONVEYOR**  
Width: 800mm (32")  
Discharge height: 2.9m (9'6")

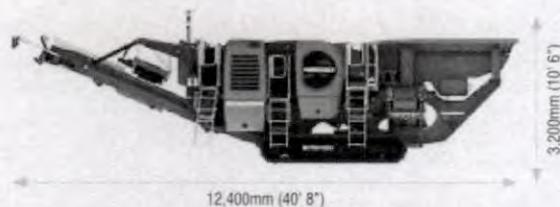
**4 BYPASS CONVEYOR (OPTION)**  
Width: 600mm (23.6")  
Discharge height: 2m (6'7")

**5 FEEDER**  
Vibrating pan feeder  
Length: 3.8m (12'5")  
Width: 800mm (27")

**6 TRACKS**  
Width: 400mm (15.7")

**7 POWER UNIT**  
Tier 3/Stage 3A: John Deere 4045  
126kW (169hp)  
Tier 4F/Stage 4: CAT C4.4 129kW  
(173hp)  
Fuel tank capacity: 400 L (106 US  
GAL)

## DIMENSIONS



## GET IN TOUCH

**Dungannon**  
200 Coalisland Road, Dungannon  
Co Tyrone, BT71 4DR, Northern Ireland  
Tel: +44 (0) 28 87 718 500  
Fax: +44 (0) 28 87 747 231

**Louisville**  
11001 Electron Drive  
Louisville, Kentucky, 40299 USA  
Tel: +1 502 736 5200  
Fax: +1 502 736 5202



[www.powerscreen.com](http://www.powerscreen.com)

The material in this document is for information only and is subject to change without notice. Powerscreen assumes no liability resulting from errors or omissions in this document or from the use of the information contained herein. Due to continual product development we reserve the right to change specifications without notice. Product performance figures given in this brochure are for guidance purposes only; this information does not constitute an expressed or implied warranty or guarantee, but shows test examples provided by Dealers. These results will vary depending on crusher chamber settings, screen media and size, feed source and types of material being processed. Photographs are for illustrative purposes only; some or all of the machines in the illustrations may be fitted with optional extras. Please check with your Dealer for details on optional extras. All machines are CE Approved.

\*Powerscreen™ is a registered trademark of Terex (US) Limited in the United States of America and many other countries. Copyright 2019 Terex (US) Limited. Photos and Printed in April 2019.



January 12, 2026

RE: Adjacent Property Owner Meeting

We at Yellow Creek Gravel want to continue being good neighbors. Over the years, we have made every effort to operate our business responsibly and efficiently while minimizing impacts to surrounding properties.

We will be requesting a modification to our existing Special Use Permit to allow for concrete recycling at our US Highway 33 location. To assure you that this addition will not negatively impact you or your property, we would like to invite you to a meeting to review our plans and offer a tour of the site.

The meeting will be held on **Wednesday, January 28, 2026, at 5:00 PM** at our office located at **66541 US Highway 33**.

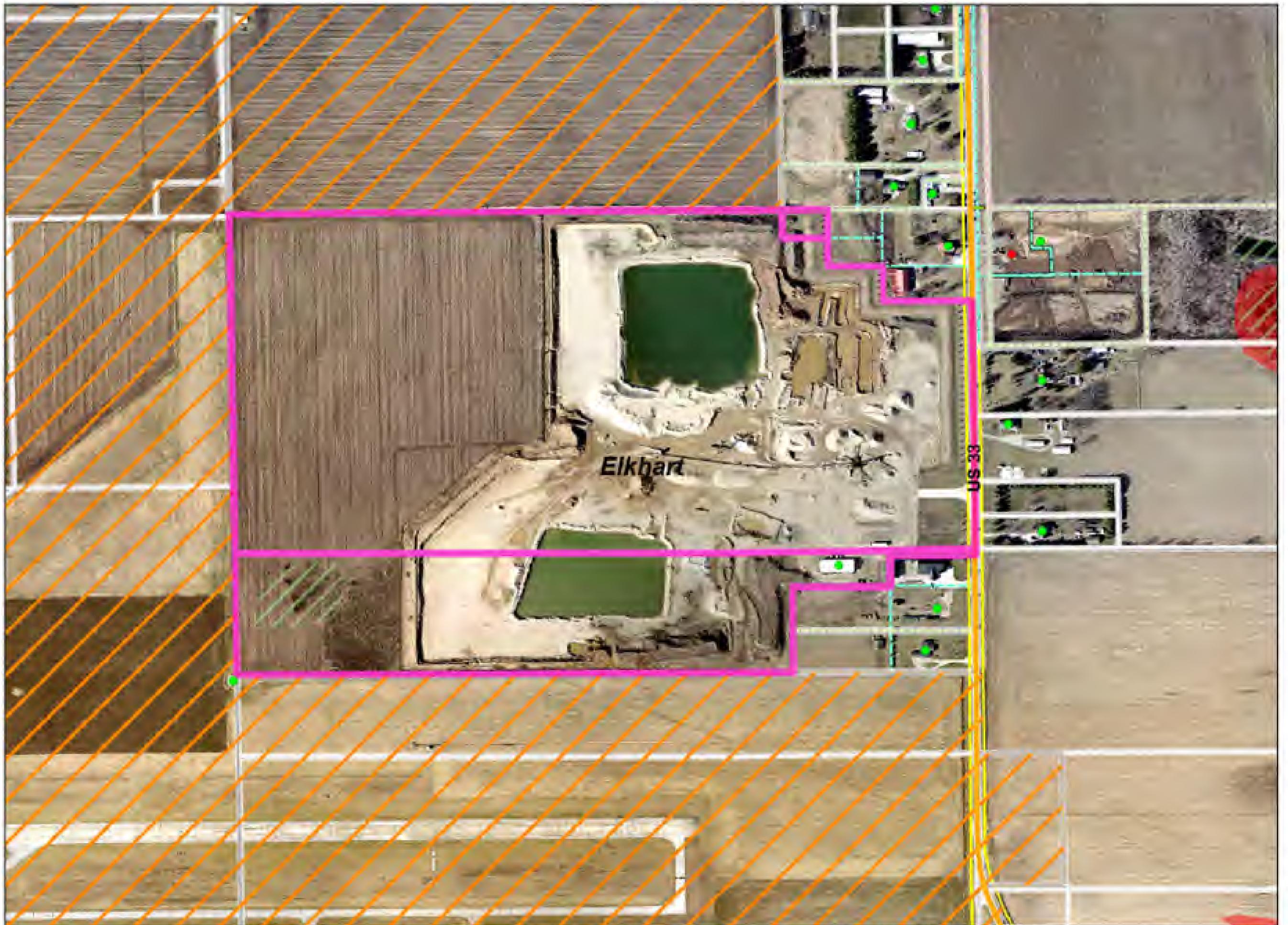
If you are unable to attend and have any questions, please feel free to call our office. We would be happy to discuss the plans with you.

Sincerely,

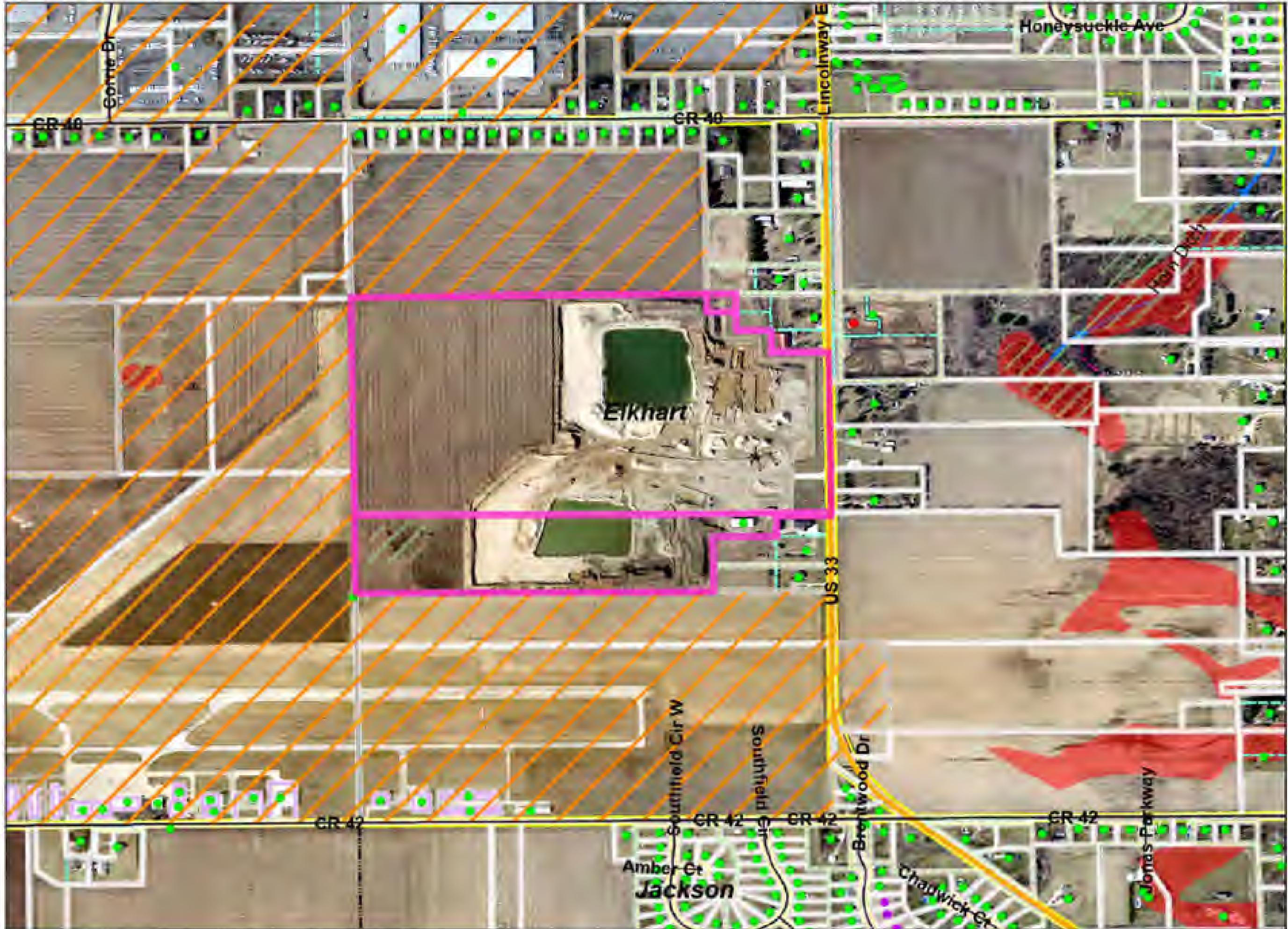
A handwritten signature in black ink, appearing to read 'Burnell Weaver', is written in a cursive style.

Burnell Weaver, Yellow Creek Gravel

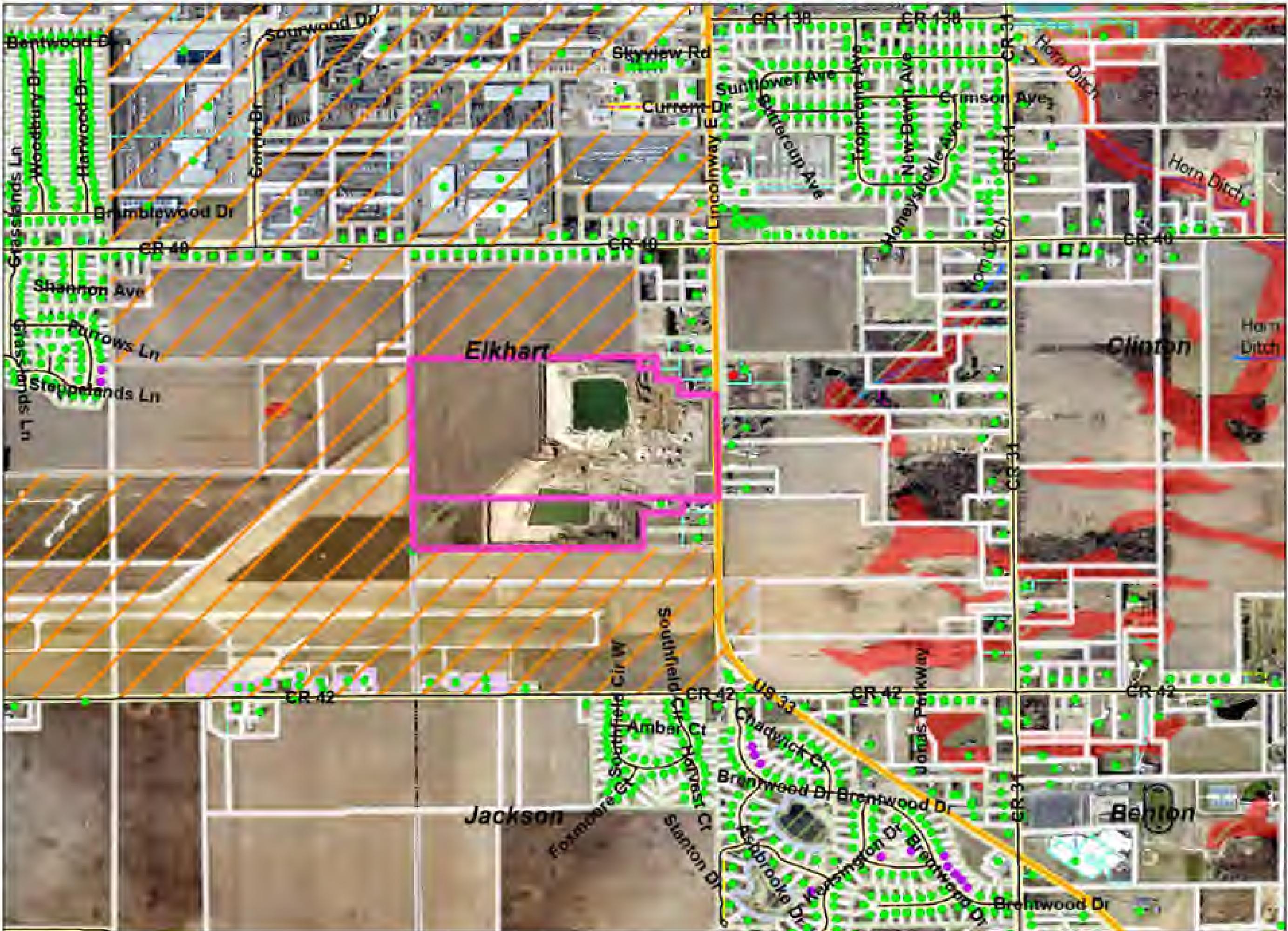
SUP-0068-2026



# SUP-0068-2026



# SUP-0068-2026





**Subject property**



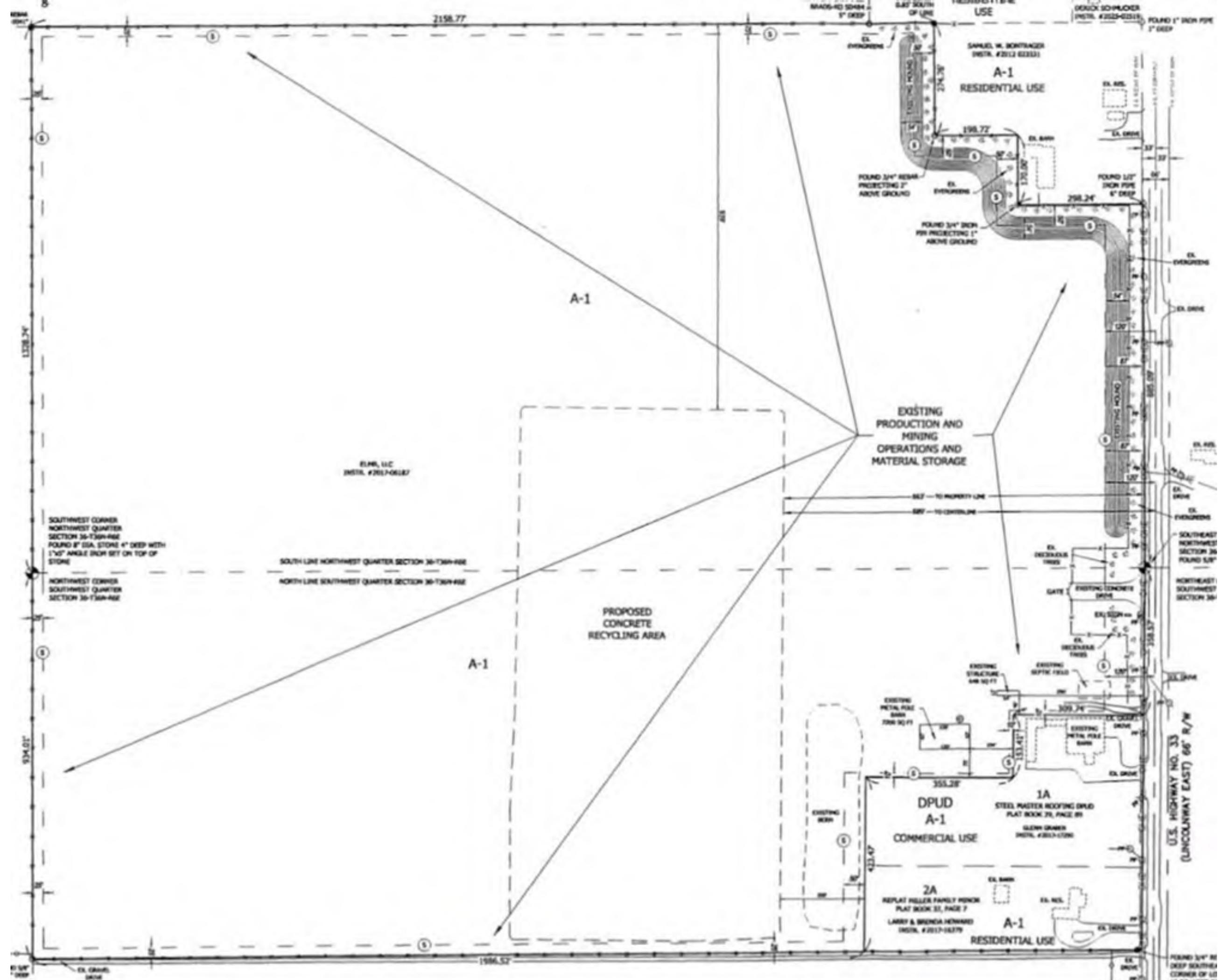
Facing north



Facing south



Facing east



# ***BZA Staff Report***

*Prepared by the Department of Planning and Development*

**Hearing Date:** March 19, 2026

**Transaction Number:** SUP-0069-2026.

**Parcel Number(s):** 20-02-25-451-021.000-026, 20-02-25-452-005.000-026, 20-02-25-477-017.000-026, 20-02-25-477-019.000-026, 20-02-36-226-001.000-026, 20-02-36-226-002.000-026, 20-02-36-226-003.000-026, 20-02-36-226-004.000-026, 20-02-36-227-027.000-026 & 20-02-36-227-030.000-026.

**Existing Zoning:** A-1.

**Petition:** For an Amendment to an existing Special Use for a church to extend pickleball court dates and add buffering for the pickleball courts.

**Petitioner:** First Baptist Church of Elkhart.

**Location:** West side of CR 17, 700 ft. north of CR 10, in Osolo Township.

## **Site Description:**

- Physical Improvement(s) – Church, accessory buildings, church facilities.
- Proposed Improvement(s) – Buffering for pickleball courts.
- Existing Land Use – Church campus.
- Surrounding Land Use – Residential.

## **History and General Notes:**

- **August 15, 2002** – A Special Use for a church was approved (20022991).
- **July 21, 2005** – An amendment to a Special Use for a church to allow for the placement of an LED sign was approved (20052584).
- **September 16, 2022** – A complaint about installing lights at pickleball courts with no permits was received (CODE-0612-2022). This complaint is closed.
- **May 12, 2023** – Complaints about noise from pickleball courts and bright lighting from pickleball courts were received (CODE-0268-2023 and CODE-0263-2023). These complaints are closed.
- **June 19, 2025** – An amendment to an existing Special Use for a place of worship to allow for additional parking, pickleball courts, a free-standing monument sign, and construction of an addition to the existing church was approved (SUP-0321-2025).
- **August 12, 2025** – A complaint about Special Use commitments being violated with people playing pickleball until 11:00 p.m. was received (CODE-0570-2025).

## **Staff Analysis:**

Staff finds that:

1. The Special Use Amendment will be consistent with the spirit, purpose, and intent of the Development Ordinance. This is an existing church campus and pickleball courts.
2. The Special Use Amendment will not cause substantial and permanent injury to the appropriate use of neighboring property. This is a 38.44-acre property in a medium-density residential area, and the property has dense trees between the pickleball courts and the adjacent residences. The petitioner is adding more buffering to alleviate noise being carried.
3. The Special Use Amendment will substantially serve the public convenience and welfare by providing a recreational opportunity for the community.

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

*Hearing Date:* March 19, 2026

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

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

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

1. The request is approved in accordance with the site plan submitted (dated 2/17/2026) and as represented in the Special Use Amendment 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 Amendment - Non Mobile Home

SUP-0069-2026

Date: 02/16/2026 Meeting Date: March 19, 2026 Transaction #: SUP-0069-2026  
Board of Zoning Appeals Public Hearing

Description: for an Amendment to an existing Special Use for a church, to extend pickle ball court dates and add buffering for the pickle ball courts

<u>Applicant</u>	<u>Authorized Agent</u>	<u>Contractor</u>	<u>Land Owner</u>
Abonmarche Consultants 303 River Race Dr. Suite 206 Goshen, IN 46526	Abonmarche Consultants 303 River Race Dr. Suite 206 Goshen, IN 46526	Dj Construction 3414 Elkhart Rd Goshen, IN 46526	First Baptist Church Of Elkhart 53953 Cr 17 Bristol, IN 46507

Site Address: 53953 County Road 17 Bristol, IN 46507	Parcel Number: 20-02-25-451-021.000-026 20-02-25-452-005.000-026 20-02-25-477-017.000-026 20-02-25-477-019.000-026 20-02-36-226-001.000-026 20-02-36-226-002.000-026 20-02-36-226-003.000-026 20-02-36-226-004.000-026 20-02-36-227-027.000-026 20-02-36-227-030.000-026
---	--

Township: Osolo  
Location: WEST SIDE OF CR 17, 700 FT. NORTH OF CR 10

Subdivision: Lot #

Lot Area: 38.44 Frontage: 505.00 Depth: 2,570.00

Zoning: A-1, R-1 NPO List:

Present Use of Property: CHURCH AND VACANT LAND

Legal Description:

Comments: PARCEL CREATION DATE: 6/7/1988  
SEE SPECIAL USE #20022991 FOR FIRST BAPTIST CHURCH OF ELKHART APPROVED 8/15/2002, SEE AMENDMENT SPECIAL USE #20052584 FOR FIRST BAPTIST CHURCH OF ELKHART, FOR AN LED SIGN APPROVED 7/21/2005, SPECIAL USE AMENDMENT #SUP-0321-2025, FIRST BAPTIST CHURCH OF ELKHART, FOR ADDITIONAL PARKING, PICKLE BALL COURTS, AND A FREE STANDING MONUMENT SIGN APPROVED 6/19/2025

ME-C-2049-2025 AND BC-1507-2025 NEED TO BE FINALIZED  
CODE CASE #0570-2025 IS UNDER REVIEW - PEOPLE PLAYING PICKLE BALL AT 11:00 AT NIGHT

Applicant Signature:

Department Signature:

**Special Use — Questionnaire**

Name: First Baptist Church Of Elkhart

1) Tell us what you want to do. modify parking space design, extend operating season for the pickle ball court, add landscaping, include drive & freestanding monument sign at CR10 drive.  
The project is a revision of the special use site plan to reflect updates.

2) Tell us why this activity won't hurt your neighbors or the community. The existing church would like to amend the site plan and operations of the pickle ball courts. The design does not move parking any closer to the northern property line to reduce any impact to adjacent property owners.

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

4) Will the activity create noise, vibration, smoke, dust, odor, heat, or glare?  Y  N If yes, fill out below.  
Tell us what will create those things. \_\_\_\_\_  
\_\_\_\_\_  
Tell us how you'll reduce the impact of those things on neighbors. \_\_\_\_\_  
\_\_\_\_\_

5) Will there be buffering (fences, trees, shrubs, mounds)?  Y  N  
If yes, tell us about it. The property is wooded and there is an existing tree line surrounding church buildings and parking. There is a berm along northern property line. Additional trees are proposed in the northeast area of the property as shown on the site plan.

6) Does the property need well and septic? Well:  Y  N Septic:  Y  N  
Does the property need a new septic system?  Y  N  
If a new septic system is needed, did the Health Department say there's enough space for it?  Y  N

7) Will the activity use buildings or additions?  Y  N If yes, fill out below.  
**Building or addition 1** Existing?  Y  N Size and height to the peak: \_\_\_\_\_  
Tell us what you'll use it for. \_\_\_\_\_  
**Building or addition 2** Existing?  Y  N Size and height to the peak: \_\_\_\_\_  
Tell us what you'll use it for. \_\_\_\_\_  
**Building or addition 3** Existing?  Y  N Size and height to the peak: \_\_\_\_\_  
Tell us what you'll use it for. \_\_\_\_\_

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

**Next page ➡**

Special Use — Questionnaire

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

How many employees do you have now? Full time: 14 Part time: 6

How many employees do you want? Full time: 24 Part time: 7

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

What will be the days and hours of operation on this property? 8am-9pm M-W, 8-4:30 TH, 8-Noon F, Sunday 8am-10pm; pickle ball 8am-10pm daily (1st week of April-1st week of November each year)

How many parking spaces do you have now? 530

How many parking spaces do you want? 750

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

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

Will there be retail sales on this property?  Y  N

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

Approximately how many customers (clients, guests, students, members) will be on this property per day? Weekdays - average 150 +/- ; Sunday - 2,000 +/- between two services and groups.

Specials Events about 12/year (concerts, cross country meets (ECA), educational conferences, etc)

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

Tell us how often. daily weekdays - office deliveries

Tell us the kind of vehicles used. delivery and box truck

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

new entrance sign for CR10/Bristol Street drive

Sign 1 Dimensions (length and width), 10 ft x 14 ft similar to the existing CR 17 sign without a message board unless variance is obtained. Existing?  Y  N Double faced?  Y  N Sign to be installed with new entrance.

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

Freestanding?  Y  N Wall mounted?  Y  N

Sign 2 Dimensions (length and width). \_\_\_\_\_

Existing?  Y  N Double faced?  Y  N

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

Freestanding?  Y  N Wall mounted?  Y  N

Sign 3 Dimensions (length and width). \_\_\_\_\_

Existing?  Y  N Double faced?  Y  N

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

Freestanding?  Y  N Wall mounted?  Y  N

10) Tell us anything else you want us to know. Traffic control provided for large attendance services and internal traffic management each Sunday. Parking lot will include tree islands. Public amenities include woodland trail, pickle ball courts, play ground.

Main Entrance



Existing sign at CR 17



Northern property line with trail



Southern property line with trail

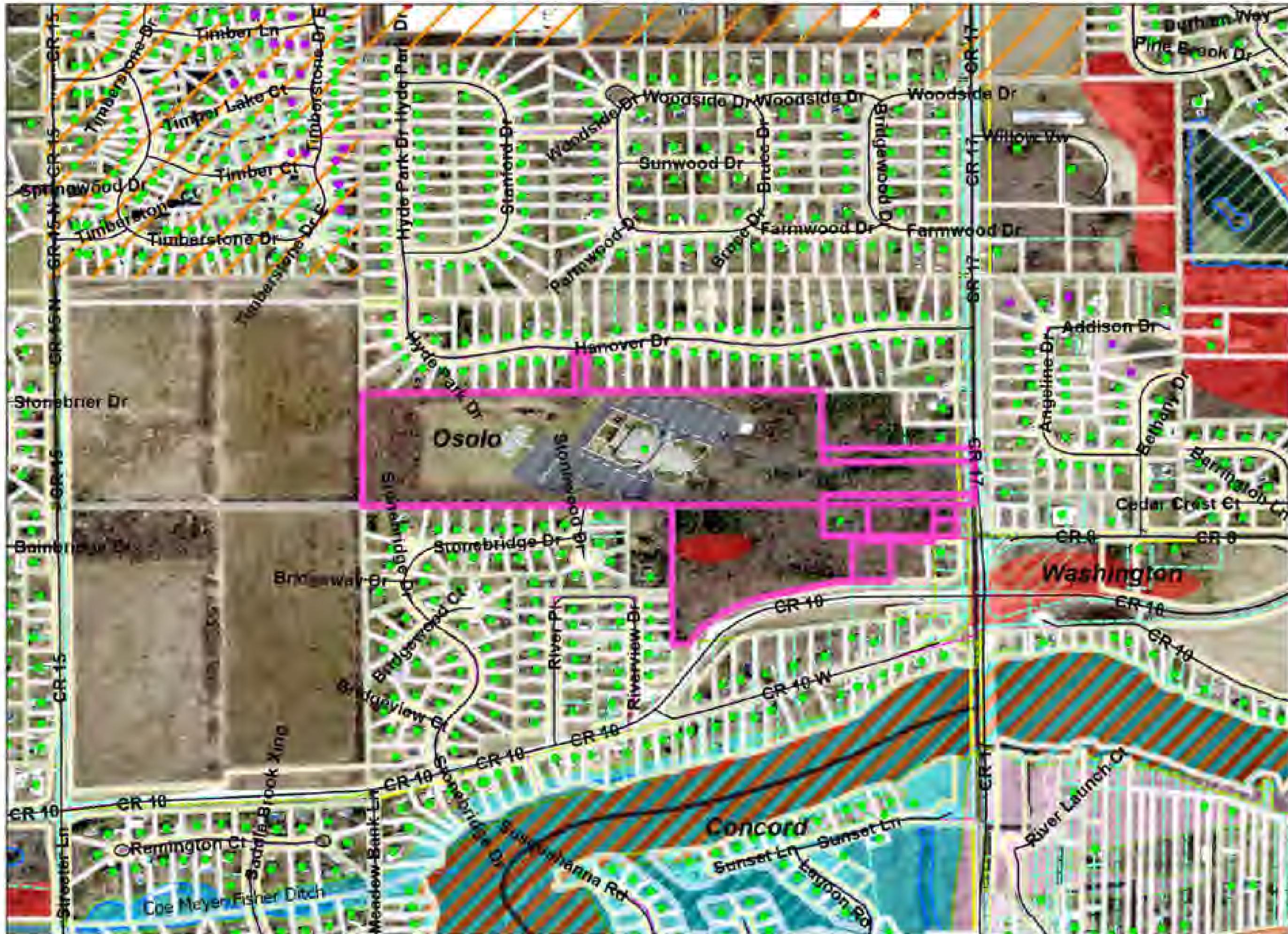


Existing Parking Lot (new parking will match tree islands and lighting)





# SUP-0069-2026







Subject property, from CR 17 entrance



**Subject property**



Pickleball courts



Facing north



Facing south



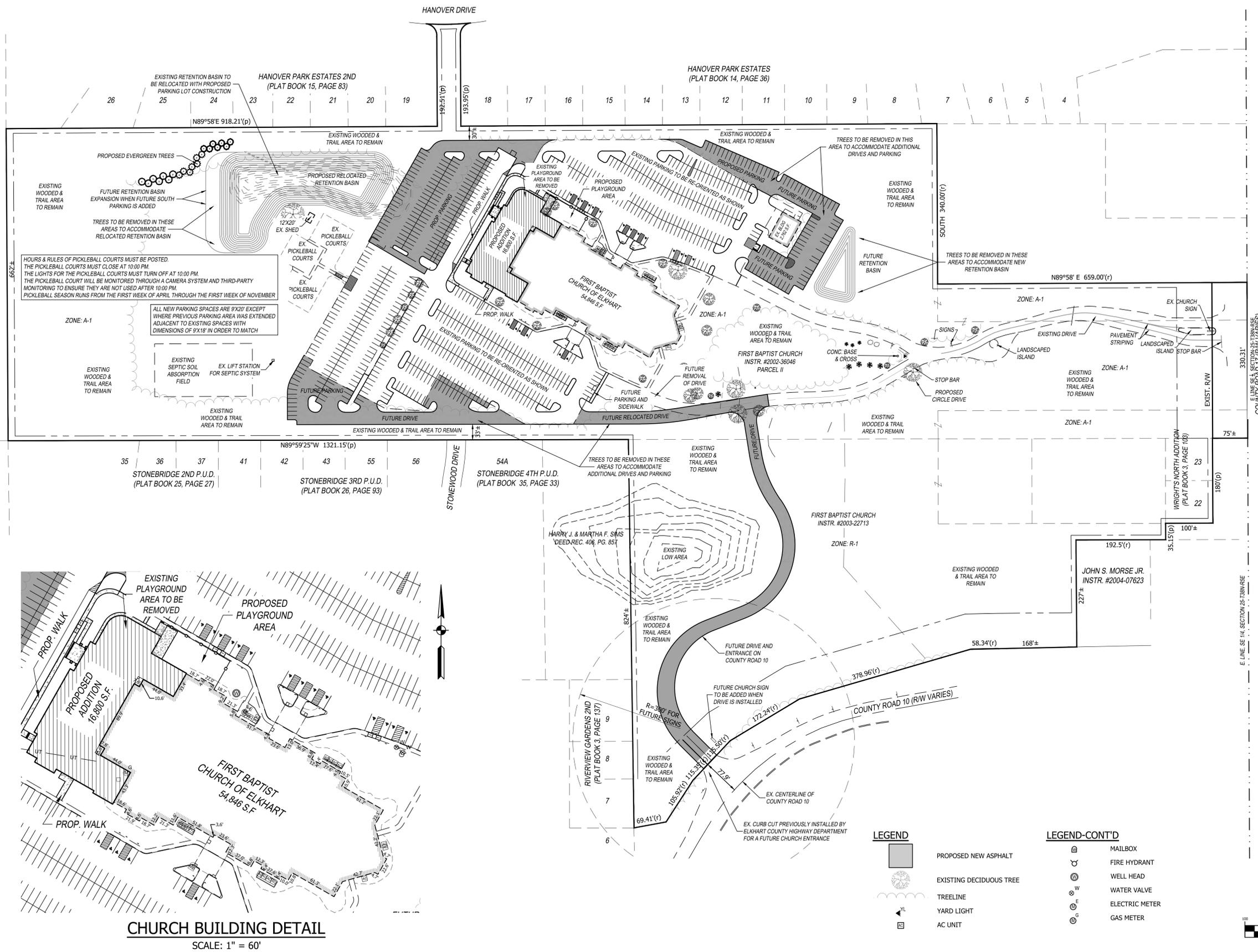
Facing east

# BZA SPECIAL USE SITE PLAN

THE SOUTH HALF OF THE SOUTH HALF OF THE SOUTHEAST QUARTER OF SECTION 25 AND A PART OF THE NORTHEAST QUARTER OF SECTION 36, ALL IN TOWNSHIP 38 NORTH, RANGE 5 EAST, OSOLO TOWNSHIP, ELKHART COUNTY, INDIANA

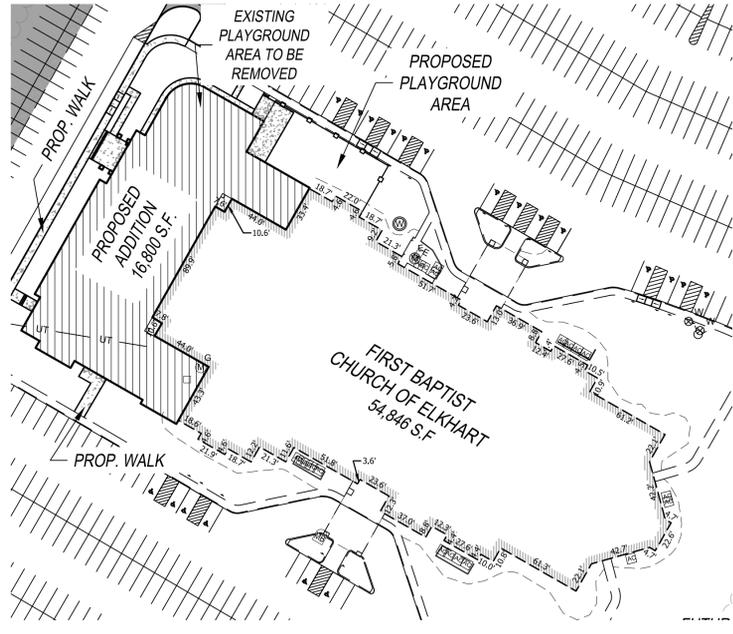
ADDRESS: 53953 COUNTY ROAD 17 BRISTOL, IN 46507

TAX ID#: 20-02-25-451-021-000-026, 20-02-25-477-017-000-026, 20-02-36-227-030,000-026, 20-02-25-477-019,000-026, 20-02-36-226-003,000-026, 20-02-36-226-004,000-026, 20-02-36-226-002,000-026, 20-02-36-226-001,000-026, 20-02-36-226-027,000-026

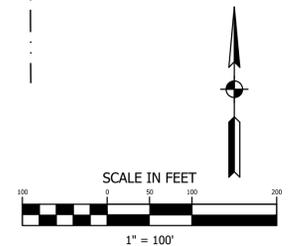


HOURS & RULES OF PICKLEBALL COURTS MUST BE POSTED. THE PICKLEBALL COURTS MUST CLOSE AT 10:00 PM. THE LIGHTS FOR THE PICKLEBALL COURTS MUST TURN OFF AT 10:00 PM. THE PICKLEBALL COURT WILL BE MONITORED THROUGH A CAMERA SYSTEM AND THIRD-PARTY MONITORING TO ENSURE THEY ARE NOT USED AFTER 10:00 PM. PICKLEBALL SEASON RUNS FROM THE FIRST WEEK OF APRIL THROUGH THE FIRST WEEK OF NOVEMBER.

ALL NEW PARKING SPACES ARE 9'X20' EXCEPT WHERE PREVIOUS PARKING AREA WAS EXTENDED ADJACENT TO EXISTING SPACES WITH DIMENSIONS OF 9'X18' IN ORDER TO MATCH.



- LEGEND**
- PROPOSED NEW ASPHALT
  - EXISTING DECIDUOUS TREE
  - TREELINE
  - YARD LIGHT
  - AC UNIT
- LEGEND-CONT'D**
- MAILBOX
  - FIRE HYDRANT
  - WELL HEAD
  - WATER VALVE
  - ELECTRIC METER
  - GAS METER



# ***BZA Staff Report***

*Prepared by the Department of Planning and Development*

**Hearing Date:** March 19, 2026

**Transaction Number:** SUP-0070-2026.

**Parcel Number(s):** 20-13-26-326-002.000-020, 20-13-26-326-003.000-020, 20-13-26-326-004.000-020 & 20-13-26-326-005.000-020.

**Existing Zoning:** A-1.

**Petition:** For an Amendment to an existing Special Use for a school to allow for an addition, portable classrooms, and additional parking.

**Petitioner:** The Board of Trustees of the United Christian School of Elkhart County.

**Location:** Southwest corner of CR 52 and CR 101, in Locke Township.

**Site Description:**

- Physical Improvement(s) – School campus and accessory buildings.
- Proposed Improvement(s) – Addition, portable classrooms, and parking area.
- Existing Land Use – School campus.
- Surrounding Land Use – Residential, agricultural.

**History and General Notes:**

- **July 19, 2001** – A Special Use for an existing school and to allow for the construction of an addition was approved (20012815).
- **April 4, 2005** – A Special Use amendment to allow the placement of portable classrooms was approved (20051375).
- **September 17, 2020** – A Special Use amendment to allow for an addition to a school was approved (SUP-0642-2020).

**Staff Analysis:**

Staff finds that:

1. The Special Use Amendment will be consistent with the spirit, purpose, and intent of the Development Ordinance. This is an existing Special Use for a school.
2. The Special Use Amendment will not cause substantial and permanent injury to the appropriate use of neighboring property. This is an 11-acre parcel in a low-density residential and agricultural area, and the property will remain an educational use. Expansion of the school is what is normally seen when attendance increases.
3. The Special Use Amendment will substantially serve the public convenience and welfare by expanding the school to allow room for more students and parking.

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

*Hearing Date:* March 19, 2026

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

1. The Elkhart County Advisory Board of Zoning Appeals approval shall not be effective until the Commitment form has been executed, recorded, and returned to the Elkhart County Advisory Board of Zoning Appeals staff for placement in the petition file.
2. A revised site plan must be submitted showing (1) the entire property, (2) where the new parking will be located with dimensions and labeled gravel or concrete, and (3) where the ball diamond is being relocated to.

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

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

# PLAN COMMISSION & BOARD OF ZONING APPEALS

Elkhart County Planning & Development  
Public Services Building

4230 Elkhart Road, Goshen, Indiana, 46526

Phone - (574) 971-4678

Fax - (574) 971-4578

Special Use Amendment - Non Mobile Home

SUP-0070-2026

Date: 02/16/2026 Meeting Date: March 19, 2026  
Board of Zoning Appeals Public Hearing Transaction #: SUP-0070-2026

Description: for an Amendment to an existing Special Use for a school to allow for an addition, portable classrooms, and additional parking.

<u>Applicant</u>	<u>Authorized Agent</u>
The Board Of Trustees Of The United Christian School 29522 Cr 52 Nappanee, IN 46550	The Board Of Trustees Of The United Christian School 29522 Cr 52 Nappanee, IN 46550

Site Address: 29522 County Road 52 Nappanee, IN 46550	Parcel Number: 20-13-26-326-002.000-020 20-13-26-326-003.000-020 20-13-26-326-004.000-020 20-13-26-326-005.000-020
--	---

Township: Locke  
Location: Southwest Corner Of County Road 52 And County Road 101

Subdivision: Lot #

Lot Area: 11.00 Frontage: 1,415.00 Depth: 840.00

Zoning: A-1 NPO List:

Present Use of Property: SCHOOL

Legal Description:

Comments: THE MAIN PARCEL (13-26-326-003) WITH THE SCHOOL BUILDING WAS CREATED 3/1/68. BASED ON THE SIZE AND ROAD FRONTAGE IT IS A BUILDABLE LOT WITHOUT A SUBDIVISION. THE OTHER THREE PARCELS ARE NOT BUILDABLE WITHOUT A SUBDIVISION DUE TO THEIR CREATION DATES & THE SIZE REQUIREMENTS. A SUBDIVISION WILL BE NEEDED FOR DEVELOPMENT OF THE FOLLOWING PARCELS - 13-26-326-004 (CREATED 4/19/84), 13-26-326-005 (CREATED 5/7/86), & 13-26-326-002 (CREATED 7/23/97). SEE SPECIAL USE - UNITED CHRISTIAN SCHOOL (20012815) FOR 7/19/01 BZA APPROVAL TO ALLOW FOR THE CONSTRUCTION OF AN ADDITION TO AN EXISTING SCHOOL. SEE SPECIAL USE - UNITED CHRISTIAN SCHOOL (20051375) FOR 4/21/05 BZA APPROVAL OF A SPECIAL USE AMENDMENT FOR AN EXISTING SCHOOL TO ALLOW FOR THE PLACEMENT OF A PORTABLE CLASSROOM. STAFF RENEWAL WAS REQUIRED EVERY THREE YEARS - LAST RENEWED IN 2017 (SUP-0273-2017).

Applicant Signature:

Department Signature:

Special Use — Questionnaire

Name: Marlin Martin

1) Tell us what you want to do. We would like to build a new gym + repurpose the old gym ~~being~~ adding a 2nd floor. We would build 6 classrooms in the bottom + use the upstairs as a chapel.

2) Tell us why this activity won't hurt your neighbors or the community. \_\_\_\_\_  
\_\_\_\_\_

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

4) Will the activity create noise, vibration, smoke, dust, odor, heat, or glare?  Y  N If yes, fill out below.  
Tell us what will create those things. Construction equipment would create some noise.

Tell us how you'll reduce the impact of those things on neighbors. To the west, there is a solid line of cedar trees acting as a privacy fence between us + the neighbors.

5) Will there be buffering (fences, trees, shrubs, mounds)?  Y  N  
If yes, tell us about it. Existing privacy on the west side. Roadway on east + north. No close neighbors on the south.

6) Does the property need well and septic? Well:  Y  N Septic:  Y  N  
Does the property need a new septic system?  Y  N  
If a new septic system is needed, did the Health Department say there's enough space for it?  Y  N

7) Will the activity use buildings or additions?  Y  N If yes, fill out below.  
**Building or addition 1** Existing?  Y  N Size and height to the peak: 120' x 200' 28' peak  
Tell us what you'll use it for. \_\_\_\_\_

**Building or addition 2** Existing?  Y  N Size and height to the peak: 24' x 28' 12' peak  
Tell us what you'll use it for. Temporary Classroom

**Building or addition 3** Existing?  Y  N Size and height to the peak: 24' x 28' 12' peak  
Tell us what you'll use it for. Temporary Classroom

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

Next page ➡



Special Use — Questionnaire

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

How many employees do you have now? Full time: 10 Part time: 2

How many employees do you want? Full time: 15 Part time: 4

How many of the employees won't live onsite? No Onsite Employees

What will be the days and hours of operation on this property? 8 am - 3:15 pm

How many parking spaces do you have now? 40

How many parking spaces do you want? 100

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

If yes, tell us what will be stored outside or displayed. 12x20 storage shed. Extra desks.

Grounds Keeping supplies

Will there be retail sales on this property?  Y  N

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

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

Up to 200. Max of 175 students.

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

Tell us how often. USPS Amazon UPS FedEx

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

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

**Sign 1** Dimensions (length and width). ~4x6, ~6 DAH

Existing?  Y  N Double faced?  Y  N external

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

Freestanding?  Y  N Wall mounted?  Y  N

**Sign 2** Dimensions (length and width). \_\_\_\_\_

Existing?  Y  N Double faced?  Y  N

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

Freestanding?  Y  N Wall mounted?  Y  N

**Sign 3** Dimensions (length and width). \_\_\_\_\_

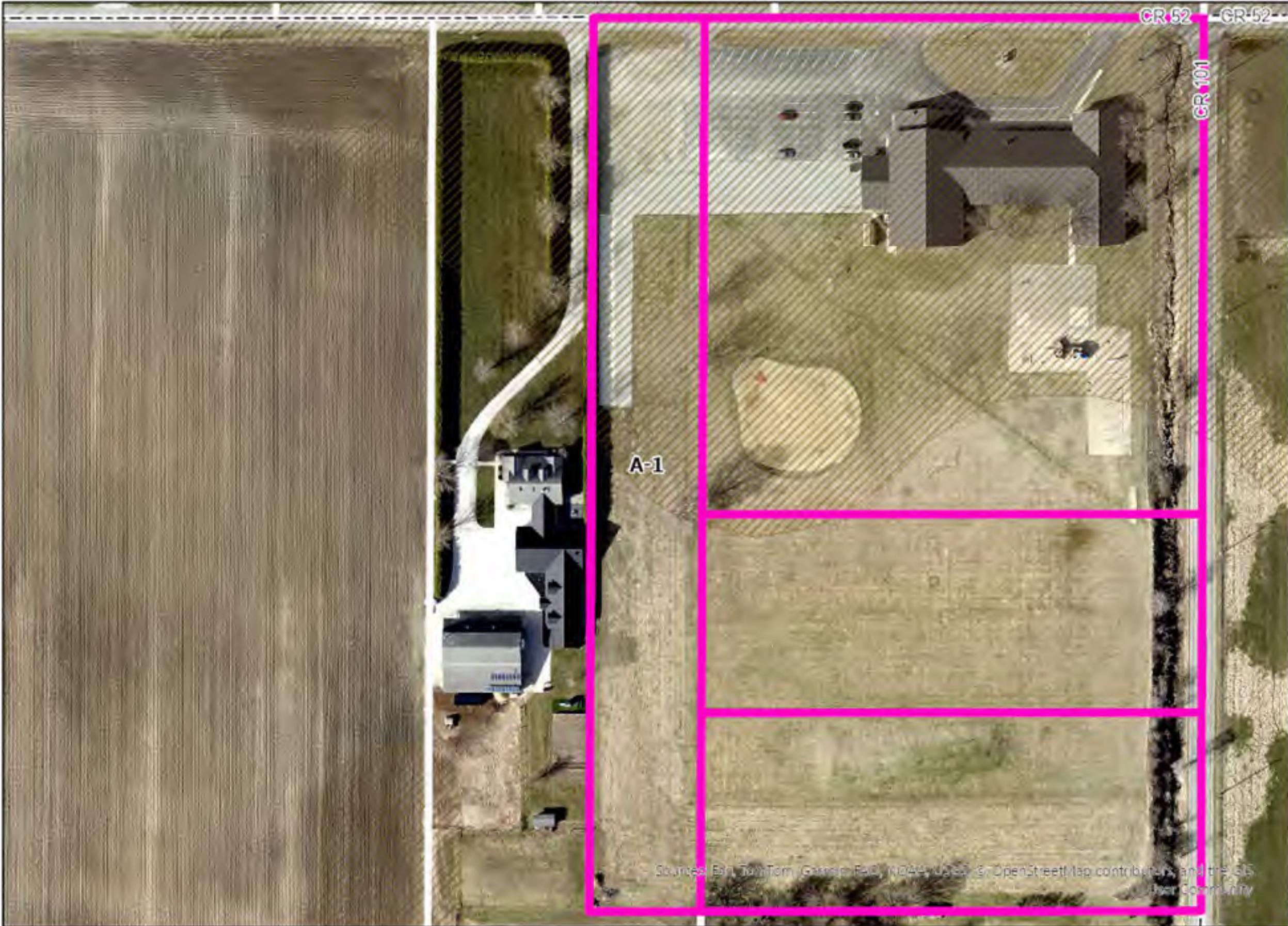
Existing?  Y  N Double faced?  Y  N

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

Freestanding?  Y  N Wall mounted?  Y  N

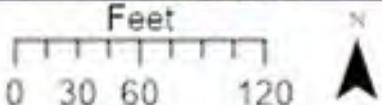
10) Tell us anything else you want us to know. First temporary classroom will be installed

Summer of 2026. New Gym will be built by end of 2032. In the meantime, fundraising will begin. 2nd temp classroom will be installed when needed between now + when the new gym is built. New parking area will initially go in as gravel + be blacktopped at a later date.



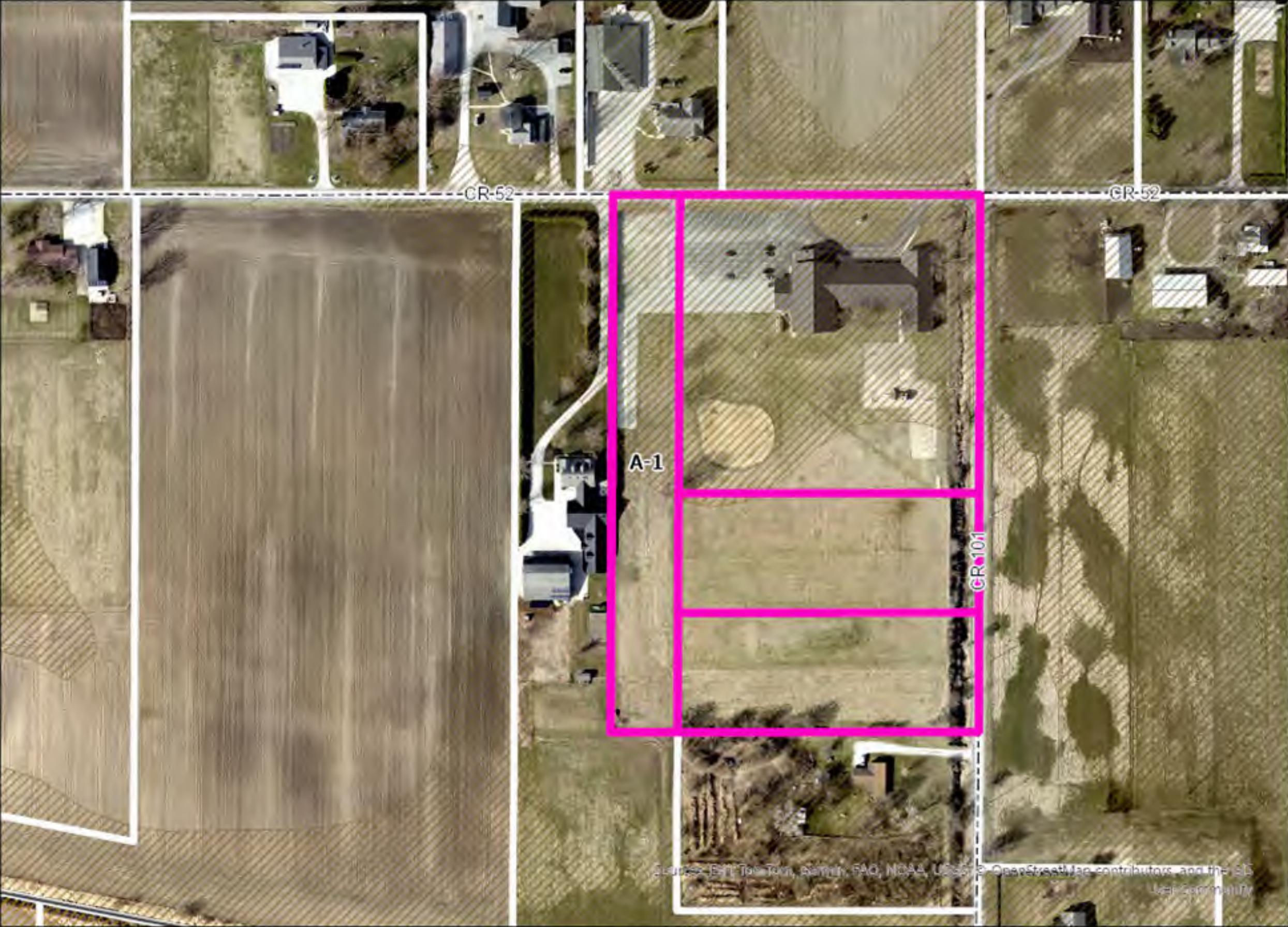
2025 Aerials

1 inch equals 120 ft



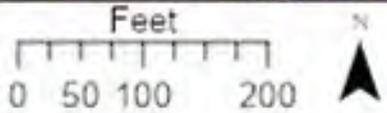
Sources: Esri, TomTom, Garmin, Esri, NOAA, USGS, © OpenStreetMap contributors, and the GIS User Community

SUP-0070-2026



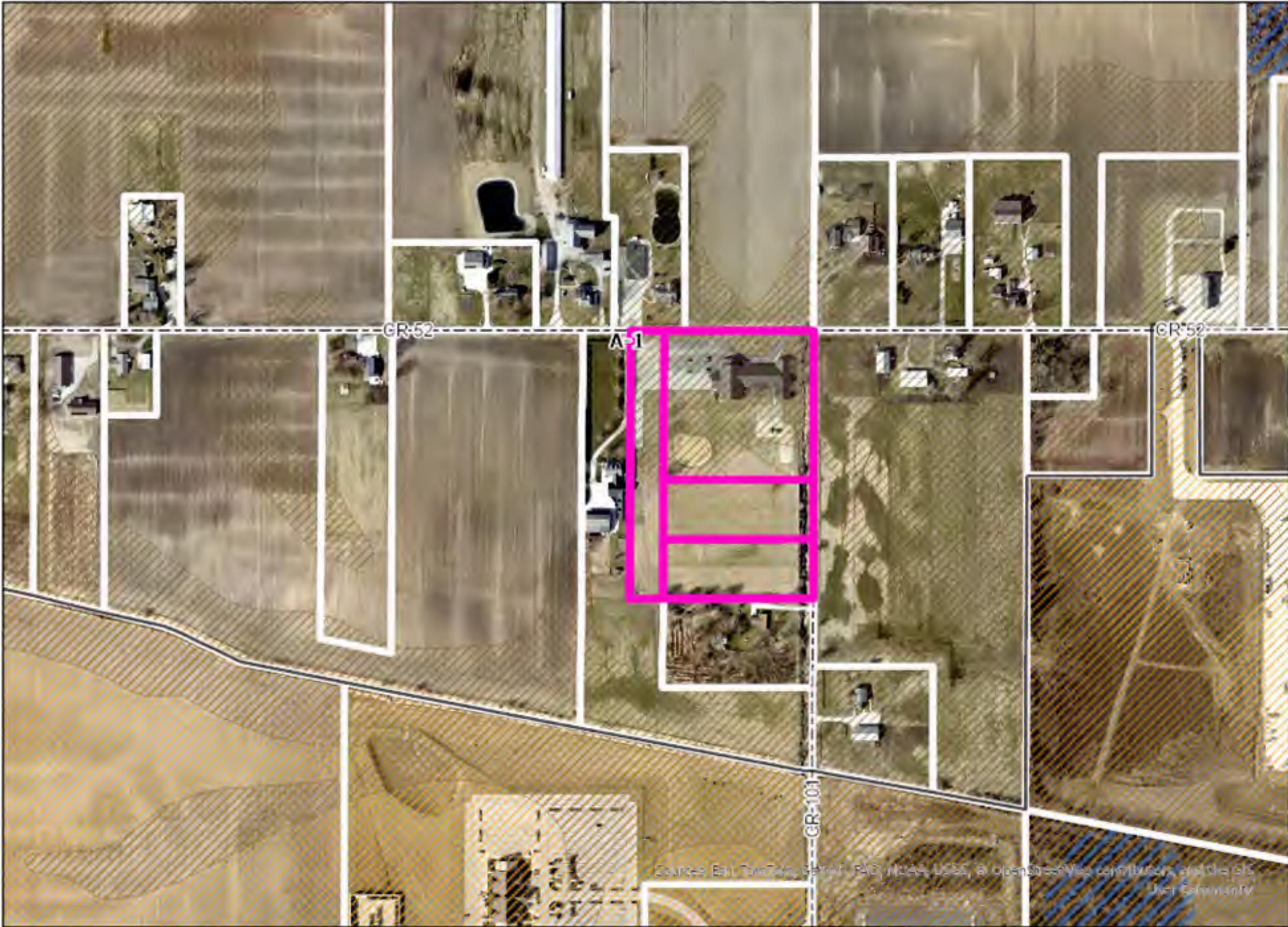
2025 Aerials

1 inch equals 200 ft



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

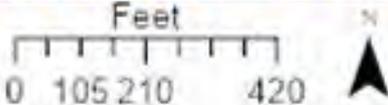
SUP-0070-2026



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

2025 Aerials

1 inch equals 400 ft





Subject property



Proposed building location



Facing east



Facing west



Facing north

CR S2

103

466.70'

103' X 840'

~87 CL

~4x6  
EXISTING SIGN  
freestanding

EXISTING PARKING AREA

EXISTING ASPHALT DRIVE

CONC. SIDEWALK

~75 CL

EXISTING BUILDING

EXISTING BUILDING

CR 101

50'-0"

500.10' W 466.70'

Parking Area

New

100' X 225'

NEW PROPOSED GYM ADDITION  
24,000 SQ FT

2B  
2B  
2B  
TEMPORARY CLASSROOMS

~92 CL

840.10'

133'-0"

200'-0"

PROPERTY OF  
UNITED CHRISTIAN SCHOOL  
DOC. #97-029472

5'

466.70'

CR 101

SITE PLAN

NOTE:

# ***BZA Staff Report***

*Prepared by the Department of Planning and Development*

**Hearing Date:** March 19, 2026

**Transaction Number:** SUP-0060-2026.

**Parcel Number(s):** 20-01-34-478-004.000-005.

**Existing Zoning:** A-1.

**Petition:** For a Special Use for an agricultural use for the keeping of animals on a tract of land containing less than 3 acres and for a Developmental Variance to allow for the total square footage of accessory structures to exceed that allowed by right.

**Petitioner:** Taylor W. Augustat & Cara L. Augustat, Husband & Wife.

**Location:** South side of CR 12, 570 ft. west of CR 1, in Cleveland Township.

**Site Description:**

- Physical Improvement(s) – Residence, accessory structures, chicken runs.
- Proposed Improvement(s) – None.
- Existing Land Use – Residential.
- Surrounding Land Use – Residential, agricultural, manufacturing.

**History and General Notes:**

- **December 22, 2025** – A complaint was made about having roosters (CODE-0865-2025).

**Staff Analysis:**

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

1. The Special Use will be consistent with the spirit, purpose, and intent of the Development Ordinance. The keeping of animals on a tract of land containing less than 3 acres is allowed by Special Use in the A-1 zoning district.
2. The Special Use will not cause substantial and permanent injury to the appropriate use of neighboring property. This is a 2.50-acre parcel in a moderately dense mixed-use area and the property will remain residential in character.
3. The Special Use will substantially serve the public convenience and welfare by providing a hobby opportunity and a local source of food.

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

**Hearing Date:** March 19, 2026

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

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

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

1. The request is approved in accordance with the site plan submitted (dated 2/13/2026) and as represented in the Special Use application.
2. The agricultural use is limited to a maximum of twenty (20) chickens, five (5) ducks, and no roosters.

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

1. Approval of the request will not be injurious to public health, safety, morals, or general welfare. These are existing buildings and the request is 1,336 sq. ft., or 120 percent, over what is allowed by right, and all other standards are met.
2. Approval of the request will not cause substantial adverse effect on neighboring property. This is a 2.50-acre parcel in a moderately dense mixed-use area and the property will remain residential in character.
3. Strict application of the terms of the Development Ordinance would result in an unnecessary hardship in the use of the property. Without the benefit of the variance, the existing structures would be non-conforming.

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

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

SUP-0060-2026

Special Use - Non Mobile Home

Date: 02/13/2026

Meeting Date:

March 19, 2026

Board of Zoning Appeals Public Hearing

Transaction #:

SUP-0060-2026

Description: for a Special Use for an agricultural use for the keeping of animals on a tract of land containing less than 3 acres and for a Developmental Variance to allow for the total square footage of accessory structures to exceed that allowed by right

Contacts: Applicant

Land Owner

Taylor W. Augustat And Cara

Taylor W. Augustat And Cara

L. Augustat, Husband And  
Wife

L. Augustat, Husband And  
Wife

30083 County Road 12  
Elkhart, IN 46514

30083 County Road 12  
Elkhart, IN 46514

Site Address: 30083 County Road 12  
Elkhart, IN 46514

Parcel Number:

20-01-34-478-004.000-005

Township: Cleveland

Location: SOUTH SIDE OF CR 12, 405 FT. WEST OF CR 1

Subdivision:

Lot #

Lot Area:

2.50

Frontage:

83.65

Depth:

1,313.00

Zoning: A-1

NPO List:

Present Use of Property: RESIDENTIAL

Legal Description:

Comments: PARCEL CREATED 3/1/1962

CODE #0865-2025 - LETTER SENT FOR TOO MANY CHICKENS AND ROOSTER.

RESIDENCE = 1,008 SQ FT X 110% = 1,108 SQ FT, MINUS 280 (GARAGE) AND 960 (40 X 24 BARN W/LEAN-TO) =  
OVERAGE OF 132 SQ FT.

Applicant Signature:

Department Signature:

Special Use — Questionnaire

Name: Taylor + Cara Augustat

- 1) Tell us what you want to do. We would like to increase the number of our poultry flock to above the minimum of 12. We would like a maximum of 25 birds.
  
- 2) Tell us why this activity won't hurt your neighbors or the community. Minimal noise w/ buffers. Coop/Run will not be visible from road or any residential dwellings. Birds in enclosed/protected area - cannot walk on to neighboring properties.
  
- 3) Is there a subdivision covenant that says you can't do this activity?  Y  N  
 If yes, does the subdivision have an active homeowners' association?  Y  N
  
- 4) Will the activity create noise, vibration, smoke, dust, odor, heat, or glare?  Y  N If yes, fill out below.  
 Tell us what will create those things. Possibly some noise from hens + female ducks - mild odor when cleaning → neither within close distance of houses  
 Tell us how you'll reduce the impact of those things on neighbors. Prompt cleaning (as we already do) and only hens. Already in process of moving birds (L7 plus, we compost away from buildings) to enclosure further from houses.
  
- 5) Will there be buffering (fences, trees, shrubs, mounds)?  Y  N  
 If yes, tell us about it. Building behind barn with wooded area around/behind it - plus pole barn walls. Also have fencing around - some privacy panels
  
- 6) Does the property need well and septic? Well:  Y  N Septic:  Y  N  
 Does the property need a new septic system?  Y  N  
 If a new septic system is needed, did the Health Department say there's enough space for it?  Y  N
  
- 7) Will the activity use buildings or additions?  Y  N If yes, fill out below.  
**Building or addition 1** Existing?  Y  N Size and height to the peak: 25' x 33' x 15'  
↓ already 1/2 built  
 Tell us what you'll use it for. Adding run to back (25' x 12' x 10') + inside as coop  
**Building or addition 2** Existing?  Y  N Size and height to the peak: \_\_\_\_\_  
 Tell us what you'll use it for. \_\_\_\_\_  
**Building or addition 3** Existing?  Y  N Size and height to the peak: \_\_\_\_\_  
 Tell us what you'll use it for. \_\_\_\_\_
  
- 8) Does this application include animals?  Y  N  
 If yes, tell us what kind and how many of each. Five ducks and UP TO 20 hens

Next page ➡



Special Use — Questionnaire

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

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

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

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

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

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

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

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

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

Will there be retail sales on this property?  Y  N

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

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

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

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

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

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

**Sign 1** Dimensions (length and width). \_\_\_\_\_

Existing?  Y  N Double faced?  Y  N

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

Freestanding?  Y  N Wall mounted?  Y  N

**Sign 2** Dimensions (length and width). \_\_\_\_\_

Existing?  Y  N Double faced?  Y  N

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

Freestanding?  Y  N Wall mounted?  Y  N

**Sign 3** Dimensions (length and width). \_\_\_\_\_

Existing?  Y  N Double faced?  Y  N

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

Freestanding?  Y  N Wall mounted?  Y  N

10) Tell us anything else you want us to know. Neighboring parcels already have chickens. A handful of our birds are "rescues" that we take in (i.e. - duck + chicken w/ deformities, neurological problems, fox-bite survivor, etc.) and any are vetted as needed at Fulton County Vet Clinic. We had already begun making an improved enclosure but were delayed due to weather + personal obstacles - waiting now for no snow/warmer temperatures. Plan on using for HH when we have children.

February 12, 2026 - Existing/Temporary Run



February 12, 2026 - New outdoor portion enclosure (partially built as of Oct/Nov 2025)

- Note: also already purchased automatic coop door and tools to install to allow birds to go in and out of the barn



April 19, 2025 - Current run in Spring (to better show health of birds & cleanliness of run)



October 22, 2023 - Current run when first put up (right before completion)



Some of the residents that were rescued

	<p>Rasin</p> <ul style="list-style-type: none"><li>• Severe neurological impairments</li><li>• Skull/crest deformity</li><li>• Handicaps affected ability to balance and walk or function as normal duck</li> <li>• Utilized our veterinarian for assistance with her case.</li></ul>
	<p>America</p> <ul style="list-style-type: none"><li>• Pulled from receiving retail store shipping mishap - their order of 300+ chicks from their hatchery were delayed in transit via postal service and approximately 200 birds did not survive</li><li>• This one was pulled from a box where all others did not survive and she was likely in her final moments</li><li>• Immediately took her and rehabilitated- then raised and integrated and added to flock</li></ul>
	<p>Cottage</p> <ul style="list-style-type: none"><li>• Fox bite survivor</li><li>• Took her in to monitor and dress wounds, rehabilitate, and integrate her into a new flock</li></ul>



### Spunky

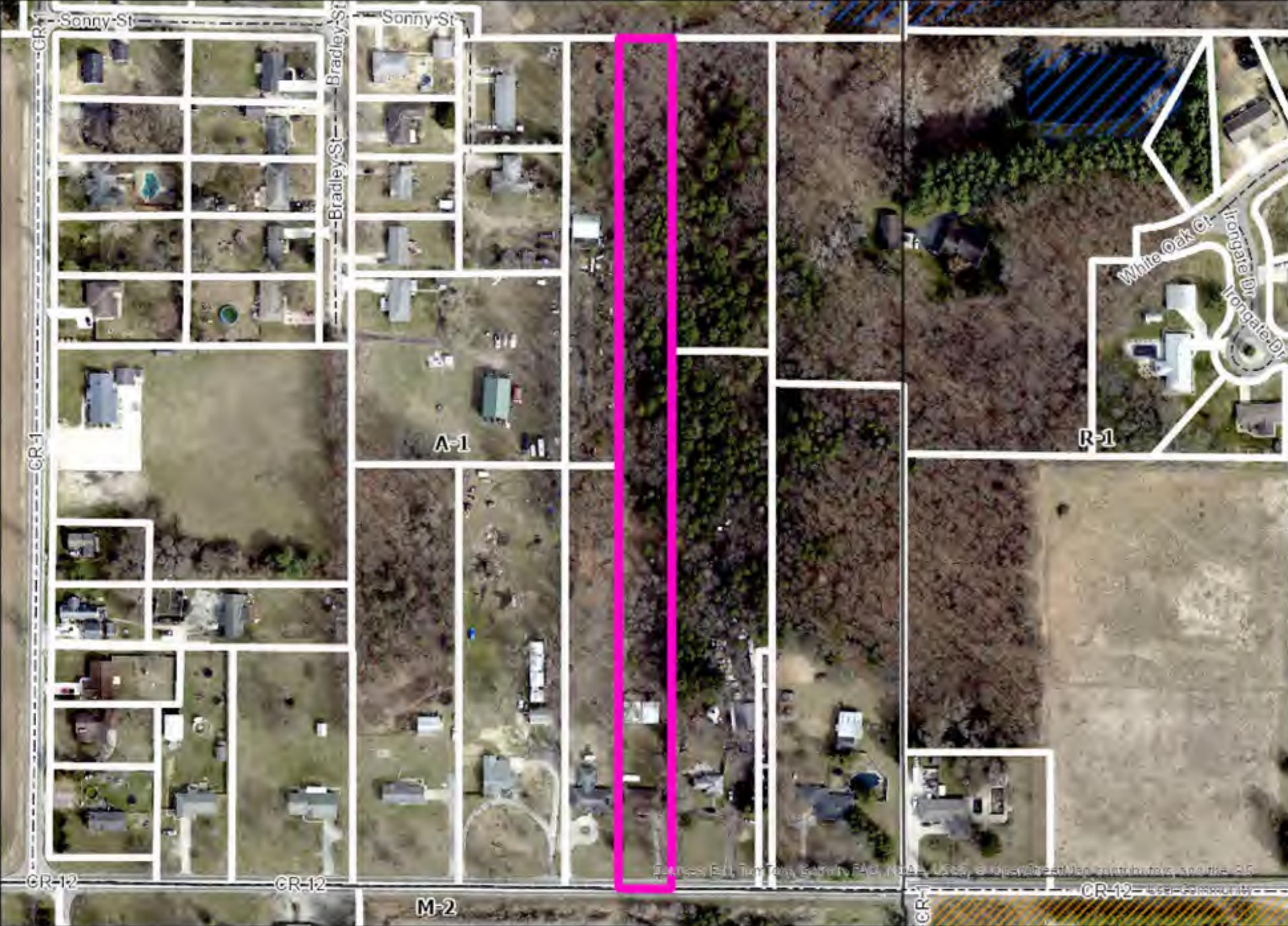
- Took in from another farm where traumatic injury caused leg to break and never heal correctly
- Has learned to get around on one leg
- Due to impairment, she needed to be integrated to a smaller flock where she was less likely to be bullied by other birds and could not easily be monitored
- We check on her daily to assess if the deformity is decreasing her quality of life (so far, doing great!)



### Sourdough

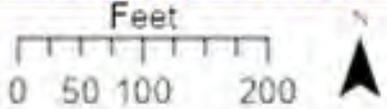
- Purchased as duckling due to malformations of his bill - concerns about it developing further into cross-beak (condition where top portion and bottom portion of a birds beak do it slight - severe cases of these birds starve to death if not assisted)
- Bill remained crooked as we monitored his growth, but thankfully never required much assistance

SUP-0060-2026

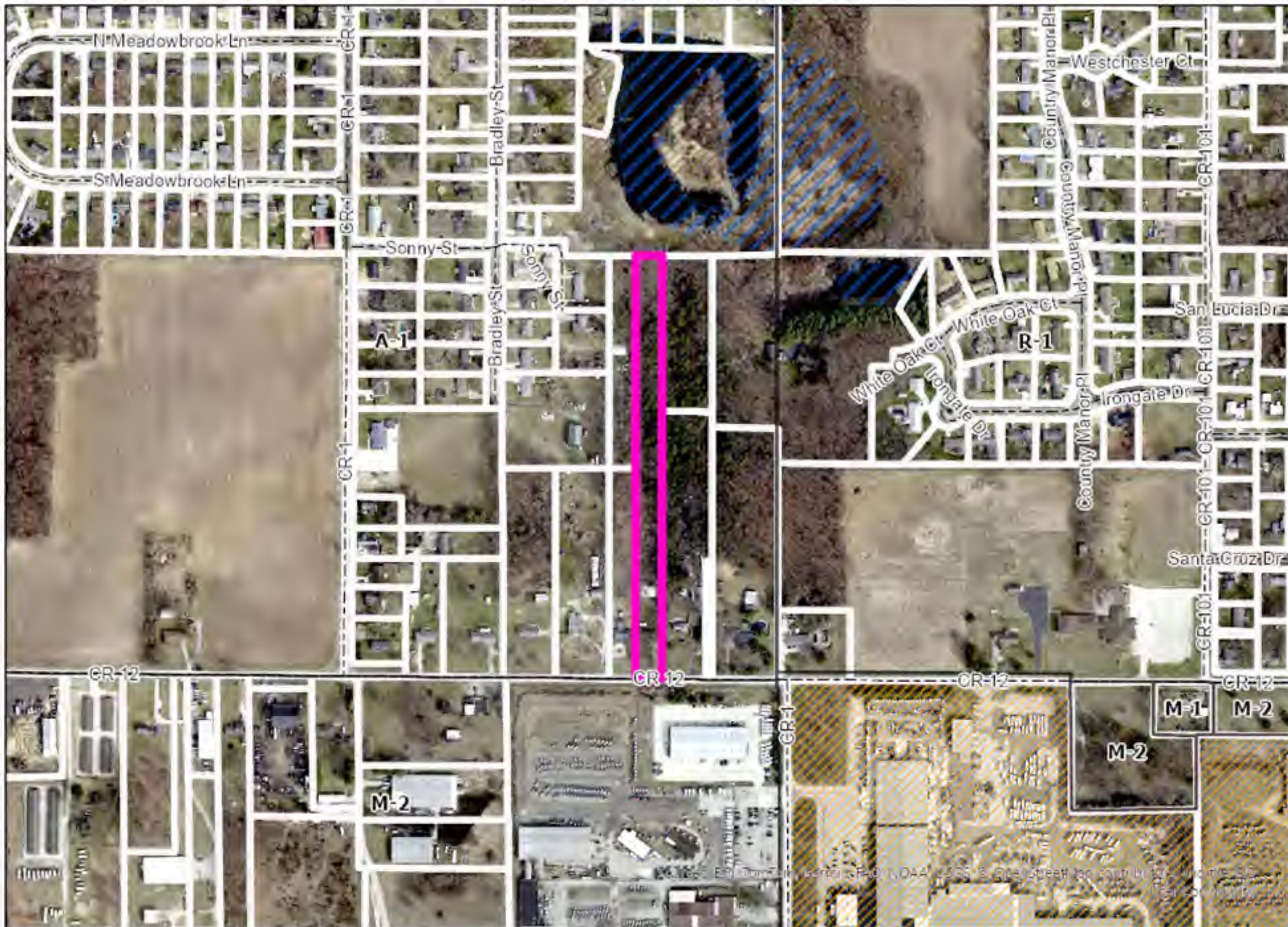


2025 Aerials

1 inch equals 200 ft

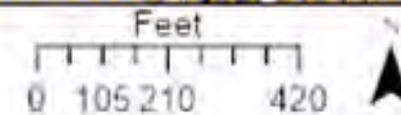


# SUP-0060-2026

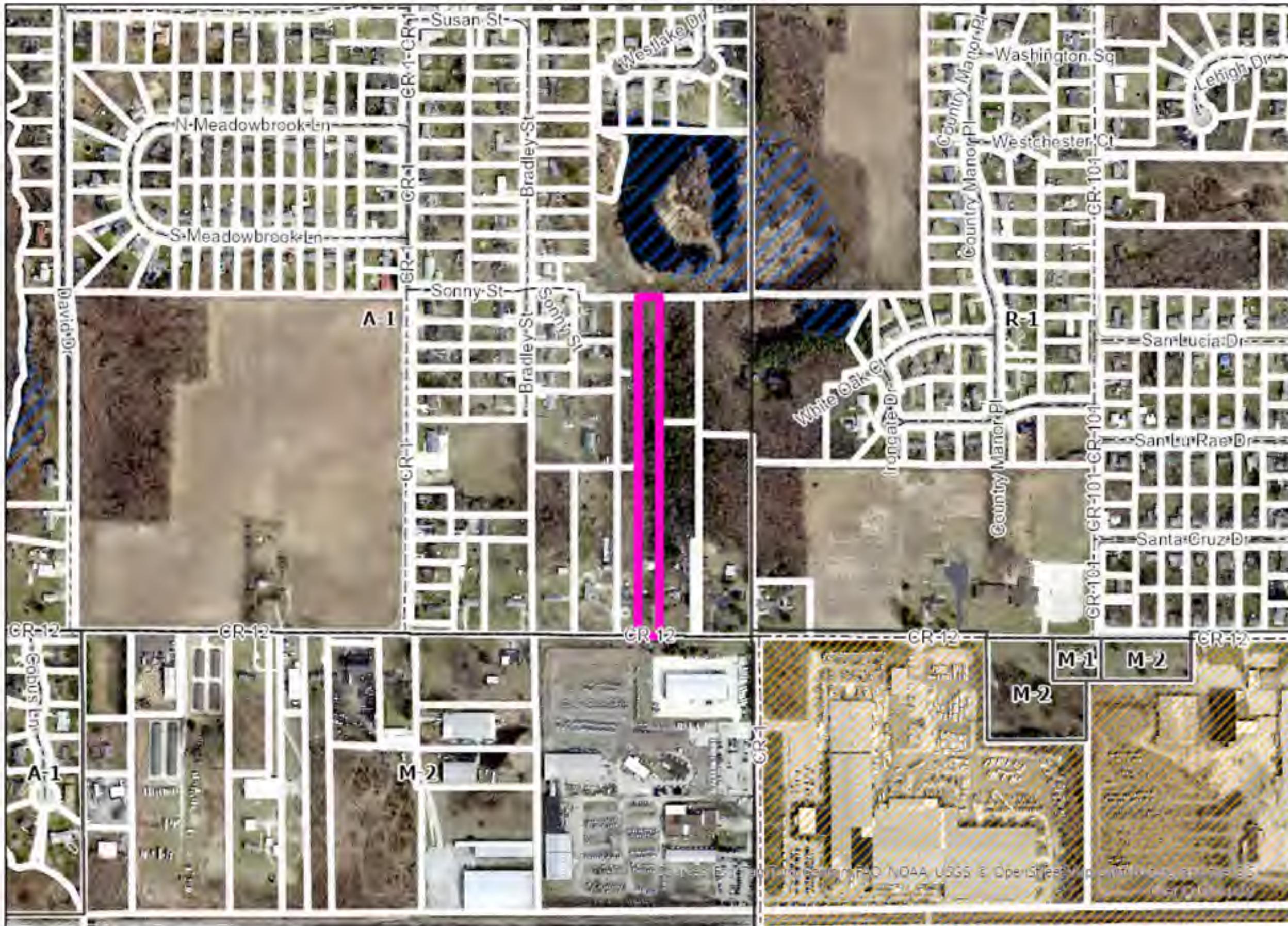


2025 Aerials

1 inch equals 400 ft

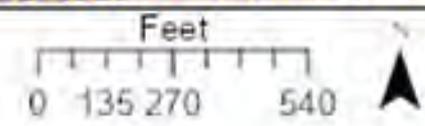


# SUP-0060-2026



2025 Aerials

1 inch equals 500 ft





**Subject property facing north**



Facing south



Facing east



Facing west

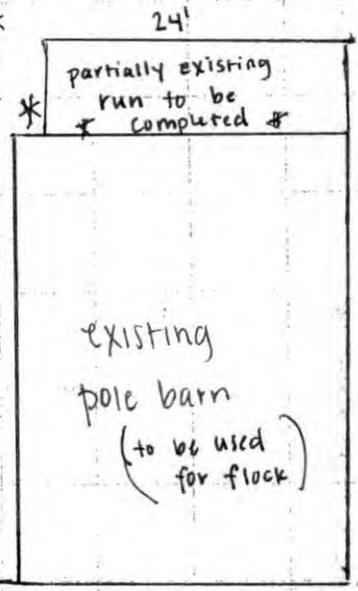
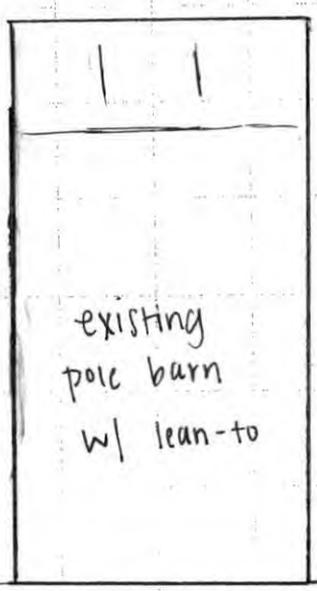
FEB 13 2026

~1060'  
to back  
of property

↳ all wooded  
w/ lots of  
shrubbery

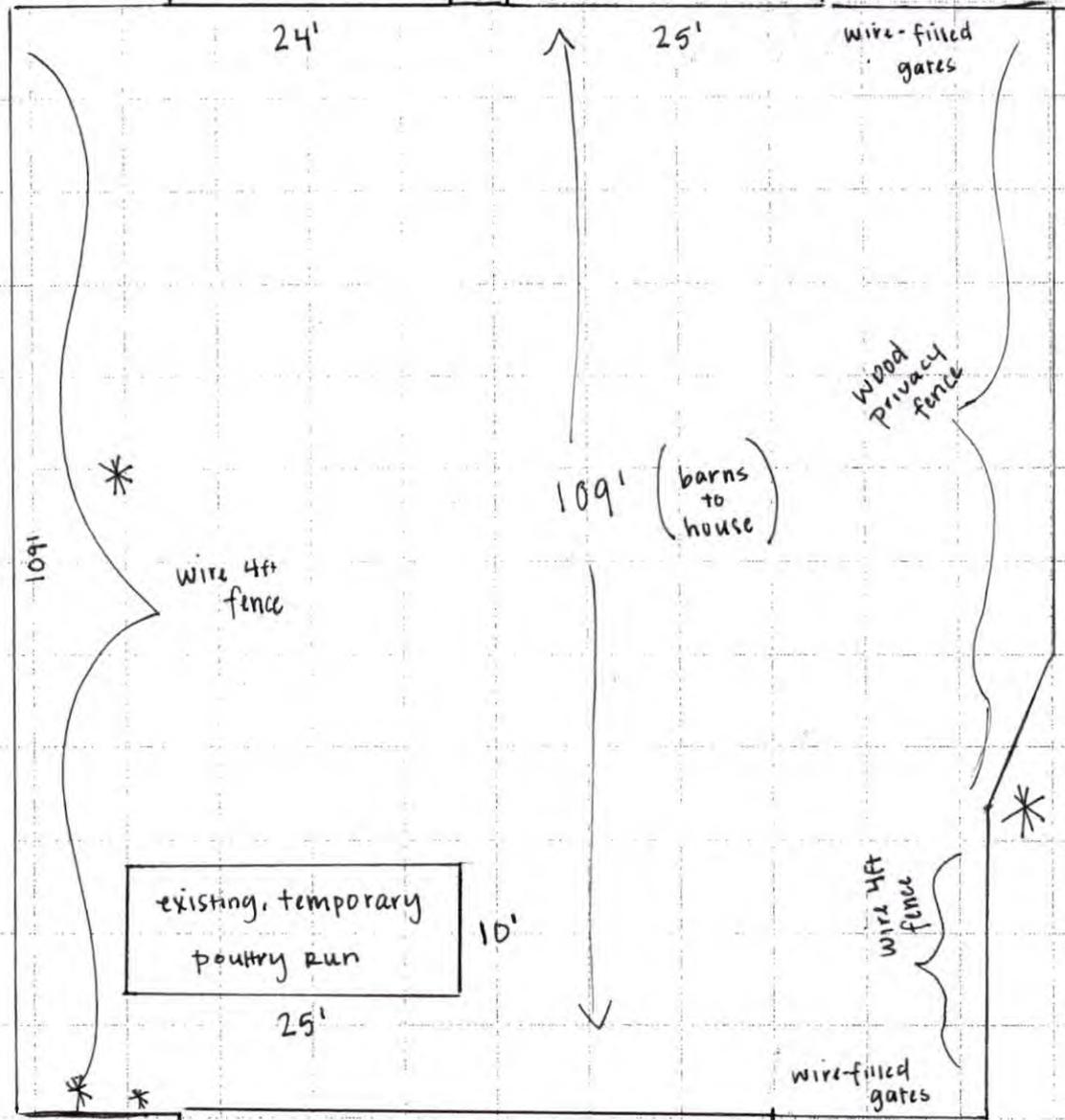
Neighboring  
Chicken  
area

original wire fencing (goes to end of property)



20'

9'



neighbor shed

neighbor's plastic privacy fence

neighbor house

wood privacy fence

Wire 4ft fence

Wire-filled gates

52'

8'

25'

driveway

~100'  
County Road 12

\* = trees



# ***BZA Staff Report***

*Prepared by the Department of Planning and Development*

**Hearing Date:** March 19, 2026

**Transaction Number:** SUP-0061-2026.

**Parcel Number(s):** 20-05-01-305-004.000-005.

**Existing Zoning:** R-1.

**Petition:** For a Special Use for an agricultural use for the keeping of animals on a tract of land containing less than 3 acres, for a Special Use for a roadside stand, and for a 23 ft. Developmental Variance (Ordinance requires 50 ft.) to allow for the placement of a roadside stand 27 ft. from the centerline of the right-of-way.

**Petitioner:** Dulce M. Camilo Rodriguez, Fernando de la Rosa Martinez, & Gamy Nicol Maca.

**Location:** South side of Danielson Dr., 265 ft. west of Oak Manor Pl., south of Old US 20, in Cleveland Township.

**Site Description:**

- Physical Improvement(s) – Residence.
- Proposed Improvement(s) – Chicken coop, roadside stand.
- Existing Land Use – Residential.
- Surrounding Land Use – Residential, commercial.

**History and General Notes:**

- None.

**Staff Analysis:**

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

1. The Special Uses will be consistent with the spirit, purpose, and intent of the Development Ordinance. Special Uses for roadside stands and agricultural animals are allowed in the R-1 zone.
2. The Special Uses will not cause substantial and permanent injury to the appropriate use of neighboring property. This is a 0.354-acre parcel in a high-density residential and commercial area, and the property will remain residential in character. The roadside stand will not generate a significant amount of traffic to cause adjacent properties noise issues or congestion to the neighborhood.
3. The Special Uses will substantially serve the public convenience and welfare by providing local egg sales.

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

**Hearing Date:** March 19, 2026

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

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

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

1. The request is approved in accordance with the site plan submitted (dated 2/13/2026) and as represented in the Special Use application.
2. The agricultural use is limited to a maximum of twelve (12) chickens, no roosters, at any one time.

*For a 23 ft. Developmental Variance (Ordinance requires 50 ft.) to allow for the placement of a roadside stand 27 ft. from the centerline of the right-of-way, staff finds that:*

1. Approval of the request will not be injurious to public health, safety, morals, or general welfare. The request will be outside of the right-of-way and will not cause sight issues for traffic on Danielson Drive.
2. Approval of the request will not cause substantial adverse effect on neighboring property. This is a 0.354-acre parcel in a high-density neighborhood, though the minimal traffic that the roadside stand would create will not cause harm to the adjacent properties.
3. Strict application of the terms of the Development Ordinance would result in an unnecessary hardship in the use of the property. Without the use of the variance the roadside stand wouldn't be allowed in a location for ease of access by customers.

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 2/13/2026) 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 - Non Mobile Home

SUP-0061-2026

Date: 02/13/2026 Meeting Date: March 19, 2026  
Board of Zoning Appeals Public Hearing Transaction #: SUP-0061-2026

Description: for a Special Use for an agricultural use for the keeping of animals on a tract of land containing less than 3 acres, for a Special Use for a roadside stand, and for a 23 ft. Developmental Variance (Ordinance requires 50 ft.) to allow for the placement of a roadside stand 27 ft. from the centerline of the right-of-way

Contacts: <u>Applicant</u>	<u>Land Owner</u>
Dulce M. Camilo Rodriguez,	Dulce M. Camilo Rodriguez,
Fernando De La Rosa	Fernando De La Rosa
Martinez Rodriguez And Gamy	Martinez Rodriguez And Gamy
Nicol Maca	Nicol Maca
28912 Danielson Dr	28912 Danielson Dr
Elkhart, IN 46514	Elkhart, IN 46514

Site Address: 28912 Danielson Dr Elkhart, IN 46514	Parcel Number: 20-05-01-305-004.000-005
---	---

Township: Cleveland  
Location: SOUTH SIDE OF DANIELSON DR., 265 FT. WEST OF OAK MANOR PL., SOUTH OF OLD US 20

Subdivision: FRAILEY'S RIVERDALE 7TH SD	Lot # 81
---	----------

Lot Area: 0.35	Frontage: 110.00	Depth: 145.45
----------------	------------------	---------------

Zoning: R-1	NPO List:
-------------	-----------

Present Use of Property: RESIDENTIAL

Legal Description:

Comments: DEED INFORMATION DID NOT FIT IN CONTACT LINE, SHOULD BE LISTED AS:  
DULCE M. CAMILO RODRIGUEZ, FERNANDO DE LA ROSA MARTINEZ AND GAMY NICOL MACA, JOINT  
TENANTS

Applicant Signature:

Department Signature:

Special Use — Questionnaire

Name: Gamy N. Maca

1) Tell us what you want to do. Put a chicken coop on my property, in my back yard and a farmstand in the front of my property.

2) Tell us why this activity won't hurt your neighbors or the community. It would actually help them to get access to fresh organic food it will reduce the risk of chronic diseases associated with poor diets, since most of them are elderly.

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

4) Will the activity create noise, vibration, smoke, dust, odor, heat, or glare?  Y  N If yes, fill out below.  
Tell us what will create those things. Other than chicken poop but will maintain clean and organized  
Tell us how you'll reduce the impact of those things on neighbors. will clean everyday.

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

6) Does the property need well and septic? Well:  Y  N Septic:  Y  N  
Does the property need a new septic system?  Y  N  
If a new septic system is needed, did the Health Department say there's enough space for it?  Y  N

7) Will the activity use buildings or additions?  Y  N If yes, fill out below.  
**Building or addition 1** Existing?  Y  N Size and height to the peak: 5 x 6 x 7  
Tell us what you'll use it for. coop  
**Building or addition 2** Existing?  Y  N Size and height to the peak: 80" x 60"  
Tell us what you'll use it for. roadside stand, nonpermanent  
**Building or addition 3** Existing?  Y  N Size and height to the peak: \_\_\_\_\_  
Tell us what you'll use it for. \_\_\_\_\_

8) Does this application include animals?  Y  N  
If yes, tell us what kind and how many of each. Chickens 10-12 no roosters

Next page ➡

Special Use — Questionnaire

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

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

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

How many of the employees won't live onsite? 0

What will be the days and hours of operation on this property? 9am 5pm maybe

longer in spring time.

How many parking spaces do you have now? 4

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

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

If yes, tell us what will be stored outside or displayed. Farmstand/Roadstand

Will there be retail sales on this property?  Y  N

If yes, tell us what will be sold. Flowers, eggs, vegetables, maybe (Jams and Jellies, cookies), Herbs Are mane got is too sell Flowers & Eggs

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

4-6

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

Tell us how often. unknown

Tell us the kind of vehicles used. Cars

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

**Sign 1** Dimensions (length and width). \_\_\_\_\_

Existing?  Y  N Double faced?  Y  N

Electronic message board?  Y  N If no, lighted?  Y  N fairylights - solar

Freestanding?  Y  N Wall mounted?  Y  N

**Sign 2** Dimensions (length and width). \_\_\_\_\_

Existing?  Y  N Double faced?  Y  N

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

Freestanding?  Y  N Wall mounted?  Y  N

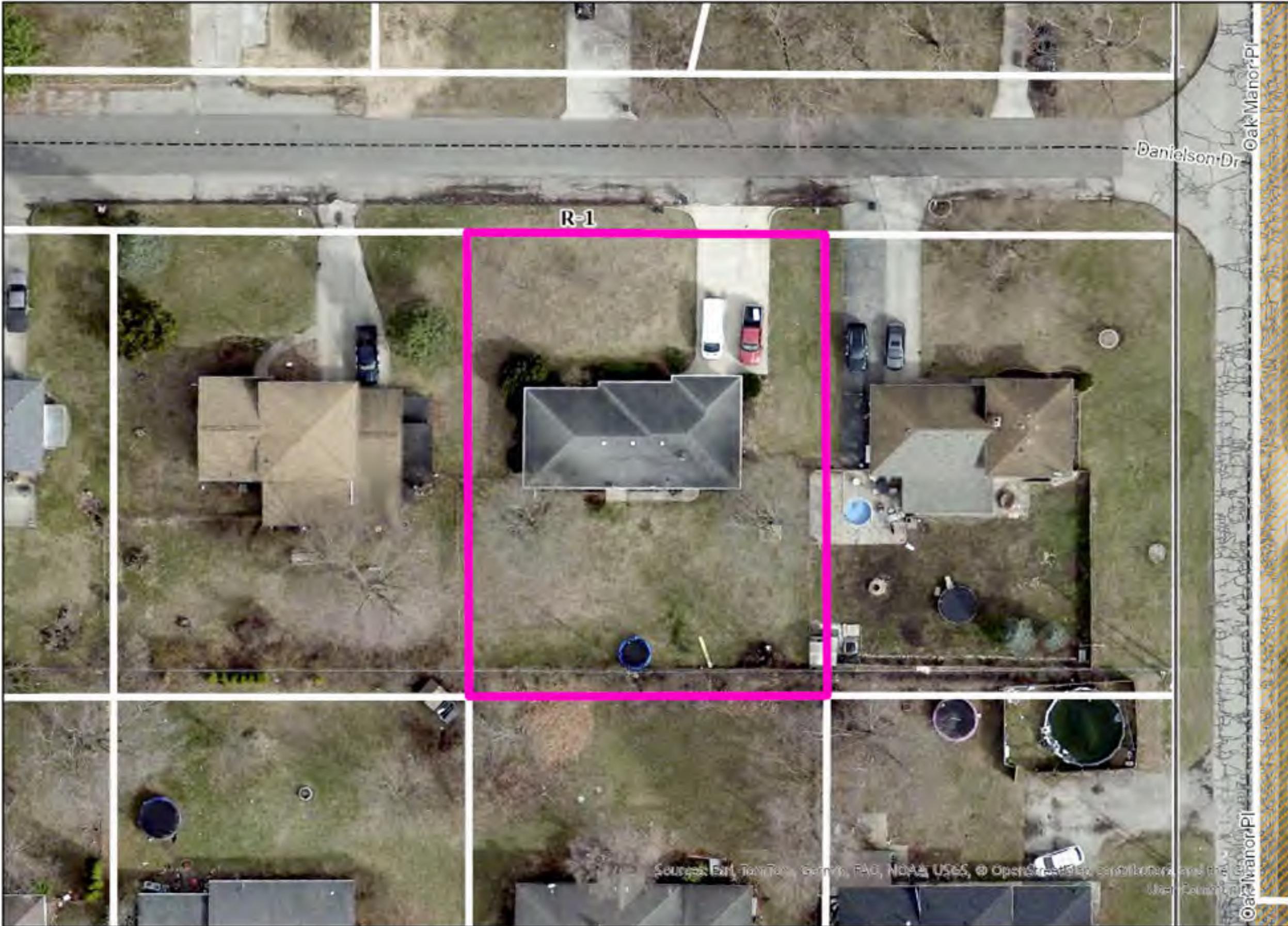
**Sign 3** Dimensions (length and width). \_\_\_\_\_

Existing?  Y  N Double faced?  Y  N

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

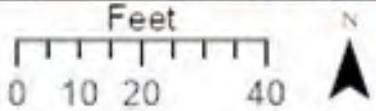
Freestanding?  Y  N Wall mounted?  Y  N

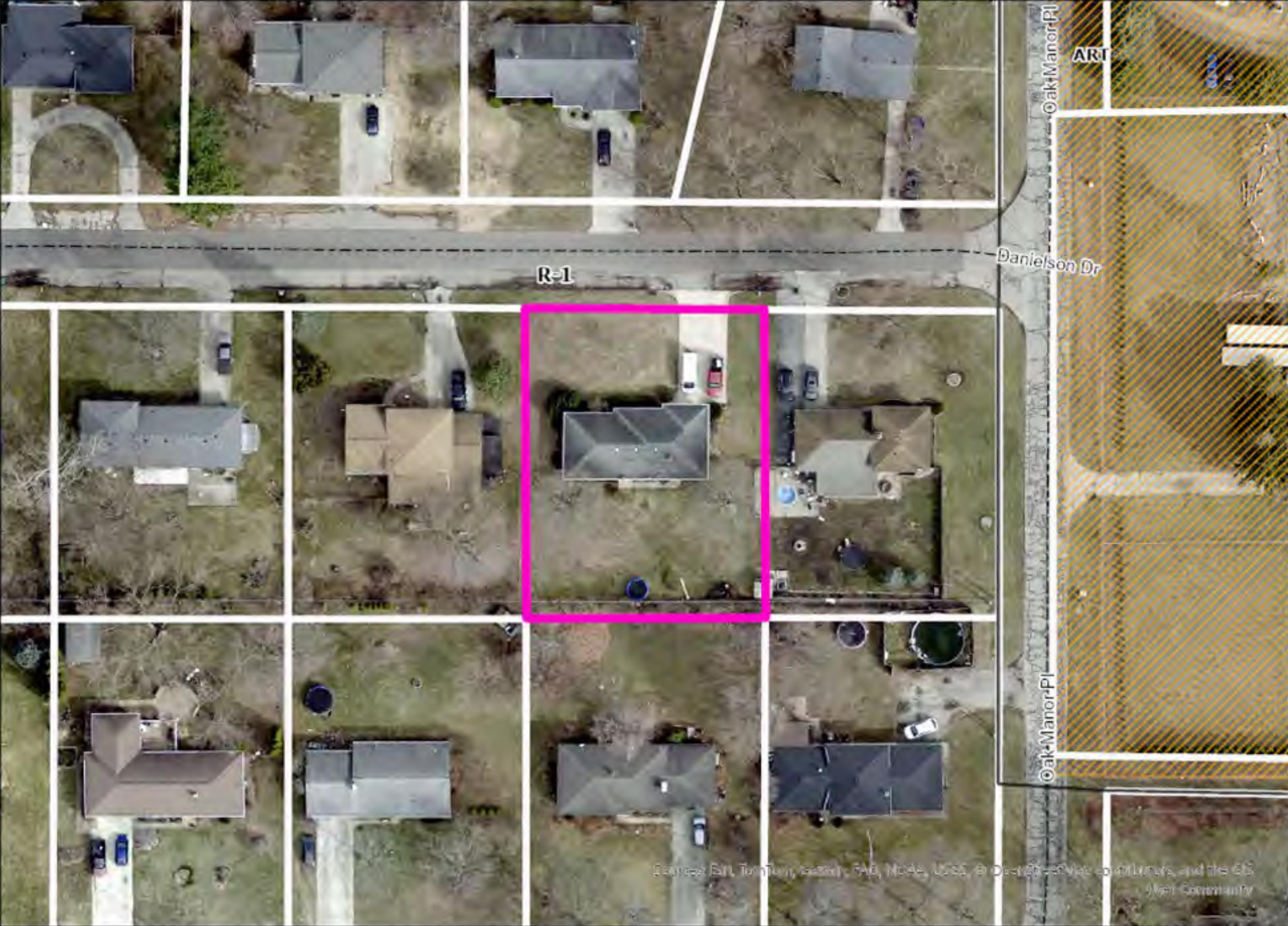
10) Tell us anything else you want us to know. It will really help my kids to reduce anxiety, stress and hyperactivity and one of them has ADHD. And I love gardening. It will all be organic



2025 Aerials

1 inch equals 40 ft

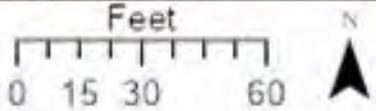


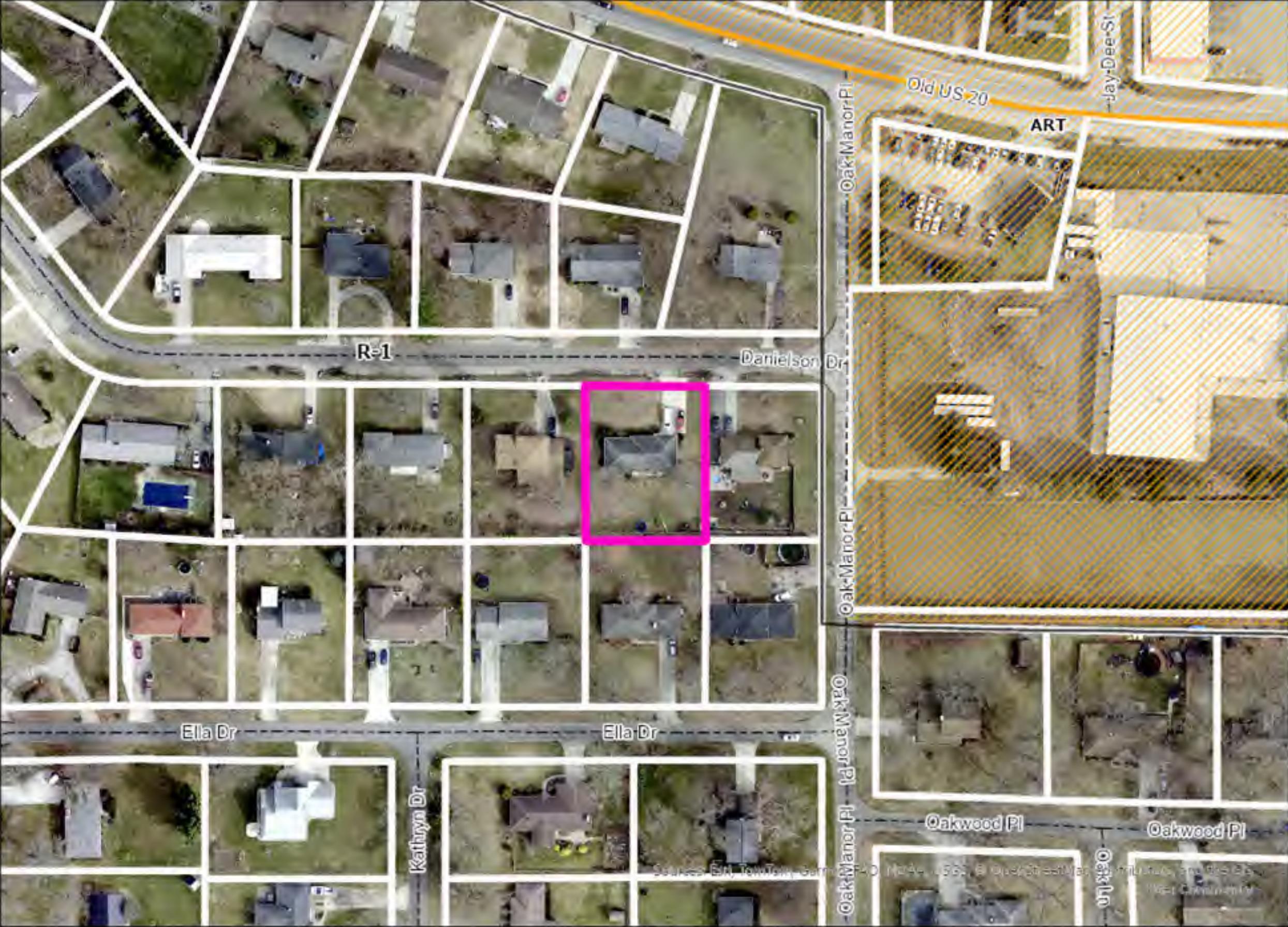


Source: Esri, TomTom, Garmin, FAO, NOAA, USGS, © OpenStreetMap contributors, and the GIS User Community

2025 Aerials

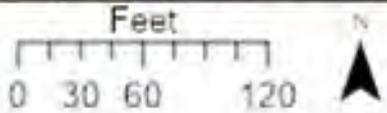
1 inch equals 60 ft





2025 Aerials

1 inch equals 120 ft



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



**Subject property**



Facing west



Facing east



Facing north

N ↓



Danielson Dr.

# ***BZA Staff Report***

*Prepared by the Department of Planning and Development*

**Hearing Date:** March 19, 2026

**Transaction Number:** SUP-0056-2026.

**Parcel Number(s):** 20-11-31-100-005.000-014.

**Existing Zoning:** A-1.

**Petition:** For a Special Use for a home workshop/business for a welding shop, for a Developmental Variance to allow for the total square footage of accessory structures to exceed that allowed by right, and for a 10 ft. Developmental Variance (Ordinance requires 75 ft.) to allow for an existing residence 65 ft. from the centerline of the right-of-way.

**Petitioner:** Harlan Martin & Doris Martin, Husband & Wife.

**Location:** South side of CR 40, 2,000 ft. east of CR 17, in Elkhart Township.

**Site Description:**

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

**History and General Notes:**

- None.

**Staff Analysis:**

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

1. The Special Use will be consistent with the spirit, purpose, and intent of the Development Ordinance. A Special Use for a home workshop/business is allowed in the A-1 zoning district.
2. The Special Use will not cause substantial and permanent injury to the appropriate use of neighboring property. This is a large 80-acre parcel in a low-density residential and agricultural area, and the property will remain residential and agricultural in character. This proposed business will not increase traffic congestion and will not cause any more noise or odors than the current farming does.
3. The Special Use will substantially serve the public convenience and welfare by providing a local welding shop for farm equipment.

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

**Hearing Date:** March 19, 2026

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

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

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

1. The request is approved in accordance with the site plan submitted (dated 2/12/2026) and as represented in the Special Use application.
2. No backing onto or off CR 40 with semi tractor trailers.

*For a Developmental Variance to allow for the total square footage of accessory structures to exceed that allowed by right and for a 10 ft. Developmental Variance (Ordinance requires 75 ft.) to allow for an existing residence 65 ft. from the centerline of the right-of-way, staff finds that:*

1. Approval of the requests will not be injurious to public health, safety, morals, or general welfare. The request is 2,540 sq. ft., or 52%, over what is allowed by right and the building will be placed outside of the sight lines of traffic and far away from the closest adjacent residence. The residence has been in its current location since 1900 without complaints or causing harm to traffic.
2. Approval of the requests will not cause substantial adverse effect on neighboring property. This is a large 80-acre parcel in a low-density residential and agricultural area. The proposed workshop building will not be out of character to the size of building that is needed for work on farming equipment.
3. Strict application of the terms of the Development Ordinance would result in an unnecessary hardship in the use of the property. Without the benefit of the variances the property will remain non-conforming and the workshop could not be built to a big enough size to accommodate the needs of the business.

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

1. Variances from the developmental standards of the Development Ordinance are void unless an Improvement Location Permit is issued within 180 calendar days from the date of the grant and construction work completed within 1 year from the date of the issuance of the building permit (where required).
2. The request is approved in accordance with the site plan submitted (dated 2/12/2026) 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 - Non Mobile Home

SUP-0056-2026

Date: 02/12/2026

Meeting Date: March 19, 2026  
Board of Zoning Appeals Public Hearing

Transaction #: SUP-0056-2026

Description: For a Special Use for a home business for a welding shop, for a Developmental Variance to allow for the total square footage of accessory structures to exceed that allowed by right, and for a 10 ft. Developmental Variance (Ordinance requires 75 ft.) to allow for an existing residence 65 ft. from the centerline of the right-of-way of County Road 40

Contacts: Applicant

Harlan Martin & Doris Martin,  
Husband And Wife  
21628 County Road 40  
Goshen, IN 46526

Land Owner

Harlan Martin & Doris Martin,  
Husband And Wife  
21628 County Road 40  
Goshen, IN 46526

Site Address: 21628 County Road 40  
Goshen, IN 46526

Parcel Number: 20-11-31-100-005.000-014

Township: Elkhart

Location: South Side of CR 40, 2,005 ft. East of CR 17

Subdivision:

Lot #

Lot Area: 80.00 Frontage: 1,315.00 Depth: 2,661.00

Zoning: A-1

NPO List:

Present Use of Property: RESIDENTIAL/AGRICULTURAL

Legal Description:

Comments: CREATION DATE: 3/1/1962  
RESIDENTIAL BREAKDOWN: 2440 SF X 200% = 4880 SF MINUS 2484 SF WORKSHOP - 1296 SF STORAGE - 3640 SF  
PROPOSED WORKSHOP = -2540 SF OVER ALLOWANCE

Applicant Signature:

Department Signature:

Special Use — Questionnaire

Name: Harlan Martin

1) Tell us what you want to do. Build a larger shop to meet the needs of larger Farm machinery For the home work shop Business

2) Tell us why this activity won't hurt your neighbors or the community. It will Help them

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

4) Will the activity create noise, vibration, smoke, dust, odor, heat, or glare?  Y  N If yes, fill out below.  
Tell us what will create those things. \_\_\_\_\_  
Tell us how you'll reduce the impact of those things on neighbors. \_\_\_\_\_

5) Will there be buffering (fences, trees, shrubs, mounds)?  Y  N  
If yes, tell us about it. maybe shrubs along road

6) Does the property need well and septic? Well:  Y  N Septic:  Y  N  
Does the property need a new septic system?  Y  N  
If a new septic system is needed, did the Health Department say there's enough space for it?  Y  N

7) Will the activity use buildings or additions?  Y  N If yes, fill out below.  
**Building or addition 1** Existing?  Y  N Size and height to the peak: 52<sup>ft</sup> x 70<sup>ft</sup> x 30<sup>ft</sup> peak  
Tell us what you'll use it for. ag repairs + home business  
**Building or addition 2** Existing?  Y  N Size and height to the peak: \_\_\_\_\_  
Tell us what you'll use it for. \_\_\_\_\_  
**Building or addition 3** Existing?  Y  N Size and height to the peak: \_\_\_\_\_  
Tell us what you'll use it for. \_\_\_\_\_

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

Special Use — Questionnaire

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

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

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

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

What will be the days and hours of operation on this property? 7:30 to 5:00

5 days week

How many parking spaces do you have now? 0

How many parking spaces do you want? 4

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

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

Will there be retail sales on this property?  Y  N

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

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

some days 1 some days 4 or 5

somedays none

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

Tell us how often. once or twice a day

Tell us the kind of vehicles used. some semis

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

**Sign 1** Dimensions (length and width). \_\_\_\_\_

Existing?  Y  N Double faced?  Y  N

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

Freestanding?  Y  N Wall mounted?  Y  N

**Sign 2** Dimensions (length and width). \_\_\_\_\_

Existing?  Y  N Double faced?  Y  N

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

Freestanding?  Y  N Wall mounted?  Y  N

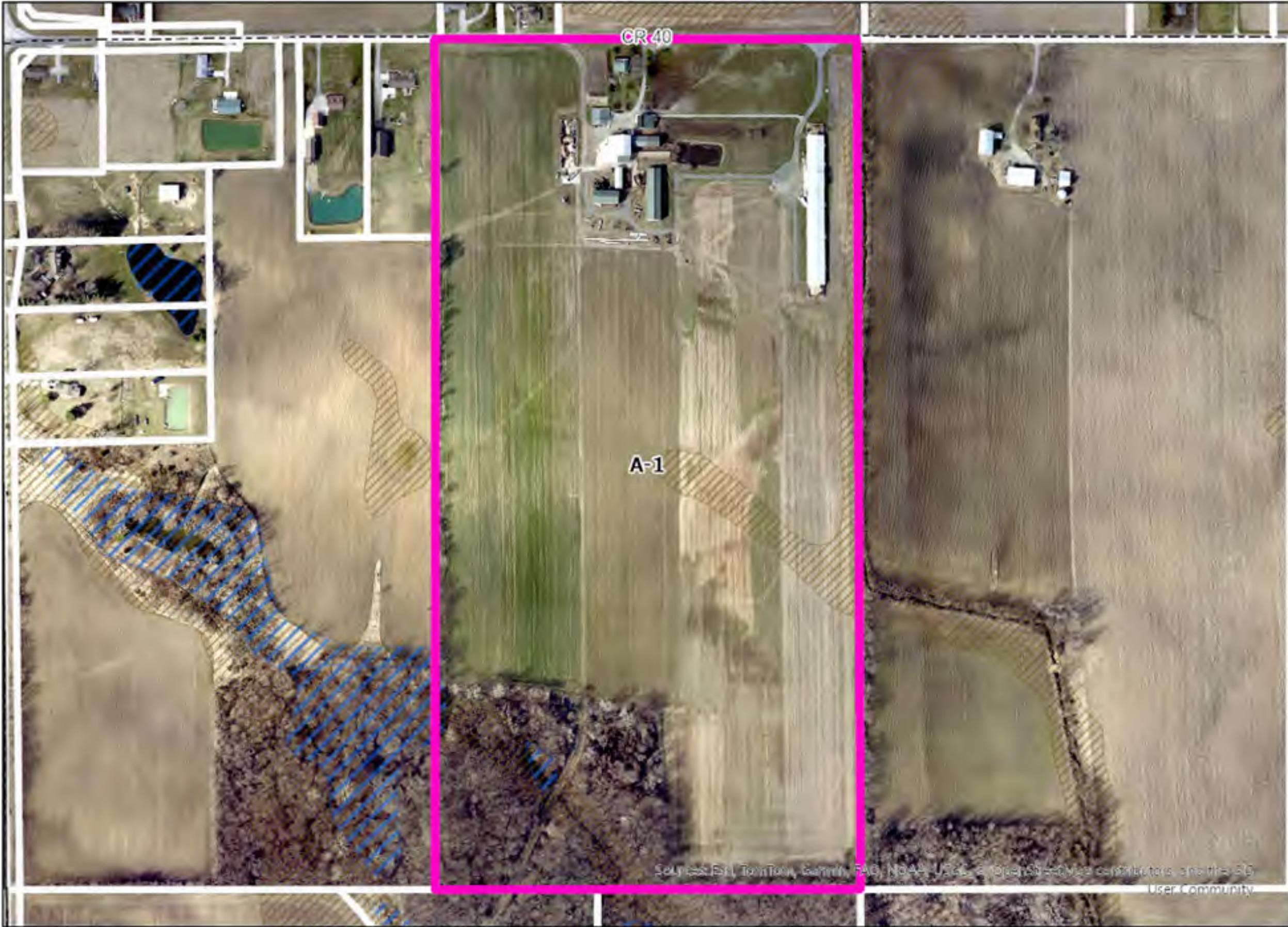
**Sign 3** Dimensions (length and width). \_\_\_\_\_

Existing?  Y  N Double faced?  Y  N

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

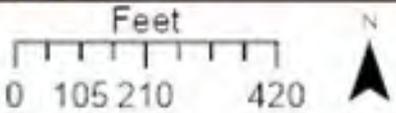
Freestanding?  Y  N Wall mounted?  Y  N

10) Tell us anything else you want us to know. there will be a small gravel lot



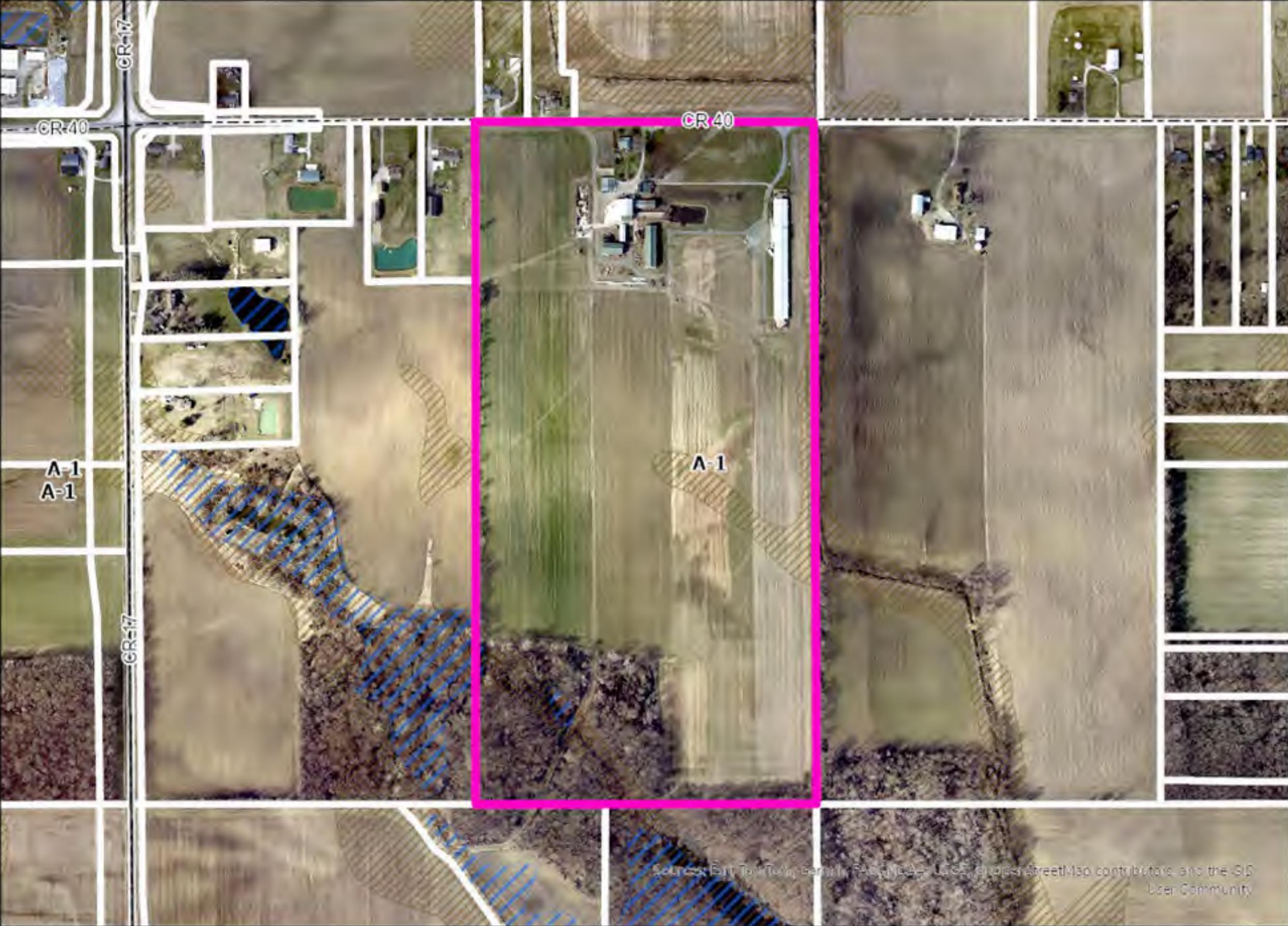
2025 Aerials

1 inch equals 400 ft



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

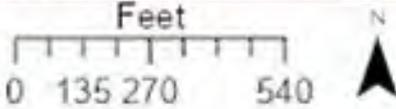
SUP-0056-2026



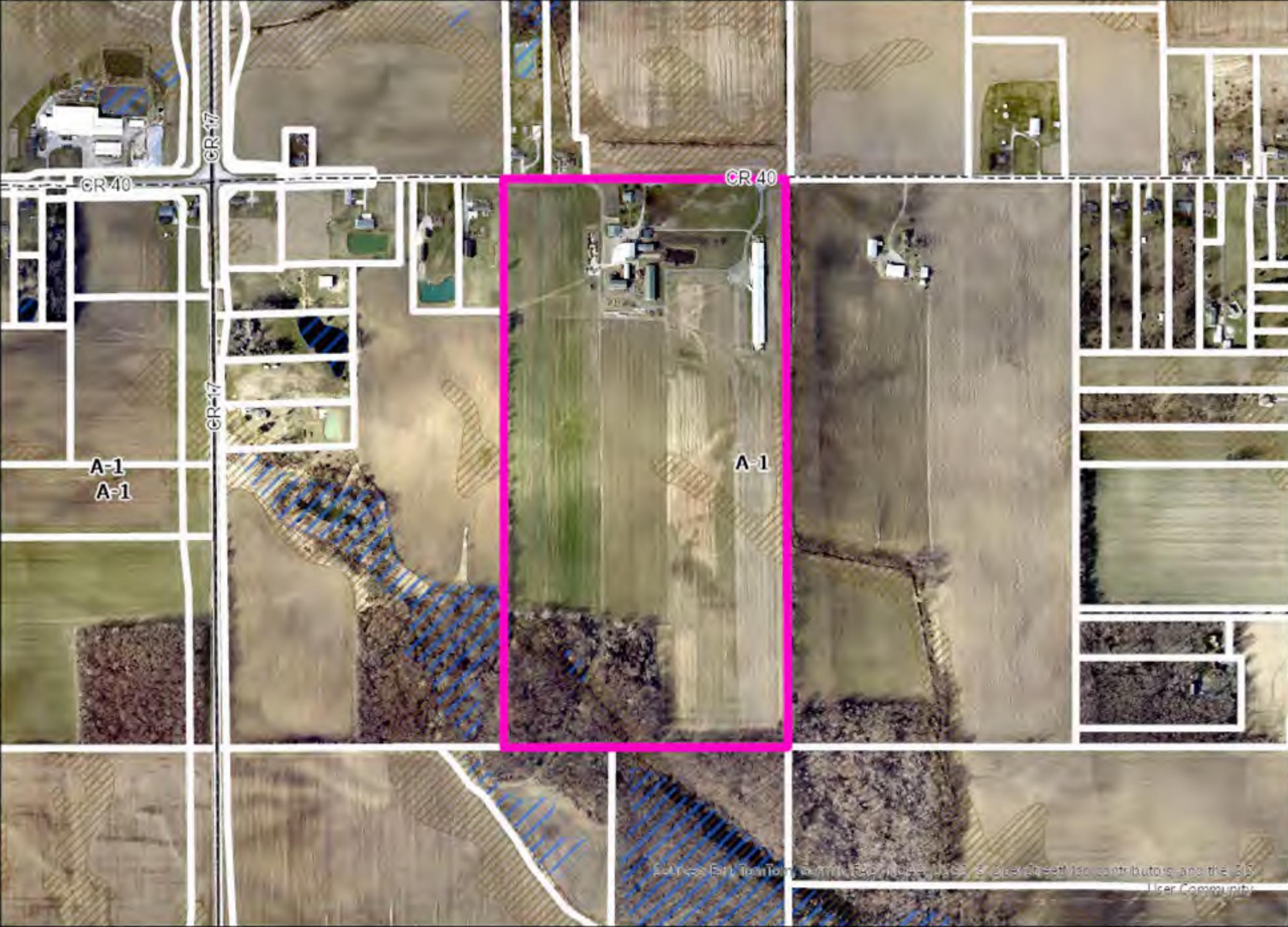
Source: Esri, TerraMetrics, Garmin, FAO, NOAA, USGS, Mapbox, StreetMap contributors, and the GIS User Community

2025 Aerials

1 inch equals 500 ft

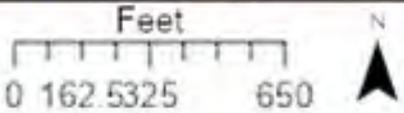


SUP-0056-2026



2025 Aerials

1 inch equals 600 ft



© 2025 Esri, TomTom, Garmin, Esri, NOAA, USGS, & OpenStreetMap contributors and the GIS User Community



**Subject property**



Subject property, proposed building location



Facing west



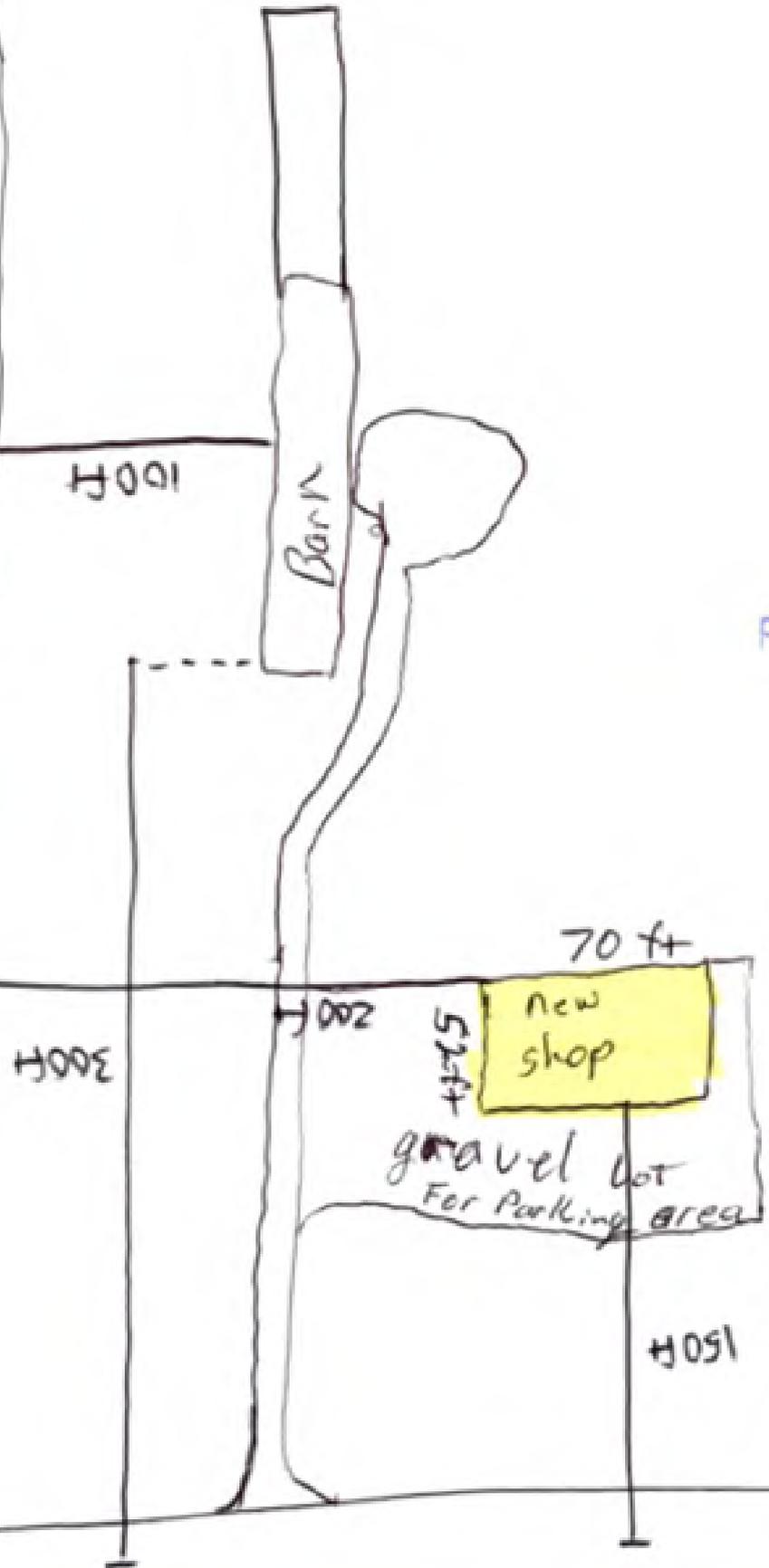
Facing east



**Facing south**

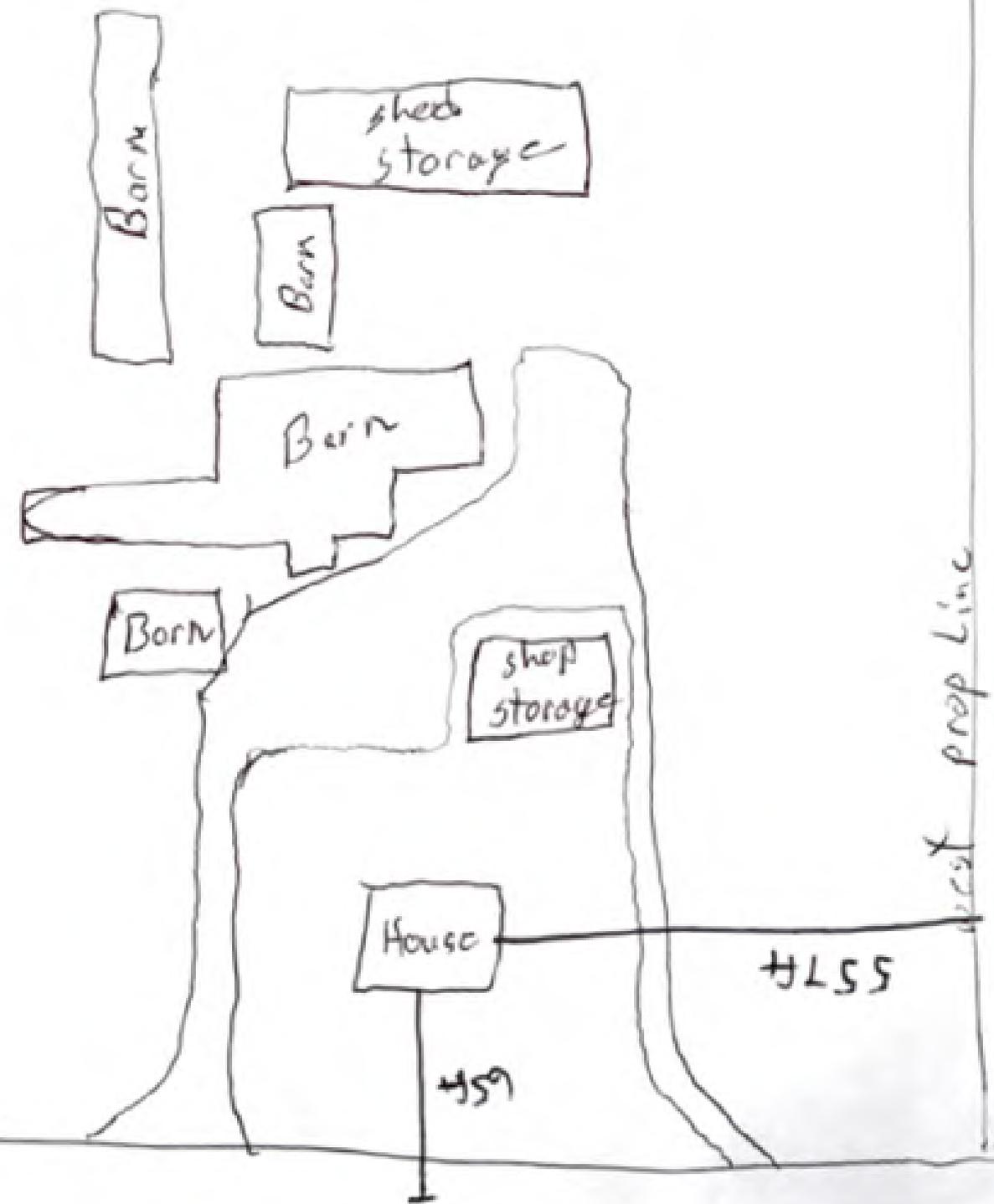


East Prop Line  
Swamp Land Ditch



FEB 12 2026

LR 40



# ***BZA Staff Report***

*Prepared by the Department of Planning and Development*

**Hearing Date:** March 19, 2026

**Transaction Number:** DV-0089-2026.

**Parcel Number(s):** 20-01-26-102-011.000-005.

**Existing Zoning:** A-1.

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

**Petitioner:** Cristina Giles & Evan Giles, Husband & Wife.

**Location:** Northwest side of Glenmoor St., 370 ft. northeast of Doner Ct., in Cleveland Township.

## ***Site Description:***

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

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

- **December 9, 2019** – A complaint was made about a logging business.
- **April 16, 2020** – The BZA approved a Special Use for a home workshop/business for a carpentry/home improvement business and denied a Special Use for warehousing/storage. For the approved Special Use, all operations were to be either within the accessory structure or offsite, outside storage for the business was prohibited, and a 1-year renewal was required (SUP-0181-2020).
- **June 17, 2021** – The BZA approved a renewal along with the original commitments and added a 3-year renewal (SUP-0339-2021).
- **August 17, 2023** – The BZA tabled an amendment to an existing Special Use for a home workshop/business for a carpentry/home improvement business and a Developmental Variance to allow for the total square footage of accessory structures to exceed that allowed by right to allow the petitioner time to decide the size and location of the addition.
- **September 21, 2023** – The BZA tabled an amendment to an existing Special Use for a home workshop/business for a carpentry/home improvement business and a Developmental Variance to allow for the total square footage of accessory structures to exceed that allowed by right due to the absence of the petitioner.
- **October 19, 2023** – The BZA approved an amendment to an existing Special Use for a home workshop/business for a carpentry/home improvement business and a Developmental Variance to allow for the total square footage of accessory structures to exceed that allowed by right (SUP-0477-2023). The SUP and developmental variance have expired.

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

*Hearing Date:* March 19, 2026

- **December 21, 2023** – The BZA approved a minor change to remove commitment #2, which required a 6 ft. privacy fence, and to add a new commitment of no outdoor storage.
- **February 19, 2026** – The BZA approved the Special Use for a home workshop/business for a carpentry/home improvement business and denied a Developmental Variance to allow for the total square footage of accessory structures to exceed that allowed by right (SUP-0011-2026).
- **February 20, 2026** – The Planning Staff determined that with the added living space in the basement, this is now a major change.

## ***Staff Analysis:***

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

1. Approval of the request will be injurious to public health, safety, morals, or general welfare. The request is 411 sq. ft., or 12 percent, over what is allowed by right and will alter the character of the neighborhood. This change in percentage is due to adding living space from the basement of the residence.
2. Approval of the request will cause substantial adverse effect on neighboring property. This is a 1.02-acre parcel in a dense residential area, and the property should remain residential in character. Although there is an increase in living area, that does not change the scale of the existing accessory structure with the proposed addition.
3. Strict application of the terms of the Development Ordinance would not result in an unnecessary hardship in the use of the property.

Staff recommends **DENIAL**.

# PLAN COMMISSION & BOARD OF ZONING APPEALS

Elkhart County Planning & Development  
Public Services Building

4230 Elkhart Road, Goshen, Indiana, 46526

Phone - (574) 971-4678

Fax - (574) 971-4578

DV-0089-2026

Developmental Variance - Developmental Variance

Date: 02/25/2026 Meeting Date: March 19, 2026  
Board of Zoning Appeals Public Hearing Transaction #: DV-0089-2026

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

Contacts: <u>Applicant</u>	<u>Land Owner</u>
Cristina Giles And Evan Giles, Husband & Wife 52933 Glenmoor St Elkhart, IN 46514	Cristina Giles And Evan Giles, Husband & Wife 52933 Glenmoor St Elkhart, IN 46514

Site Address: 52933 Glenmoor St Elkhart, IN 46514	Parcel Number: 20-01-26-102-011.000-005
--	---

Township: Cleveland  
Location: NW SIDE OF GLENMOOR, 370 FT. NE OF DONER CT.

Subdivision: WAYNE MEADOWS	Lot # 24, 25, & 26
----------------------------	--------------------

Lot Area: 1.02	Frontage: 233.53	Depth: 150.00
----------------	------------------	---------------

Zoning: A-1	NPO List:
-------------	-----------

Present Use of Property: RESIDENTIAL

Legal Description:

Comments: SEE RESULT LETTER BECAUSE THE SPECIAL USE AND THE DV FOR THE EXISTING ACCESSORY STRUCTURE BEING TOO CLOSE TO THE CENTERLINE OF THE RIGHT-OF-WAY GOT APPROVED, BUT THE DV FOR THE ADDITION GOT DENIED SO NO PERMIT AT THIS TIME

SEE SUP-0477-2023 APPROVED 12/21/2023 FOR SPECIAL USE AMENDMENT FOR ADDITION TO EXISTING BUILDING WITH DEVELOPMENTAL VARIANCE FOR STORAGE, BUT DV HAS EXPIRED.

RENEWAL OF SUP-0181-2020 FOR HOME WORKSHOP BUSINESS APPROVED 4/16/2020, WAREHOUSING /STORAGE DENIED

SUP-0339-2021 APPROVED 6/17/2021 FOR HOME WORKSHOP BUSINESS

PARCEL CREATED 3/1/1962

RESIDENTIAL DWELLING AREA 1,597 SQFT X 110% =1,756.7 MINUS GARAGE 756 SQFT, BARN 2,48 SQFT=-1,047.3 OF BUILDABLE STORAGE SPACE MINUS NEW PROPOSED STRUCTURE AND SQFT 1,792 SQFT = -2,840 SQFT. or 162%

SUP-0011-2026-DENIED THE PROPOSED ACCESSORY STRUCTURE, APPROVED EXISTING ACCESSORY STRUCTURE, APPROVED SPECIAL USE FOR HOME WORKSHOP/BUSINESS

RESIDENCE WAS FOUND TO HAVE A COMPLETED BASEMENT THEREFORE THE RESIDENTIAL BREAKDOWN IS CHANGED, ONLY OVER 411 SQ. FT. NOW-PER MAE AND JASON ALLOWED TO COME BACK AS A MAJOR NEW PETITION

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

Special Use — Questionnaire

Name: Evan Giles

- 1) Tell us what you want to do. I have in past operated a home workshop business on this property with this boards approval. Seek to renew that standing as well as reinstate a previously approved variance for renovating the existing polebarn.
  
- 2) Tell us why this activity won't hurt your neighbors or the community. I provide my services to benefit my clients in both Elkhart county, St Joseph County and beyond. A large number of my neighbors have benefited from me as well as any other members of the public.
  
- 3) Is there a subdivision covenant that says you can't do this activity?  Y  N  
 If yes, does the subdivision have an active homeowners' association?  Y  N
  
- 4) Will the activity create noise, vibration, smoke, dust, odor, heat, or glare?  Y  N If yes, fill out below.  
 Tell us what will create those things. Using a chainsaw to cut and trim logs for firewood etc. Cutting and sanding wood for woodworking projects.  
 Tell us how you'll reduce the impact of those things on neighbors. Confine as much as possible to the interior of the building or only during daylight hours. The increase of space will help to do more on the interior
  
- 5) Will there be buffering (fences, trees, shrubs, mounds)?  Y  N  
 If yes, tell us about it. There is an existing buffering easement that runs my entire north property line
  
- 6) Does the property need well and septic? Well:  Y  N Septic:  Y  N  
 Does the property need a new septic system?  Y  N  
 If a new septic system is needed, did the Health Department say there's enough space for it?  Y  N
  
- 7) Will the activity use buildings or additions?  Y  N If yes, fill out below.  
**Building or addition 1** Existing?  Y  N Size and height to the peak: 32'x64' and ≈15' tall  
 Tell us what you'll use it for. Previously approved special use variance for home workshop business.  
**Building or addition 2** Existing?  Y  N Size and height to the peak: 44'x72' and 25' tall or less  
 Tell us what you'll use it for. Renovate existing 32'x64' building  
**Building or addition 3** Existing?  Y  N Size and height to the peak: \_\_\_\_\_  
 Tell us what you'll use it for. \_\_\_\_\_
  
- 8) Does this application include animals?  Y  N  
 If yes, tell us what kind and how many of each. \_\_\_\_\_

Next page ➡



**Special Use — Questionnaire**

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

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

How many employees do you want? Full time: 3 Part time: 1

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

What will be the days and hours of operation on this property? M-F: 9-5 and Saturdays 9-1.

80-95% of work is done offsite week to week.

How many parking spaces do you have now? 6

How many parking spaces do you want? 9

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

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

Will there be retail sales on this property?  Y  N

If yes, tell us what will be sold. Rough cut lumber or small custom furniture. By appointments only

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

1-2 per month at most. Majority of work is offsite or delivered.

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

Tell us how often. Very rarely.

Tell us the kind of vehicles used. Small trucks with trailers or small dump trucks/flatbeds. No semis

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

**Sign 1** Dimensions (length and width). 2'x4'

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). 18"x96" or smaller

Existing?  Y  N Double faced?  Y  N

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

Freestanding?  Y  N Wall mounted?  Y  N

**Sign 3** Dimensions (length and width). \_\_\_\_\_

Existing?  Y  N Double faced?  Y  N

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

Freestanding?  Y  N Wall mounted?  Y  N

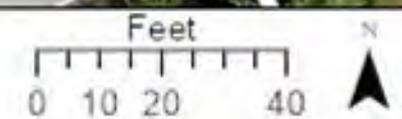
10) Tell us anything else you want us to know. Add additional concrete pad along west wall of the barn. I was badly injured 5/29/24 and again on 4/14/25 which delayed future plans previously made.

DV-0089-2026

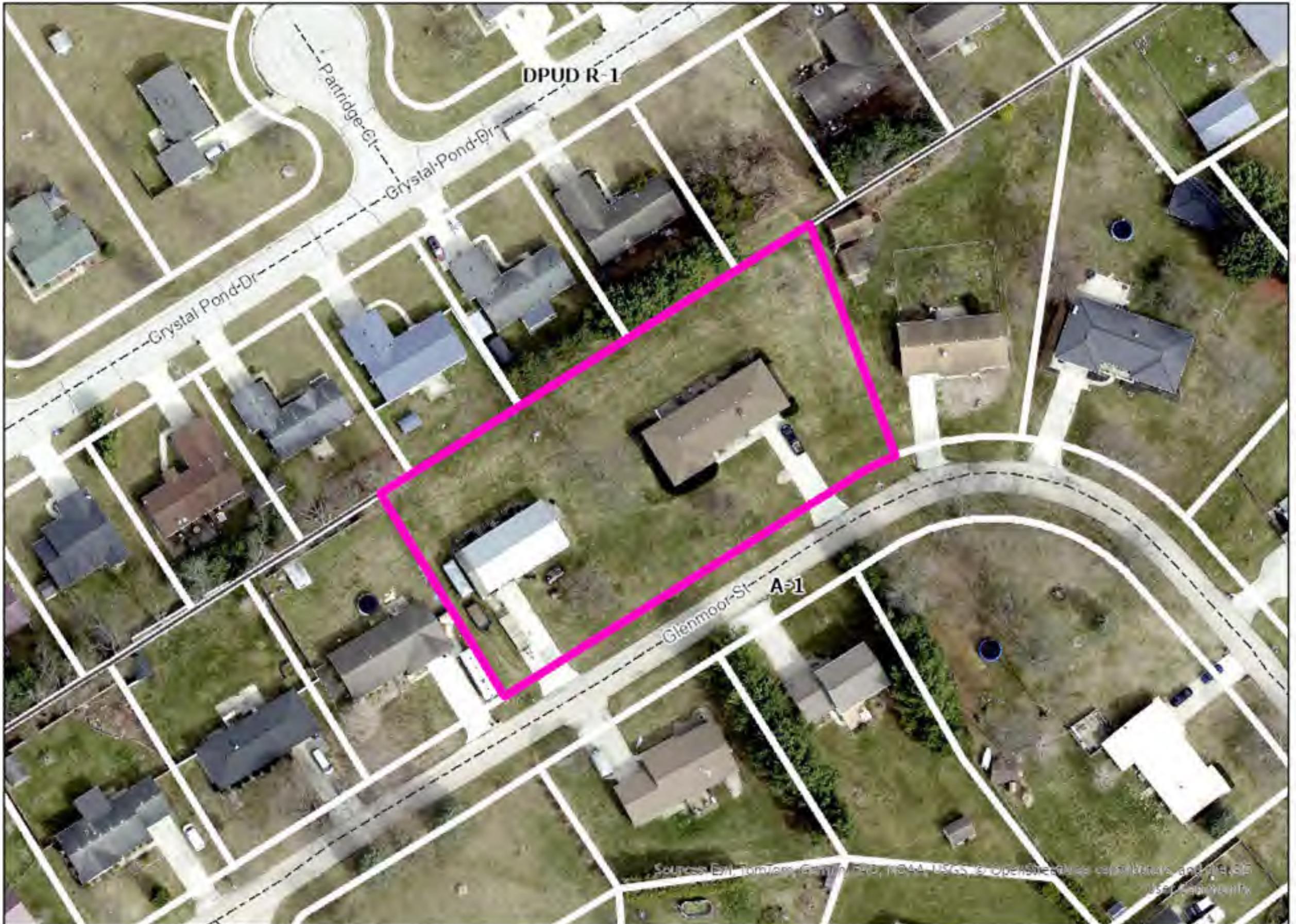


2025 Aerials

1 inch equals 40 ft

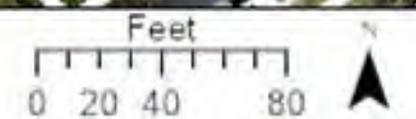


DV-0089-2026

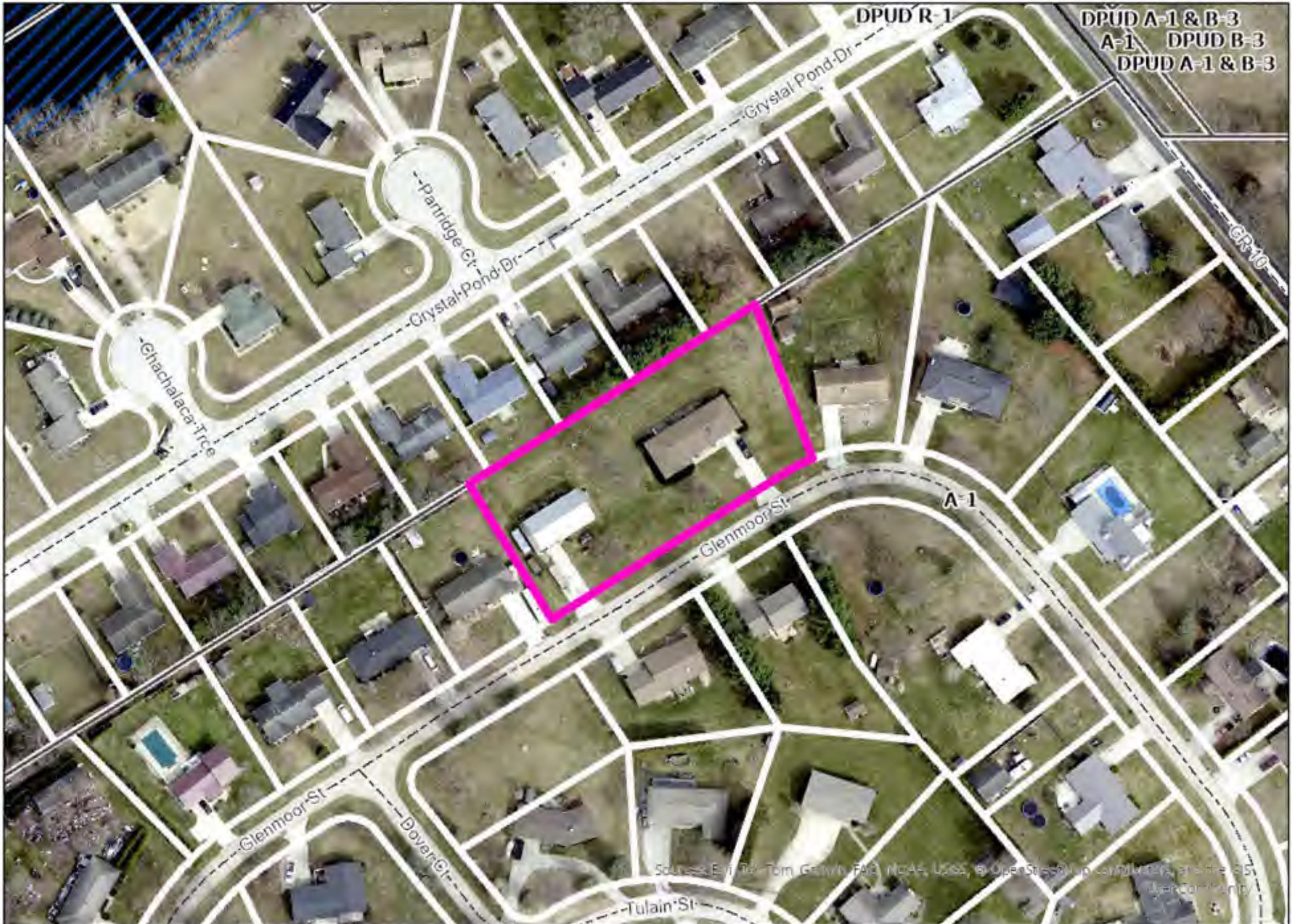


2025 Aerials

1 inch equals 80 ft

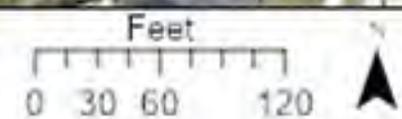


DV-0089-2026



2025 Aerials

1 inch equals 120 ft





Subject property facing east



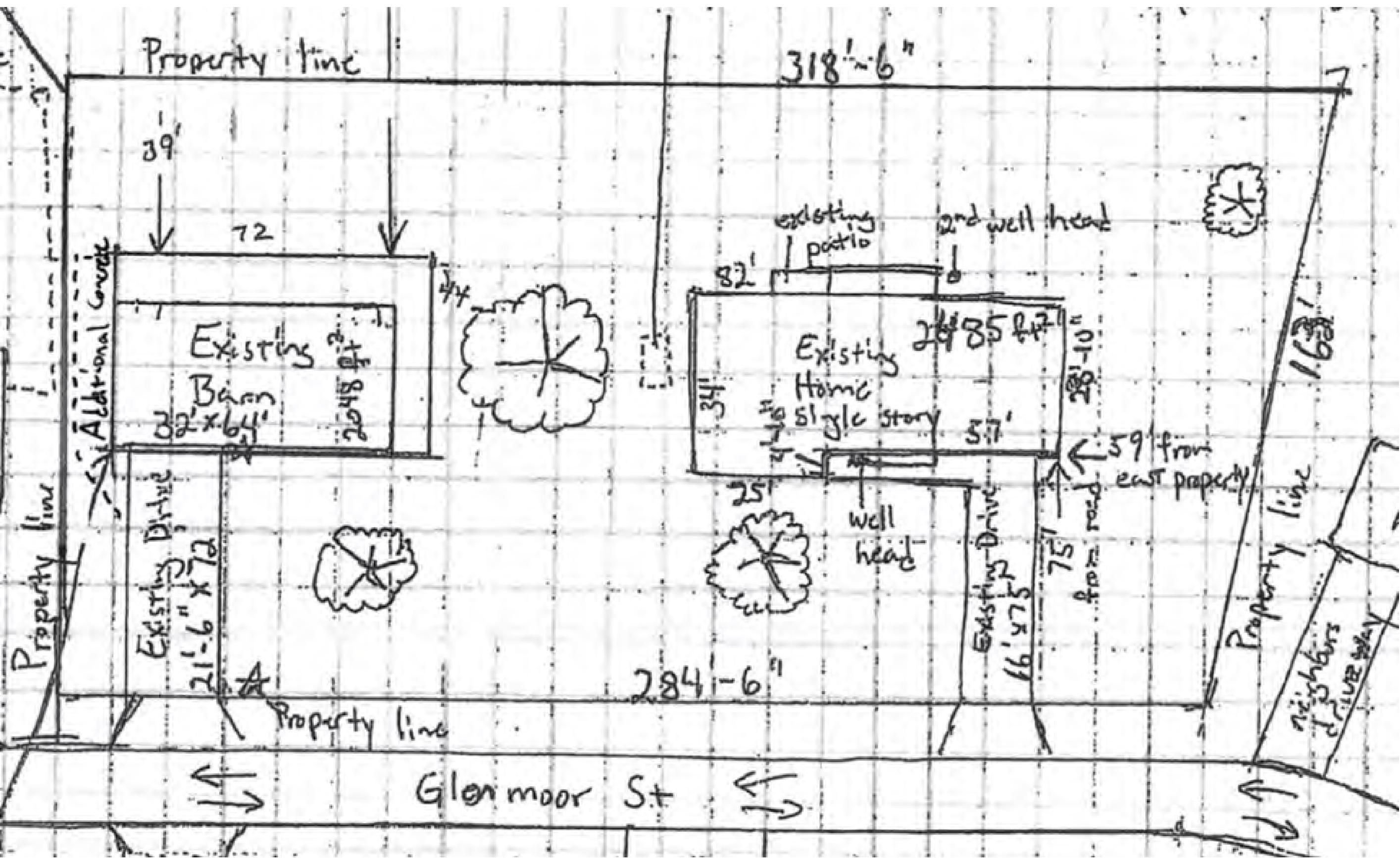
Facing west



Facing north



Facing south



Property line

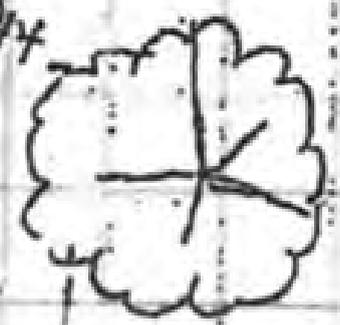
318'-6"

39'

72

Additional Credit

Existing Barn  
32' x 64'  
2048 sq ft



existing patio

2nd well head

82'

Existing Home  
Single story  
26' x 35'  
910 sq ft

34'

28'-10"

25'

well head

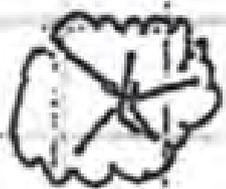
59' from east property

75' from road

163'

Property line

Existing Drive  
21'-6" x 72'



284'-6"

Existing Drive  
16' x 75'

75'

Property line

Neighbors DRIVEWAY



Glenmoor St

