

Minutes - Goshen Board of Zoning Appeals
Tuesday, December 27, 2016 4:00 p.m.
Council Chambers, 111 E. Jefferson Street
Goshen, Indiana

I. The meeting was called to order with the following members present: Tom Holtzinger, Richard Aguirre and Felipe Merino. Also present was City Planner Rhonda Yoder and Assistant City Attorney Don Shuler. Absent: Aracelia Manriquez, Kelly Huffman,

II. Board of Zoning Appeals Appointment

- Richard Aguirre – *Appointed by the Mayor to complete the term of Ardean Friesen 12/1/16 to 12/31/19*

Mr. Holtzinger welcomed Mr. Aguirre to the Board of Zoning Appeals.

III. Approval of Minutes from 11/22/16: Merino/Aguirre 3-0

IV. Filing of Zoning/Subdivision Ordinances and Official Staff Reports into Record: Holtzinger/Merino 3-0

V. Postponements/Withdrawals: None

VI. Variances – public hearing items

16-36DV – Wayne Schrock and Carl Schrock and Marbach, Brady & Weaver, Inc., request a developmental variance to permit 237.7' of frontage where 320' of frontage is required for the construction of four self-storage buildings. The subject property is generally located at 2733 Peddlers Village Road and is zoned Commercial B-3 District.

Staff Report:

Mr. Hunsberger explained the petitioner owns eight self-storage units west of the proposed site; six are non-contiguous and two are contiguous to the subject site. Four new storage buildings are proposed with 237.7 feet of frontage where 320 feet of frontage is required by the zoning ordinance. This would be an extension of the petitioner's existing self-storage facility to the west. He pointed out a mobile home park is located to the south and two residential dwelling units are located to the west of the proposed site. The remaining areas are commercial and service oriented businesses.

All other developmental requirements will be met and Staff recommends approval of the requested variance.

Petitioner Presentation:

Debra Hughes, Marbach, Brady & Weaver, 3220 Southview Drive, Elkhart, spoke on behalf of the petitioner. She stated the petitioner owns Goshen Self Storage, located west of the subject property which contains an office and multiple self-storage buildings. Immediately west of the subject site are two existing self-storage buildings. The subject property itself contains a house and the petitioner would like to expand the storage site by demolishing the existing house and building four new storage buildings. All setbacks and drainage requirements can be met for the four new buildings. She stated they have been through Technical Review with the City, noting the only comments from that meeting regarded drainage calculations.

Audience Comments:

There was no one to speak to the petition.

The public hearing was closed.

Staff Discussion:

There was no discussion amongst Board members.

Action:

A motion was made and seconded, Merino/Holtzinger, to find with the recommendations and conclusions of the Staff Analysis, and approve 16-36DV with the three conditions listed in the Staff Analysis. The motion passed unanimously by a vote of 3-0.

16-37DV – Jim & Karen Wellington request developmental variances to allow a single-family dwelling unit without occupied space on the ground floor (to be located on the second floor of an agricultural building) and to allow development without connection to City water (not available). The subject property is generally located at 310 W Waverly Avenue and is zoned Agricultural A-1 District.

Petitioner Presentation:

Jim Wellington, 116 W Washington spoke on behalf of the petitioner. He stated water is not available to the site so a well is required, but sewer is available and they are connected.

Staff Report:

Mr. Hunsberger explained this property is zoned Agricultural A-1 District and is located between the Elkhart River and the Millrace Canal and referred to as “the island”. The primary use has been pasture land for riding and grazing for the property owner’s horses, which is appropriate for this zoning district. The island has four single-family dwelling units and because of the low intensity of residential use, the City has no plans to extend the water main to this area. Today’s request is to permit a single-family dwelling unit on the second floor of an agricultural building, without occupied space on the ground floor, as required by the zoning ordinance. Development without connection to City water is also requested since water service is not available. All other developmental requirements will be met. He noted one inquiry was received by the Planning Office from Adam Scharf, seeking additional information. Staff recommends approval of the request.

Audience Comments

Andrea Enyeart, 511 W Waverly Avenue spoke in support of the request. She has no concerns regarding the residential use.

The public hearing was closed.

Staff Discussion

Mr. Merino noted an arena will be located below the dwelling unit and asked if riding lessons will be available. Mr. Wellington stated they will possibly be available in the future.

Action:

A motion was made and seconded, Merino/Holtzinger, to find with the recommendations and conclusions of the Staff Analysis, and approve 16-37DV with the three conditions listed in the Staff Analysis. The motion passed unanimously by a vote of 3-0.

VII. Audience Items:
None

VIII. Staff Board Items:
• Mr. Hunsberger noted that a residency form (*Exhibit S/B #1 – 12/27/16*) has been received by Staff for Richard Aguirre and asked that it be entered into the record.

IX. Adjournment: 4:17 pm Merino/Holtzinger

Respectfully Submitted:

Lori Lipscomb, Recording Secretary

Approved By:

Tom Holtzinger, Acting Chair

Kelly Huffman, Secretary