

GOSHEN CITY PLAN COMMISSION 2019

MEETING DATES

JANUARY 15  
FEBRUARY 19  
MARCH 19  
APRIL 16  
MAY 21  
JUNE 18  
JULY 16  
AUGUST 20  
SEPTEMBER 17  
OCTOBER 15  
NOVEMBER 19  
DECEMBER 17\*

FILING & SITE PLAN DEADLINE

DECEMBER 26 (2018)  
JANUARY 30  
FEBRUARY 27  
MARCH 27  
MAY 01  
MAY 29  
JUNE 26  
JULY 31  
AUGUST 28  
SEPTEMBER 25  
OCTOBER 30  
NOVEMBER 27

GOSHEN CITY BOARD OF ZONING APPEALS 2019

MEETING DATES

JANUARY 22  
FEBRUARY 26  
MARCH 26  
APRIL 23  
MAY 28  
JUNE 25  
JULY 23  
AUGUST 27  
SEPTEMBER 24  
OCTOBER 22  
NOVEMBER 26  
DECEMBER 17\*

FILING & SITE PLAN DEADLINE

JANUARY 02  
FEBRUARY 06  
MARCH 06  
APRIL 03  
MAY 08  
JUNE 05  
JULY 03  
AUGUST 07  
SEPTEMBER 04  
OCTOBER 02  
NOVEMBER 06  
NOVEMBER 27\*

The Plan Commission normally meets on the third Tuesday of each month at 4:00 p.m., and the Board of Zoning Appeals normally meets the fourth Tuesday of each month at 4:00 p.m. Both meetings are held in the Council Chambers, Goshen Police and Courts Building, 111 E. Jefferson Street, Goshen, Indiana. Questions about the filing procedures should be directed to the Planning and Zoning Department at 204 E. Jefferson Street, Suite 4, Goshen, IN 46528; [planning@goshencity.com](mailto:planning@goshencity.com); 574-534-3600.

***\*Due to the Christmas holiday, the December BZA meeting will follow the PC meeting.***

**GOSHEN CITY PLAN COMMISSION &  
BOARD OF ZONING APPEALS APPLICATIONS**

**FILING PROCEDURES**

1. The application shall be filed at the Goshen City Planning Office, 204 E. Jefferson Street, Suite 4, Goshen, IN 46528. Phone: 574-534-3600.
2. The applicant shall be the property owner, a purchaser, or a person specifically authorized to make application. If the applicant is not the legal owner, the legal owner must authorize the application in writing.
3. Applications shall be **filed no later than 4:30 pm on the day of the filing deadline**. Incomplete and late applications will not be accepted.
4. The application shall be accompanied by a filing fee of:

• Administrative Appeal	\$125.00
• Use Variance	\$200.00
• Developmental Variance	\$125.00
• Amendment	\$125.00
• Rezoning	\$200.00
• PUD Preliminary Site Plan Approval	\$200.00 + \$5.00/acre
• PUD Major Change	\$200.00
• PUD Minor Change	\$100.00
• PUD Final Site Plan Approval	\$100.00
• Plat/Public Way Vacation	\$175.00
• Minor Subdivision	\$200.00
• Major Subdivision -- Primary	\$250.00 + \$5.00/lot
• Major Subdivision – Secondary	\$150.00
5. The filing fee includes mailing and administrative costs, plus payment for publication of a legal notice which the Planning Office will submit to the newspaper. The legal notice will appear in the *Goshen News* ten (10) days prior to the meeting date.

**INFORMATION ON THE APPLICATION**

1. All information requested on the application must be accurately completed.
2. A complete and proper legal description (**copy of recorded deed**) of the property must be submitted. The recorded property deed may be obtained in the Elkhart County Recorder's Office at 117 N. Second Street, Goshen, IN 46526.
3. The application shall include **a detailed site plan** of the property. This site plan shall include all present and proposed buildings, parking areas, building setbacks from all lot lines and streets, location and name of adjacent streets and roads, a North point arrow, and scale. One full-size site plan and one 11x17 site plan should be submitted with the application.
4. The Planning Office will generate an adjacent property owner list, consisting of the names and addresses of all property owners with 300' of the boundary of the property under consideration. The list will be generated using Elkhart County's eGIS online system. The neighboring property owners will be notified of the public hearing by the Planning Office.

## **PRESENTATION TO THE BOARD OF ZONING APPEALS (BZA)**

1. Each petitioner shall present their application to the BZA during the public hearing. Presentations may be made by the petitioner, an attorney, or an appointed representative. At the public hearing on the application, the petitioner will be called forward to make their presentation.
2. Prior to the public hearing, the Planning Office will provide written staff reports making recommendations to the BZA. A copy of this report and an agenda will be sent to the petitioner, and any representative, prior to the hearing with notice of date and time.
3. The BZA will carefully consider the proposal and determine whether the proposal will adversely affect the public convenience, health, safety, and general welfare. In making a decision, the BZA must balance what is best for the individual with what is best for the entire community.
4. Before granting a **Use Variance** the BZA must determine that:
  - a) The approval will not be injurious to the public health, safety, morals, and general welfare of the community;
  - b) The use and value of the area adjacent to the property included in the variance will not be affected in a substantially adverse manner;
  - c) The need for the variance arises from some condition peculiar to the property involved;
  - d) Strict application of the terms of the Zoning Ordinance will constitute an unnecessary hardship if applied to the property for which the variance is sought; and
  - e) The approval does not interfere substantially with the Comprehensive Plan.
5. Before granting a **Developmental Variance** the BZA must determine that:
  - a) The approval will not be injurious to the public health, safety, morals, and general welfare of the community;
  - b) The use and value of the area adjacent to the property included in the variance will not be affected in a substantially adverse manner; and
  - c) Strict application of the terms of the Zoning Ordinance will result in practical difficulties in the use of the subject property.
6. Following the presentation, the BZA may ask additional questions if some items have remained unanswered, after which the BZA will give any supporters or remonstrators from the audience an opportunity to speak.
7. The public hearing will be closed by the BZA. Following the public hearing, there are four possible actions the BZA may take on the petition:
  - a) Approve;
  - b) Approve with conditions and/or commitments deemed necessary by the BZA;
  - c) Table;
  - d) Deny.

Please direct any questions concerning the presentation of the petition or the filing procedures to the Planning Office, by calling 574-534-3600 or emailing to [planning@goshencity.com](mailto:planning@goshencity.com)

The Goshen Zoning Ordinance is available on the City of Goshen website at <http://goshenindiana.org/planning-zoning>

## **POST-MEETING PROCEDURES**

Petitions approved by the PC and BZA may require written commitments, which will require recording by the petitioner at the petitioner's expense, with a recorded copy provided to the Planning office prior to any further action related to the petition.

# GOSHEN CITY PLAN COMMISSION

204 E. Jefferson Street, Suite 4

Goshen, IN 46528

(574) 534-3600

## PETITION

To: The Clerk of the Goshen City Council, and

The Goshen City Plan Commission/Staff  
Or

The Board of Zoning Appeals of the City of Goshen, Indiana

Date: \_\_\_\_\_

The undersigned owners of real estate, identified with this application, which is located in the City of Goshen, respectfully petition the Board (check one):

- To grant a VARIANCE as shown below
- For an APPEAL from the Administrator's decision as shown below
- To REZONE said property from \_\_\_\_\_ district to \_\_\_\_\_ district
- To approve a SUBDIVISION
- To approve a VACATION OF PUBLIC WAY
- To approve a MAJOR/MINOR CHANGE
- To approve PRELIMINARY/FINAL PUD SITE PLAN
- To approve SECONDARY PLAT

Identify specific petition here: \_\_\_\_\_

Name: \_\_\_\_\_ Phone No: \_\_\_\_\_

Address: \_\_\_\_\_ Email: \_\_\_\_\_

### Agent (if any)

Name: \_\_\_\_\_ Phone No: \_\_\_\_\_

Address: \_\_\_\_\_ Email: \_\_\_\_\_

Signature of Owner(s)  
or authorized representative: \_\_\_\_\_

## PROPERTY

Located N-S-E-W (corner/side) of \_\_\_\_\_ (miles/feet)

N-S-E-W of \_\_\_\_\_ ( \_\_\_\_\_ ) House No.

Legal Description: \_\_\_\_\_

\_\_\_\_\_ (if lengthy, please attach)

Dimensions: Frontage \_\_\_\_\_ Depth: \_\_\_\_\_ Area \_\_\_\_\_ (Sq ft/acres)

Present use of property: \_\_\_\_\_

Present zoning of property: \_\_\_\_\_

## STAFF USE ONLY

### ADJACENT PROPERTY OWNER LIST

Property Owner: \_\_\_\_\_

Property Address: \_\_\_\_\_

Complete Parcel #: \_\_\_\_\_

Date Received: \_\_\_\_\_ 20\_\_\_\_ Amount Received: \$ \_\_\_\_\_

By: \_\_\_\_\_ Receipt No: \_\_\_\_\_ Public Hearing Date: \_\_\_\_\_

Legal Description/Recorded Deed:  yes

Plot Plan:  yes  no Rezoning Signs to Petitioner to Post:  yes  no