

Minutes - Goshen Plan Commission
Tuesday, April 16, 2024 - 4:00 pm
Council Chambers, 111 E. Jefferson Street
Goshen, Indiana

I. The meeting was called to order with the following members present: Richard Worsham, Tom Holtzinger, Hesston Lauver, Doug Nisley, James Wellington, Aracelia Manriquez, Caleb Morris, and Rolando Ortiz. Also present were Assistant City Planner Rossa Deegan and Assistant City Attorney James Kolbus.

Mr. Worsham announced that a Plan Commission member is a petitioner today, noting they will recuse themselves and sit in the audience during that portion of the meeting.

II. Approval of Minutes from 2/20/24 – Holtzinger/Wellington 8-0

III. Filing of Zoning/Subdivision Ordinances and Official Staff Reports into Record – Nisley/Holtzinger 8-0

IV. Postponements/Withdrawals - None

Ms. Manriquez recused herself at 4:08 pm.

V. Primary Subdivision (public hearing)

24-02SUB – Arturo Marin, Aracelia Manriquez, Emmanuel Ortiz Rodriguez, Jessica Ortiz, Homestead Real Estate 111 LLC, and Abonmarche Consultants request primary subdivision approval for a three-lot major residential subdivision, Zollinger Subdivision, to create three lots for single unit residential development. The subject property is generally located at the northeast corner of Zollinger Road and Middlebury Street, containing ±2.98 acres, zoned Agricultural A-1.

Staff Report:

Mr. Deegan explained this property contains approximately 3 acres and is located along Zollinger Road and Middlebury Street, in the northeast corner of the City. Today's request is for primary subdivision approval for a three-lot major subdivision, noting this approval stays with the Plan Commission and is not a recommendation to Council. He explained today's approval will make legal a deed transfer that has already occurred. He referred Commission members to 2021 and 2024 aerial views of the property in their packets, which show the previous and current parcel layout. He noted that prior to October, 2022 the subject property was two tax parcels. The unapproved split of the largest of the two parcels then took place. A small sliver was deeded to the property at the corner of Zollinger and Middlebury St, and is not included in the subdivision today. The additional 2 parcels were created for residential development. Plan Commission approval must be in place before any development of the property can take place.

Staff recommends approval of the request, noting the following:

- Zoning of the parcels is Agricultural A-1 District and requirements of the subdivision and zoning ordinances will be met for residential development.
- A few technical corrections to the submitted plans will be required, including the following:
 - Include only front minimum building setback lines for the secondary subdivision.
 - Label Middlebury Street (CR 22) with City street name first and CR in parentheses.
 - Lot 3 shall have a 5' no access easement adjacent to Middlebury Street, as access for Lot 3 is permitted only from Zollinger Road, due to the grade and no water/sewer available from Middlebury Street.

Petitioner Presentation:

Andrea Milne, Abonmarche, 303 River Race Drive, spoke on behalf of the petitioner. She stated they are looking forward to bringing this into compliance so the owners can continue with their plans.

Audience Comments:

None.

Close Public Hearing

Staff Discussion:

Mr. Nisley asked if the A-1 zoning will remain.

Mr. Deegan explained that residential use is permitted in the A-1 District and that no change to the zoning is required.

Mr. Lauver pointed out the parcel immediately north at 904 Zollinger appears to encroach and asked what will happen to it.

Attorney Kolbus explained that the property lines shown on the aerial are approximate. Mr. Deegan and Ms. Milne confirmed Attorney Kolbus' explanation, noting the survey indicates there is no encroachment.

Action:

A motion was made and seconded, Wellington/Nisley, to grant primary approval for 24-02SUB, based upon the Staff Analysis and with the conditions listed in the Staff Report. The motion passed unanimously by a vote of 7-0.

VI. Audience Items
None

VII. Staff/Board Items
None

VIII. Adjournment – 4:15 pm Nisley/Holtzinger

Respectfully Submitted:

/s/ Lori Lipscomb
Lori Lipscomb, Recording Secretary

Approved By:

/s/ Richard Worsham
Richard Worsham, President

/s/ Tom Holtzinger
Tom Holtzinger, Secretary