AGENDA

ELKHART COUNTY BOARD OF ZONING APPEALS

APRIL 18, 2013 8:30 A.M.

DEPARTMENT OF PUBLIC SERVICES MEETING ROOMS A & B 4230 ELKHART ROAD, GOSHEN, INDIANA

Call to Order

Roll Call

Approval of Minutes of the last regular meeting of the Elkhart County Board of Zoning Appeals held on the 21st day of March 2013.

Approval of Legal Ads published in the Elkhart Truth and the Goshen News ten days prior to the public hearings.

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

Postponement of Business Items – Any person having business to come before the Board may request postponement or withdrawal of such at this time.

DEVELOPMENTAL VARIANCES			8:30 A.M.	(WOLGAMOOD)
A.	Petitioner:	Larry J. & Mary A. Lehman		1

Petition: for a 35 ft. Developmental Variance to allow for the construction of a storage building 40 ft. from centerline of the right-of-way of CR 13 (Ordinance requires 75 ft.) and for a Developmental Variance to allow for the total square footage of accessory structures to exceed the total square footage in the primary structure.

Location: East side of CR 13, 780 ft. North of South County Line Road, common address of 72898 CR 13 in Union Township, zoned A-1. 72898CR 13-130320-1

B. Petitioner: John Lapierre (lessor) and Sam Rulli (lessee) (Page 7)

Petition: for a 130 ft. Developmental Variance to allow for the placement of an LED

digital sign 170 ft. from a residence (Ordinance requires 300 ft. from a

(**Page 6**)

residence).

Location: West side of CR 17, 190 ft. North of Suburban Drive, South of SR 120,

being Lots 1 & 2 of 6 Span PUD Phase II, common address of 54595 CR 17, Ste. #1 in Concord Township, zoned B-3 PUD. 54595CR 17, STE. #1-130315-1

SPECIAL USES

C. Petitioner: William Christopher & Christina A. Rogers (Page 8)

Petition: for a Special Use for a home workshop/business for a precision machine

shop (Specifications F - #45).

Location: West side of Clinton Street, 180 ft. South of 3rd Street, being Lot 3 of New

Paris (Original Town), common address of 68455 Clinton St. in Jackson Township, zoned R-3. 68455ClintonSt-130325-1

9:00 A.M. (HOMAN)

D. Petitioner: First Baptist Church of Elkhart (owner) (Page 9)

and John S. Morse, Jr. (co-owner)

Petition: for an amendment to an existing Special Use for a church (Specifications F -

#48), and for a Special Use to allow for an athletic stadium (Specifications F

- #4)

Location: Northwest corner of CR 17 and CR 10 (Bristol Street), common address of

53953 CR 17 in Osolo Township, zoned A-1/ R-1. 53953CR 17-130325-1

E. Petitioner: Nathan L. Nisley (land contract holder) (Page 10)

and Myron S. Yoder (land contract purchaser)

Petition: for a Special Use for a home workshop/business for retail sales of optics and

bird watching merchandise (Specifications F - #45).

Location: South side of CR 12, 1,505 ft. West of CR 35, common address of 14544 CR

12 in Middlebury Township, zoned A-1. 14544CR 12-130321-1

<u>9:30 A.M.</u> (CAMPANELLO)

F. Petitioner: Freeman Miller (buyer) and Martha E. Miller (seller) (Page 11)

Petition: for a Special Use for an agricultural use for the keeping of horses on a tract

of land containing three acres or less (Specifications F - #1).

Location: North side of CR 40, 1,580 ft. West of CR 43, being Lot 2 of Replat of

Meadowland Minor, common address of 11299 CR 40 in Clinton Township, zoned A-1.

G. Petitioner: Harvest Ministries A Church Association (Page 12)

Petition: for a Special Use for an existing church and to allow additional parking

(Specifications F - #48).

Location: East side of CR 1, 700 ft. North of CR 12, common address of 54820 CR 1

in Cleveland Township, zoned A-1. 54820CR 1-130322-1

H. Petitioner: Robert G. Spaugh Sr. and Dorothy J. Spaugh (Page 13)

(land contract holders) and Robert C. Rody

(land contract purchaser)

Petition: for a Special Use for a home workshop/business for a lawn care and plowing

business (Specifications F - #45).

Location: West side of Lakeland Road, 292 ft. South of Lake Drive, being Lot 11 of

Lakeland Gardens, common address of 51531 Lakeland Rd. in Osolo Township, zoned R-2. 51531LakelandRd-130325-2

SPECIAL USE/DEV. VARIANCE 10:00 A.M. (MILLER)

I. Petitioner: Borkholder Trust, Larry J. Borkholder (Page 14)

and Alta Mae Borkholder, as Co-Trustees

Petition: for a Special Use for a home workshop/business for a woodworking business

(Specifications F - #45) and for a Developmental Variance to allow for the total square footage of accessory structures to exceed the total square footage

in the primary structure.

Location: North side of CR 34, 840 ft. East of CR 33, and East side of CR 33, 1,350 ft.

North of CR 34, common address of 14835 CR 34 in Clinton Township, zoned A-1.

USE VARIANCE

J. Petitioner: Willard A. Stutzman (lessor) and Travis Barrier (lessee) (Page 15)

Petition: for a Use Variance for a portable sign.

Location: Northeast side of US 33, 350 ft. North of Lewis Avenue, common address of

23737 US 33 in Concord Township, zoned B-3. 23737US 33-130319-1

<u>10:30 A.M.</u> (HESSER)

K. Petitioner: TOBT2, LLC (Page 16)

Petition: for a Use Variance to allow for the construction of an accessory structure

without a residence in an R-1 zone.

Location: South side of West Lawrence Street, 225 ft. East of Wayne Street, common

address of 301 W. Lawrence Street in Middlebury Township.

0WEST LAWRENCE STREET-130312-1

USE VARIANCE/DEV. VARIANCE

L. Petitioner: Todd Amos (Page 17)

Petition: for a Use Variance to allow for converting an existing building into a second

dwelling on a parcel and a 100 ft. lot width Developmental Variance to allow

for the existing structures (Ordinance requires 100 ft.).

Location: 1,310 ft. South off of State Line Road, 2,065 ft. West of CR 17, common

address of 21692 State Line Road, Lot A in Washington Township, zoned

A-1. 21692State Line Rd-Lot A-130325-1

TABLED ITEMS

M. Petitioner: R & B Sherck Land Inc (Page 18)

Petition: for a 3 to 1 depth to width ratio Developmental Variance for proposed Lot

'A', and for a 3 to 1 depth to width ratio Developmental Variance for

proposed Lot 'B'.

Location: East side of CR 31, 1,758 ft. South of CR 10, in Washington Township,

zoned A-1. 0CR 31-130201-1

N. Petitioner: James Mullins, Jr. & Stephanie L. Mullins (Page 19)

Petition: for a Special Use for a home workshop/business for a welding business to

include wholesale/retail sales (Specifications F - #45).

Location: East side of CR 23 (Division Street), 230 ft. South of 3rd Street, being Lots 3

& 4 of Cowan's Addition, common address of 68260 CR 23 in Jackson Township, zoned R-2. 68260County Road 23-130222-1

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

• Kenneth Bontrager(60099ECountyLineRd-130220-1) – major/minor change to amend approved site plan

ADJOURNMENT