

Minutes - Goshen Board of Zoning Appeals  
Tuesday, May 26, 2020, 4:00 p.m.  
Council Chambers, 111 E. Jefferson Street  
Goshen, Indiana

**I.** The meeting was called to order with the following members present via electronic communication: Aracelia Manriquez, Allan Kauffman, Richard Aguirre, and Scott McKee. Member Tom Holtzinger was physically present, along with Assistant City Planner Rossa Deegan and Assistant City Attorney James Kolbus.

Mr. Deegan read the following emergency meeting notice:

We begin this meeting during a declared public health emergency covering all of the State of Indiana. Board members Aracelia Manriquez, Allan Kauffman, Richard Aguirre, and Scott McKee are participating in this meeting by electronic communication pursuant to Governor Holcomb's Executive Orders 20-04, 20-09, and 20-25, as well as guidance from Indiana Public Access Counsellor Luke Britt. Board member Tom Holtzinger is physically present in City Council Chambers as we begin this meeting.

Mr. Deegan reminded Board members that all votes must be roll call votes and asked that questions and comments be directly related to the petition.

**II.** Approval of Minutes from 4/28/20: A motion was made and seconded, Kauffman/Aguirre, to approve the minutes as presented with the following outcome: Manriquez, yes; Kauffman, yes; Aguirre, yes; McKee, yes; Holtzinger, yes. The motion passed unanimously by a vote of 5-0.

**III.** Filing of Zoning/Subdivision Ordinances and Official Staff Reports into Record: A motion was made and seconded, Aguirre/Manriquez, to approve the minutes as presented with the following outcome: Manriquez, yes; Kauffman, yes; Aguirre, yes; McKee, yes; Holtzinger, yes. The motion passed unanimously by a vote of 5-0.

**IV.** Postponements/Withdrawals: None

**V. Use and Developmental Variances** – public hearing item

**20-04UV** – Goshen Community Schools and Commonwealth Engineers, Inc., request a use variance to permit three illuminated wall signs approximately 75 sf in area, with two extended above the roofline of the building, two non-illuminated wall signs, approximately 18 and 52 sf in area, and one monument-style freestanding sign approximately 50 sf in area and 6' in height, where schools are a conditional use permitting one non-illuminated wall sign not exceeding 36 sf in area and not extending above the roofline of the building and one monument-style freestanding sign not exceeding 36 sf in area and 5' in height, and to allow the variance to be valid for one year. The subject property is generally located at 925 S Greene Road and zoned Agricultural A-1 District.

*Staff Report:*

Mr. Deegan explained this is the site of the new intermediate school and gave background information on the land and development. He explained that in preparation for sign installation, which is scheduled for next year, the petitioner has submitted a sign package that contains 5 wall signs and 1 freestanding sign. He advised that schools are a conditional use, allowing 1 non-illuminated wall sign, not to exceed 36 sf in area and not above the roofline. One freestanding monument sign not exceeding 36 sf in area and 5' in height is also allowed. He referred to the site plan which shows the locations of the 5 wall signs on the building, noting there is 1 sign on the west side of the building, 3 on the east side of the building, and 1 on the south side. He noted the monument sign is located on the southeast corner of the property, at the

intersection of Greene Road and SR 119.

He explained that two of the wall signs are non-illuminated. One is 18 sf in area and one is 52 sf in area. In addition, there are three illuminated logo signs, 75 sf each. One is located in the center of the south façade of the building and two are located on each side of the architectural projection on the east side of the building. The remaining two logo signs are proposed above the roofline which is part of the variance. The proposed monument sign is approximately 50 sf in area and 6' in height. It contains an electronic message center (EMC) which is a permitted use and not part of this request.

Staff feels this request is reasonable given the approximate 35 acre property and a building which is over three acres in size. He noted the closest wall sign to any property is approximately 290', with the farthest sign approximately 700' away. He also noted the monument sign is only 1' taller than the ordinance allows.

Because the signs are scheduled to be installed next year, the petitioner has asked that this variance be approved for one year instead of the standard 6 months.

He noted for the record that the Planning Office has received three inquiries concerning this request. None of those inquiring voiced support or opposition to the request.

*Petitioner Presentation:*

Andy Bearman, Commonwealth Engineers, 9604 Coldwater Road, Fort Wayne, IN spoke on behalf of the petitioner. He noted he is joined today by the project architect, Brian Bohlender of Barton Coe Vilamaa. He stated the Staff Report has done a good job explaining this request and he has nothing to add stating he's available to answer any questions.

Mr. Aguirre asked if this project is on schedule.

Mr. Bohlender stated they are currently on schedule and he doesn't anticipate any delays.

*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, Aguirre/McKee, to find with the recommendations and conclusions of the Staff Analysis and approve 20-04UV with the three conditions listed in the Staff Report. A roll call vote was requested with the following outcome: Manriquez, yes; Kauffman, yes; Aguirre, yes; McKee, yes; Holtzinger, yes. The motion passed unanimously by a vote of 5-0.

**20-07DV** – LaCasa, Inc., and Interface Architecture request a developmental variance to allow four ornamental trees, where a minimum of seven ornamentals or four deciduous shade trees are required for open bufferyard landscaping adjacent to the west property line, and to allow scattered site planting due to the presence of utilities which prohibit planting along the west property line. The subject property is generally located at 1775 & 1789 Westplains Drive and is zoned Residential R-3 District.

*Staff Report:*

Mr. Deegan explained this is a multi-unit housing facility located on Westplains Drive. An existing 16 unit apartment building was built following approvals in 2013. Currently a second 8 unit building is currently in the pre-construction plan review stage. Today’s discussion is regarding the required landscaping along the west property line for the 8 unit building. He explained that the existing property to the west is multi-unit housing and that according to the zoning ordinance, R-3 zoning adjacent to multi-family housing use requires an open landscaping buffer which is an minimum visual barrier between uses and districts with similar intensities, lights and sounds. He explained the west property line is approximately 195’ which requires a minimum of 4 deciduous shade trees or 7 ornamental trees. Because a utility easement will be located in this area, the petitioner has proposed alternative landscaping consisting of 4 ornamentals on the west property line with another ornamental and 3 shad trees scattered throughout the site.

Staff recommends approval of the request with a condition that the two tax parcels be combined into one parcel.

*Petitioner Presentation:*

Brad Hunsberger, LaCasa, 202 N Cottage Avenue spoke on behalf of the petitioner. He stated he appreciates Mr. Deegan’s report and has nothing to add.

*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, Aguirre/Manriquez, to find with the recommendations and conclusions of the Staff Analysis and approve 20-07DV with the four conditions listed in the Staff Report. A roll call vote was requested with the following outcome: Manriquez, yes; Kauffman, yes; Aguirre, yes; McKee, yes; Holtzinger, yes. The motion passed unanimously by a vote of 5-0.

**VI.** Audience Items:  
None

**VII.** Staff Board Items:  
None

**VIII.** Adjournment: 4:23 pm

Respectfully Submitted:

/s/ Lori Lipscomb  
Lori Lipscomb, Recording Secretary

Approved By:

/s/ Tom Holtzinger  
Tom Holtzinger, Chair

/s/ Richard Aguirre  
Richard Aguirre, Secretary