

Minutes - Goshen Plan Commission
Tuesday, August 17, 2021 - 4:00 pm
Council Chambers, 111 E. Jefferson Street
Goshen, Indiana

- I.** The meeting was called to order with the following members present: Josh Corwin, Hesston Lauver, Aracelia Manriquez, Rolando Ortiz, Richard Worsham, and Jim McKee. Also present were City Planner Rhonda Yoder and Assistant City Attorney James Kolbus. Absent: Tom Holtzinger, Caleb Morris, James Wellington
- II.** Approval of minutes of 7/20/21 – Worsham/Lauver 6-0
- III.** The Zoning/Subdivision Ordinances and Official Staff Reports were unanimously filed into record: Worsham/Lauver 6-0
- IV.** Postponements/Withdrawals
None

V. Minor Residential Subdivision (public hearing)

21-01SUB – Marilyn Rappatta, Allan Kauffman, and Jones Petrie Rafinski request approval of a two-lot minor residential subdivision, Shoup-Parsons/Rappatta Minor Subdivision. The subject property is generally located at the southwest corner of Marilyn Avenue and Mayflower Place, with common addresses of 400 Marilyn Avenue and 1805 Mayflower Place, and is zoned Residential R-1 District. The property is currently developed with two single family homes, and the subdivision is proposed to create a lot for each house.

Staff Report

Ms. Yoder explained this two lot subdivision is proposed for a lot with two existing single family homes with no new development proposed. The subdivision would allow each home to be on a separate lot, allowing each home to be sold separately.

Ms. Yoder explained requirements for minor subdivisions, reminding Commission members that subdivision approval is not a discretionary decision and that approval must be granted if it meets all of the requirements. She also pointed out that the Plan Commission can only waive conditions found exclusively in the subdivision ordinance and any standards from the zoning ordinance that cannot be met must be heard by the Board of Zoning Appeals (BZA).

She explained that the existing front setback along Marilyn and Mayflower do not meet the required 25' setback, but because those lot lines are not changing, they are allowed to remain without additional approval. She discussed lot deficiencies requiring BZA approval, prior to granting secondary subdivision approval.

Parking was discussed, noting that two parking spaces are required for single family dwelling units and open parking spaces cannot be located within the front yard setback. Lot 1 on Marilyn Avenue has a two-car garage, accessed by a brick driveway located along Mayflower Place. The property at 1805 Mayflower Place has one open parking space with a gravel drive. She noted those conditions can remain, but any proposed changes would require review.

She pointed out the open gravel parking between the two houses on Mayflower Place was not approved and because Engineering generally permits only one driveway access per lot, it will need to be removed or receive approval.

Ms. Yoder also noted that the existing right-of-ways along Marilyn and Mayflower do not meet the residential standard requirement of 50' and pointed out there is no way to require additional dedication of right-of-way. She went on to say this deficiency must be acknowledged and approved by the Plan Commission as part of the subdivision review. This approval can be granted by the Plan Commission because the right-of-way standard is found in the subdivision ordinance.

It was also discussed that there are roadway and utility encroachments on Mayflower Place along both proposed lots, requiring the addition of a roadway utility easement along the entire Mayflower Place frontage. The width of the easement will need to be determined in consultation with Goshen Engineering and will need to be added prior to secondary approval.

Ms. Yoder stated the Staff Report notes several items on the plat that require corrections and they must be made prior to secondary approval. She explained that prior to Staff's signing the plat on behalf of the Plan Commission, Staff will need to review the corrections, the BZA will need to grant variances, and the plat will need to be accepted by the Board of Works.

Staff recommends primary approval be granted with the noted conditions and corrections.

Petitioner Presentation

Allan Kauffman, 305 Gra Roy Drive, spoke on behalf of the petitioner. He noted the property owner, Marilyn Rappatta and her son are also present today. He stated he looks forward to working with Staff to meet parking requirements and is available to answer any questions.

Audience Comments

There was no one to speak to the petition.

Close Public Hearing

Staff Discussion:

There was no discussion amongst Commission members.

Action:

A motion was made and seconded, Worsham/Ortiz, to grant primary subdivision approval for 21-01SUB, based upon the Staff Analysis and with the conditions listed in the Staff Report. The motion passed unanimously by a vote of 6-0.

VI. Audience Items
None

VII. Staff/Board Items

Ms. Yoder announced that today is Jim McKee's last Plan Commission meeting. She explained because he is moving out of his district, he will no longer be on the Council and because he is the Council representative, they will need to appoint a replacement. She thanked him for his dedication and service to the community.

VIII. Adjournment – 4:16 pm Lauver/Worsham

Respectfully Submitted:

/s/ Lori Lipscomb
Lori Lipscomb, Recording Secretary

Approved By:

/s/ Rolando Ortiz
Rolando Ortiz, President

/s/ Tom Holtzinger
Tom Holtzinger, Secretary