

Agenda
GOSHEN BOARD OF ZONING APPEALS
Tuesday, November 26, 2024, 4:00 P.M.
Council Chambers, 111 E. Jefferson Street
Goshen, Indiana

- I. Roll Call
- II. Approval of Minutes from 10/22/24
- III. Filing of Zoning/Subdivision Ordinances and Official Staff Reports into Record
- IV. Postponements/Withdrawals – any person having business to come before the Board may request postponement or withdrawal at this time.
- V. Discussion of Agenda Order
- VI. **Use & Developmental Variances**— public hearing items
 - 24-33DV** – SLM Management, LLC requests a developmental variance to allow an illuminated roof mounted sign 149 Sf in area where roof mounted signs are prohibited. The subject property is generally located at 119 W Clinton Street and is zoned Commercial B-2 HD.
 - 24-12UV** – Goshen Community Schools and Goshen Interfaith Hospitality Network request a use variance to replace variances 22-01UV & 23-01UV to permanently allow group housing quarters for temporary emergency housing where group housing quarters is a conditional use in the Residential R-1S & R-3 Districts and a permitted use in the Commercial B-3 District, and to increase the maximum number of occupants from 29 to 48, including 43 residents and 5 staff. The subject property is generally located at 801 W Wilkinson Street and is zoned Residential R-2 District.
 - 24-13UV** – D & C Miller Holdings, LLC & Forensic Coffee Company, LLC request a use variance to allow two non-permanent food vendors to operate at separate times of day on the subject property where no more than one conditional use permit for a non-permanent food vendor is permitted for a particular zoning lot at any one time. The subject property is generally located at 1501 Elkhart Road and is zoned Commercial B-3 District.
 - 24-14UV & 24-34DV** – Colleen Caskey & David Weaver and Dale Klassen request a use variance to allow a second single family dwelling unit in a detached two-stall garage where only one primary structure is permitted, and developmental variances to allow a side (north) building setback of 1' where 8' is required and a side (north) parking/driving aisle setback of 3' where 5' is required for the construction of the garage and drive approach. The subject property is generally located at 1012 S 7th Street and is zoned Residential R-1 District.
 - 24-15UV** – First Brethren Church of Goshen, Inc., Downtown Ministries, and Signtech Sign Services request a use variance to allow use of an existing church for a social services organization where business offices are a conditional use in the Commercial B-1 District and a permitted use in the B-2, B-3, B-4, and Industrial M-1 & M-2 Districts, and to allow a third non-illuminated freestanding sign 4' in height and 10 Sf in area where churches are a conditional use allowing a maximum of one freestanding sign. The subject property is generally located at 215 W Clinton Street and is zoned Residential R-3 and Commercial B-2 District.
 - 24-35DV** – The City of Goshen Department of Redevelopment, Mildred Orama, and Prominence Builders request developmental variances to allow development of a lot with an area of approximately 4,005 Sf where a minimum of 6,000 Sf is required and a width of approximately 30' where a minimum width of 50' is required at the established front lot line, a side (south) building setback of 5' where a minimum of 6' is required, a side (north) parking/driving aisle setback of 2' where 5' is required, and a ground floor area of

approximately 440 Sf where a minimum of 720 Sf is required, for a new single family home. The subject property is generally located at 417 S 3rd Street and is zoned Residential R-3 District.

24-16UV – Goshen Community Schools & Warrick & Boyn request a use variance to amend variance 24-02UV & 24-11DV to allow a portion of required landscaping for an athletic facility to be installed on neighboring properties to the south via an easement and to allow occupancy of the facility prior to the installation of required landscaping. The subject property is generally located at 1730 Regent Street and is zoned Residential R-3 PUD District.

VII. Audience Items

VIII. Staff/Board Items

- *Draft 2025 BZA Calendar*

IX. Adjournment

Minutes - Goshen Board of Zoning Appeals
Tuesday, October 22, 2024, 4:00 p.m.
Council Chambers, 111 E. Jefferson Street
Goshen, Indiana

I. The meeting was called to order with the following members present: Hesston Lauver, Tom Holtzinger, Matthew Fisher, James Loewen, and Lee Rohn. Also present were Assistant City Planner Rossa Deegan and Assistant City Attorney James Kolbus. Absent: Youth Advisor Kimberly Cazabal Gonzalez

II. Approval of Minutes from 9/24/24: Lauver/Rohn 5-0

III. Filing of Zoning/Subdivision Ordinances and Official Staff Reports into Record: Fisher/Rohn 5-0

IV. Postponements/Withdrawals – none

V. Use & Developmental Variances – public hearing items

24-31DV – Last Dance, LLC and Abonmarche Consultants request developmental variances for the proposed Replat of Lot 1A of the Replat of East College Avenue Industrial Park, to divide Lot 1A into eight (8) individual lots, to allow:

- 0' parking/driving aisle setback internally between all eight lots (internal side and rear property lines, excluding front property lines and external side lot lines adjacent to Common Area No. 3A);
- A perimeter fence to cross internal lot lines between all eight lots (excluding front property lines and external side lot lines adjacent to Common Area No. 3A), subject to any easement restrictions; and
- Parking shared between Lots 9, 10, 11 and 12 in a shared parking easement.

The subject property is generally located on the north side of College Avenue, between Brinkley Way East and Brinkley Way West, containing ±113.62 acres and is zoned Industrial M-1 District.

Staff Report

Mr. Deegan provided background information on this lot, explaining it contains 113 acres and is one of four platted lots in the subdivision. The petitioners are currently in the process of developing this lot and would like to subdivide it into 8 separate subdivision lots. He explained the primary subdivision approval occurred at Plan Commission and several variances are required before it moves to secondary approval. He referred to the last page in the staff report, pointing out where the perimeter fence would cross lot lines. He went on to say fences are permitted to run adjacent to property lines, but not allowed to cross the lot lines. Variances are also required for much of the paving on the property which crosses lot lines and has zero foot side and rear setbacks. Shared parking is also proposed on lots 9-12 with parking running across the front of the lots.

Staff recommends approval of the requests, keeping in mind that nothing will change regarding the current development. He also pointed out if the 8 proposed lots were to remain under the same ownership, variances would not be required because it would be one zoning lot. He explained if there are multiple owners in the future, the lots will function as one development. He noted this is beneficial because the zero foot setbacks and shared parking areas reduce the amount of space needed for development of these 8 separate lots.

The Planning Office was not contacted by the public regarding this request.

Petitioner Presentation:

Crystal Welsh, Abonmarche, 303 River Race Drive, spoke on behalf of the petitioner. She stated when this was first developed, the property owners thought it made sense to have one large lot with multiple buildings on it. That hasn't changed and there's no thought about selling off any of the parcels, but as things begin to

develop, they might want that opportunity in the future. After reevaluating the subdivision it became clear that easements and functionality in the subdivision would require work. The design allows for fire safety, and easements are in place to prohibit fences between individual lots. There will be no interior fencing, but a perimeter fence will help keep the site secure.

Mr. Loewen asked if this is to allow more flexibility in the future for the sale of individual lots.

Ms. Welsh agreed, pointing out it also gives them the option to retain ownership and lease out a particular structure.

Mr. Lauver questioned if there will be multiple gates.

Ms. Welsh responded that each driveway between each lot will have a gate.

Audience Comments:

None

The public hearing was closed.

Staff Discussion:

None

Action:

A motion was made and seconded, Lauver/Loewen to adopt the Staff recommendations as the findings of the Board and based on these findings, approve 24-31UV with the 2 conditions listed in the Staff Report. The motion passed unanimously by a vote of 5-0.

24-32DV – Artie Keith & Cindy Swonger request a developmental variance to allow a 2’ side (south) setback where 5’ is required for a concrete driveway/parking expansion. The subject property is generally located at 402 Yorktown Drive and is zoned Residential R-1 PUD District.

Staff Report

Mr. Deegan explained the petitioners would like to install a concrete driveway expansion along the south side of the home in order to park a new recreational vehicle. RV’s are permitted on residential lots provided they are parked behind the front wall of the home. The paved expansion will have a south setback of 2’ where 5’ is required. Staff pointed out this is an example of a property that creates a need for a variance because there is no other room on the property for a driving aisle. He pointed out its preferable for the RV to be parked behind the front wall of the home, and this will allow that and provide 2’ of bufferyard between the paving and the property line. The Planning Office was not contacted by the public regarding this request.

Petitioner Presentation:

Cindy Swonger, 402 Yorktown Drive, spoke on behalf of the petitioner. She stated they would like to park their new RV along the south side of the property and have spoken with the neighboring property owners who have agreed it’s not an issue for them.

Mr. Lauver asked if the tree and fence will remain.

Ms. Swonger responded that they will.

Audience Comments:

None

The public hearing was closed.

Staff Discussion:

None

Action:

A motion was made and seconded, Rohn/Holtzinger, to adopt the Staff recommendations as the findings of the Board and based on these findings, approve 24-32DV with the 3 conditions listed in the Staff Report. The motion passed unanimously by a vote of 5-0.

24-11UV – Monarch Estates, LLC and Jacqueline Gonzalez request a use variance to allow salons, barber & beauty shops, art galleries & studios, and substantially similar uses where salons are a permitted use in the Commercial B-1, B-2, B-3, and B-4 Districts and where art galleries are a permitted use in the B-2, B-3, and B-4 Districts. The subject property is generally located at 1009 S 9th Street and is zoned Industrial M-1 District.

Staff Report

Mr. Deegan provided background information on this property, explaining it contains an approximately 1,700 sf, one story building and parking lot, surrounded by industrial, commercial, and residential uses. The petitioners would like to open a nail salon which is a commercial use and not permitted in the M-1 zoning district. The request also asks to allow other commercial uses, including barber and beauty shops, art galleries and studios, and substantially similar uses. Staff recommends approval, explaining there will be no changes to the footprint of the building. He also pointed out the M-1 property located immediately north is also a salon. He went on to say salons are not an intense use and if it were developed for industrial purposes, the property would be difficult to use because it would require a large berm, increased setbacks, etc. He pointed out this property is also located in a transitional area between industrial and residential uses. Staff recommends that the 14 parking spaces shown on the petitioners site plan be striped and that a privacy fence be installed to help block lights from vehicles onto adjacent properties. He also recommended that gravel located in the grassy area along the alley be removed and reseeded, and a tree planted in front.

Two inquiries were received by the Planning Office. Dennis & Linda Heiser, 1016 S 8th Street emailed the Planning Office with a basic inquiry, but did not provide any comments when Staff followed up with details. Bill McDonald owner of the property directly north at 1005 S 9th Street called for details and mentioned he had no opposition to the request.

Mr. Holtzinger asked if a tattoo parlor is permitted in this zoning district.

Mr. Deegan stated they are a conditional use in the M-1 District, and if it could meet the conditions, no variance would be required.

Mr. Deegan stated if the Board approves today's request and someone wanted to open a tattoo parlor, it would not be reviewed as a salon.

Mr. Loewen asked if there was a variance for the previous use as an architectural firm.

Mr. Deegan stated the previous use was classified as an office and there was nothing in the files to indicate the office use was permitted; however, the current zoning ordinance permits office use in the M-1 zoning district, so if this had been proposed as an office, no variance would be required.

Petitioner Presentation:

Jacqueline Gonzalez, 1009 S 9th Street, spoke on behalf of the petitioner. She stated she intends to open a nail salon on one side of the building and would like to have space available for another small business.

Mr. Rohn asked if she is agreeable to striping the parking lot, planting the tree, and installing the fence as recommended by Staff.

Ms. Gonzalez responded that she is.

Mr. Fisher asked if she has anyone else lined up for the additional space.

Ms. Gonzalez replied that she wanted to make sure her variance was approved prior to contacting other prospective tenants.

Audience Comments:

None

The public hearing was closed.

Staff Discussion:

None

Action:

A motion was made and seconded, Fisher/Lauver, to adopt the Staff recommendations as the findings of the Board and based on these findings, approve 24-32DV with the 6 conditions listed in the Staff Report. The motion passed unanimously by a vote of 5-0.

VI. Audience Items
None

VII. Staff/Board Items
None

VIII. Adjournment: 4:25 pm Lauver/Rohn

Respectfully Submitted:

Lori Lipscomb, Recording Secretary

Approved By:

Tom Holtzinger, Chair

Hesston Lauver, Secretary

LOCATION: 119 W Clinton Street
CASE NUMBER: 24-33DV

DATE: November 26, 2024
PREPARED BY: Rossa Deegan

GENERAL INFORMATION

APPLICANT: SLM Management, LLC (owner)

REQUEST: The applicant requests a developmental variance to allow an illuminated roof mounted sign 149 Sf in area mount where roof mounted signs are prohibited

LOT SIZE: ± 9,224 SF; ± 269' of frontage (199' on 3rd Street & 70' on Clinton Street); depth varies

APPLICABLE ZONING: Commercial B-2 Historic District (HD)

NOTICES SENT: 13

SPECIAL INFORMATION

PUBLIC UTILITIES: City water and sewer

AREA DEVELOPMENT: Commercial, Institutional, Residential

NEIGHBORHOOD: Downtown

THOROUGHFARES: 3rd Street, Clinton Street

TOPOGRAPHY: Level

VARIANCE OF DEVELOPMENTAL STANDARDS

- ◇ Goshen Zoning Ordinance, *Section 4280.12*, Prohibited Signs in the Historic Commercial District
The following signs are specifically prohibited in the Historic District:
D. Roof-mounted signs

ADJACENT PROPERTY OWNERS' SUPPORT, OPPOSITION, AND INQUIRIES

The Planning office has not been contacted by any adjacent property owners regarding this variance. However, the Planning office may still be contacted with questions and statements of support or opposition to the variance between the time of this report's delivery and the public hearing.

ANALYSIS

The subject property is located on the northeast corner of the intersection of 3rd Street and Clinton Street in Downtown Goshen. Zoning is Commercial B-2 HD (non-core of the Historic Commercial District overlay), and surrounding uses include offices, banks, the county courthouse to the south, central fire station to the west, and a residential home to the north. The property is comprised of three tax parcels and includes a one-story building with an approximate footprint of 7,830 SF; a parking lot is located on the north side of the building with access from 3rd Street.

Planning records indicate that the building was previously used as a community center for the Moose Club and Salvation Army. While owned by the Salvation Army, a variance was approved allowing reduced setbacks for a new entrance; the flat roof of the building was replaced at that time with a mansard roof. Current use of the property as a pawn shop dates back to 2005.

The petitioners are proposing sign changes to the property that includes placement of an approximately 149 SF illuminated sign on the lowest plane of the mansard roof; the proposed sign will be on the west side of the building facing 3rd Street. The Historic District prohibits roof-mounted signs, so approval of a developmental variance is needed.

Staff recommends an amended approval of the request. The architecture of the mansard roof is such that the steep angle of the lowest plane of the roof will allow sign placement similar to a wall sign. The proposed sign as depicted will not project above the top of this plane, so will not have the undesirable appearance of a typical roof-mounted sign. A condition should be included to make sure the sign is installed below the top of the lowest plane.

The proposed size of the sign is excessive. The Historic District permits wall signs up to 75 SF in area, approximately half the area of the proposed sign. Since this sign will have the appearance of a wall sign, staff recommends allowing the proposed roof sign not to exceed 75 SF. There is nothing about the property that necessitates a larger sign than what is permitted in the HD, and the use can continue to function under the Historic District regulations the same way other commercial businesses do in the same district.

Staff notes that outright denial of the request would not result in practical difficulties of the use of the property because there are several walls on the building on which a wall sign could be mounted meeting the HD sign requirements.

FINDINGS OF FACT

Staff recommends **an amended approval** of the request for a developmental variance to allow an illuminated roof mounted sign up to 75 Sf in area mount where roof mounted signs are prohibited, based on the following:

1. **The approval will not be injurious to the public health, safety, morals and general welfare of the community.** If approved as amended, the sign will be on private property and will not vision or pedestrian or vehicle traffic. *The standard is confirmed.*
2. **The use and value of the area adjacent to the subject property will not be affected in a substantially adverse manner.** If approved as amended, the sign will have a similar appearance to a wall sign, which is permitted in the Historic District. *The standard is confirmed.*
3. **Strict application to the terms of the Zoning Ordinance not will result in practical difficulties in the use of the subject property.** There is adequate space on the wall area below the roof to install a flush-mounted wall sign. *The standard is not confirmed.*

With approval, the following conditions shall apply:

1. The variance shall become null and void unless a zoning clearance has been issued and substantial progress has been made within six (6) months of the date of the BZA approval.
2. Deviation from the requirements and conditions of the variance may result in the cancellation and termination of the approval or permit.
3. An approved zoning clearance form is required.
4. No portion of the sign shall project above the top of the lowest plane of the mansard roof.
5. The sign shall not exceed 75 SF in area.



Looking southeast



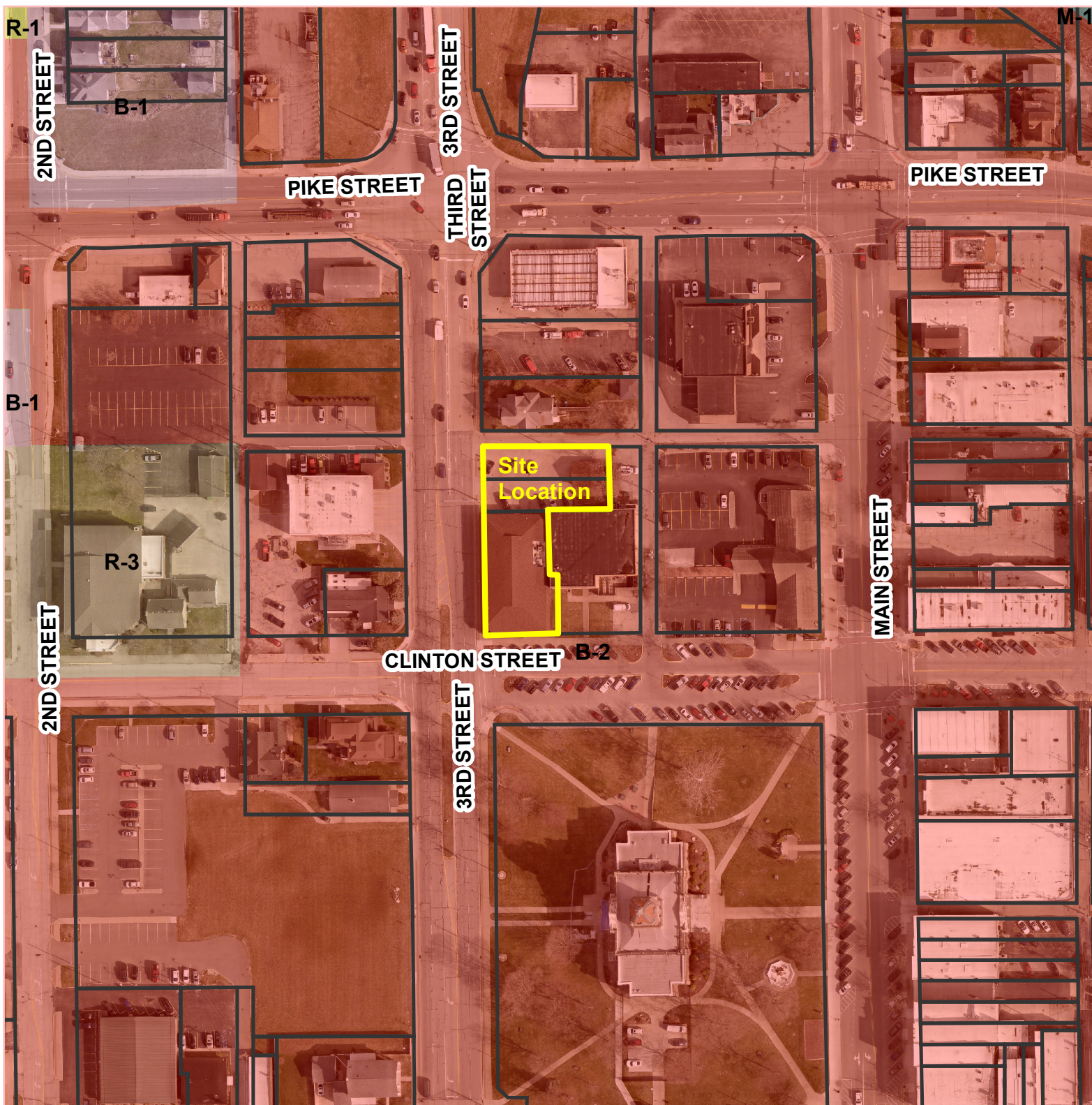
Looking southeast



Looking east



Looking northeast



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119 W Clinton Street

2023 Aerial
Printed November 1, 2024

Feet
0 35 70 140
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1 inch = 140 feet

The City of Goshen
Department of
Planning & Zoning
204 East Jefferson Street, Goshen, Indiana 46528
Phone: 574-534-3600 Fax: 574-533-8626

Zoning / Variance Board
Goshen In

October 30, 2024

Board Members of the City of Goshen

I am attaching this letter to our application for a sign variance to explain the need for additional signage for our Worldwide Pawn Store located at 119 W Clinton.

As you are aware this store has strange front and sides as it pertains to traffic flow in Goshen. The main road that sees the most traffic is 2nd Street. Our main entrance is the parking lot with no visibility to traffic flow. Clinton is not extensively traveled and the backside of our store has no visual to traffic flow. Due to these odd configurations we see less and less customers. It is a comment we hear quite often "we did not know you were even here", We only herald by word of mouth" Why don't you have more signs for the public to see where you are"

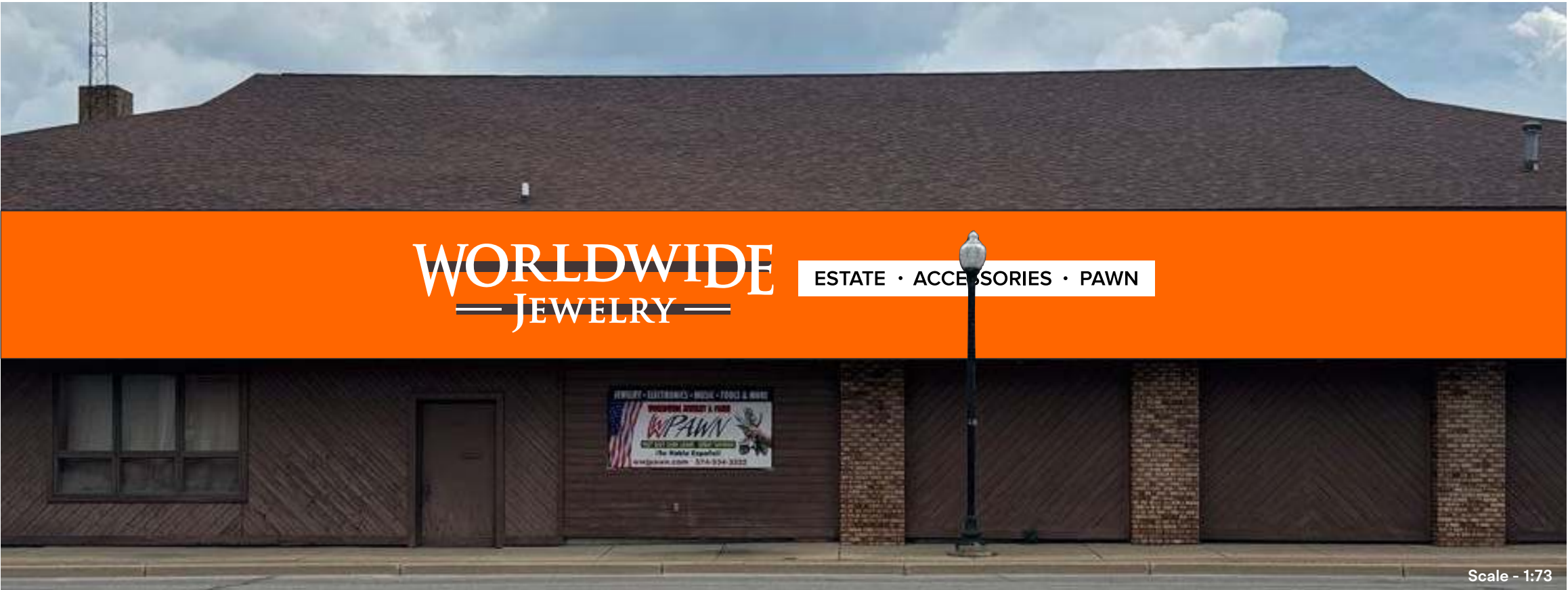
Based on these comments and the traffic flow the only real true way for us to get more customers is by more signage that is visible to the general public, and right now that comes off 2nd Street. The design of the building is such that it does not allow for signage other than by going onto the roof section on 2nd Street. As this was considered a historical building (at least it was when we bought it 18 years ago) we were not able to in any way change the building or roof design. We promised the City when we bought it we would keep it in its original condition.

We originally had proposed a much larger sign, but at the advice of others in your area we have significantly reduced its size, it still functionally achieves our goals while at the same time not being as large as originally designed and being too large for the building or the area.

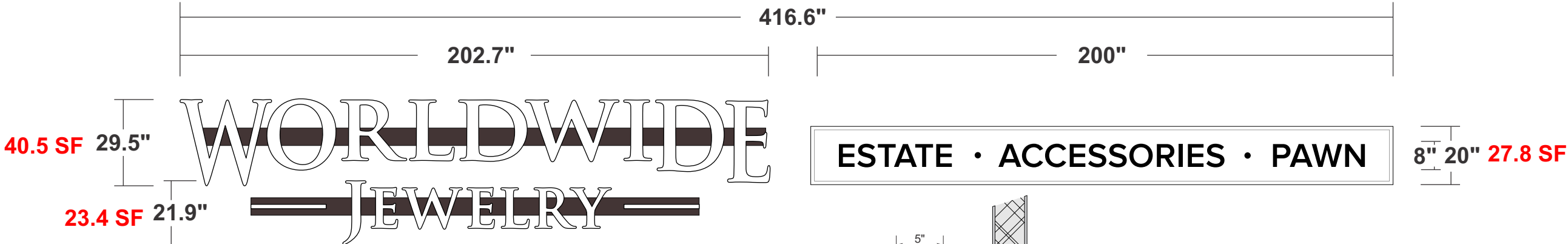
I request that you consider these factors in your consideration for the approval of this variance

Kindest Regards

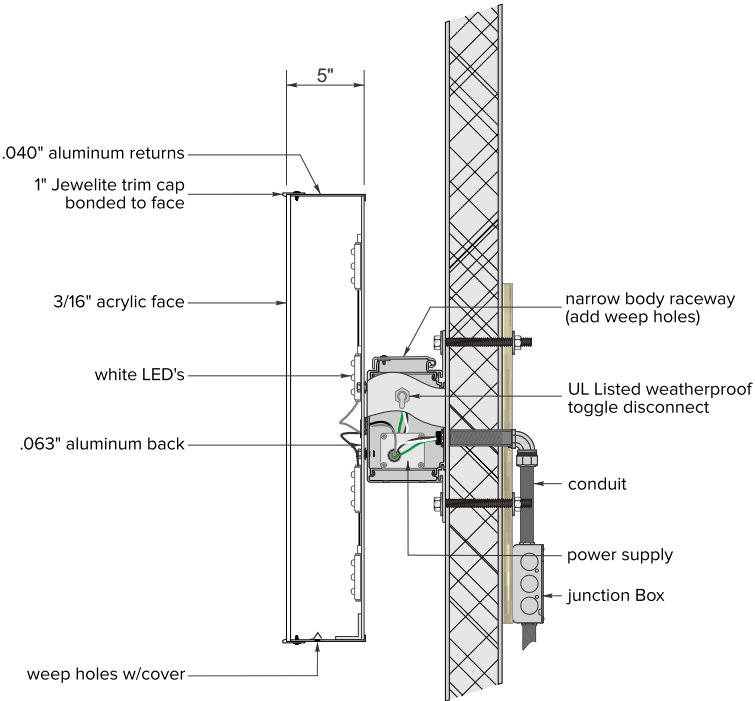
Daniel Mackowiak
CFO
D Flawless Inc
DBA Worldwide Jewelry and Pawn



Proposed



Night View



West Wall Sign 1

- One (1) set of face-lit channel letters
- White faces, trimcaps, and returns
- Mounted on 6" tall raceways painted to match facade color TBD
- One (1) internally-illuminated cabinet
- Cut black vinyl copy
- 1½" white retainer and returns
- 91.7 total Square Feet

LOCATION: 801 W Wilkinson Street
CASE NUMBER: 24-12UV

DATE: November 26, 2024
PREPARED BY: Rossa Deegan

GENERAL INFORMATION

APPLICANT: Goshen Community Schools (owner); Goshen Interfaith Hospitality Network (agent)

REQUEST: The applicants requests a use variance to replace variances 22-01UV & 23-01UV to permanently allow group housing quarters for temporary emergency housing where group housing quarters is a conditional use in the Residential R-1S & R-3 Districts and a permitted use in the Commercial B-3 District, and to increase the maximum number of occupants from 29 to 48, including 43 residents and 5 staff

LOT SIZE: ±1.6 acres; ± 411' of frontage (± 181' on Wilkinson Street & 230' on Chicago Avenue); depth varies

APPLICABLE ZONING: Residential R-2

NOTICES SENT: 35

SPECIAL INFORMATION

PUBLIC UTILITIES: City water & sewer

AREA DEVELOPMENT: Residential, institutional

NEIGHBORHOOD: Riverdale

THOROUGHFARES: Chicago Avenue, Denver Street, Wilkinson Street

TOPOGRAPHY: Level

VARIANCE OF USE STANDARDS

- ◇ Goshen Zoning Ordinance, *Appendix E*, Table of Permitted Uses
Group housing quarters are listed as a permitted use in the Commercial B-3 District and a conditional use in the Residential R-1S & R-3 and PUD Districts

ADJACENT PROPERTY OWNERS' SUPPORT, OPPOSITION, AND INQUIRIES

Rebekah Short, owner of 315 N Indiana Avenue, emailed the Planning office supporting the request. Barb Hrynewycz, owner of 401 N Indiana Avenue, provided a letter of support for the request.

ANALYSIS

The subject property is an approximately 1.6-acre lot located in the Riverdale neighborhood. The property fronts Chicago Avenue and Wilkinson Street, and is surrounded by Riverdale Park to the east and residential homes to the north, south, and west. The Pike Street/U.S. 33 commercial corridor is a short distance to the south. Improvements on the property include an approximately 16,500 SF primary building, an approximately 1,800 SF accessory building, and 37 existing parking spaces.

The property has been historically used as a school with the existing main building first built as Riverdale Elementary School and in more recent years used as an alternative high school. In the last three years, the following has occurred:

- In January 2022, the BZA approved a use variance allowing group housing quarters for a temporary emergency shelter use in the north side of the building. The use includes three rooms with up to 24 occupants. The variance is valid for 3 years from the date of approval, requiring new review at the time the variance expires.

- In January 2023, the BZA approved a use variance reducing the size of the property. In effect, the approval allowed removal of the vacant grass area from the east side of the property to facilitate the creation of a neighborhood park.
- The 2023 BZA decision also approved changes to the parking area between the building and the park, reducing the number of spaces but improving the configuration of the driving aisle.

The original approval for the temporary emergency shelter will expire on January 25, 2025, so the petitioners are now proposing to obtain permanent approval. They have also provided an updated floor plan of the building showing an increase in the number of bedrooms from three to four, which will increase the number of possible occupants from 29 to 48. The floor plan shows that going forward, the shelter will use the majority of the building, not just the north half as had been originally approved.

Staff recommends approval of the request. The variance was originally granted with a three-year limit to determine how the use would impact the neighborhood. All indications have been positive:

- The Planning office is unaware of any neighbor complaints about the use
- The petitioners have explained that they held a meeting with neighbors prior to making this application, and only two neighbors showed up, with their only request being that there is more communication
- Staff visited the property during normal weekday operations and both the building and grounds were very quiet—likely far quieter than previous elementary school use of the property.

The 37 on site parking spaces approved by Variance 23-01DV are adequate for the expanded number of bedrooms and occupants, along with alternative use of one room as a classroom. There have been no indications that the site lacks adequate parking to allow the use to expand, and upon casual observation, a large number of parking spaces appear to continually go unoccupied. That comports with the majority of the shelter’s occupants being children. The building footprint will remain the same with the expansion and there are no major internal changes planned.

FINDINGS OF FACT

Staff recommends **approval with conditions and commitments** of a use variance to replace variances 22-01UV & 23-01UV to permanently allow group housing quarters for temporary emergency housing where group housing quarters is a conditional use in the Residential R-1S & R-3 Districts and a permitted use in the Commercial B-3 District, and to increase the maximum number of occupants from 29 to 48, including 43 residents and 5 staff, based on the following:

- 1. The approval will not be injurious to the public health, safety, morals, and general welfare of the community.** The building has operated as an institutional use for decades, and has operated as group housing quarters for over two years, all without any apparent incident. The current group housing quarters was approved by the Building and Fire Departments and those departments will review the expansion. *The standard is confirmed.*
- 2. The use and value of the area adjacent to the subject property will not be affected in a substantially adverse manner.** The temporary emergency shelter use has existed for over two years on the subject property without any apparent adverse impact on the surrounding properties. The use appears to be quieter and less intense than the previous school use would have been. *The standard is confirmed.*
- 3. The need for the variance arises from a condition peculiar to the subject property.** The property has historically been used as a school and related uses with programs similar to the temporary emergency shelter use. The temporary emergency shelter use has operated on the property for over two years. *The standard is confirmed.*
- 5. The approval does not interfere substantially with the Comprehensive Plan.** The shelter is a partnership between the school system, local service agencies, and the City, which supports the Comprehensive Plan’s goal to “encourage partnerships between service providers” (C-2.1). It also helps to “address homelessness in the community” (C-2.4) *The standard is confirmed.*

With approval, the following conditions shall apply:

1. If a Building permit is required, the variance shall become null and void unless a Building permit has been issued and substantial progress has been made within six (6) months of the date of BZA approval.
2. Deviation from the requirements and conditions of the variance may result in the cancellation and termination of the approval or permit.
3. The BZA approval shall be effective when the executed and recorded Result Letter/Commitment form has been returned to the City of Goshen Board of Zoning Appeals staff and when all conditions of approval have been met.
4. No zoning clearance form will be issued until the executed and recorded Result Letter/Commitment form has been returned to the City of Goshen Board of Zoning Appeals staff and until all conditions of approval have been met.
5. An approved zoning clearance form is required.
6. Approval by the Building and Fire Departments is required.

If approved, the following Commitments shall apply:

1. If the variance is not implemented and expires, this Commitment automatically terminates as well, and the Zoning Administrator may execute and record a Termination of Commitment on behalf of the City of Goshen Board of Zoning Appeals.
2. Variance 23-01DV, allowing a side (east) parking/driving aisle setback of 2' where 5' is required and 37 onsite parking spaces where 53 are required shall remain in effect.
3. The number of occupants of the temporary emergency shelter shall be limited to no more than 43 residents and 5 staff, for a total of 48.
4. The temporary emergency housing shall be as represented in the letter by First Light Mission to Planning and Zoning, dated 10/31/24 and the plan "801 W Wilkinson – temporary emergency shelter – floor plan rcvd 11/1/24"



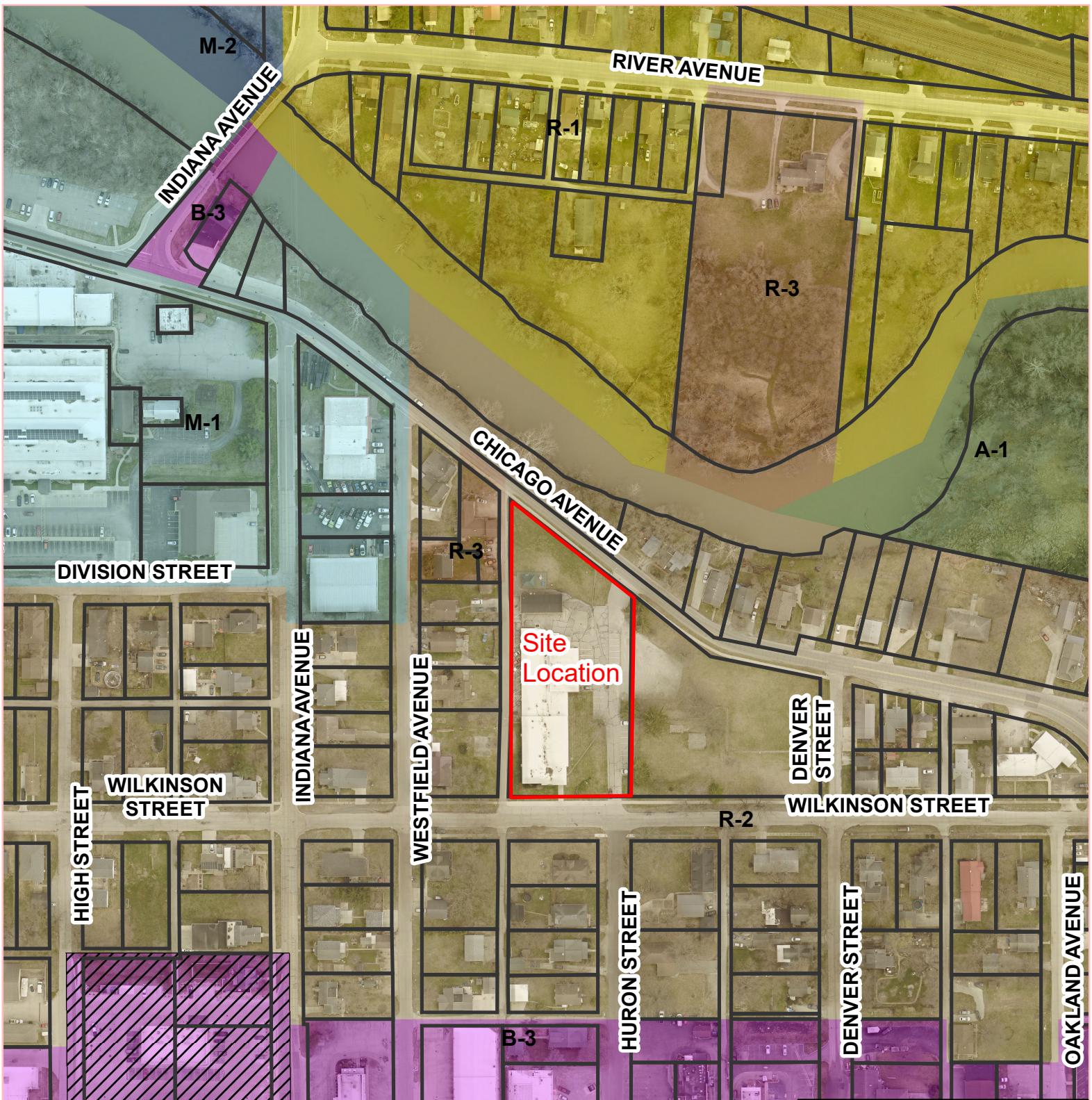
From Wilkinson Street looking northwest.



From Wilkinson looking northeast



From alley looking southeast at the location of the proposed new bedroom



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801 W Wilkinson Street

2023 Aerial
Printed November 1, 2024

Feet
0 50 100 200
|-----|-----|-----|-----|

1 inch = 200 feet



The City of Goshen
Department of

Planning & Zoning
204 East Jefferson Street, Goshen, Indiana 46528
Phone: 574-534-3600 Fax: 574-533-8626



First Light
MISSION

801 W Wilkinson Goshen, IN 46528

Phone: 574-534-2300

Fax: 574-971-8463

mindy@firstlightmission.org

www.firstlightmission.org

10/31/2024

Planning and Zoning

C/O Rossa Deegan

RE: GIHN DBA First Light Mission use of Riverdale School

To Whom it may concern,

We at First Light Mission would like to keep our shelter at Riverdale School located at 801 W Wilkinson Street, Goshen for permanent use.

We will still operate under the same way we have.

- We mandate all our guests with kids to attend parenting classes through Triple P, these are offered in house but open to the community as well.
- We breathalyze all our guests every time they enter the facility.
- We use a metal detector wand to make sure none of our guests have weapons on them.
- We make them be in by 4 p.m. every day unless they are coming from a job, if they go outside after 4 p.m. it must be inside the locked fenced in area.
- Our guests cook their own food for their families. We provide the food that they need at no cost to them.
- We offer financial assistance classes for our guests and to the community.
- We make our guests keep their spaces clean and they also do chores 3 times a week.
- Out of our 24 guests currently, an average of 16 of them are children.
- We have a clothing closet that is used by the local schools, police department and many other agencies. We served 162 families outside of our shelter last year.
- We have 24-hour staff, with our security guards doing rounds from the hours of 9:30 p.m. to 7:30 a.m. This helps keep our shelter and the neighborhood safer.

Since being in the Old Riverdale building, we have gone from almost a 10-month turnaround time to 3.5 months with a 92% success rate. This means we are working with our guests helping them be able to maintain stability after leaving the shelter.

With the need in our community rising, we would like to increase the number we can serve to a maximum of 43. Included in this change would be for us to make the necessary changes to room 207 in the South end of the building to make it a bedroom, holding 14 guests. We plan to operate exactly as we have been, not allowing guests to loiter outside and helping them move forward in a positive way.

We held a neighborhood meeting, walking and personally delivering flyers with the date and time, giving all the neighbors two weeks' notice and only had 2 neighbors show up which were husband and wife. We didn't hear any concerns about the way we operate, neighbors seem to be very happy with that. We did hear that they wish for more communication, so we have decided to hold a 30-minute meeting quarterly. These meetings will be on January 7, 2025, April 8, 2025, July 8, 2025 and October 7, 2025. These meetings will be held at 6:00 p.m. in the gymnasium of 801 W Wilkinson Street. Please make note of these meetings as we will not be handing out flyers before the meeting.

Any further questions, please email me at director@firstlightmission.org, call me at 574-534-2300 or on my cell at 574-253-3022.


Mindy Morehead
Executive Director



October 25, 2024

Date: Sept. 30, 2024

Dear Members of the Planning and Zoning Commission,

I am writing on behalf of Goshen Community Schools to express our strong support for the First Light Mission to continue being zoned for residential use. As an organization that deals with homelessness among our students, I have witnessed firsthand the positive impact of the First Light Mission. Also, as the owner of the building in which they are located, we have been pleased with the care and consideration they have shown in maintaining the facility.

Ms. Morehead has requested that the Mission expand into some of the rooms Goshen Community Schools has maintained for night school and other educational services. GCS supports her request to expand into the areas at the top of the steps in the building but would like one classroom to remain set aside for educational purposes, such as Triple P parenting classes, career counseling, tutoring, or other educational programming.

The First Light Mission, beyond providing essential services and support to individuals and families in need, plays a significant role in our community. It fosters a sense of compassion and solidarity among residents, strengthening our community. This mission not only helps those who are struggling but also strengthens our community by fostering a sense of compassion and solidarity among residents.

Maintaining the zoning for the First Light Mission is crucial for several reasons:

1. **Support Services:** The mission provides access to vital support services, including counseling, job training, and educational programs. These services are more effective when residents have a secure and permanent place to live.
2. **Community Integration:** The mission's presence in a residential area promotes integration and understanding between its residents and the broader community. This integration helps to break down barriers and reduce the stigma associated with homelessness and poverty.
3. **Safety and Security:** The mission ensures its residents have a safe place to live, which is particularly important for vulnerable populations such as women and children.

In conclusion, the First Light Mission plays a vital role in our community, and its continued operation as a facility is essential for the well-being of its residents and the community as a whole.

Sincerely,

James DuBois

Superintendent
Goshen Community Schools

Deegan, Rossa

From: Lipscomb, Lori
Sent: Monday, October 7, 2024 7:54 AM
To: Deegan, Rossa
Cc: Yoder, Rhonda
Subject: FW: First Light Mission

From: Rebekah Short <rebekahcshort@gmail.com>
Sent: Sunday, October 6, 2024 2:49 AM
To: Lipscomb, Lori <lorilipscomb@goshencity.com>
Subject: First Light Mission

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

To whom it may concern:
The Board of Zoning Appeals

I am writing in support of First Light Mission on Wilkinson Street in Goshen.

I live with my husband on the corner of Indiana Ave and Wilkinson St and can see the front of the Riverdale School building from my house. We walk our dog in the neighborhood, sometimes at night. At no time have I observed any questionable activity or disturbance taking place on or around the property. In fact, it is very quiet, and very few people seem to be around. When I mentioned to Mindy that I walked through the parking lot in the evening and wondered if anyone was there, she assured me that the shelter was full. From outside there was no sign of it.

Occupancy by First Light is a good use of the existing building, and the property appears neat and well maintained, unlike some of the rental properties nearby.

We believe that it is important that these services are available in Goshen to those that need them. We are pleased to have First Light in our neighborhood, and to know that guests can receive the help and support offered there.

Respectfully,
Rebekah Short,
315 N Indiana Ave.,
Goshen, IN 46528
Cell# 574-536-2587

Stephen and Barbara Hrynewycz
401 N Indiana Ave
Goshen, IN 46528

October 7, 2024

204 E Jefferson S
Goshen, IN 46528
Dear Rossa,

I am writing on behalf of First Light Mission. I want to encourage you to give a favorable response to their request at the next BZA meeting. Both Steve and I have found them to be good neighbors during their time in the old Riverdale School building. They have taken responsibility to keep the site presentable. I have appreciated having someone sitting in the front office area monitoring the goings on. Some of the neighbors have been less than hospitable, yet Mindy and her staff continue to reach out and serve. A small group from our church donated time to refresh the bathrooms with a new coat of paint. And we're not the only church who has volunteered time because we see the need they are providing for our community. I hope you've taken the opportunity to visit to see what all they are doing.

Although we have no neighborhood association, Mindy has invited the neighbors to come visit. She has hosted several meetings. We were approached to see whether we'd be willing to take the lead on starting an association. At this time, we are not in a position to devote the time and energy required to organize a neighborhood association. I am not aware of anyone who is willing to take the lead on such a project.

If you would like to discuss this further, feel free to contact us. We'd be happy to sit down and talk.

Barbara W Hrynewycz

Barbara W. Hrynewycz
574-596-1798
barbhryn@gmail.com

LOCATION: 1501 Elkhart Road
CASE NUMBER: 24-13UV

DATE: November 26, 2024
PREPARED BY: Rossa Deegan

GENERAL INFORMATION

APPLICANT: D & C Miller Holdings, LLC (owner); Forensic Coffee Company, LLC (agent)

REQUEST: The applicants request a use variance to allow two non-permanent food vendors to operate at separate times of day on the subject property where no more than one conditional use permit for a non-permanent food vendor is permitted for a particular zoning lot at any one time

LOT SIZE: ± 1.84 acres; ±502' of frontage; depth varies

APPLICABLE ZONING: Commercial B-3

NOTICES SENT: 51

SPECIAL INFORMATION

PUBLIC UTILITIES: City water and sewer is available

AREA DEVELOPMENT: Commercial, residential

NEIGHBORHOOD: None

THOROUGHFARES: Elkhart Road (U.S. 33)

TOPOGRAPHY: Level

VARIANCE OF USE STANDARDS

- ◇ Goshen Zoning Ordinance, *Section 5200*, Conditional Uses

Non-permanent Food Vendors

Non-permanent food vendors shall be permitted in the B-3 and B-4 Districts provided they meet the following requirements:

- J. There shall not be more than one Conditional Use Permit for this use for a particular zoning lot at any one time.

ADJACENT PROPERTY OWNERS' SUPPORT, OPPOSITION, AND INQUIRIES

The Planning office has not been contacted by any adjacent property owners regarding this variance. However, the Planning office may still be contacted with questions and statements of support or opposition to the variance between the time of this report's delivery and the public hearing.

ANALYSIS

The subject property is approximately 1.8 acres in size and located on the Elkhart Road (U.S. 33) commercial corridor. The property is made up of four tax parcels and includes an appliance store and four additional storage buildings. The five existing buildings have a footprint of less than half an acre and large portions of the property are improved with gravel and concrete parking and driving surfaces. A stand-alone ice-machine was installed in the spring of 2023 following approval of several developmental variances by the BZA; it is located in the gravel parking area off Elkhart Road and operates as a separate business.

Additionally, a food truck has operated in the same parking area off Elkhart Road since 2020. The food truck is subject to the conditional use requirements for non-permanent food vendors (NPFVs) as stipulated by the Zoning Ordinance. The same food truck has received annual renewal approval since it began operating. The petitioners are now proposing to operate a second, separate NPFV on the subject property. The proposed food truck will sell coffee, tea, and other drinks, along with various baked items.

The petitioners have explained that the second food truck will vend during the mornings, and have pledged not to operate at the same time as the existing food truck. One of the conditional use requirements for NPFVs is that “there shall be no more than one conditional use permit for (NPFVs) for a particular zoning lot at any one time.” Approving a second permit will thus require a use variance.

Denial of the request will not result in an unnecessary hardship if applied to the subject property. Current uses of the property, including appliance sales, ice sales, and one food truck operating under an active NPFV permit can remain. Nevertheless, Staff recommends approval based on the following:

- The subject property is located on a commercial corridor, where an increase in commercial activity is suitable
- Approval will increase food and beverage choices for the community
- Only one vendor will operate on the subject property at any one time
- There is ample room within the parking and driving area for the vendor and customers to park and maneuver vehicles
- The subject property has approximately 500’ of frontage and an ample parking area that goes unused for large portions of the day.
- There are very few other properties along Elkhart Road with frontage similar in length and character as that of the subject property.
- Approval will benefit local entrepreneurs, supporting the goals of the City’s Comprehensive Plan

FINDINGS OF FACT

Staff recommends **approval** of a use variance to allow two non-permanent food vendors to operate at separate times of day on the subject property where no more than one conditional use permit for a non-permanent food vendor is permitted for a particular zoning lot at any one time, based on the following:

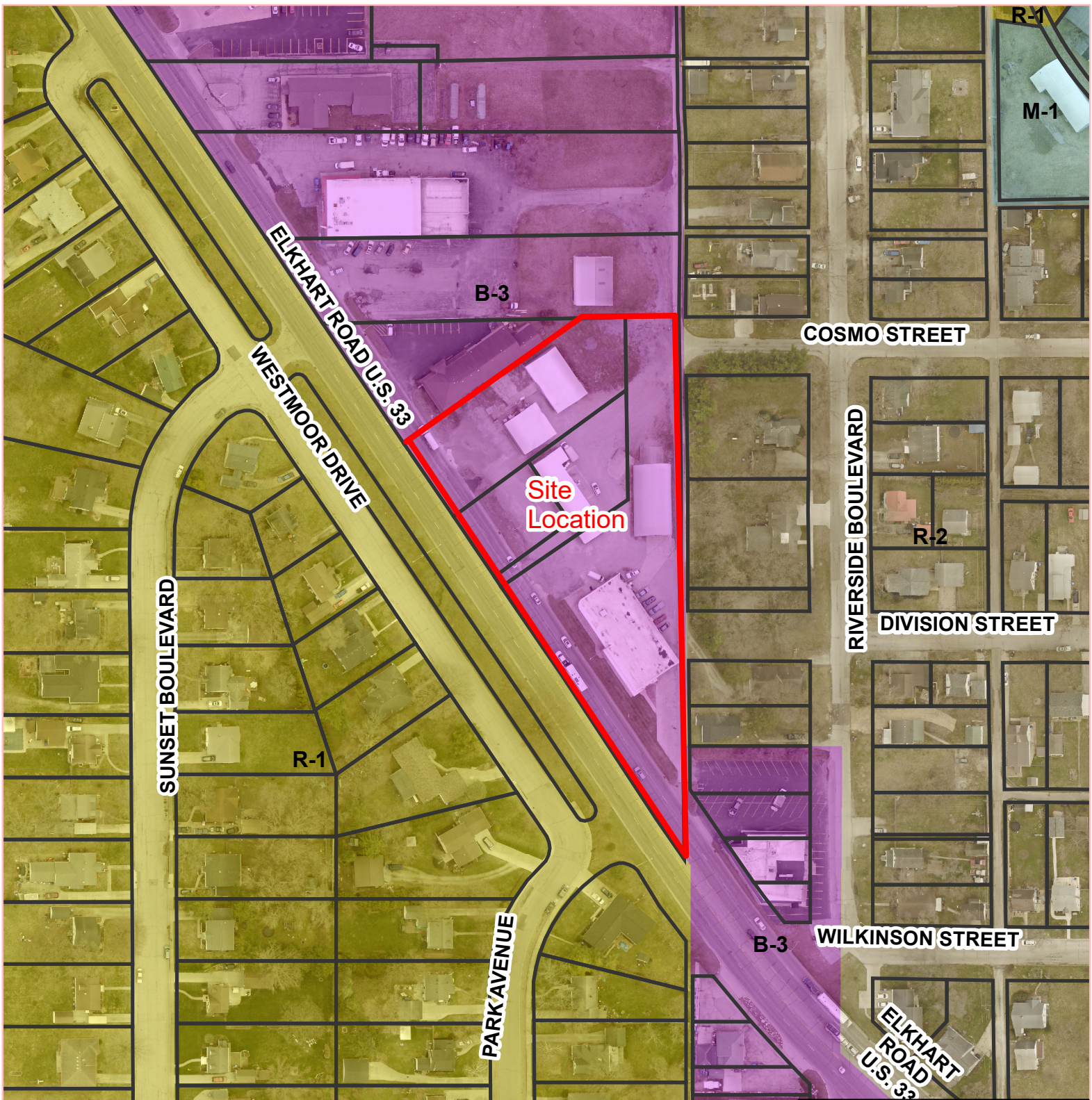
- 1. The approval will not be injurious to the public health, safety, morals, and general welfare of the community.** Only one vendor will operate on the subject property at any one time. There is ample room within the parking and driving area for the vendor and customers to park and maneuver vehicles. *The standard is confirmed.*
- 2. The use and value of the area adjacent to the subject property will not be affected in a substantially adverse manner.** The proposed use is commercial food and beverage sales, which is a typical use along the subject commercial corridor. *The standard is confirmed.*
- 3. The need for the variance arises from a condition peculiar to the subject property.** The subject property has approximately 500’ of frontage and an ample parking area that goes unused for large portions of the day. There are very few other properties along Elkhart Road with frontage similar in length and character as that of the subject property. The number of suitable locations for non-permanent food vendors are very limited within the City of Goshen. *The standard is confirmed.*
- 4. Strict application of the terms of the Zoning Ordinance will not constitute an unnecessary hardship if applied to the subject property.** Current uses of the property, including appliance sales, ice sales, and one food truck operating under an active NPFV permit will not be impacted if the request is denied. *The standard is not confirmed.*
- 5. The approval does not interfere substantially with the Comprehensive Plan.** Compared to commercial food and beverage sellers as a whole, non-permanent food vendors appear to be made up of a larger portion of local entrepreneurs. That aligns with the Comprehensive Plan’s goal of “support(ing) the development of small, locally-owned businesses” (Economic Development-3). *The standard is confirmed.*

With approval, the following conditions shall apply:

1. The variance shall become null and void unless a zoning clearance has been issued and substantial progress has been made within six (6) months of the date of the BZA approval.
2. Deviation from the requirements and conditions of the variance may result in the cancellation and termination of the approval or permit.
3. Separate conditional use permits shall be required for each non-permanent food vendor.



Looking northwest



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1501 Elkhart Rd

2023 Aerial
Printed November 12, 2024

Feet
0 25 50 100 150
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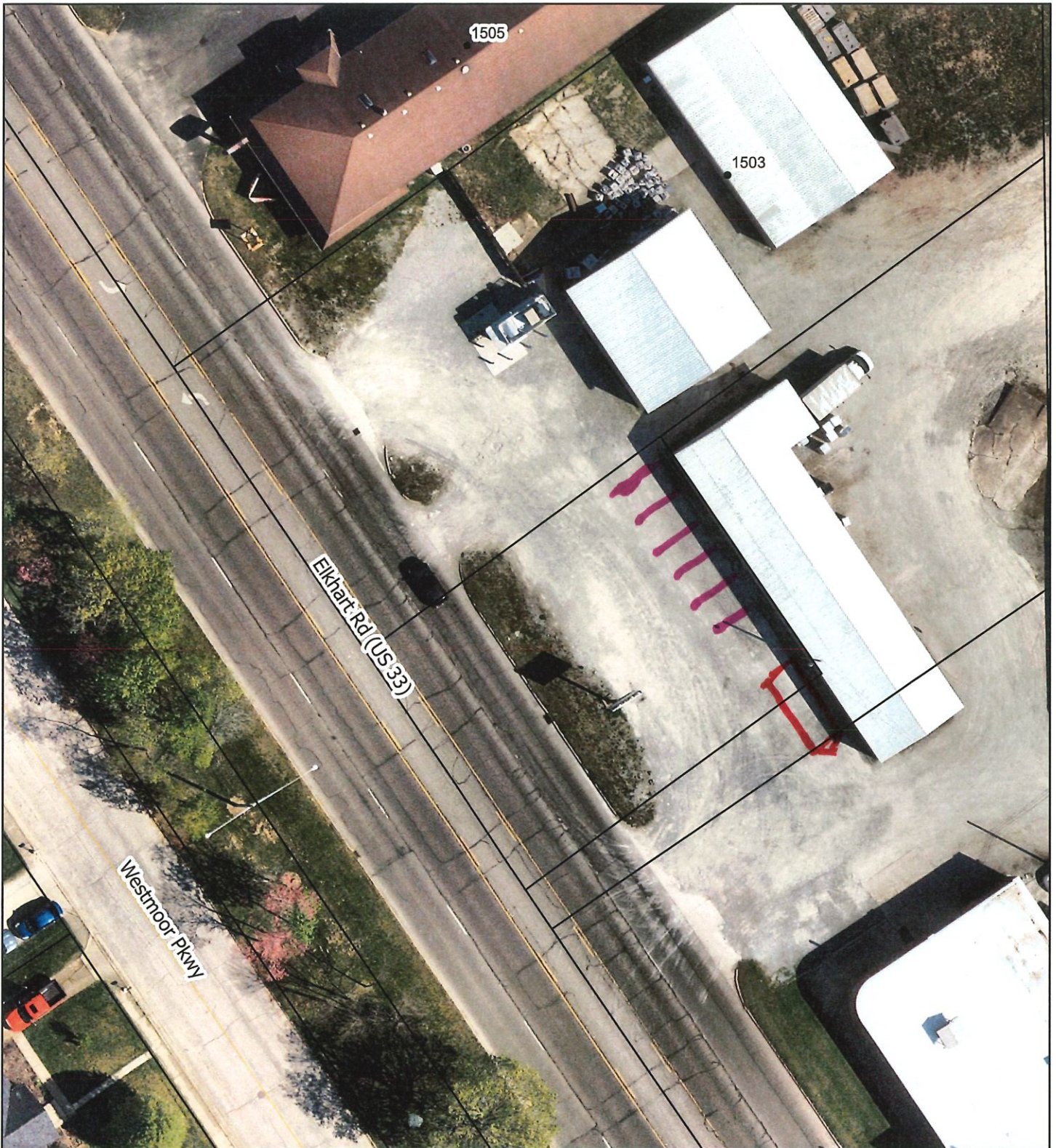


1 inch = 150 feet

The City of Goshen
Department of

Planning & Zoning

204 East Jefferson Street, Goshen, Indiana 46528
Phone: 574-534-3600 Fax: 574-533-8626



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1501 Elkhart Road

2023 Aerial
Printed on 6/26/2024



0 10 20 40
1 inch equals 40 feet

The City of Goshen
Department of
Planning & Zoning
204 East Jefferson Street, Goshen, Indiana 46528
Phone: 574-534-3600 Fax: 574-533-8626

Items to be sold...

- Coffee
- Coffee Specialty Drinks
 - Latte
 - Espresso
 - Frappuccino
 - Etc.
- Tea
- Hot Chocolate
- Smoothies

Items that may be added in the future...

- Scones
- Muffins
- Biscuits
- Etc.

There are no plans to bake, cook, or fry any foods on the truck. Only heating or warming as necessary.



LOCATION: 1012 S 7th Street
CASE NUMBER: 24-14UV & 24-34DV

DATE: November 26, 2024
PREPARED BY: Rossa Deegan

GENERAL INFORMATION

APPLICANT: Colleen Caskey & David Weaver (owners); Dale Klassen (agent)

REQUEST: The applicants request a use variance to allow a second single family dwelling unit in a detached two-stall garage where only one primary structure is permitted, and developmental variances to allow a side (north) building setback of 1' where 8' is required and a side (north) parking/driving aisle setback of 3' where 5' is required for the construction of the garage and drive approach

LOT SIZE: ± 7,474 SF; ± 90' of frontage (± 45' on 7th Street & 45' on Cottage Avenue); ± 165' of depth

APPLICABLE ZONING: Residential R-1

NOTICES SENT: 48

SPECIAL INFORMATION

PUBLIC UTILITIES: Connected to City water & sewer

AREA DEVELOPMENT: Residential

NEIGHBORHOOD: Parkside

THOROUGHFARES: 7th Street & Cottage Avenue

TOPOGRAPHY: Level

VARIANCE OF USE & DEVELOPMENTAL STANDARDS

- ◇ Goshen Zoning Ordinance, *Section 5140*, Primary Buildings or Structures
 - A. More than one primary structure may be constructed on a single parcel in the R-3 and R 4 Residential District, the B 2, B 3, and B 4 Commercial Districts, and in the M 1 and M 2 Industrial Districts, provided that all requirements of this ordinance shall be met for each primary structure and accessory structure as though it were on an individual lot.
 - B. All other zoning districts in this ordinance shall allow only one primary building or structure per lot.
- ◇ Goshen Zoning Ordinance, *Section 4140.3*, Area, Width, and Yard Regulations of the R-1 District
 - C. **Side Yard.** Each lot shall have two side yards measured from the building to the lot line and shall be as follows:
 - 2. Interior yards shall have two side yards; each side yard shall have a width of not less than eight feet.
 - D. An accessory building may be erected within the rear quarter of the lot, observing the above side yard requirements and located no closer than five feet from the rear lot line.

ADJACENT PROPERTY OWNERS' SUPPORT, OPPOSITION, AND INQUIRIES

The Planning office has not been contacted by any adjacent property owners regarding this variance. However, the Planning office may still be contacted with questions and statements of support or opposition to the variance between the time of this report's delivery and the public hearing.

ANALYSIS

The subject property is a single family home in the Parkside neighborhood. It is a through-lot with the home on the west side of the property fronting 7th Street and a detached garage with access from Cottage Avenue. The home is two stories with an approximate footprint of 1,206 SF, and the garage is one-stall and approximately 480 SF. Surrounding properties are all single family homes and zoned R-1.

The petitioners are proposing to demolish the existing garage and construct a larger two-stall garage approximately 24'x30' in size. The proposed building will be two stories and include a bathroom on the first floor and living area on the second floor intended for guest use. Variances are needed because the second building is also considered a home, and two single family homes are not permitted on the same lot in the R-1 District. Additionally, the new building will have a 1' side (north) setback where 8' is required, and the drive approach will have a 3' side (north) setback where 5' is required.

Staff recommends approval of the second single family use with a commitment that the two buildings remain under single ownership and that the property is not permitted to be subdivided. If that commitment is in place, the use is justifiable based on the following:

- There will be four on site parking spaces: two within the garage and two existing spaces in the driveway off Cottage Avenue. These satisfy the Zoning Ordinance parking requirements for two separate homes
- The second home will be in a building replacing the existing garage, so the footprint of all structures on the property will only increase by approximately 240 SF—a minimal amount.
- With the commitment that the property remains under one owner, the second home will likely retain the character of an accessory building

Note that it is still unclear whether water and sewer access to the proposed building is possible. For this reason, a condition of approval needs to be that the Engineering Department approve the building before a zoning clearance is issued.

The request for the building and driveway encroachments in the north side yard should be rejected. Although a portion of the new building will match the existing setback of the old building, reconstruction should bring the building into compliance with current Zoning Ordinance requirements:

- Additionally, the northern-most 6.6' of the minimum 8' setback is a half of a vacated alley. There appear to be two utility poles in this vacated alley, so adequate clearance should be maintained
- The new building will have a more intense use than the existing detached garage

FINDINGS OF FACT

Staff recommends **approval with conditions and commitments** of a use variance to allow a second single family dwelling unit in a detached two-stall garage where only one primary structure is permitted, based on the following:

1. **The approval will not be injurious to the public health, safety, morals, and general welfare of the community.** The second home will be built to Fire and Building Code standards and connected to City water & sewer. *The standard is confirmed.*
2. **The use and value of the area adjacent to the subject property will not be affected in a substantially adverse manner.** The second home will be built in the place of an existing detached garage and will retain the character of an accessory building. *The standard is confirmed.*
3. **The need for the variance arises from a condition peculiar to the subject property.** The subject property has an existing single family home, and the proposed second home is intended to be used for guests of the primary home. *The standard is confirmed.*
4. **Strict application of the terms of the Zoning Ordinance will not constitute an unnecessary hardship if applied to the subject property.** Denial of the request will not complicate use of the property as a single family home. An addition could be built on the single family home that would satisfy the need for guest living quarters. *The standard is not confirmed.*
5. **The approval does not interfere substantially with the Comprehensive Plan.** Approval supports Goshen's Comprehensive Plan's objective to "promote compact, mixed-use, cluster and infill development" (Land Use 1-1). *The standard is confirmed.*

Staff recommends **denial** of developmental variances to allow a side (north) building setback of 1' where 8' is required and a side (north) parking/driving aisle setback of 3' where 5' is required for the construction of the garage and drive approach, based on the following:

1. **The approval will be injurious to the public health, safety, morals and general welfare of the community.** Encroachment in the setback reduces the buffer area between the subject building and the adjacent property and will allow a structure to be located largely in a vacated alley and utility area. *The standard is not confirmed.*
2. **The use and value of the area adjacent to the subject property will not be affected in a substantially adverse manner.** The proposed building is not just a garage, but also a residence; it will be a more intense use than the previous building, so may have an adverse impact on the neighboring property to the north if it does not meet the required setback. *The standard is confirmed.*
3. **Strict application to the terms of the Zoning Ordinance will result in practical difficulties in the use of the subject property.** There is ample space on the property to locate the structure south of its proposed location. *The standard is confirmed.*

With approval of the use variance, the following conditions shall apply:

1. If a Building permit is required, the variance shall become null and void unless a Building permit has been issued and substantial progress has been made within six (6) months of the date of BZA approval.
2. Deviation from the requirements and conditions of the variance may result in the cancellation and termination of the approval or permit.
3. The BZA approval shall be effective when the executed and recorded Result Letter/Commitment form has been returned to the City of Goshen Board of Zoning Appeals staff and when all conditions of approval have been met.
4. No zoning clearance form will be issued until the executed and recorded Result Letter/Commitment form has been returned to the City of Goshen Board of Zoning Appeals staff and until all conditions of approval have been met.
5. An approved zoning clearance form is required.
6. Approval by the Building and Fire Departments is required.
7. Approval by the Engineering Department before the zoning clearance is issued is required.
8. The second primary structure must be connected to City water and sewer.
9. The side (north) setback shall be a minimum of 8'.

If approved, the following Commitments shall apply:

1. If the variance is not implemented and expires, this Commitment automatically terminates as well, and the Zoning Administrator may execute and record a Termination of Commitment on behalf of the City of Goshen Board of Zoning Appeals.
2. The entire property shall remain under single ownership; the two primary structures shall not be sold separately; and the lot shall not be subdivided.



From 7th Street looking east



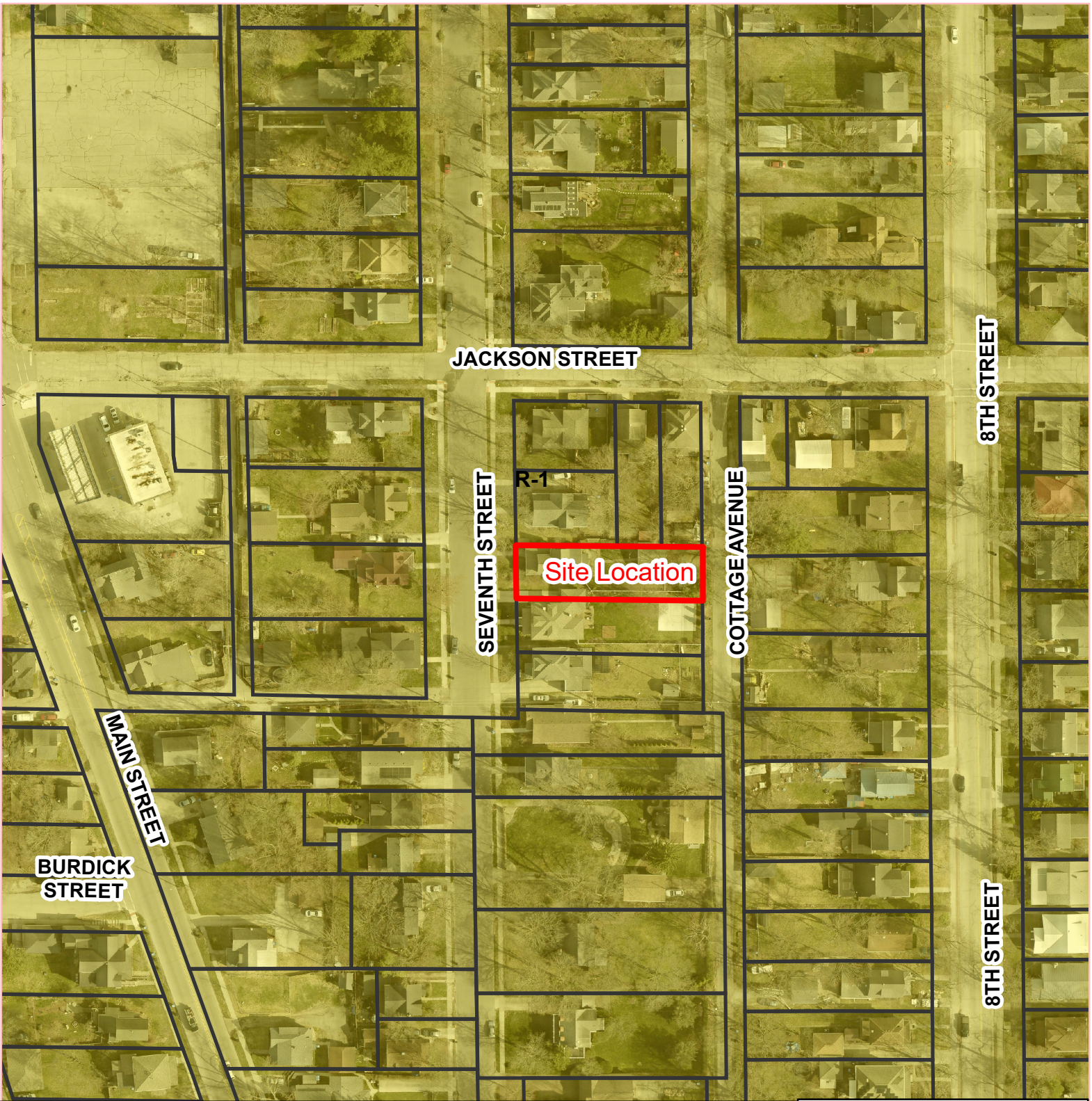
From Cottage Avenue, looking west



Looking northwest



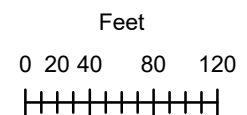
Looking west



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1012 S 7th St

2023 Aerial
Printed November 12, 2024



1 inch = 120 feet



The City of Goshen

Department of
Planning & Zoning
204 East Jefferson Street, Goshen, Indiana 46528
Phone: 574-534-3600 Fax: 574-533-8626

1012 S 7th

Homeowner wishes to replace the small, existing old one-car garage with a larger 24' x 30' two-car garage. New garage will have multi-purpose space on the second floor that will be heated and air- conditioned. Homeowner wishes to provide bathroom facilities for guests that will be located on the ground floor. There will be no kitchen or cooking capabilities.

We are asking for a 16" Northside set back when 5 feet is required. North wall of the garage will be at the same location as the existing north wall of the current garage. West wall of the new garage will also be at the same location as the current garage.

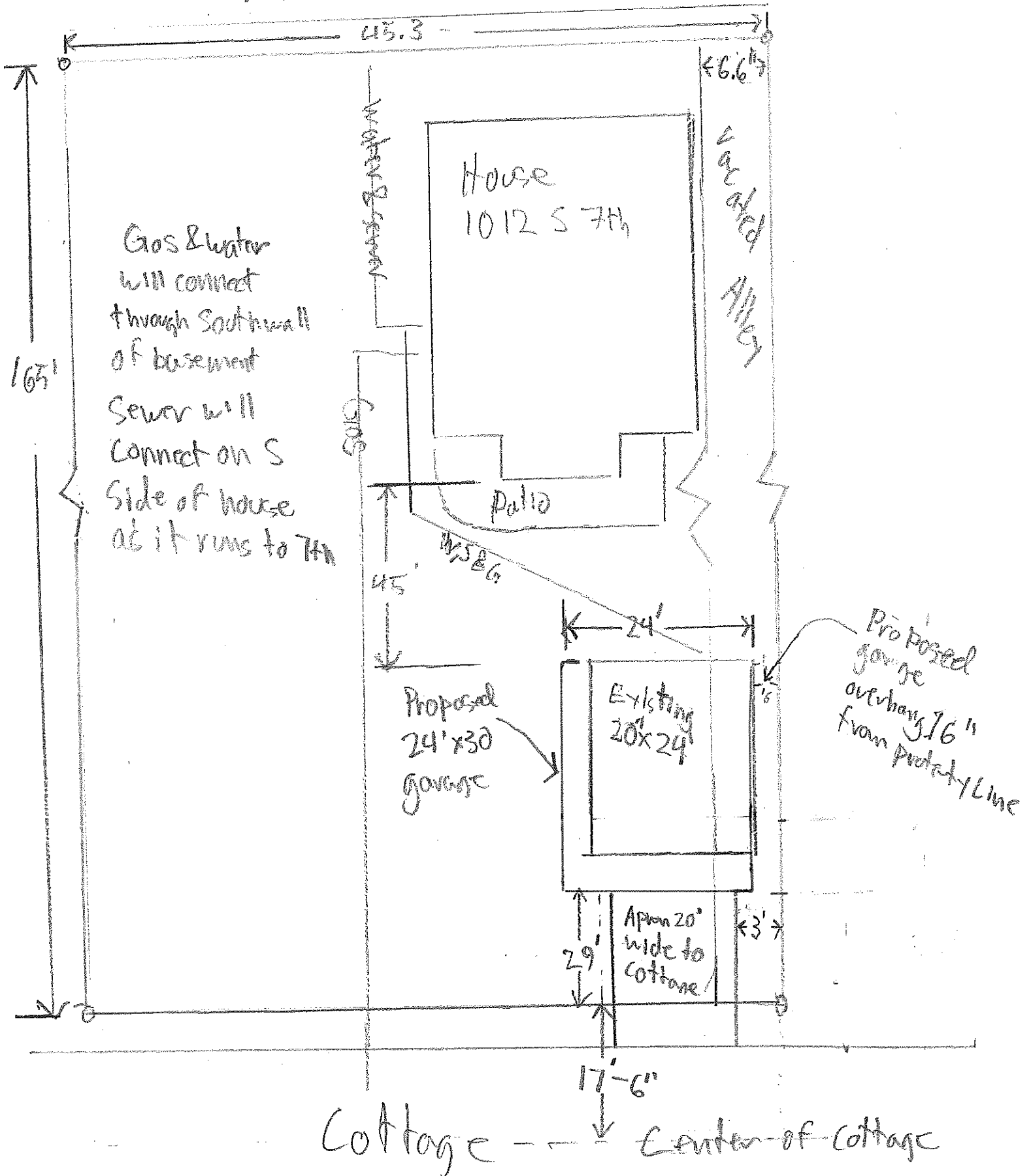
New garage will park 2 cars with additional space for 2 cars on the apron. If needed, homeowners have space to expand parking on the south side of the garage apron.

Gas and water will be connected to the house. The new sewer line will be connected to the house sewer line outside of the home. A clean out riser will be installed as part of this work as none exists now.

Explainer: This is designed for out-of-town family and occasional guests. This garage greatly improves the homeowners parking situation and is in lieu of expanding or making an addition to the house which was explored but not feasible.

Site Plan 1012 S 7th. Not to Scale

7th St

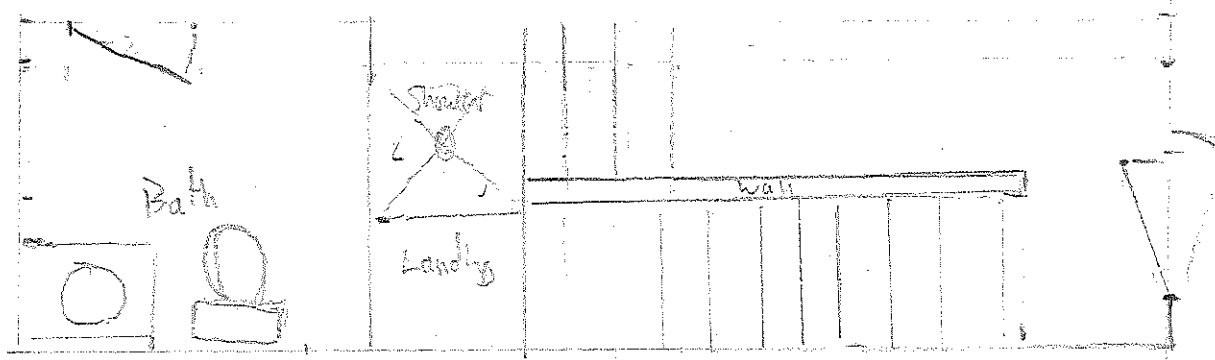




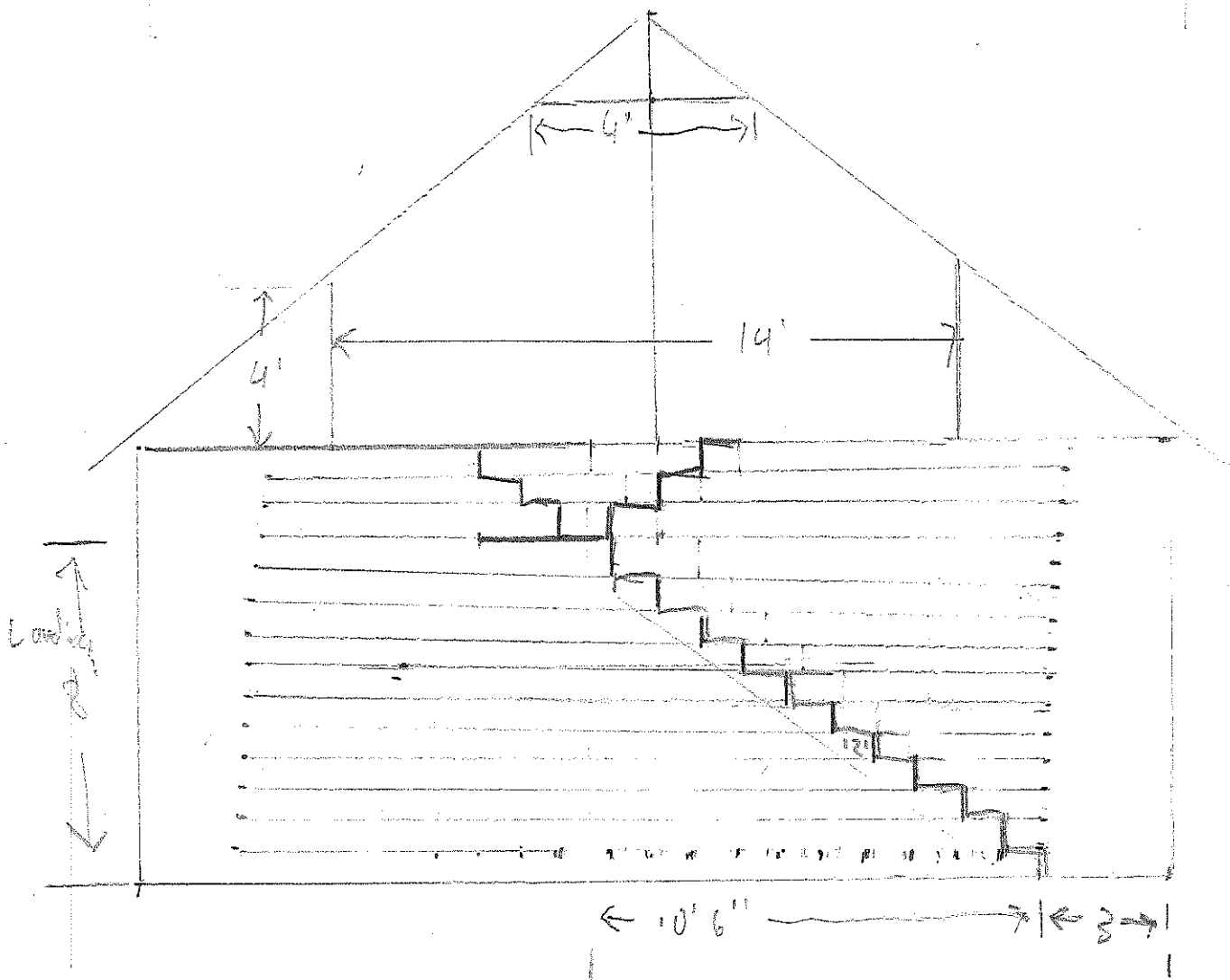
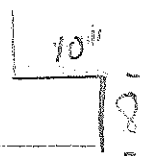
1/4 scale

10/12 Pitch

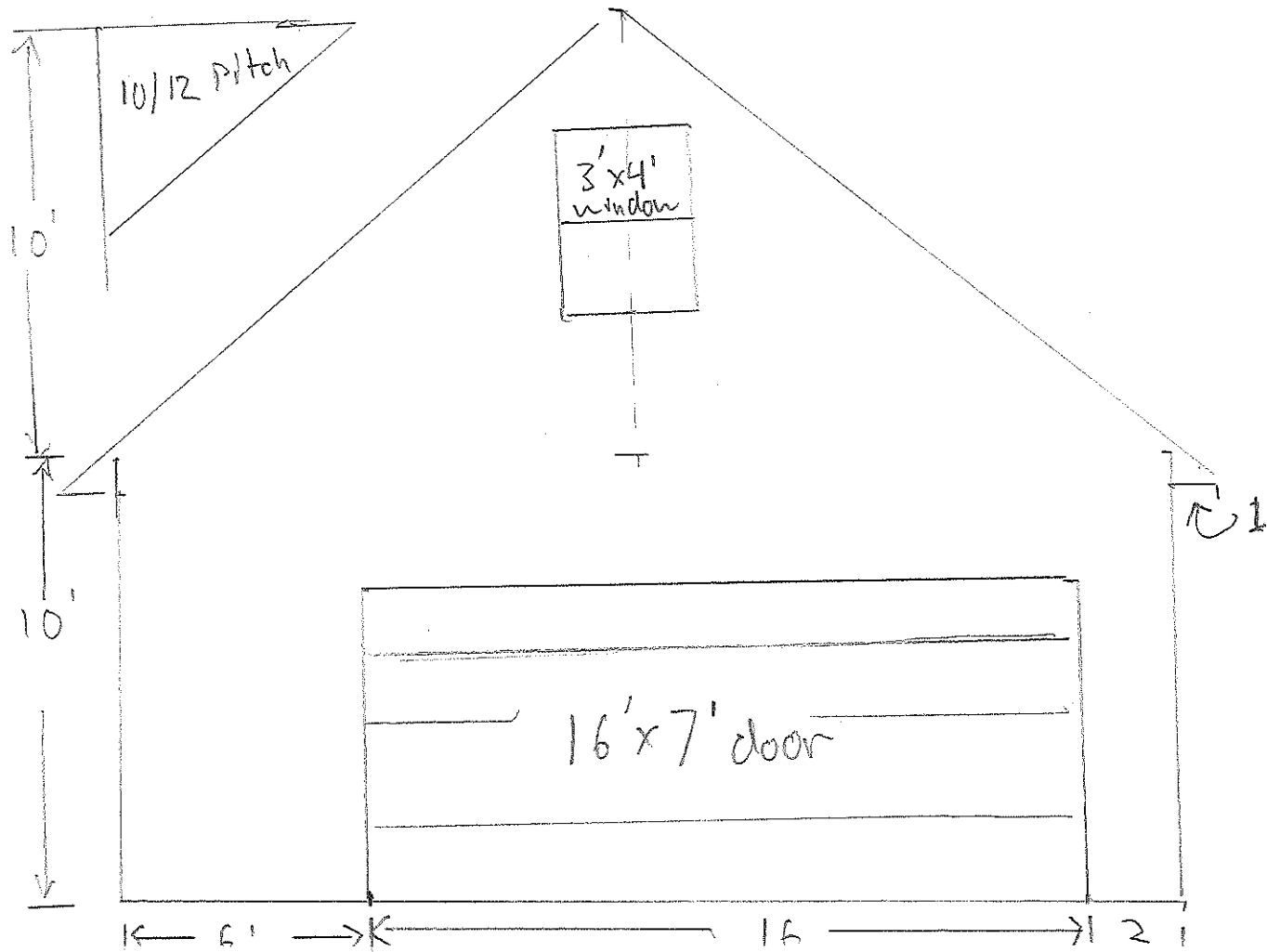
Dove weaver & colleen Caskey



32" door or 36" out



1012 S 7th - Weaver/Caskey garage
East elevation (cottage Ave)



Note: Garage apron
will be 20' wide
& extend to cottage
Ave paving which is
approximately 35'

1012 S 7th weaver/caskey garage

↖ N
2x3'
window

30" door

Storage & Electric w/H
Under Landing

8" rise
12" Run

36" x 36"

shower

Storage
Shelves

UP

Landing
3x6'

36" vanity



UP

36"

Bathroom/stair detail

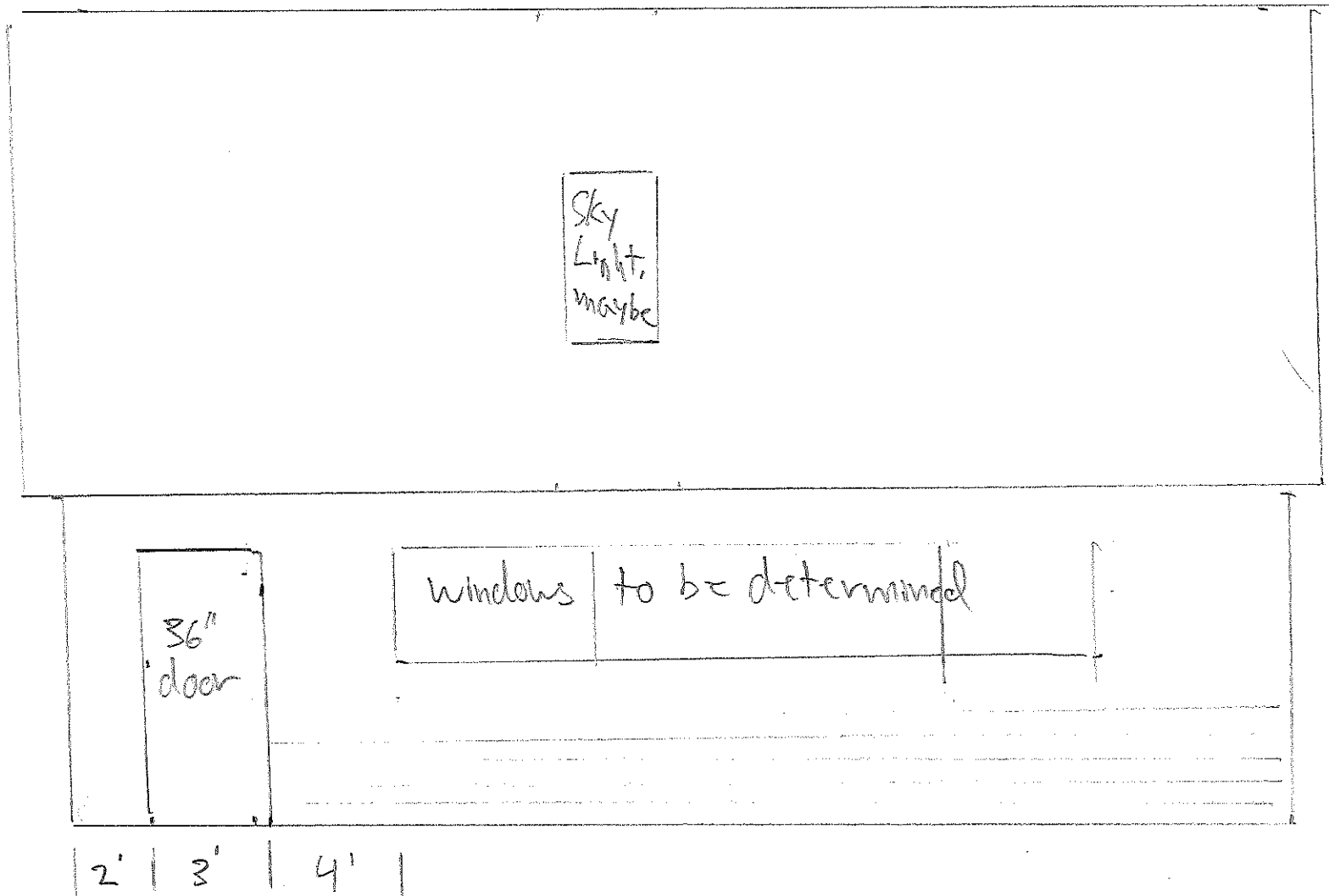
↓
West

3x4
window

3x4
window

West side

1012 S 7th South elevation - North side ... windows



LOCATION: 215 W Clinton Street
CASE NUMBER: 24-15UV

DATE: November 26, 2024
PREPARED BY: Rossa Deegan

GENERAL INFORMATION

APPLICANT: First Brethren Church of Goshen, Inc. (owner); Downtown Ministries & Signtech Sign Services (agents)

REQUEST: The applicant requests a use variance to allow use of an existing church for a social services organization where business offices are a conditional use in the Commercial B-1 District and a permitted use in the B-2, B-3, B-4, and Industrial M-1 & M-2 Districts, and to allow a third non-illuminated freestanding sign 4' in height and 10 Sf in area where churches are a conditional use allowing a maximum of one freestanding sign

LOT SIZE: ±1.3 Acres; ± 512' of frontage (± 347' on 2nd Street & 165' on Clinton Street); ± 347' of depth

APPLICABLE ZONING: Residential R-3 & Commercial B-2

NOTICES SENT: 31

SPECIAL INFORMATION

PUBLIC UTILITIES: Connected to City Water & Sewer

AREA DEVELOPMENT: Residential, commercial, institutional

NEIGHBORHOOD: Downtown River District

THOROUGHFARES: 2nd Street, Clinton Street

TOPOGRAPHY: Level

VARIANCE OF USE STANDARDS

- ◇ Goshen Zoning Ordinance, *Appendix E*, Table of Permitted Uses
Business offices are listed as a conditional use in the Commercial B-1 District and a permitted use in the Commercial B-2, B-3, B-4 and Industrial M-1 & M-2 Districts
- ◇ Goshen Zoning Ordinance, *Section 5200 – Churches, Chapels, Temples, Synagogues, etc.*
D. Churches meeting the Conditional Use requirements herein are permitted the following signs:
 - 1. One monument style freestanding sign meeting the following requirements:
 - b. Maximum permitted height of five feet (5')

ADJACENT PROPERTY OWNERS' SUPPORT, OPPOSITION, AND INQUIRIES

The Planning office has not been contacted by any adjacent property owners regarding this variance. However, the Planning office may still be contacted with questions and statements of support or opposition to the variance between the time of this report's delivery and the public hearing.

ANALYSIS

The subject property is a church located on the northeast corner of the intersection of 2nd Street and Clinton Street. The property is over an acre in size and includes the main church building, an outbuilding indicating it is a thrift store, and a single family home (213 W Clinton Street) that previously served as the parsonage. A large portion of the north half of the property is zoned Commercial B-2; the remainder is Residential R-3. A row of the homes to the west across 2nd Street are predominantly single family; other adjacent uses are the fire station and business offices to the east and southeast, and the Elkhart County administrative building to the south west.

The petitioners are proposing to use the main church building for a social services organization during the church's off-hours. The organization offers "development and recovery classes for those experiencing life-altering challenges like poverty, abuse, and addictions." The services are classified as a business office use, which is not permitted in the R-3 District (where the building is located), so a use variance is required. During the organization's hours of service, such as group activities, the entire church building is used for its programming.

The petitioners are also proposing to install a non-illuminated freestanding sign 4' in height and 9.75 SF in area in the right of way along Clinton Street. Churches are a conditional use allowing only one freestanding sign, and this property already has two existing freestanding signs, so the third freestanding sign requires a variance from the conditional requirements.

Staff recommends an amended approval that allows the office use and denies the sign request. The office use is justifiable because:

- No expansion of the existing buildings is proposed
- Office use for a social services organization is compatible with church use. In fact, if the church itself offered these services, a use variance may not be needed
- There are over 70 onsite parking spaces and street parking available along 2nd Street and Clinton Street
- The property is located close to the City's downtown, where such services are more accessible
- Office use will occur during non-church hours.
- In November 2023, the BZA approved a use variance to allow a social services organization to operate at the existing church at 1006 S 16th Street

Prior to zoning clearance approval, the building will need to be inspected by the Building and Fire departments.

The proposed sign is not warranted. Whereas churches are allowed one freestanding sign, the subject church already has two freestanding signs. One of the existing signs has a changeable copy sign, which could be used to display. If the sign were reduced in height by approximately 1' and in area by approximately 2 SF, it would be considered a ground sign, which does not need zoning clearance. Or a sign could be placed on a nearby door.

FINDINGS OF FACT

Staff recommends **an amended approval** of a use variance to **allow** use of an existing church for a social services organization where business offices are a conditional use in the Commercial B-1 District and a permitted use in the B-2, B-3, B-4, and Industrial M-1 & M-2 Districts and to **deny** a third non-illuminated freestanding sign 4' in height and 10 Sf in area where churches are a conditional use allowing a maximum of one freestanding sign, based on the following:

1. **The approval will not be injurious to the public health, safety, morals, and general welfare of the community.** If approved as recommended, the office space will use an existing church building without expanding its footprint. *The standard is confirmed.*
2. **The use and value of the area adjacent to the subject property will not be affected in a substantially adverse manner.** If approved as recommend, the office space will use an existing church without expanding its footprint while offering services compatible with a church. *The standard is confirmed.*
3. **The need for the variance arises from a condition peculiar to the subject property.** The property is close to the City's downtown, where such services will be accessible to the community. The existing church property has ample parking and building space that goes unused for large portions of the day. *The standard is confirmed.*
4. **Strict application of the terms of the Zoning Ordinance will not constitute an unnecessary hardship if applied to the subject property.** The property could continue to be used as a church with denial of the request. *The standard is not confirmed.*
5. **The approval does not interfere substantially with the Comprehensive Plan.** It supports the goal of Goshen's Comprehensive Plan to promote compact, mixed-uses, (Land Use. 1.1), which reduces the development of greenspace. *The standard is confirmed.*

With approval, the following conditions shall apply:

1. The variance shall become null and void unless a zoning clearance has been issued and substantial progress has been made within six (6) months of the date of the BZA approval.
2. Deviation from the requirements and conditions of the variance may result in the cancellation and termination of the approval or permit.
3. An approved zoning clearance form is required.
4. Approval by the Building and Fire Departments is required.



Looking north across 2nd Street



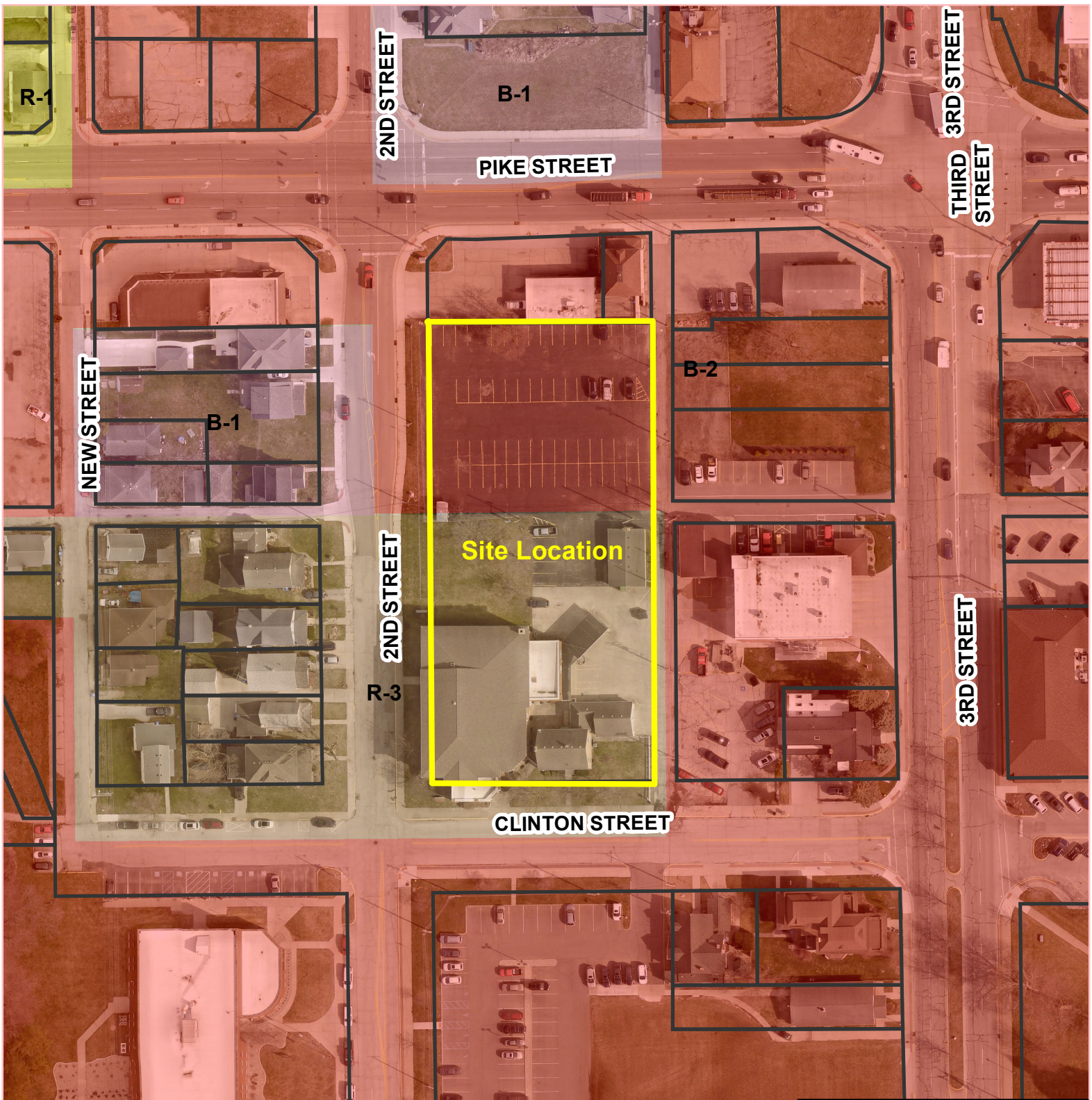
Looking east from the intersection of 2nd Street and Clinton Street



Looking west along 2nd Street



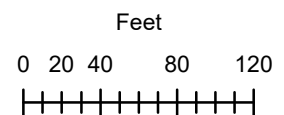
Looking southwest across the Church parking lot



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215 W Clinton Street

2023 Aerial
Printed November 12, 2024



1 inch = 100 feet

The City of Goshen
Department of

Planning & Zoning
204 East Jefferson Street, Goshen, Indiana 46528
Phone: 574-534-3600 Fax: 574-533-8626



FIRST
Brethren
CHURCH

215 W. Clinton St.
Goshen, IN 46526
Austin Kaufman *Lead Pastor*

To Whom It May Concern,

On behalf of the Congregation of First Brethren Church of Goshen, I write to seek approval from the City of Goshen to utilize our facility in partnership with Downtown Ministries which offers development and recovery classes for those experiencing life-altering challenges like poverty, abuse, and addictions. Downtown Ministries operates Monday through Thursday evenings, and Tuesday mornings.

We also respectfully request approval for a non-illuminated free-standing sign to be placed in the right-of-way along W. Clinton St. that will have a square footage of 9.76 sqft standing at 3'6" in height, identifying the meeting location and entrance for Downtown Ministries. We believe this sign provides the necessary visibility for the ministry to reach those in our community whom we are seeking to help, and directs those individuals to the correct entrance of the building.

Thank you for your service and consideration on this matter.

Downtown Ministries Director

Jim Dreier

Pastor Austin Kaufman

CITY OF GOSHEN BZA DEVELOPMENTAL VARIANCE PRESENTATION

- A. THE APPROVAL WILL NOT BE INURIOUS TO THE PUBLIC HEALTH, SAFETY, MORALS, AND GENERAL WELFARE OF THE COMMUNITY:

The sign will remain out of any vision
clearance area on Clinton St. & 2nd St

- B. THE USE AND VALUE OF THE AREA ADJACENT TO THE PROPERTY INCLUDED IN THE VARIANCE WILL NOT BE AFFECTED IN A SUBSTANTIAL ADVERSE MANNER:

No illumination will be used and the sign
will be made out of quality material

- C. STRICT APPLICATION OF THE TERMS OF THE ZONING ORDINANCE WILL RESULT IN PRACTICAL DIFFICULTIES IN THE USE OF THE SUBJECT PROPERTY:

The Public and Community needs to be aware
of where the Downtown Ministry Classes
will be held to benefit the attendees.

Specific Petition continued:

The sign will be at a 4ft height and will be a total of 9.76 square feet.



LOVING OUR NEIGHBOR, SERVING OUR CITY

We are a Christ-centered organization devoted to empowering individuals and families who have faced adversity and hardship. Our goal is to unlock the God-given potential within each person by nurturing their unique gifts and talents.

ABOUT DOWNTOWN MINISTRIES

Founded in 2001 as a youth center initiative, DTM has grown into a symbol of hope for the Goshen and Elkhart County area. Under the leadership of Executive Director Jim Dreier, we continue to innovate and expand our ministry, aiming to serve our community more effectively.

OUR VISION

Downtown Ministries exists to transform communities by offering sustainable solutions that provide hope, purpose, and partnership. We aim to resource and restore the most vulnerable, creating lasting change in our neighborhoods.



OUR PROGRAMS AND INITIATIVES

- **Faith & Finance:** Crafting to meet the learning needs of those striving to manage their finances better. Engaging in group discussions offers vital information and skills pertinent to everyday life.
- **Jobs for Life:** Equipping individuals not only with job skills but also life skills, guiding them on maintaining employment and nurturing a sense of purpose and stability.
- **Transitional Houses:** Providing refuge and support for women and their children seeking second chances, establishing a safe haven as they plan their next steps.
- **Ready Now Recovery:** Providing personalized addiction recovery programs, offering tailored support and a supportive community for lasting sobriety.
- **Community Connections:** Partnering with local programs for comprehensive support in mental health, addiction, counseling, and more.

JOIN US IN MAKING A DIFFERENCE!



Volunteer



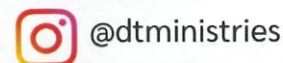
Partner with us

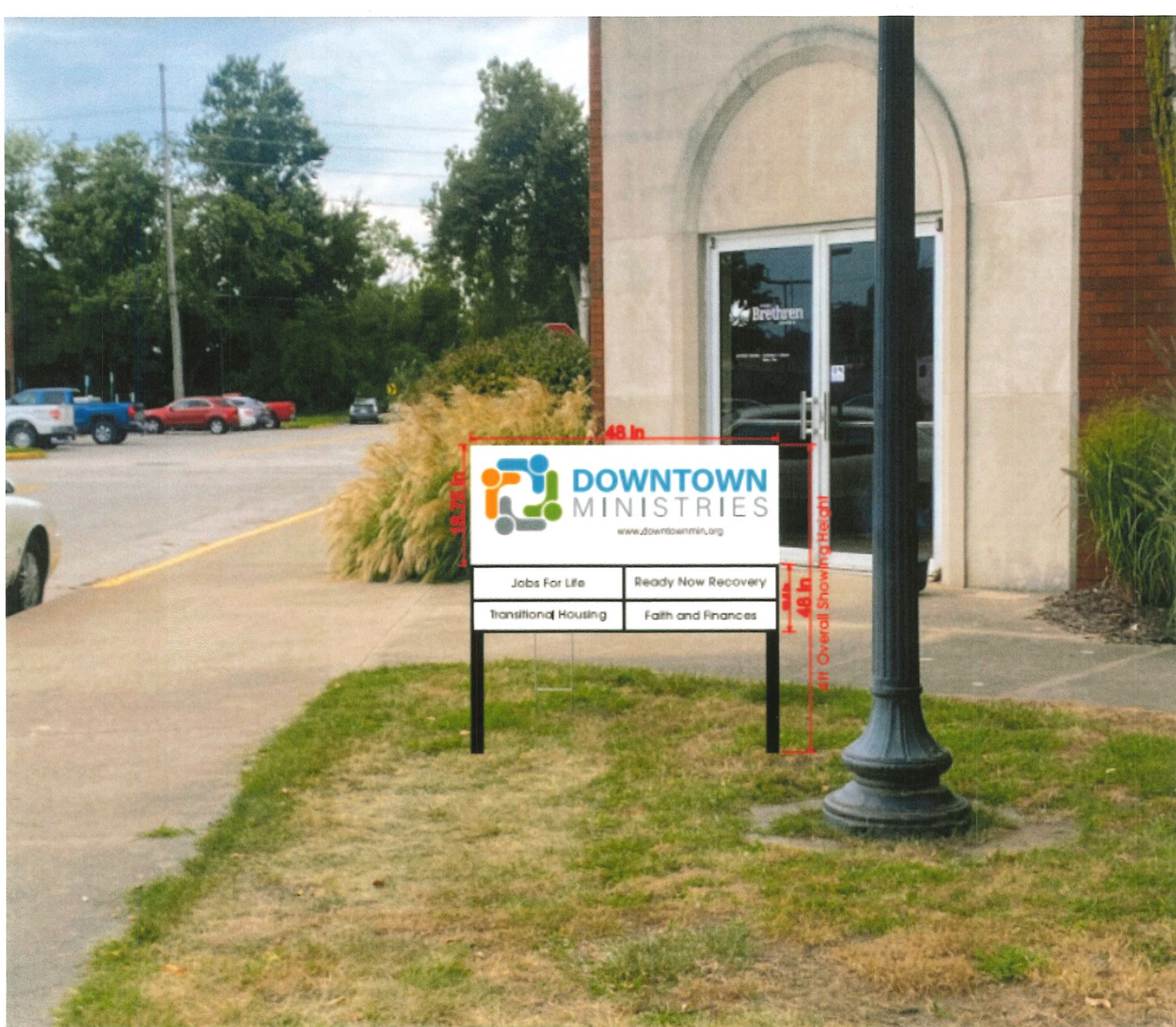


Contact Us For More Information:

574-238-4521

Info@downtownmin.org





DOWNTOWN
MINISTRIES

www.downtownmin.org

Jobs For Life

Ready Now Recovery

Transitional Housing

Faith and Finances



Jobs For Life	Ready Now Recovery
Transitional Housing	Faith and Finances

LOCATION: 417 S 3rd Street
CASE NUMBER: 24-35DV

DATE: November 26, 2024
PREPARED BY: Rossa Deegan

GENERAL INFORMATION

APPLICANT: City of Goshen Department of Redevelopment (owner); Mildred Orama & Prominence Builders (agents)

REQUEST: The applicants request developmental variances to allow development of a lot with an area of approximately 4,005 Sf where a minimum of 6,000 Sf is required and a width of approximately 30' where a minimum width of 50' is required at the established front lot line, a side (south) building setback of 5' where a minimum of 6' is required, a side (north) parking/driving aisle setback of 2' where 5' is required, and a ground floor area of approximately 440 Sf where a minimum of 720 Sf is required, for a new single family home

LOT SIZE: ± 4,005 SF; ±51' of frontage (±20' on River Race Drive & 30' on 3rd Street); depth varies

APPLICABLE ZONING: Residential R-3

NOTICES SENT: 24

SPECIAL INFORMATION

PUBLIC UTILITIES: City water and sewer

AREA DEVELOPMENT: Residential, institutional

NEIGHBORHOOD: Shanklin Millrace

THOROUGHFARES: 3rd Street & River Race Drive

TOPOGRAPHY: Level

VARIANCE OF DEVELOPMENTAL STANDARDS

- ◇ Goshen Zoning Ordinance, *Section 4170.3*, Area, Width, and Yard Regulations of the R-3 District
 - A. Minimum Lot Area and Width
 - 1. Every single family detached dwelling hereafter constructed shall be on a lot having an area of not less than 6,000 square feet, and a width at the established front lot line of not less than 50 feet.
 - C. Side Yard. Each lot shall have two side yards measured from the building to the lot line and shall be as follows:
 - 2. Interior yards shall have two side yards; each side yard shall have a width of not less than six feet
 - 3. Accessory buildings on an interior lot shall not be located closer than five feet from the lot line.
- ◇ Goshen Zoning Ordinance, *Section 4170.5*, Building Size for the R-3 District

No building shall be erected for residential purposes having a ground floor area less than 720 square feet for a single family dwelling...exclusive of porches, terraces, and garages.

ADJACENT PROPERTY OWNERS' SUPPORT, OPPOSITION, AND INQUIRIES

The Planning office has not been contacted by any adjacent property owners regarding this variance. However, the Planning office may still be contacted with questions and statements of support or opposition to the variance between the time of this report's delivery and the public hearing.

ANALYSIS

The subject property is a vacant through lot in the Shanklin Millrace neighborhood bounded by 3rd Street to the east and River Race Drive to the west. Zoning is Residential R-3, and surrounding uses include single family homes to the north and south, the Millrace canal to the west, and a church across 3rd Street to the east. A single family home and detached garage previously existed on the property, but was demolished in 2016 after the City of Goshen Department of Redevelopment took ownership. In 2017, the west 15' of the property was dedicated as right of way, reducing the area of the property by approximately 308 SF.

The petitioners are now proposing to develop the property as a new single family home. The proposed home will be two stories with a two-stall garage on the main level accessed from 3rd Street. Developmental variances are needed for the following:

- The R-3 District requires that new single family homes are developed on lots at least 6,000 SF in area and with a minimum of 50' of width. The subject lot is approximately 4,005 SF in area and its frontage along 3rd Street is approximately 30.5' (its frontage on River Race Drive is even less: approximately 25')
- The proposed total area of the ground floor excluding the garage is just 440 SF where a minimum of 720 SF is required
- The driveway from 3rd Street will have an approximately 2' side (north) setback where 5' is required.

Note that the proposed side (north) building setback of 2' does not need a developmental variance because it meets the block average, which is permitted by the Zoning Ordinance. The petitioners have explained that they are proposing to locate the building closer to the north property line so that only one side of the building has to satisfy additional Building Code requirements related to firewalling; doing so allows them to place windows on the south side of the home. They said they have spoken with the builder, who says they will not impact the property to the north during construction.

Staff recommends approval of the request. A home existed on the subject property for many years prior to its 2016 demolition. Aerials show that the home had a similar footprint as the proposed home and also encroached in both the north and side yards. Additionally:

- Goshen's Comprehensive Plan encourages infill residential development. A new home built on this property will use existing roadway and utility infrastructure, so it won't add to the cost of expanding costly City amenities.
- The proposed garage will reduce the living space on the first floor. However, there is very little space to provide onsite covered parking elsewhere on the property.
- The relatively small, two-story home will match the character of other narrow buildings along the same stretch of 3rd Street.
- Numerous residential redevelopment projects have occurred along the same corridor that have required more than one developmental variance. 502 and 638 River Race Drive are both examples of single family homes built in the last five years that have each required several developmental variances.

Approval should include the condition that the driveway be durable hard surface, such as concrete or asphalt.

FINDINGS OF FACT

Staff recommends **approval** of developmental variances to allow development of a lot with an area of approximately 4,005 Sf where a minimum of 6,000 Sf is required and a width of approximately 30' where a minimum width of 50' is required at the established front lot line, a side (south) building setback of 5' where a minimum of 6' is required, a side (north) parking/driving aisle setback of 2' where 5' is required, and a ground floor area of approximately 440 Sf where a minimum of 720 Sf is required, for a new single family home, based on the following:

1. **The approval will not be injurious to the public health, safety, morals and general welfare of the community.** The home will be built to Building and Fire code standards. A home previously existed on the same site that was similar in size and projected even closer to the north and south property lines than the proposed building. *The standard is confirmed.*

2. **The use and value of the area adjacent to the subject property will not be affected in a substantially adverse manner.** The relatively small, two-story home will match the character of other narrow buildings along the same stretch of 3rd Street. *The standard is confirmed.*
3. **Strict application to the terms of the Zoning Ordinance will result in practical difficulties in the use of the subject property.** The property is currently vacant but was previously improved with a home. Single family homes are the least intense use permitted in the R-3 District, so modest development of a new single family is the most appropriate use of the property. *The standard is confirmed.*

With approval, the following conditions shall apply:

1. The variance shall become null and void unless a zoning clearance has been issued and substantial progress has been made within six (6) months of the date of the BZA approval.
2. Deviation from the requirements and conditions of the variance may result in the cancellation and termination of the approval or permit.
3. An approved zoning clearance form is required.
4. A right of way permit approved by the Engineering Department is required.
5. Approval by the Building Department is required.
6. The driveway shall be durable hard surface such as concrete or asphalt.



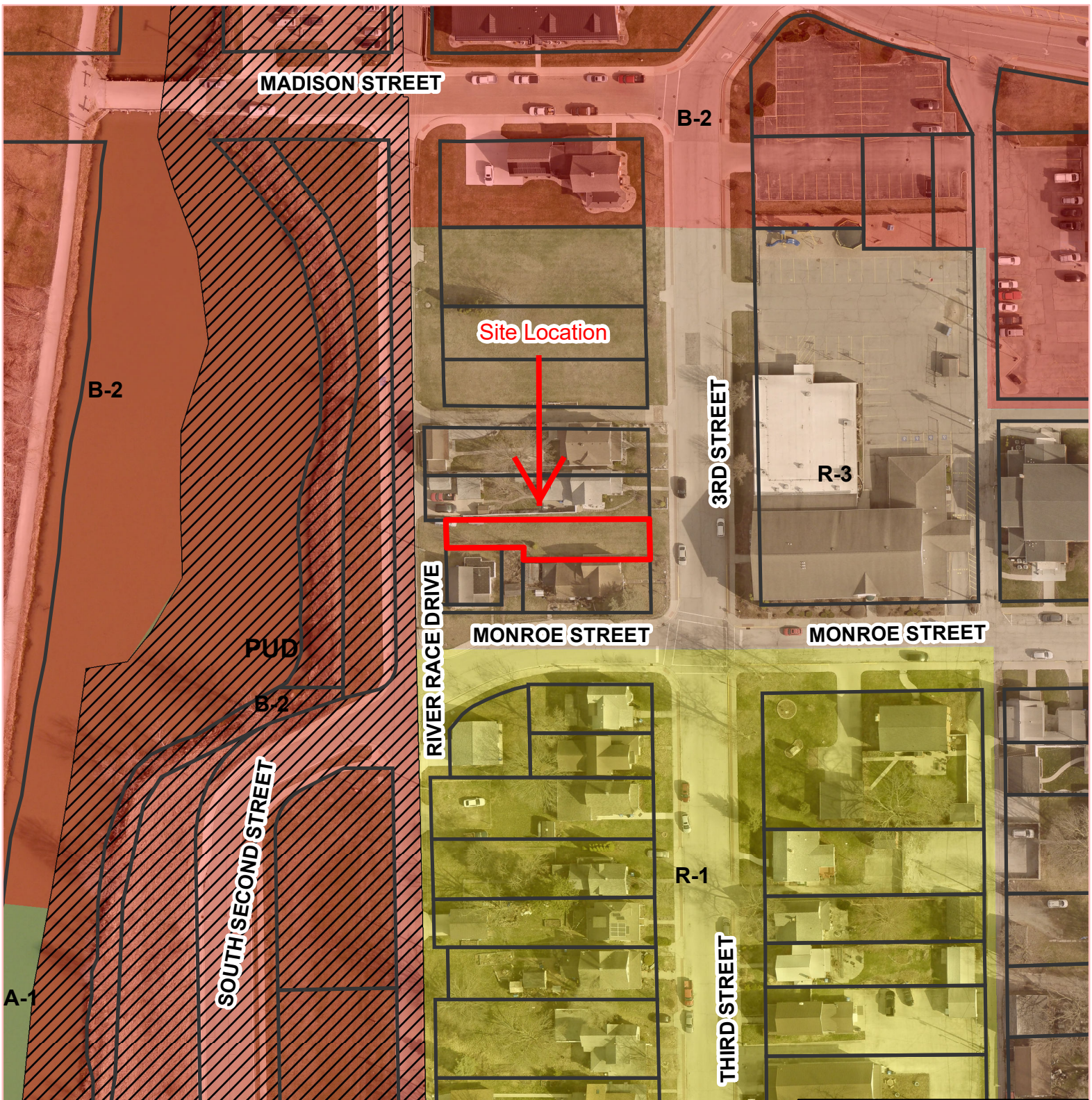
From 3rd Street, looking west



Looking west



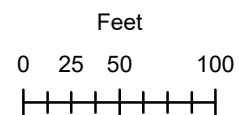
From River Race Drive looking east



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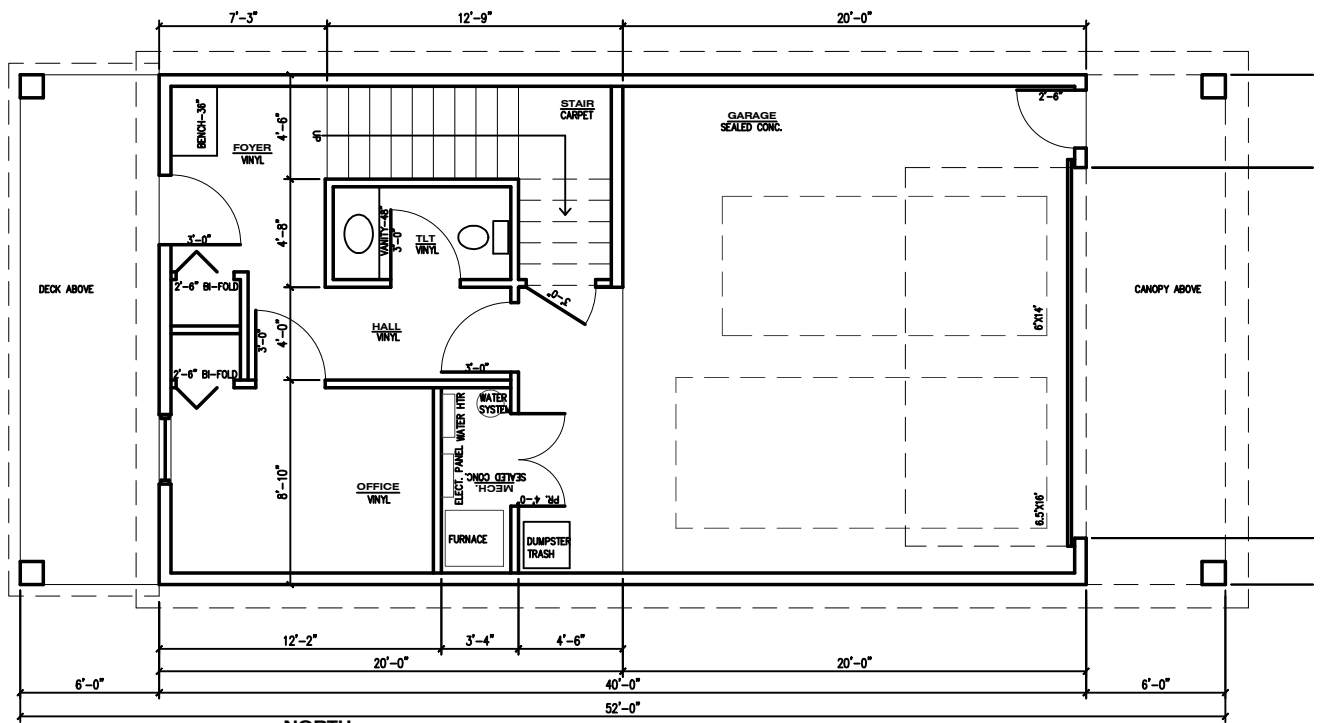
417 S 3rd St

2023 Aerial
Printed November 12, 2024

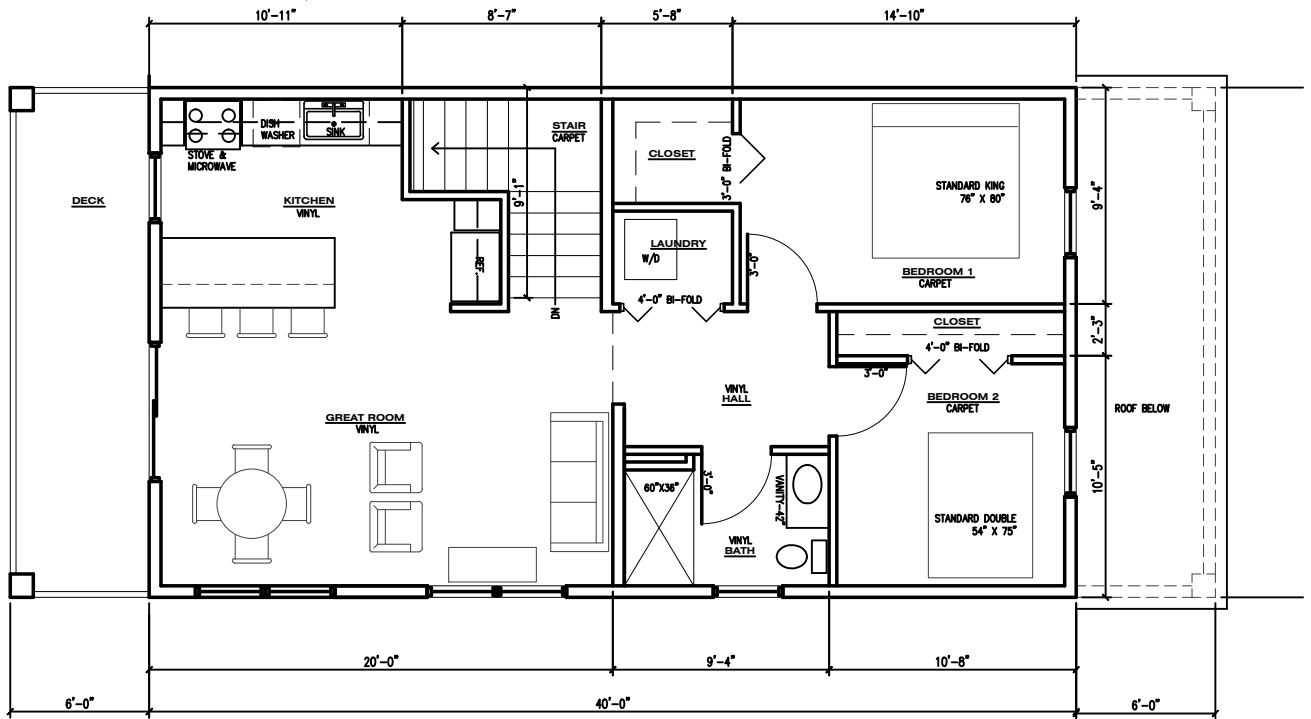


The City of Goshen
Department of

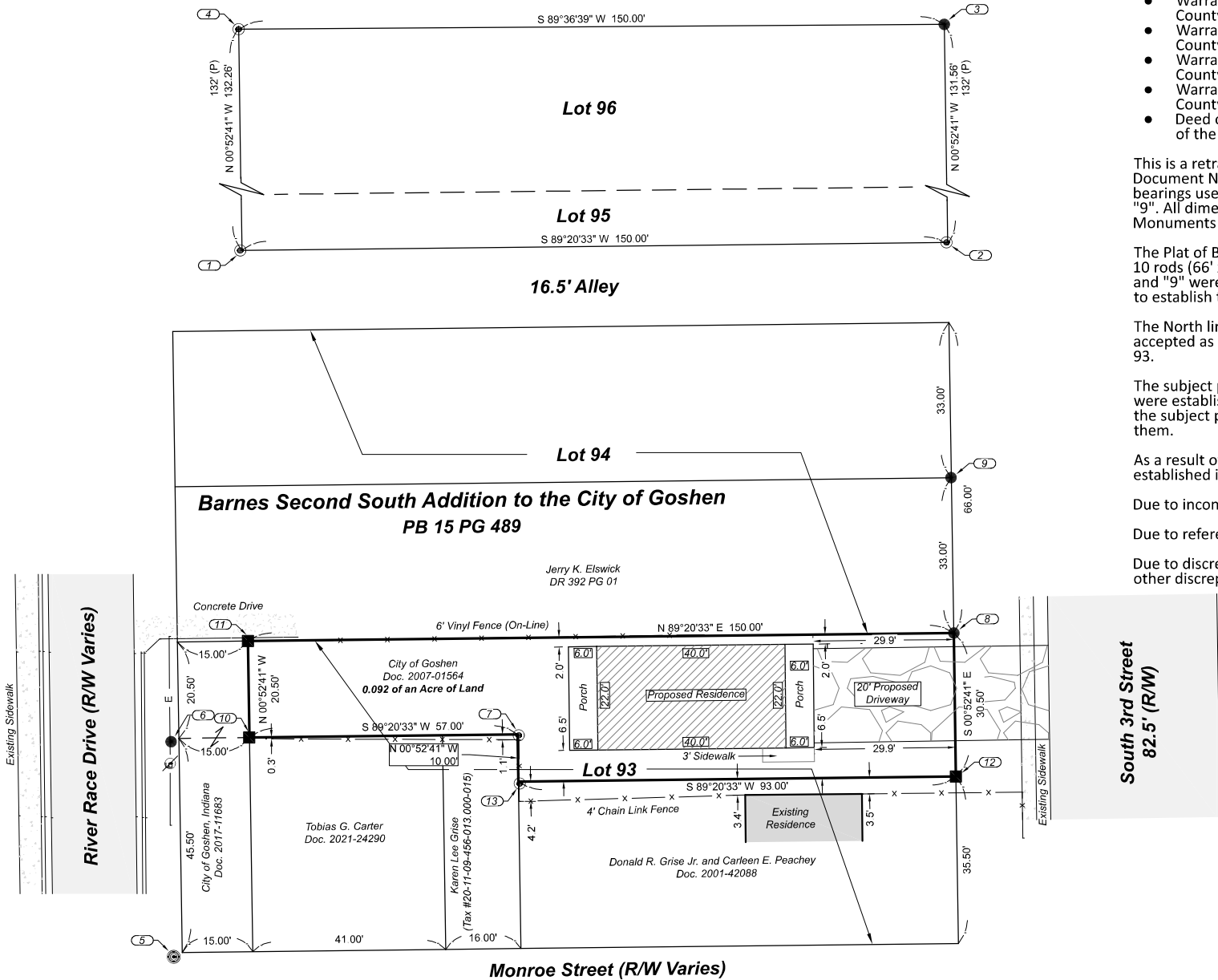
Planning & Zoning
204 East Jefferson Street, Goshen, Indiana 46528
Phone: 574-534-3600 Fax: 574-533-8626



A FIRST FLOOR PLAN
1/8" = 1'-0"

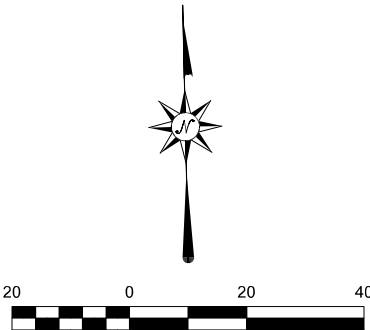


C SECOND FLOOR PLAN
1/8" = 1'-0"



- LEGEND**
- IRON PIPE FOUND
 - REBAR FOUND
 - REBAR W/CAP INSCRIBED "LANDBRO" SET
 - UTILITY POLE
 - FENCE
 - OVERHEAD ELECTRIC

MONUMENT DESCRIPTIONS	
1	REBAR W/CAP "ALS" FOUND FLUSH 0.4' W OF COR, HELD N S
2	REBAR W/CAP "ALS" FOUND FLUSH, 0.25' W OF COR, HELD N S
3	1/2" IRON PIPE FOUND FLUSH, HELD
4	REBAR W/CAP "ALS" FOUND FLUSH, HELD
5	10" CONCRETE POST 0.9' S AND 1.8' W OF COR
6	3/4" IRON PIPE FOUND 2" DEEP, 1.7' W & 0.7' S OF COR
7	5/8" REBAR FOUND FLUSH, 0.2' E & 0.2' S OF COR
8	3/4" IRON PIPE FOUND 2" DEEP, HELD
9	3/4" IRON PIPE FOUND 2" DEEP, ON COR
10	REBAR W/CAP INSCRIBED "LANDBRO" SET
11	REBAR W/CAP INSCRIBED "LANDBRO" SET
12	REBAR W/CAP INSCRIBED "LANDBRO" SET
13	5/8" REBAR FOUND 2" UP, 0.3' E & 0.4' S OF COR



Surveyor's Report

- Prior Surveys, plats, plans or documents used in the performance of this survey are as follows:
- Plat Barnes Second South Addition to Goshen, dated 3/1875 and recorded in Plat Book 15 Page 489 in the Office of the Recorder of Elkhart County, Indiana.
 - Warranty Deed recorded in Document No. 2007-01564 in the Office of the Recorder of Elkhart County, Indiana.
 - Warranty Deed recorded in Document No. 2021-24290 in the Office of the Recorder of Elkhart County, Indiana.
 - Warranty Deed recorded in Document No. 2001-42088 in the Office of the Recorder of Elkhart County, Indiana.
 - Warranty Deed recorded in Deed Record 392 Page 01 in the Office of the Recorder of Elkhart County, Indiana.
 - Deed of Dedication to the City of Goshen recorded in Document No. 2017-11683 in the Office of the Recorder of Elkhart County, Indiana.

This is a retracement survey of land deeded to the City of Goshen by Warranty Deed recorded in Document No. 2007-01564 in the Office of the Recorder of Elkhart County, Indiana. The basis of bearings used for this survey is the West line of 3rd Street being established by points "3", "8" and "9". All dimensions shown are measured unless denoted (P) to indicate a plat distance variance. Monuments found are as shown and noted in the "Monuments Descriptions" table hereon.

The Plat of Barnes Second South Addition indicates that the Lots from 97 to 93 were to be 4 rods by 10 rods (66' x 165'). The monuments recovered along the West line of 3rd Street at points "3", "8" and "9" were used to establish the East line of said lots. Said East line was offset 10 rods (165') West to establish the West lines of the said Lots.

The North line of the alley was established using points "1" and "2". Said North alley line was accepted as the best available evidence to establish the East-West bearing for the North line of Lot 93.

The subject parcel lines are described as being parallel with the North and West lines of Lot 93 and were established per record as shown hereon. Points "7" and "13" were recovered near corners of the subject parcel. Said monuments have an unknown origin and measure 0.24' in excess between them.

As a result of the above observations, it is my opinion that the uncertainties of the lines and corners established in this survey are as follows:

Due to inconsistencies in occupation lines or evidence of possession: As shown

Due to reference monuments: 0.2', See 'Monument Table' hereon

Due to discrepancies in record documents: No deed was found for South adjoiner Karen Lee Grise, No other discrepancies found

Flood Note

Based on scaling from the flood insurance rate map of Elkhart County, Indiana, Map Number 18039C0254D, dated 8 2 2011, the property is located in Zone "X".

Land Description Doc 2007 01564

The North Fractional Part of Lot Number 93 in Barnes Second Addition to the City of Goshen, Indiana, more particularly described as follows

Beginning at the Northeast corner of said Lot 93, thence south along the east line of said Lot, 30 1/2 feet, thence west parallel with the north line of said Lot, 93 feet, thence north parallel with the west line of said Lot, 10 feet, thence west parallel with the north line of said lot, 72 feet to the west line of said lot, thence north along along the west line of said Lot, 20 1/2 feet to the Northwest corner of said lot, thence east along the North line of said Lot, 165 feet to the Place of Beginning

LAND & BOUNDARY
The Land and Boundary Resource Office

401 SOUTH 3RD STREET GOSHEN, IN 46526
(574) 320 5514
INFO@LANDBRO.COM

DATE OF FIELD WORK 4 10 2024

PROJECT NUMBER 240308

AUTHORIZED BY TRS

DRAFTING BY LBR

SCALE 1" = 30'

SHEET 1 OF 1

THE UNCERTAINTIES DUE TO RANDOM ERRORS IN MEASUREMENT FOR MONUMENTS ESTABLISHED IN THIS SURVEY ARE WITHIN SPECIFICATIONS OF A SUBURBAN SURVEY (0.13 FEET PLUS 100 PARTS PER MILLION) AS DEFINED IN IAC 865

I AM A PROFESSIONAL SURVEYOR LICENSED IN THE STATE OF INDIANA AND THIS SURVEY HAS BEEN CONDUCTED UNDER MY DIRECT SUPERVISION

TRAVIS R. SHETLER, PS #LS21400008 8-3-2024

I affirm, under the penalties for perjury, that I have taken reasonable care to read each social security number in this document, unless required by law.

Boundary Survey
Part of Lot 93 of Barnes Second South Addition

Part of the Southeast Quarter (SE 1/4) of Section 9,
Township 36 North, Range 6 East,
Elkhart Township, Elkhart County

State of Indiana

LOCATION: 1730 Regent Street
CASE NUMBER: 24-16UV

DATE: November 26, 2024
PREPARED BY: Rossa Deegan

GENERAL INFORMATION

APPLICANT: Goshen Community Schools (owner); Warrick & Boyn, LLP (agent)

REQUEST: The applicants request a use variance to amend variance 24-02UV & 24-11DV to allow a portion of required landscaping for an athletic facility to be installed on neighboring properties to the south via an easement and to allow occupancy of the facility prior to the installation of required landscaping

LOT SIZE: ± 33 acres; ±828' of frontage; depth varies

APPLICABLE ZONING: R-3 PUD

NOTICES SENT: 27

SPECIAL INFORMATION

PUBLIC UTILITIES: Existing building connected to City water & sewer; City water not available to rear parcel

AREA DEVELOPMENT: Residential, institutional

NEIGHBORHOOD: Waterford Commons

THOROUGHFARES: Regent Street

TOPOGRAPHY: Level

VARIANCE FROM PREVIOUS APPROVAL

- ◇ Variance 24-02UV & 24-11DV stipulates that Eight (8) large species evergreen trees shall be added to the landscaping along the east property line and four (4) along the south property line as shown on “Site landscape plan – baseball/softball,” dated 1/18/24, by Barton Coe Vilamaa/Commonwealth Engineers, with an updated landscape plan provided to staff for review.

ADJACENT PROPERTY OWNERS’ SUPPORT, OPPOSITION, AND INQUIRIES

The Planning office has not been contacted by any adjacent property owners regarding this variance. However, the Planning office may still be contacted with questions and statements of support or opposition to the variance between the time of this report’s delivery and the public hearing.

ANALYSIS

The subject property is Prairieview Elementary School, an approximately 33-acre site on the south side of the City along Regent Street. The property is zoned Residential R-3 PUD (part of Waterford Commons PUD). Surrounding uses and zoning are predominantly residential; the parcel to the west along Regent Street is zoned Commercial B-4. Improvements to the site include an approximately 90,000 SF school building; parking lots on the north and south sides of the building; a playground and walking area; and a ground mounted solar array approximately 26,000 SF in area.

The property is two tax parcels, and with the exception of the solar array, the southernmost parcel approximately 16 acres in size has been vacant farm land. In March of this year, the BZA approved a number of use and developmental variances to allow development of the vacant area for an athletic complex. The approval included a commitment requiring bufferyard landscaping in addition to what was shown on a preliminary site plan. An updated landscape plan was later reviewed and approved by Staff through Technical Review. Construction is underway.

The petitioners are now proposing to make changes to the location of the required landscaping. They have entered into an agreement with the developer of the Cherry Creek residential development to the south, which will be subdivided into separate residential lots, to combine soil from both areas for a shared earthen berm. The majority of the berm, including its peak, will be on the future residential lots. Of the approximately 82 trees located on berms surrounding the complex, up to 46 are now proposed to be located on the neighboring property to the south. The athletic facility owners are committing to maintain the landscaping via an access easement. Because the landscaping required by the BZA will be located on a neighboring property and the landscape plan will change, approval of a use variance to amend the previous variance is required.

The petitioners are also requesting that occupancy of the athletic facility be permitted before the landscaping installation is complete. For all development requiring landscaping, Planning Staff inspects required landscaping to ensure completion, and occupancy is not granted by the Building Department until Planning is satisfied. The petitioners explain that the Cherry Creek portion of the proposed joint berm will not be completed until after the beginning of baseball and softball season, so they would like to occupy the facility before landscaping installation can be completed. The proposed approximate timeline is as follows:

- Occupancy of the athletic facility in Spring 2025
- Completion of joint-berm in Summer 2025
- Completion of landscaping installation by Fall 2025

Section 5000.8 of the Zoning Ordinance requires that all required landscaping maintain healthy and normal growth. Staff routinely addresses dead and unhealthy landscaping on recently developed properties through enforcement of this provision. Locating the required landscaping on neighboring properties is a concern because it complicates who is responsible for replacing unhealthy landscaping. To address this, the petitioners have entered into an agreement with the neighboring developer that delineates which parties are responsible for maintenance of each portion of the berm. Specifically, the required trees and the berm to the north of them will be maintained by the school.

Staff recommends approval of the request with conditions and commitments. The revised berm and landscape plans will need new review by City Staff through Technical Review. An easement for school access to the berm shall be recorded and provided to the Planning Department during Technical Review and before occupancy. The landscaping must be installed no later than December 31, 2025. A commitment needs to stipulate that the owner of the athletic complex is responsible for maintenance of the berm.

If such conditions and commitments are in place, approval is warranted based on the following:

- The same quantity of trees will be installed as a buffer between the athletic complex and the residential development as had previously been approved.
- The joint-berm will be significantly larger in both height and width than a berm installed solely on the athletic complex property. The athletic complex has an approximately 15' south setback, which is very narrow for a berm installation, whereas the proposed joint berm will be over 50' in width and 8' in height at certain points. The larger berm will improve buffering between residential properties and the athletic complex.
- Concurrent development of the subject and neighboring properties provides an opportunity for both developments to share resources and space
- Development of the residential properties to the south has not yet occurred, and the proposed joint-berm will be in place before they are developed. It will therefore not impact the character of those future homes.
- Approval prevents the need to move massive amounts of soil from both properties.

The movement of the berm southward affords greater opportunity to connect the athletic facility to the adjacent pedestrian/bike trail on the west side of the property, and a commitment should be added stipulating that such a walkway is constructed with this project. Doing so will allow public access to the facility from the west without the need to travel all the way around to the access point at the east side of the solar array; it's a trip that adds approximately one-quarter mile to the distance to the ticket booth. Access from the pedestrian path will still be

outside the main entrance gates/ticket booth area and vehicle access to the parking lot will still be prevented at the north entrance when the facility is closed. The sidewalk connection will not disturb the area of required berm on the west side of the parking lot and it will increase connectivity.

FINDINGS OF FACT

Staff recommends **approval with conditions and commitments** of a use variance to amend variance 24-02UV & 24-11DV to allow a portion of required landscaping for an athletic facility to be installed on neighboring properties to the south via an easement and to allow occupancy of the facility prior to the installation of required landscaping, based on the following:

- 1. The approval will not be injurious to the public health, safety, morals, and general welfare of the community.** The same quantity of trees will be installed as a buffer between the athletic complex and the residential development as had previously been approved. *The standard is confirmed.*
- 2. The use and value of the area adjacent to the subject property will not be affected in a substantially adverse manner.** The same quantity of trees will be installed as a buffer between the athletic complex and the residential development as had previously been approved. Development of the residential properties to the south has not yet occurred, and the proposed joint-berm will be in place before they are developed. It will therefore not impact the character of those future homes. *The standard is confirmed.*
- 3. The need for the variance arises from a condition peculiar to the subject property.** The concurrent development of a property directly adjacent to the subject property affords an opportunity to increase the size of the athletic facility's berm. *The standard is confirmed.*
- 4. Strict application of the terms of the Zoning Ordinance will not constitute an unnecessary hardship if applied to the subject property.** Denial of the request will not prevent the athletic facility from being developed; the opportunity to share a berm and locate the landscaping on an adjacent property is largely one of convenience. *The standard is not confirmed.*
- 5. The approval does not interfere substantially with the Comprehensive Plan.** The creation of one large berm instead of two smaller berms maximizes use of land, supporting the objective of the Comprehensive Plan to "promote...compact development" (Land Use 1.1) *The standard is confirmed.*

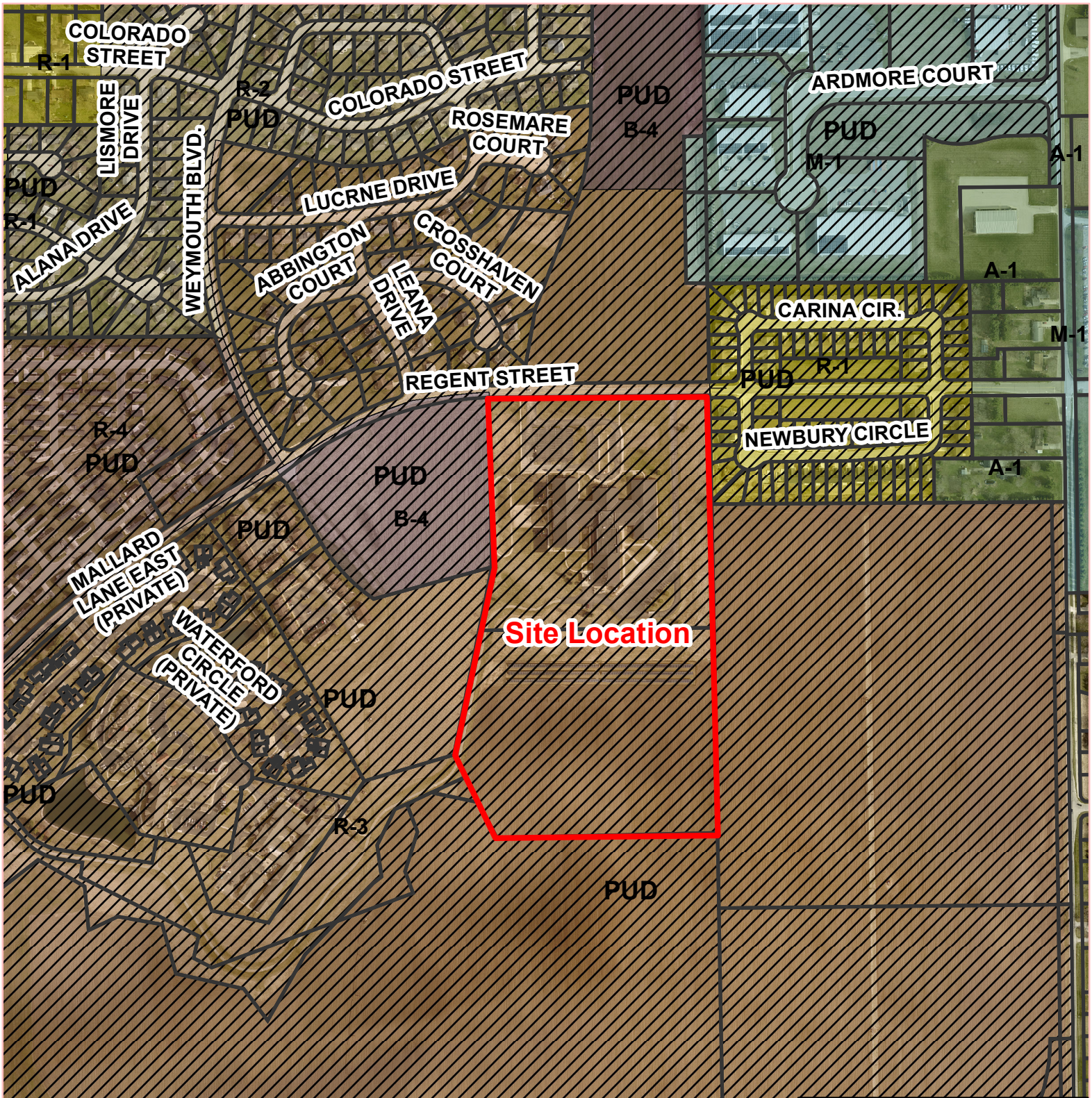
With approval, the following conditions shall apply:

1. If a Building permit is required, the variance shall become null and void unless a Building permit has been issued and substantial progress has been made within six (6) months of the date of BZA approval.
2. Deviation from the requirements and conditions of the variance may result in the cancellation and termination of the approval or permit.
3. The BZA approval shall be effective when the executed and recorded Result Letter/Commitment form has been returned to the City of Goshen Board of Zoning Appeals staff and when all conditions of approval have been met.
4. No zoning clearance form will be issued until the executed and recorded Result Letter/Commitment form has been returned to the City of Goshen Board of Zoning Appeals staff and until all conditions of approval have been met.
5. An approved zoning clearance form is required.
6. Revised plans reviewed through Technical Review are required.
7. The recorded access easement for the shared berm shall be provided to the Planning Department during Technical Review and before occupancy of the athletic facility.
8. All required landscaping shall be installed no later than December 1, 2025; the required landscaping not located along the shared portion of the berm shall be installed before occupancy of the athletic facility.

If approved, the following Commitments shall apply:

1. If the variance is not implemented and expires, this Commitment automatically terminates as well, and the Zoning Administrator may execute and record a Termination of Commitment on behalf of the City of Goshen Board of Zoning Appeals.

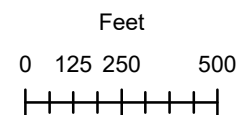
2. The berm as shown on “Site landscape plan – baseball/softball,” dated 1/18/24, by Barton Coe Vilamaa/Commonwealth Engineers shall be extended to the north end of the parking lot along the west property line, between the sidewalk and the parking lot.
3. The owner of the athletic complex shall be responsible for maintaining all trees as shown on the approved landscape plan.
4. The sidewalk on the southside of the athletic facility parking lot shall be extended westward to the pedestrian/bike path on the west side of the property as depicted in the layout “1730 Regent – recommended sidewalk extension – 11/26/24”.



The City of Goshen's Digital Data is the property of the City of Goshen and Elkhart County, Indiana. All graphic data supplied by the city and county has been derived from public records that are constantly undergoing change and is not warranted for content or accuracy. The city and county do not guarantee the positional or thematic accuracy of the data. The cartographic digital files are not a legal representation of any of the features depicted, and the city and county disclaim any assumption of the legal status they represent. Any implied warranties, including warranties of merchantability or fitness for a particular purpose, shall be expressly excluded. The data represents an actual reproduction of data contained in the city's or county's computer files. This data may be incomplete or inaccurate, and is subject to modifications and changes. City of Goshen and Elkhart County cannot be held liable for errors or omissions in the data. The recipient's use and reliance upon such data is at the recipient's risk. By using this data, the recipient agrees to protect, hold harmless and indemnify the City of Goshen and Elkhart County and its employees and officers. This indemnity covers reasonable attorney fees and all court costs associated with the defense of the city and county arising out of this disclaimer.

1730 Regent St

2023 Aerial
Printed November 12, 2024



1 inch = 500 feet

The City of Goshen
Department of
Planning & Zoning
204 East Jefferson Street, Goshen, Indiana 46528
Phone: 574-534-3600 Fax: 574-533-8626

November 6, 2024

Admitted in Indiana
and Michigan

Thomas E. Warrick
Retired

Gary D. Boyn*
James V. Woodsmall*
Cynthia S. Gillard
Randall G. Hesser
Timothy S. Shelly
Andrew M. Hicks
Dean E. Leazenby
Christopher T. Pottratz
Rachel A. Schnetzler
Jamie R. Richardson +
Ashli Hunsberger †

*Of Counsel

+ Admitted in Indiana and Illinois

† Admitted in Indiana only

City of Goshen Planning & Zoning
Attn: Rossa Deegan
1204 E. Jefferson Street
Goshen, IN 46528

RE: Goshen Community Schools Zoning Variance

Rossa,

Please find enclosed Goshen Community Schools' Petition for a variance for Goshen Schools' shared berm with Cherry Creek. This Petition is to allow the landscaping to be placed on top of the shared berm, which will be primarily on Cherry Creek's property. Because the berm will not be complete until the summer of 2025, the landscaping will not be installed until the fall of 2025. Therefore, we are also seeking a variance to allow occupancy before the landscaping is complete, which would allow the new baseball/softball complex to be available for 2025 season.

This proposal is supported by Cherry Creek. Cherry Creek and Goshen Schools have entered a Shared Berm Agreement for the construction and ongoing maintenance of the berm and landscaping. This proposal has no impact on any other property owner.

We believe this to be a common sense solution for the issue of both parties' excess top soil, while also creating more of a barrier between the baseball/softball complex and the future development of Cherry Creek. We hope the Petition can be approved without opposition.

Sincerely,



Christopher T. Pottratz

CTP/afs

Enclosure

SHARED BERM AGREEMENT

This Shared Berm Agreement (“Agreement”) is made this 10th day of November, 2024 by Goshen Community Schools (the “School”) and Cherry Creek, LLC (“Cherry Creek”).

BACKGROUND

The School is the lessee of record of that certain parcel of real property located behind Prairie View Elementary School, being Parcel No. 20-11-27-427-001.000-015 in Elkhart County, Indiana (“Lot 1”). Cherry Creek is the record owner of that certain parcel of real property located on Waterford Mills Parkway, being Parcel No. 20-11-27-426-036.000-015 in Elkhart County, Indiana (“Lot 2”). Lot 1 and Lot 2 abut one another. The School and Cherry Creek are each beginning construction projects on their respective property and desire to create a shared earth berm along the property line of Lot 1 and Lot 2 (collectively, the “Lots”), substantially in accordance with the plans attached hereto as Exhibit A (the “Berm”).

The School and Cherry Creek desire that a landscape barrier be planted on top of the Berm, substantially in accordance with the landscape plan attached hereto as Exhibit B (the “Landscaping”). To support the Landscaping, the School and Cherry Creek desire that the School install an irrigation system, as shown on Exhibit C (“Irrigation”).

Accordingly, the School and Cherry Creek now wish to allow the other to move soil from Lot 1 to Lot 2, and *vice versa*, as necessary to create the Berm, plant and maintain the Landscaping, and install and maintain the Irrigation, all on the terms set forth below.

Now, therefore, for good and valuable consideration, and intending to be legally bound hereby, the School and Cherry Creek agree as follows:

1. Declaration of Easement. The School, as the lessee of Lot 1, hereby creates, grants, and declares a temporary, non-exclusive easement over, on, and across Lot 1 (“Cherry Creek’s Easement”) for vehicular and pedestrian access to and from each of the Lots for the purpose of creating the Berm, including moving soil from one Lot to the other for the benefit of owners from time to time of Lot 2. Cherry Creek’s Easement shall continue in effect until the expiration of the School’s lease of Lot 1.

Cherry Creek, as the owner of the Lot 2, hereby creates, grants, and declares a permanent, non-exclusive easement over, on, and across Lot 2 for vehicular and pedestrian access to and from each of the Lots for the purpose of creating the Berm, including moving soil from one Lot to the other, for planting and maintaining the Landscaping, and for installing and maintaining the Irrigation, for the benefit of the owners from time to time of Lot 1 (collectively, with the owners from time to time of Lot 2, the “Lot Owners”).

The Berm shall not be substantially different in size or location from the plans on Exhibit A, and the Landscaping shall not be substantially different than the landscape plan on Exhibit B. The Agreement is only for a Berm along the boundary of Lot 1 and Lot 2 and shall not be construed to provide for a shared earth berm along the boundary of any other lots owned by the School and Cherry Creek.

2. Berm Construction. The School shall construct the first portion of the Berm prior to December 31, 2024 using top soil from Lot 1. The construction of the Berm will allow the Lot Owners to relocate approximately 7,358 cubic yards of additional top soil beyond what would be possible with separate berms on each Lot. Top soil from Lot 1 shall not exceed 50% of the total volume of the Berm, or approximately 3,679 cubic yards of additional top soil. The School shall begin by filling the portion of the Berm on Lot 1 to the minimum levels shown on Exhibit A and then filling the portion of the Berm on Lot 2 from west to east. Cherry Creek shall construct the remainder of the Berm prior to August 31, 2025 using top soil from Lot 2. The Landscaping shall be planted after August 31, 2025 and no later than December 1, 2025.

3. Maintenance and Repairs.

(a) After completion of the Berm, Landscaping, and Irrigation, the School and Cherry Creek shall treat the tree line on the top of the Berm as the boundary for maintenance. The portion of the Berm from the tree line to the boundary of Lot 1 and Lot 2 is hereinafter referred to as the “North Portion,” and the remainder of the Berm is hereinafter referred to as the “South Portion.” The School shall be responsible for the maintenance, repairs, and replacements required to keep the Landscaping, Irrigation, and North Portion of the Berm in good condition, including keeping the grass mowed to the height required by the Goshen City Code. Cherry Creek shall be responsible for the maintenance, repairs, and replacements required to keep the South Portion of the Berm and any additional landscaping thereon in good condition, including keeping the grass mowed to the height required by the Goshen City Code.

(b) Notwithstanding the foregoing, in the event the Berm, Landscaping, or Irrigation is damaged by any act of a Lot Owner or such Lot Owner’s employees, agents, contractors or invitees, such Lot Owner shall be solely responsible for promptly repairing such damage at its sole own expense.

(c) Any Landscaping that is removed, diseased, dead, or no longer exhibiting health and normal growth shall be replaced by the next May 1 or October 1, whichever is soonest.

4. Default. If any Lot Owner (“Defaulting Owner”) fails to maintain its portion of the Berm or Landscaping, another Lot Owner(s) (“Paying Owner”) may perform, or cause to be performed, the required maintenance and demand from the Defaulting Owner payment of the costs of such maintenance. If the Defaulting Owner fails to pay the amount due within thirty (30) days after receipt of such demand, then (a) the unpaid sum shall accrue interest at five percent (5%) per annum from the date of such notice until paid, and (b) the unpaid amount shall constitute a lien upon the Defaulting Owner’s Lot enforceable as such in the same manner as if such lien arose from an unpaid assessment imposed by a homeowner’s association.

5. Cooperation.

(a) The School and Cherry Creek agree and acknowledge that the placement of the Landscaping shown on Exhibit B requires zoning variances from the City of Goshen's Board of Zoning Appeal, both for the location of the Landscaping and the timing of the installation of the Landscaping. The School and Cherry Creek agree to cooperate in seeking said variances and any other approvals necessary to implement the plan for the Berm and Landscaping.

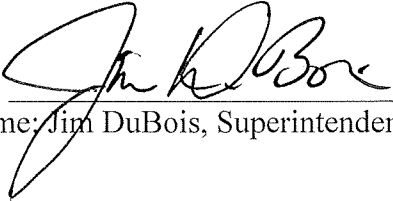
(b) If the required variances are not approved, the School shall plant the Landscaping as required by the City of Goshen and all other provisions of this Agreement shall remain in full force and effect.

6. **Covenant.** The foregoing easements and covenants shall run with the land and shall bind and inure to the benefit of the Lot Owners, their respective heirs, personal representatives, successors-in-interest, and assigns.

7. **General.** The captions or headings of the various sections of this Agreement are for convenience only and shall not control or affect the meaning or construction of any of the terms or provisions of this Agreement. This Agreement shall be governed by and construed in accordance with the laws of the State of Indiana.

In Witness Whereof, the School and Cherry Creek have executed this Shared Berm Agreement on the day and year first above written.

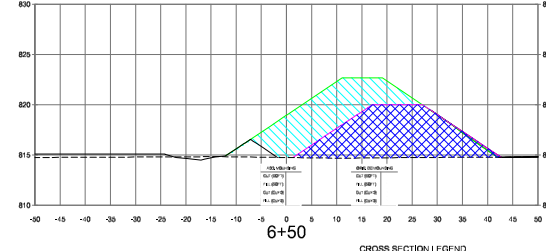
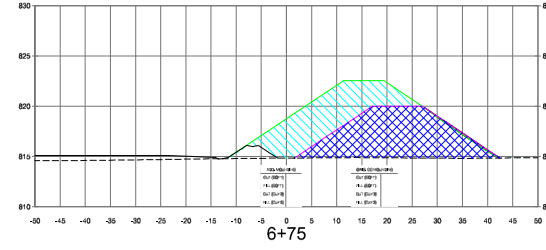
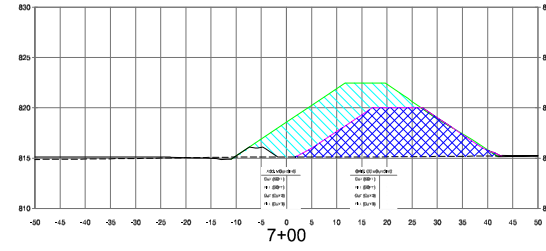
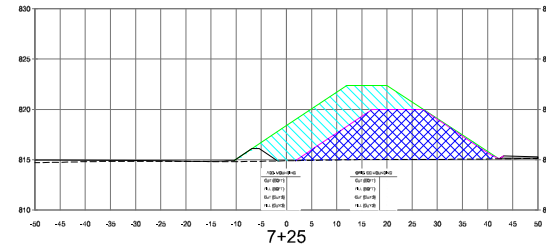
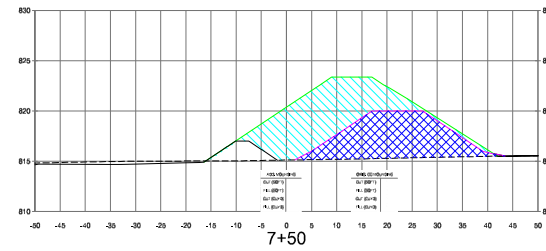
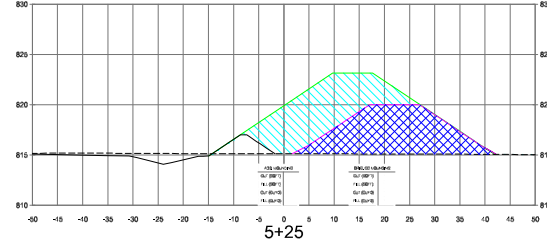
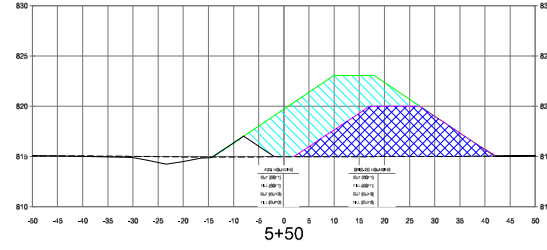
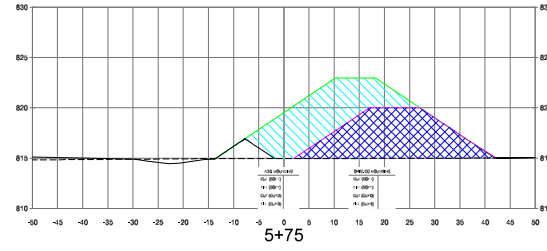
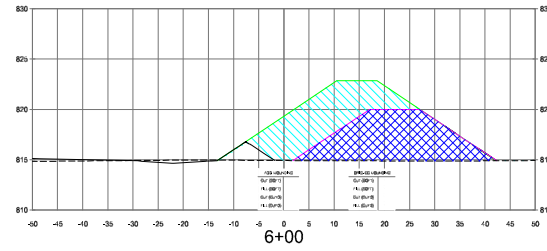
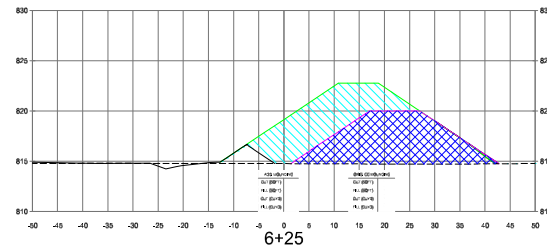
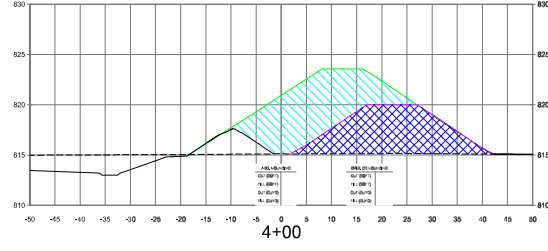
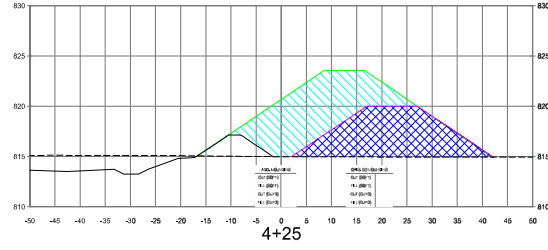
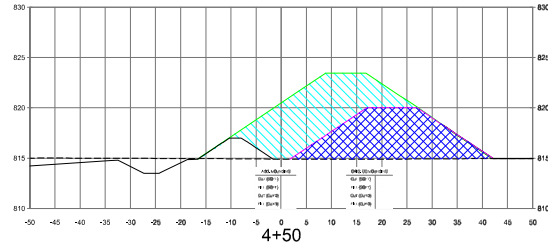
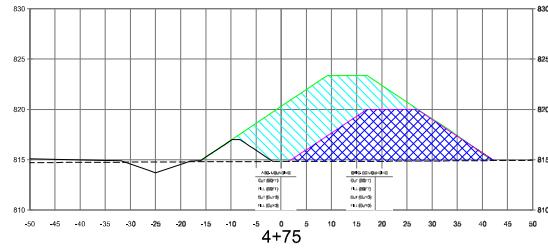
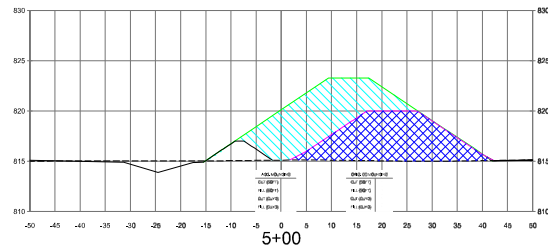
GOSHEN COMMUNITY SCHOOLS

By: 
Name: Jim DuBois, Superintendent

CHERRY CREEK, LLC

By: 
Name: Tonya Detweiler, Member

Sample of mounding cross sections



SOUTH BERM CROSS SECTIONS
1" = 10' HORIZONTAL
1" = 10' VERTICAL

CROSS SECTION LEGEND
PROPOSED GRADE GOSHEN SB-SB COMPLEX PLANS
PROPOSED GRADE ABONMARCH CHERRY CREEK MOUNDING
PROPOSED GRADE ADDITIONAL MOUNDING AT PROPERTY LINE
EXISTING GRADE
ADDITIONAL FILL AREA FOR MOUNDING AT PROPERTY LINE
ORIGINAL FILL AREA FOR MOUNDING ON CHERRY CREEK DEVELOPMENT



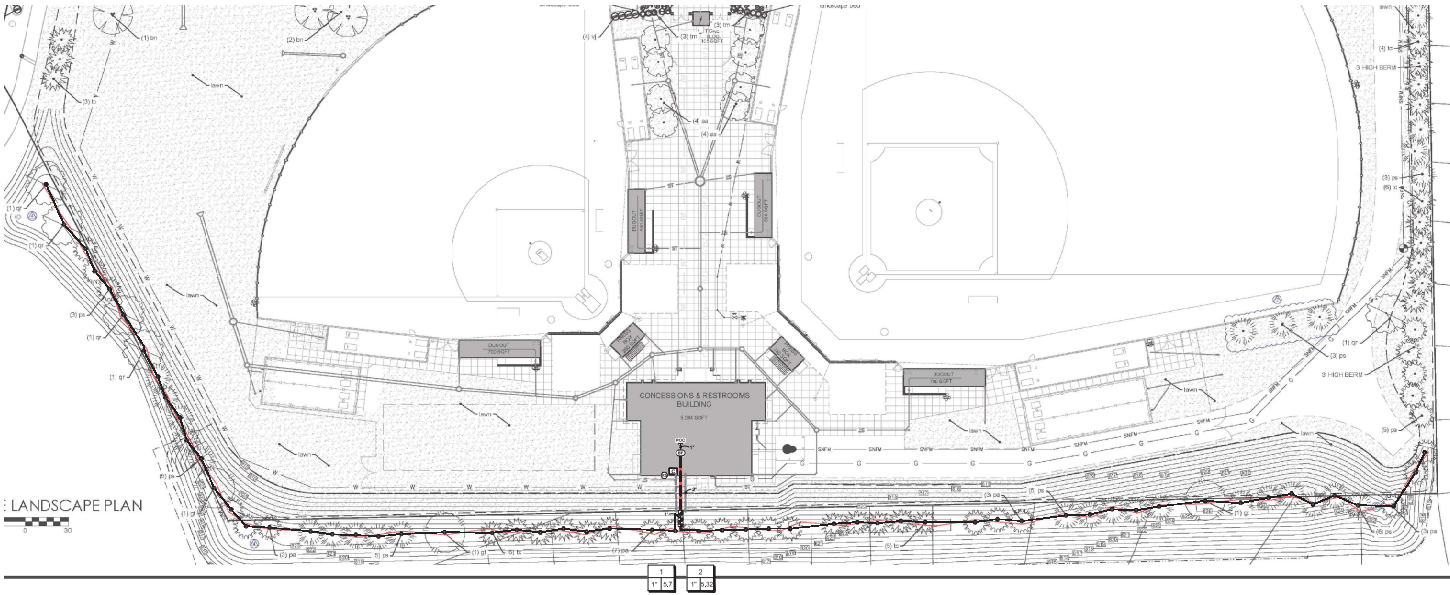
BCV
BARTON COE VILAMOA
CONSTRUCTION
ARCHITECTS & ENGINEERS

NEW BASEBALL SOFTBALL COMPLEX
GOSHEN COMMUNITY SCHOOLS
GOSHEN, INDIANA

NS, A/E, GC
APRIL 11, 2024

CHERRY CREEK
MOUNDING -
CROSS
SECTIONS

C401C
23068



IRRIGATION SCHEDULE

SYMBOL	MANUFACTURER/MODEL	QTY
	Hunter PC2-101-40 1"	2
	Drop Ring - 0.6 @ 12" OC, Approx. 20 LF per tree	56
SYMBOL	MANUFACTURER/MODEL	QTY
	Hunter HG-44RC 1"	1
	Fetco 785 1"	1
	Hunter P2C-400	1
	Hunter WH-CLK	1
	Point of Connection	1
	Irrigation Lateral Line: PVC Class 200 SDR 21 1"	1,123 LF
	Irrigation Mainline: PVC Class 200 SDR 21 1"	55,115
	Pipe Sleeve: PVC Schedule 40 2"	25,715
	Valve Cabinet	
	Valve Box	
	Valve Box	
	Valve Box	

IRRIGATION SPECIFICATIONS

- IRRIGATION SYSTEM DESIGN BASED ON 15 GPM AT 40 PSI.
- IRRIGATION DESIGN IS FROM THE POINT OF CONNECTION(POC) ONLY. THE DESIGN IS BASED ON GALLONS PER MINUTE(GPM) AND POUNDS PER SQUARE INCH(PSI) FURNISHED BY OTHERS.
- IRRIGATION CONTRACTOR IS TO VERIFY POINT OF CONNECTION IN THE FIELD. INSTALLER IS TO CONFIRM THE MINIMUM DISCHARGE REQUIREMENTS OF THE POINT OF CONNECTION AS INDICATED ON THE LEGEND PRIOR TO INSTALLATION.
- THE PRESSURE REQUIREMENT AT THE POINT OF CONNECTION IS BASED ON NO MORE THAN 5 FEET OF ELEVATION CHANGE IN THE AREAS OF IRRIGATION.
- ALL PRODUCTS SHALL BE INSTALLED IN ACCORDANCE WITH THE MANUFACTURER'S RECOMMENDATIONS AND ACCORDING TO LOCAL BUILDING, ELECTRICAL, AND PLUMBING CODES.
- IRRIGATION CONTRACTOR WILL ARRANGE INSPECTIONS REQUIRED BY LOCAL AGENCIES AND ORDINANCES DURING THE COURSE OF CONSTRUCTION AS REQUIRED. ALL WIRING TO BE PER LOCAL CODE. BACKFLOW PREVENTION TO BE PER LOCAL CODE.
- LOCATION OF IRRIGATION COMPONENTS SHOWN ON DRAWING IS APPROXIMATE. ACTUAL PLACEMENT MAY VARY SLIGHTLY AS REQUIRED TO ACHIEVE FULL, EVEN COVERAGE.
- ALL SPRINKLER HEADS SHALL BE INSTALLED PERPENDICULAR TO FINISH GRADES, EXCEPT AS OTHERWISE INDICATED.
- INSTALL IRRIGATION MAINS WITH A MINIMUM 18" OF COVER BASED ON FINISH GRADES. INSTALL IRRIGATION LATERALS WITH MINIMUM 12" OF COVER BASED ON FINISH GRADES.
- PIPE LOCATIONS ARE DIAGRAMMATIC. VALVES AND MAINLINE SHOWN IN PAVED AREAS ARE FOR GRAPHIC CLARITY ONLY.
- THE IRRIGATION CONTRACTOR SHALL COMPLY WITH PIPE SIZES AS INDICATED.
- ALL WIRE SPLICES OR CONNECTIONS SHALL BE MADE WITH APPROVED WATERPROOF WIRE CONNECTIONS AND BE IN A VALVE OR SPLICE BOX.
- ALL CONTROL WIRING DOWNSTREAM OF THE CONTROLLER IS TO BE 14 AWG, UL APPROVED DIRECT BURY.
- THE DESIGN IS BASED ON THE SITE INFORMATION AND/OR DRAWING SUPPLIED WITH THE DESIGN CRITERIA BEING SET (AREA TO BE IRRIGATED, EQUIPMENT MANUFACTURER AND MODEL TO BE USED, WATER SOURCE INFORMATION, ELECTRICAL POWER AVAILABILITY, ETC...). WISSCO IRRIGATION INC BEARS NO RESPONSIBILITY OR LIABILITY FOR ANY ERRORS IN DESIGN OR INSTALLATION THAT ARISE DUE TO INACCURACIES IN THE ABOVE REFERENCED INFORMATION SUPPLIED TO WISSCO IRRIGATION INC IN RELATION TO THIS PROJECT, UNLESS OTHERWISE NOTED.

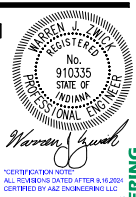
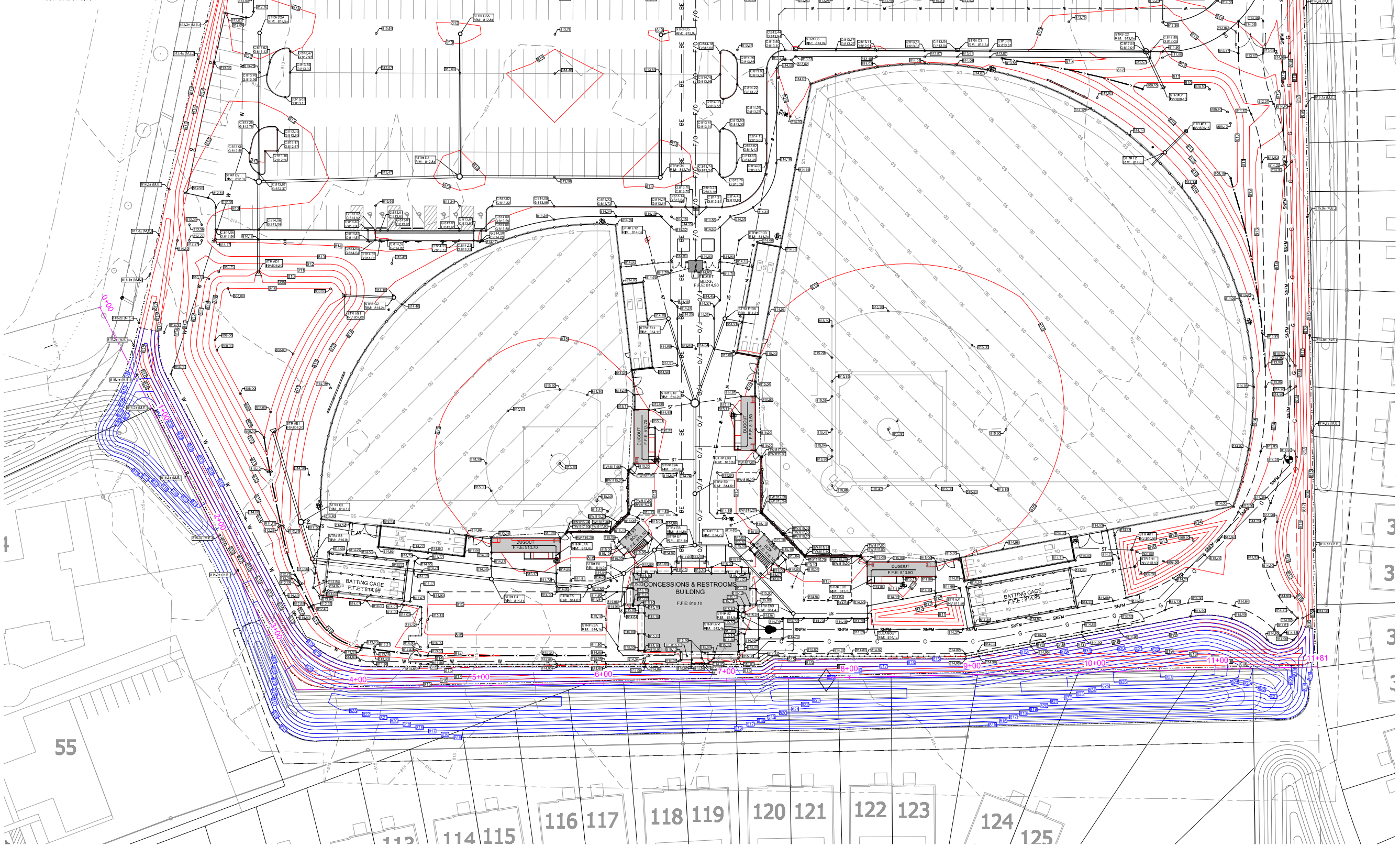
SCALE: 1" = 40' - 0"

FOR CONTINUATION SEE RIGHT



FOR CONTINUATION SEE SHEET C401

SPOT ELEVATION LEGEND	
800.00 (E)	MATCH EXISTING ELEVATION
800.00	SPOT ELEVATION
C-800.00	TOP OF CURB ELEVATION
G-800.00	GUTTER ELEVATION
RM-800.00	RIM ELEVATION
TW-800.00	TOP OF WALL ELEVATION
BW-800.00	BOTTOM OF WALL ELEVATION
TS-800.00	TOP OF STAIR ELEVATION
BS-800.00	BOTTOM OF STAIR ELEVATION
FG-800.00	FINISH GRADE OF TURF FIELD
SG-800.00	SUBGRADE ELEVATION OF TURF FIELD
CONTOUR LEGEND	
800	PROPOSED CONTOUR
800	PROPOSED CONTOUR OFF-SITE MOUNDING
800	PROPOSED CONTOUR CHERRY CREEK SUB
800	EXISTING CONTOUR
	FLOW LINE OF DITCH



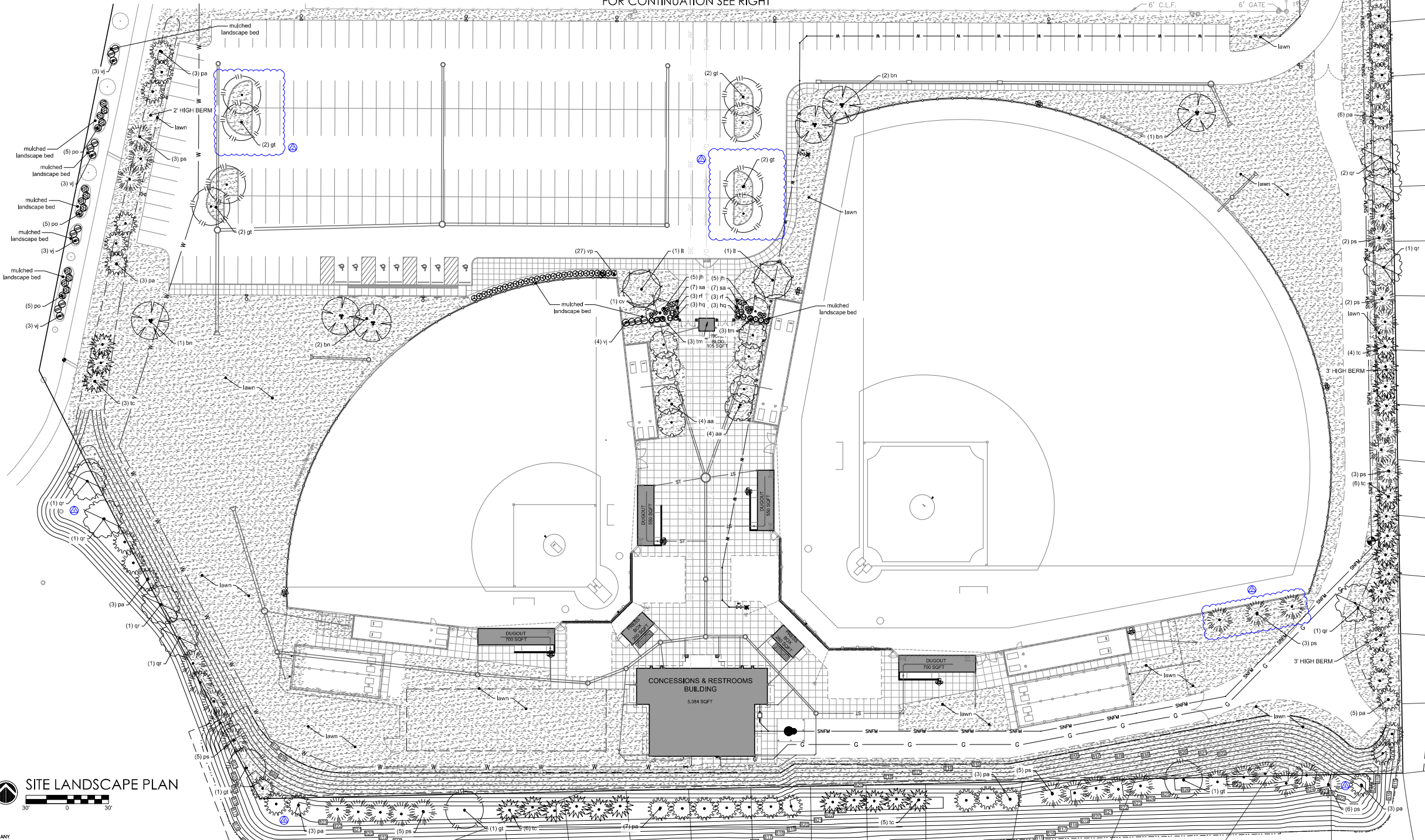
NEW BASEBALL SOFTBALL COMPLEX
GOSHEN COMMUNITY SCHOOLS
GOSHEN COMMUNITY SCHOOLS
GOSHEN, INDIANA

INDICATES REVISION AND DATE
ADDENDUM #2 4/29/24
DESIGNED BY
NS, AB, BC
DATE
APRIL 11, 2024
SHEET NAME
SITE GRADING
PLAN - SOUTH
OFF-SITE
MOUNDING
SHEET
C401A
COM # 23066

PLANT LIST

LABEL	QTY	SCIENTIFIC NAME	COMMON NAME	ROOT	INSTALLATION SIZE	REMARKS	MATURE HEIGHT
SHADE TREES							
as	2	ACER SACCHARUM	SUGAR MAPLE	B&B	2-1/2"		50-75'
qt	11	GLADSTONIA TRIACANTHOS VAR. INERMIS	SKYLINE HONEYLOCUST	B&B	2-1/2"		45'
tl	4	LIRIODENDRON TULIPIFERA	TULIP TREE	B&B	2-1/2"		70'
qr	8	QUERCUS RUBRA	NORTHERN RED OAK	B&B	2-1/2"		60'
bn	7	BETULA NIGRA	RIVER BIRCH	B&B	10-12"	MULTI-STEM	40-50'
ORNAMENTAL TREES							
as	8	AMELANCHIER AUTUMN BRILLIANCE	AUTUMN BRILLIANCE SERVICEBERRY	B&B	6-7"	MULTI-STEM	20'
cv	2	CRATAEGUS VIRIDIS 'WINTER KING'	WINTER KING HAWTHORN	B&B	1-3/4"	SINGLE STEM	20'
EVERGREEN TREES							
pa	36	PICEA OMORICA	SERBIAN SPRUCE	B&B	6-7"		40-60'
ps	34	PNUS STROBUS	EASTERN WHITE PINE	B&B	7-8"		50-60'
lc	24	TSUGA CANADENSIS	CANADIAN HEMLOCK	B&B	6-7"		75'
SHRUBS							
ji	10	JUNIPERUS HORIZONTALIS 'PLUMOSA'	ANDORRA JUNIPER	CONT.	5 GALLON		16"
hq	6	HYDRANGEA QUERCIFOLIA	OAKLEAF HYDRANGEA	CONT.	5 GALLON		5-6'
po	15	PHYSCARPUS OPUULIFOLIUS 'SEWARD'	SUMMER WINE NINEBARK	CONT.	7 GALLON		4-5'
tm	7	TAXUS X MEDIA	DENSIFORMIS YEW	CONT.	5 GALLON		3'
vi	18	VIBURNUM X JUDII	JUDDI VIBURNUM	B&B	30-35"		6'
GRASSES							
cv	27	PANICUM VIRGATUM	SWITCH GRASS	CONT.	3 GALLON		3-5'
PERENNIALS							
rf	6	RUDBECKIA FULGIDA	BLACK EYED SUSAN	CONT.	2 GALLON		18"-24"
sa	14	SALVIA NEMEROSA 'ROSE MARVEL'	ROSE MARVEL SALVIA	CONT.	2 GALLON		12"

** ALL LANDSCAPE BEDS TO HAVE 3" FINE, DARK HARDWOOD MULCH**
** ALL TREES NOT LOCATED IN A LANDSCAPE BED SHALL RECEIVE A 3' DIAMETER MULCHED AREA WITH SPADED EDGE**



SITE LANDSCAPE PLAN

FOR CONTINUATION SEE LEFT

FOR CONTINUATION SEE RIGHT



GOSHEN CITY PLAN COMMISSION 2025

MEETING DATES

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

FILING & SITE PLAN DEADLINE

JANUARY	02
JANUARY	29
FEBRUARY	26
MARCH	26
APRIL	30
MAY	28
JUNE	25
JULY	30
AUGUST	27
OCTOBER	01
OCTOBER	29
NOVEMBER	26

GOSHEN CITY BOARD OF ZONING APPEALS 2025

MEETING DATES

JANUARY	28
FEBRUARY	25
MARCH	25
APRIL	22
MAY	27
JUNE	24
JULY	22
AUGUST	26
SEPTEMBER	23
OCTOBER	28
NOVEMBER	25
DECEMBER	16*

FILING & SITE PLAN DEADLINE

JANUARY	08
FEBRUARY	05
MARCH	05
APRIL	02
MAY	07
JUNE	04
JULY	02
AUGUST	06
SEPTEMBER	03
OCTOBER	08
NOVEMBER	05
NOVEMBER	26

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; 574-534-3600.

****Due to the Christmas holiday, the December BZA meeting will follow the Plan Commission meeting.***