

Minutes - Goshen Plan Commission
Tuesday, March 21, 2023 - 4:00 pm
Council Chambers, 111 E. Jefferson Street
Goshen, Indiana

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

II. Approval of minutes of 2/21/23 – Holtzinger/Morris 8-0

III. The Zoning/Subdivision Ordinances and Official Staff Reports were unanimously filed into the record: Nisley/Holtzinger 8-0

IV. Postponements/Withdrawals - None

Ms. Manriquez joined the meeting at 4:02 pm.

V. Partial Plat Vacation (public hearing)

23-01V – Bruce and Julie Bergdall and Kauffman Construction request a partial plat vacation to reduce 10' platted building setbacks to 5' on the north and south for detached accessory, 7.5' on the east for detached accessory, and 8' on the south for primary building. The owners propose to build a 52' x 26' detached garage at the northeast corner of the property, a 14' x 17' detached pergola on the south side of the property, and a 10' x 61' addition to the rear of the house, with the reduced accessory setbacks requested to allow adequate space between the new garage and house. The subject property is generally located at 2610 Violet Road, Lot 53 of Martin Manor Addition, zoned Residential R-1.

Staff Report:

Ms. Yoder explained Indiana code requires that a reduction or removal of a portion of a recorded plat be approved by the Plan Commission instead of the Board of Zoning Appeals. She provided background information on the Martin Manor Subdivision plat, noting that the required front building setback is 30' and side and rear building setbacks are 10'. This subdivision was annexed into the City in 1968 and is zoned Residential R-1. She went on to say current R-1 standards require an 8' side setback for a primary structure and 5' side and rear setbacks for detached structures, subject to easements or other restrictions. NIPSCO has confirmed there are two utility easements on the property, a 5' easement along the north property line, and a 7.5' easement along the east property line. She explained both of those areas also have overhead power lines, and are subject to NIPSCO's clearance requirements. She pointed out that the proposed setbacks meet the minimum R-1 requirements and could be approved if not for the platted setbacks. She noted the reduction does not authorize any encroachment into the required NIPSCO clearance area.

Ms. Yoder noted for the record that one email in support of the request was received by the Planning Office and a copy has been provided to Commission members.

Staff recommends the Plan Commission grant approval of the request.

Petitioner Presentation:

Nate Kauffman, 5593 Fir Road, Bremen, IN, spoke on behalf of the petitioner.

Mr. Nisley asked if this is a garage or pole barn and the height of the structure.

Mr. Kauffman stated this is a garage, 20' in height, which is less than the height of the house. He went on to say the garage will have vinyl siding and will match the house.

Audience Comments:

There was no one to speak to the petition.

Close Public Hearing

Staff Discussion:

Mr. Nisley asked if there was any neighbor opposition to this request.

Ms. Yoder remarked that the only communication was the email in support of the request. She also noted that for this type of application, the law requires that all property owners within the subdivision receive a notice.

Action:

A motion was made and seconded, Morris/Nisley, to approve 23-01V, based upon the Staff Analysis and with the conditions listed in the Staff Report. The motion passed unanimously by a vote of 9-0.

VI. Audience Items
None

VII. Staff/Board Items
None

VIII. Adjournment – 4:08 pm Nisley/Morris

Respectfully Submitted:

/s/ Lori Lipscomb

Lori Lipscomb, Recording Secretary

Approved By:

/s/ Richard Worsham

Richard Worsham, President

/s/ Tom Holtzinger

Tom Holtzinger, Secretary