

ELKHART COUNTY BOARD OF ZONING APPEALS

9:00 A.M.

9:30 A.M. (WARNER)

- E. Petitioner: ***Amos & Margaret Raber, Husband & Wife (Buyers) & Olena Oleksandr DeShone & Brian DeShone, Wife & Husband (Sellers)*** (Page 10)
Petition: for a Special Use for a catering establishment (commissary).
Location: North side of CR 28, 2,050 ft. West of CR 22, common address of 18239 CR 28 in Jefferson Township, zoned A-1. SUP-0598-2026
- F. Petitioner: ***Valerie K. Bell*** (Page 11)
Petition: for a Special Use for a home workshop/business for retail sales.
Location: East side of Horizon Dr., 560 ft. North of Dogwood Ln., East of Redbud Ln., South of Wayne St., common address of 502 Horizon Dr. in Middlebury Township, zoned R-4. SUP-0596-2026
- G. Petitioner: ***James S. Pierce & Julie A. Pierce, Husband & Wife*** (Page 12)
Petition: for a Special Use for a contractor office and yard (electrical contractor).
Location: North side of CR 28, 750 ft. East of CR 101, common address of 29343 CR 28 in Baugo Township, zoned A-1. SUP-0590-2026
- H. Petitioner: ***Larry W. White & Jennifer L. White, Husband & Wife*** (Page 13)
Petition: for a Special Use for a kennel (dog boarding).
Location: South side of CR 36, 3,500 ft. East of CR 15, common address of 22322 CR 36 in Harrison Township, zoned A-1. SUP-0607-2026
- 10:00 A.M. (WHITE)**
- I. Petitioner: ***Church Community Services*** (Page 14)
Petition: for an amendment to an existing Special Use for an event center to amend signage.
Location: East side of CR 3, 1,580 ft. North of CR 26, common address of 56710 CR 3 in Baugo Township, zoned A-1. SUP-0595-2026
- J. Petitioner: ***Millersburg Park & Recreation Board*** (Page 15)
Petition: for an amendment to an existing Special Use for a town park to add a pavilion.
Location: North side of Larimer Dr., 1,200 ft. North of E. Elm St., West of N. Benton St. (SR13), in Clinton Township, zoned A-1. SUP-0591-2026
- K. Petitioner: ***Helen E. Kallimani*** (Page 16)
Petition: for an amendment to an existing Special Use for the keeping of animals on tract of land containing less than 3 acres to add an indoor riding arena.
Location: Southwest side of CR 22, 1,195 ft. Southeast of CR 3, common address of 28872 CR 22 in Baugo Township, zoned A-1. SUP-0604-2026

- L. Petitioner: ***Lehman Family Trust, Nathan R. Lehman & Eileen J. Lehman, Trustees*** (Page 17)
Petition: for a Special Use for a kennel.
Location: South side of CR 42, 1,130 ft. East of CR 31, common address of 15820 CR 42 in Benton Township, zoned A-1. SUP-0601-2026

SPECIAL USES/DEVELOPMENTAL VARIANCES 10:30 A.M. (MILLER)

- M. Petitioner: ***Kevin L. Bontrager & Eva Bontrager, Husband & Wife*** (Page 18)
Petition: for an amendment to an existing Special Use for a home workshop/business for a woodworking shop to allow for a warehouse addition, for a Developmental Variance to allow for the total square footage of accessory structures to exceed that allowed by right and for a Developmental Variance to allow for 5 outside employees (Ordinance allows 4).
Location: Northeast corner of CR 28 & CR 37, common address of 13063 CR 28 in Middlebury Township, zoned A-1. SUP-0574-2026
- N. Petitioner: ***Bristol Community Church*** (Page 19)
Petition: for an amendment to an existing Special Use for a place of worship to allow for additional parcels and parking on lots 7, 8, 13, 37, & 38, for a 20 ft. Developmental Variance (Ordinance requires 55 ft. to allow for parking 35 ft. from the centerline of the right-of-way of S. Division St. (SR 15), for a 12 ft. Developmental Variance (Ordinance requires 35 ft.) to allow for parking 23 ft. from the centerline of the right-of-way of W. St. Joseph St., for a 35 ft. Developmental Variance (Ordinance requires 35 ft.) to allow for parking 0 ft. from the right-of-way of W. St. Joseph St., W. Elkhart St., & Illinois St., and for a Developmental Variance to allow for parking area without required buffering.
Location: most of the property located South of W. Vistula St. & North of W. St. Joseph St., between S. Division St. & Illinois St., also the Southwest corner of S. Division St. & W. St. Joseph St., common address of 201 S. Division St. in Washington Township, zoned R-1, B-2. SUP-0580-2026
- O. Petitioner: ***Vernon J. Slabaugh & Edith Slabaugh, Husband & Wife*** (Page 20)
Petition: for a Special Use for a home workshop/business for an auto repair shop, for a Special Use for a mobile home, and for a Developmental Variance to allow for the total square footage of accessory structures to exceed that allowed by right.
Location: North side of CR 46, 1,500 ft. East of CR 11, common address of 24757 CR 46 in Union Township, zoned A-1. SUP-0589-2026

- P. Petitioner: ***Guadalupe Chavez Villasenor & Frolan Reyes Ortiz*** (Page 21)
 Petition: for a Special Use for a home workshop/business for a bounce house business, for a 13 ft. Developmental Variance (Ordinance requires 50 ft.) to allow for an existing residence 37 ft. from the centerline of the right-of way and for a 3 ft. Developmental Variance (Ordinance requires 5 ft.) to allow for an existing residence 2 ft. from the west side property line.
 Location: South side of Glenmore St., 550 ft. West of Osolo Rd., common address of 25110 Glenmore St. in Osolo Township, zoned R-2. SUP-0606-2026
- Q. Petitioner: ***Allen T. Hatton & Amanda E. Hatton*** (Page 22)
 Petition: for a Special Use for a home workshop/business for a dog grooming business and for a Developmental Variance to allow for the total square footage of accessory structures to exceed that allowed by right.
 Location: Northwest side of CR 8, 1,010 ft. West of CR 21, common address of 19647 CR 8 in Washington Township, zoned A-1. SUP-0609-2026

SHOW CAUSE HEARINGS

(11:00 A.M.) (HESSER)

- R. Petitioner: ***Terry Wuthrich*** (Page 23)
 Petition: for a requested rescission of a Special Use for warehousing of RVs for failure to comply with the condition (s) and/or commitment (s) imposed by the Board of Zoning Appeals.
 Location: North side of SR 120, 1,560 ft. West of CR 131, in York Township, zoned A-1. SUP-0428-2022
- S. Petitioner: ***Carol Hensley & Anthony Hensley, Wife & Husband*** (Page 24)
 Petition: for a requested rescission of a Special Use for a home workshop/business for a produce and flower stand for failure to comply with the condition(s) and/or commitment (s) imposed by the Board of Zoning Appeals.
 Location: Northeast corner of SR 15 & CR 20, common address of 58480 SR 15 in Jefferson Township, zoned A-1. SUP-0552-2023
- T. Petitioner: ***Miguel A. Ponce Martinez*** (Page 25)
 Petition: for a requested rescission of a Special Use for a home workshop/business for bouncy houses for failure to comply with the condition(s) and/or commitment(s) imposed by the Board of Zoning Appeals.
 Location: Southwest corner of CR 18 & Westleaf Manor Blvd., 790 ft. East of CR 1, common address of 29850 CR 18 in Baugo Township, zoned A-1. SUP-0576-2023
- U. Petitioner: ***Jay Risser & Amber Risser*** (Page 26)
 Petition: for a requested rescission of a Special Use for a home workshop/business for a dog grooming business for failure to comply with the condition(s) and/or commitment(s) imposed by the Board of Zoning Appeals.
 Location: Southeast corner of Kay Blvd. & Pleasant View Dr., 1,020 ft. North of CR 26, common address of 59808 Kay Blvd. in Concord Township, zoned A-1. SUP-0480-2023

- V. Petitioner: ***Bonnie J. Whitaker*** **(Page 27)**
 Petition: for a requested rescission of a Special Use for an agricultural use for the
 keeping of animals on a tract of land containing less than 3 acres for failure to
 comply with the condition(s) and/or commitment(s) imposed by the Board of
 Zoning Appeals.
 Location: South side of CR 34, 1,265 ft. East of CR 43, common address of 10504 CR
 34 in Clinton Township, zoned A-1. SUP-0572-2024

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 1/1/26 – 12/31/29
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 1/1/26 – 12/31/26
David Miller – Appointed by Commissioners: term 1/1/26 – 12/31/26

BZA MINUTES
ELKHART COUNTY BOARD OF ZONING APPEALS MEETING
HELD ON THE 20th DAY OF AUGUST 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 Jackson Beck, Attorney for the Board.

Roll Call.

Present: Debra Cramer, John Gardner, Cory White, Roger Miller, Randy Hesser.

Absent: Steve Warner.

2. A motion was made and seconded (*White/Gardner*) that the minutes of the regular meeting of the Board of Zoning Appeals held on the 18th day of June 2026 be approved as read. The motion was carried with a unanimous roll call vote.

3. A motion was made and seconded (*Miller/Cramer*) that the minutes of the regular meeting of the Board of Zoning Appeals held on the 16th day of July 2026 be approved as read. The motion was carried with a unanimous roll call vote. Mr. Hesser abstained.

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

5. The application of **Edgar Molina Larios** for a Special Use for an agricultural use for the keeping of animals on a tract of land containing less than 3 acres on property located on the South side of W. Mishawaka Rd., 910 ft. West of CR 7, common address of 809 W. Mishawaka Rd. in Concord Township, zoned R-1, came on to be heard.

Mr. Auvil presented the Staff Report/Staff Analysis, which is attached for review as Case #SUP-0390-2026.

There were nineteen neighboring property owners notified of this request.

Mr. Larios, 809 W. Mishawaka Rd., Elkhart, was present for this request. Mrs. Cramer asked Mr. Larios if he wanted to have 12 chickens on his property. Mr. Larios stated he wants 3 roosters as well. Mrs. Cramer stated that roosters will not be allowed on his property. Mr. Larios asked if he will stop getting tickets for having roosters. Mrs. Cramer stated the Board does not handle tickets, and he will need to speak with staff regarding the tickets. She continued by saying the Board is only here to decide if he can have 12 chickens on his property.

Steven White, 803 W. Mishawaka Rd., Elkhart was present to remonstrate. Mr. Steven White stated he wants to make sure Mr. Larios does not have roosters on his property. He continued by saying Mr. Larios has had roosters on his property for the last year and the noise is unbearable. Mr. Steven White said he knows that Mr. Larios no longer has the roosters but wants to be assured that will remain the case. He continued to say that he has no objections to chickens. Mr. Hesser asked Mr. Steven White if he was ok with 12 hens. Mr. Steven White said that is fine with him.

Mr. Auvil presented an email from Kathy Reggi, 902 W. Mishawaka Rd., Elkhart. Mrs. Reggi is opposed to the noise from roosters and the loud music. Mrs. Reggi also stated in the email that the property owner appears to be running a junkyard business. She also complained of burning taking place on the subject property. Mr. Hesser clarified that the petition is for chickens not other complaints. *[Attached to file as Staff Exhibit #1].*

The public hearing was closed at this time.

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

Motion: Action: Approve, **Moved by** John Gardner, **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 an agricultural use for the keeping of animals on a tract of land containing less than 3 acres 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 6/16/2026) and as represented in the Special Use application.
2. The request is limited to a maximum of twelve (12) chickens at any one time, no roosters.

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

Yes: Debra Cramer, John Gardner, Cory White, Roger Miller, Randy Hesser.

6. The application of **Eldon G. Yoder & Doreen G. Yoder, Husband & Wife** for a Special Use for a home workshop/business for a woodworking business on property located on the West side of CR 131, 2,200 ft. South of CR 4, common address of 52417 CR 131 in York 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-0444-2026*.

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

Glen Bontrager, 51583 CR 29, Bristol, was present as the representative for the petitioner. Mr. Bontrager stated the petitioner wants to have a woodworking business and needs a larger space to run his business. Mr. Hesser clarified there will be two employees. Mr. Bontrager confirmed Mr. Yoder and his brother will be running the business with one additional employee. Mr. White asked Mr. Bontrager about semi-tractor trailer deliveries. Mr. Bontrager stated there will be lumber delivered to the property. Mr. Hesser confirmed with Mr. Bontrager that the semi-trucks will be able to turn around and not have to back from/onto CR 131.

Hope Chupp, 15736 Foxtail Dr., Bristol, was present to remonstrate. Mrs. Chupp stated she is most concerned about the noise and traffic. Mr. Gardner clarified where Mrs. Chupp's home is in relation to the subject property. She continued to say the noise can be heard at all hours on the weekends. Mr. Miller asked Mrs. Chupp what kind of noise she is able to hear. Mrs. Chupp said she hears sawing noise. Mr. Miller then stated the hours mentioned on the application are 5 a.m. to 1 p.m. Mrs. Chupp stated she doesn't like the noise regardless of the hours and pointed out that the area is residential in nature.

Mr. Bontrager came back to the podium. Mrs. Cramer asked why Mr. Bontrager was here for the petition and not Mr. Yoder. Mr. Bontrager stated he was asked by Mr. Yoder to attend the meeting. He continued to say he is a contractor and helped Mr. Yoder to apply for the Special Use. Mr. Hesser asked Mr. Bontrager if the woodworking operations will be contained in the building. Mr. Bontrager confirmed operations will take place in the building. Mr. White asked if Mr. Yoder was present, and Mr. Bontrager said no. Mrs. Cramer confirmed that there will be a generator used for the business. Mr. Miller asked staff if there are any regulations regarding the use of generators. Mr. Auvil replied no there are not, but it is at the Board's discretion to make noise regulation a condition. Mr. Miller then confirmed with Mr. Auvil that the Board could request the generator be housed in a building to contain the noise. Mr. Miller offered that many businesses contain generators in a block building to suppress the noise. Mr. White stated he would really like to hear from the petitioner. He continued by saying he would like to defer this hearing to next month to hear what the petitioner has to say.

The public hearing was closed at this time.

Mrs. Cramer stated the Board has requested noise regulation for generators in past meetings.

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

Motion: Action: Continue, **Moved by** Cory White, **Seconded by** Debra Cramer that this request for a Special Use for a home workshop/business for a woodworking business be continued to allow the petitioner to be present at the next Board of Zoning Appeals meeting on September 17, 2026.

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

Yes: Debra Cramer, John Gardner, Cory White, Roger Miller, Randy Hesser.

7. The application of *Tri-County Land Trustee Corporation (Land Contract Holder) & Jerry Lehman & Joann Lehman, Husband & Wife (Land Contract Purchasers)* for a Special Use for a roadside stand on property located on the West side of CR 29, 1,895 ft. South of CR 20, common address of 58871 CR 29 in Jefferson 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-0449-2026*.

There were 5 neighboring property owners notified of this request.

Jerry Lehman, 58871 CR 29, Goshen, was present for this request. Mr. Lehman stated he wants to work with his wife and five children to provide fresh produce and bake goods for the community and to earn extra income. Mr. Miller clarified the building that will be used for the roadside stand is the one next to the silo.

There were no remonstrators present.

The public hearing was closed at this time.

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

Motion: Action: Approve, **Moved by** Roger Miller, **Seconded by** Debra Cramer that the Board adopt the Staff Analysis as the Findings and Conclusions of the Board, and based upon these, further moved that this request for a Special Use for a roadside stand 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 7/10/2026) and as represented in the Special Use application.

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

Yes: Debra Cramer, John Gardner, Cory White, Roger Miller, Randy Hesser.

8. The application of **Four Square Holdings, LLC** for a Special Use for an agricultural use for the keeping of animals on a tract of land containing less than 3 acres on property located on the West side of CR 35, 2,525 ft. North of SR 120, common address of 52519 CR 35 in York 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-0450-2026.

There were twelve neighboring property owners notified of this request.

Josh Hochstetler, 3345 N 850 W, Shipshewana, was present for this request. Mr. Hochstetler stated he wants to construct a building to house 2 horses and some equipment. Mr. Miller clarified the equipment will not be used as part of a business. Mr. Hesser clarified the horses will be used for transportation. Mrs. Cramer asked Mr. Hochstetler if the area is fenced. He proceeded to show the fenced area on the aerial map.

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** John Gardner that the Board adopt the Staff Analysis as the Findings and Conclusions of the Board, and based upon these, further moved that this request for a Special Use for an agricultural use for the keeping of animals on a tract of land containing less than 3 acres be approved with the following 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 7/10/2026) and as represented in the Special Use application.
2. The request is limited to a maximum of two (2) adult horses at any one time.

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

Yes: Debra Cramer, John Gardner, Cory White, Roger Miller, Randy Hesser.

9. The application of **Wyatt Bowen & Alyssa Bowen, Husband & Wife** for a Special Use for an agricultural use for the keeping of animals on a tract of land containing less than 3 acres on property located on the South side of CR 24, 1,415 ft. East of CR 9, common address of 25728 CR 24 in Concord 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-0452-2026.

There were 7 neighboring property owners notified of this request.

Alyssa Bowen, 25728 CR 24, Elkhart, was present for this request. Mrs. Bowen stated she wants to keep her chickens and her pony. Mr. Miller confirmed she is aware staff is recommending 6 chickens and one pony. Mr. Miller asked Mrs. Bowen how she discards the chicken waste. Mrs. Bowen said she spread it in the pony's pasture.

There were no remonstrators present.

The public hearing was closed at this time.

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

Motion: Action: Approve, **Moved by** Roger Miller, **Seconded by** Cory White that the Board adopt the Staff Analysis as the Findings and Conclusions of the Board, and based upon these, further moved that this request for a Special Use for an agricultural use for the keeping of animals on a tract of land containing less than 3 acres be approved with the following 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 7/13/2026) and as represented in the Special Use application.
2. The request is limited to a maximum of six (6) chickens at any one time, no roosters.
3. The request is limited to a maximum of one (1) pony at any one time.

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

Yes: Debra Cramer, John Gardner, Cory White, Roger Miller, Randy Hesser.

10. The application of **Myron Slabaugh & Jessica Slabaugh, Husband & Wife** for a Special Use for an agricultural use for the keeping of animals on a tract of land containing less than 3 acres and for a Developmental Variance to allow for the total square footage of accessory structures to exceed that allowed by right on property located on the East side of SR 15, 670 ft. North of CR 40, common address of 65882 SR 15 in Elkhart Township, zoned R-1, came on to be heard.

Mr. Auvil presented the Staff Report/Staff Analysis, which is attached for review as Case #SUP-0439-2026.

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

Anthony Glentz, Shipshewana Homes, 613 Colorado St., Goshen, was present to represent the petitioner. Mr. Glentz stated the home had a fire, so the customer called him to do work on the property. He continued by saying that is when it was discovered that a Special Use for the animals was needed. Mr. Glentz confirmed that the petitioner does have chickens, and it was on the application submitted. He stated the petitioner has made his pasture larger for the ponies and goats. Mr. Miller confirmed the animals are being used for 4-H. Mr. Miller asked Mr. Glentz how many chickens the petitioner has. Mr. Glentz stated he counted at least 6 to 8 chickens.

Byron Yoder, 65844 SR 15, Goshen, was present to support the petition. Mr. Yoder stated he lives two properties north of the petitioner. He continued saying they are great neighbors and he has no issue with this request.

Louanne Dunn, 65857 SR 15, Goshen, was present to support the petition. Mrs. Dunn stated she lives north of the petitioner and has never had any problems with them as neighbors and doesn't foresee having problems. She continued by saying she is in favor of their petition.

The public hearing was closed at this time.

Mr. Auvil came back to the podium to say the petitioner did not request a specific number of chickens in the questionnaire, but staff will support the standard number of twelve (12) chickens.

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

Motion: Action: Approve, **Moved by** Roger Miller, **Seconded by** John Gardner that the Board adopt the Staff Analysis as the Findings and Conclusions of the Board, and based upon these, further moved that this request for a Special Use for an agricultural use for the keeping of animals on a tract of land containing less than 3 acres be approved with the following 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 7/7/2026) and as represented in the Special Use application.
2. The agricultural use is limited to a maximum of two (2) adult ponies and two (2) adult goats at any one time.
3. The request is limited to a maximum of twelve (12) chickens at any one time, no roosters.

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

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

Yes: Debra Cramer, John Gardner, Cory White, Roger Miller, Randy Hesser.

11. The application of **Lamar D. Miller & Lanita S. Miller, Husband & Wife** for a Special Use for a home workshop/business for a battery-powered trinket/appliance business, for a 25 ft. Developmental Variance (Ordinance requires 75 ft.) to allow for the construction of an accessory structure 50 ft. from the centerline of the right-of-way 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 East side of CR 35, 610 ft. South of SR 4, common address of 61710 CR 35 in Clinton 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-0416-2026.

There were twenty neighboring property owners notified of this request.

There was no petitioner present for this request. Moved to the end of the hearing See item #17 on page #15.

**** Mr. Hesser recused himself at this time and stepped down****

12. The application of *Concord Community Schools* for an amendment to an existing Special Use for a High School to allow for a field house and for a 30 ft. Developmental Variance (Ordinance allows 30 ft.) to allow for a structure 60 ft. in height on property located on the East side of Minuteman Way, 1,362 ft. South of CR 20, common address of 59117 Minuteman Way in Concord 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-0456-2026.

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

Jeff Phillips, 59117 Minuteman Way, Elkhart was present for this request. Mr. Phillips stated the school wants to build a fieldhouse where the existing soccer field is located and will be used for multiple sports.

There were no remonstrators present.

The public hearing was closed at this time.

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

Motion: Action: Approve, **Moved by** Roger Miller, **Seconded by** Debra Cramer that the Board adopt the Staff Analysis as the Findings and Conclusions of the Board, and based upon these, further moved that this request for an amendment to an existing Special Use for a High School to allow for a field house 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 7/26/2026) and as represented in the Special Use Amendment application.

Further, the motion also included that a 30 ft. Developmental Variance (Ordinance allows 30 ft.) to allow for a structure 60 ft. in height 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 7/26/2026) and as represented in the Developmental Variance application.

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

Yes: Debra Cramer, John Gardner, Cory White, Roger Miller.

Abstain: Randy Hesser.

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

13. The application of *Timothy E. Risser & Melissa R. Risser, Husband & Wife* for a Special Use for a home workshop/business for a landscaping business, for a Developmental Variance to allow for the total square footage of accessory structures to exceed that allowed by right, for a Developmental Variance to allow for 8 outside employees (Ordinance allows 4) and for a 5 ft. Developmental Variance (Ordinance allows 25 ft.) to allow for an accessory structure 30 ft. in height on property located on the West side of CR 7, 2,370 ft. South of CR 36, common address of 64441 CR 7 in Harrison 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-0451-2026.

There were ten neighboring property owners notified of this request.

Tim Risser, 64441 CR 7, Goshen, was present for this request. Mr. Risser stated he and his sons operate a landscaping business out of their home and are outgrowing the existing storage building. He continued by saying the new building will allow for future growth. Mr. Risser stated the new building will be for storage of business equipment, along with a small office. He added it will have its own driveway, so they won't have to use the current shared driveway. Mr. Hesser confirmed there will be no outside storage. Mr. Risser clarified that his 4 employees are on site every day before they go to their landscaping jobs. He continued by saying he requested 8 employees for their eventual expansion. Mr. Miller asked Mr. Risser if they have truck deliveries. Mr. Risser stated no. Mrs. Cramer clarified the new building will not use the shared driveway. Mr. Risser confirmed the new driveway will go directly to the new building.

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 landscaping 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 7/13/2026) and as represented in the Special Use application.
2. Semi-tractor trailers may not back into the Real Estate from CR 7 or back out from the Real Estate onto CR 7.

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, for a Developmental Variance to allow for 8 outside employees (Ordinance allows 4) and for a 5 ft. Developmental Variance (Ordinance allows 25 ft.) to allow for an accessory structure 30 ft. in height be approved with the following conditions imposed:

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

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

Yes: Debra Cramer, John Gardner, Cory White, Roger Miller, Randy Hesser.

14. The application of *Scott Pelletier & Chrisie L. Pelletier, Husband & Wife* for a Special Use for a home workshop/business for a screen printing and graphics 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 East side of SR 15, 1,520 ft. South of CR 20, common address of 58718 SR 15 in Jefferson Township, zoned A-1, came on to be heard.

Mrs. Richards presented the Staff Report/Staff Analysis, which is attached for review as Case #SUP-0467-2026.

There were neighboring property owners notified of this request.

Dennis Ghost, Agape Construction, 09254 SR 5, Shipshewana, was present for this request. Mr. Ghost stated the petitioner wants to build an accessory structure for personal storage. He continued by saying the petitioner will not be running the business out of the new accessory structure. Mr. Hesser asked Mr. Ghost what the petitioner is producing with the screen-printing business. Mr. Ghost responded that the petitioner screen prints t-shirts and truck decals. He clarified that the largest delivery to the property is in a cargo van. Mr. Miller clarified there will be no employees.

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** Cory White that the Board adopt the Staff Analysis as the Findings and Conclusions of the Board, and based upon these, further moved that this request for a Special Use for a home workshop/business for a screen printing and graphics 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 commitment was imposed:

1. The request is approved in accordance with the site plan submitted (dated 6/1/2026) and as represented in the Special Use application.

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 6/1/2026) and as represented in the Developmental Variance application.

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

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

Yes: Debra Cramer, John Gardner, Cory White, Roger Miller, Randy Hesser.

****Mr. Hesser recused himself from consideration of this petition, stepped down from the Board, and left the meeting room.****

Roger Miller, Vice Chairperson, presided over consideration of this petition.

15. The continued public hearing on the application of ***Lloyd W. Yoder & Lena M. Yoder, Husband & Wife***, for a Special Use for a home workshop/business for a diesel-repair 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 East side of CR 31, 750 ft. South of CR 14, common address of 56200 CR 31 in Middlebury township, zoned A-1, came to be resumed before the Board.

Mrs. Richards presented the Staff Report/Staff Analysis, which is attached for review as *Case #SUP-0274-2026*. She submitted the building permit and agricultural-use sheet for the structure [Attached to file as Staff Exhibit #1]. The documents described the permitted use of the structure as animals and agricultural storage.

There were seventeen neighboring property owners notified of this request.

Danielle Richards stated that the public hearing had been continued from July 16, 2026 at the petitioners' request to allow additional preparation time and retention of legal counsel. She further stated that the testimony, written submissions, exhibits, and other evidence received at the July 16 hearing remained part of the record for the continued hearing.

Attorney Jason Kuchmay, Snyder Morgan & Kuchmay LLP, 4211 Clubview Drive, Ft. Wayne, was present to represent the petitioner. Mr. Kuchmay submitted letters of recommendation for the petitioner [Attached to file as Petitioner Exhibit #1]. Mr. Kuchmay stated he is here to represent Lloyd and Lena Yoder for their Special Use and Developmental Variance request. He said he believes the Special Use request is consistent with the purpose and intent of the Development Ordinance as established in section 1.2 of the Zoning Ordinance, as it indicates that one of those purposes is to provide a reasonable balance between his clients' right to use his land and the public's interest in living in an attractive and prosperous community. He continued to note that the structure used for the business is not visible from the road because it is screened by very large and mature trees. Mr. Kuchmay noted that the building is very attractive, immaculate, and his client has over 1 million dollars invested in it; thus, contributing to a prosperous community. He continued to say business itself is very important to the community and significantly contributes to Elkhart County's tax base. Mr. Kuchmay referred to section 1.2.3 of the Zoning Ordinance that mentions public convenience and welfare. He noted that 75% of the trucks and equipment that Mr. Yoder works on are Ag related. He also stated Mr. Yoder works on Elkhart County Highway Department trucks, Middlebury Fire Department trucks and Shipshewana Fire Department trucks. Mr. Kuchmay

referenced the letters submitted from the Elkhart County Highway Department, Middlebury Township Fire Department, and the Shipshewana Fire Department all in support of Mr. Yoder's business. He continued to say the letters express the importance of the location of Mr. Yoder's business, and its importance to the community and his exemplary work. Mr. Kuchmay reminded the Board this property is not zoned R-1, rather it is zoned A-1. He continued by referencing section 4.2.1 of the Zoning Ordinance that states the purpose of A-1 zoning is to support a variety of uses, including agri-business. Mr. Kuchmay said that 75% of his client's business is agri-business. He then reminded the Board that he believes his client's business does substantially serve the public convenience and welfare of the community. He continued by saying staff recommend the business be in a commercial area to protect the community from noise and odor that comes from this type of business. Mr. Kuchmay pointed out that the staff report does not address the nature and extent of the noise and odor. He continued to say the Ordinance requires the business to cause substantial and permanent injury to the use of the neighboring property in order to deny the application. Mr. Kuchmay noted that the business takes place inside a climate-controlled building that is spray foam insulated, and he stressed there are no outdoor repairs that take place. He continued to say the tools are electric and by nature quiet compared to a lawn mower. He also noted that he visited the property this past weekend and asked his client to turn on the air compressor. He stated he then walked around the building and could not hear any noise. Mr. Kuchmay claimed there will be less noise, traffic and odor compared to a working dairy farm which is permitted in an A-1 zone. He then went on to say there is a letter in the packet submitted earlier from Steve Miller, Realtor with ReMax who is familiar with Mr. Yoder's business and the neighboring properties. Mr. Miller's letter supports the petitioner, and he believes Mr. Yoder's business will not negatively impact the surrounding neighborhood. Mr. Kuchmay said that Mr. Yoder's business will substantially serve the public convenience and welfare of the community. He stated he believes the attached garage and doghouse listed as a shed should not be used in the storage equation. He continued by saying in his opinion it has already been established that the business will not be injurious to public health and welfare. He stressed that the building is shielded from the street and the size of the building is necessary to accommodate this type of business. Mr. Kuchmay said the neighboring properties will not be adversely affected by the business. He continued by saying his client's business serves the community in several ways: it keeps the local farms running smoothly, keeps county trucks on the road, and ensures the local fire departments can do what they need to do to serve and protect the community. He stressed that denying the application would create hardship for his client who runs an agri-business that serves the community in need and asked the Board to approve both requests.

Mr. Miller clarified that the letters received on behalf of the petitioner did not mention anything about the business being an agri-business.

Lloyd & Lena Yoder, 56200 CR 31, Goshen, were present for this request. Mr. Yoder said he grew up on a farm around equipment and trucks doing mechanical work. He continued to say he has always had a passion for mechanical work. Mr. Yoder said he has been doing mechanical work for the last 16 years, and he was also doing work at his previous property as a hobby for friends and family. Mr. Yoder stated there is a lack of qualified diesel mechanics in the area. He continued by saying 3 years ago he decided to stop working two jobs and start his own business. Mr. Miller clarified with Mr. Yoder that his permit for the shop building was for animal and ag storage. Mrs. Gilbert confirmed the permit ag sheet stated animals and ag storage. Mr. Yoder said

he is using the building for his agri-business. He clarified that when he built the ag building, he wasn't sure when he would move his business into the building. Mr. Yoder stated he was of the understanding that if 75% of his business is ag related then it would be considered an agri-business. Mr. Gardner clarified that Mr. Yoder was running his business at another location at the time he built the current building that houses his business. Mrs. Cramer asked Mr. Yoder if he had ever had animals in the building. Mr. Yoder said he had dogs in the building but not horses or cows. Mr. Yoder stressed that his business does serve the local community and that trucks are a large part of Elkhart County, especially the local fleets that need truck repair. Mr. Yoder clarified that the letters submitted by Attorney Kuchmay were only the few that he requested. He continued to say he could have gotten a dozen letters from local agri-business in support of his business. Mr. Yoder testified that regular business hours were 7:30 a.m. to 6:00 p.m.; that occasionally customer pickups could occur as early as 5:30 a.m. and as late as 8:00 p.m.; that as many as six trucks could enter or leave the property during a day, in addition to 3-4 deliveries a day that come in small panel vans. He continued to say that personal deliveries are delivered to the shop as well. Mr. White asked Mr. Yoder about the July meeting when a remonstrator, Mr. Ta, stated that Mr. Yoder's application contained multiple untruths and mentioned that the addition of Mr. Yoder's new building has caused more flooding on his property and water in his basement. Mr. White expressed concern about the flooding and asked Mr. Yoder if he could explain the situation. Mr. Yoder went to the aerial and pointed to a wooded area on his property. He continued to say the neighbor who complained (Mr. Ta) lives to the north of that area which is a low-lying area where the excess water drains. Mr. Yoder stated that when the excavating for his new building was done it caused more water to drain into the wooded area that is on his property. He continued to say that Mr. Ta's property slopes toward his property, and the water drains into that wooded area. Mr. Kuchmay came back to the podium to remind the Board that the petitioner is here today to talk about the use of the property. He then referred to the State of Indiana common enemy doctrine where surface water is the common enemy and a property owner can divert water as necessary to protect their own property. Mr. Yoder informed the Board that Mr. Ta approached him and asked him to purchase that wooded part of the property, not too many months after he had purchased the property. He continued by saying he told Mr. Ta he didn't feel like he could sell it because the surface water from his property drains to that area, which is a naturally low area. He noted that this was before the construction of the new building was even started. Mr. Yoder said Mr. Ta said that was fine, he just wanted somewhere for his water to go and said he would sign something saying he would not hold him accountable for the water being in that area. He continued to say he had the Highway Department inspect the water issue, and they said most of the water is behind outside of the right-of-way. Mr. Yoder then said he reached out to the drainage department, and it was not a big enough issue for the county to be concerned. He continued to say it was a lengthy process, and he was trying to be a good neighbor to help resolve the water issue. Mr. Yoder started to address the issue of the lights put on the building, indicating they are for security. Mr. Miller interrupted and said one of the problems is that he applied for a permit for ag storage, not for a building for diesel repair, which would require a lot more details and review. Mr. Miller continued to say Mr. Yoder has not addressed the noise issue, which is a concern. He continued to express that Mr. Yoder is asking the Board to approve a business that started in a barn. He also noted that the area is not zoned for businesses of this size. Mr. Yoder stated it is not a large business. He noted the trucks that are parked in the back are trucks that are completed and waiting to be picked

up. Mr. Yoder indicated that at times he must wait for parts, and there might be 10-12 trucks on the property at any one time. He continued to say the traffic is not at a dealership level.

Mary Hesser, 56277 CR 31, Goshen, was present to remonstrate. Mrs. Hesser stated she lives directly across from Lloyd and Lena, and she has lived there for forty years. Mrs. Hesser acknowledged that it is a mixed-use area, but noted she never thought she would be living across from a semi-truck repair business. She continued by pointing out that the Yoders have been less than forthright since the very beginning. Mrs. Hesser stated she and her husband had dinner with the previous owners who told them they were selling their property. She continued to say they told her the new owners intended to do diesel repair on the property. Mrs. Hesser noted she then asked them if that is permitted, and they responded the Yoders said it has already been taken care of. Mrs. Hesser said after the Yoders moved in and began construction of the building, they came over to introduce themselves and their children and talked about what they would be doing. She continued by saying she asked if what they were intending to do is permitted, and they replied it had already been taken care of. She indicated she was a little perplexed as to what that meant, since living across the road they had never received any type of notice for a Special Use request. Mrs. Hesser stated that the building is visible from the road if you are heading south. She continued by saying her neighbors, the Diamonds, who are elderly, could not attend the meeting. She noted they are all concerned about ground water contamination. Mrs. Hesser expressed concern that any restrictions the Board might require will not be abided by, given the Yoder's less than forthright behavior. She continued by saying once the ground water is contaminated, there is no remediating that. She also stated that not only does it affect them but also their livestock and would bring down her property value if the water were to become contaminated. Mrs. Hesser noted it is not unusual to see semi-trucks pulling into the Yoder's property into the later evening hours. She continued by saying she has a problem with the idea of asking for forgiveness instead of permission. Mrs. Hesser then reminded the Board that they denied a small car repair business to the south of the subject property. She expressed that it is very nerve wrecking to get up and speak against a neighbor and asked the Board to abide by staff recommendation and deny the petitioner's request. Mr. Gardner asked Mrs. Hesser what her main concern with ground water contamination is. Mrs. Hesser stated she is not sure they have taken any steps to trap any fluids. She continued to say she is not sure the quantity or types of fluids involved that would need remediation.

Mr. White asked Mr. Yoder if he has floor drains in the building. Mr. Yoder stated he has 4 small drains in front of each door to let water, snow and ice drain into them. He continued to say he has an oil/water separator installed in the building. Mr. White then asked if the oil/water separator was installed when constructing the ag building. Mr. Yoder confirmed it was installed as part of the building process. Mr. Yoder continued and stated he has had his groundwater tested by the Health Department and there were no issues found. He said the trucks on his property are not leaking fluids and would invite any of the neighbors to come over to inspect the parking lot and the trucks. Mr. Yoder assured the Board that if any truck showed up and was leaking fluids, it would be brought directly into the building and drained immediately, disposing of the fluids.

The public hearing was closed at this time.

Mr. Miller stated this is a Special Use request for a home workshop for diesel repair and reminded Mr. Yoder that the process of building such a building would have required a different process. Mrs. Cramer confirmed that agriculture and agri-business are not the same and diesel repair is not an agri-business. Mrs. Richards came to the podium to point out that whether this

came in as an agricultural business or any commercial business a commercial permit would have been required with various department reviews and check offs.

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

Motion: Action: Deny, Moved by Roger Miller, Seconded by Debra Cramer that the Board adopt the Staff Analysis as the Findings and Conclusions of the Board, and based upon these, further moved that this request for a Special Use for a home workshop/business for a diesel repair business be **DENIED**. The Staff Analysis adopted by the Board provided:

1. The Special Use will not be consistent with the spirit, purpose, and intent of the Development Ordinance. This is a moderately dense residential and agricultural area, and the property would not remain residential in character. Diesel-truck repair is an intense use that should not be in a residential area.
2. The Special Use will cause substantial and permanent injury to the appropriate use of neighboring property. The existing structure is less than 100 ft. from the closest neighboring residence, and diesel-truck repair will generate noise and odors. A complaint was already received regarding the business and activities being conducted at the property.
3. The Special Use will not substantially serve the public convenience and welfare. The business should be located in a commercial area where residences are protected from the noise and smell of odor associated with this type of operation.

Vote: Motion passed (**summary:** Yes = 4, No = 0, Recused/Not participating = 1).

Yes: Debra Cramer, John Gardner, Cory White, Roger Miller.

Recused/Not participating: Randy Hesser.

The request for a Developmental Variance to allow for the total square footage of accessory structures to exceed that allowed by right was deemed **MOOT** as a result of the Special Use denial.

16. Mr. Auvil presented a staff item for a minor change to amend an existing Special Use for L.A. Investment Group for warehousing and storage in an A-1 district for property located at 22715 Old US 20, Elkhart. The request is to construct a new storage building.

Motion: Action: Approve, Moved by Roger Miller, Seconded by John Gardner that the request be approved as a minor change.

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

Yes: Debra Cramer, John Gardner, Cory White, Roger Miller, Randy Hesser.

17. The application of **Lamar D. Miller & Lanita S. Miller, Husband & Wife** for a Special Use for a home workshop/business for a battery-powered trinket/appliance business, for a 25 ft. Developmental Variance (Ordinance requires 75 ft.) to allow for the construction of an accessory structure 50 ft. from the centerline of the right-of-way 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 East side of CR 35, 610 ft. South of SR 4, common address of 61710 CR 35 in Clinton 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-0416-2026.

There were twenty neighboring property owners notified of this request.

The petitioner was still not present.

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

Motion: Action: Table, **Moved by** Roger Miller, **Seconded by** Debra Cramer that this request for a Special Use for a home workshop/business for a battery-powered trinket/appliance business be tabled to the September 17, 2026 Board of Zoning Appeals meeting due to the absence of the petitioner.

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

Yes: Debra Cramer, John Gardner, Cory White, Roger Miller.

Abstain: Randy Hesser

18. The meeting was adjourned at 10:50 a.m.

Respectfully submitted,

Jean Boyer, Recording Secretary

Roger Miller, Vice-Chairman

Debra L. Cramer, Secretary

BZA Staff Report

Prepared by the Department of Planning and Development

Hearing Date: October 15, 2026

Transaction Number: SUP-0555-2026.

Parcel Number(s): 20-02-28-353-012.000-026.

Existing Zoning: M-1, M-2, R-2.

Petition: For a Special Use for a salvage yard.

Petitioner: Matthew L. Gerver.

Location: South side of North Park Ave., 665 ft. east of CR 9, in Osolo Township.

Site Description:

- Physical Improvement(s) – Mobile office and two commercial buildings.
- Proposed Improvement(s) – None.
- Existing Land Use – Salvage yard.
- Surrounding Land Use – Mixed.

History and General Notes:

- **Approx. July 1976** – The BOCC approved a Conditional Use for an existing legal nonconforming junkyard to allow a 31×32 building addition for auto parts storage. The approval was on 7 lots and was subject to 7 conditions.
- **May 19, 2017** – A complaint was received about a junkyard fence falling into a neighbor's yard. The fence was repaired by the following month and the case was closed.
- **November 14, 2025** – A complaint was received about a junkyard expanding onto additional lots without approval. No evidence was found at the time and the case was closed.
- **October 8, 2026** – The PC will consider a rezoning from R-2 and M-1 to M-2 for the 4 northeast lots.

Staff Analysis:

Staff finds that:

1. The Special Use will be consistent with the spirit, purpose, and intent of the Development Ordinance. More than half the property has an approved Conditional Use, and the entire property is eligible for a replacement Special Use with an approved rezoning.
2. The Special Use will not cause substantial and permanent injury to the appropriate use of neighboring property. All neighboring property to the north, west, and south is M-2, and no variances from development standards have been requested.
3. The Special Use will substantially serve the public convenience and welfare by conforming an existing salvage yard to ordinance requirements and enabling its continued operation in an appropriate area.

BZA Staff Report (Continued)

Hearing Date: October 15, 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 rezoning of the R-2 and M-1 portions of the property must be approved by the BOCC.

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

1. The request is approved in accordance with the site plan submitted (dated 8/25/2026) and as represented in the Special Use application.
2. An opaque fence or wall with a minimum height of 8 ft. must be maintained around all operating and outside storage areas.
3. No parking or storage in the right-of-way.
4. No loading or unloading in the right-of-way.
5. Hours of operation are limited to 8:00 a.m. to 4:00 p.m., Monday through Saturday.
6. No disposal of waste by burning except in an approved incinerator.

PLAN COMMISSION & BOARD OF ZONING APPEALS

Special Use - Non Mobile Home

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

4230 Elkhart Road, Goshen, Indiana, 46526

Phone - (574) 971-4678

Fax - (574) 971-4578

Date: 08/25/2026 Meeting Date: October 15, 2026
Board of Zoning Appeals Public Hearing Transaction #: SUP-0555-2026

Description: FOR A SPECIAL USE FOR A SALVAGE YARD

Contacts: <u>Applicant</u>	<u>Land Owner</u>
Matthew L. Gerver	Matthew L. Gerver
30131 Vantilburg Ct	30131 Vantilburg Ct
Elkhart, IN 46514	Elkhart, IN 46514

Site Address: 25858 North North Park Avenue
Elkhart, IN 46514

Parcel Number: 20-02-28-353-012.000-026

Township: Osolo
Location: SOUTH SIDE OF N. PARK AVE., 665 FT. EAST OF CR 9

Subdivision: Lot #

Lot Area: 1.75 Frontage: 353.00 Depth: 273.00

Zoning: M-1, M-1, M-2, M-2, R-2, R-2 NPO List: 10/01/2026

Present Use of Property: COMMERCIAL

Legal Description:

Comments: SEE RZ-0554-2026 FOR REZONE FROM R-1 AND M-1 TO M-2

Applicant Signature:

Department Signature:

Special Use — Questionnaire

Name: Matthew Gerver

1) Tell us what you want to do. I need to move the Electric
From Old Building to a different building

2) Tell us why this activity won't hurt your neighbors or the community. this has been
a Salvage yard for years, we have
Cleaned + cleaned this property ~~seen~~ sense we
Purchased it.

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. there will be minimal amount
of noise

Tell us how you'll reduce the impact of those things on neighbors. we are in contact
with all the neighbors we maintain the
10ft Fence and Landscaping

5) Will there be buffering (fences, trees, shrubs, mounds)? ☒ Y ☐ N

If yes, tell us about it. We Already have a 10 ft fence
around the property with trees we only
will be there 8-4 pm

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: 0 Part time: _____

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

How many of the employees won't live onsite? ? No employees will live here

What will be the days and hours of operation on this property? Monday - Saturday
8am to 4 pm

How many parking spaces do you have now? 4

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?

NONE

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

Tell us how often. maybe 6 times a year

Tell us the kind of vehicles used. two trucks

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

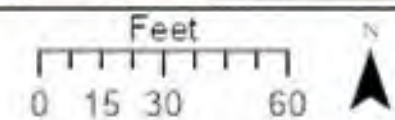
- 10) Tell us anything else you want us to know. _____

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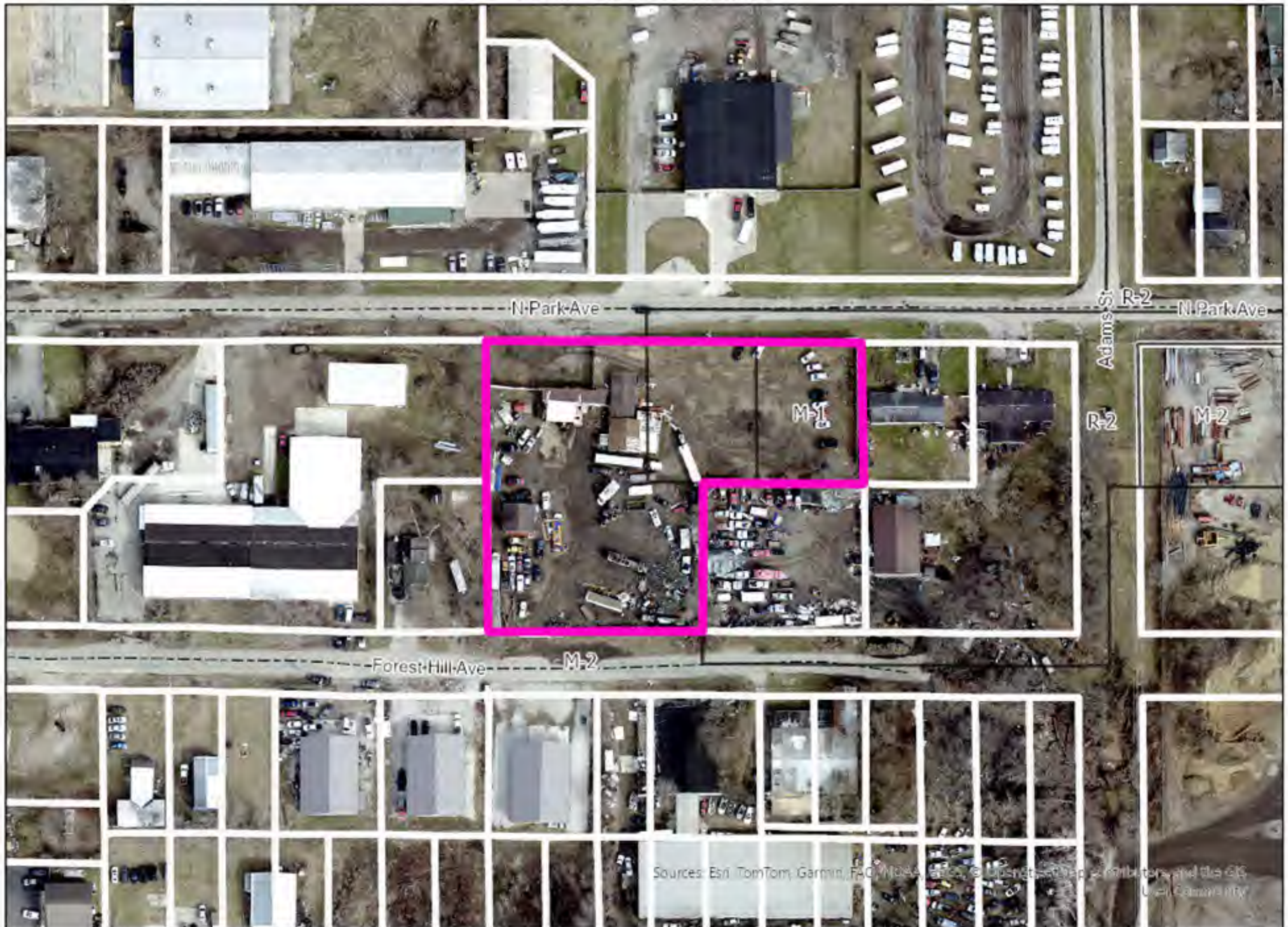


2025 Aerials

1 inch equals 60 ft



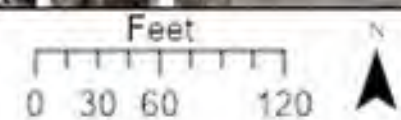
SUP-0555-2026



Sources: Esri, TomTom, Garmin, FAO, NOAA, Bing, © Mapbox, and other contributors, and the GIS User Community

2025 Aerials

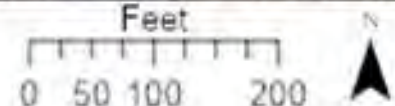
1 inch equals 120 ft





2025 Aerials

1 inch equals 200 ft





Subject property (north side)



Subject property (north side)



Facing east



Subject property (northeast corner)



Facing west



Facing north



Subject property (south side)

North Bark Ave

- mail Box
 Vold Service
 + meter inside
 X Fuse Box Old

|| Front Gate

/ \ Rear Gate

Red Barn New
 Service

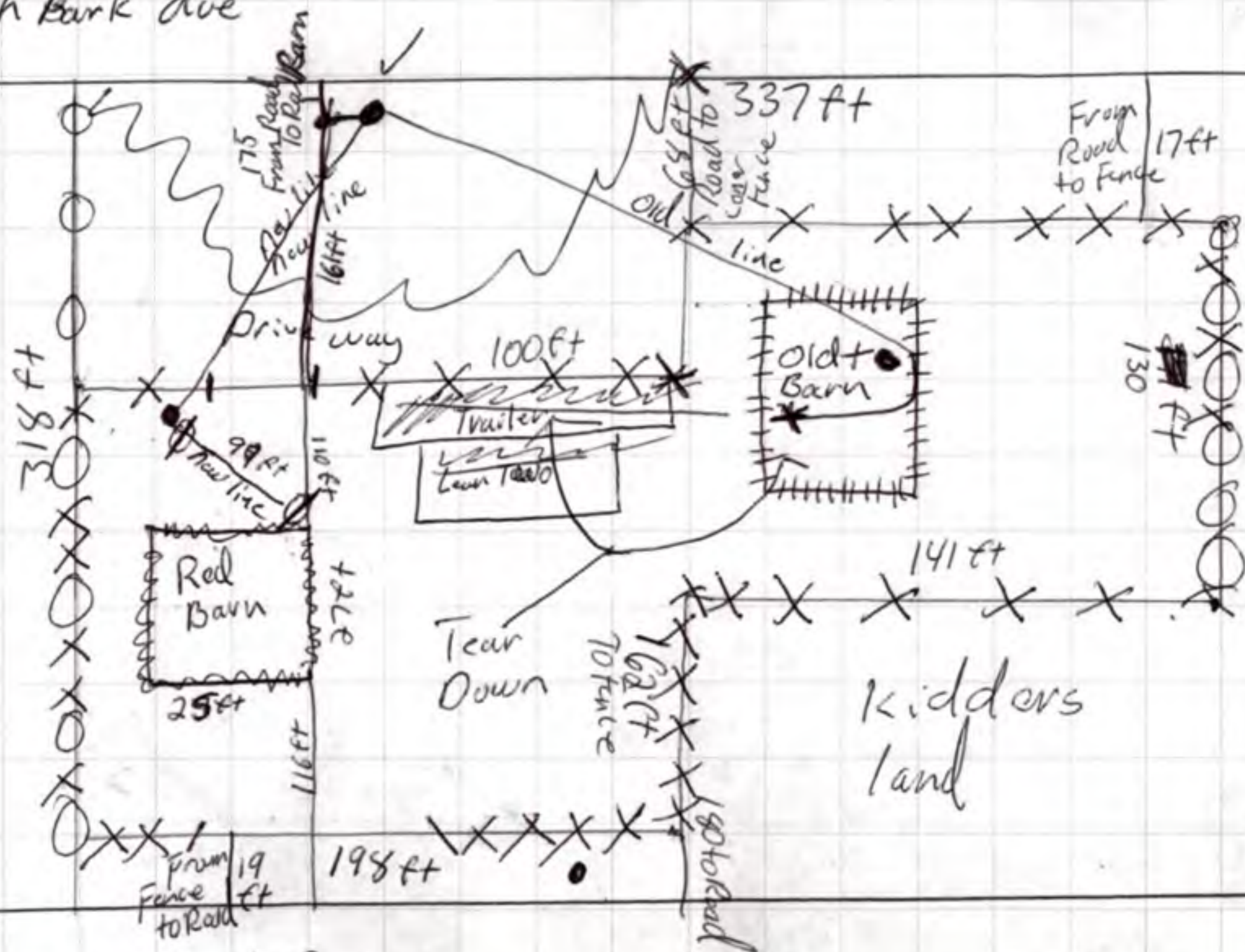
Old Service
 To Tear Down

property line

Fence line

New pole
 New motor

Trailer
 lean too
 Tear Down



Forest Hill Ave

BZA Staff Report

Prepared by the Department of Planning and Development

Hearing Date: October 15, 2026

Transaction Number: SUP-0560-2026.

Parcel Number(s): 20-05-01-305-005.000-005.

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: Qassim Mohammed Al Shemary.

Location: Southwest corner of Danielson Dr. and Oak Manor Pl., south of Old US 20, in Cleveland Township.

Site Description:

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

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 the keeping of animals is allowed in the R-1 zone.
2. The Special Use will not cause substantial and permanent injury to the appropriate use of neighboring property. This is a 0.35-acre lot in a residential area, and the lot will remain residential in character.
3. The Special Use will substantially serve the public convenience and welfare by providing for a local source of food and a hobby opportunity.

BZA Staff Report (Continued)

Hearing Date: October 15, 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 for staff approval showing final coop dimensions.

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

1. The request is approved in accordance with the revised site plan to be submitted for staff approval and as represented in the Special Use application.
2. The request is limited to maximum of six (6) chickens at any one time, no roosters.

PLAN COMMISSION & BOARD OF ZONING APPEALS

Special Use - Non Mobile Home

Elkhart County Planning & Development Public Services Building

4230 Elkhart Road, Goshen, Indiana, 46526

Phone - (574) 971-4678

Fax - (574) 971-4578

SUP-0560-2026

Date: 08/26/2026 Meeting Date: October 15, 2026
Board of Zoning Appeals Public Hearing Transaction #: SUP-0560-2026

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

Contacts: <u>Applicant</u>	<u>Authorized Agent</u>	<u>Land Owner</u>
Qassim Mohammed Al Shemary	Qassim Mohammed Al Shemary	Qassim Mohammed Al Shemary
28892 Danielson Drive	28892 Danielson Drive	28892 Danielson Drive
Elkhart, IN 46514	Elkhart, IN 46514	Elkhart, IN 46514

Site Address: 28892 Danielson Drive Elkhart, IN 46514	Parcel Number: 20-05-01-305-005.000-005
--	---

Township: Cleveland
Location: Southwest corner of Danielson Dr and Oak Manor Pl, South of Old US 20

Subdivision: FRAILEYS RIVERDALE 7TH	Lot # 82
-------------------------------------	----------

Lot Area: 0.35	Frontage: 250.00	Depth: 143.00
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Zoning: R-1, R-1	NPO List: 10/02/2026
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Present Use of Property: RESIDENTIAL

Legal Description:

Comments:

Applicant Signature:

Department Signature:

Special Use — Questionnaire

Name: Qassim Alshemary

- 1) Tell us what you want to do. I want to have a chicken coop and raise chickens. NO roosters.
- 2) Tell us why this activity won't hurt your neighbors or the community. Because I will keep the chickens in a clean and secure coop. I will also make sure they don't disturb my 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. _____
Tell us how you'll reduce the impact of those things on neighbors. _____
- 5) Will there be buffering (fences, trees, shrubs, mounds)? ☐ Y ☒ N
If yes, tell us about it. _____
- 6) Does the property need well and septic? Well: ☐ Y ☒ N Septic: ☐ Y ☒ N
Does the property need a 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: 38" x 12"
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. Chickens. There will be a total of 6.

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? 2

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). _____

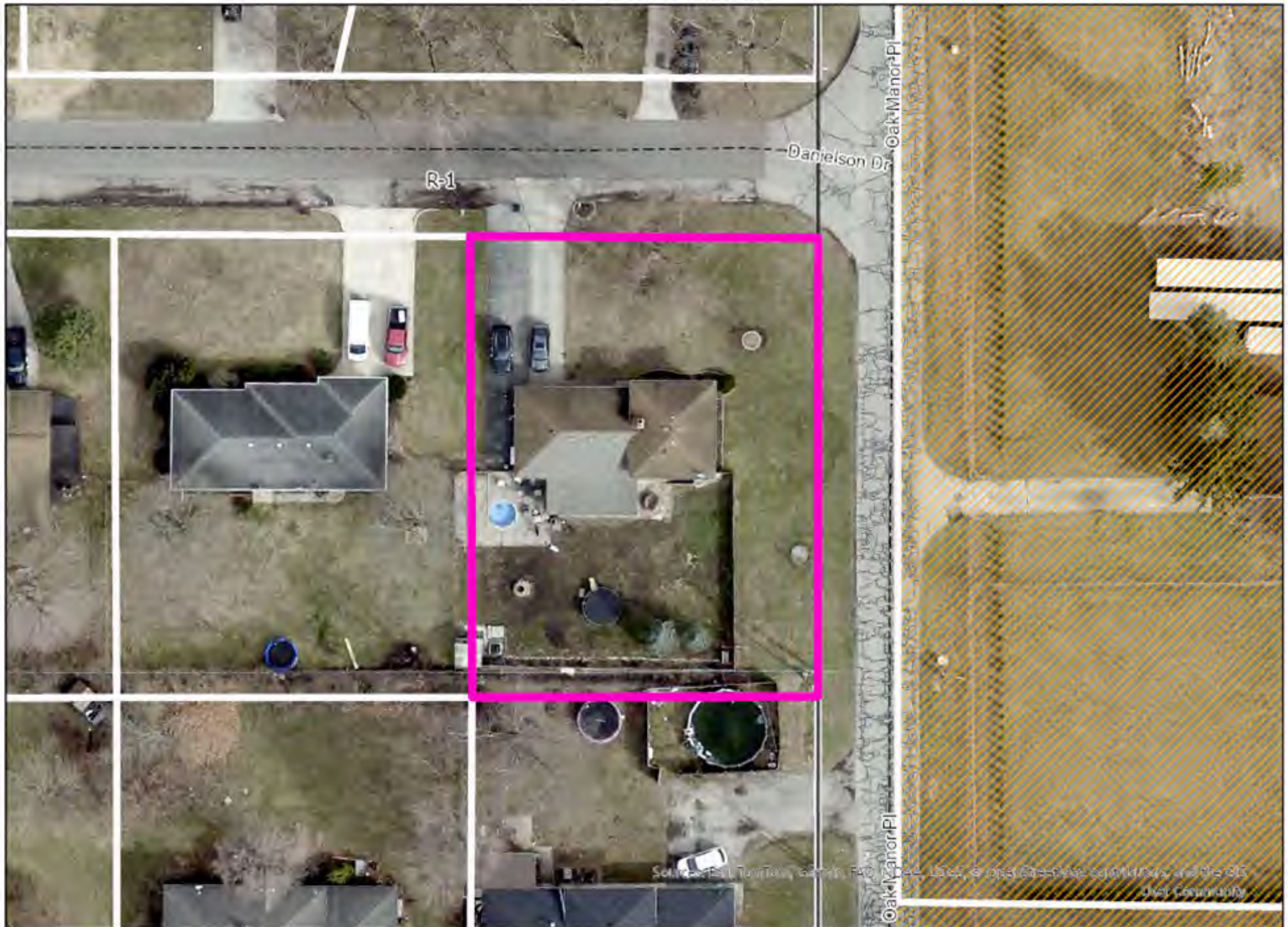
Existing? ☐ Y ☐ N Double faced? ☐ Y ☐ N

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

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

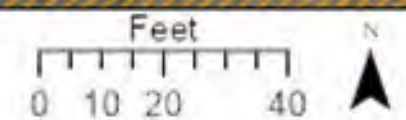
- 10) Tell us anything else you want us to know. N/A

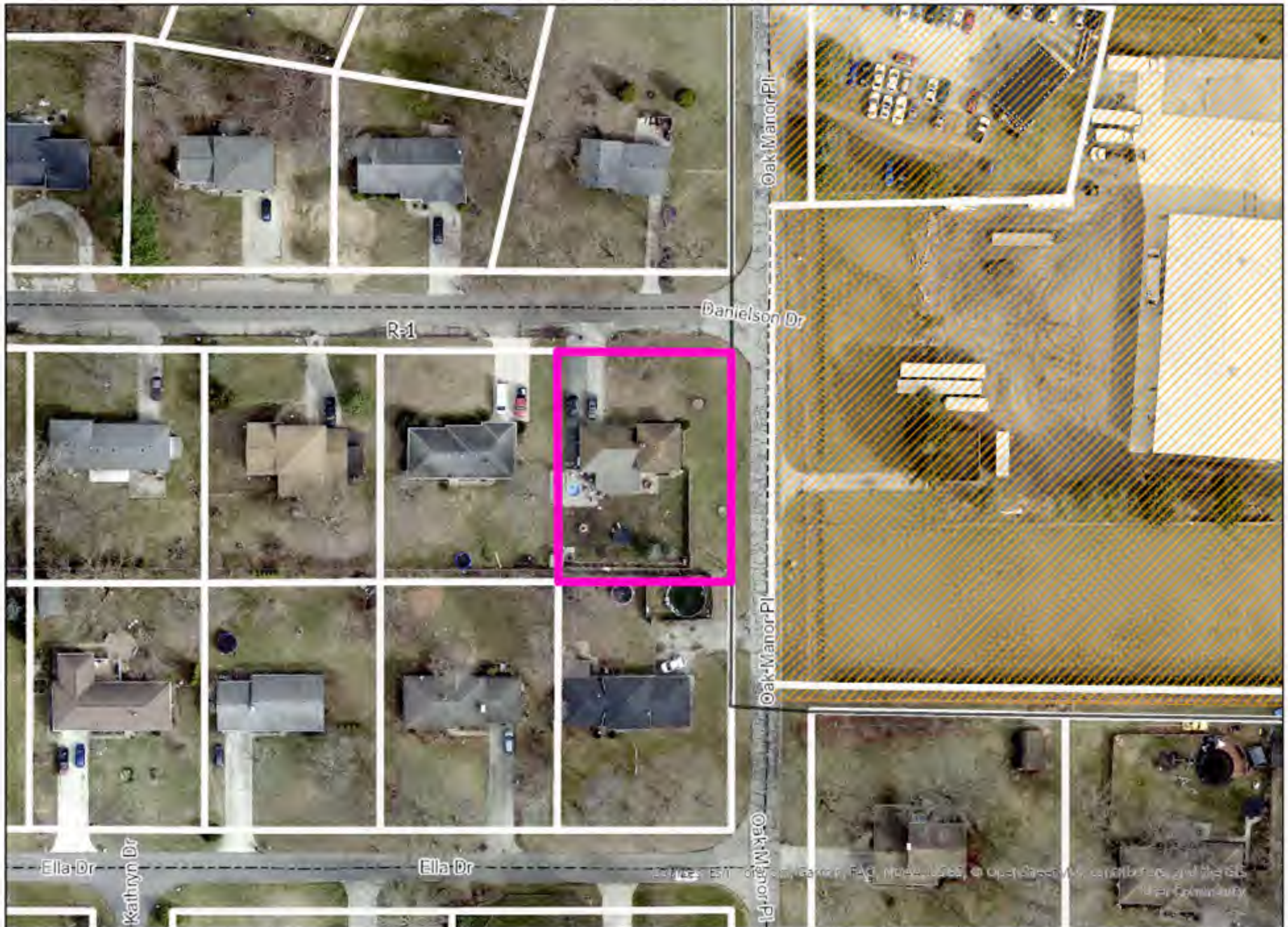
SUP-0560-2026

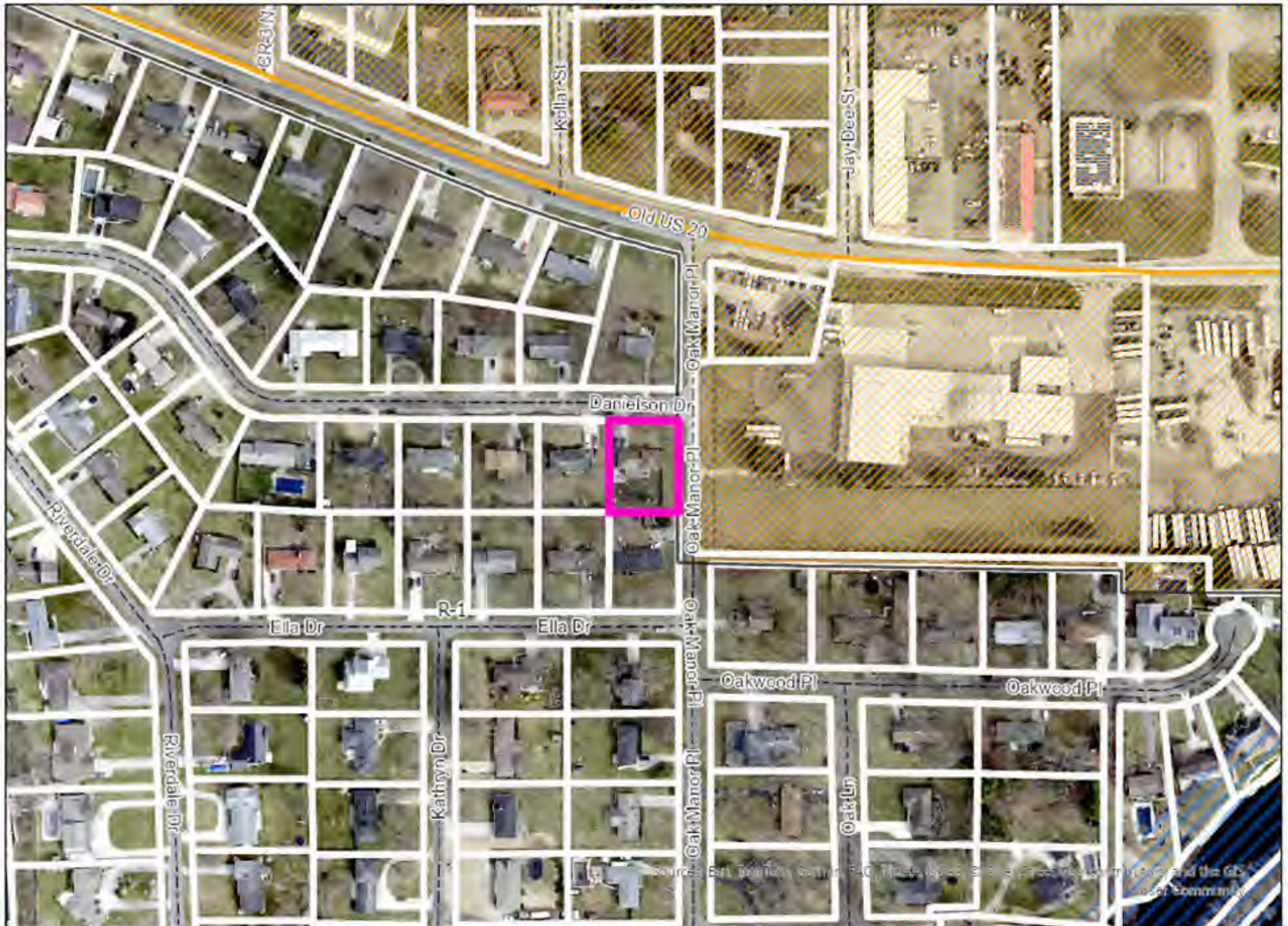


2025 Aerials

1 inch equals 40 ft

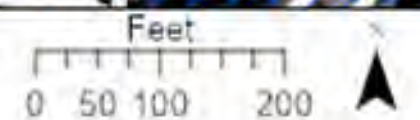






2025 Aerials

1 inch equals 200 ft





Subject property



Facing east



Facing west



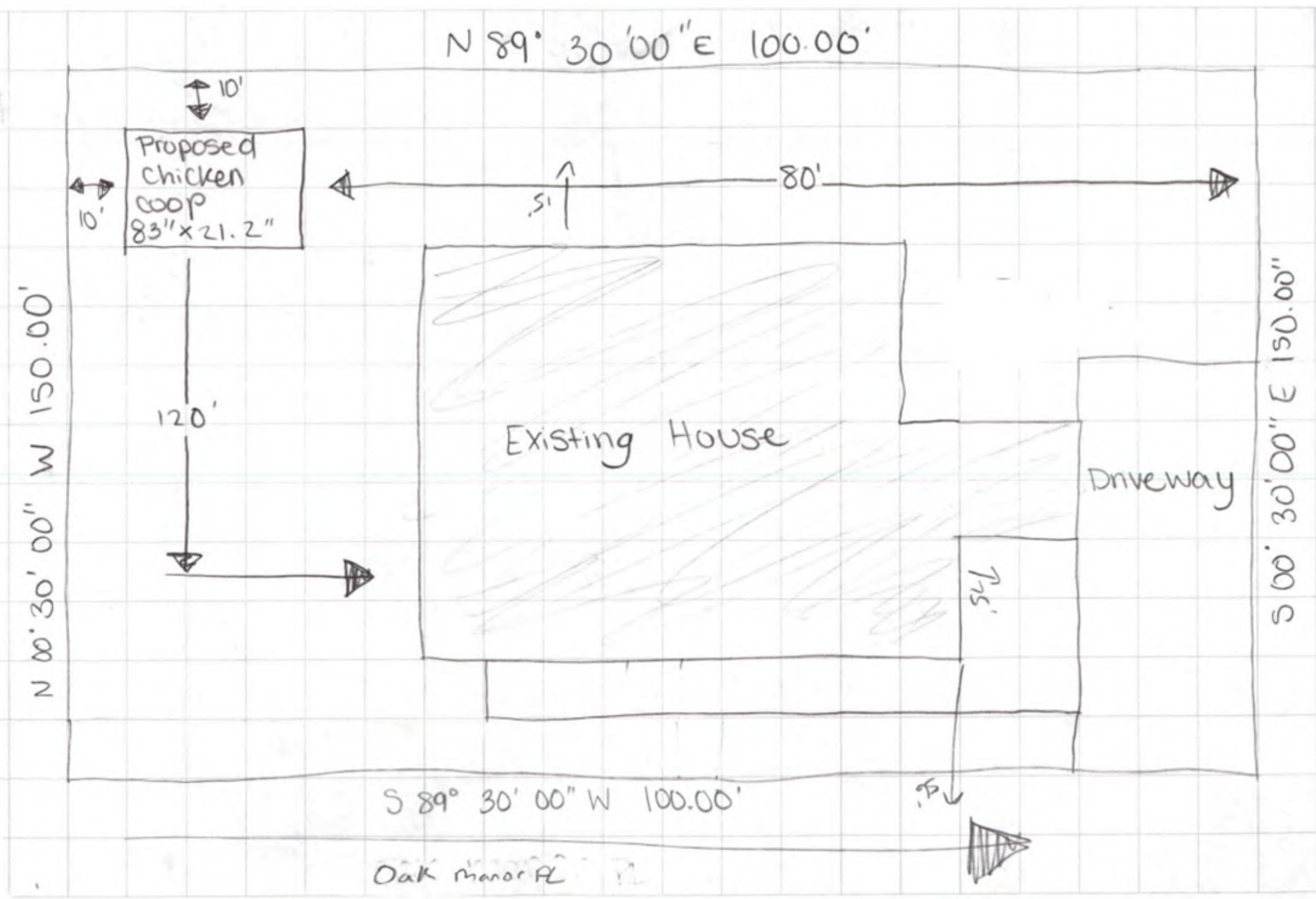
Facing north



Subject property

North ↑

AUG 26 2026



Oak Manor AL

Danielson Dr.

BZA Staff Report

Prepared by the Department of Planning and Development

Hearing Date: October 15, 2026

Transaction Number: SUP-0562-2026.

Parcel Number(s): 20-16-24-100-015.000-003.

Existing Zoning: A-1.

Petition: For a Special Use for an outdoor recreation facility (rodeo/wedding venue).

Petitioner: Victor A. Silva Munoz.

Location: East side of CR 43, 2,300 ft. south of CR 48, in Benton Township.

Site Description:

- Physical Improvement(s) – Barn & livestock arena.
- Proposed Improvement(s) – None.
- Existing Land Use – Agricultural.
- Surrounding Land Use – Residential, agricultural.

History and General Notes:

- **July 6, 2026** – A complaint was received for operating a rodeo on the property (CODE-0564-2026).
- The barn on the property has been constructed without any permits.

Staff Analysis:

Staff finds that:

1. The Special Use will not be consistent with the spirit, purpose, and intent of the Development Ordinance. A rodeo/wedding venue located near residential property can create multiple negative impacts, including noise, safety, and environmental concerns.
2. The Special Use will cause substantial and permanent injury to the appropriate use of neighboring property. This is a 5-acre parcel in a low-density residential and agricultural area and the property should remain agricultural in character. The livestock arena of the proposed rodeo is located within 160 ft. of an existing residence, on an unimproved county road, and within the easement area of a county regulated drain.
3. The Special Use will not substantially serve the public convenience and welfare. An outdoor recreation facility that has the potential to create multiple negative impacts should be located away from existing residential uses, on an improved county road, and away from open water sources.

Staff recommends **DENIAL**.

Staff Analysis Continued:

The petitioner has 30 days from the date of denial to cease the use and remove illegal structures.

PLAN COMMISSION & BOARD OF ZONING APPEALS

Special Use - Non Mobile Home

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

4230 Elkhart Road, Goshen, Indiana, 46526

Phone - (574) 971-4678

Fax - (574) 971-4578

Date: 08/28/2026 Meeting Date: October 15, 2026
Board of Zoning Appeals Public Hearing Transaction #: SUP-0562-2026

Description: for a Special Use for an outdoor recreation facility (wedding venue/rodeo)

Contacts: <u>Applicant</u>	<u>Land Owner</u>
Victor A. Silva Munoz	Victor A. Silva Munoz
1426 Lincolnway W	1426 Lincolnway W
Ligonier, IN 46767	Ligonier, IN 46767

Site Address: 00000 County Road 43
LIGONIER, IN 46767

Parcel Number: 20-16-24-100-015.000-003

Township: Benton
Location: EAST SIDE OF CR 43, 2,300 FT. SOUTH OF CR 48

Subdivision: Lot #

Lot Area: 5.00 Frontage: 570.00 Depth:

Zoning: A-1 NPO List: 10/02/2026

Present Use of Property: VENUE/AGRICULTURAL/VACANT

Legal Description:

Comments: PARCEL CREATION DATE IS 8/1/2019
SEE CODE #0564-2026 UNDER REVIEW FOR RUNNING A RODEO EVERY WEEKEND.
NO BUILDING PERMITS, APPLICANTS HAVE NOT TALKED TO SURVEYOR'S DEPARTMENT ABOUT THE DITCH
EASEMENT.

Applicant Signature:

Department Signature:

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? They are there daily to feed and water animals & give them their daily exercise

How many parking spaces do you have now? NO

How many parking spaces do you want? NONE

Will there be outside storage or display areas on this property? ☐ Y ☒ N Saturdays 3p-10p rodeos but adding weddings & graduations & similar

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?

10 people max per day and not at all the same time as we all go at different times to tend to animals

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 basically use this area as a family to have our animals and every once in awhile we will host a bigger family event but that is not something that will happen on an everyday basis.

Special Use — Questionnaire

Name: Victor A Silva Munoz

- 1) Tell us what you want to do. This used for our horses and to give them the exercise they need. And every so often we do have a family event
- 2) Tell us why this activity won't hurt your neighbors or the community. The big family events such as weddings and birthday are not going to take place every weekend
- 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. Could be the lights from a DJ if we use one
Tell us how you'll reduce the impact of those things on neighbors. We will not to use minimal lighting
- 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: _____
Tell us what you'll use it for. This is the horse stalls
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. There is 9 personal horses and around 20 sheep and 3 bulls

Next page ➡







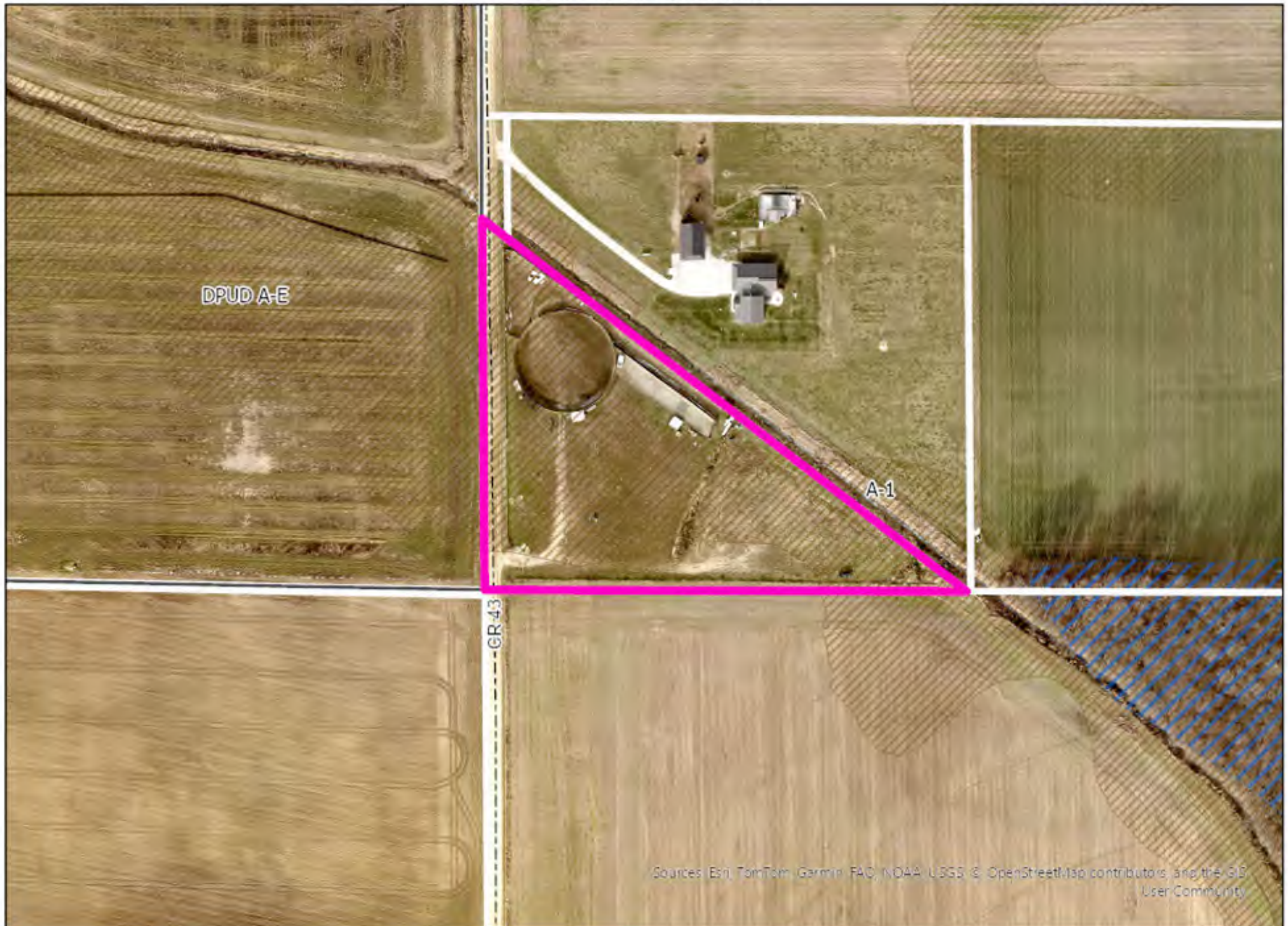






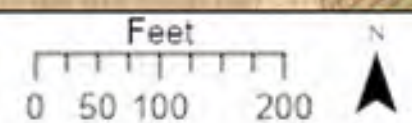


SUP-0562-2026



2025 Aerials

1 inch equals 200 ft

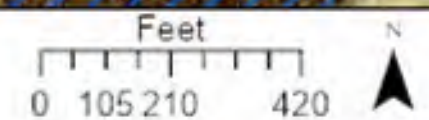


SUP-0562-2026



2025 Aerials

1 inch equals 400 ft





Subject property facing east (north side)



Subject property facing east (south side)



Facing west

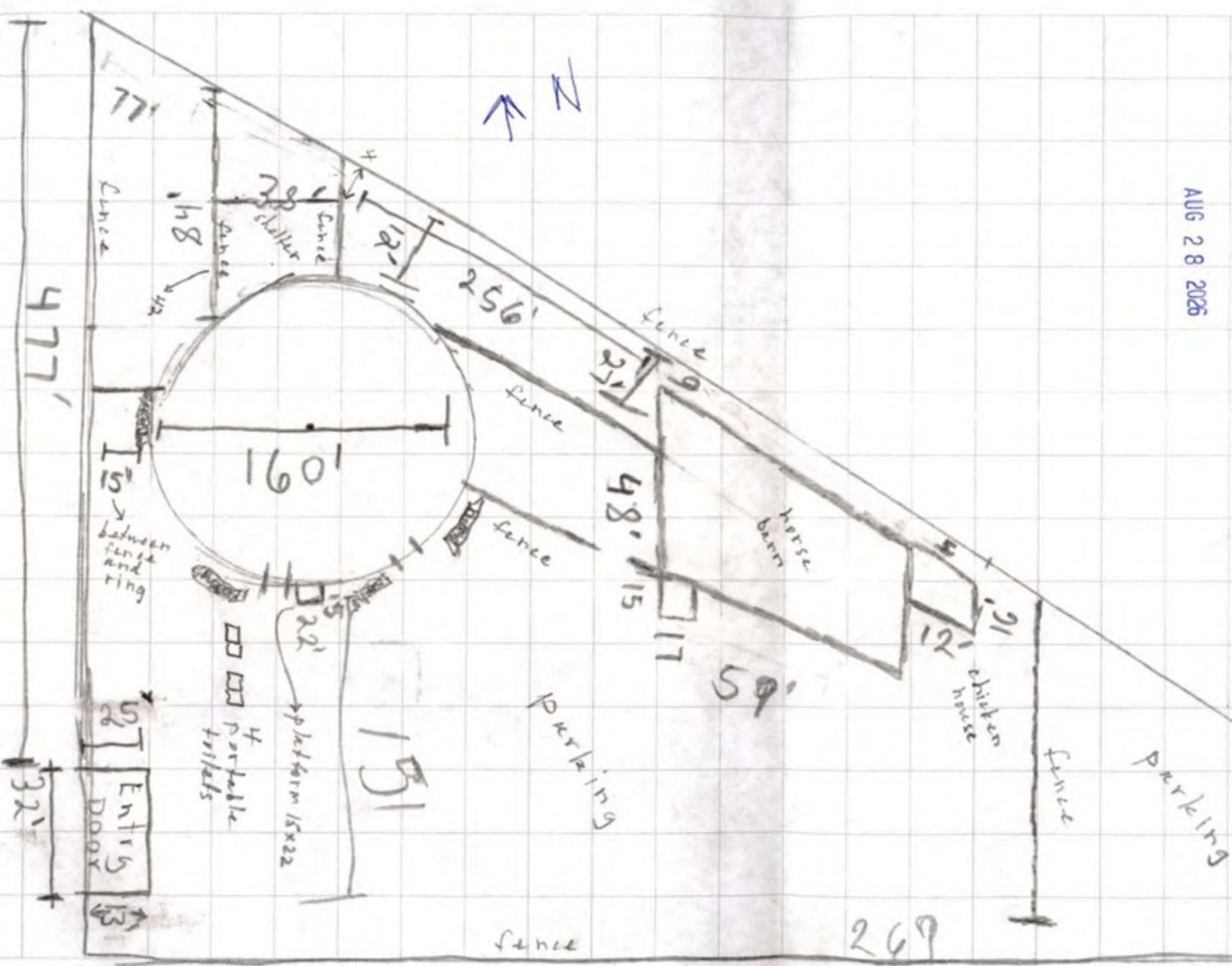


Facing north



Facing south

AUG 28 2026



746

BZA Staff Report

Prepared by the Department of Planning and Development

Hearing Date: October 15, 2026

Transaction Number: SUP-0563-2026.

Parcel Number(s): 20-06-23-179-001.000-009.

Existing Zoning: R-1.

Petition: For a Special Use for a home workshop/business for a beauty shop.

Petitioner: Marvin M. Martinez.

Location: Southeast corner of Broadway Blvd. & CR 13, in Concord Township.

Site Description:

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

History and General Notes:

- **July 31, 2026** – A complaint was received for operating a beauty salon on the property (CODE-0653-2026).

Staff Analysis:

Staff finds that:

1. The Special Use will be consistent with the spirit, purpose, and intent of the Development Ordinance. A home workshop/business for a beauty shop is allowed by Special Use in the R-1 zoning district.
2. The Special Use will not cause substantial and permanent injury to the appropriate use of neighboring property. This is a 0.36-acre lot in a moderately dense residential area and the property will remain residential in character.
3. The Special Use will substantially serve the public convenience and welfare by allowing for a local beauty shop.

BZA Staff Report (Continued)

Hearing Date: October 15, 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 8/28/2026) and as represented in the Special Use application.

PLAN COMMISSION & BOARD OF ZONING APPEALS

Special Use - Non Mobile Home

Elkhart County Planning & Development Public Services Building

4230 Elkhart Road, Goshen, Indiana, 46526

Phone - (574) 971-4678

Fax - (574) 971-4578

SUP-0563-2026

Date: 08/28/2026 Meeting Date: October 15, 2026
Board of Zoning Appeals Public Hearing Transaction #: SUP-0563-2026

Description: for a Special Use for a home workshop/business for a beauty shop

Contacts: Applicant Land Owner
Jaquelin Wisser Marvin M. Martinez
23742 Broadway Boulevard 23742 Broadway Blvd
Elkhart, IN 46516 Elkhart, IN 46516

Site Address: 23742 Broadway Boulevard
Elkhart, IN 46516

Parcel Number: 20-06-23-179-001.000-009

Township: Concord
Location: NORTHWEST CORNER OF CR 13 AND BROADWAY BLVD

Subdivision: Lot #

Lot Area: 0.36 Frontage: 297.00 Depth: 105.00

Zoning: R-1 NPO List: 10/02/2026

Present Use of Property: RESIDENTIAL

Legal Description:

Comments: SEE CODE 0474-2024 OVERGROWN SHRUBS IN THE RIGHT OF WAY ON CR 13
SEE CODE 0646-2026 INOPERABLE VEHICLE
SEE CODE 0653-2026 RUNNING A BEAUTY SALON.

Applicant Signature:

Department Signature:

Special Use — Questionnaire

Name: _____

1) Tell us what you want to do. Operate a home-based esthetician/Lash studio
providing appointment "only" lash services

2) Tell us why this activity won't hurt your neighbors or the community. The business will be operated
by appointment only and will have limited number of clients. Services will
be indoors, it will not create noise traffic or other disturbances. Parking will be in
driveway, I only service 1 client at a time.

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. _____

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: 18'x15' existing

Tell us what you'll use it for. enclosed porch

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: 1 Part time: 0

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

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

What will be the days and hours of operation on this property? 11am-5pm Mon-Thurs.

Friday 9am-2pm Occasional Saturdays.

How many parking spaces do you have now? 5

How many parking spaces do you want? 1 for client

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?

3-6 clients

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

Tell us how often. 2-4x every 2 weeks

Tell us the kind of vehicles used. amazon, fed ex or ups.

Standard delivery vehicles.

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

Sign 1 Dimensions (length and width). _____

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

Electronic message board? ☐ 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). _____

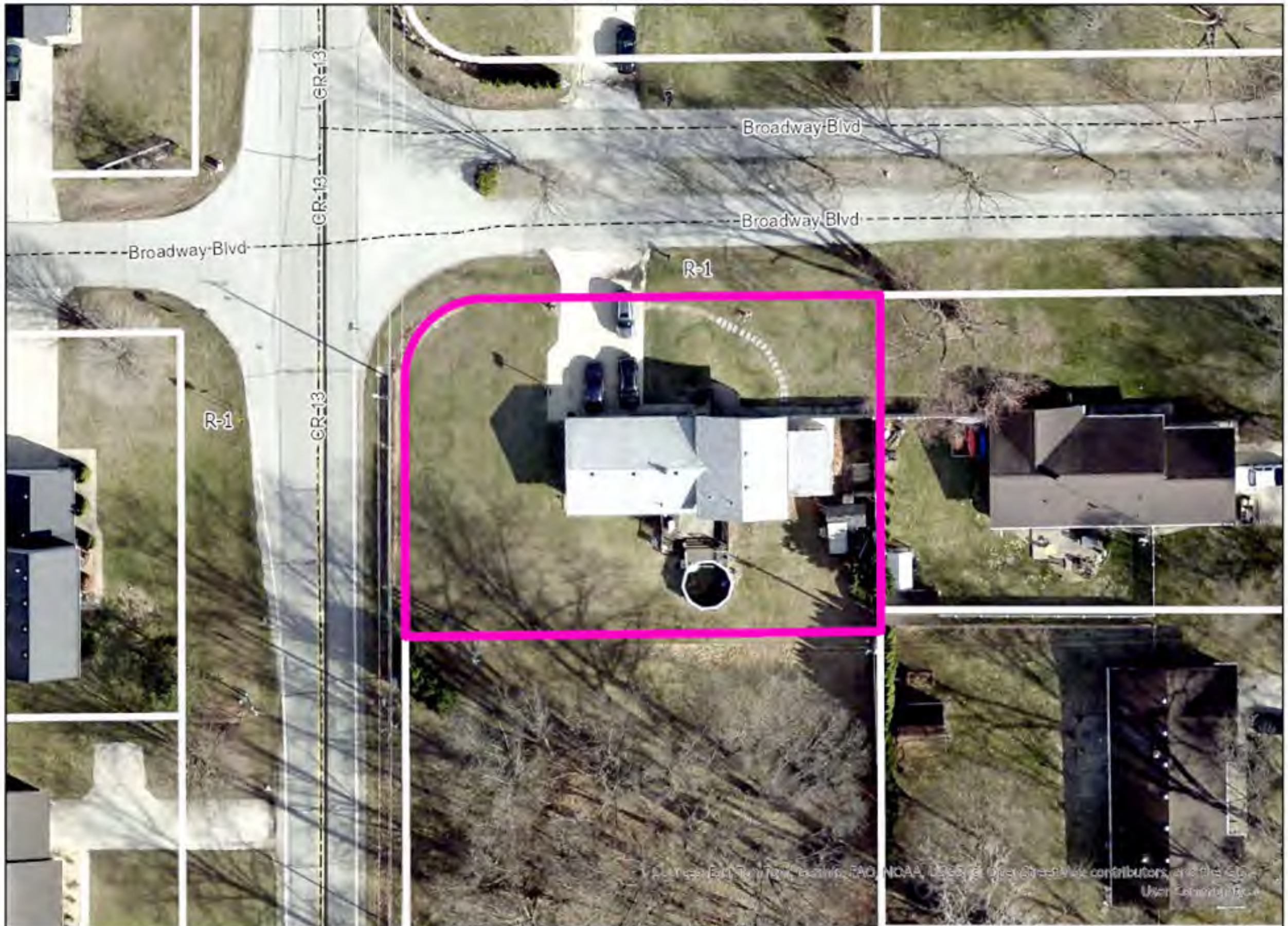
Existing? ☐ Y ☐ N Double faced? ☐ Y ☐ N

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

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

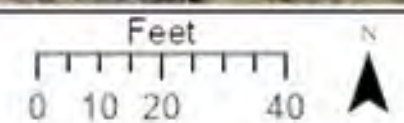
- 10) Tell us anything else you want us to know. The business will remain small in scale, with limited daily ^{client} traffic. No significant changes to residential property are proposed. All services are performed indoor, clients will use ^{the} existing driveway, business will be operated in a clean, professional manner with consideration for neighboring properties.

SUP-0563-2026

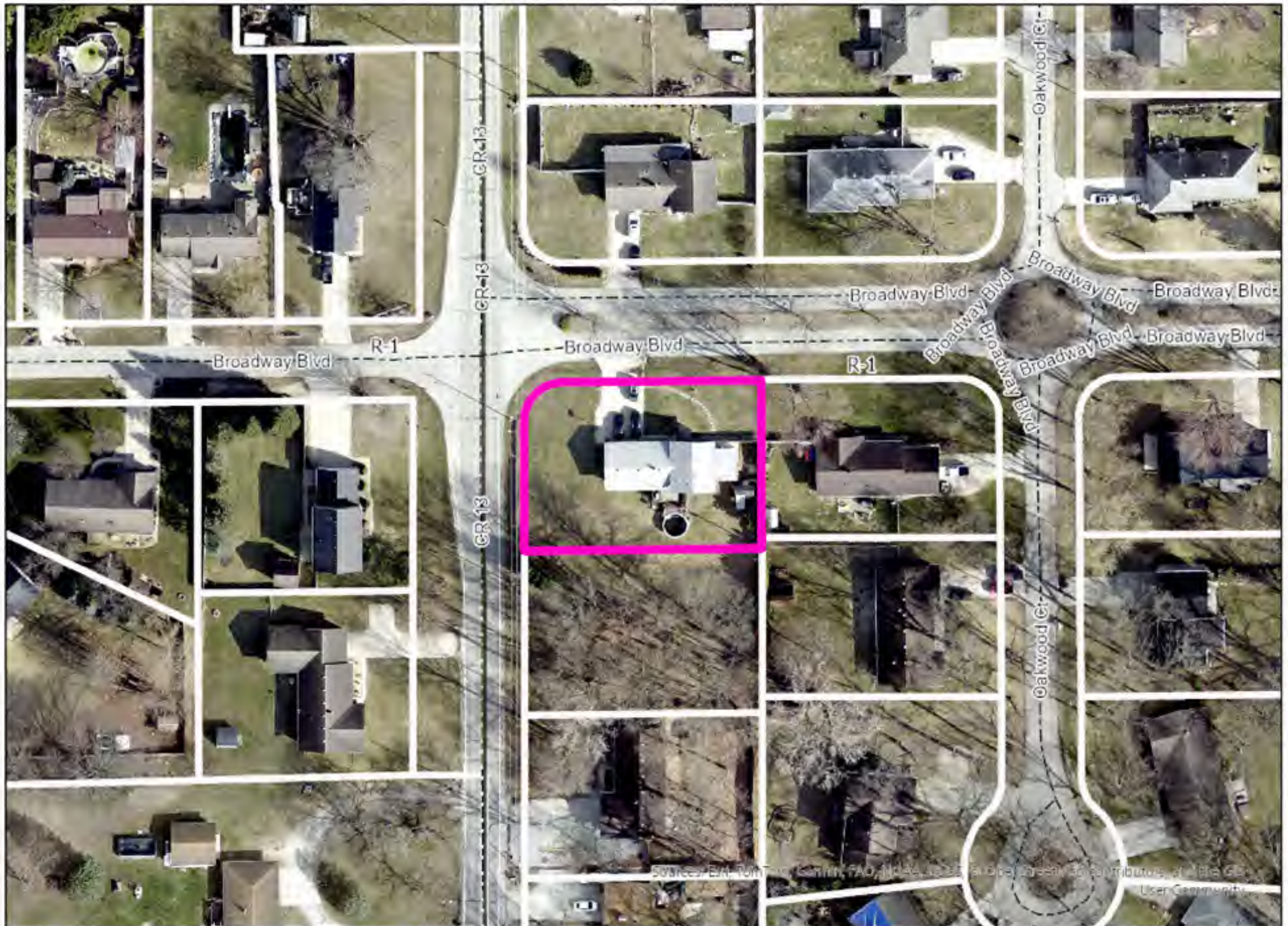


2025 Aerials

1 inch equals 40 ft

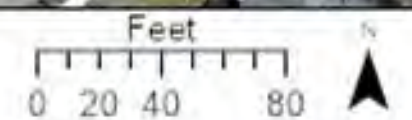


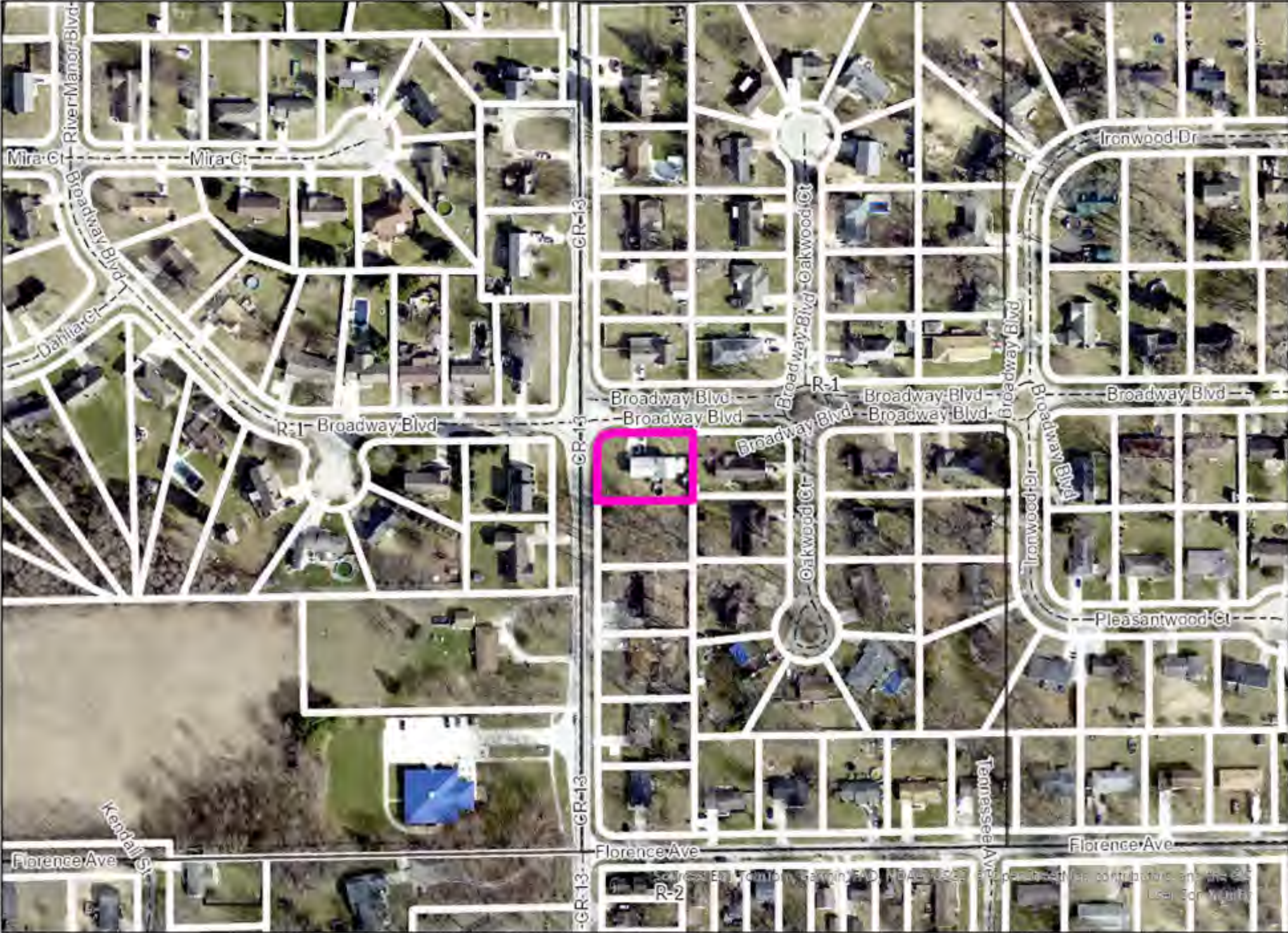
SUP-0563-2026



2025 Aerials

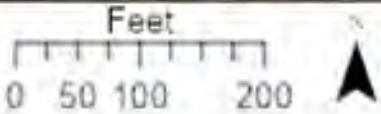
1 inch equals 80 ft





2025 Aerials

1 inch equals 200 ft





Subject property facing south



Facing north



Facing east



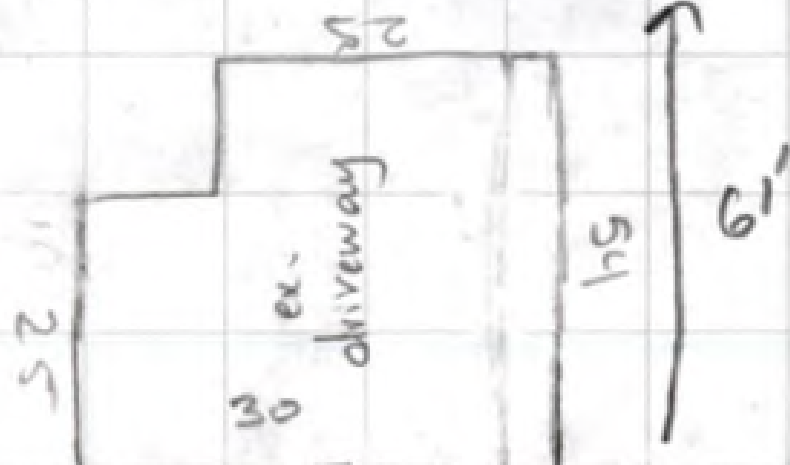
Facing west

→ Broadway Blvd.

2026

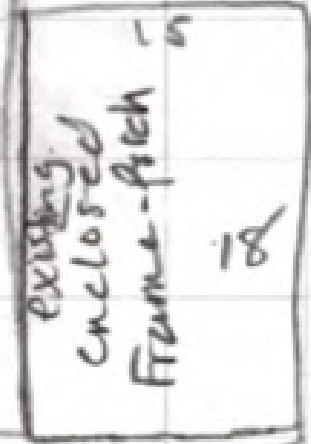
CR 13

← 76' →

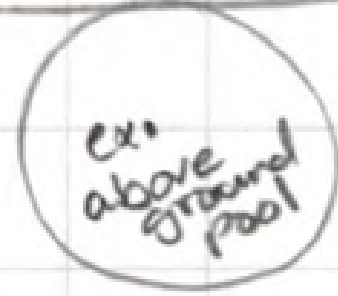
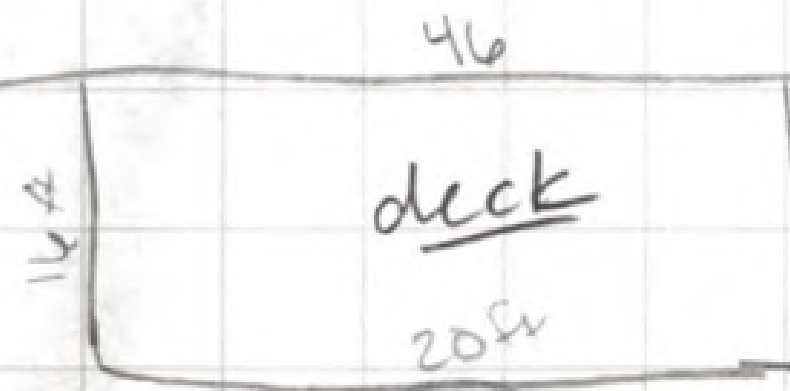


home

1,648 sq ft



→ 15' →



↓ 35' ↓



BZA Staff Report

Prepared by the Department of Planning and Development

Hearing Date: October 15, 2026

Transaction Number: SUP-0598-2026.

Parcel Number(s): 20-07-34-476-003.000-019.

Existing Zoning: A-1.

Petition: For a Special Use for a catering establishment (commissary).

Petitioner: Amos & Margaret Raber, Husband & Wife (Buyers), & Olena Oleksandr DeShone & Brian DeShone, Wife & Husband (Sellers).

Location: North side of CR 28, 2,050 ft. west of CR 22, in Jefferson Township.

Site Description:

- Physical Improvement(s) – Residence.
- Proposed Improvement(s) – Accessory building.
- 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 catering establishment (commissary) 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 10-acre parcel in a low-density residential and agricultural area and the property will remain residential and agricultural in character.
3. The Special Use will substantially serve the public convenience and welfare by allowing for a local catering business.

BZA Staff Report (Continued)

Hearing Date: October 15, 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 9/11/2026) and as represented in the Special Use application.

PLAN COMMISSION & BOARD OF ZONING APPEALS

Special Use - Non Mobile Home

Elkhart County Planning & Development
Public Services Building

4230 Elkhart Road, Goshen, Indiana, 46526

Phone - (574) 971-4678

Fax - (574) 971-4578

Date: 09/11/2026 Meeting Date: October 15, 2026 Transaction #: SUP-0598-2026
Board of Zoning Appeals Public Hearing

Description: FOR A SPECIAL USE FOR A CATERING ESTABLISHMENT (COMMISSARY)

Contacts: <u>Applicant</u>	<u>Land Owner</u>	<u>Land Owner</u>
Amos & Margaret Raber, Husband & Wife, (Buyers) 70468 County Road 143 Ligonier, IN 46767	Olena Oleksandr Deshone & Brian Deshone, Wife And Husband (Sellers) 18239 County Road 28 Goshen, IN 46528	Amos & Margaret Raber, Husband & Wife, (Buyers) 70468 County Road 143 Ligonier, IN 46767

Site Address: 18239 County Road 28 Goshen, IN 46528	Parcel Number: 20-07-34-476-003.000-019
--	---

Township: Jefferson
Location: North Side Of County Road 28, 2050 Feet West Of County Road 22

Subdivision: MORIARTYS COUNTY ROAD 28 MINOR SUB	Lot # 1
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Lot Area: 10.00	Frontage: 253.00	Depth: 1,322.00
-----------------	------------------	-----------------

Zoning: A-1	NPO List: 10/02/2026
-------------	----------------------

Present Use of Property: RESIDENTIAL

Legal Description:

Comments: SEE MI-0869-2021 for secondary approval of a 2-lot minor subdivision to be known as MORIARTY'S COUNTY ROAD 28 MINOR SUBDIVISION
SEE MI-0868-2021 for primary approval of a 2-lot minor subdivision to be known as MORIARTY'S COUNTY ROAD 28 MINOR SUBDIVISION

Applicant Signature:

Department Signature:

Special Use — Questionnaire

Name: Amos Raber

- 1) Tell us what you want to do. We'd like to build a shop with a small commercial kitchen in it.
- 2) Tell us why this activity won't hurt your neighbors or the community. The building will be tastefully built and well kept.
- 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. _____
- 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' x 72' - 25'
 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. 2 dogs, 1 cat

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: 2 Part time: 1

How many employees do you want? Full time: 2 Part time: 1

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

What will be the days and hours of operation on this property? Normally 7-3 Mon-Sat.

How many parking spaces do you have now? 3 by the house

How many parking spaces do you want? 4 by the proposed building

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. Several times a week

Tell us the kind of vehicles used. UPS, FedEx

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

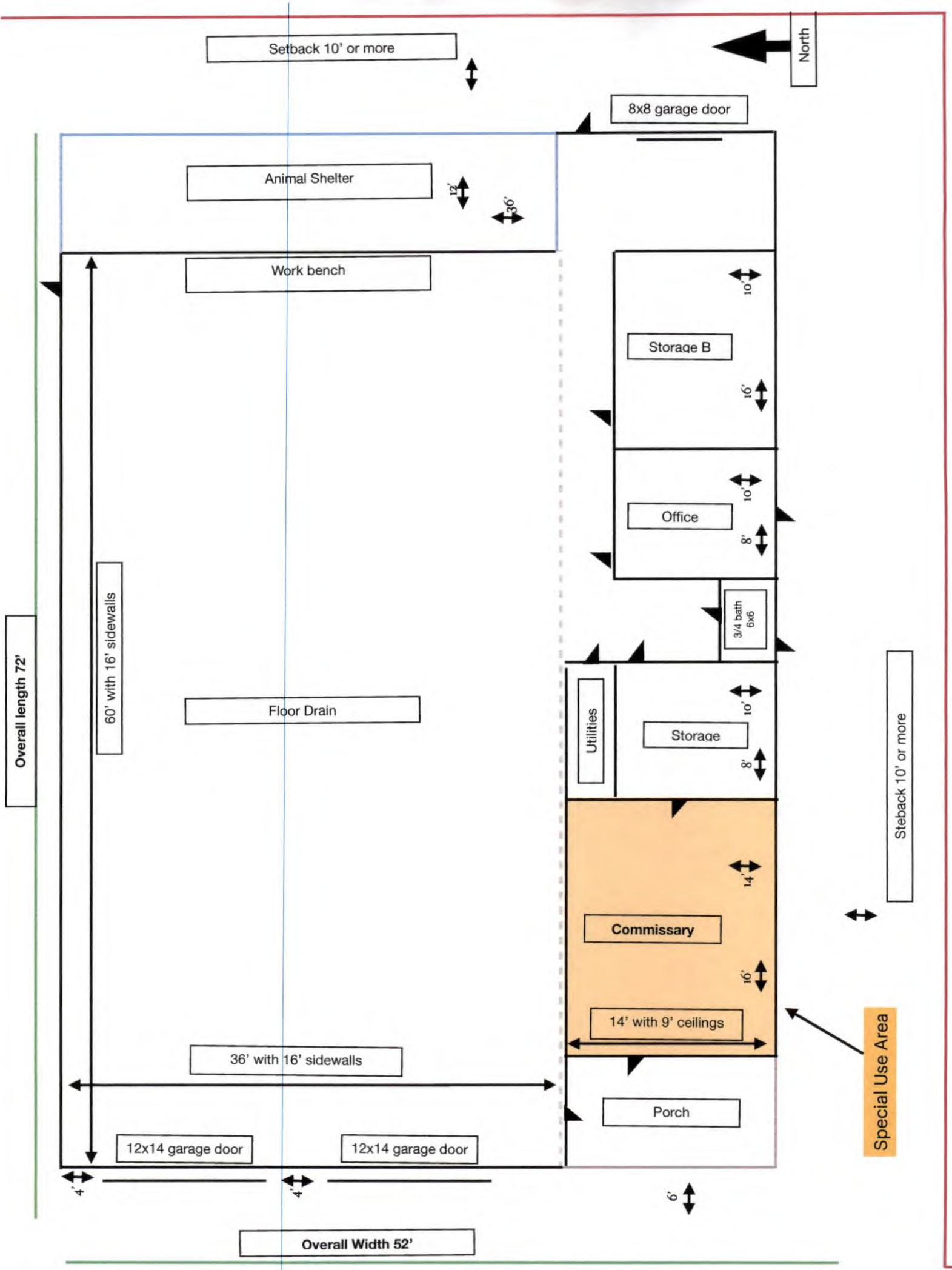
Sign 3 Dimensions (length and width). _____

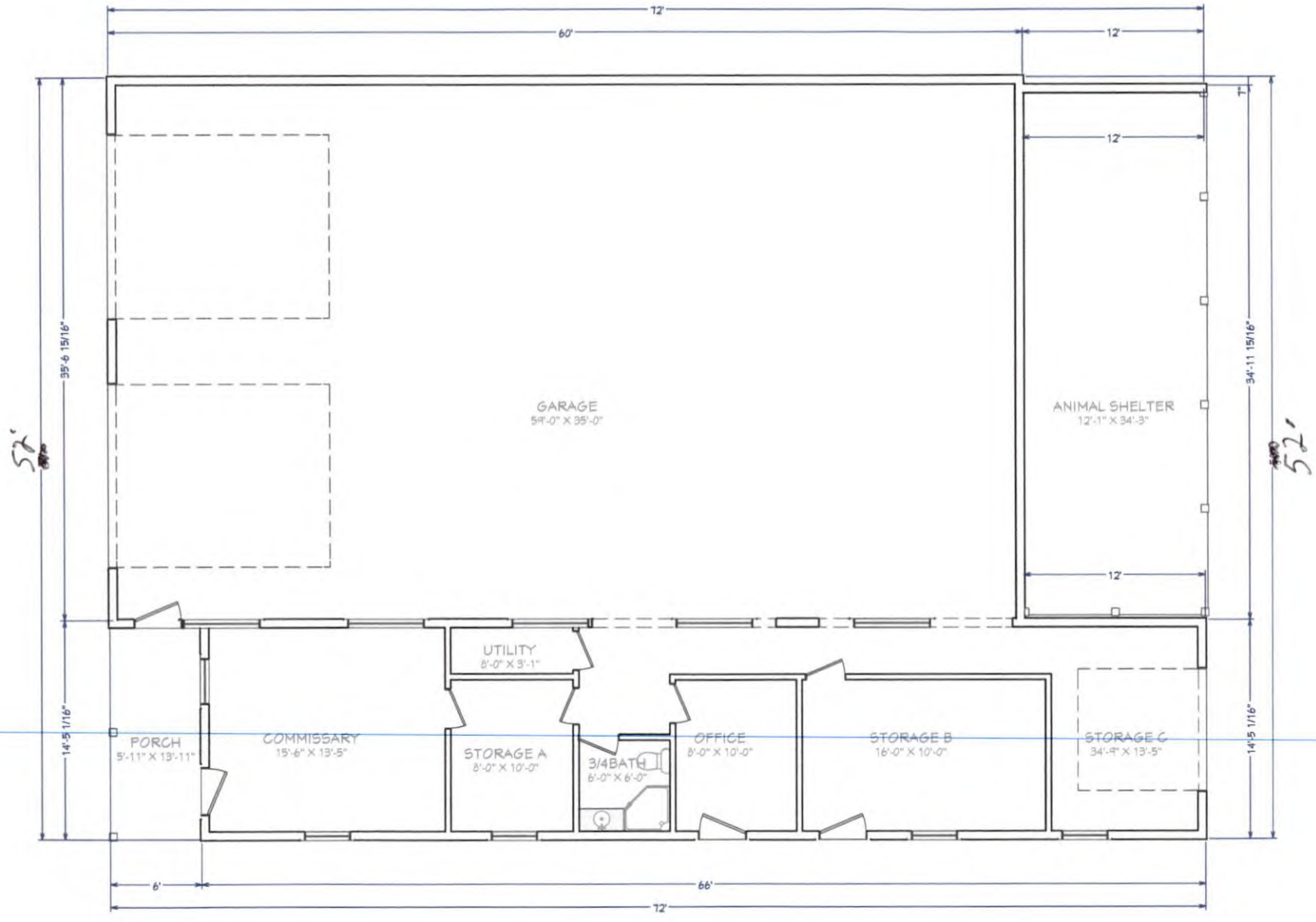
Existing? ☐ Y ☐ N Double faced? ☐ Y ☐ N

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

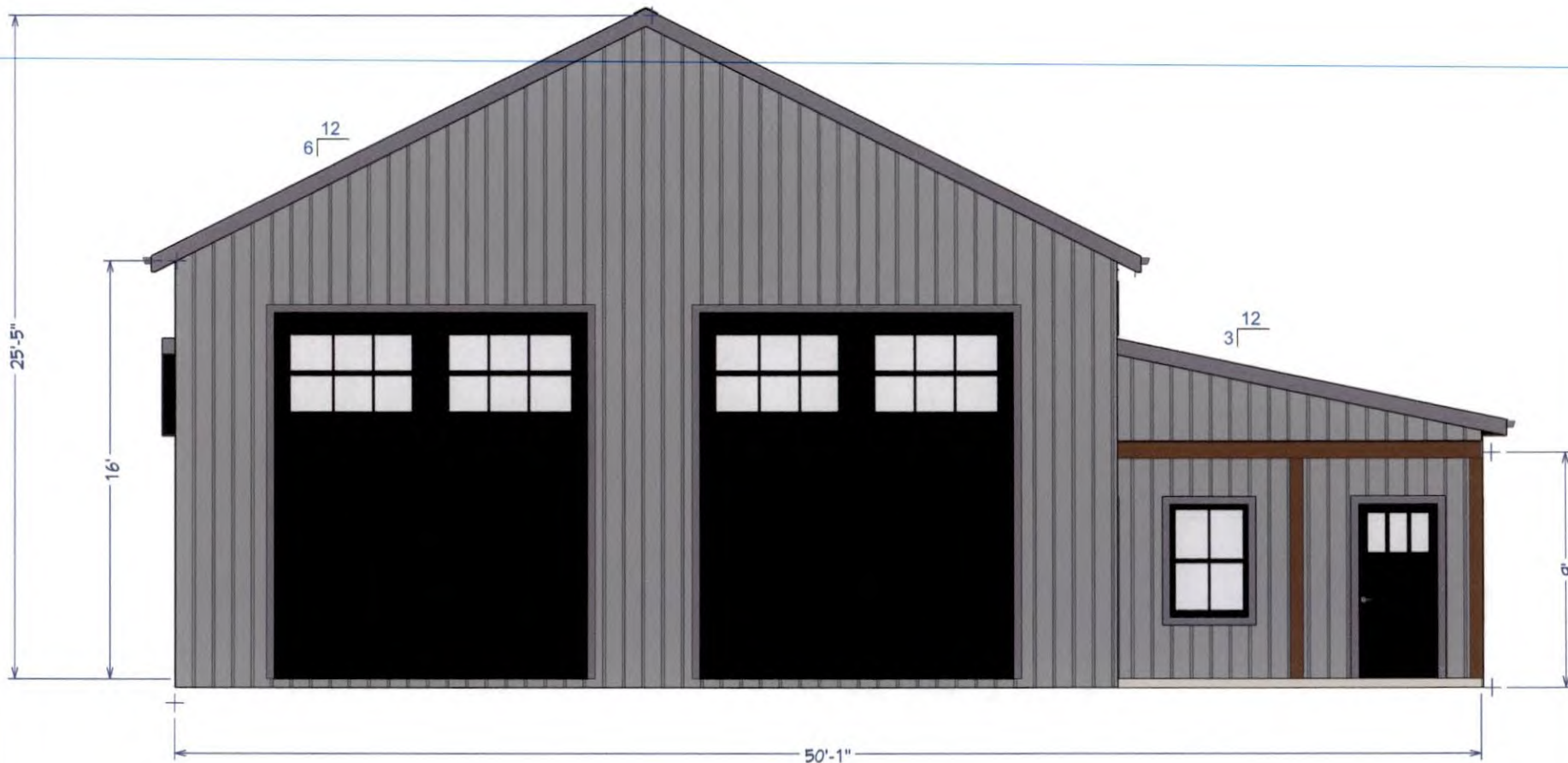
Freestanding? ☐ Y ☐ N Wall mounted? ☐ Y ☐ N

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





	2000 SR 45 Salem, OR 97301 330-332-9940	
	FLOOR PLAN	
Amos Raber Custom 36x60		
DRAWN BY: MEN		
REVISION #		
1		



 Salem Structures LLC 2880 SR 42 Salem, OR 97301 503-332-6940	Front Elevation		Amos Raber Custom 36x60 September 2028 DESIGNED BY: MRM	SHEET NUMBER 2 REVISIONS



2860 SR 45
Salem, OH 44460
330-332-9940



Rear Elevation

Amos Raber
Custom 36x60

DRAWN BY: NEM

September 2026

SHEET NUMBER

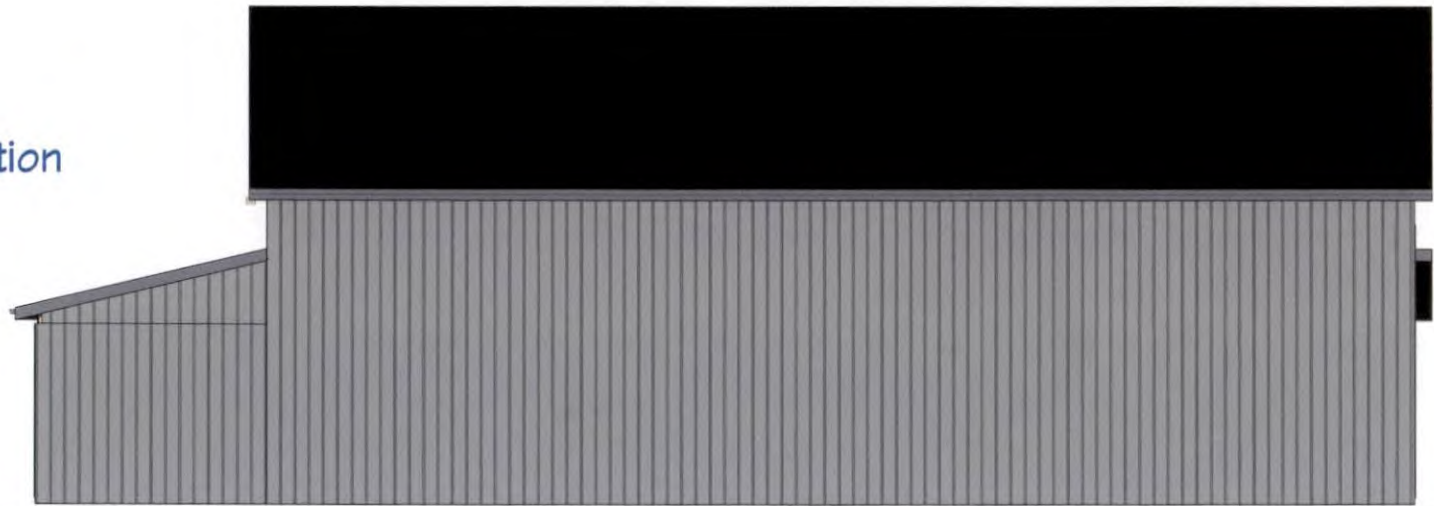
3

REVISION #



Right Elevation

Left Elevation



SHEET NUMBER

4

REVISION #

Amos Raber
Custom 36x60

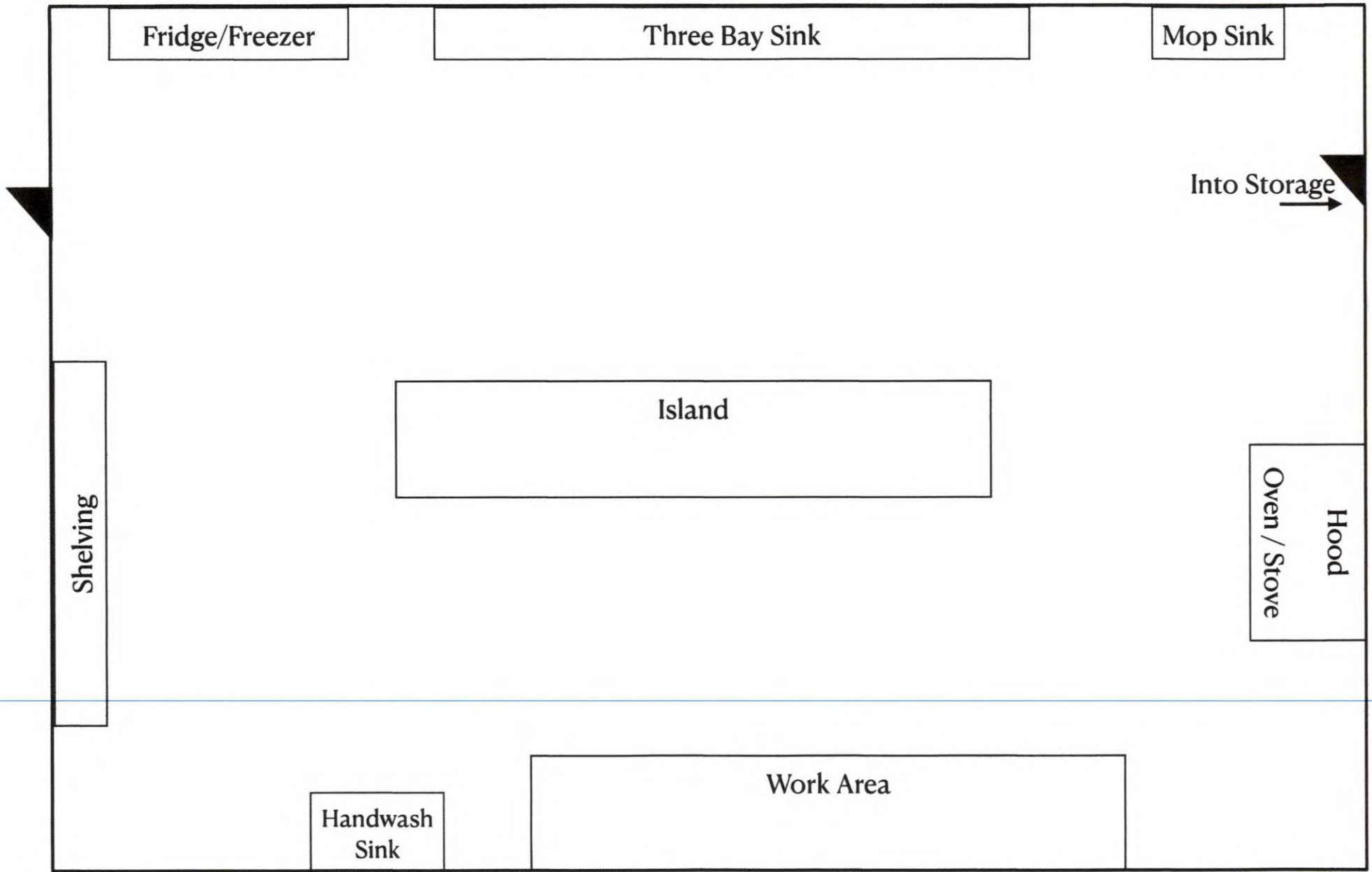
September 2025

DRAWN BY: MEM

Side Elevations

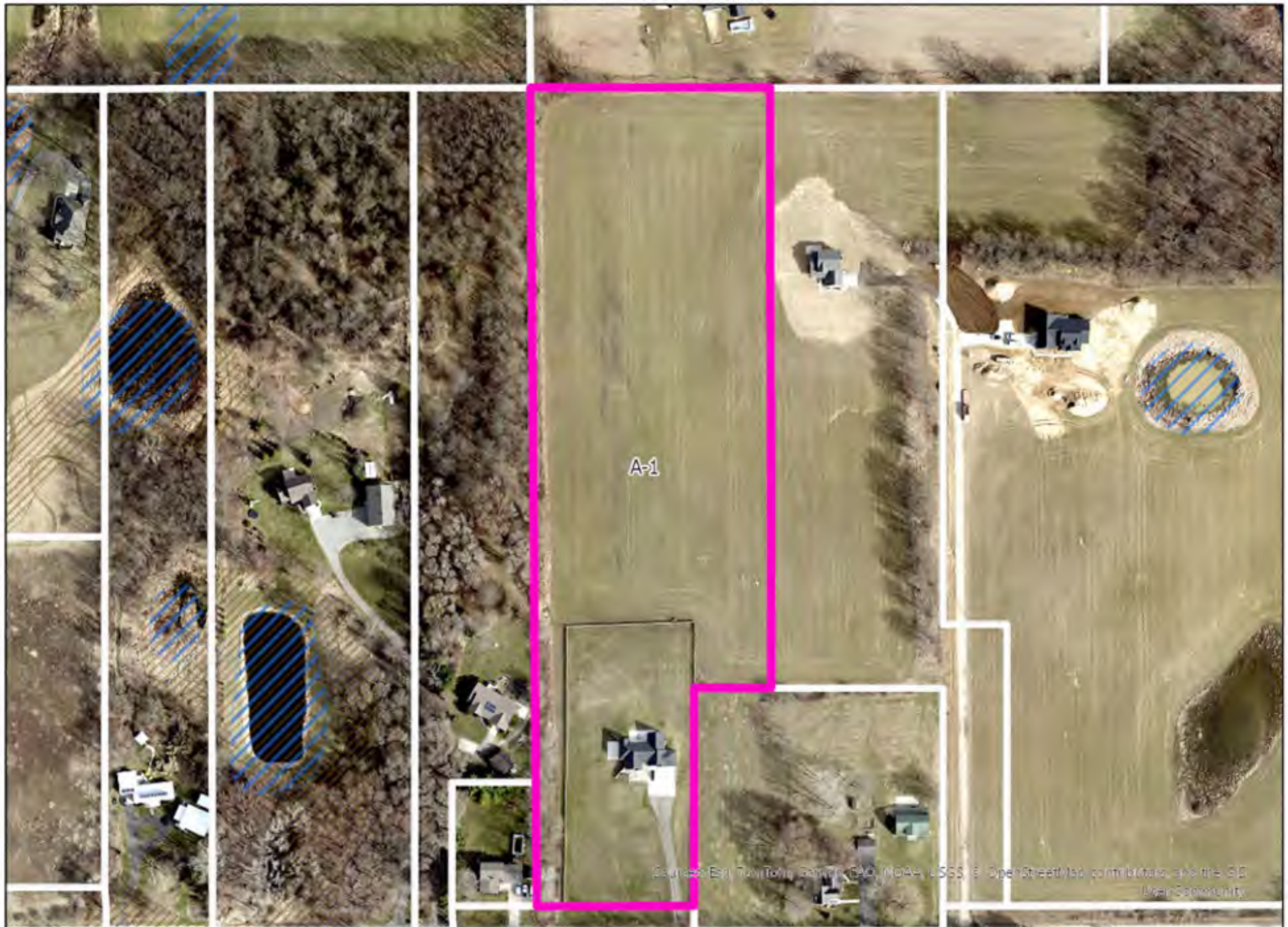
2800 SR 45
Salem, OH 44460
330-332-9840





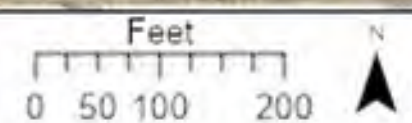
Washable floor, walls and ceiling. Drain in the floor

SUP-0598-2026



2025 Aerials

1 inch equals 200 ft



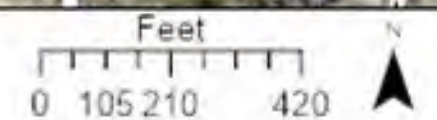
Sources: Esri, TomTom, Garmin, BAO, NOAA, USGS, & OpenStreetMap contributors, and the GIS User Community

SUP-0598-2026



2025 Aerials

1 inch equals 400 ft

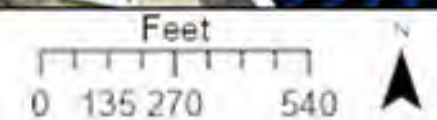


SUP-0598-2026



2025 Aerials

1 inch equals 500 ft





Subject property facing north



Facing south



Facing east



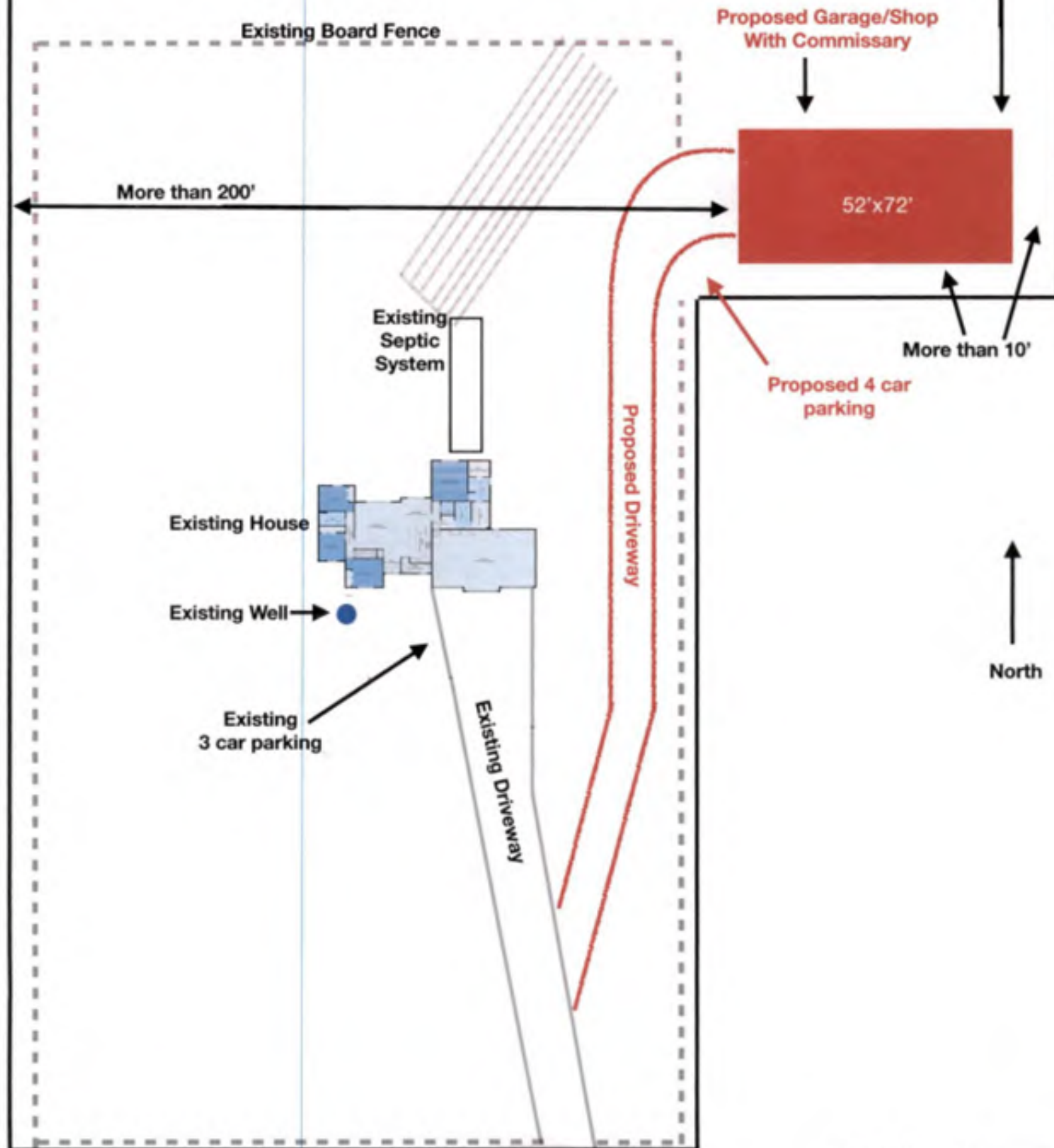
Facing west

SEP 11 2026

Drawing NOT to Scale

This drawing is only for approximate building location

More than 800'



County Road 28

BZA Staff Report

Prepared by the Department of Planning and Development

Hearing Date: October 15, 2026

Transaction Number: SUP-0596-2026.

Parcel Number(s): 20-08-15-127-016.000-035.

Existing Zoning: R-4.

Petition: For a Special Use for a home workshop/business for retail sales.

Petitioner: Valerie K. Bell.

Location: East side of Horizon Dr., 560 ft. north of Dogwood Ln., east of Redbud Ln., south of Wayne St., in Middlebury Township.

Site Description:

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

History and General Notes:

- **August 25, 2026** – A complaint was received for operating a retail sales business on the property (CODE-0743-2026).

Staff Analysis:

Staff finds that:

1. The Special Use will not be consistent with the spirit, purpose, and intent of the Development Ordinance. A home workshop/business for retail sales does not belong in a dense residential area with limited on and off street parking and streets not designed to handle semi-tractor traffic.
2. The Special Use will cause substantial and permanent injury to the appropriate use of neighboring property. This is a 0.30-acre lot in a dense residential area in the Town of Middlebury and the property should remain residential.
3. The Special Use will not substantially serve the public convenience and welfare. Retail sales businesses belong in commercial areas to accommodate customer traffic.

Staff recommends **DENIAL**.

PLAN COMMISSION & BOARD OF ZONING APPEALS

Special Use - Non Mobile Home

Elkhart County Planning & Development Public Services Building

4230 Elkhart Road, Goshen, Indiana, 46526

Phone - (574) 971-4678

Fax - (574) 971-4578

SUP-0596-2026

Date: 09/11/2026 Meeting Date: October 15, 2026
Board of Zoning Appeals Public Hearing Transaction #: SUP-0596-2026

Description: for a Special Use for a home workshop/business for retail sales

Contacts: Applicant Land Owner
Valerie K. Bell Valerie K. Bell
502 Horizon Dr. 502 Horizon Dr.
Middlebury, IN 46540 Middlebury, IN 46540

Site Address: 502 Horizon Drive Parcel Number: 20-08-15-127-016.000-035
Middlebury, IN 46540

Township: Middlebury
Location: East Side of Horizon Dr, 560 ft. North of Dogwood Ln, East Of Redbud Ln, South Of Wayne St.

Subdivision: ROLLING MEADOWS 7TH Lot # 114

Lot Area: 0.30 Frontage: 86.00 Depth: 150.00

Zoning: R-4, R-4 NPO List: 10/02/2026

Present Use of Property: RESIDENTIAL

Legal Description:

Comments: SEE CODE CASE CODE-0743-2026

Applicant Signature:

Department Signature:

Special Use — Questionnaire

Name: Valerie Bell - Marrero Bell Wholesale LLC

- 1) Tell us what you want to do. Buy pallets and break them down into yard sales/ Purchase overstock/liquidation merchandise by the pallet, sort the merchandise, and periodically sell the individual items through small residential yard sales
- 2) Tell us why this activity won't hurt your neighbors or the community. The activity will be small-scale and conducted in a manner that will not create excessive noise, dust, odors, or other disturbances. Sales will be limited to reasonable daytime hours, and the property will be kept clean and orderly.
- 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. _____

- 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: 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? 0

What will be the days and hours of operation on this property? Occasional Sales,

generally weekends during daytime hours

How many parking spaces do you have now? 4

How many parking spaces do you want? N/A

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

If yes, tell us what will be stored outside or displayed. ~~Merchandise~~ Temporary merchandise display only during Scheduled sales; no permanent outdoor storage.

Will there be retail sales on this property? ☒ Y ☐ N

If yes, tell us what will be sold. Overstock, liquidation and general merchandise purchased by the pallet and resold individually

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

Approximately 5-15 customers on sale days; no regular customer traffic on non-sale days

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

Tell us how often. Approximately 1 Delivery every 2-3 months

Tell us the kind of vehicles used. Semi or box truck

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). _____

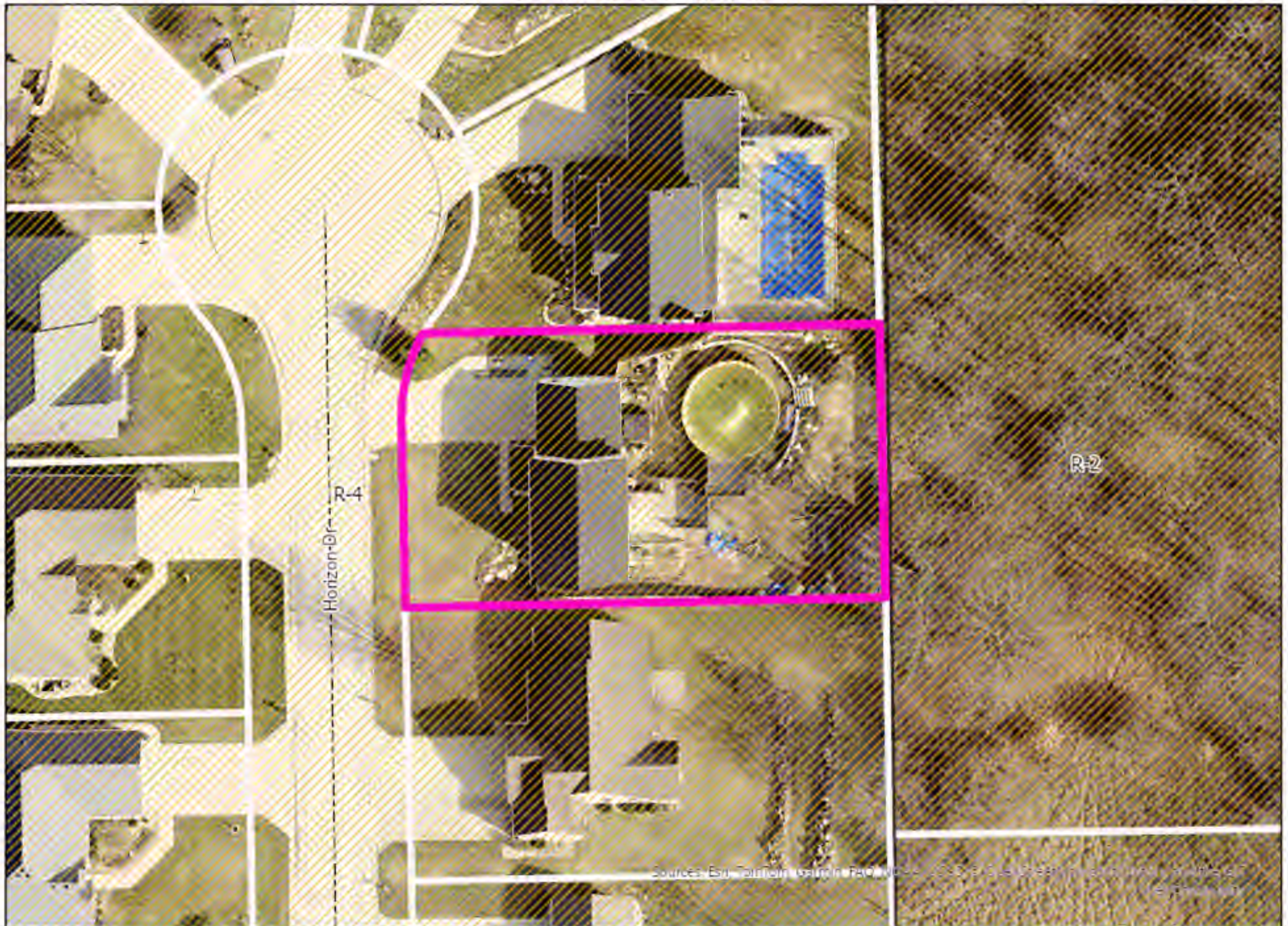
Existing? ☐ Y ☐ N Double faced? ☐ Y ☐ N

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

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

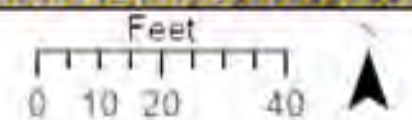
- 10) Tell us anything else you want us to know. This will be a small-scale, owner-operated residential business. Merchandise will be purchased by the pallet, sorted, and sold individually during occasional daytime yard sales. We intend to keep property clean and orderly and minimize customer traffic, noise, and impact on neighboring properties. There will be no permanent outdoor retail display or business signage.

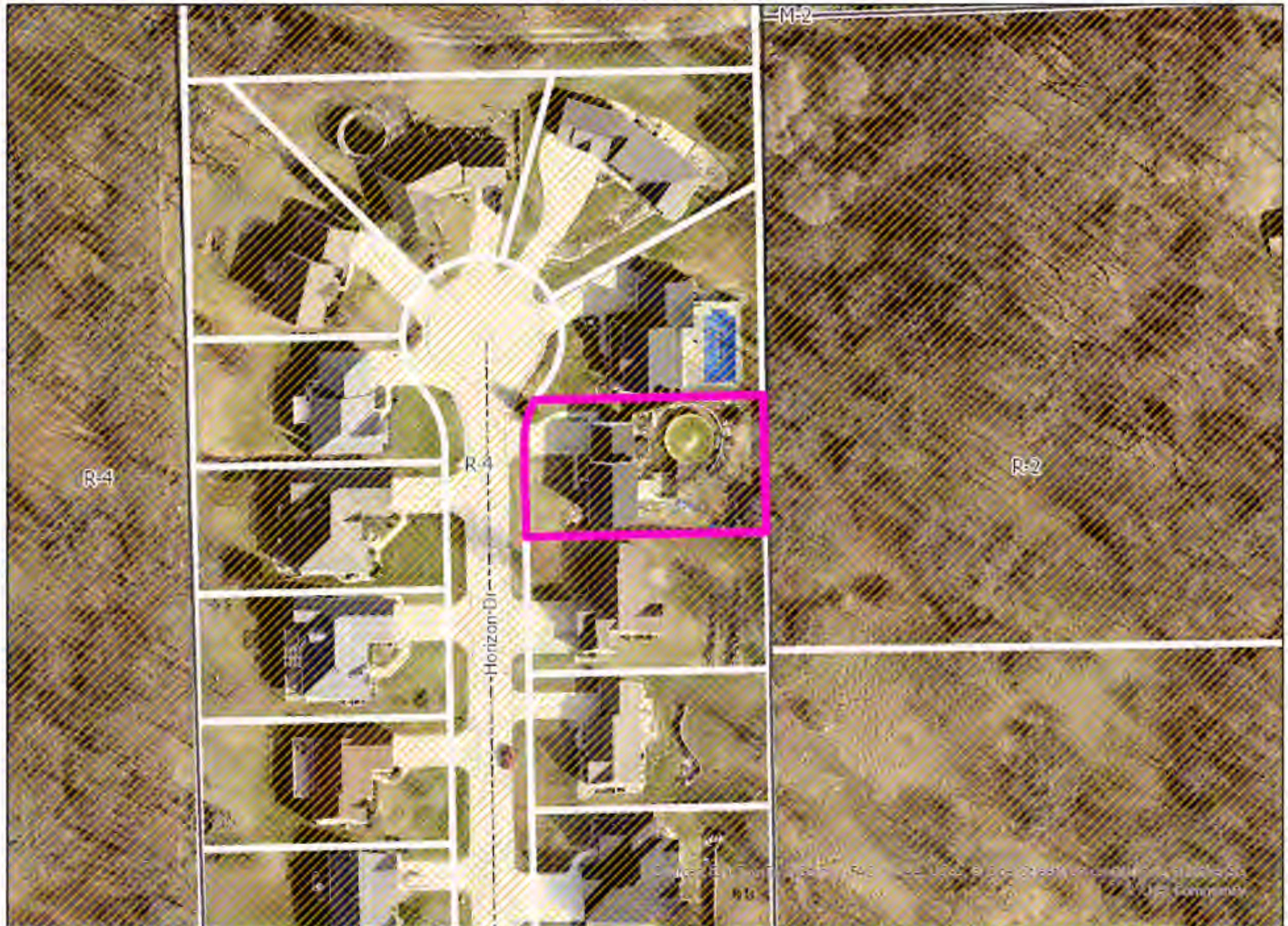
SUP-0596-2026



2025 Aerials

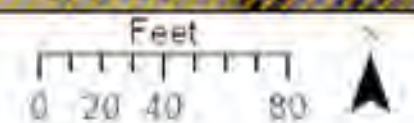
1 inch equals 40 ft





2025 Aerials

1 inch equals 80 ft







Subject property facing east



Facing west

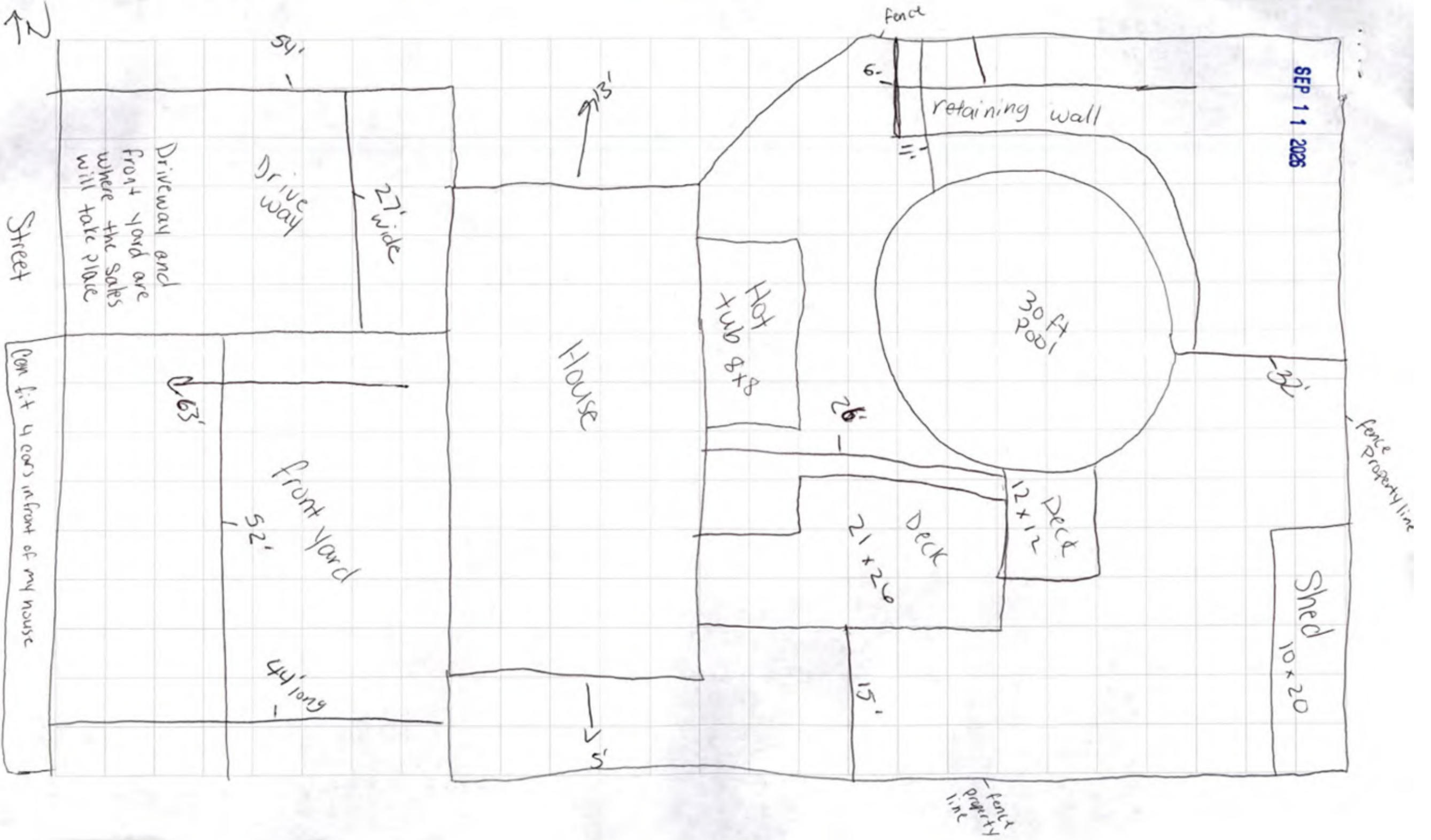


Facing north



Facing south

SEP 11 2026



BZA Staff Report

Prepared by the Department of Planning and Development

Hearing Date: October 15, 2026

Transaction Number: SUP-0590-2026.

Parcel Number(s): 20-05-35-451-008.000-001.

Existing Zoning: A-1.

Petition: For a Special Use for a contractor office and yard (electrical contractor).

Petitioner: James S. Pierce & Julie A. Pierce, Husband & Wife.

Location: North side of CR 28, 750 ft. east of CR 101, in Baugo Township.

Site Description:

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

History and General Notes:

- **September 1, 2026** – A complaint was received for operating an electrical contractor business on the property (CODE-0769-2026).

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 contractor office and yard 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 4.45-acre parcel in a low-density residential and agricultural 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 electrical contractor.

BZA Staff Report (Continued)

Hearing Date: October 15, 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 9/10/2026) and as represented in the Special Use application.
2. Semi-tractor trailers may not back into the Real Estate from CR 28 or back out from the Real Estate onto CR 28.

PLAN COMMISSION & BOARD OF ZONING APPEALS

Special Use - Non Mobile Home

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

4230 Elkhart Road, Goshen, Indiana, 46526

Phone - (574) 971-4678

Fax - (574) 971-4578

Date: 09/10/2026 Meeting Date: October 15, 2026
Board of Zoning Appeals Public Hearing Transaction #: SUP-0590-2026

Description: for a Special Use for a contractor office and yard (electrical).

Contacts: <u>Applicant</u>	<u>Land Owner</u>
James S & Julie A Pierce, Husband And Wife 29343 Cr 28 Elkhart, IN 46517	James S & Julie A Pierce, Husband And Wife 29343 Cr 28 Elkhart, IN 46517

Site Address: 29343 County Road 28 Elkhart, IN 46517	Parcel Number: 20-05-35-451-008.000-001
---	---

Township: Baugo
Location: North Side Of County Road 28, 750 Feet East Of County Road 101

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

Lot Area: 4.45	Frontage: 200.00	Depth: 850.00
----------------	------------------	---------------

Zoning: A-1	NPO List: 10/02/2026
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Present Use of Property: RESIDENTIAL

Legal Description:

Comments: REFERENCE CODE-0769-2026: Running an electrical business out of the way back building that was built in 2017
Parcel creation date: 11-6-2000

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

Special Use — Questionnaire

Name: James S. and Julie A. Pierce

- 1) Tell us what you want to do. We would like to apply for a special use permit for a contractor office and yard.
- 2) Tell us why this activity won't hurt your neighbors or the community. We have been running this business for 16 years at this location with no complaints from anyone. We pride ourselves on keeping our property neat and tidy. We have very little customer traffic.
- 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. We have a tree buffer directly south of the building in question.
- 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: 50'W x 80'L x 23'H
Tell us what you'll use it for. Offices for 3 employees that commute daily and warehouse for material storage.
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: 20 Part time: 3

How many employees do you want? Full time: 20 Part time: 3

How many of the employees won't live onsite? 20

What will be the days and hours of operation on this property? Monday thru Friday 8am-5pm

How many parking spaces do you have now? 10

How many parking spaces do you want? 10

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

If yes, tell us what will be stored outside or displayed. Vans -Trailers – dumpster – conduit - temporaries

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?

We have maybe a handful of customers per year.

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

Tell us how often. Daily

Tell us the kind of vehicles used. Company vans, Box trucks and the occasional semi.

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). _____

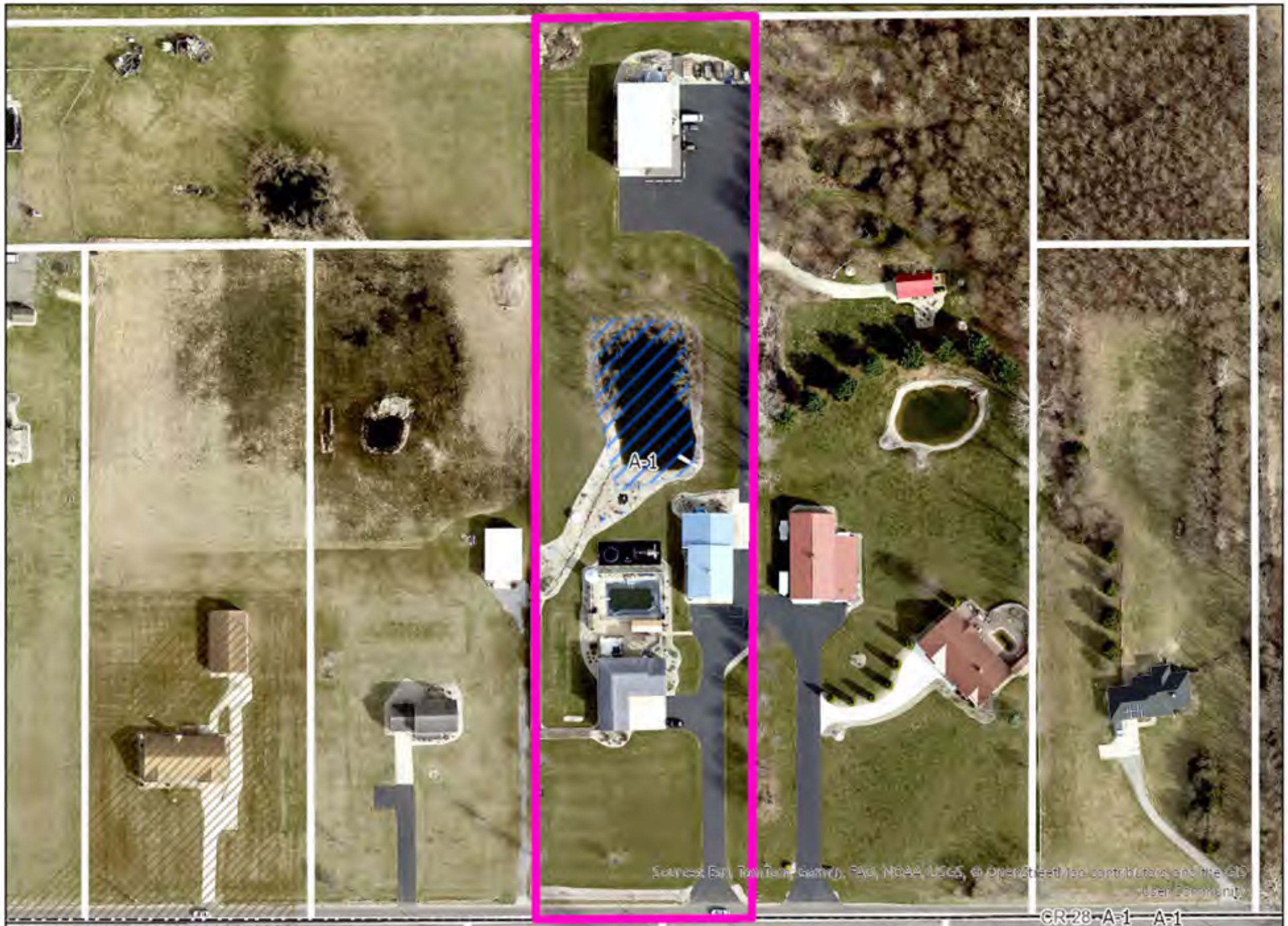
Existing? ☐ Y ☐ N Double faced? ☐ Y ☐ N

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 are simply trying to run our business as efficiently as possible this is obviously the most cost effective way.

SUP-0590-2026

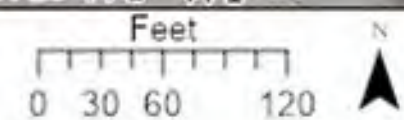


Source: Esri, TomTom, Garmin, FAO, NOAA, USGS, © OpenStreetMap contributors, and the GIS User Community

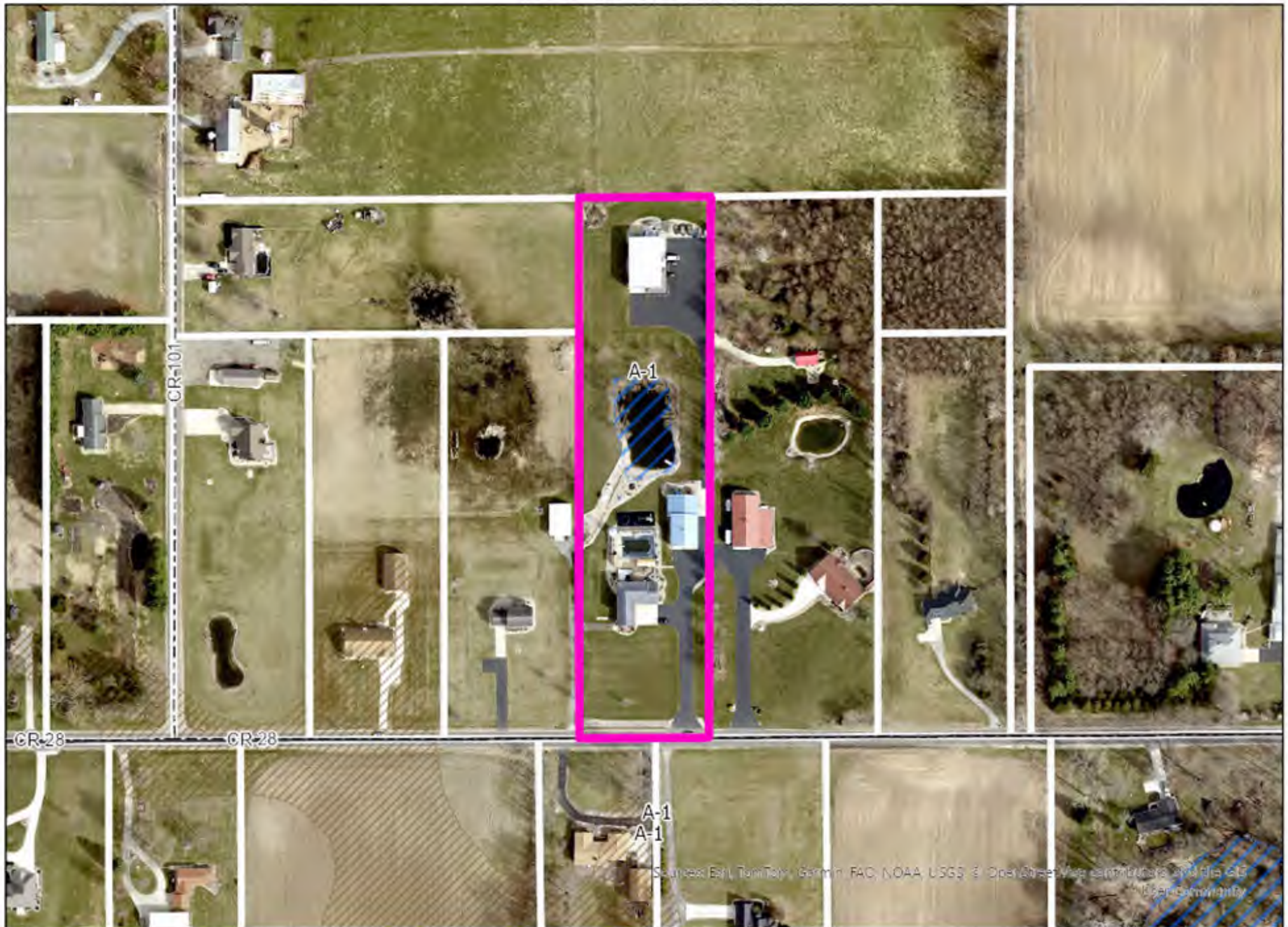
CR-28-A-1 A-1

2025 Aerials

1 inch equals 120 ft

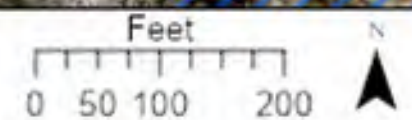


SUP-0590-2026

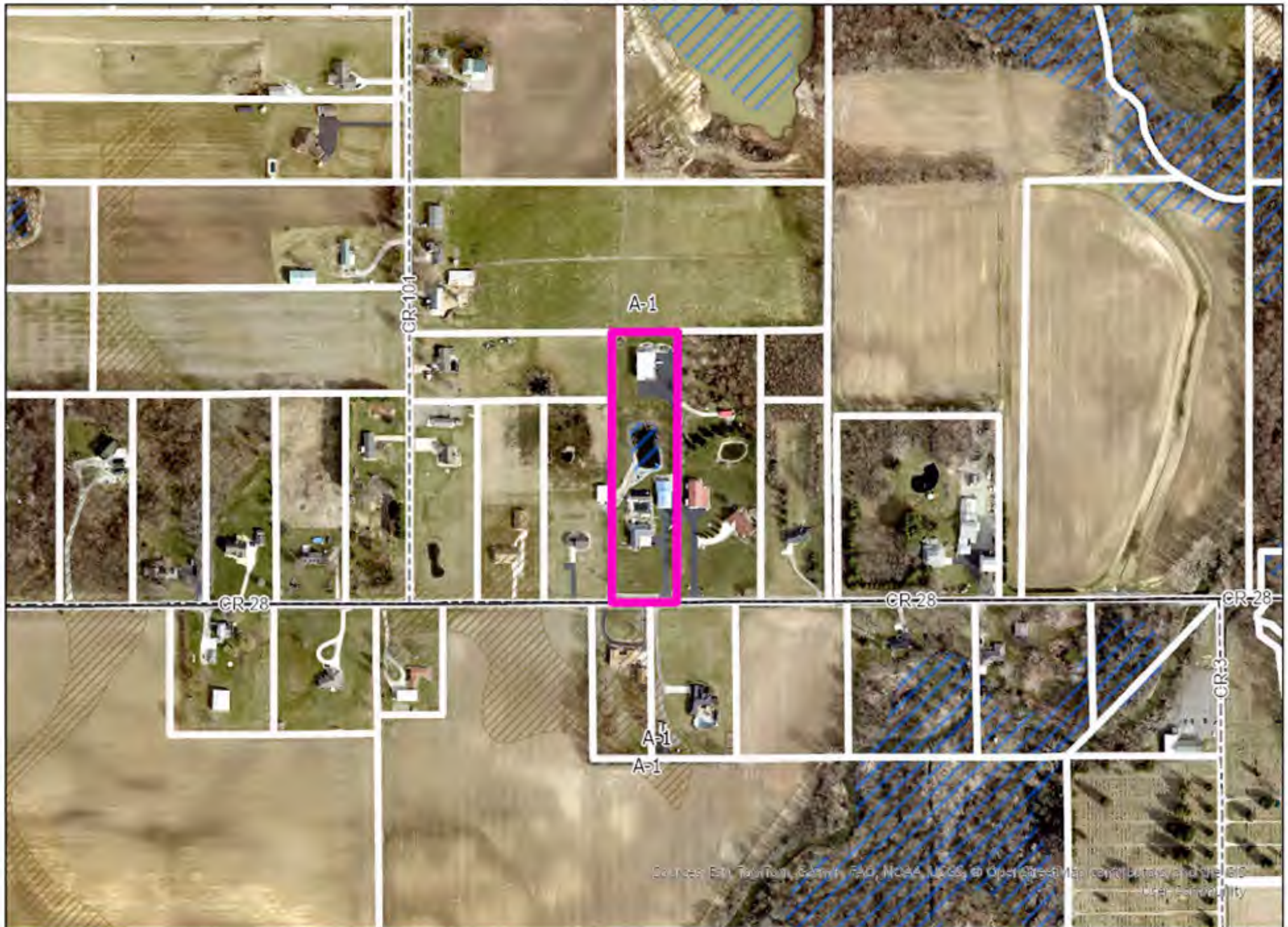


2025 Aerials

1 inch equals 200 ft

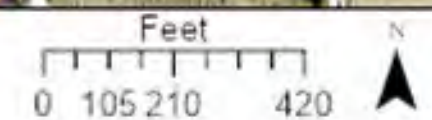


SUP-0590-2026



2025 Aerials

1 inch equals 400 ft





Subject property facing north



Subject property building location



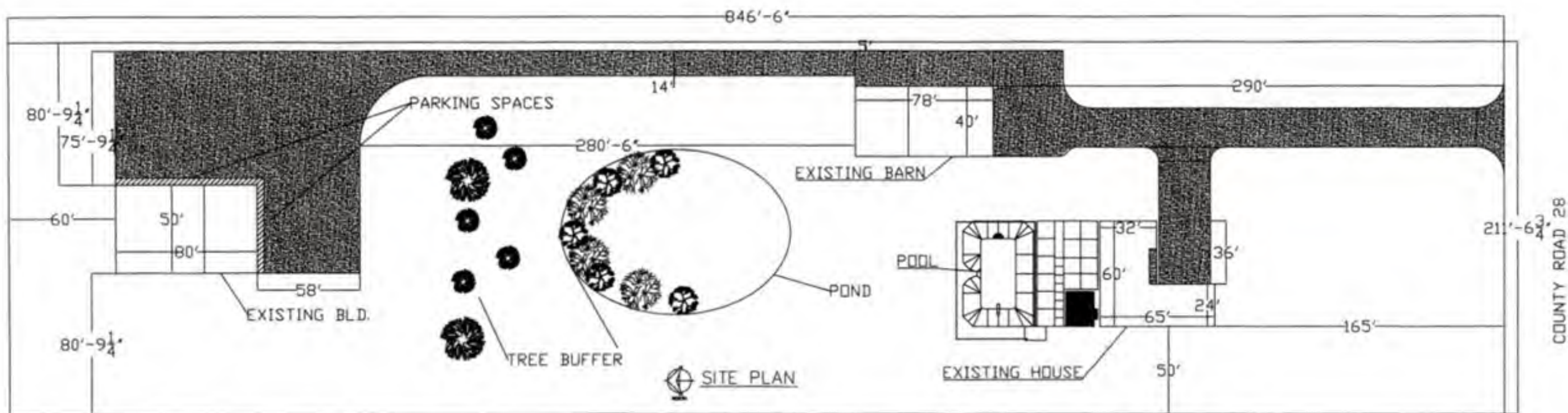
Facing south



Facing east



Facing west



BZA Staff Report

Prepared by the Department of Planning and Development

Hearing Date: October 15, 2026

Transaction Number: SUP-0607-2026.

Parcel Number(s): 20-10-24-203-003.000-016.

Existing Zoning: A-1.

Petition: For a Special Use for a kennel (dog boarding).

Petitioner: Larry W. White & Jennifer L. White, Husband & Wife.

Location: South side of CR 36, 3,500 ft. east of CR 15, in Harrison Township.

Site Description:

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

History and General Notes:

- **September 8, 2026** – A complaint was received for operating a dog boarding business / kennel. (CODE-0783-2026).

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 dog kennel / boarding is allowed in the A-1 zoning district.
2. The Special Use will not cause substantial and permanent injury to the appropriate use of neighboring property. This is a 1.72-acre parcel in a low to moderate density residential and agricultural 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 dog boarding business.

BZA Staff Report (Continued)

Hearing Date: October 15, 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 9/14/2026) and as represented in the Special Use application.

PLAN COMMISSION & BOARD OF ZONING APPEALS

Special Use - Non Mobile Home

Elkhart County Planning & Development Public Services Building

4230 Elkhart Road, Goshen, Indiana, 46526

Phone - (574) 971-4678

Fax - (574) 971-4578

SUP-0607-2026

Date: 09/14/2026 Meeting Date: October 15, 2026
Board of Zoning Appeals Public Hearing Transaction #: SUP-0607-2026

Description: for a Special Use for a kennel (dog boarding)

Contacts: <u>Applicant</u>	<u>Land Owner</u>
Larry W. White & Jennifer L. White, Husband & Wife 22322 County Road 36 Goshen, IN 46526	Larry W. White & Jennifer L. White, Husband & Wife 22322 County Road 36 Goshen, IN 46526

Site Address: 22322 County Road 36 Goshen, IN 46526	Parcel Number: 20-10-24-203-003.000-016
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Township: Harrison
Location: South side of CR 36, 3,500 ft. East of CR 15

Subdivision:	Lot #
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Lot Area: 1.72	Frontage: 149.00	Depth: 500.00
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Zoning: A-1	NPO List: 10/02/2026
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Present Use of Property: RESIDENTIAL

Legal Description:

Comments: PARCEL CREATION DATE 11-9-1994 NO SUBDIVISION REQUIRED

Applicant Signature:

Department Signature:

Special Use — Questionnaire

Name: JENNIFER WHITE

1) Tell us what you want to do. WE WOULD LIKE TO PROVIDE A HOMESTYLE, CAGE-FREE BOARDING OPTION FOR DOG OWNERS.

2) Tell us why this activity won't hurt your neighbors or the community. OUR NEIGHBORS WILL RARLY SEE OR HEAR ANY DOGS AT OUR HOME - IT WOULD BE NO DIFFERENT THAN IF JUST OUR DOG WERE HERE.

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 DOG^S WILL BARK IF THEY SEE PEOPLE WALKING ON THE ROAD OR PULL INTO THE DRIVEWAY.

Tell us how you'll reduce the impact of those things on neighbors. I HAVE BATTERY-OPERATED ANTI-BARKING BOXES INSTALLED INSIDE MY DOG YARD. I PLAN TO PLANT SHRUBS AS VISUAL DETURBANTS AROUND THE FRONT AND SIDES OF THE DOG YARD.

5) Will there be buffering (fences, trees, shrubs, mounds)? ☒ Y ☐ N

If yes, tell us about it. THERE IS CURRENTLY SHRUBS ON THE WEST EDGE OF THE DOG YARD. I WILL BE ADD. FAST-GROWING SHRUBS ON THE NORTH AND EAST EDGES.

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. WE HAVE TWO DOG OF OUR OWN - BROOKS IS A 40LB CATTLEDOODLE AND LINCOLN IS A 20LB MINI SCHNAUZER. WE QUICKLY LEARNED OUR LIMITS! WE WILL ACCEPT UP TO 10 ADDITIONAL DOGS OF VARYING SIZES AND BREEDS.

ON A TYPICAL WEEKEND, WE WILL HAVE THREE BOARDERS. ON HOLIDAY WEEKS, WE WILL HAVE UP TO TEN. SOME PEOPLEE FEEL LIKE THAT IS

Next page ➡

A LOT, BUT WE ARE VERY SELECTIVE ABOUT WHO WE BOARD, MAKING SURE TO HAVE A WIDE VARIETY OF SIZES. FOR EXAMPLE, WE WOULD NOT BOOK TEN BIG DOG TOGETHER!

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: 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? 0

What will be the days and hours of operation on this property? SUNDAY - SATURDAY 8A-8P

How many parking spaces do you have now? UP TO 7

How many parking spaces do you want? UP TO 7

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?

ONLY ONE CLIENT WOULD BE PRESENT AT ONE TIME. WE ONLY OFFER APPOINTMENTS. NO DROPINS. TYPICALLY HAVE UP TO FIVE APPOINTMENTS PER WEEK.

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). 18" x 12"

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

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

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

I CREATED SIGNS TO HELP WITH NAVIGATION BUT THEY DON'T SEEM TO HELP :)

Sign 2 Dimensions (length and width). 18" x 12"

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

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

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

CORRUGATED JUST YARD SIGNS

Sign 3 Dimensions (length and width). _____

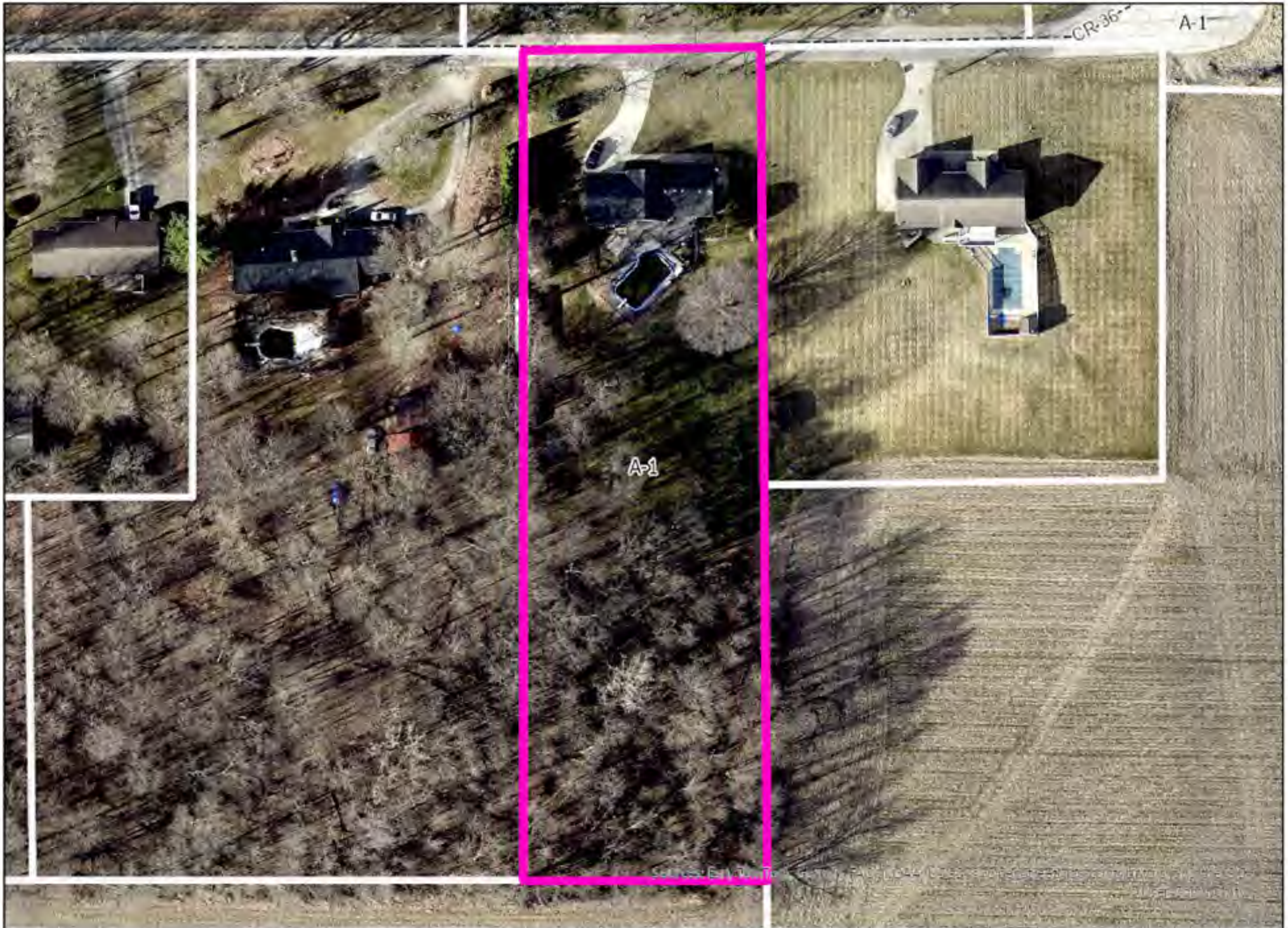
~~Existing? ☐ Y ☐ N Double faced? ☐ Y ☐ N~~

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

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

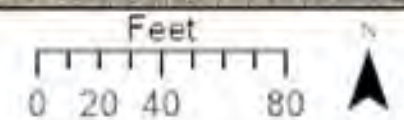
- 10) Tell us anything else you want us to know. WE HAVE NO INTENTION OF EVER ACCEPTING MORE THAN 10 DOGS AT ONE TIME. WE HAVE A GOOD RELATIONSHIP WITH ALL OF OUR NEIGHBORS AND ARE HAPPY TO ADJUST ANYTHING THAT MAKES THIS AN INCONVENIENCE FOR THEM.

SUP-0607-2026

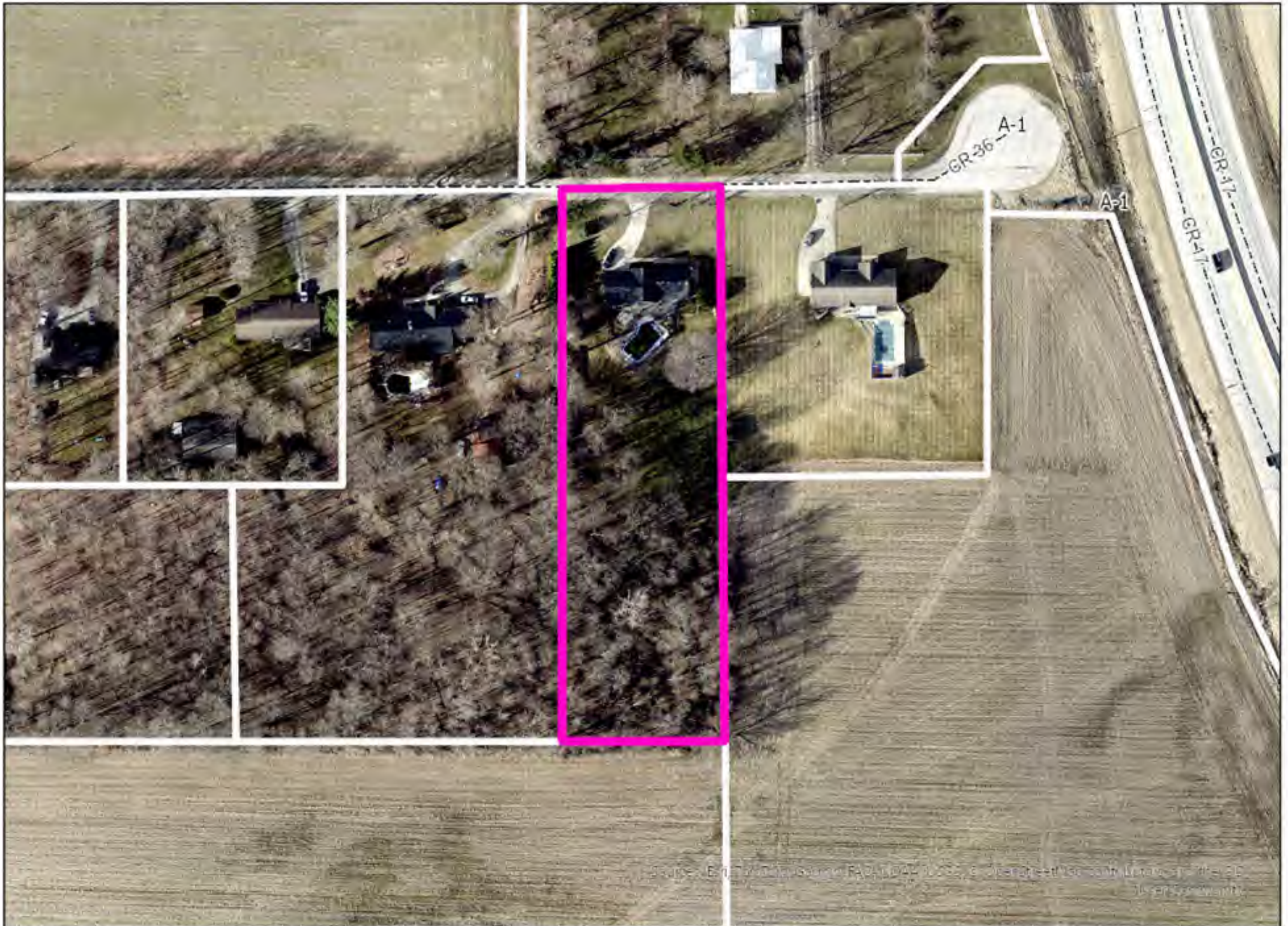


2025 Aerials

1 inch equals 80 ft

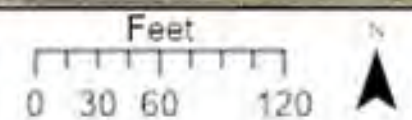


SUP-0607-2026

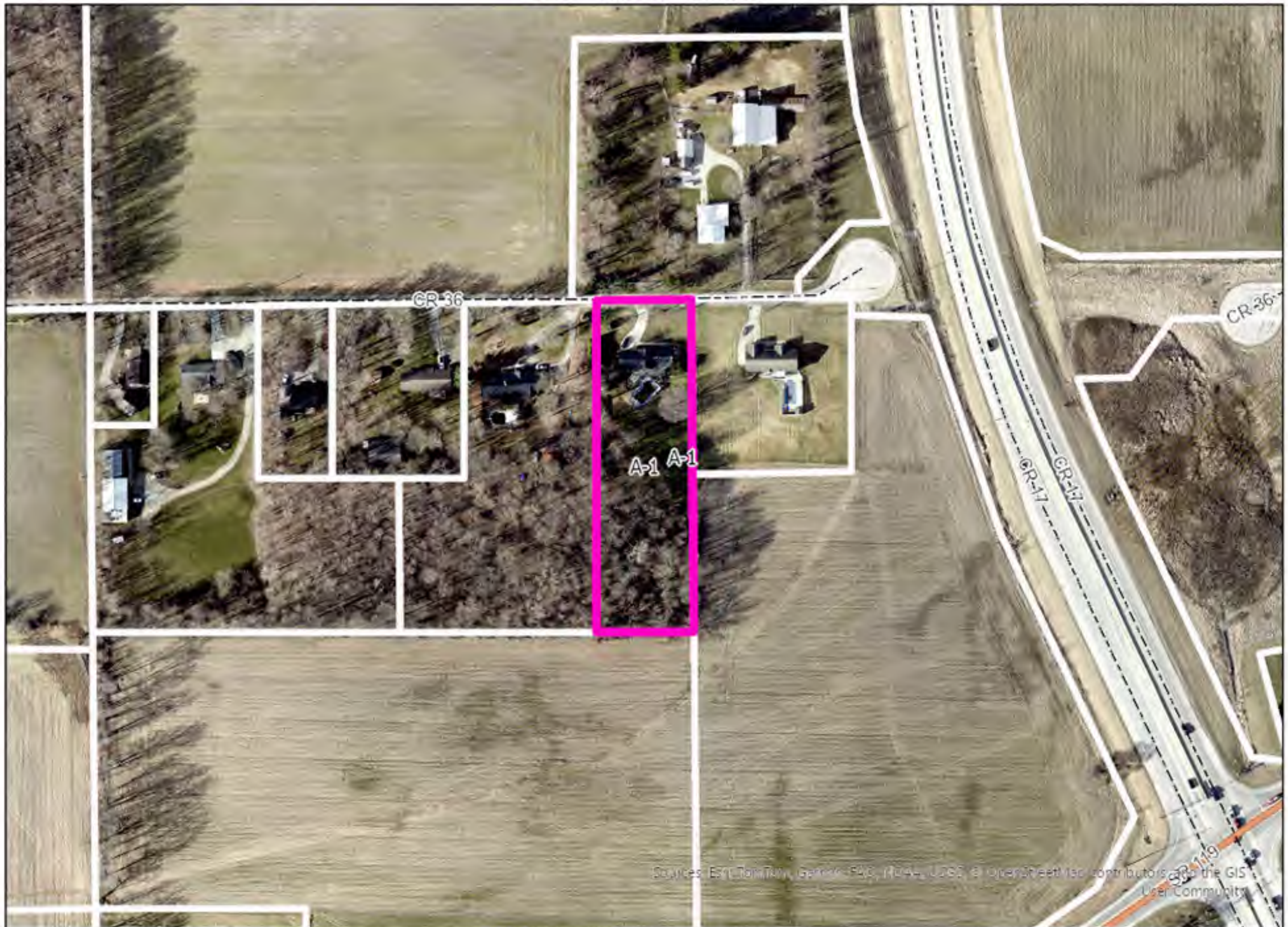


2025 Aerials

1 inch equals 120 ft

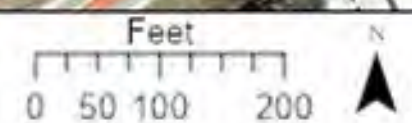


SUP-0607-2026



2025 Aerials

1 inch equals 200 ft





Subject property facing south



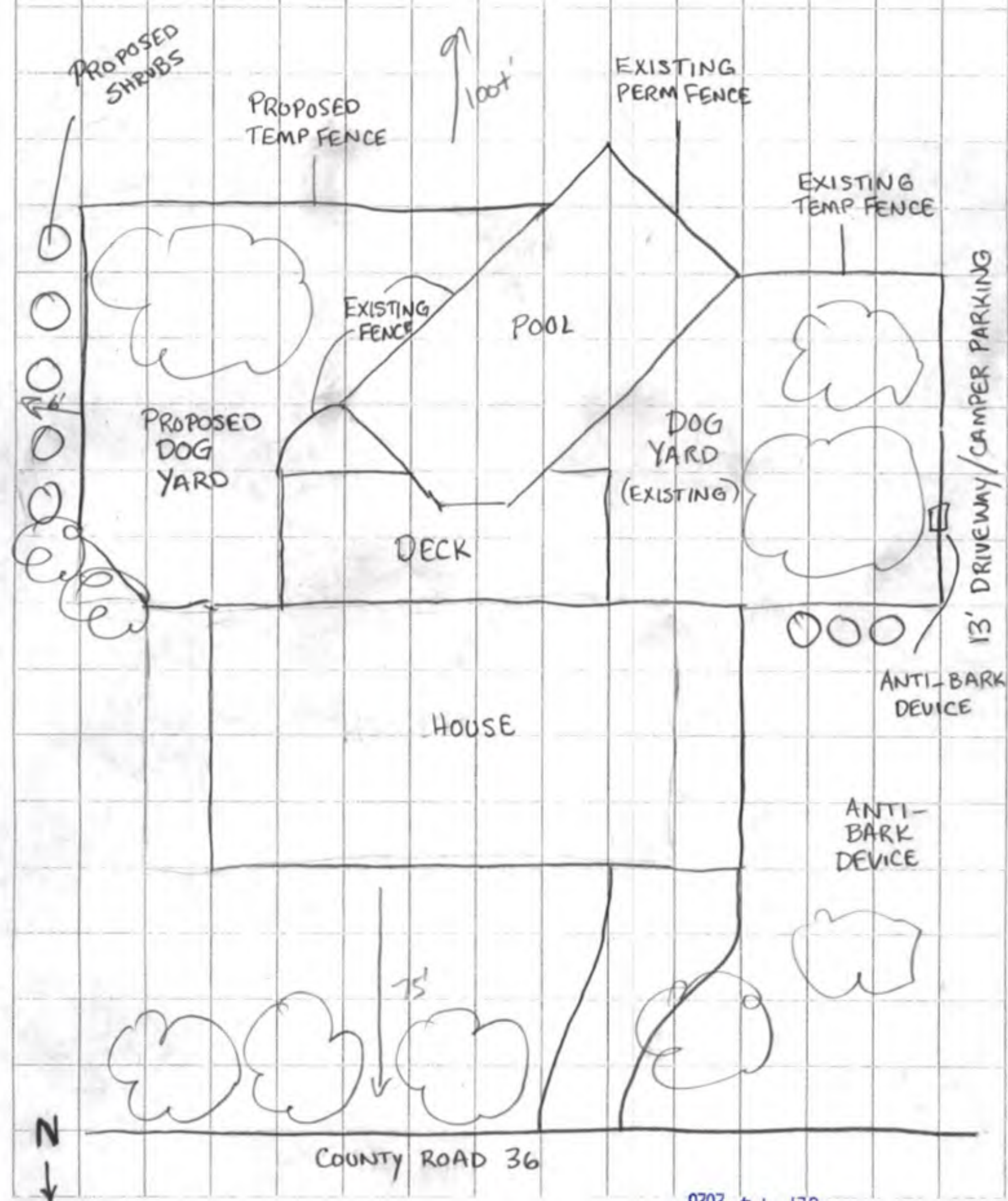
Facing north



Facing east



Facing west



BZA Staff Report

Prepared by the Department of Planning and Development

Hearing Date: October 15, 2026

Transaction Number: SUP-0595-2026.

Parcel Number(s): 20-05-25-300-007.000-001 & 20-05-25-300-009.000-001.

Existing Zoning: A-1.

Petition: For an amendment to an existing Special Use for an event center to amend signage.

Petitioner: Church Community Services.

Location: East side of CR 3, 1,580 ft. north of CR 26, in Baugo Township.

Site Description:

- Physical Improvement(s) – Event venue (farmhouse), accessory structure & freestanding sign.
- Proposed Improvement(s) – Electronic message board.
- Existing Land Use – Residential, agricultural.
- Surrounding Land Use – Residential, agricultural.

History and General Notes:

- **December 20, 1990** – The BZA approved a Special Use for a museum and community center and an Appeal to allow said use on property served by an easement (90-173-SU).
- **December 15, 2011** – The BZA approved an amendment to an existing Special Use for a museum and community center to allow for the construction of a storage unit (Specifications F - #28) (59710CR 3-111118-1).
- **June 18, 2026** – The BZA approved a Special Use for an event venue (SUP-0252-2026).

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 an event venue and the new electronic message board sign will replace an existing freestanding sign.
2. The Special Use Amendment will not cause substantial and permanent injury to the appropriate use of neighboring property. This is a 21.34-acre property in a low-density residential and agricultural area and the property will continue to be used for community events and activities.
3. The Special Use Amendment will substantially serve the public convenience and welfare by allowing for a new electronic message board for a local event venue.

BZA Staff Report (Continued)

Hearing Date: October 15, 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 9/10/2026) and as represented in the Special Use Amendment application.

PLAN COMMISSION & BOARD OF ZONING APPEALS

Special Use Amendment - Non Mobile Home

Elkhart County Planning & Development Public Services Building

4230 Elkhart Road, Goshen, Indiana, 46526

Phone - (574) 971-4678

Fax - (574) 971-4578

SUP-0595-2026

Date: 09/10/2026 Meeting Date: October 15, 2026
Board of Zoning Appeals Public Hearing Transaction #: SUP-0595-2026

Description: for an amendment to an existing Special Use for an event venue to amend signage.

Contacts: Applicant Land Owner
Church Community Services Church Community Services
P.O Box 2346 P.O Box 2346
Elkhart, IN 46515 Elkhart, IN 46515

Site Address: 59710 County Road 3 Parcel Number: 20-05-25-300-007.000-001
Elkhart, IN 46517 20-05-25-300-009.000-001

Township: Baugo
Location: East Side Of County Road 3, 1,580 FT. NORTH OF CR 26

Subdivision: Lot #

Lot Area: 21.34 Frontage: 760.00 Depth: 1,103.00

Zoning: A-1 NPO List: 10/02/2026

Present Use of Property: EVENT VENUE

Legal Description:

Comments: PARCEL CREATION DATE: 2/22/89
SEE APPROVED SPECIAL USE SUP-0252-2026 FOR AN EVENT VENUE ON 6/18/26

Applicant Signature: Department Signature:

Developmental Variance — Questionnaire

Name: Church Community services - Keith Sarber, Exec. Dir.

1) Tell us what you want to do. Install new sign (with pole) south lane @ 59710 CR3, Elkhart IN + at some future time install sign @ on CR3 near entrance.

2) Tell us why you can't change what you're doing so you don't need a variance. The existing sign was designed to identify the former museum + no longer identifies the property or its current purpose. A new sign is necessary to provide clear + appropriate identification for the property.

3) Tell us why the variance won't hurt your neighbors or the community. The variance won't hurt or affect neighbors because the neighbors are 100's of yards away or the property has no close neighbors + lots of buffer.

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

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

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

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

Building or addition 1

Size and height to the peak: _____

Tell us what you'll use it for. _____

Building or addition 2

Size and height to the peak: _____

Tell us what you'll use it for. _____

Building or addition 3

Size and height to the peak: _____

Tell us what you'll use it for. _____

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

If yes, fill out below.

Is the easement existing? ☒ Y ☐ N

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

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

Tell us how many parcels will use the easement. _____

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

Sign 1

Dimensions (length and width): 20 feet high (pole) w/ 5x15 digital face
see mock up

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): 2 1/2 wide by 4 1/2 high - info box sign
see example

Existing? ☐ Y ☒ N

Double faced? ☒ Y ☐ N

Electronic message board? ☐ Y ☒ N

If no, lighted? ☐ Y ☒ N

Freestanding? ☒ Y ☐ N

Wall mounted? ☐ Y ☒ N

Sign 3

Dimensions (length and width): _____

Existing? ☐ Y ☐ N

Double faced? ☐ Y ☐ N

Electronic message board? ☐ Y ☐ N

If no, lighted? ☐ Y ☐ N

Freestanding? ☐ Y ☐ N

Wall mounted? ☐ Y ☐ N

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

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

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

Name: Church Community Services - Keith Sarber (Executive Dir.)

- 1) Tell us what you want to do. Install new sign in South lawn @ 59710 CR 3, Elkhart. Sign is elevated on 15 foot steel pole and is digital. Additionally at some point in the future install a info sign box along CR 3.
- 2) Tell us why your case is different from other cases in the county so that a variance should be allowed.

1st Because we are impacting struggling families across Elkhart County.
2nd because we are an event venue + need the marketing/awareness.
3rd Tree growth along the highway obscures the current sign location.
- 3) Tell us why the variance won't hurt your neighbors or the community.

There really aren't neighbors nearby. The slope of the property forest + farm fields hide or provide a substantial barrier.
- 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. Yes, already there are trees, shrubs, forest, farm fields buffering
- 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/A
- 7) Does what you want to do include buildings or additions? ☐ Y ☒ N If yes, fill out below.

Building or addition 1 Existing? ☐ Y ☐ N Size and height to the peak: _____

Tell us what you'll use it for. N/A

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) 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
- 9) Does this application include an accessory structure without a residence at this time? ☐ Y ☒ N

If yes, are there plans for a residence on this property? ☐ Y ☐ N If yes, fill out below.

Tell us when it will be built. _____

Tell us the approximate size. _____
- 10) Does this application include animals? ☐ Y ☒ N

If yes, tell us what kind and the maximum number of each. _____

Use Variance — Questionnaire

- 11) 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: 1

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

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

What will be the days and hours of operation on this property? The days + hours will be

Seasonal + Vary - 5 to 25 hours a week

How many parking spaces do you have now? 25

How many parking spaces do you want? 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. _____

Will there be retail sales on this property? ☐ Y ☒ N

If yes, tell us what will be sold. N/A

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

Volunteers + or Students may number 2-20

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). 20 feet high w/ 5 ft by 15 (approx) Sign ^{digital}
See mark up

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). 2 1/2 wide by 4 1/2 high

Existing? ☐ Y ☒ N Double faced? ☒ Y ☐ N see example

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

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

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: 11 Part time: 13

How many employees do you want? Full time: 11 Part time: 13

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

What will be the days and hours of operation on this property? Hours + days of operation will vary but will not include overnight hours.

How many parking spaces do you have now? 20

How many parking spaces do you want? 20

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?

Average (?) One or two people

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

Tell us how often. Weekly (?)

Tell us the kind of vehicles used. Postal, FedEx, UPS

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

Sign 1 Dimensions (length and width). Current sign is 5 feet high by 14 feet wide and approx. 7 ft. OAH

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). Preferred replacement sign is an EMC, approx. 4x13, same OAH, same structural dims., same setbacks

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 property may include trails + gardening/AG. The property + building may be rented in part or whole by other nonprofits or groups. Events may will vary in schedule from weekly to monthly to seasonally. Church community services intends to hold approx. 4-6 events each year. The building will not be utilized as a museum.

Special Use — Questionnaire

Name: Church Community Services

1) Tell us what you want to do. Renovate or install new sign
We intend to run an event fundraising center. No substantial
changes, other than upkeep will be made to the property or building.

2) Tell us why this activity won't hurt your neighbors or the community. Mainly, it will not
hurt neighbors because there are not any. The
property is bordered by SR 20, a farm field, + a creek.

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. There are trees along SR 20

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

Name: Church Community Services

1) Tell us what you want to do. Renovate or install new sign
We intend to run an event/fundraising center. No substantial
changes, other than upkeep will be made to the property or building.

2) Tell us why this activity won't hurt your neighbors or the community. Mainly, it will not
hurt neighbors because there are not any. The
property is bordered by SR 20, a farm field, + a creek.

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. There are trees along SR 20

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: 11 Part time: 13

How many employees do you want? Full time: 11 Part time: 13

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

What will be the days and hours of operation on this property? Hours + days of operation will vary but will not include overnight hours.

How many parking spaces do you have now? 20

How many parking spaces do you want? 20

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?

Average (?) One or two people

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

Tell us how often. Weekly (?)

Tell us the kind of vehicles used. Postal, FedEx, UPS

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

Sign 1 Dimensions (length and width). Current sign is 5 feet high by 14 feet wide and approx. 7 ft. OAH

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). Preferred replacement sign is an EMC, approx. 4x13, same OAH, same structural dims., same setbacks

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.

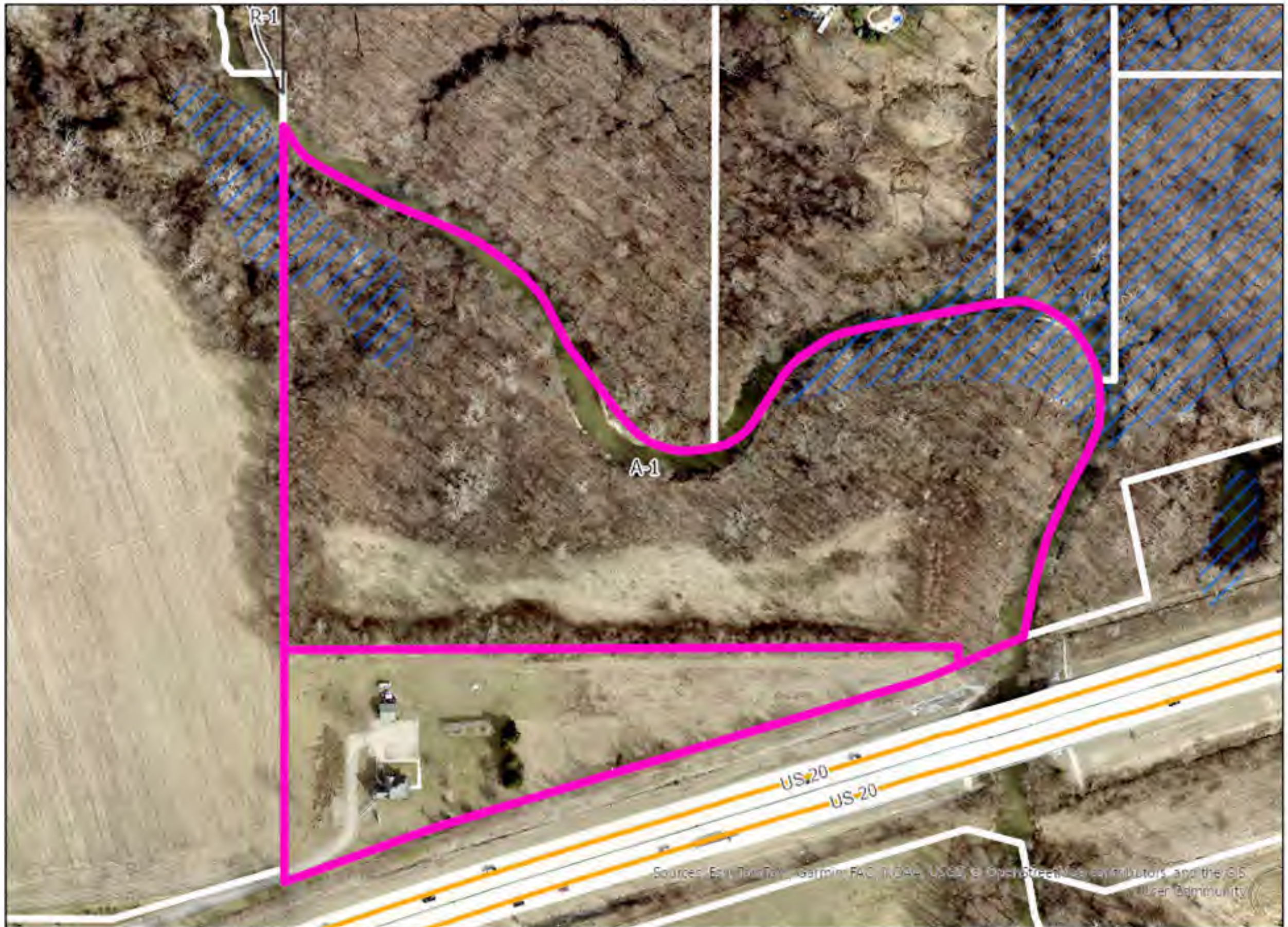
The property may include trails + gardening/AG. The property + building may be rented in part or whole by other nonprofits or groups. Events may/will vary in schedule from weekly to monthly to seasonally. Church community services intends to hold approx. 4-6 events each year. The building will not be utilized as a museum.



Message Board Kiosks
Model No. 9ZK8011

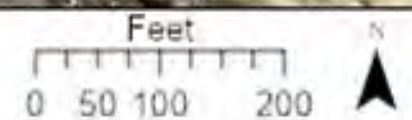
\$1,48.85

SUP-0595-2026



2025 Aerials

1 inch equals 200 ft

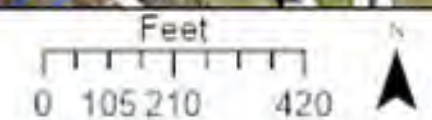


SUP-0595-2026

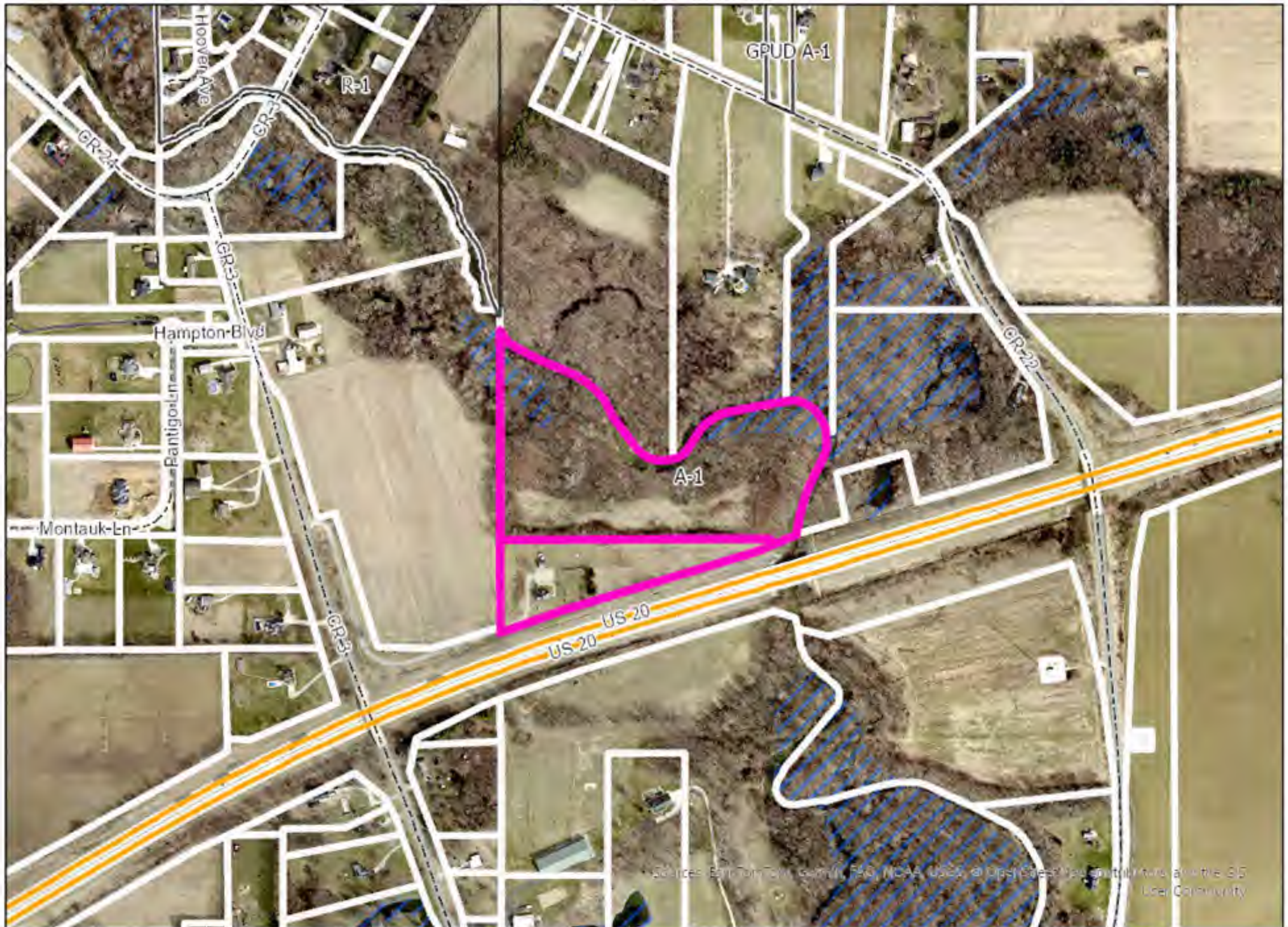


2025 Aerials

1 inch equals 400 ft

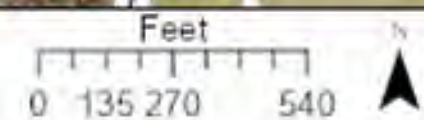


SUP-0595-2026



2025 Aerials

1 inch equals 500 ft



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



Subject property facing existing building & sign



Facing north



Facing south

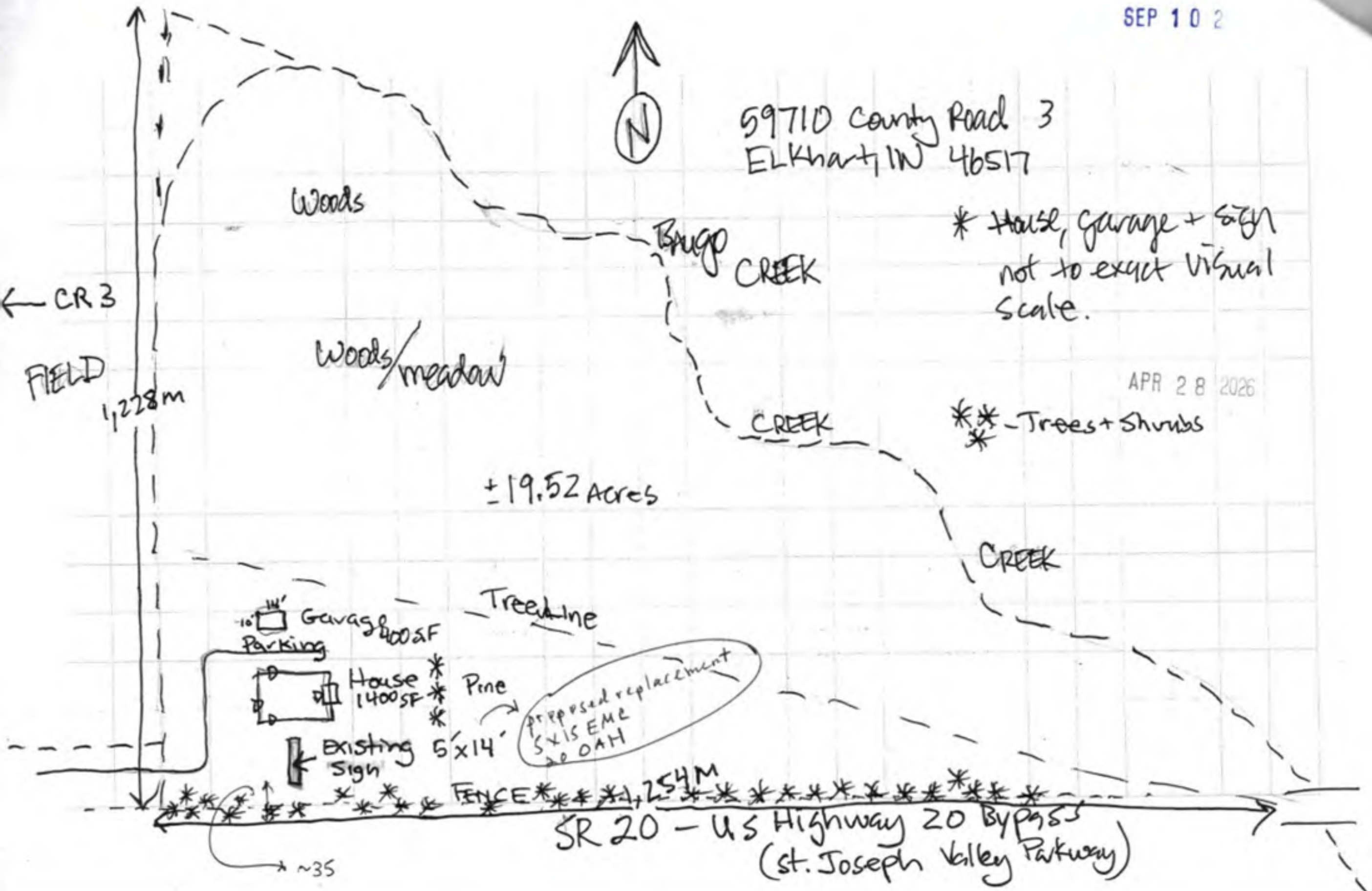


Facing east



Facing west

SEP 10 2





BZA Staff Report

Prepared by the Department of Planning and Development

Hearing Date: October 15, 2026

Transaction Number: SUP-0591-2026.

Parcel Number(s): 20-12-34-200-018.000-008.

Existing Zoning: A-1.

Petition: For an amendment to an existing Special Use for a town park to add a pavilion.

Petitioner: Millersburg Park & Recreation Board.

Location: North side of Larimer Dr., 1,200 ft. north of E. Elm St., west of N. Benton St. (SR 13), in Clinton Township.

Site Description:

- Physical Improvement(s) – Town park.
- Proposed Improvement(s) – New pavilion.
- Existing Land Use – Parks and open space.
- Surrounding Land Use – Residential, municipal utilities (water tower) & manufacturing.

History and General Notes:

- **May 15, 2025** – BZA approved a Special Use Permit for an existing town park (SUP-0227-2025).

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 Special Use for a town park.
2. The Special Use Amendment will not cause substantial and permanent injury to the appropriate use of neighboring property. This is a 23.80-acre property in a mixed-use area in the Town of Millersburg and the property will remain a park.
3. The Special Use Amendment will substantially serve the public convenience and welfare by allowing for a new pavilion for the town park.

BZA Staff Report (Continued)

Hearing Date: October 15, 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 9/10/2026) and as represented in the Special Use Amendment application.

PLAN COMMISSION & BOARD OF ZONING APPEALS

Special Use Amendment - Non Mobile Home

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

4230 Elkhart Road, Goshen, Indiana, 46526

Phone - (574) 971-4678

Fax - (574) 971-4578

Date: 09/10/2026 Meeting Date: October 15, 2026
Board of Zoning Appeals Public Hearing Transaction #: SUP-0591-2026

Description: for an amendment to an existing Special Use for a Town Park to add a pavilion.

Contacts: <u>Authorized Agent</u>	<u>Land Owner</u>
Millersburg Park & Recreation Board	Millersburg Park & Recreation Board
Po Box 278	Po Box 278
Millersburg, IN 46543	Millersburg, IN 46543

Site Address: 00000 Larimer Drive
MILLERSBURG, IN 46543

Parcel Number: 20-12-34-200-018.000-008

Township: Clinton
Location: NORTH SIDE OF LARIMER DR., 1,115 FT. NORTH OF E ELM ST., WEST OF N BENTON ST (SR 13)

Subdivision: Lot #

Lot Area: 23.80 Frontage: 1,025.60 Depth: 1,010.85

Zoning: A-1 NPO List: 10/02/2026

Present Use of Property: TOWN PARK

Legal Description:

Comments: PARCEL CREATION DATES ARE 9/11/1978 AND 5/25/1988
COOK STATION PARK.
SEE APPROVED SPECIAL USE SUP-0227-2025
THE PROPOSED PAVILION OF 3168 FT. IS 41.3% OF THE APPROVED TOTAL STRUCTURE FOOTPRINT AS OF 5/15/2025.
BC-1038-2025 IS THE PERMIT FOR THE 432 SQ. FT. PAVILION FROM 2025.

Applicant Signature:

Department Signature:

Special Use — Questionnaire

Local Government

- 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? This would be based

On rentals. Routine maintenance checks will be completed

How many parking spaces do you have now? 200' x 300'

How many parking spaces do you want? No more

Will there be outside storage or display areas on this property? ☐ Y ☒ N 150x300 area center

If yes, tell us what will be stored outside or displayed. 160 x 170 area southeast

Will there be retail sales on this property? ☒ Y ☐ N

If yes, tell us what will be sold. This pavilion will be rented out

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

Unknown at the moment. We assume weekend
rentals will be more busy than week days.

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). 4 x 6 7' 0" H

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. More detail is provided in the

Scope of work.

Special Use — Questionnaire

Name: _____

1) Tell us what you want to do. Build a new multi-use pavilion structure in Cook Station Park.

2) Tell us why this activity won't hurt your neighbors or the community. The park is a hidden gem of Millersburg. We want to add a new amenity to this 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. Only on rare occasions music will be played on the stage.
Tell us how you'll reduce the impact of those things on neighbors. Generally this will more than likely only take place on Farmer's Day.

5) Will there be buffering (fences, trees, shrubs, mounds)? ☒ Y ☐ N
If yes, tell us about it. Currently, there's existing treelines on the northeast, east, and south end.

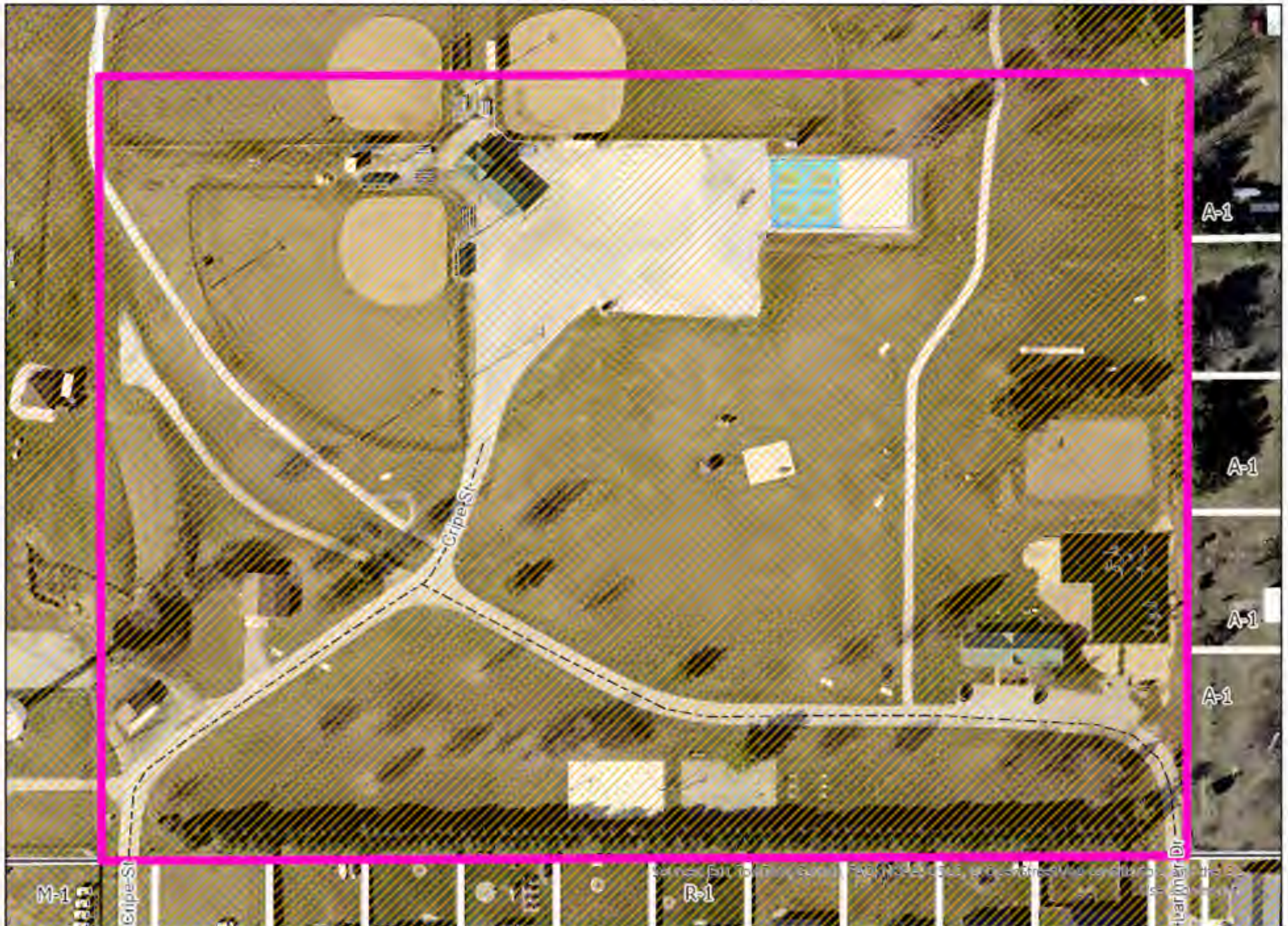
6) Does the property need well and septic? Well: ☐ Y ☐ N Septic: ☐ Y ☐ N
Does the property need a new septic system? ☐ Y ☐ N
If a new septic system is needed, did the Health Department say there's enough space for it? ☐ Y ☐ N

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: 72'x44'
Tell us what you'll use it for. Building Pavilion as new amenity to rent & use for
Building or addition 2 Existing? ☐ Y ☐ N Size and height to the peak: Town events
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. _____

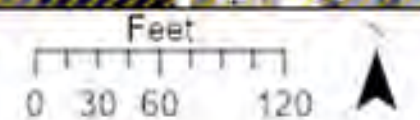
Next page ➡

SUP-0591-2026

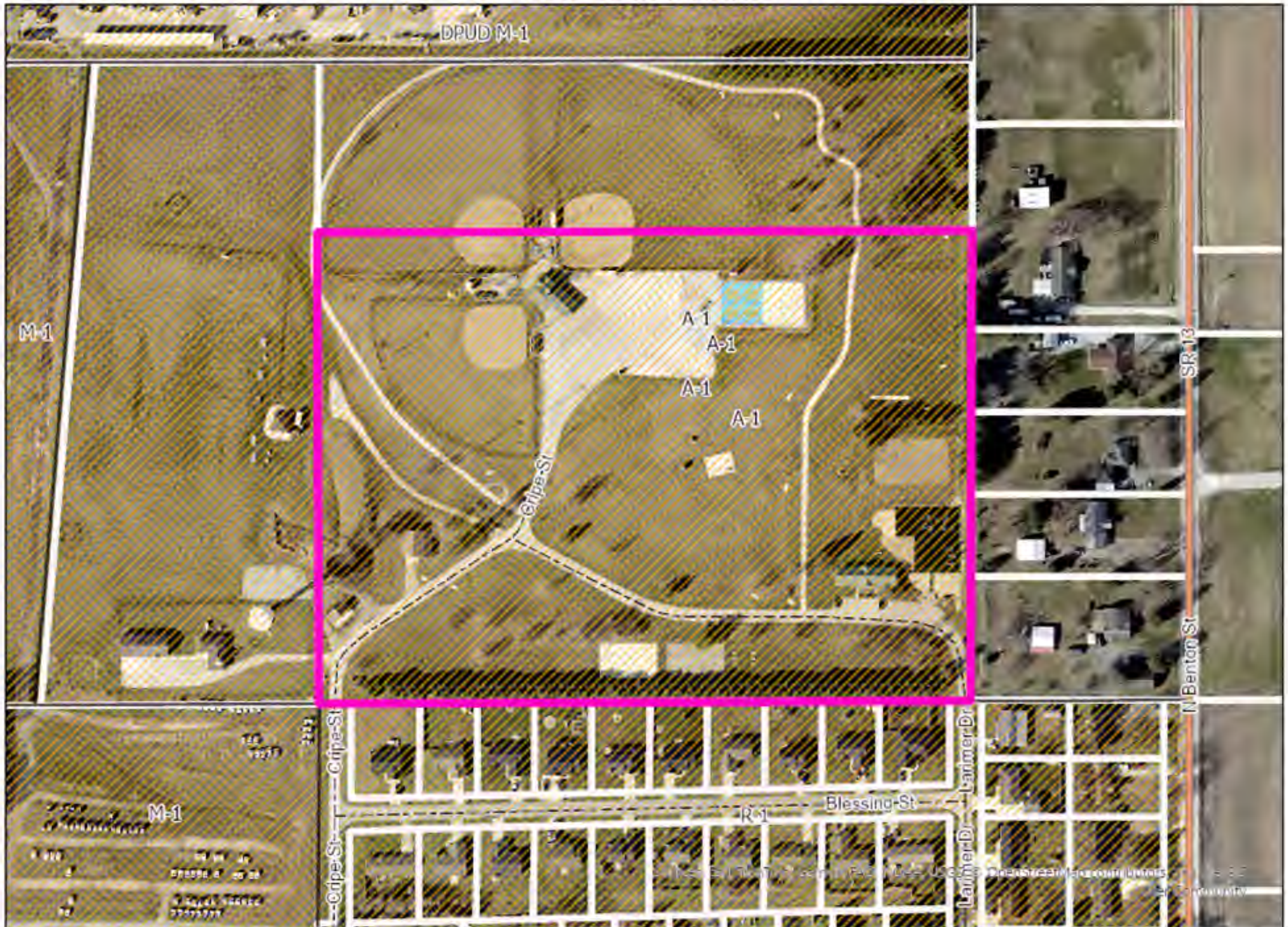


2025 Aerials

1 inch equals 120 ft

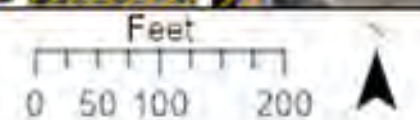


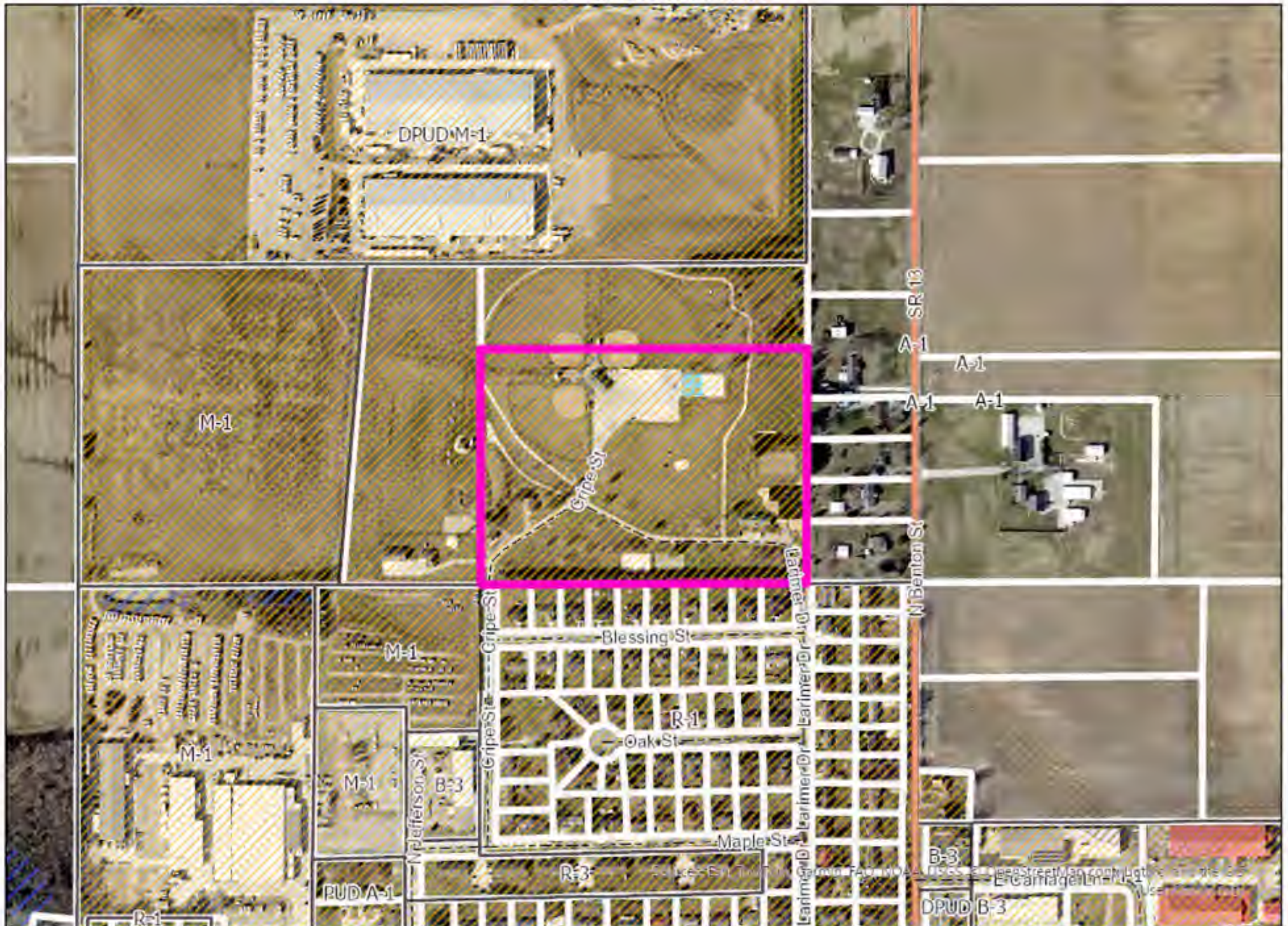
SUP-0591-2026



2025 Aerials

1 inch equals 200 ft







Subject property facing north



Facing north towards proposed pavilion location



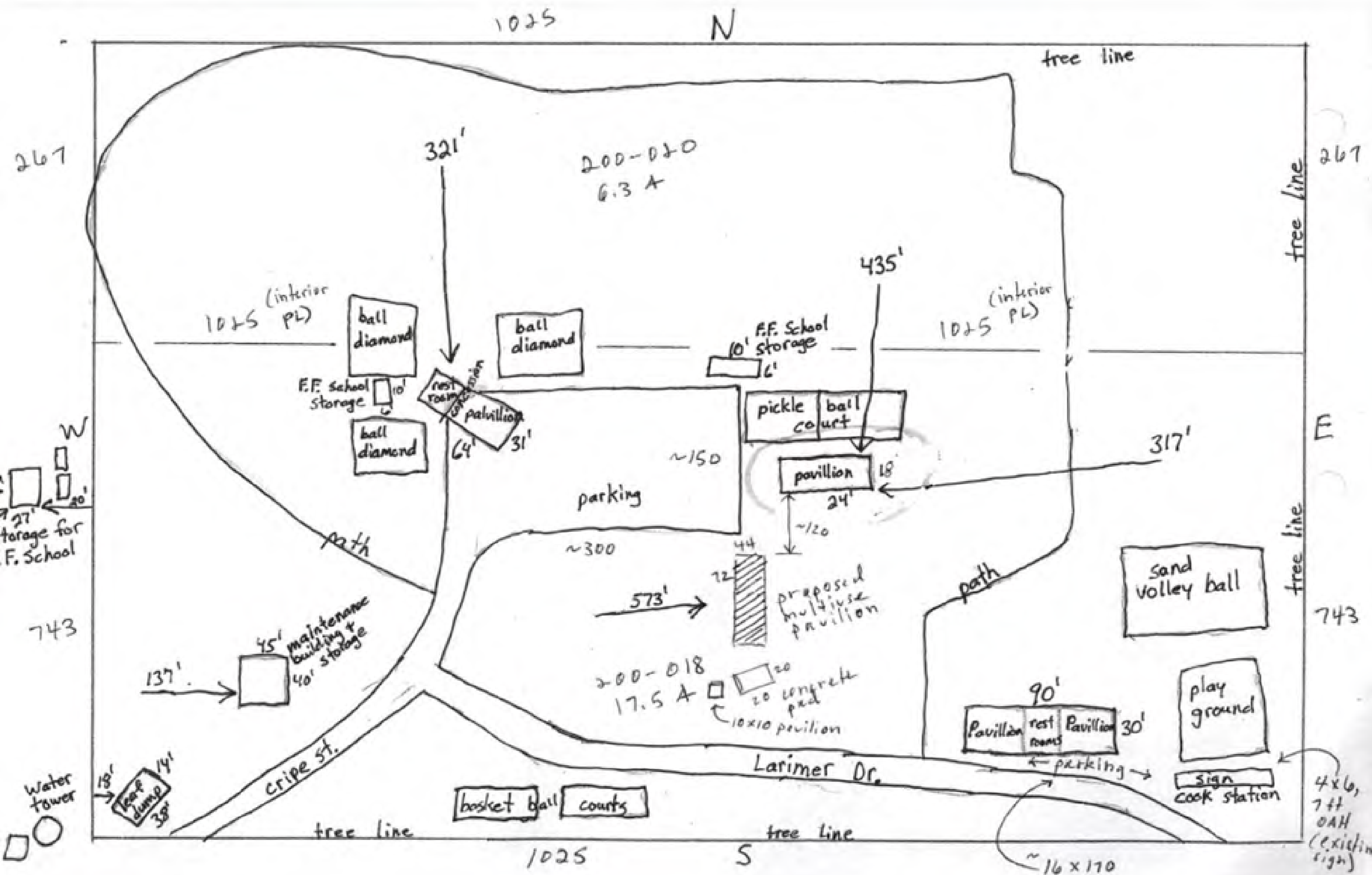
Facing south



Facing east



Facing west



BZA Staff Report

Prepared by the Department of Planning and Development

Hearing Date: October 15, 2026

Transaction Number: SUP-0604-2026.

Parcel Number(s): 20-05-25-151-003.000-001.

Existing Zoning: A-1.

Petition: For an amendment to an existing Special Use for the keeping of animals on tract of land containing less than 3 acres to add an indoor riding arena.

Petitioner: Helen E. Kallimani.

Location: Southwest side of CR 22, 1,195 ft. southeast of CR 3, in Baugo Township.

Site Description:

- Physical Improvement(s) – Residence, agricultural barns.
- Proposed Improvement(s) – Indoor riding arena.
- Existing Land Use – Residential, agricultural.
- Surrounding Land Use – Residential, agricultural.

History and General Notes:

- **May 21, 2020** – The BZA approved a Special Use for an agricultural use for the keeping of animals on a tract of land containing less than 3 acres (SUP-0226-2020).

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 that has not caused complaints or concerns, and allowing the expansion of a larger barn for an indoor riding area is an expected expansion of the use.
2. The Special Use Amendment will not cause substantial and permanent injury to the appropriate use of neighboring property. This is a 2.69-acre parcel that has been allowed to have horses for 6 years and the new barn will be in character with the property and the surrounding area.
3. The Special Use Amendment will substantially serve the public convenience and welfare by continuing to allow the use of horses on the property and to allow for indoor riding area during the winter months.

BZA Staff Report (Continued)

Hearing Date: October 15, 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 9/14/2026) and as represented in the Special Use Amendment application.
2. The request is limited to a maximum of two (2) adult horses and one (1) adult pony at any one time.

PLAN COMMISSION & BOARD OF ZONING APPEALS

Special Use Amendment - Non Mobile Home

Elkhart County Planning & Development
Public Services Building

4230 Elkhart Road, Goshen, Indiana, 46526

Phone - (574) 971-4678

Fax - (574) 971-4578

SUP-0604-2026

Date: 09/14/2026 Meeting Date: October 15, 2026
Board of Zoning Appeals Public Hearing Transaction #: SUP-0604-2026

Description: an Amendment to an existing Special Use for the keeping of agricultural animals on a tract of land containing less than 3 acres to add an indoor riding arena

Contacts: Authorized Agent Land Owner
Schwartz Construction, Inc. Helen E. Kallimani
P.O. Box 177 28872 Cr 22
Osceola, IN 46561 Elkhart, IN 46517

Site Address: 28872 County Road 22 Parcel Number: 20-05-25-151-003.000-001
Elkhart, IN 46517

Township: Baugo
Location: SOUTHWEST SIDE OF CR 22, 1,195 FT. SOUTHEAST OF CR 3

Subdivision: Lot #

Lot Area: 2.69 Frontage: 260.51 Depth: 403.07

Zoning: A-1 NPO List: 10/02/2026

Present Use of Property: RESIDENTIAL/AGRICULTURAL

Legal Description:

Comments: SEE SUP-0226-2020 APPROVED 5/21/2020

Applicant Signature: Department Signature:

Special Use — Questionnaire

Name: Helen Kallimani

1) Tell us what you want to do. Make Building Larger.

2) Tell us why this activity won't hurt your neighbors or the community. Horses make people happy.

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. _____

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: 36'
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. Horses

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. Once a month (Hay)

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). _____

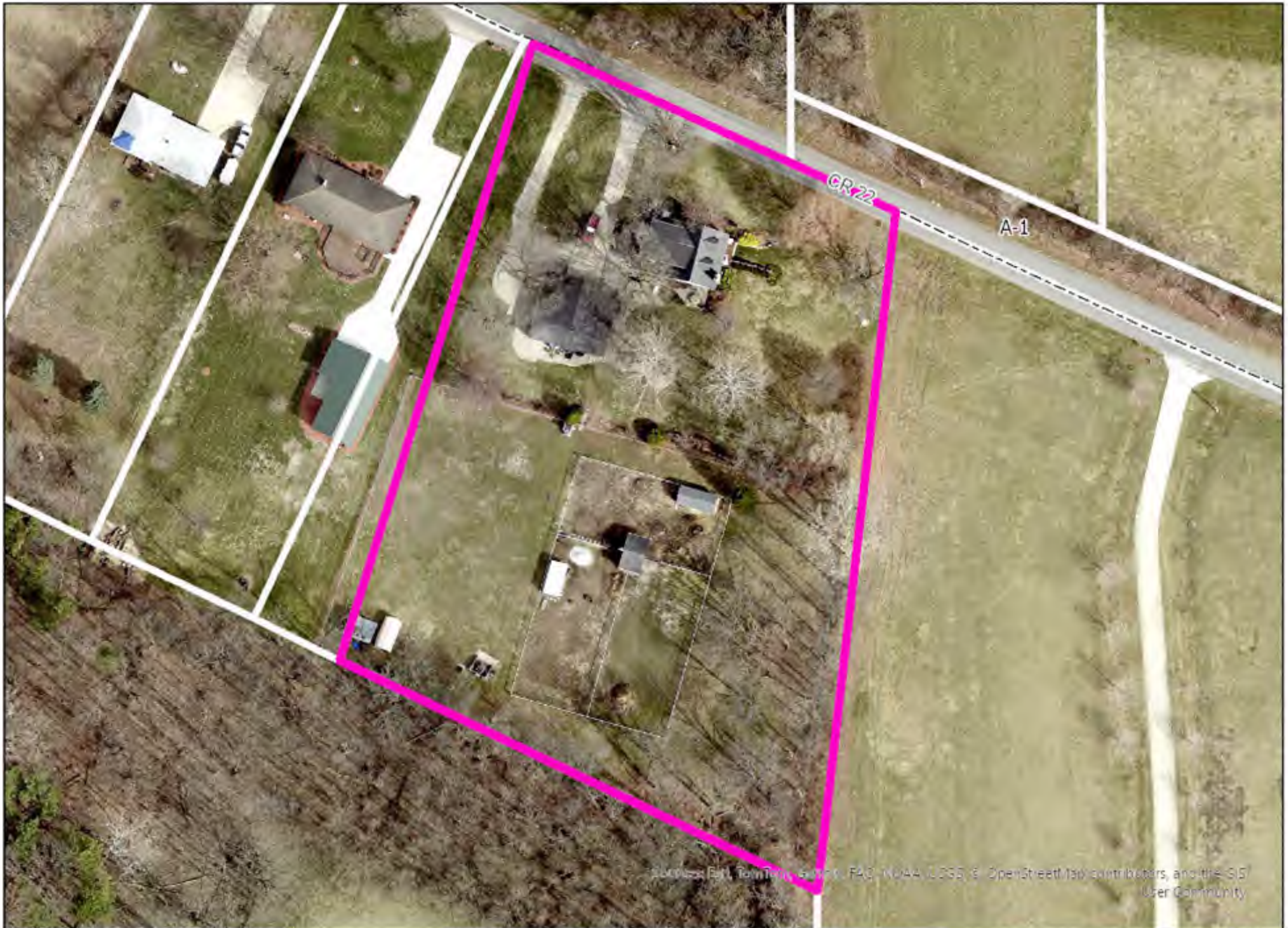
Existing? ☐ Y ☐ N Double faced? ☐ Y ☐ N

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

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

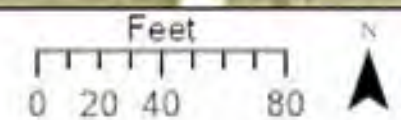
- 10) Tell us anything else you want us to know. _____

SUP-0604-2026

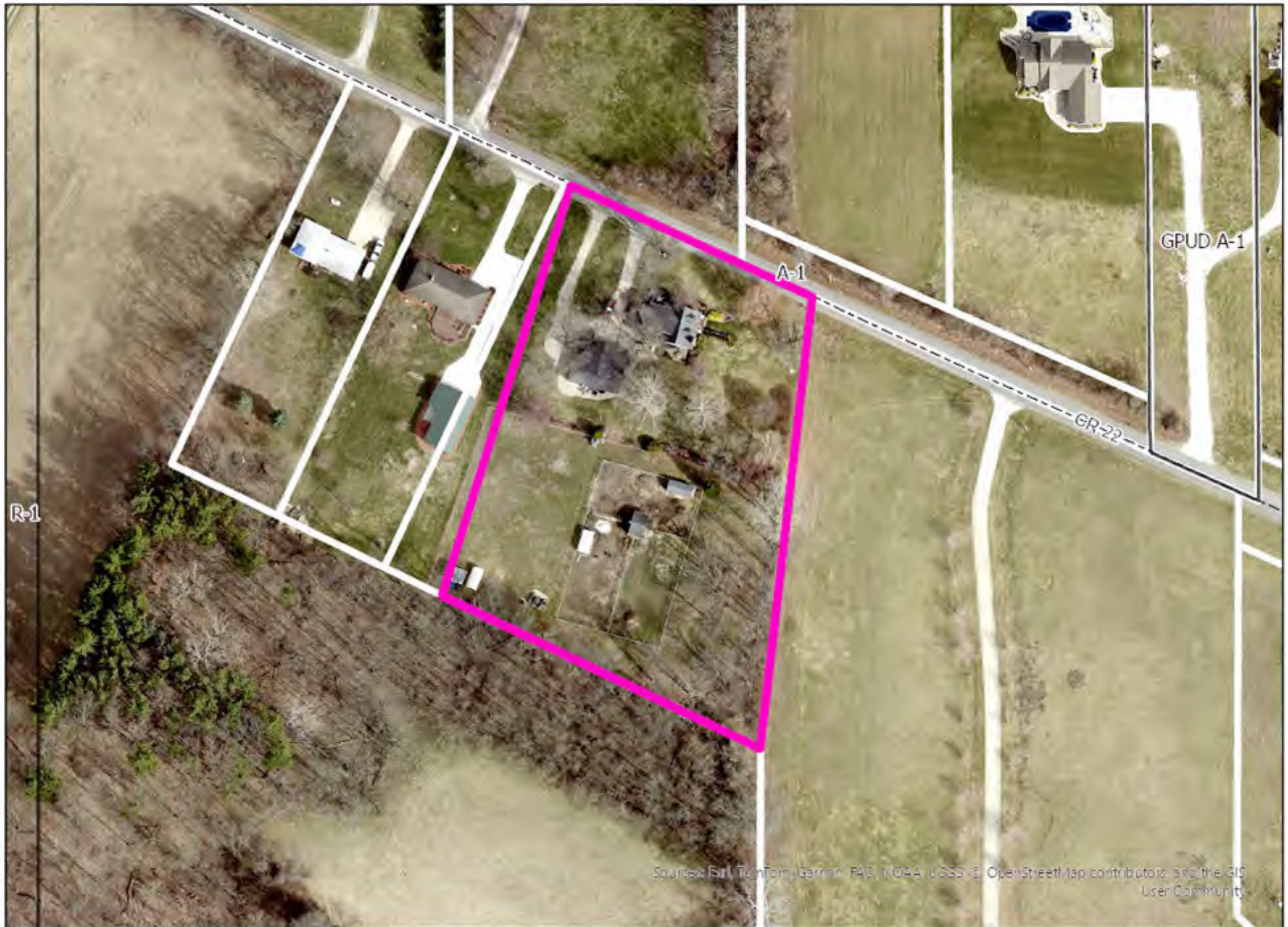


2025 Aerials

1 inch equals 80 ft

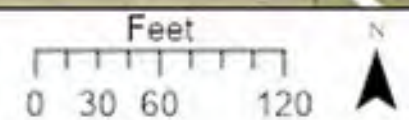


SUP-0604-2026



2025 Aerials

1 inch equals 120 ft

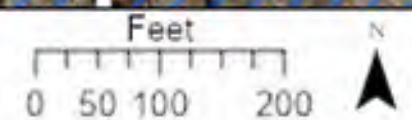


SUP-0604-2026



2025 Aerials

1 inch equals 200 ft





Subject property facing



Facing north



Facing south



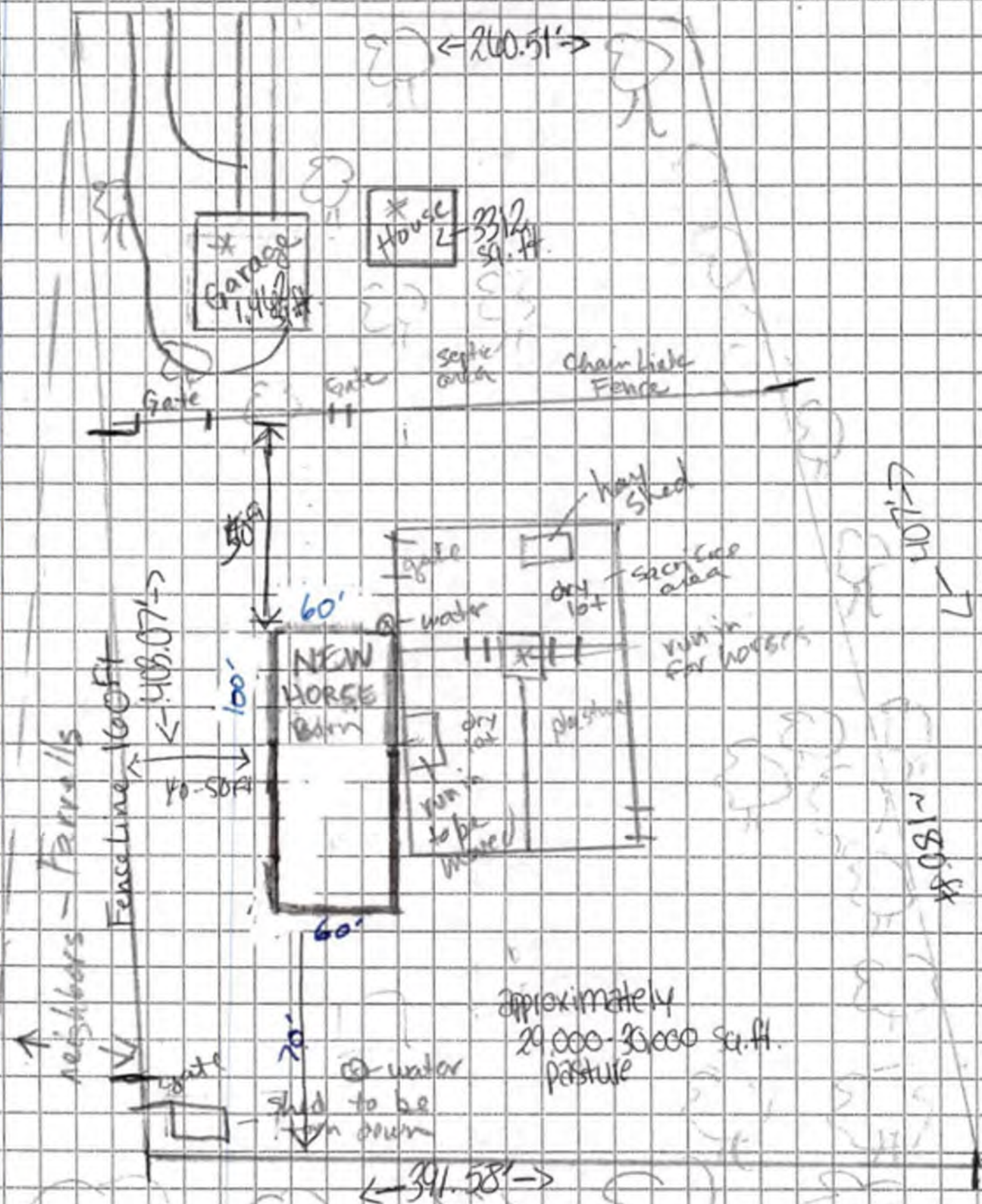
Facing east



Facing west

COUNTY ROAD 22

CR 26



BZA Staff Report

Prepared by the Department of Planning and Development

Hearing Date: October 15, 2026

Transaction Number: SUP-0601-2026.

Parcel Number(s): 20-16-06-101-016.000-003.

Existing Zoning: A-1.

Petition: For a Special Use for a kennel.

Petitioner: Lehman Family Trust, Nathan R. Lehman & Eileen J. Lehman, Trustees.

Location: South side of CR 42, 1,130 ft. east of CR 31, in Benton Township.

Site Description:

- Physical Improvement(s) – Residence, detached accessory and agricultural structures.
- Proposed Improvement(s) – Detached accessory structure with kennel.
- Existing Land Use – Residential, agricultural.
- Surrounding Land Use – Residential, agricultural, Fairfield school campus.

History and General Notes:

- **April 15, 1998** – The Hearing Officer approved a 3 to 1 depth to width ratio variance (981720).
- **February 16, 2005** – The Hearing Officer approved a 3 to 1 depth to width ratio variance and a 50 ft. lot width variance (20051085).

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 kennel 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 8-acre parcel and the new structure for the kennel will be constructed at the far south part of the property to be as far from neighboring residences as possible.
3. The Special Use will substantially serve the public convenience and welfare by providing for local puppy purchases and a hobby opportunity.

BZA Staff Report (Continued)

Hearing Date: October 15, 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 9/14/2026) and as represented in the Special Use application.

PLAN COMMISSION & BOARD OF ZONING APPEALS

Special Use - Non Mobile Home

Elkhart County Planning & Development Public Services Building

4230 Elkhart Road, Goshen, Indiana, 46526

Phone - (574) 971-4678

Fax - (574) 971-4578

SUP-0601-2026

Date: 09/14/2026 Meeting Date: October 15, 2026
Board of Zoning Appeals Public Hearing Transaction #: SUP-0601-2026

Description: for a Special Use for a kennel

Contacts: <u>Applicant</u>	<u>General Contractor</u>	<u>Land Owner</u>
Lehman Family Trust, Nathan R. Lehman & Eileen J. Lehman, Trustees 15820 County Road 42 Goshen, IN 46526	Laser Construction 69616 Cr 127 New Paris, IN 46553	Lehman Family Trust, Nathan R. Lehman & Eileen J. Lehman, Trustees 15820 County Road 42 Goshen, IN 46526

Site Address: 15820 County Road 42 Goshen, IN 46526	Parcel Number: 20-16-06-101-016.000-003
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Township: Benton
Location: South Side Of County Road 42, 1130 Feet East Of County Road 31

Subdivision:	Lot #
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Lot Area: 8.07	Frontage: 98.00	Depth: 1,130.00
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Zoning: A-1	NPO List: 10/02/2026
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Present Use of Property: RESIDENTIAL

Legal Description:

Comments: SEE DEVELOPMENTAL VARIANCE 20051085 APPROVED 2/16/05 FOR A 3 TO 1 DEPTH WIDTH RATIO
SEE DEVELOPMENTAL VARIANCE 981720 APPROVED 4/15/98 FOR 3 TO 1 DEPTH TO WIDTH RATIO

Applicant Signature:	Department Signature:
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Special Use — Questionnaire

Name: Nathan + Eileen Lehman

- 1) Tell us what you want to do. Build a 40x60 storage shop with a couple of pens in back for 4 female Dogs the shop would sit approximately 30 feet off south property line with dogs play area going all the way to property line.
- 2) Tell us why this activity won't hurt your neighbors or the community. I have it set up that way now. Just upgrading shop removing existing dog building and moving dogs in shop the play area will have a vinyl privacy fence all the way around.
- 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. Occasional Barking
Tell us how you'll reduce the impact of those things on neighbors. privacy fence all the way around with self locking doggie doors that lock at night so they can't be outside barking at night.
- 5) Will there be buffering (fences, trees, shrubs, mounds)? ☒ Y ☐ N
If yes, tell us about it. privacy fence along south property line Approximately 350 feet
- 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: 40'x60' x 23'
Tell us what you'll use it for. 40x50 is Storage 10x40 is for dogs
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. up to 4 females and 1 male setup will continue as I have now just and upgraded building for Dogs

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: 1 Part time:

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

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

What will be the days and hours of operation on this property? no set hours

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?

2-people pickup twice a month

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

Tell us how often. twice a month

Tell us the kind of vehicles used. vans

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). _____

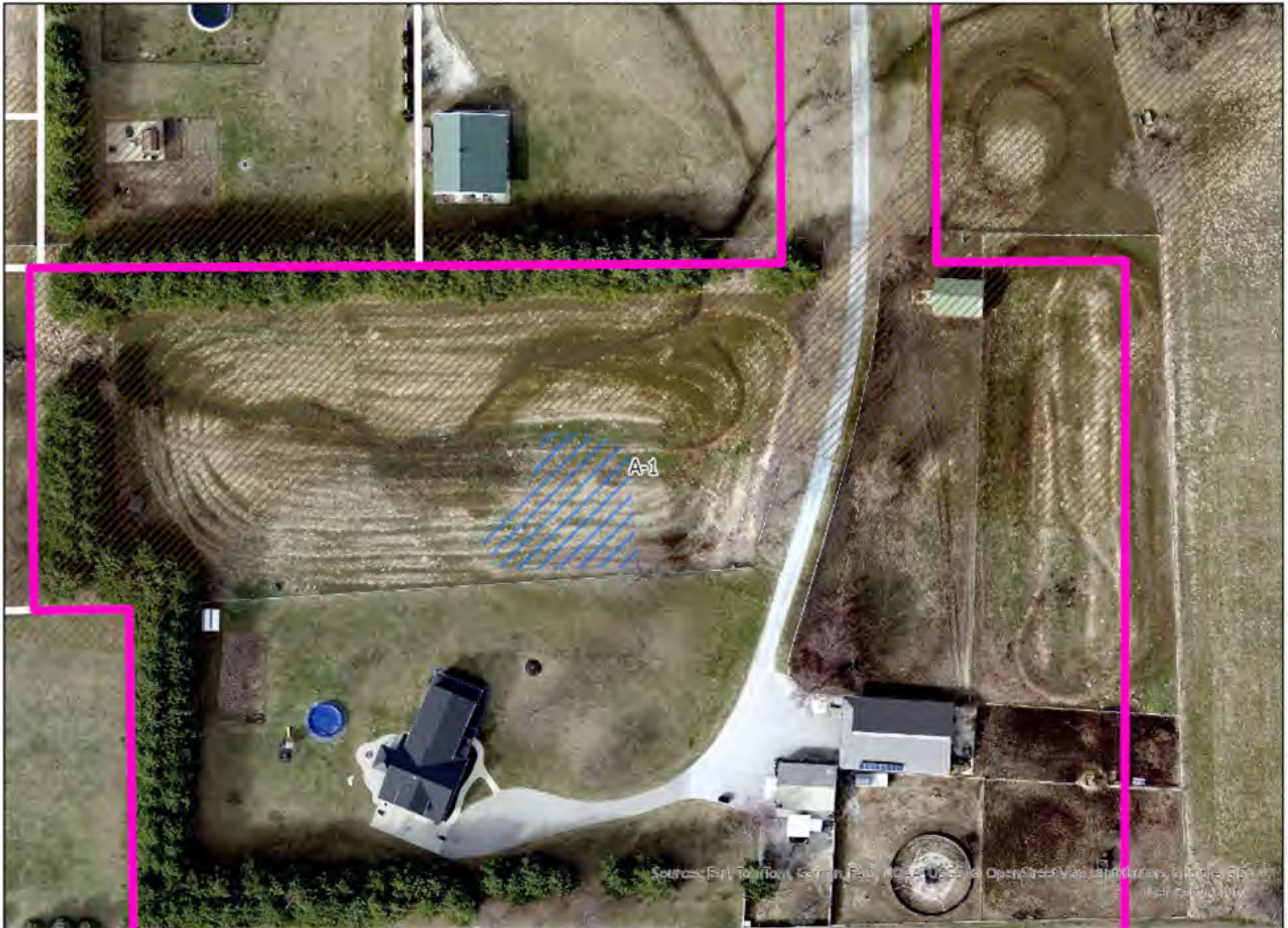
Existing? ☐ Y ☐ N Double faced? ☐ Y ☐ N

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

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

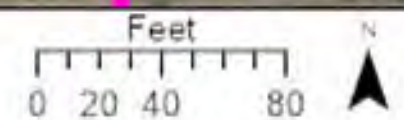
- 10) Tell us anything else you want us to know. Can't move further from property
line due to septic

SUP-0601-2026



2025 Aerials

1 inch equals 80 ft

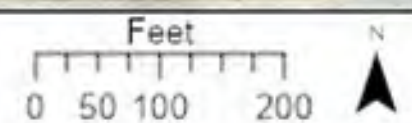


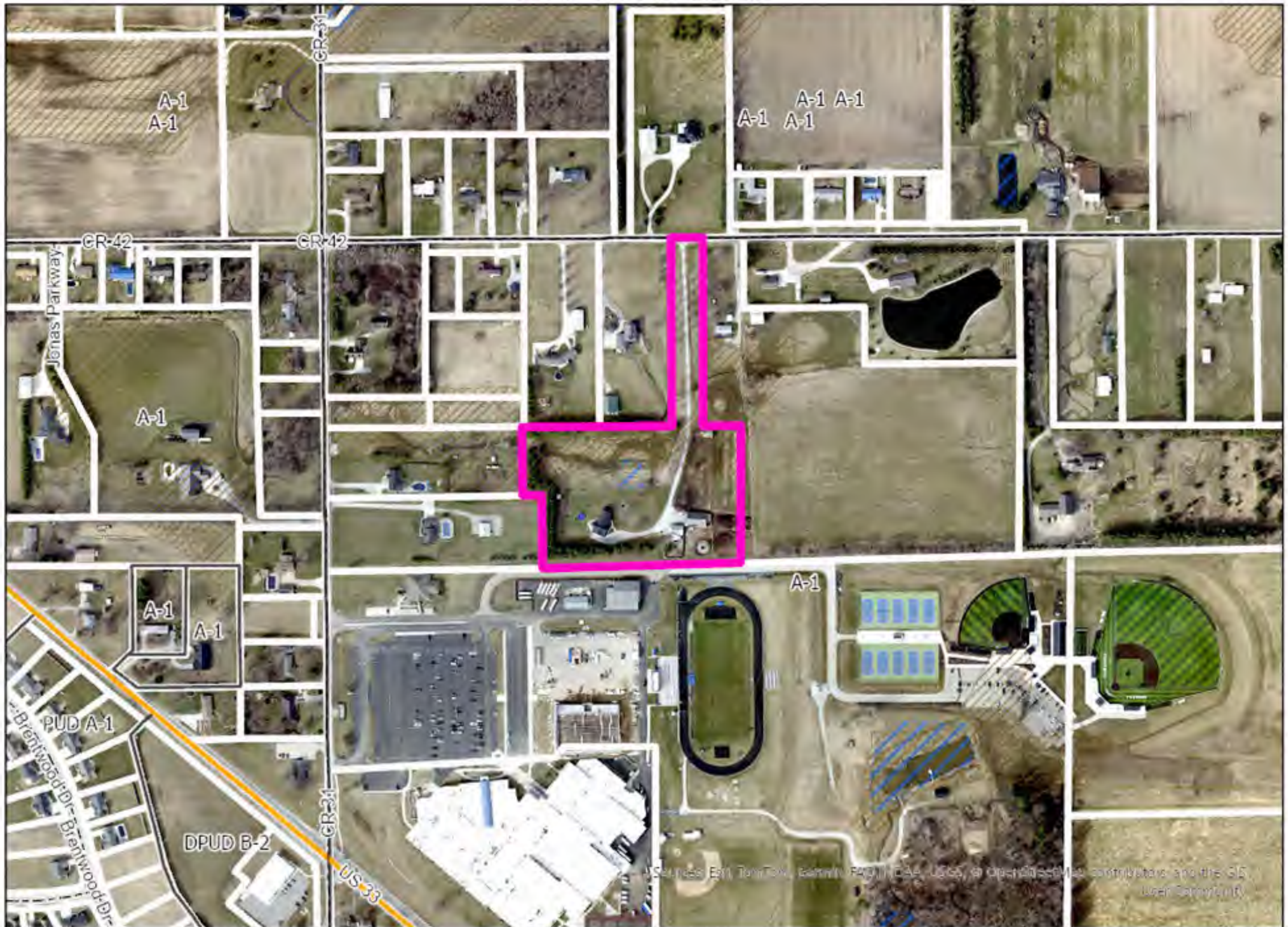
SUP-0601-2026



2025 Aerials

1 inch equals 200 ft







Subject property



Subject property, kennel location



Subject property facing south



Facing west

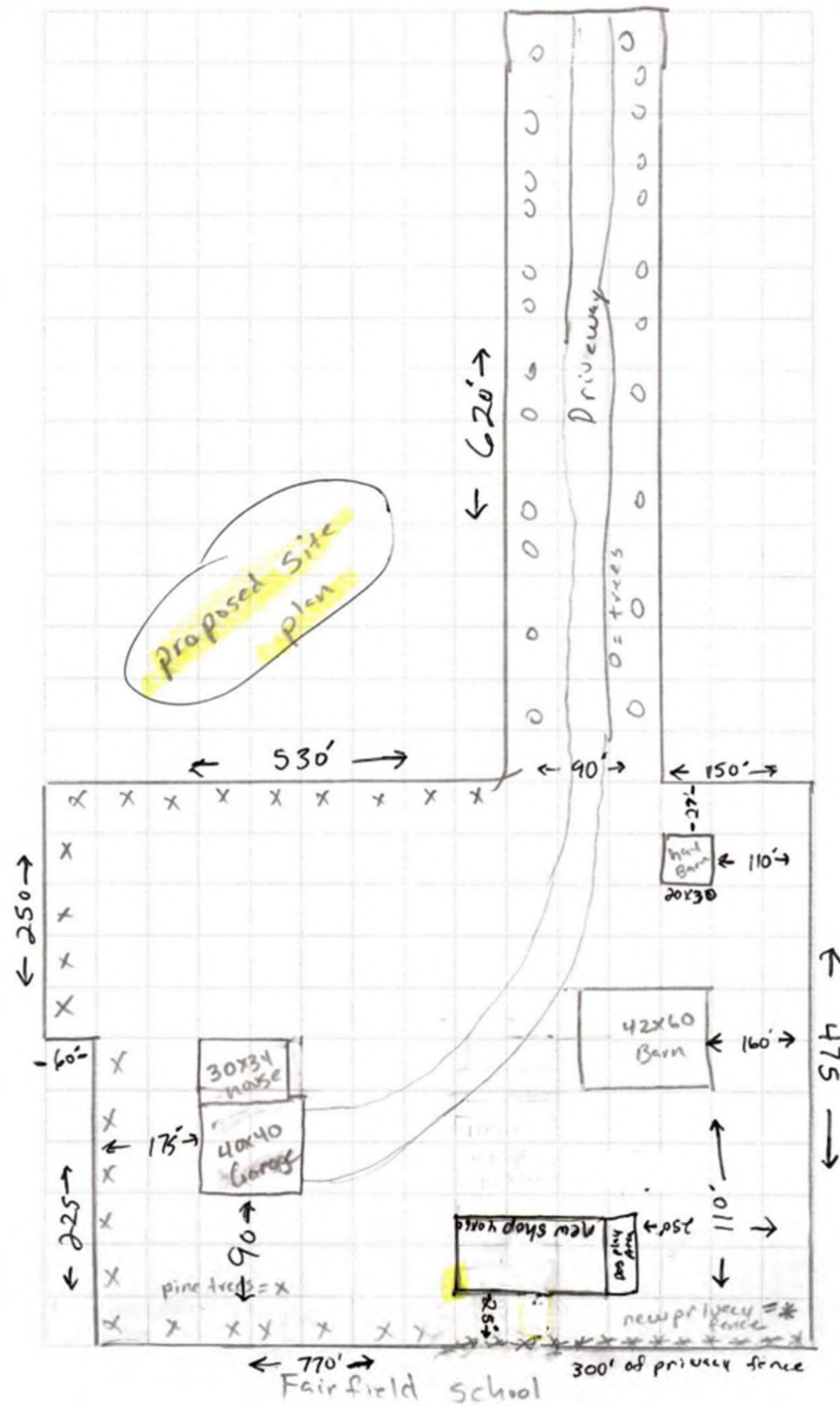


Facing east



Facing north

CR 42



BZA Staff Report

Prepared by the Department of Planning and Development

Hearing Date: October 15, 2026

Transaction Number: SUP-0574-2026.

Parcel Number(s): 20-08-28-400-004.000-034 & 20-08-33-200-004.000-034.

Existing Zoning: A-1.

Petition: For an amendment to an existing Special Use for a home workshop/business for a woodworking shop to allow for a warehouse addition, for a Developmental Variance to allow for the total square footage of accessory structures to exceed that allowed by right, and for a Developmental Variance to allow for 5 outside employees (Ordinance allows 4).

Petitioner: Kevin L. Bontrager & Eva Bontrager, Husband & Wife.

Location: Northeast corner of CR 28 & CR 37, in Middlebury Township.

Site Description:

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

History and General Notes:

- **November 21, 2024** – The BZA approved a Special Use for a home workshop/business for a woodworking shop and a Developmental Variance to allow for the total square footage of accessory structures to exceed that allowed by right (SUP-0754-2024).

Staff Analysis:

For an amendment to an existing Special Use for a home workshop/business for a woodworking shop to allow for a warehouse addition, staff finds that:

1. The Special Use Amendment will not be consistent with the spirit, purpose, and intent of the Development Ordinance. The addition to the existing Special Use is beyond the scale of a home workshop/business and this increase in size will allow the commercial aspect of the property to be the primary use. The additional warehouse will be 6,350 sq. ft., or 72%, over what is allowed. The petitioner already was approved for a 5,000 sq. ft., or 45%, addition in 2024.
2. The Special Use Amendment will cause substantial and permanent injury to the appropriate use of neighboring property. This is a 6.5-acre parcel in a moderately dense residential and agricultural area, and those neighboring uses need to be protected from expansion of commercial uses.

BZA Staff Report (Continued)

Hearing Date: October 15, 2026

3. The Special Use Amendment will not substantially serve the public convenience and welfare as this is expanding beyond the scope and scale of a home workshop/business. This would be better served under a DPUD or by a property already in a commercially zoned area.

Staff recommends **DENIAL**.

For a Developmental Variance to allow for the total square footage of accessory structures to exceed that allowed by right and for a Developmental Variance to allow for 5 outside employees (Ordinance allows 4), staff finds that:

As a result of the Special Use Amendment denial recommendation, the Developmental Variances are moot.

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

Date: 09/01/2026

Meeting Date: October 15, 2026
Board of Zoning Appeals Public Hearing

Transaction #: SUP-0574-2026

Description: for an amendment to an existing Special Use for a home workshop/business for a woodworking shop to allow for a warehouse addition, for a Developmental Variance to allow for the total square footage of accessory structures to exceed that allowed by right and for a Developmental Variance to allow for 5 outside employees (Ordinance allows 4)

Contacts: Applicant

Starlite Builders
59780 County Road 41
Middlebury, IN 46540

Authorized Agent

Starlite Builders
59780 County Road 41
Middlebury, IN 46540

Land Owner

Kevin L.Bontrager & Eva
Bontrager H&W
13063 Cr 28
Middlebury, IN 46540

Site Address: 13063 County Road 28
Middlebury, IN 46540

Parcel Number: 20-08-28-400-004.000-034
20-08-33-200-004.000-034

Township: Middlebury

Location: Northeast corner of CR 28 & CR 37

Subdivision:

Lot #

Lot Area: 6.50 Frontage: 960.00 Depth: 600.00

Zoning: A-1

NPO List: 10/02/2026

Present Use of Property: RESIDENTIAL/BUSINESS/AG

Legal Description:

Comments: SEE SUP-0754-2024 for a Special Use for a homework shop/business for a woodworking shop and for a Developmental Variance to allow for the total square footoage for accessory structures to exceed that allowed by right.
PARCEL CREATION DATE 3-1-1962

Applicant Signature:

Department Signature:

Special Use — Questionnaire

Name: _____

1) Tell us what you want to do. Add a warehouse to an existing finishing shop.

2) Tell us why this activity won't hurt your neighbors or the community. There will be very small amount of traffic coming or going.

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. 2 horse fences between the new structure and the neighbors and a row of spruces along 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: 50x100 20' to peak
Tell us what you'll use it for. Warehouse/Storage

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: 05 Part time: 0

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

How many of the employees won't live onsite? 5

X What will be the days and hours of operation on this property? Monday - Friday 5AM - 2 PM

X How many parking spaces do you have now? 0

X 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. Empty pallets

Will there be retail sales on this property? ☐ Y ☒ N

If yes, tell us what will be sold. _____

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

0 - this is a wholesale operation

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

Tell us how often. 1 pick up and 2 deliveries 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). _____

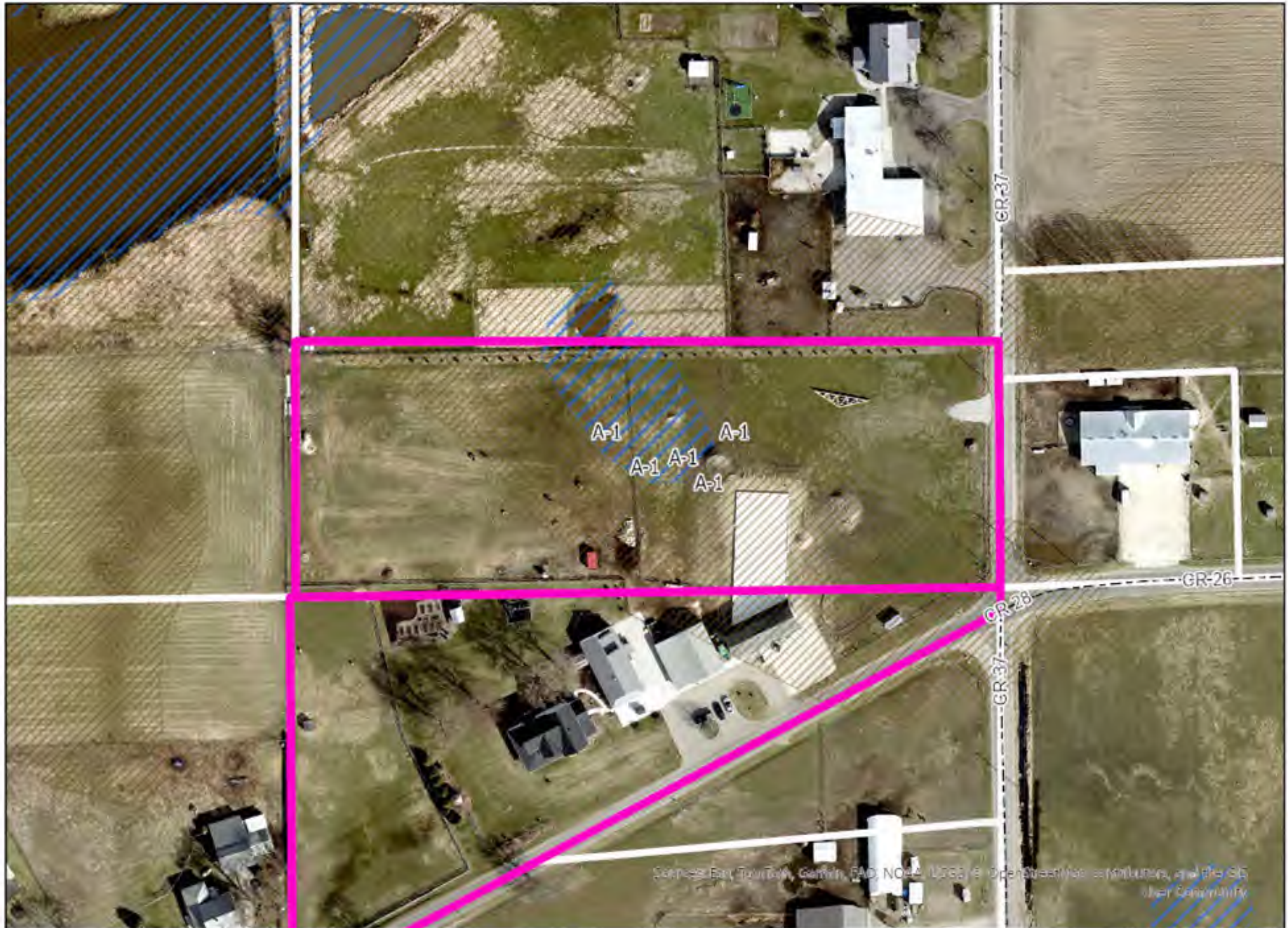
Existing? ☐ Y ☐ N Double faced? ☐ Y ☐ N

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

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

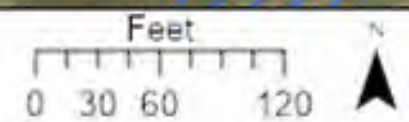
- 10) Tell us anything else you want us to know. _____

SUP-0574-2026



2025 Aerials

1 inch equals 120 ft

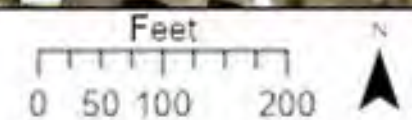


SUP-0574-2026

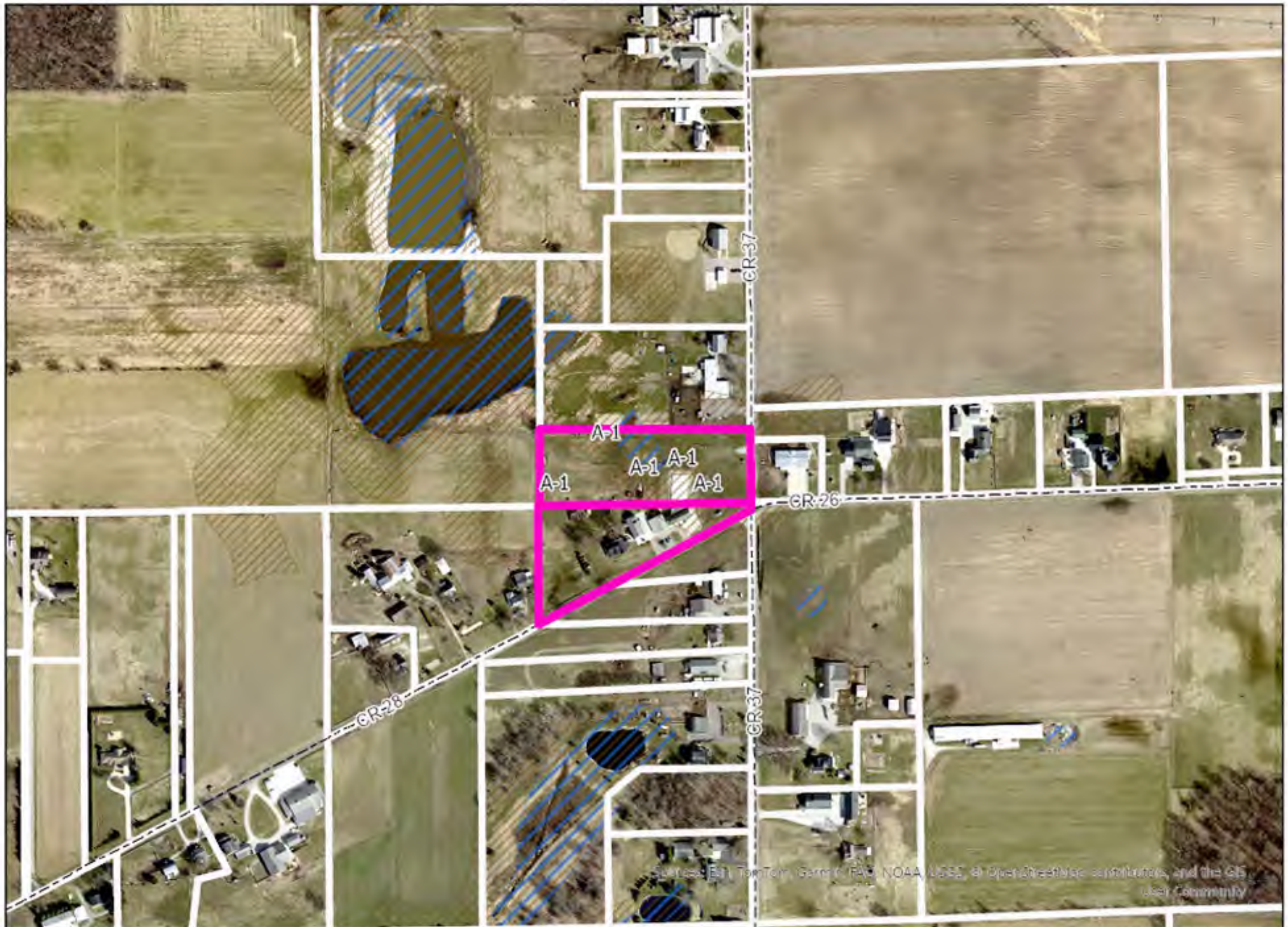


2025 Aerials

1 inch equals 200 ft

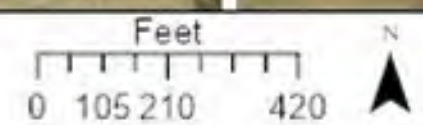


SUP-0574-2026



2025 Aerials

1 inch equals 400 ft





Subject property existing workshops



Subject property from corner of CR 28 & CR 37



Subject property proposed new building area



Facing west



Facing east



Facing south

13063 CR 28

* * * * *

Evergreens. Planting

Property line

SEP - 1 2026

Mound system

N

Motor Rm.
Proposed New
Addition

Septic
tanks - 25'

Well - 32'

Personal
storage

AG

Shop

New
Workshop
Shop
6000
S.F.

Finish
Shop

House

Driveway

Driveway

*
Evergreens
Planting
*

CR 28

CR 37

BZA Staff Report

Prepared by the Department of Planning and Development

Hearing Date: October 15, 2026

Transaction Number: SUP-0580-2026.

Parcel Number(s): 20-03-27-254-001.000-031, 20-03-27-254-005.000-031, 20-03-27-254-006.000-031, 20-03-27-254-007.000-031, 20-03-27-254-011.000-031, 20-03-27-254-012.000-031, 20-03-27-254-015.000-031, 20-03-27-257-007.000-031, 20-03-27-261-006.000-031, 20-03-27-257-007.000-031.

Existing Zoning: R-1.

Petition: For an amendment to an existing Special Use for a place of worship to allow for addition of parcels and additional parking on lots 7, 8, 13, 37 & 38, for a 20 ft. Developmental Variance (Ordinance requires 55 ft.) to allow for parking 35 ft. from the centerline of the right-of-way of S. Division St. (SR 15), for a 12 ft. Developmental Variance (Ordinance requires 35 ft.) to allow for parking 23 ft. from the centerline of the right-of-way of W. St. Joseph St., for a 35 ft. Developmental Variance (Ordinance requires 35 ft.) to allow for parking 0 ft. from the right-of-way of W. St. Joseph St., W. Elkhart St. & Illinois St., and for a Developmental Variance to allow for parking area without required buffering.

Petitioner: Bristol Community Church.

Location: Most of the property located south of W. Vistula St. & north of W. St. Joseph St., between S. Division St. & Illinois St., also the southwest corner of S. Division St. & W. St. Joseph St., in Washington Township.

Site Description:

- Physical Improvement(s) – Place of Worship.
- Proposed Improvement(s) – Parking.
- Existing Land Use –Place of Worship campus.
- Surrounding Land Use – Residential.

History and General Notes:

- **April 18, 1996** – The BZA approved a Special Use for an existing church and proposed additions, off-street parking facilities, a 60 ft. Variance to allow for the construction of an addition 60 ft. from the centerline of the ROW of SR 15, and a 13 ft. Variance to allow said addition 37 ft. from the centerline of the ROW of Elkhart St. (96-1862).

Staff Analysis:

For an amendment to an existing Special Use for a place of worship to allow for addition of parcels and additional parking on lots 7, 8, 13, 37 & 38, 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 place of worship, and the addition of parking is to help allow more public to attend the services offered.
2. The Special Use Amendment will not cause substantial and permanent injury to the appropriate use of neighboring property. Allowing additional parking on empty lots will allow for the empty lots to be used in a productive manner.

BZA Staff Report (Continued)

Hearing Date: October 15, 2026

3. The Special Use Amendment will substantially serve the public convenience and welfare by providing a place of worship to the community.

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 9/8/2026) and as represented in the Special Use Amendment application.

For a 20 ft. Developmental Variance (Ordinance requires 55 ft.) to allow for parking 35 ft. from the centerline of the right-of-way of S. Division St. (SR 15), for a 12 ft. Developmental Variance (Ordinance requires 35 ft.) to allow for parking 23 ft. from the centerline of the right-of-way of W. St. Joseph St., for a 35 ft. Developmental Variance (Ordinance requires 35 ft.) to allow for parking 0 ft. from the right-of-way of W. St. Joseph St., W. Elkhart St. & Illinois St., and for a Developmental Variance to allow for parking area without required buffering, staff finds that:

1. Approval of the requests will not be injurious to public health, safety, morals, or general welfare. Most of these variances are for existing parking areas that have not caused traffic safety issues or safe walking issues to and from the church building.
2. Approval of the requests will not cause substantial adverse effect on neighboring property. There have been no complaints about the current parking areas by the neighboring residences, and the variances are for the current parking lots.
3. Strict application of the terms of the Development Ordinance would result in an unnecessary hardship in the use of the property. The variances are needed to bring the property into conformance as well as to allow for additional property to be added for expansion of the church services.

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 9/8/2026) and as represented in the Developmental Variance application.

PLAN COMMISSION & BOARD OF ZONING APPEALS

Special Use Amendment - Non Mobile Home

Elkhart County Planning & Development Public Services Building

4230 Elkhart Road, Goshen, Indiana, 46526

Phone - (574) 971-4678

Fax - (574) 971-4578

SUP-0580-2026

Date: 09/08/2026 Meeting Date: October 15, 2026
Board of Zoning Appeals Public Hearing Transaction #: SUP-0580-2026

Description: for an amendment to an existing Special Use for a place of worship to allow for addition of parcels and additional parking on lots 7, 8, 13, 37, & 38, for a 20 ft. Developmental Variance (Ordinance requires 55 ft. to allow for parking 35 ft. from the centerline of the right-of-way of S. Division St. (SR 15), for a 12 ft. Developmental Variance (Ordinance requires 35 ft.) to allow for parking 23 ft. from the centerline of the right-of-way of W. St. Joseph St., for a 35 ft. Developmental Variance (Ordinance requires 35 ft.) to allow for parking 0 ft. from the right-of-way of W. St. Joseph St., W. Elkhart St., & Illinois St., and for a Developmental Variance to allow for parking area without required buffering

Contacts: Applicant Land Owner
Bristol Community Church Inc Bristol Community Church Inc
Po Box 275 Po Box 275
Bristol, IN 46507 Bristol, IN 46507

Site Address: 201 South South Division Street
Bristol, IN 46507

Parcel Number: 20-03-27-254-001.000-031
20-03-27-254-005.000-031
20-03-27-254-006.000-031
20-03-27-254-007.000-031
20-03-27-254-011.000-031
20-03-27-254-012.000-031
20-03-27-254-015.000-031
20-03-27-257-007.000-031
20-03-27-261-006.000-031

Township: Washington
Location: West Side Of S Division St, South Of Elkhart St

Subdivision: FOWLERS 2ND ADD S Lot # Lots 33-38, 9-12, & 1, 2, 4, 7, 8

Lot Area: 0.88 Frontage: 507.00 Depth: 270.00

Zoning: R-1 NPO List: 10/02/2026

Present Use of Property:

Legal Description:

Comments: SEE DEMO PERMIT BR-2405-2018
SEE EXISTING SPECIAL USE FOR BRISTOL UNITED METHODIST CHURCH (96-1862) APPROVED 4/18/96

Applicant Signature:

Department Signature:

Special Use — Questionnaire

Name: _____

- 1) Tell us what you want to do. We want to add to our current parking area by expanding on to this adjacent vacant lot.

- 2) Tell us why this activity won't hurt your neighbors or the community. This lot is currently vacant and will not be unsightly or create a nuisance.

- 3) Is there a subdivision covenant that says you can't do this activity? ☐ Y ☒ X ☐ 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 ☒ X ☐ 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 ☒ X ☐ N

If yes, tell us about it. _____

- 6) 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

- 7) Will the activity use buildings or additions? ☐ Y ☒ X ☐ 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 ☒ X ☐ 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 ☒ X ☐ 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? 0

How many parking spaces do you want? 10

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

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

Will there be retail sales on this property? ☐ Y ☒ X ☐ N

If yes, tell us what will be sold. _____

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

Most days there won't be anyone on the property as it is today. However, Sundays we expect as many as

10 cars/pickup trucks/SUV's parked on the property for morning services.

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

Tell us how often. _____

Tell us the kind of vehicles used. _____

Does the application include 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

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. Bristol Community Church's congregation has been growing and

We are running out of parking spaces. We would like to expand an existing parking area onto this property

To allow for additional parking spaces. This application is a supplement to an existing special use permit for

A neighboring property.

Developmental Variance: — Questionnaire

Name: Bristol Community Church

1) Tell us what you want to do. Developmental Variance to allow for no buffer around parking area.

2) Tell us why you can't change what you're doing so you don't need a variance. A buffer will reduce the amount of area available for parking

3) Tell us why the variance won't hurt your neighbors or the community. The parking area will primarily be used during daylight hours reducing the possibility of causing issues w/ headlights and noise

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

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

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

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

Building or addition 1 Size and height to the peak: _____

Tell us what you'll use it for. _____

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

Tell us what you'll use it for. _____

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

Tell us what you'll use it for. _____

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

If yes, fill out below.

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

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

Tell us how many parcels will use the easement. _____

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

Sign 1 Dimensions (length and width): _____

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

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

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

Sign 2 Dimensions (length and width): _____

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

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

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

Sign 3 Dimensions (length and width): _____

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

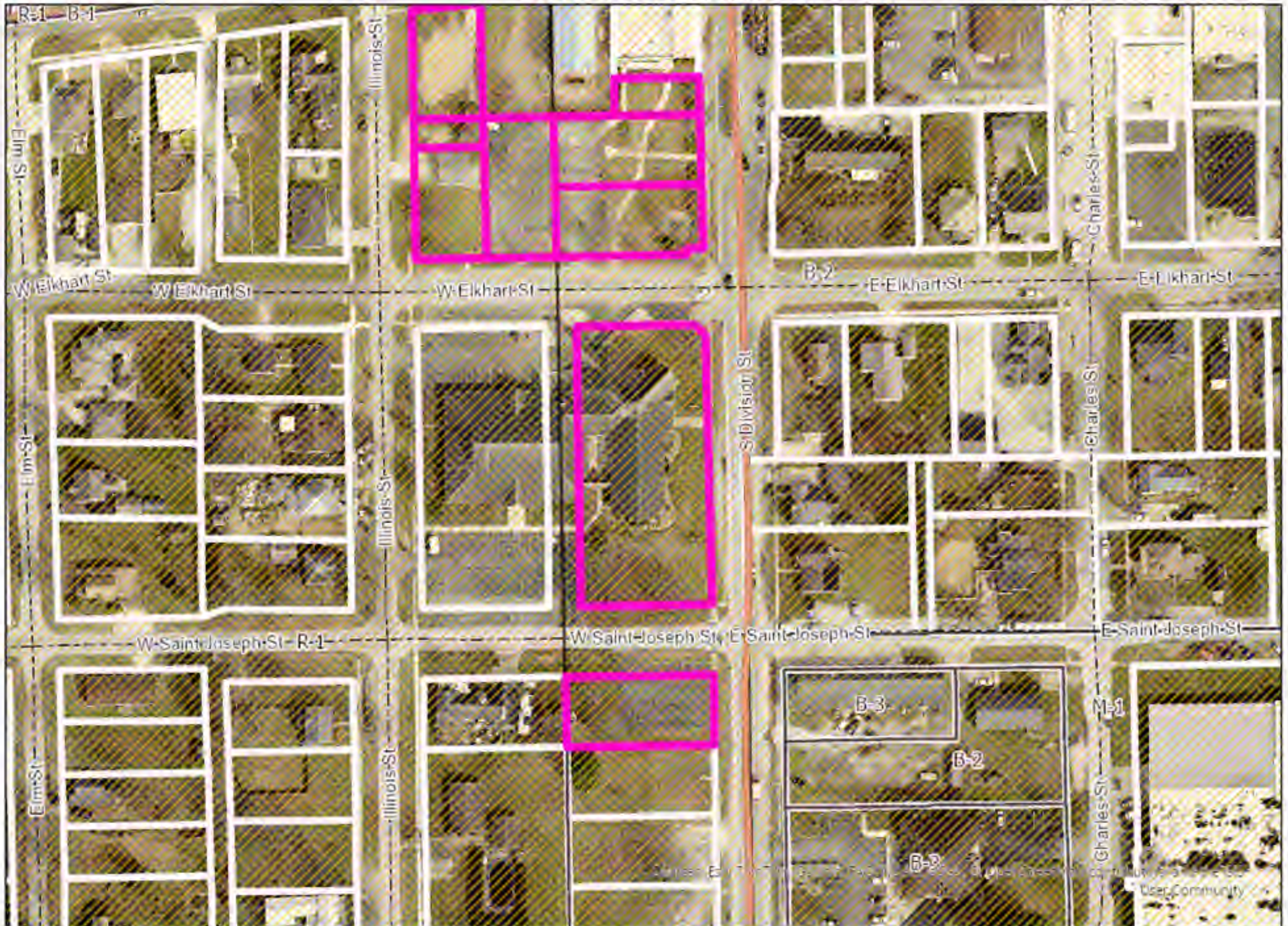
Electronic message board? ☐ Y ☐ N If no, lighted? ☐ Y ☐ N

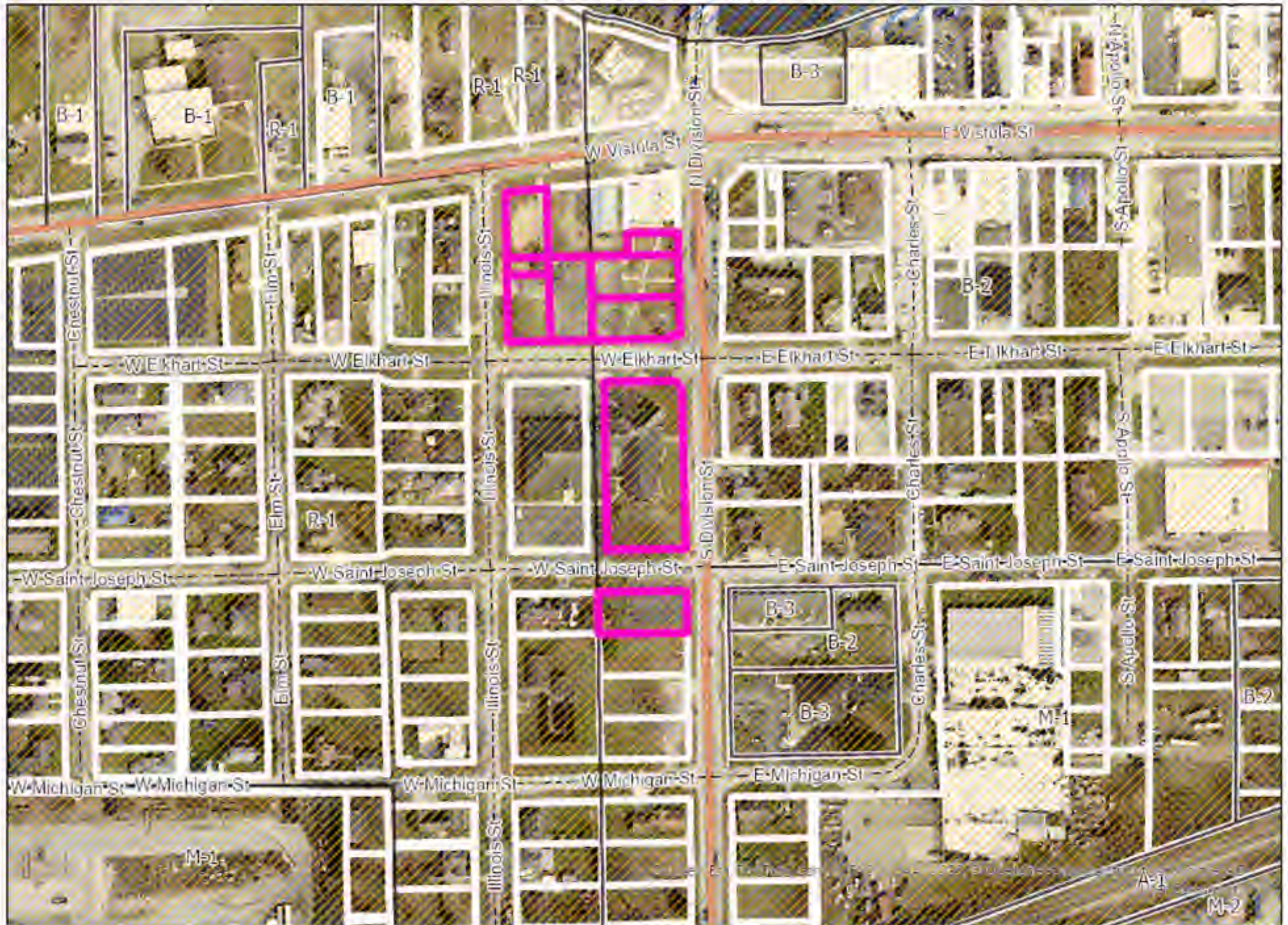
Freestanding? ☐ Y ☐ N Wall mounted? ☐ Y ☐ N

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

If yes, tell us how many total there will be. 10 N/A

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







Subject property, church main entrance



Subject property from Elkhart St. parking lot



Facing north, Elkhart St. parking lot



Proposed new parking at Elkhart St. & Illinois St.



Facing south on Illinois St.



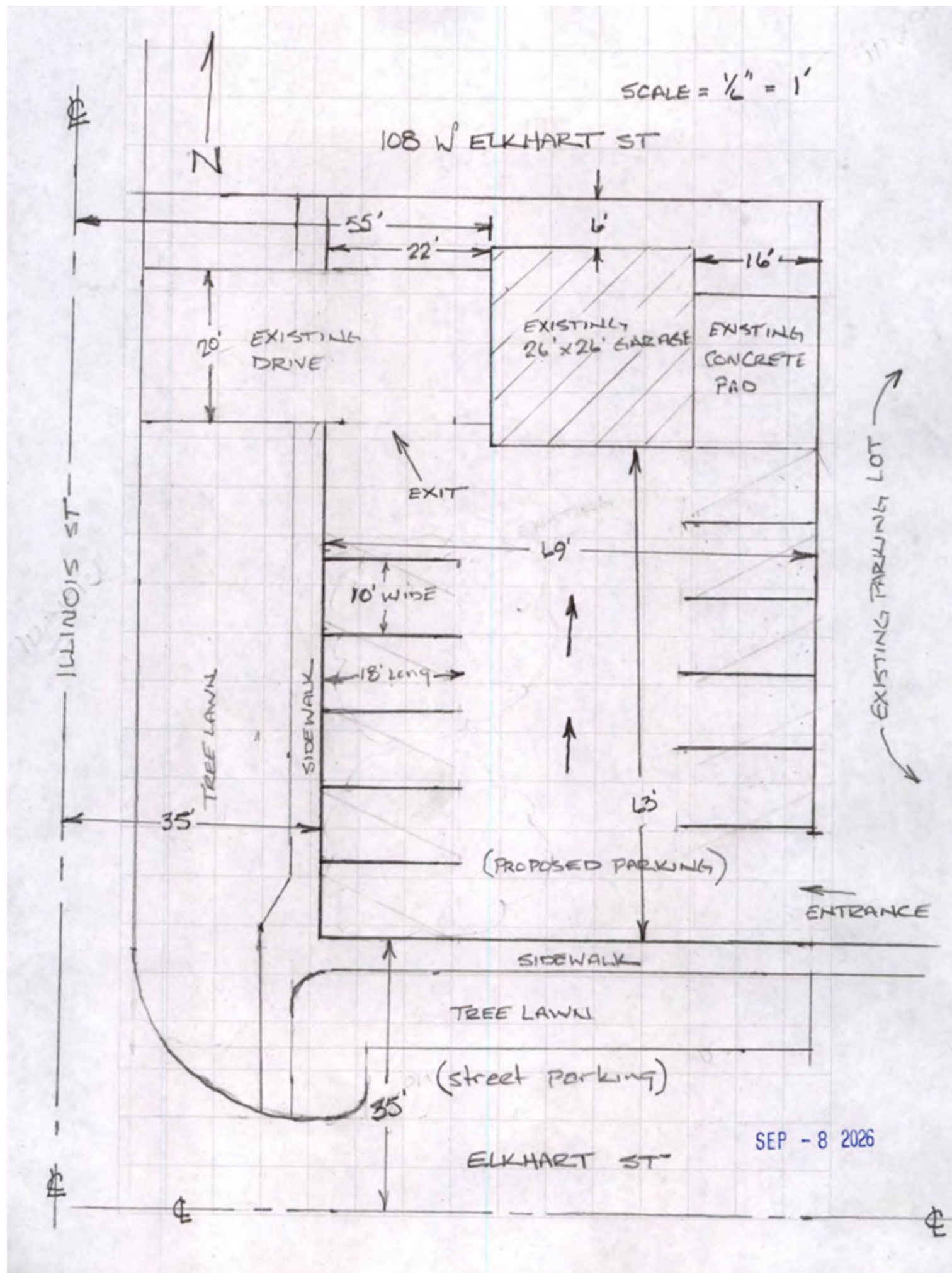
Facing east on Elkhart St.



Existing parking lot on W. St. Joseph St. (north)



Proposed parking lot on W. St. Joseph St. (south)



SEP - 8 2026

BZA Staff Report

Prepared by the Department of Planning and Development

Hearing Date: October 15, 2026

Transaction Number: SUP-0589-2026.

Parcel Number(s): 20-14-10-300-006.000-028.

Existing Zoning: A-1.

Petition: For a Special Use for a home workshop/business for an auto repair shop, for a Special Use for a mobile home, and for a Developmental Variance to allow for the total square footage of accessory structures to exceed that allowed by right.

Petitioner: Vernon J. Slabaugh & Edith Slabaugh, Husband & Wife.

Location: North side of CR 46, 1,500 ft. east of CR 11, in Union Township.

Site Description:

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

History and General Notes:

- None.

Staff Analysis:

For a Special Use for a home workshop/business for an auto repair shop, staff finds that:

1. The Special Use will be consistent with the spirit, purpose, and intent of the Development Ordinance. The request is allowed by Special Use in the A-1 zone.
2. The Special Use will not cause substantial and permanent injury to the appropriate use of neighboring property. The petitioner has been operating the auto repair shop since 2019 without complaints from neighboring residences. This is a very low density area with agricultural uses surrounding the adjacent properties.
3. The Special Use will substantially serve the public convenience and welfare by providing an auto repair shop to the community.

BZA Staff Report (Continued)

Hearing Date: October 15, 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 9/9/2026) and as represented in the Special Use application.
2. The request is limited to a maximum of fifteen (15) customer vehicles stored outdoors at any one time.
3. No outdoor storage of vehicle parts.

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

1. The Special Use will be consistent with the spirit, purpose, and intent of the Development Ordinance. A Special Use for a mobile home for an infirm or elderly family member is allowed in the A-1 zone.
2. The Special Use will not cause substantial and permanent injury to the appropriate use of neighboring property. The mobile home will only remain as long as the need is still valid and the mobile home meets all other developmental standards.
3. The Special Use will substantially serve the public convenience and welfare by providing a temporary home for an elderly parent to be close to family.

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

1. The request is approved subject to Staff renewal every three (3) years and with a one (1) year review to verify compliance with the following:
 - a. The mobile home shall be adequately stabilized and skirted and have tie-downs installed.
 - b. The water supply and sewage disposal system shall be installed in accordance with County Health Department specifications.
 - c. Adequate provisions for storage shall be provided at all times to eliminate exterior storage of personal property, tools, and vehicles, except licensed motor vehicles.
 - d. At all times, the premises shall be kept free of abandoned junk vehicles and parts thereof as described by Indiana State Law.
2. The request is approved in accordance with the site plan submitted (dated 9/9/2026) and as represented in the Special Use application.

BZA Staff Report (Continued)

Hearing Date: October 15, 2026

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

1. Approval of the request will not be injurious to public health, safety, morals, or general welfare. The buildings are existing and meet all other developmental standards.
2. Approval of the request will not cause substantial adverse effect on neighboring property. The request is 3,268 sq. ft., or 139%, above what is allowed and the buildings have been in their locations since the 1900s since they were used for agricultural purposes.
3. Strict application of the terms of the Development Ordinance would result in an unnecessary hardship in the use of the property. The variance is needed to allow existing agricultural buildings to be utilized as personal storage and workshop space.

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 9/9/2026) and as represented in the Developmental Variance application.

PLAN COMMISSION & BOARD OF ZONING APPEALS

Special Use - Non Mobile Home

Elkhart County Planning & Development Public Services Building

4230 Elkhart Road, Goshen, Indiana, 46526

Phone - (574) 971-4678

Fax - (574) 971-4578

SUP-0589-2026

Date: 09/09/2026 Meeting Date: October 15, 2026
Board of Zoning Appeals Public Hearing Transaction #: SUP-0589-2026

Description: for a Special Use for a homework shop business for an auto repair shop, and for a Special use for a mobile home, and 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>
Vernon J. & Edith Slabaugh	Vernon J. & Edith Slabaugh
24757 Cr 46	24757 Cr 46
Nappanee, IN 465509331	Nappanee, IN 465509331

Site Address: 24757 County Road 46 Nappanee, IN 46550	Parcel Number: 20-14-10-300-006.000-028
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Township: Union
Location: NORTH SIDE OF CR 46, 1,500 FT EAST OF CR 11

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

Lot Area: 6.91	Frontage: 610.00	Depth: 492.00
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Zoning: A-1	NPO List: 10/02/2026
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Present Use of Property: RESIDENTIAL/BUSINESS

Legal Description:

Comments: PARCEL CREATION DATE: 4/11/12 BUILDABLE
NEED NEW RECORDED DEED PER DR.
RESIDENTIAL DWELLING AREA: 2,352 SQFT X 200% = 4,704 SQFT MINUS SHED 72 SQFT, BARN 2, 800 SQFT,
LEAN-TO 1,200 SQFT, LEAN-TO 2,100, AUTO SHOP 1,200 SQFT, LEAN-TO 600 SQFT= -3,268 SQFT. NO NEW
BUILDINGS.

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

Special Use for a Mobile Home — Questionnaire

Name: _____

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

If yes, tell us who will live in the existing main residence. Vernon & Faith Slabaugh

- 2) Tell us who will live in the mobile home. mother - Laura Mae Borcholder

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

If yes, tell us about it. mother is 79 years old and needs help.

- 4) Tell us why the mobile home won't hurt your neighbors or the community. it's not in anyone's way and set back off the road

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

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

If yes, did the Health Department say there's enough space for it? ☐ Y ☐ N not yet

- 6) Tell us the size of the mobile home. 14x50

- 7) Tell us the year of the mobile home. 2024 (will be new)

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

Special Use — Questionnaire

Name: Vernon Sabaugh

1) Tell us what you want to do. Auto Repair

2) Tell us why this activity won't hurt your neighbors or the community. off Road 300 ft

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. Have Strads Line along west 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: 30x40
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: 1 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? m-F 6-5

How many parking spaces do you have now? 15

How many parking spaces do you want? 2

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. Auto parts

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

2

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

Tell us how often. 2-3

Tell us the kind of vehicles used. Cars Vans

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. _____

Developmental Variance: — Questionnaire

Name: _____

1) Tell us what you want to do. Auto Repair

2) Tell us why you can't change what you're doing so you don't need a variance. need personal space / business

3) Tell us why the variance won't hurt your neighbors or the community. off road 300' and small business

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

5) Does the application include variances to allow for buildings or additions? ☒ Y ☐ N If yes, fill out below
Building or addition 1 Size and height to the peak: _____
Tell us what you'll use it for. _____
Building or addition 2 Size and height to the peak: _____
Tell us what you'll use it for. _____
Building or addition 3 Size and height to the peak: _____
Tell us what you'll use it for. _____

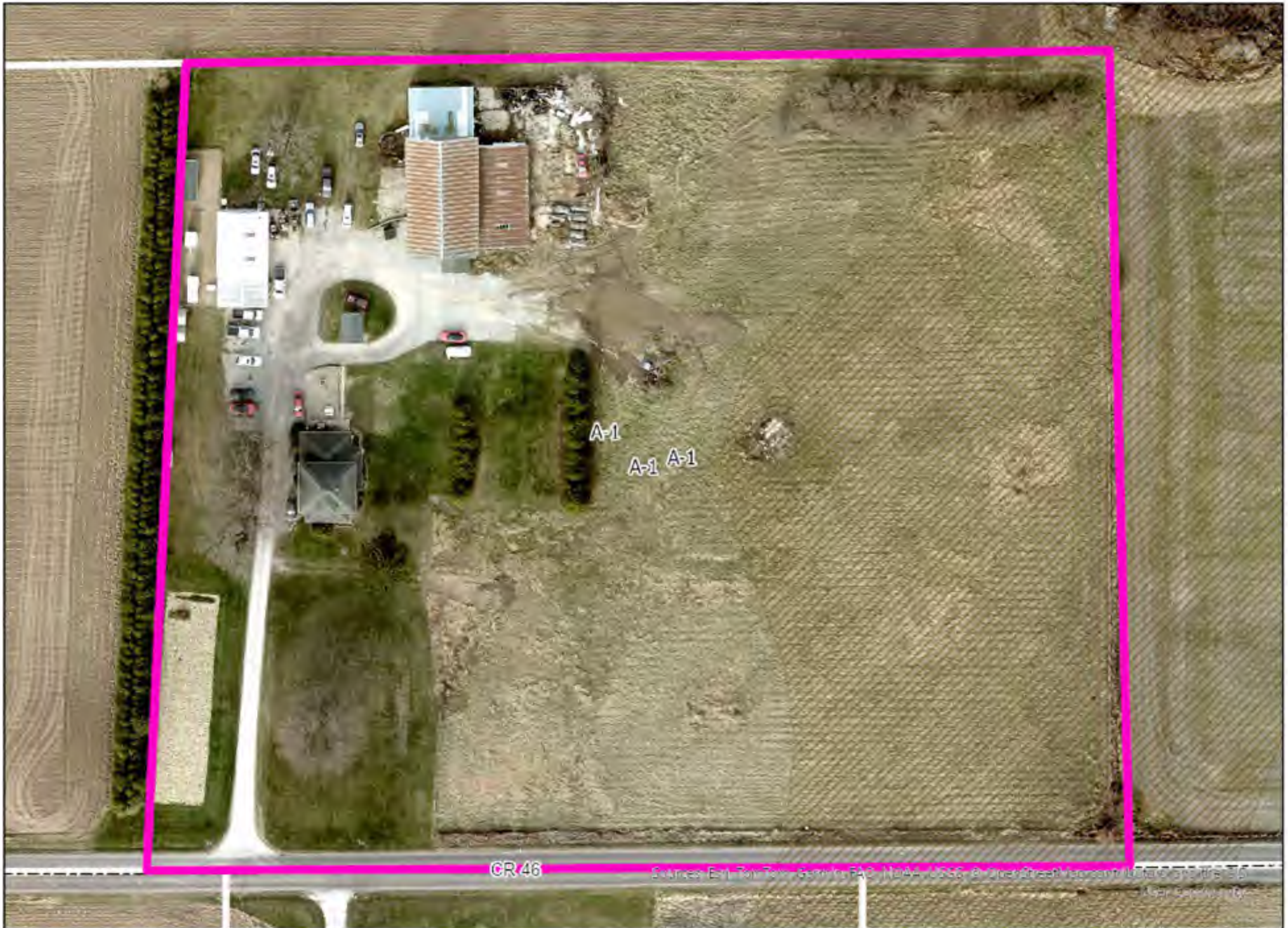
6) Does the application include a variance for a residence on property with no road frontage? ☒ Y ☐ N
If yes, fill out below.
Is the easement existing? ☐ Y ☐ N If the easement is existing, is it recorded? ☐ Y ☐ N
Tell us who owns (will own) the land under the easement. _____
Tell us how many parcels will use the easement. _____

7) Does the application include variances for signs? ☐ Y ☒ N If yes, fill out below.
Sign 1 Dimensions (length and width): _____
Existing? ☐ Y ☐ N Double faced? ☐ Y ☐ N
Electronic message board? ☐ Y ☐ N If no, lighted? ☐ Y ☐ N
Freestanding? ☐ Y ☐ N Wall mounted? ☐ Y ☐ N
Sign 2 Dimensions (length and width): _____
Existing? ☐ Y ☐ N Double faced? ☐ Y ☐ N
Electronic message board? ☐ Y ☐ N If no, lighted? ☐ Y ☐ N
Freestanding? ☐ Y ☐ N Wall mounted? ☐ Y ☐ N
Sign 3 Dimensions (length and width): _____
Existing? ☐ Y ☐ N Double faced? ☐ Y ☐ N
Electronic message board? ☐ Y ☐ N If no, lighted? ☐ Y ☐ N
Freestanding? ☐ Y ☐ N Wall mounted? ☐ Y ☐ N

8) Does the application include a variance for parking spaces? ☒ Y ☐ N
If yes, tell us how many total there will be. _____

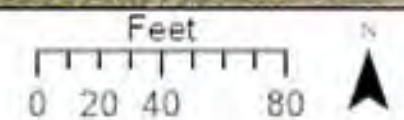
9) Tell us anything else you want us to know. _____

SUP-0589-2026

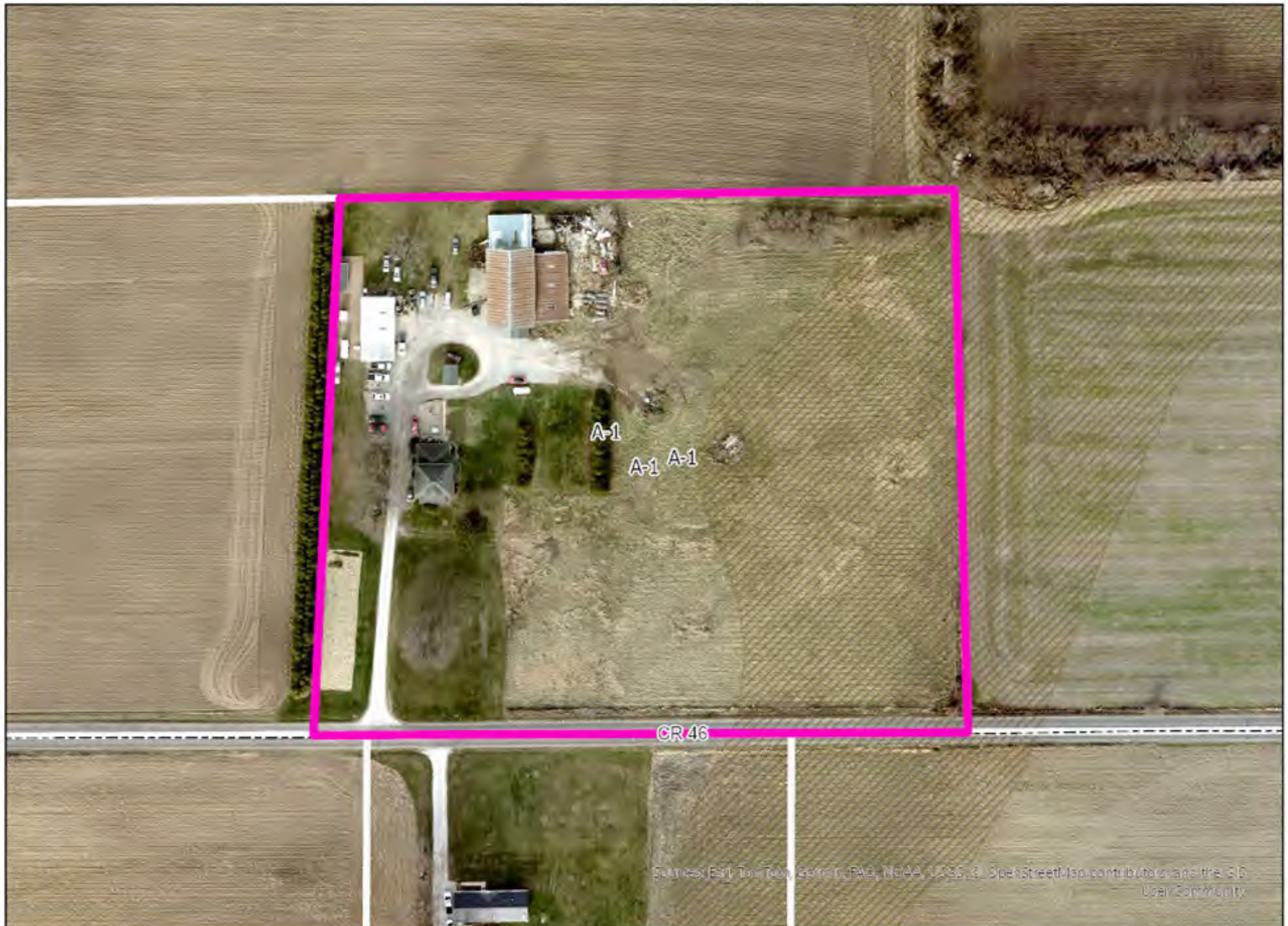


2025 Aerials

1 inch equals 80 ft

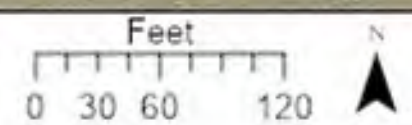


SUP-0589-2026



2025 Aerials

1 inch equals 120 ft



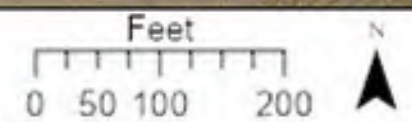
Swanson, East, Tom, Tom, Garrett, PAC, No 44, USGS, © OpenStreetMap contributors and the GIS User Community

SUP-0589-2026



2025 Aerials

1 inch equals 200 ft



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



Subject property



Subject property, workshop



Facing east



Facing west



Facing north

571.10 N

145'

712'

SEP - 9 2026

Shop
30x110

lean
20x30

354'

parking

parking

lean
30x40
Barn
40x70

lean
30x70

390'

parking

Trees
removed

Shed
12x14

332'

Entrance
18x28

House
34x34

32' septic tank

18x12

existing porch well

Drive

Garage

12x20

14x50
mobile
home

(new)

140'

603.95's

510.77
W.

BZA Staff Report

Prepared by the Department of Planning and Development

Hearing Date: October 15, 2026

Transaction Number: SUP-0606-2026.

Parcel Number(s): 20-02-33-283-001.000-026 & 20-02-33-283-002.000-026.

Existing Zoning: R-2.

Petition: For a Special Use for a home workshop/business for a bounce house business, for a 13 ft. Developmental Variance (Ordinance requires 50 ft.) to allow an existing residence 37 ft. from the centerline of the right-of way, and for a 3 ft. Developmental Variance (Ordinance requires 5 ft.) to allow an existing residence 2 ft. from the west side property line.

Petitioner: Guadalupe Chavez Villasenor & Froilan Reyes Ortiz.

Location: South side of Glenmore St., 550 ft. west of Osolo Rd., in Osolo Township.

Site Description:

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

History and General Notes:

- **July 22, 2020** – A complaint was received for vehicles not running (CODE-0188-2020).
- **July 24, 2020** – A complaint was received for people living in an RV & parking on the grass (CODE-0194-2020).
- **September 14, 2020** – A complaint was received for running a car repair business, 15 vehicles not running, parking on the grass, and car parts in the yard (CODE-0237-2020).
- **August 24, 2022** – A complaint was received for people living in an RV (CODE-0539-2022).
- **June 14, 2023** – A complaint was received for building without a permit (new roof & interior demolition) (a permit was issued June 15, 2023) (CODE-0426-2023).
- **March 12, 2024** – A complaint was received for chickens not contained & getting into multiple neighbors' yards (CODE-0127-2024).
- **August 27, 2026** – A complaint was received for running a bounce house business (CODE-0758-2026).

Staff Analysis:

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

1. The Special Use will not be consistent with the spirit, purpose, and intent of the Development Ordinance. This is a dense residential neighborhood, and the existing uses should be protected from non-residential uses.

BZA Staff Report (Continued)

Hearing Date: October 15, 2026

2. The Special Use will cause substantial and permanent injury to the appropriate use of neighboring property. There is a history of non-compliance on this property, and a bounce house rental business needs to have enough space to blow them up and disinfect them. There is not enough room for a truck and trailer, as well as blown up bounce houses, without hindrance to the neighboring residential properties.
3. The Special Use will not substantially serve the public convenience and welfare because the request should be done on an existing commercial parcel.

Staff recommends **DENIAL**.

For a 13 ft. Developmental Variance (Ordinance requires 50 ft.) to allow for an existing residence 37 ft. from the centerline of the right-of way and for a 3 ft. Developmental Variance (Ordinance requires 5 ft.) to allow for an existing residence 2 ft. from the west side property line, staff finds that:

1. Approval of the request will not be injurious to public health, safety, morals, or general welfare. The residence was built in 1940 and has not caused sight issues for traffic along Glenmore Street.
2. Approval of the request will not cause substantial adverse effect on neighboring property. This neighborhood has a lot of smaller lots with existing residences that are closer to the right-of-way than allowed, therefore this residence is the same as what can be found on many other lots in this area.
3. Strict application of the terms of the Development Ordinance would result in an unnecessary hardship in the use of the property. The variance is needed to allow an existing residence to be in compliance.

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 9/14/2026) and as represented in the Developmental Variance application.

PLAN COMMISSION & BOARD OF ZONING APPEALS

Special Use - Non Mobile Home

Elkhart County Planning & Development Public Services Building

4230 Elkhart Road, Goshen, Indiana, 46526

Phone - (574) 971-4678

Fax - (574) 971-4578

SUP-0606-2026

Date: 09/14/2026 Meeting Date: October 15, 2026
Board of Zoning Appeals Public Hearing Transaction #: SUP-0606-2026

Description: for a Special Use for a home workshop/business for a bounce house business and for a 13 ft. Developmental Variance (Ordinance requires 50 ft.) to allow for an existing residence 37 ft. from the centerline of the right-of-way Glenmore Street and for a 3 ft. Developmental Variance (Ordinance requires 5 ft.) to allow for an existing residence 2 ft. from the west side property line.

Contacts: Applicant Land Owner
Guadalupe Chavez Villasenor & Guadalupe Chavez Villasenor &
Froilan Reyes Ortiz Froilan Reyes Ortiz
25110 Glenmore St. 25110 Glenmore St.
Elkhart, IN 46514 Elkhart, IN 46514

Site Address: 25110 Glenmore Street Parcel Number: 20-02-33-283-001.000-026
Elkhart, IN 46514 20-02-33-283-002.000-026

Township: Osolo
Location: SOUTH SIDE OF GLENMORE ST, 530 FT W OF OSOLO RD

Subdivision: HASTINGS PK UNREC 50X130FT SEC 33 Lot # 116 & 117

Lot Area: 0.30 Frontage: 100.00 Depth:

Zoning: R-2 NPO List: 10/05/2026

Present Use of Property: RESIDENTIAL

Legal Description: HASTINGS PK UNREC 50X130FT SEC 33 LOT 116 & 117

Comments: REFERENCE BR-1191-2023
REFERENCE CODE-0758-2026

Applicant Signature: Department Signature:

Special Use — Questionnaire

Name: Froilan Reyes and Guadalupe Chavez

1 Tell us what you want to do.

) We are asking if we can store the
bancy houses at our property. we ask to take
them out on our lawn to wash and clean before the
next rental.

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

) I will not be
using any land or yard that is not mine and
children will not be jumping in the bancy houses on my
property.

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. This will create noise from
the generator.

Tell us how you'll reduce the impact of those things on neighbors. We can opt to
not use the generator only the machine and extensions

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: _____
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. NO

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: 5

How many employees do you want? Full time: 0 Part time: 5

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

What will be the days and hours of operation on this property? 1 day (8 hrs)

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.

Name:

Guadalupe Chavez

1) Tell us what you want to do.

Bring existing residence into compliance with setback ordinance

2) Tell us why your case is different from other cases in the county so that a variance should be allowed.

Home exists already - bringing into compliance

3) Tell us why the variance won't hurt your neighbors or the community.

Residence exists already

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.

6) Does the property need well and septic? Well: ☒ Y ☐ N Septic: ☒ Y ☐ NDoes the property need a new septic system? ☐ Y ☒ NIf a new septic system is needed, did the Health Department say there's enough space for it? ☐ Y ☐ N7) Does what you want to do include buildings or additions? ☐ Y ☐ N If yes, fill out below.**Building or addition 1** Existing? ☒ Y ☐ N Size and height to the peak: 31 x 33

Tell us what you'll use it for. Residence

Building or addition 2 Existing? ☒ Y ☐ N Size and height to the peak: 24 x 24

Tell us what you'll use it for. Garage

Building or addition 3 Existing? ☒ Y ☐ N Size and height to the peak: 12 x 20

Tell us what you'll use it for. Patio

8) Is there a subdivision covenant that says you can't do this activity? ☐ Y ☒ NIf yes, does the subdivision have an active homeowners' association? ☐ Y ☒ N9) Does this application include an accessory structure without a residence at this time? ☐ Y ☒ NIf yes, are there plans for a residence on this property? ☐ Y ☐ N If yes, fill out below.

Tell us when it will be built.

Tell us the approximate size.

10) Does this application include animals? ☐ Y ☒ N

If yes, tell us what kind and the maximum number of each.

Use Variance — Questionnaire

- 11) 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). _____

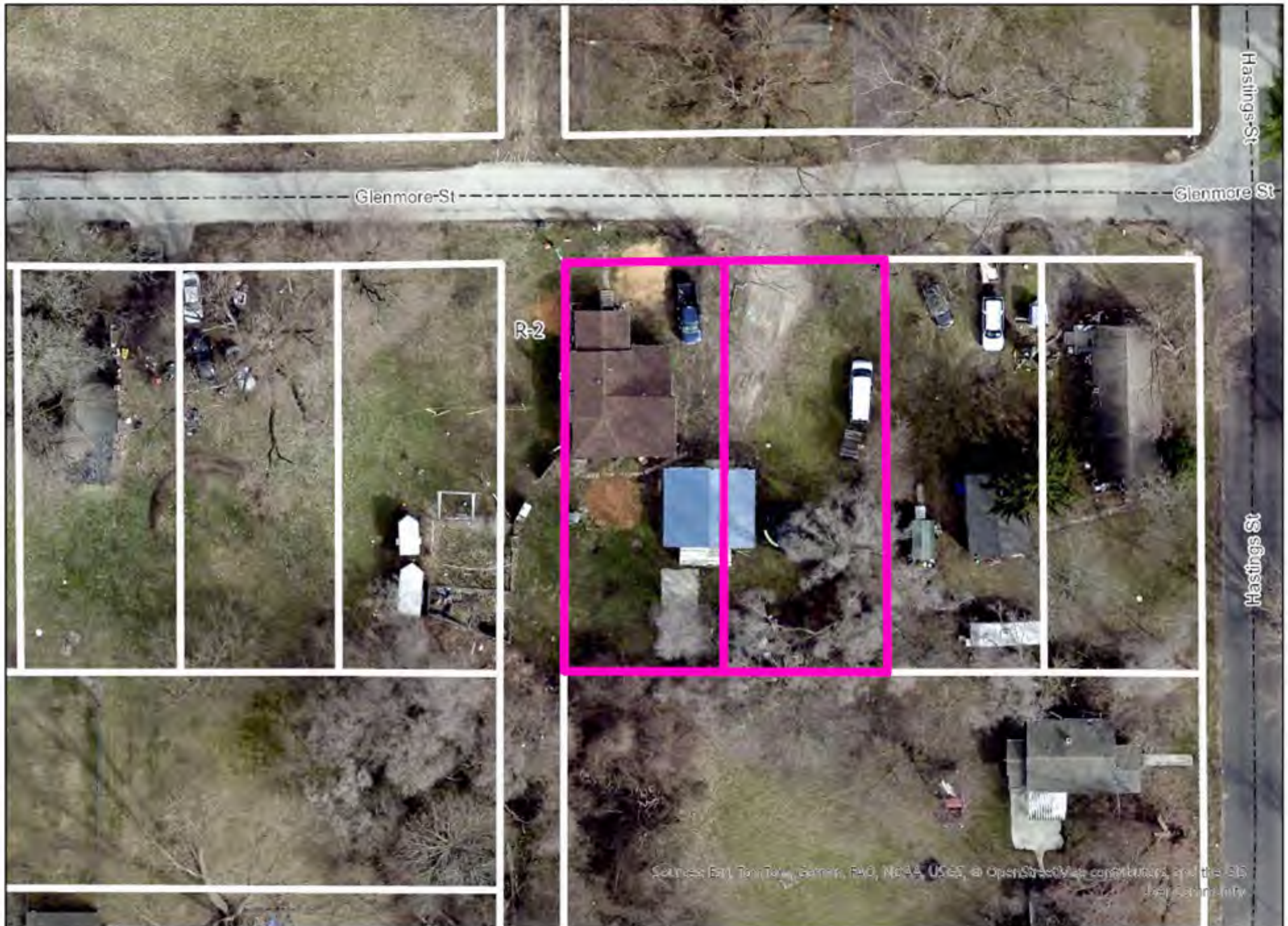
Existing? ☐ Y ☐ N Double faced? ☐ Y ☐ N

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

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

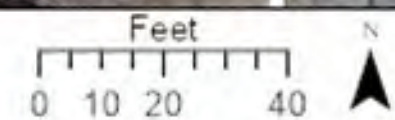
- 12) Tell us anything else you want us to know. _____

SUP-0606-2026

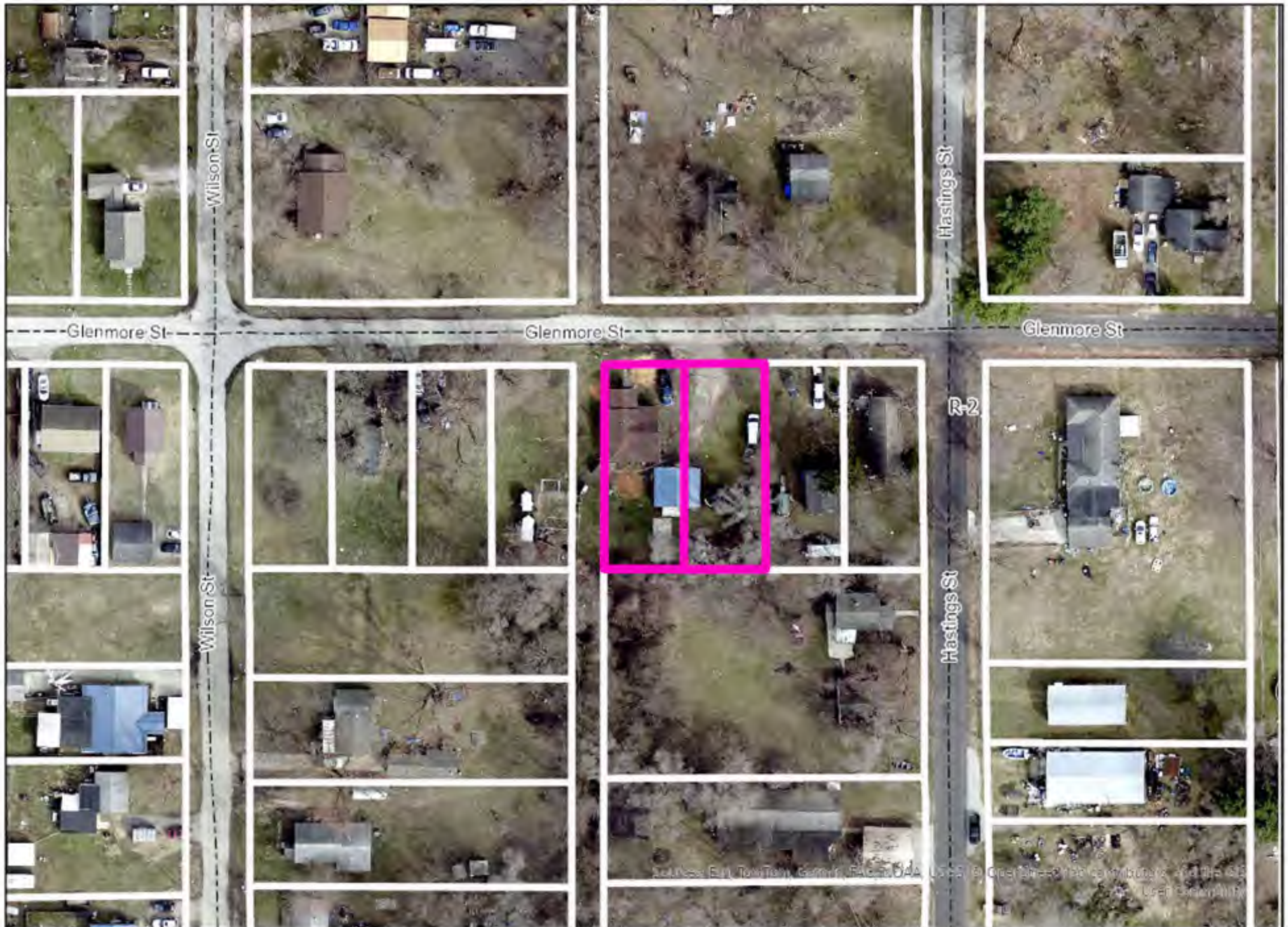


2025 Aerials

1 inch equals 40 ft

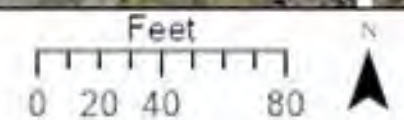


SUP-0606-2026



2025 Aerials

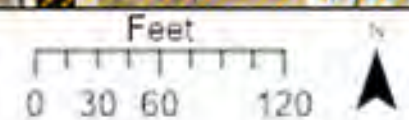
1 inch equals 80 ft





2025 Aerials

1 inch equals 120 ft





Subject property



Facing proposed bounce house cleaning area



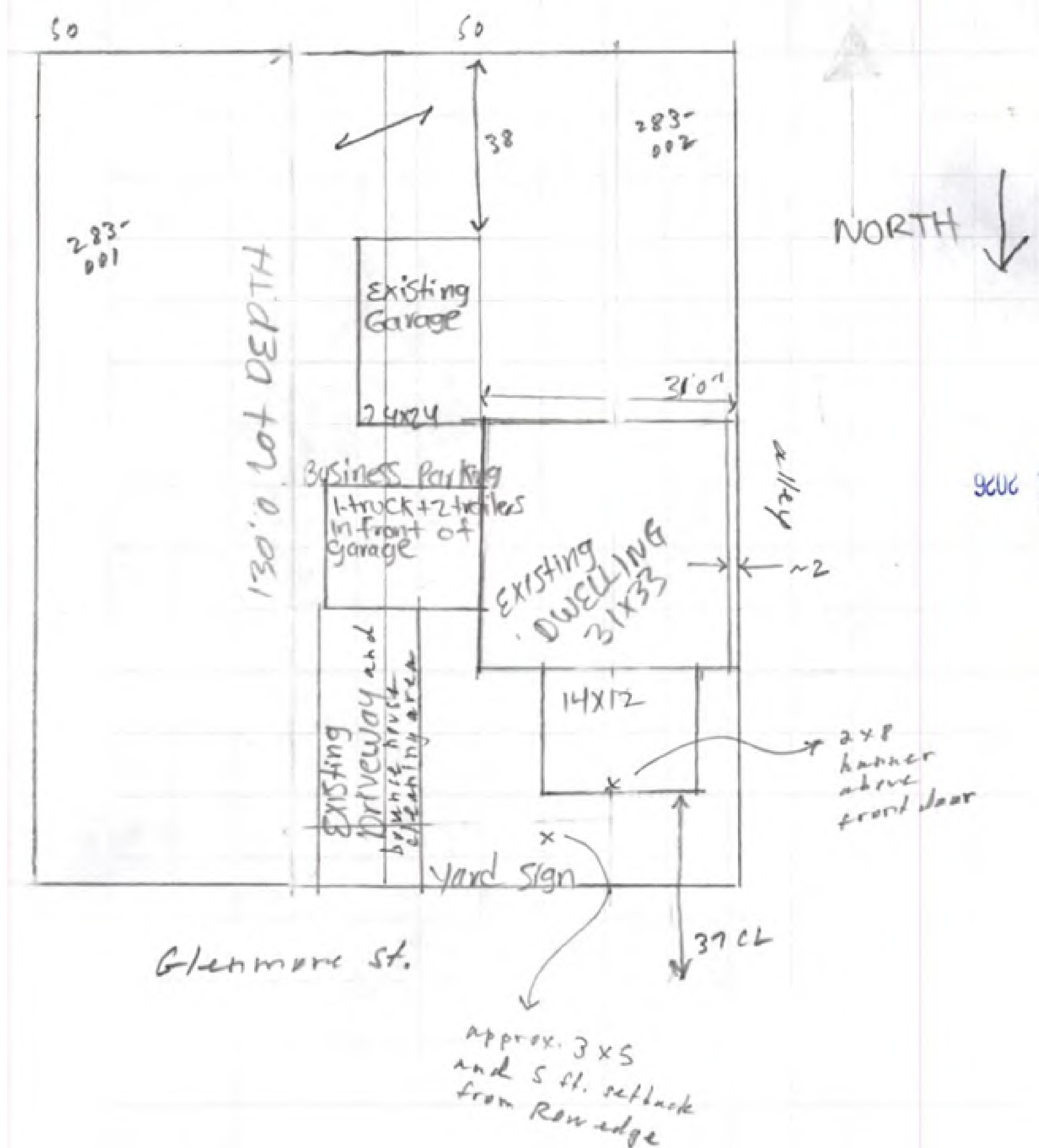
Facing west



Facing east



Facing north



BZA Staff Report

Prepared by the Department of Planning and Development

Hearing Date: October 15, 2026

Transaction Number: SUP-0609-2026.

Parcel Number(s): 20-03-28-126-027.000-030.

Existing Zoning: A-1.

Petition: For a Special Use for a home workshop/business for a dog grooming business and for a Developmental Variance to allow for the total square footage of accessory structures to exceed that allowed by right.

Petitioner: Allen T. Hatton & Amanda E. Hatton.

Location: Northwest side of CR 8, 1,010 ft. west of CR 21, in Washington Township.

Site Description:

- Physical Improvement(s) – Residences, detached accessory structures.
- Proposed Improvement(s) – Detached accessory structure.
- Existing Land Use – Residential, agricultural.
- Surrounding Land Use – Residential, manufacturing.

History and General Notes:

- None.

Staff Analysis:

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

1. The Special Use will be consistent with the spirit, purpose, and intent of the Development Ordinance. A dog grooming business is allowed in the A-1 zoning district with a Special Use.
2. The Special Use will not cause substantial and permanent injury to the appropriate use of neighboring property. This is a mixed-use area with the subject parcel being surrounded by M-1 and M-2 uses, therefore a dog grooming business would not affect the neighboring uses in any way.
3. The Special Use will substantially serve the public convenience and welfare by providing a local dog grooming business.

BZA Staff Report (Continued)

Hearing Date: October 15, 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 demolition permit for the second dwelling must be issued and a final inspection must be completed.

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

1. The request is approved in accordance with the site plan submitted (dated 9/14/2026) and as represented in the Special Use application.

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

1. Approval of the request will not be injurious to public health, safety, morals, or general welfare. This is an existing building and there have been no complaints or traffic safety issues.
2. Approval of the request will not cause substantial adverse effect on neighboring property. The request is 3,670 sq. ft., or 133%, over what is allowed by right. With the surrounding parcels being manufacturing there are larger structures found on those properties than found on the subject parcel.
3. Strict application of the terms of the Development Ordinance would result in an unnecessary hardship in the use of the property. Without the benefit of the variance the property would remain 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 9/14/2026) and as represented in the Developmental Variance application.

PLAN COMMISSION & BOARD OF ZONING APPEALS

Special Use - Non Mobile Home

Elkhart County Planning & Development Public Services Building

4230 Elkhart Road, Goshen, Indiana, 46526

Phone - (574) 971-4678

Fax - (574) 971-4578

SUP-0609-2026

Date: 09/14/2026

Meeting Date:

October 15, 2026

Board of Zoning Appeals Public Hearing

Transaction #:

SUP-0609-2026

Description: for a Special Use for a home workshop/business for a dog grooming business and for a for a Developmental
Variance to allow for the total square footage of accessory structures to exceed that allowed by right

Contacts: Applicant

Allen T. And Amanda E.
Hatton
19647 County Road 8
Bristol, IN 46507

Land Owner

Allen T. And Amanda E.
Hatton
19647 County Road 8
Bristol, IN 46507

Site Address: 19647 County Road 8
Bristol, IN 46507

Parcel Number: 20-03-28-126-027.000-030

Township: Washington

Location: NORTH SIDE OF CR 8, 1,010 FT. SOUTHWEST OF CR 21

Subdivision:

Lot #

Lot Area: 7.11 Frontage: 480.00

Depth:

Zoning: A-1

NPO List: 10/05/2026

Present Use of Property: RESIDENTIAL

Legal Description:

Comments: PARCEL COMBINED 6/3/2005
PERMIT #BA-2213-2018 NEEDS STRUCTURAL FINAL INSPECTION
RESIDENCE = 1,384 SQ FT X 200% = 2,768 SQ FT, MINUS 2,880 (40X72 POLE BARN), - 384 (16X24 LEAN-TO), - 1,232 (22X56 LEAN-TO), - 1,612 (26X62 BARN), - 42 (6X7 SHED), NEW BUILDING AT 12X24 = 288 SQ FT, WHICH IS AN OVERAGE OF 3,670 SQ FT.
PROPERTY OWNER STATES MOST, IF NOT ALL, OF 32X118 (3,776 SQ FT) BARN IS USED FOR CHICKENS.
LG RESEARCHED DOCUWARE AS PROPERTY CARDS ARE SHOWING 2 RESIDENCES. PROPERTY OWNER WAS TOLD SHE COULD APPLY FOR VARIANCE BUT WOULD NOT BE ABLE TO GET PERMITS FOR THE PROPOSED NEW BUILDING UNTIL THE ORIGINAL RESIDENCE WAS DEMO'ED - KB (#BR14-1787)

Applicant Signature:

Department Signature:

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: 0

How many employees do you want? Full time: 1 Part time: 0

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

What will be the days and hours of operation on this property? 7 days a week 10 am - 5 pm

I am the property owner and only employee

How many parking spaces do you have now? 3 gravel parking area by house

How many parking spaces do you want? 3

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?

I will be doing up to 3 dogs per day the owner drops off the dog and leaves

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

Tell us how often. up to 3 times a day

Tell us the kind of vehicles used. normal vehicles dropping off/picking up their dogs

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

Sign 1 Dimensions (length and width). 17" x 12"

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

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

Freestanding? ☐ Y ☒ N Wall mounted? ☐ Y ☒ N on mailbox

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. This is an existing business low volume

dog grooming I do not take on more than one dog at a time

So there are no cages and no excessive barking I currently use the well and septic with no issues and will use the existing ones for the new building I have already had the septic pumped and checked in August 2026

The 3 acre property to the west is also owned by me

Special Use — Questionnaire

Name: Amanda Horton

- 1) Tell us what you want to do. I would like to move my existing dog grooming business into a new prefab shed on my property it will have heat AC water sewer and electric using all existing utilities
- 2) Tell us why this activity won't hurt your neighbors or the community. My business is helpful to the community I offer low cost dog grooming specializing in scared/aggressive dogs My neighbor has used my services and has no problems this is set far back from property lines and the road nobody can see it unless they come on my property
- 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. There are existing trees between the site and the neighbor and the road
- 6) Does the property need well and septic? Well: ^{existing} ☒ Y ☐ N Septic: ^{existing} ☒ 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: 12x24 11ft
Tell us what you'll use it for. This will be my new grooming shop
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. dogs I am one on one meaning only one dog at a time I do not cage them or overlap my appointments

Next page ➡

Developmental Variance: — Questionnaire

Name:

Amenda tutton

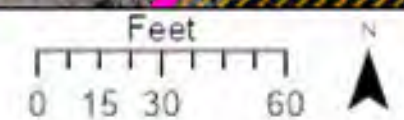
- 1) Tell us what you want to do. place a shed with electric water sewer to be used for my existing dog grooming business
- 2) Tell us why you can't change what you're doing so you don't need a variance. Zoned ag currently and I also use the property for ag purposes
- 3) Tell us why the variance won't hurt your neighbors or the community. It is set back from all property lines and the road theres no extra traffic coming in
- 4) Does the property need well and septic? Well: ☒ Y ☐ N Septic: ☒ Y ☐ N
Does the property need a new septic system? ☐ Y ☒ N
If a new septic system is needed, did the Health Department say there's enough space for it? ☐ Y ☐ N
- 5) Does the application include variances to allow for buildings or additions? ☒ Y ☐ N If yes, fill out below
- Building or addition 1** Size and height to the peak: 12x24 11ft
Tell us what you'll use it for. Grooming Shop
- Building or addition 2** Size and height to the peak: _____
Tell us what you'll use it for. _____
- Building or addition 3** Size and height to the peak: _____
Tell us what you'll use it for. _____
- 6) Does the application include a variance for a residence on property with no road frontage? ☐ Y ☒ N
If yes, fill out below.
Is the easement existing? ☐ Y ☐ N If the easement is existing, is it recorded? ☐ Y ☐ N
Tell us who owns (will own) the land under the easement. _____
Tell us how many parcels will use the easement. _____
- 7) Does the application include variances for signs? ☐ Y ☒ N If yes, fill out below.
- Sign 1** Dimensions (length and width): _____
Existing? ☐ Y ☐ N Double faced? ☐ Y ☐ N
Electronic message board? ☐ Y ☐ N If no, lighted? ☐ Y ☐ N
Freestanding? ☐ Y ☐ N Wall mounted? ☐ Y ☐ N
- Sign 2** Dimensions (length and width): _____
Existing? ☐ Y ☐ N Double faced? ☐ Y ☐ N
Electronic message board? ☐ Y ☐ N If no, lighted? ☐ Y ☐ N
Freestanding? ☐ Y ☐ N Wall mounted? ☐ Y ☐ N
- Sign 3** Dimensions (length and width): _____
Existing? ☐ Y ☐ N Double faced? ☐ Y ☐ N
Electronic message board? ☐ Y ☐ N If no, lighted? ☐ Y ☐ N
Freestanding? ☐ Y ☐ N Wall mounted? ☐ Y ☐ N
- 8) Does the application include a variance for parking spaces? ☐ Y ☒ N
If yes, tell us how many total there will be. currently 3 spots and thats all that is needed
- 9) Tell us anything else you want us to know. existing business ran inside house just wanting to move it to a separate building

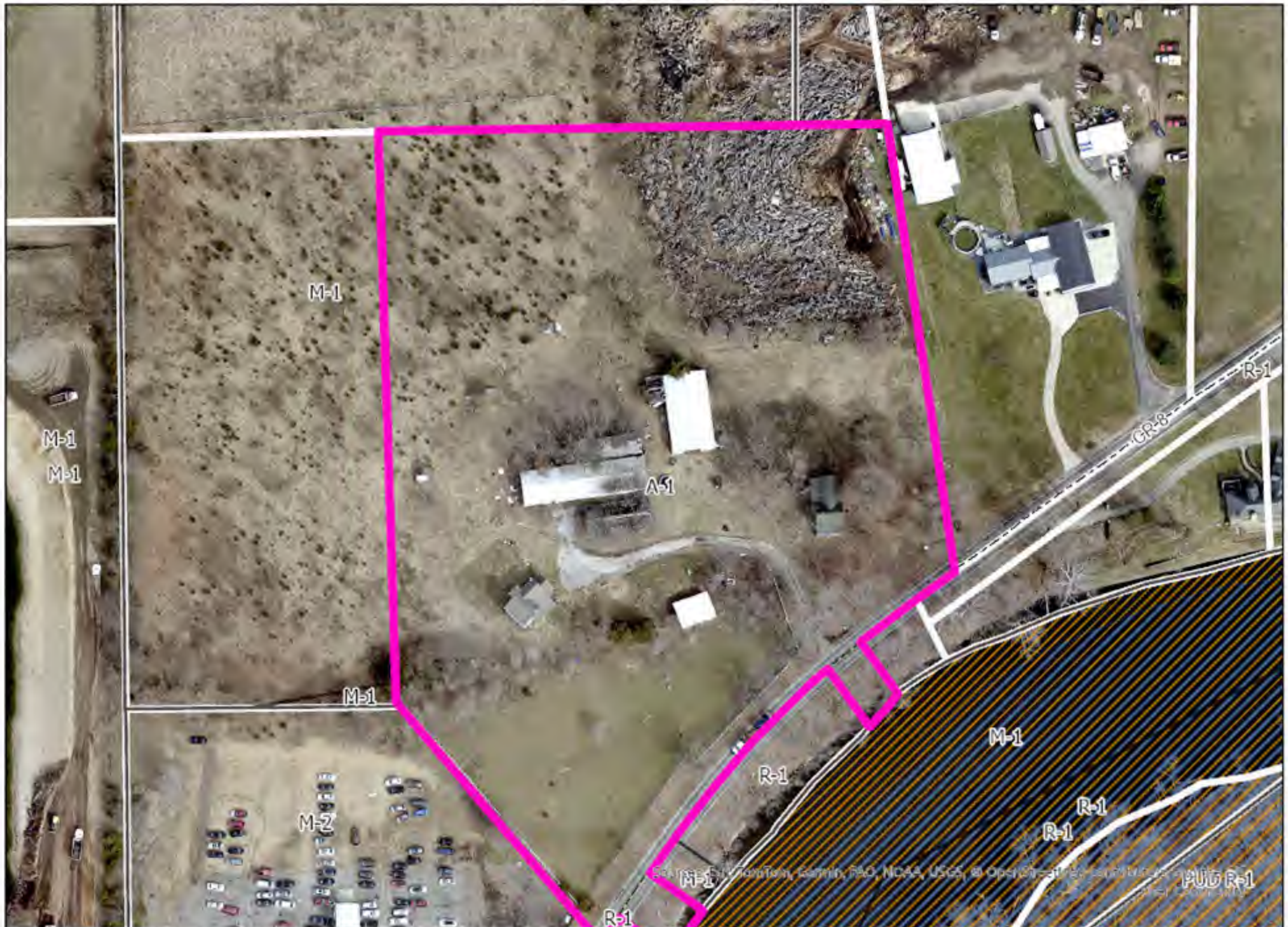
SUP-0609-2026



2025 Aerials

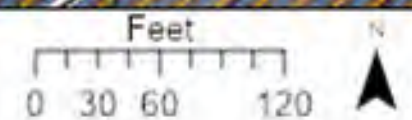
1 inch equals 60 ft

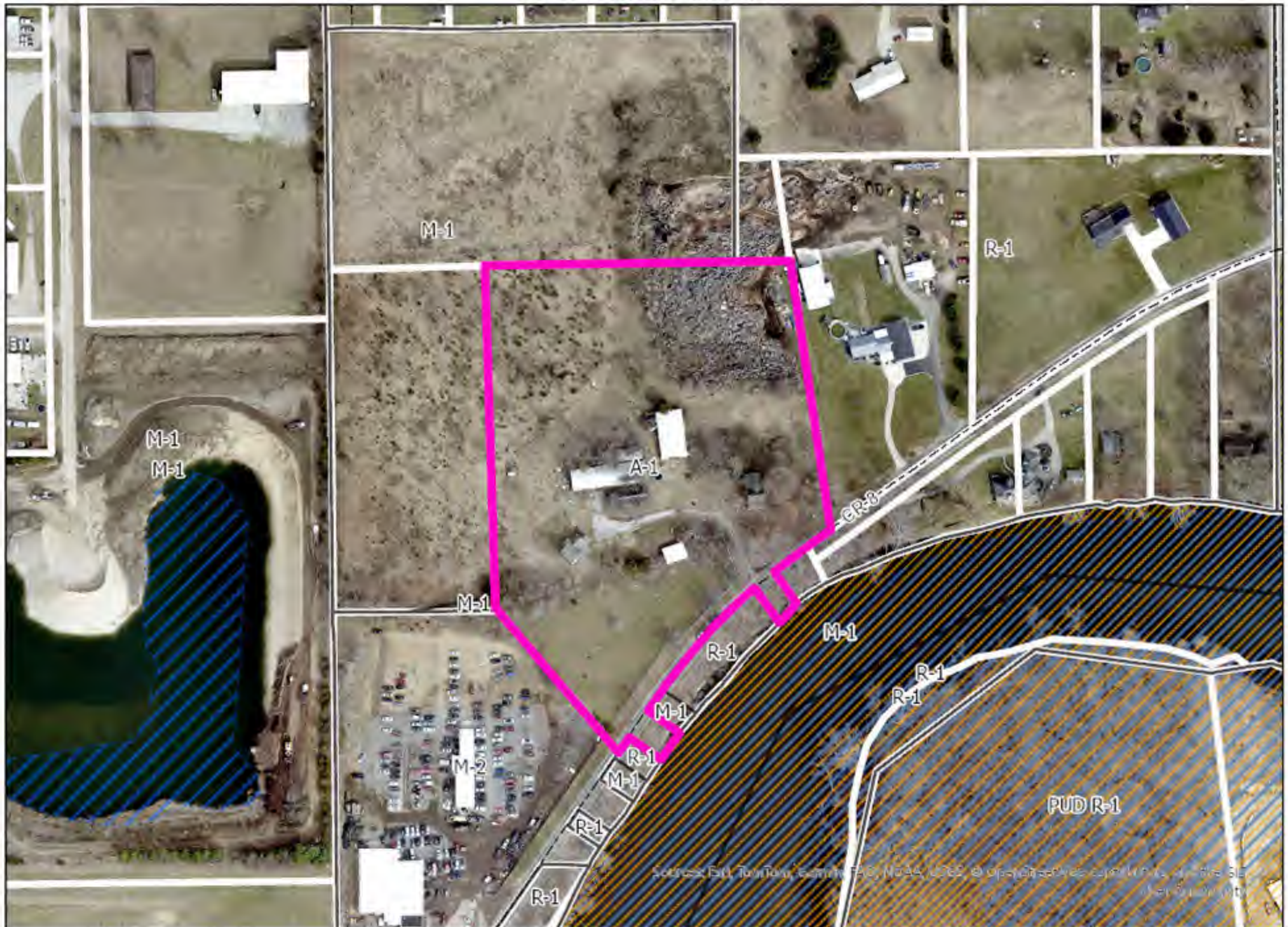




2025 Aerials

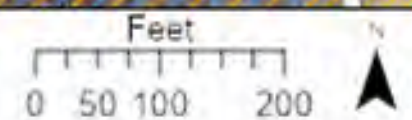
1 inch equals 120 ft





2025 Aerials

1 inch equals 200 ft





Subject property from CR 8



Subject property facing northwest



Facing east



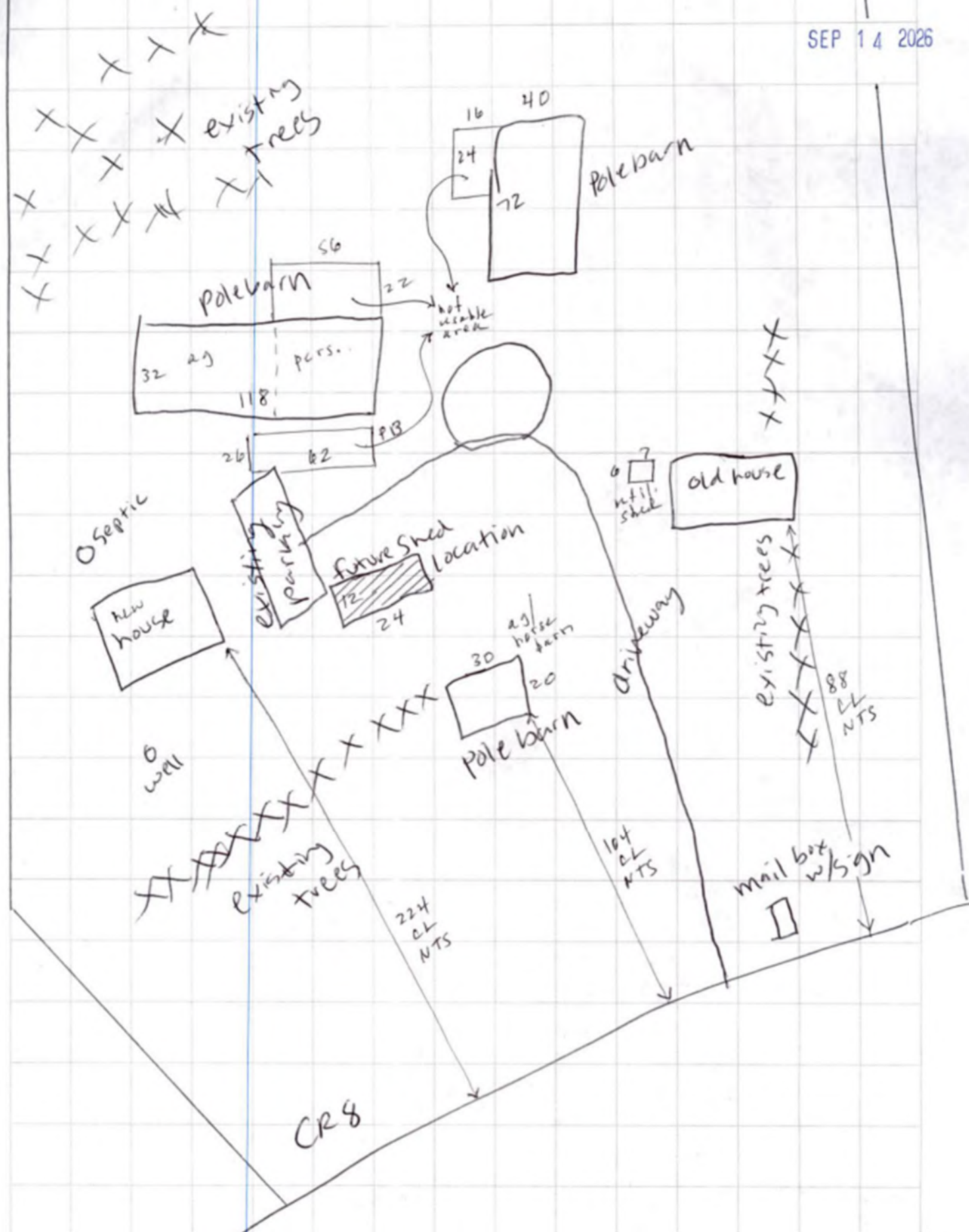
Facing west



Facing south

↑ north

SEP 14 2026





TO: Terry Wuthrich
14177 SR 120
Bristol, IN 46507
Via US Mail, Postage Prepaid

NOTICE TO APPEAR AND SHOW CAUSE

RE: Failure to comply with Conditions or Commitments re: Special Use Permit 0428-2022.
For property commonly known as parcel code 20-04-19-300-007.000-032.

Dear Mrs. Wuthrich:

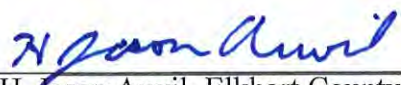
You are hereby notified to be and appear before the Elkhart County Advisory Board of Zoning Appeals at its regularly scheduled meeting on October 15, at 11:00 a.m., or as soon thereafter as this matter can be heard, in Meeting Rooms A & B, Public Services Building, 4230 Elkhart Road, Goshen, Indiana, 46526, to show cause, if any, why Special Use Permit 0428-2022, granted to you by said Board on July 21, 2022, should not be revoked for your failure to comply with the conditions or commitments imposed by said Board as part of its approval, specifically:

- 1. Failure to provide an updated site plan to staff.**
- 2. Failure to renew petition in front of the Elkhart County Board of Zoning Appeals after the six (6) month approval date.**
- 3. Failure to sign, record and provide staff with the commitment form.**

You are entitled to appear at this hearing, to present evidence, and to present arguments. If you fail to appear the Elkhart County Advisory Board of Zoning Appeals may act in your absence.

All inquiries should be directed to Ricky Masters, Code Enforcement Officer for the Elkhart County Advisory Board of Zoning Appeals, 4230 Elkhart Road, Goshen, Indiana 46526, (574) 971-4678.

WITNESS, my hand at my office in Elkhart County, Indiana this 30th day of September 2026.



H. Jason Auvil, Elkhart County
Planning Manager & Zoning Administrator

PLAN COMMISSION & BOARD OF ZONING APPEALS

Special Use - Non Mobile Home

Elkhart County Planning & Development
Public Services Building

4230 Elkhart Road, Goshen, Indiana, 46526

Phone - (574) 971-4678

Fax - (574) 971-4578

SUP-0428-2022

Date: 05/25/2022 Meeting Date: July 21, 2022
Board of Zoning Appeals Public Hearing Transaction #: SUP-0428-2022

Description: for a Special Use for warehousing RV's

Contacts: Applicant Land Owner
Terry Wuthrich Terry Wuthrich
14177 Sr 120 14177 Sr 120
Bristol, IN 46507 Bristol, IN 46507

Site Address: 00000 Sr 120 Parcel Number: 20-04-19-300-007.000-032
BRISTOL, IN 46507

Township: York
Location: NORTH SIDE OF SR 120, 1,560 FT WEST OF CR 131

Subdivision: Lot #

Lot Area: 15.64 Frontage: 149.35 Depth: 1,350.19

Zoning: A-1 NPO List:

Present Use of Property: AGRICULTURAL

Legal Description:

Comments: SEE CODE-0180-2022
PARCEL CREATED 3-1-1962

Applicant Signature:

Department Signature:

RESULT LETTER

Case # SUP-0428-2022

Date: July 21, 2022

Petitioner(s):
Terry Wuthrich

||

The following shall be referred to as “the Real Estate”:

Street: 00000 SR 120, Bristol, IN 46507

Current Tax Code #: 20-04-19-300-007.000-032

You are hereby notified that the petition for a Special Use for warehousing of RVs on the Real Estate, presented and considered at the meeting of the Elkhart County Advisory Board of Zoning Appeals on July 21, 2022, was acted upon as follows: **APPROVED** in accordance with the Staff Analysis with the following Findings and Conclusions of the Board:

1. The Special Use will be consistent with the spirit, purpose, and intent of the Zoning Ordinance. A Special Use for warehousing 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 15.64-acre parcel in moderately dense mixed-use area, and the property will remain agricultural in character.
3. The Special Use will substantially serve the public convenience and welfare by providing for a local transportation and storage option.

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 showing RV parking area dimensions, parking area setbacks from property lines, how many units will be stored, and how trucks will access and leave the parking area.

Terry Wuthrich
July 21, 2022
Page 2

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. Approved for a period of six (6) months; any renewal shall be before the Elkhart County Board of Zoning Appeals.
3. Approved with a limit of twenty-five (25) RVs per acre.

Deviation from said conditions and commitments may result in the Elkhart County Advisory Board of Zoning Appeals rescinding the approval or permit.

Ron Norman, Secretary
Elkhart County Board of Zoning Appeals

Placed in File _____
By _____



TO: Carol Hensley & Anthony Hensley, Wife & Husband
58480 SR 15
Goshen, IN 46528
Via US Mail, Postage Prepaid

NOTICE TO APPEAR AND SHOW CAUSE

RE: Failure to comply with Conditions or Commitments re: Special Use Permit 0552-2023.
For property commonly known as 58480 SR 15, Goshen, IN 46528.

Dear Mrs. Hensley & Mr. Hensley:

You are hereby notified to be and appear before the Elkhart County Advisory Board of Zoning Appeals at its regularly scheduled meeting on October 15, at 11:00 a.m., or as soon thereafter as this matter can be heard, in Meeting Rooms A & B, Public Services Building, 4230 Elkhart Road, Goshen, Indiana, 46526, to show cause, if any, why Special Use Permit 0552-2023, granted to you by said Board on September 21, 2023, should not be revoked for your failure to comply with the conditions or commitments imposed by said Board as part of its approval, specifically:

- 1. Failure to obtain a building permit for the pavilion.**
- 2. Failure to show proof of pavilion being placed out of the right-of-way.**
- 3. Failure to sign, record and provide staff with the commitment form.**

You are entitled to appear at this hearing, to present evidence, and to present arguments. If you fail to appear the Elkhart County Advisory Board of Zoning Appeals may act in your absence.

All inquiries should be directed to Ricky Masters, Code Enforcement Officer for the Elkhart County Advisory Board of Zoning Appeals, 4230 Elkhart Road, Goshen, Indiana 46526, (574) 971-4678.

WITNESS, my hand at my office in Elkhart County, Indiana this 30th day of September 2026.

H. Jason Auvil, Elkhart County
Planning Manager & Zoning Administrator

PLAN COMMISSION & BOARD OF ZONING APPEALS

Special Use - Non Mobile Home

Elkhart County Planning & Development
Public Services Building

4230 Elkhart Road, Goshen, Indiana, 46526

Phone - (574) 971-4678

Fax - (574) 971-4578

Date: 08/14/2023 Meeting Date: September 21, 2023 Transaction #: SUP-0552-2023
Board of Zoning Appeals Public Hearing

Description: for a Special Use for a workshop/home business for a produce/flower stand. for a 42 ft. Developmental Variance (ordinance requires 75 ft.) to allow for existing pavillion 33 ft. from the center line of the right-of-way of CR 20, for a 47 ft. Developmental Variance (ordinance requires 120 ft.) to allow for existing pavillion 73 ft from the center line of the right-of-way of State Road 15 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
Carol & Anthony Hensley Wife Carol & Anthony Hensley Wife
And Husband And Husband
58480 Sr 15 58480 Sr 15
Goshen, IN 46528-6728 Goshen, IN 46528-6728

Site Address: 58480 State Road 15
GOSHEN, IN 46528

Parcel Number: 20-07-22-255-002.000-019

Township: Jefferson
Location: NE CORNER OF STATE ROAD 15 & CR 20.

Subdivision: Lot #

Lot Area: 0.50 Frontage: 120.00 Depth: 90.00

Zoning: A-1 NPO List: 09/06/2023

Present Use of Property: RESIDENCE

Legal Description:

Comments: PARCEL CREATION DATE 3/1/1962
REF CODE-0449-2023 (OPEN)
ME-R-1697-2021 NEVER FINALIZED. AW
RESIDENTIAL DWELLING AREA 1,005 SQFT X 110 % MINUS GARAGE 351 SQFT, PAVILLION 216 SQFT, SHED 384 SQFT, HOOP SHED 240 SQFT = 1,191 SQFT. AW

Applicant Signature:

Department Signature:

RESULT LETTER

Case # SUP-0552-2023

Date: September 21, 2023

Petitioner(s):

Carol Hensley & Anthony Hensley, Wife & Husband

The following shall be referred to as “the Real Estate”:

Street: 58480 SR 15, Goshen, IN 46528

Current Tax Code #: 20-07-22-255-002.000-019

You are hereby notified that the petition for a Special Use for a home workshop/business for a produce and flower stand on the Real Estate, presented and considered at the meeting of the Elkhart County Advisory Board of Zoning Appeals on September 21, 2023, was acted upon as follows: **APPROVED** based on the following Findings and Conclusions of the Board:

1. The Special Use will be consistent with the spirit, purpose, and intent of the Zoning Ordinance.
2. The Special Use will not cause substantial and permanent injury to the appropriate use of neighboring property.
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 building permit is required for the placement of the pavilion.

The following commitments were imposed:

1. Approved in accordance with the revised site plan to be submitted for staff approval showing the pavilion out of the right-of-way, the petitioner’s testimony, and as represented in the Special Use application.

Carol Hensley & Anthony
Hensley, Wife & Husband
September 21, 2023
Page 2

2. The pavilion cannot be placed within the right-of-way.
3. There is no on-street parking allowed.

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. Variances from the developmental standards of the Zoning 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 revised site plan to be submitted for Staff approval and as represented in the Developmental Variance application.

Further, the motion also included that a Developmental Variance (Ordinance requires 75 ft.) to allow for an existing pavilion 33 ft. from the centerline of the right-of-way of CR 20 and for a 47 ft. Developmental Variance (Ordinance requires 120 ft.) to allow for an existing pavilion 73 ft. from the centerline of the right-of-way of SR 15 be denied.

Deviation from said conditions and commitments may result in the Elkhart County Advisory Board of Zoning Appeals rescinding the approval or permit.

Ron Norman, Secretary
Elkhart County Board of Zoning Appeals

Placed in File _____
By _____



TO: Miguel A. Ponce Martinez
29850 CR 18
Elkhart, IN 46517
Via US Mail, Postage Prepaid

NOTICE TO APPEAR AND SHOW CAUSE

RE: Failure to comply with Conditions or Commitments re: Special Use Permit 0576-2023.
For property commonly known as 29850 County Road 18, Elkhart, IN 46517.

Dear Mr. Martinez:

You are hereby notified to be and appear before the Elkhart County Advisory Board of Zoning Appeals at its regularly scheduled meeting on October 15, at 11:00 a.m., or as soon thereafter as this matter can be heard, in Meeting Rooms A & B, Public Services Building, 4230 Elkhart Road, Goshen, Indiana, 46526, to show cause, if any, why Special Use Permit 0576-2023, granted to you by said Board on October 19, 2023, should not be revoked for your failure to comply with the conditions or commitments imposed by said Board as part of its approval, specifically:

- 1. Failure to provide Staff with updated site plan for approval.**
- 2. Failure to apply for a petition to renew within the one (1) year period for approval in front of the Elkhart County Advisory Board of Zoning Appeals.**
- 3. Failure to sign, record and provide staff with the commitment form.**

You are entitled to appear at this hearing, to present evidence, and to present arguments. If you fail to appear the Elkhart County Advisory Board of Zoning Appeals may act in your absence.

All inquiries should be directed to Ricky Masters, Code Enforcement Officer for the Elkhart County Advisory Board of Zoning Appeals, 4230 Elkhart Road, Goshen, Indiana 46526, (574) 971-4678.

WITNESS, my hand at my office in Elkhart County, Indiana this 30th day of September 2026.

H. Jason Auvil, Elkhart County
Planning Manager & Zoning Administrator

PLAN COMMISSION & BOARD OF ZONING APPEALS

Special Use - Non Mobile Home

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

4230 Elkhart Road, Goshen, Indiana, 46526

Phone - (574) 971-4678

Fax - (574) 971-4578

Date: 08/25/2023 Meeting Date: October 19, 2023
Board of Zoning Appeals Public Hearing Transaction #: SUP-0576-2023

Description: for a Special Use for a home workshop/business for bouncy houses.

Contacts: <u>Applicant</u>	<u>Land Owner</u>
Miguel A. Ponce Martinez	Miguel A. Ponce Martinez
29850 Cr 18	29850 Cr 18
Elkhart, IN 46517	Elkhart, IN 46517

Site Address: 29850 County Road 18
ELKHART, IN 46517

Parcel Number: 20-05-23-101-014.000-001

Township: Baugo
Location: SOUTH SIDE OF CR 18, 790 FT EAST OF CR 1

Subdivision: Lot #

Lot Area: 0.53 Frontage: 125.00 Depth: 210.00

Zoning: A-1 NPO List: 10/04/2023

Present Use of Property: RESIDENTIAL

Legal Description:

Comments: REF CODE-0455-2023

Applicant Signature:

Department Signature:

RESULT LETTER

Case # SUP-0576-2023

Date: October 19, 2023

Petitioner(s):

Miguel A. Ponce Martinez



The following shall be referred to as “the Real Estate”:

Street: 29850 CR 18, Elkhart, IN 46517

Current Tax Code #: 20-05-32-101-014.000-001

You are hereby notified that the petition for a Special Use for a home workshop/business for bouncy houses on the Real Estate, presented and considered at the meeting of the Elkhart County Advisory Board of Zoning Appeals on October 19, 2023, was acted upon as follows: **APPROVED** in accordance with the Staff Analysis with the following Findings and Conclusions of the Board:

1. The Special Use will be consistent with the spirit, purpose, and intent of the Zoning Ordinance. A home workshop/business is allowed by Special Use in the A-1 zone.
2. The Special Use will not cause substantial and permanent injury to the appropriate use of neighboring property. No new structures are proposed, and as represented, there will be little other evidence of a home-based business.
3. The Special Use will substantially serve the public convenience and welfare by providing for a new local option for party rental.

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 showing (1) no sign and (2) the bouncy house inside storage location.

Miguel A. Ponce Martinez
October 19, 2023
Page 2

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. Approved for a period of one (1) year; any renewal shall be before the Elkhart County Advisory Board of Zoning Appeals.
3. All outside storage and cleaning of bounce houses are restricted to the backyard.

Deviation from said conditions and commitments may result in the Elkhart County Advisory Board of Zoning Appeals rescinding the approval or permit.

Ron Norman, Secretary
Elkhart County Board of Zoning Appeals

Placed in File _____
By _____



TO: Jay Risser & Amber Risser
59808 Kay Blvd.
Elkhart, IN 46517
Via US Mail, Postage Prepaid

NOTICE TO APPEAR AND SHOW CAUSE

RE: Failure to comply with Conditions or Commitments re: Special Use Permit 0480-2023.
For property commonly known as 59808 Kay Blvd., Elkhart, IN 46517.

Dear Mr. Risser & Mrs. Risser:

You are hereby notified to be and appear before the Elkhart County Advisory Board of Zoning Appeals at its regularly scheduled meeting on October 15, at 11:00 a.m., or as soon thereafter as this matter can be heard, in Meeting Rooms A & B, Public Services Building, 4230 Elkhart Road, Goshen, Indiana, 46526, to show cause, if any, why Special Use Permit 0480-2023, granted to you by said Board on August 17, 2023, should not be revoked for your failure to comply with the conditions or commitments imposed by said Board as part of its approval, specifically:

1. Failure to sign, record and provide staff with the commitment form.

You are entitled to appear at this hearing, to present evidence, and to present arguments. If you fail to appear the Elkhart County Advisory Board of Zoning Appeals may act in your absence.

All inquiries should be directed to Ricky Masters, Code Enforcement Officer for the Elkhart County Advisory Board of Zoning Appeals, 4230 Elkhart Road, Goshen, Indiana 46526, (574) 971-4678.

WITNESS, my hand at my office in Elkhart County, Indiana this 30th day of September 2026.

H. Jason Auvil, Elkhart County
Planning Manager & Zoning Administrator

PLAN COMMISSION & BOARD OF ZONING APPEALS

Special Use - Non Mobile Home

Elkhart County Planning & Development
Public Services Building

4230 Elkhart Road, Goshen, Indiana, 46526

Phone - (574) 971-4678

Fax - (574) 971-4578

Date: 07/14/2023 Meeting Date: August 17, 2023 Transaction #: SUP-0480-2023
Board of Zoning Appeals Public Hearing

Description: for a Special Use for a home workshop/business for dog grooming business and for a Developmental Variance to allow for the total square footage of accessory storage space to exceed that allowed by right

Contacts: <u>Applicant</u>	<u>Land Owner</u>
Jay Risser & Amber Risser, A	Jay Risser & Amber Risser, A
Married Couple	Married Couple
59808 Kay Blvd.	59808 Kay Blvd.
Elkhart, IN 46517	Elkhart, IN 46517

Site Address: 59808 Kay Blvd ELKHART, IN 46517	Parcel Number: 20-06-27-454-001.000-009
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Township: Concord
Location: SOUTHEAST CORNER OF KAY BLVD. & PLEASANT VIEW DR., 1,020 FT. NORTH OF CR 26

Subdivision: MILLERS ROLLING ACRES 2ND	Lot # 53
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Lot Area: 0.46	Frontage: 240.16	Depth: 169.97
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Zoning: A-1	NPO List: 08/04/2023
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Present Use of Property: RESIDENTIAL

Legal Description:

Comments: RESIDENCE IS 1,228 SQ. FT. WITH 110% IS 1,350 SQ. FT. MINUS AN ATTACHED GARAGE OF 400 SQ. FT. AND A DETACHED POLE BARN OF 1,200 SQ. FT. IS OVER BY 249 SQ. FT. WITH THE PROPOSED NEW ADDITION OF 576 SQ. FT. IS OVER BY A TOTAL OF 825 SQ. FT. OF ACCESSORY STORAGE SPACE

Applicant Signature:

Department Signature:

RESULT LETTER

Case # SUP-0480-2023

Date: August 17, 2023

Petitioner(s):

Jay Risser & Amber Risser

||

The following shall be referred to as “the Real Estate”:

Street: 59808 Kay Blvd., Elkhart, IN 46517

Current Tax Code #: 20-06-27-454-001.000-009

You are hereby notified that the petition for a Special Use for a home workshop/business for a dog grooming business on the Real Estate, presented and considered at the meeting of the Elkhart County Advisory Board of Zoning Appeals on August 17, 2023, was acted upon as follows: **APPROVED** in accordance with the Staff Analysis with the following Findings and Conclusions of the Board:

1. The Special Use will be consistent with the spirit, purpose, and intent of the Zoning Ordinance. Special Uses for a home workshop/business are 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 0.46-acre lot in a dense residential area, and the lot will remain residential in character.
3. The Special Use will substantially serve the public convenience and welfare by providing for local dog grooming.

The following condition was 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.**

Jay Risser & Amber Risser
August 17, 2023
Page 2

The following commitment was imposed:

1. The request is approved in accordance with the site plan submitted (dated 7/14/2023) and as represented in the Special Use application.

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

1. Approval of the request will cause substantial and permanent injury to the appropriate use of neighboring property.

Deviation from said condition and commitment may result in the Elkhart County Advisory Board of Zoning Appeals rescinding the approval or permit.

Ron Norman, Secretary
Elkhart County Board of Zoning Appeals

Placed in File _____
By _____



TO: Bonnie J. Whitaker
10504 CR 34
Goshen, IN 46526
Via US Mail, Postage Prepaid

NOTICE TO APPEAR AND SHOW CAUSE

RE: Failure to comply with Conditions or Commitments re: Special Use Permit 0572-2024.
For property commonly known as 59808 Kay Blvd., Elkhart, IN 46517.

Dear Mrs. Whitaker:

You are hereby notified to be and appear before the Elkhart County Advisory Board of Zoning Appeals at its regularly scheduled meeting on October 15, at 11:00 a.m., or as soon thereafter as this matter can be heard, in Meeting Rooms A & B, Public Services Building, 4230 Elkhart Road, Goshen, Indiana, 46526, to show cause, if any, why Special Use Permit 0572-2024, granted to you by said Board on September 19, 2024, should not be revoked for your failure to comply with the conditions or commitments imposed by said Board as part of its approval, specifically:

- 1. Failure to provide an updated site plan to staff.**
- 2. Failure to provide a waste disposal plan to staff.**
- 3. Failure to sign, record and provide staff with the commitment form.**

You are entitled to appear at this hearing, to present evidence, and to present arguments. If you fail to appear the Elkhart County Advisory Board of Zoning Appeals may act in your absence.

All inquiries should be directed to Ricky Masters, Code Enforcement Officer for the Elkhart County Advisory Board of Zoning Appeals, 4230 Elkhart Road, Goshen, Indiana 46526, (574) 971-4678.

WITNESS, my hand at my office in Elkhart County, Indiana this 30th day of September 2026.



H. Jason Auvil, Elkhart County
Planning Manager & Zoning Administrator

PLAN COMMISSION & BOARD OF ZONING APPEALS

Special Use - Non Mobile Home

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

4230 Elkhart Road, Goshen, Indiana, 46526

Phone - (574) 971-4678

Fax - (574) 971-4578

Date: 08/12/2024 Meeting Date: September 19, 2024 Transaction #: SUP-0572-2024
Board of Zoning Appeals Public Hearing

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

Contacts: <u>Applicant</u>	<u>Land Owner</u>
Bonnie J. Whitaker	Bonnie J. Whitaker
10504 Cr 34	10504 Cr 34
Goshen, IN 46526	Goshen, IN 46526

Site Address: 10504 Cr 34 Goshen, IN 46528	Parcel Number: 20-12-12-300-011.000-007 20-12-13-100-008.000-007
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Township: Clinton
Location: SOUTH SIDE OF CR 34, 1,265 FT. EAST OF CR 43

Subdivision: WHITAKER FISH LAKE ADDITION	Lot # 1
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Lot Area: 1.38	Frontage: 62.91	Depth: 203.51
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Zoning: A-1	NPO List:
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Present Use of Property: RESIDENTIAL

Legal Description:

Comments: MI-0465-2019
ME-R-0672-2019
DV-0527-2019
PARCEL CREATION DATE 2-27-2019 AND SECONDARY NEEDS TO BE FILED TO MAKE IT BUILDABLE JB

Applicant Signature:

Department Signature:

RESULT LETTER

Case # SUP-0572-2024

Date: September 19, 2024

Petitioner(s):

Bonnie J. Whitaker

The following shall be referred to as “the Real Estate”:

Street: 10504 CR 34, Goshen, IN 46526

Current Tax Code #s: 20-12-12-300-011.000-007 & 20-12-13-100-008.000-007

You are hereby notified that the petition for a Special Use for an agricultural use for the keeping of Animals on a tract of land containing less than 3 acres on the Real Estate, presented and considered at the meeting of the Elkhart County Advisory Board of Zoning Appeals on September 19, 2024, was acted upon as follows: **APPROVED** in accordance with the Staff Analysis with the following Findings and Conclusions of the Board:

1. The Special Use will be consistent with the spirit, purpose, and intent of the Development Ordinance. Special Use for an agricultural use for the keeping of animals on a tract of land containing less than 3 acres 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 1.50-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.

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 showing distances from all structures to property lines.

Bonnie J. Whitaker
September 19, 2024
Page 2

3. Owner must provide a plan describing how the waste will be disposed of.

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 request is limited to a maximum of two (2) adult horses at any one time.

Deviation from said conditions and commitments may result in the Elkhart County Advisory Board of Zoning Appeals rescinding the approval or permit.

Ron Norman, Secretary
Elkhart County Board of Zoning Appeals

Placed in File _____
By _____