

*Agenda*  
GOSHEN BOARD OF ZONING APPEALS  
Tuesday, February 24, 2026, 4:00 P.M.  
Council Chambers, 111 E. Jefferson Street  
Goshen, Indiana

- I.** Roll Call
- II.** Approval of Minutes from 1/27/26
- 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.** **Use & Developmental Variances**— public hearing items
  - 26-02DV** – Rosa Investment 1, LLC & Land & Boundary, LLC request a developmental variance to allow a front building setback of 28’ along Pike Street where a minimum of 35’ is required and for the variance to be valid for one year before a zoning clearance is issued for the construction of a three-townhome building. The subject property is generally located at 219 N 5<sup>th</sup> Street and is zoned Commercial B-2 District.
  - 26-03UV** – Steven J & Lark J Klinge and Royer Construction request a use variance to allow an addition to an existing home for a second dwelling unit where two-family dwellings are permitted in the Residential R-2 and R-3 Districts and are conditional uses in the R-1S & B-2 Districts. The subject property is generally located at 611 N Greene Road and is zoned Residential R-1 District.
- VI.** Audience Items
- VII.** Staff/Board Items
- VIII.** Adjournment

BZA Members

- James Loewen, Appointed by Mayor, Term 1/31/24 - 12/31/27
- Matthew Fisher, Appointed by Mayor, Term 1/31/24 - 12/31/27
- Tom Holtzinger, Appointed by Mayor, Term 1/1/26 - 12/31/29
- Hesston Lauver, Appointed by Plan Commission, Term 1/20/26 - 12/31/29
- Lee Rohn, Appointed by Council, Term 1/1/25 - 12/31/28

Minutes - Goshen Board of Zoning Appeals  
Tuesday, January 27, 2026, 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, Lee Rohn, Tom Holtzinger, and Mathew Fisher. Also present were Assistant City Planner Rossa Deegan, Assistant City Attorney Don Shuler, and Youth Advisor Ezra Tice. Absent: James Loewen

II. 2026 Board of Zoning Appeals Appointments

- Tom Holtzinger- Reappointed by Mayor, four-year term, 1/1/26 – 12/31/29
- Hesston Lauver, Plan Commission citizen member appointed to BZA, four-year term, 1/20/26 – 12/31/29

III. Election of 2026 Officers

- Chair
- Vice Chair
- Secretary

Mr. Holtzinger explained officers for 2026 need to be appointed, noting that he is willing to serve.

*Action:*

- A motion was made and seconded Rohn/Fisher to appoint Tom Holtzinger as Chair;
- A motion was made and seconded Rohn/Lauver to appoint Matt Fisher as Vice Chair;
- A motion was made and seconded Fisher/Holtzinger to appoint Lee Rohn as Secretary.

The motions passed unanimously by a vote of 4-0.

IV. Approval of Minutes from 11/25/25: Rohn/Lauver 4-0

V. Filing of Zoning/Subdivision Ordinances and Official Staff Reports into Record: Fisher/Lauver 4-0

VI. Postponements/Withdrawals – None

**Use & Developmental Variances** – public hearing items

**26-01UV & 26-01DV** – HYL Enterprises, LLC & Abonmarche Consultants request a use variance to allow an approximately one-acre shed sales area with un-screened outside display where contractors materials and supplies is a conditional use requiring outside storage areas screened by an opaque fence at least six feet in height and outside storage areas subordinate in area to the principal use building on the property, and a developmental variance to allow a side (east) setback of 5' to the sales area where a minimum of 10' is required. The subject property is generally located at 2909 Peddlers Village Road and is zoned Commercial B-3 District.

*Staff Report*

Mr. Deegan explained this property is 5.5 acres in size and zoned Commercial B-3 District. He described the area, noting that the existing auction house on the property is approximately 13,000 SF. He stated the Planning Office became aware last summer, that an approximately 1-acre portion of the property was being used for shed sales and the owner has decided to request permanent approval of shed sales. The zoning ordinance doesn't define shed sales, but the Planning Office considers it similar to contractor's materials and supplies which is a conditional use in the B-3 zoning district. A use variance is required because there are two conditional use requirements that won't be met. Outside storage areas are required to be screened by a fence, and the outside storage area cannot exceed the area of the principal use structure. Neither of these requirements can be met. A developmental variance is also requested for a 5' setback along the east property line where 10' is required.

Staff recommends approval of the requests, pointing out that it's not realistic to screen shed sales and this portion of the property has been a vacant, grassy area for a very long time. He pointed out this site is surrounded by many commercial uses and pointed out that the adjacent mobile home park already has its own screening.

No comments were received from the public regarding this request.

*Petitioner Presentation:*

Crystal Welsh, Abonmarche Consultants, 303 River Race Drive, spoke on behalf of the petitioner. She stated the operators of the auction house felt this would be a good use of the property and once they became aware approval was required, they contacted Abonmarche for help. They will also file for technical review and will work with the Stormwater management department to ensure they have adequate stormwater management on the site as well.

She noted that Mr. Yoder is present today if anyone has questions for him.

*Audience Comments:*

There was no one to speak to the petition.

*The public hearing was closed.*

*Staff Discussion:*

None

*Action:*

A motion was made and seconded, Fisher/Rohn, to adopt the Staff recommendations as the findings of the Board and based on these findings, approve 26-01UV & 26-01DV with the 5 conditions listed in the Staff Report. The motion passed unanimously by a vote of 4-0.

**26-02UV** - Cherry Creek, LLC and Campus Center for Young Children request a use variance to allow a childcare center for up to 75 children with an outdoor play area of approximately 1,995 Sf where childcare centers are a conditional use requiring a minimum of 50 Sf of fenced outdoor play area per child. The subject property is generally located at 811 Fairways Drive (Lot 67, Cherry Creek Subdivision, Phase 1, Section 1) and is zoned Residential R-3 PUD.

*Staff Report*

Mr. Deegan explained the proposed use of this property is for a two-story building. The first floor will be for commercial use and the second floor will contain 8 residential units. He pointed out that the Cherry Creek development will also be a mix of commercial and residential uses. The petitioners would like to use the first-floor commercial space for a childcare center that is proposed to have up to 75 children. He noted that childcare centers are a conditional use in the R-3 zoning district and part of those requirements include a minimum 50 SF of fenced outdoor play area for each child at the facility. Based on the submitted plans, 1,995 SF of outdoor play area is proposed, where 3,750 SF would be required. He referred to a drawing included in the Staff Report, pointing out the play areas which would be accessed by different age groups. He also explained that the comprehensive plan supports childcare centers and noted this childcare center proposal is worthy of support.

Mr. Deegan also stated that childcare centers also need state approval, and the state only requires that the amount of outdoor play space is adequate for the number of children outside at any one time. The petitioner states they can meet that requirement, so provided that all 75 children are not outside at one time, that space should be adequate.

He also noted for the record, this neighborhood is not yet developed, so the childcare center will not cause issues within an already developed neighborhood.

No public comments were received regarding this request.

*Petitioner Presentation:*

Janet Whalen Couch, 59350 CR 11, Elkhart, Executive Director of Campus Center for Young Children, spoke on behalf of the petitioner. She stated she has been in her position since 1997 and is excited to partner with Cherry Creek.

She confirmed Mr. Deegan's comments regarding outdoor play area, noting that the state requirements are 75 SF per child on the playground, and that the most children they would have on the playground at one time would be 20, thereby meeting those requirements. She went on to say they have two playgrounds planned: one for infants and toddlers on one side and one for the three- and four-year-olds on the other side.

Mr. Fisher asked if the requirements are the same for both.

Ms. Couch stated no. She went on to confirm Mr. Deegan's statement that they will be the occupants of the first building to be constructed.

Mr. Lauver asked where drop off/pick up will be located.

Ms. Couch stated it will be in the front.

*Audience Comments:*

There was no one to speak to the petition.

*The public hearing was closed.*

*Staff Discussion:*

None

*Action:*

A motion was made and seconded, Rohn/Fisher, to adopt the Staff recommendations as the findings of the Board and based on these findings, approve 25-02UV with the 5 conditions listed in the Staff Report. The motion passed unanimously by a vote of 4-0.

**VII. Audience Items**

None

**VIII. Staff Board Items**

- 6-month extension request from 2/26/26 to 8/26/26 for 25-18DV, 120 N Main Street

Mr. Deegan stated a developmental variance was granted several months ago for the old Kline's Building to allow a church use without adequate parking. He went on to say a zoning clearance has not been issued and plans have not been reviewed, so the applicant is requesting a 6-month extension.

*Action:*

A motion was made and seconded, Rohn/Holtzinger, to grant a 6-month extension request from 2/26/26 to 8/26/26 for 25-18DV, 120 N Main Street. The motion passed unanimously by a vote of 4-0.

- BZA Residency Forms for Tom Holtzinger and Hesston Lauver

Mr. Deegan stated for the record that residency forms were received from Tom Holtzinger and Hesston Lauver. No action is required by the Board.

**IX. Adjournment: 4:17 pm Lauver/Fisher**

Respectfully Submitted:

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Lori Lipscomb, Recording Secretary

Approved By:

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Tom Holtzinger, Chair

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Lee Rohn, Secretary

**LOCATION:** 219 N 5<sup>th</sup> Street  
**CASE NUMBER:** 26-02DV

**DATE:** February 24, 2026  
**PREPARED BY:** Rossa Deegan

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**GENERAL INFORMATION**

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**APPLICANT:** Rosa Investment, 1 LLC (owner); Land & Boundary, LLC (agent)

**REQUEST:** The applicants request a developmental variance to allow a front building setback of 28' along Pike Street where a minimum of 35' is required and for the variance to be valid for one year before a zoning clearance is issued for the construction of a three-townhome building

**LOT SIZE:** ±10,411 SF; ±168' of frontage (±109' on Pike Street; 59' on 5<sup>th</sup> Street); ±133 of depth

**APPLICABLE ZONING:** Commercial B-2

**NOTICES SENT:** 24

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**SPECIAL INFORMATION**

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**PUBLIC UTILITIES:** City water and sewer

**AREA DEVELOPMENT:** Commercial, Residential

**NEIGHBORHOOD:** East Lincoln Crossroads

**THOROUGHFARES:** 5<sup>th</sup> Street, Pike Street

**TOPOGRAPHY:** Level

**VARIANCE OF DEVELOPMENTAL STANDARDS**

- ◇ Goshen Zoning Ordinance, *Section 4170.3*, Area, Width, and Yard Regulations of the R-3 District  
B. Front Yard. Front yards shall be measured from the front property line and the building line and shall be as follows:
  - 1. On residential or cul-de-sac streets, the front yard shall be a minimum distance of 25 feet.

**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.

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**ANALYSIS**

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The subject property is an approximately 10,400SF vacant lot in the downtown area. It has frontage along 5<sup>th</sup> Street and Pike Street. It is zoned Commercial B-2 Central Business District, which is the district that encompasses the downtown west to Linway Plaza. A church is located to the south across a municipal parking lot; offices and a gas station are located to the west; and multi-family homes are located to the east across 5<sup>th</sup> Street.

The subject property is the remnant of what had previously been multiple tax parcels with three separate residential buildings. Those buildings were demolished in 2016, and the parcels reconfigured for the construction of the U.S. 33 connecting overpass between Pike Street and Lincolnway East. Since that time, the parcel has remained vacant.

The petitioners are proposing to develop the site as a residential building with three townhomes that will face Pike Street. The building footprint will be approximately 1,612SF. Each unit will include a basement and two stories. Seven on site parking spaces will be provided with access from the alley.

In the B-2 District, multi-family homes are subject to the developmental standards of the R-3 District. All of the R-3 standards will be met except for a required front building setback of 35' along Pike Street. The petitioners are proposing a 28' on this frontage, so a developmental variance is needed.

Staff recommends approval of the request. Since the buildings on the site were demolished almost ten years ago, the property has remained vacant. In that time, staff has received numerous inquiries about developing it. None proceeded, perhaps due to the constraints of the site.

The only developmental standard not met with the development is the front building setback along Pike Street, and that's because the northeast corner of the building, which includes a porch, encroaches slightly into the front yard. The majority of the north side of the building will actually meet the minimum 35' setback. This yard is the largest yard—the most difficult setback to meet. The front yard setback along 5<sup>th</sup> Street, side (south), and rear (west) setback are all sufficient. Likewise, building coverage and minimum parking requirements are met. The proposed 28' front yard also leaves ample space around the building, including space to plant (or maintain) required large species trees.

Approval will allow three residential units where multiple dwellings were removed with the overpass construction. Adjacent to the downtown but not in the middle of a single-family neighborhood, the site is located where high density housing such as townhomes are needed and suitable. Indeed, it supports the Comprehensive Plan's objective of ensuring smooth transitions between different land uses (Land Use 2.1).

The elevations of the proposed home indicate its design will be very basic, which is not appropriate close to the downtown. For that reason, a condition should be added that windows are installed on the first and second stories of all sides of the building.

## **FINDINGS OF FACT**

Staff recommends **approval** of the request for a developmental variance to allow a front building setback of 28' along Pike Street where a minimum of 35' is required and for the variance to be valid for one year before a zoning clearance is issued for the construction of a three-townhome building, 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, the entire building will still have ample room for access from the alley and 5<sup>th</sup> Street; other properties will not be impacted; and the building will be constructed to Building Code. *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 only developmental standard not met with the development is the front building setback along Pike Street, and that's because the northeast corner of the building, which includes a porch, encroaches slightly in the front yard. The majority of the north side of the building will actually meet the minimum 35' 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.** The property has remained vacant for almost ten years. In that time, staff have received numerous inquiries about developing it. None proceeded, perhaps due to the constraints of the site. The proposed setback encroachment occurs where the property line runs at an angle; otherwise, the entire property complies with Zoning Ordinance developmental standards. *The standard is confirmed.*

With approval, the following conditions shall apply:

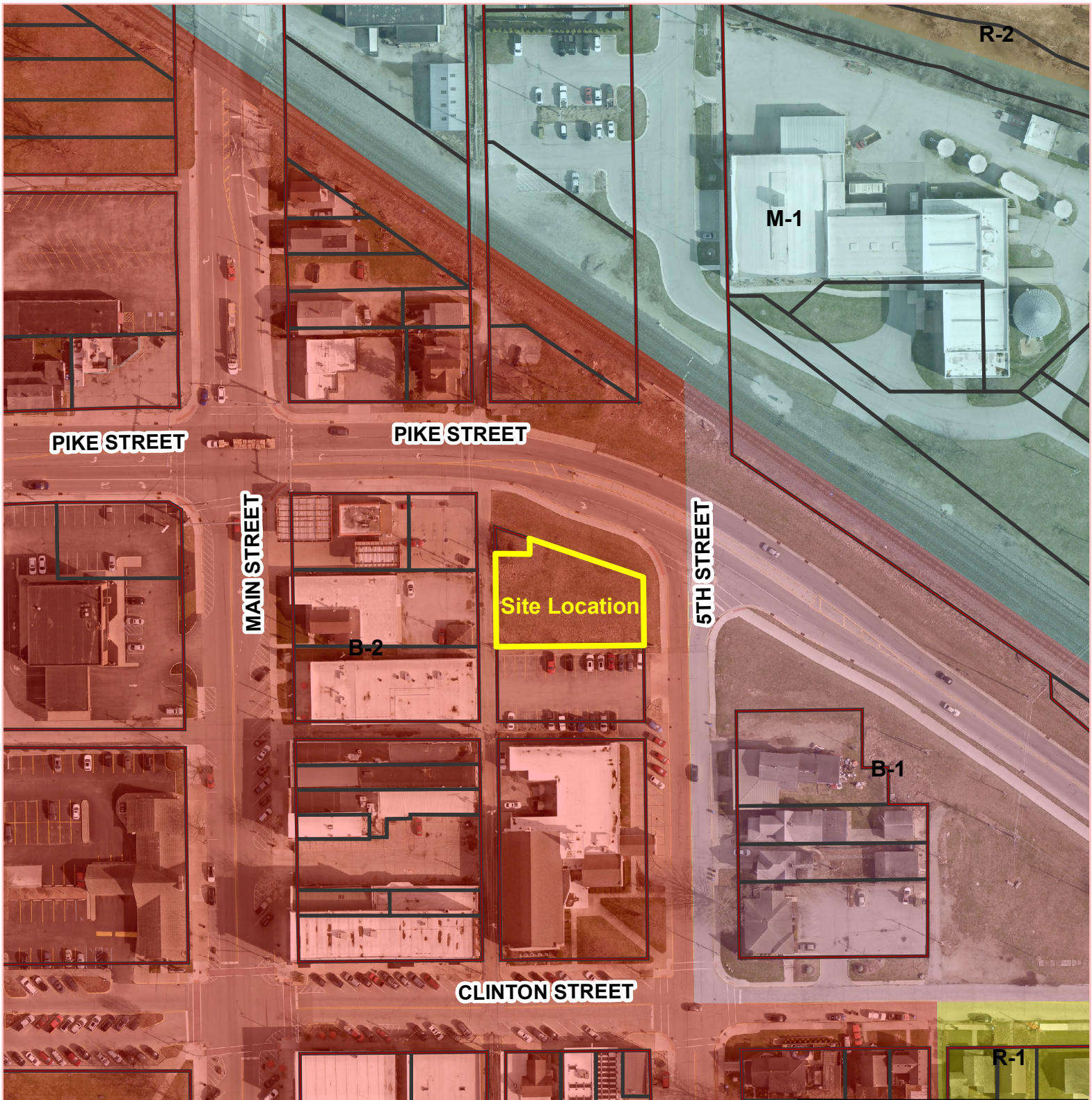
1. The variance shall become null and void unless a zoning clearance has been issued and substantial progress has been made within one (1) year of the date of the BZA approval.
2. Deviation from the requirements and conditions of the variance may result in the cancellation and termination of the approval or permit.
3. Technical Review, with review by the Planning, Engineering, Building, and Fire departments, is required
4. An approved zoning clearance form is required.
5. Connection to City water and sewer is required.
6. There shall be windows on the first and second stories of all sides of the building.



From 5<sup>th</sup> Street looking west



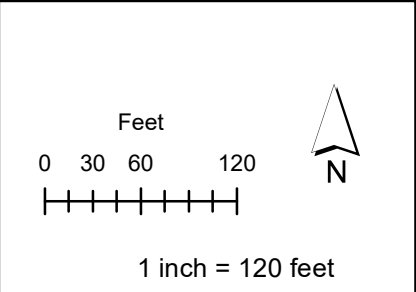
Looking east



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219 N 5th Street

2023 Aerial  
Printed February 3, 2026



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



219 N. 5th St.

North Elevation

# LEGEND

- REBAR FOUND
- IRON PIPE FOUND
- 'X' CUT FOUND
- R/W MONUMENT FOUND
- REBAR W/CAP INSCRIBED "LANDBRO" SET
- MAG NAIL SET
- UTILITY POST
- GUY ANCHOR
- LIGHT POLE
- FENCE
- OVERHEAD ELECTRIC



**Table 1 - 100 Year Required Retention Pond Volume**  
Drainage Calculations

Project: Fifth Street Goshen 3 Unit Townhouse  
County: Elkhart  
City/Town: Goshen

Date: 2/3/2026  
Job No.: 250506  
Project Manager: TRS

Inputs:

Open  
Gravel  
Buildings/Pavement

| Surface             | Runoff Coefficient | Area (SFT) Developed | Area (SFT) Undeveloped |
|---------------------|--------------------|----------------------|------------------------|
| Permeable Surface   | 0.1                | 6,075                |                        |
| Impermeable Surface | 0.6                | 0                    |                        |
| Impermeable Surface | 0.9                | 4336                 |                        |
| Total               |                    | 10,411               |                        |

Retention Volume Required (100 Year Storm)  
Coefficient of Friction (developed) (C) = 0.4332  
Watershed Acreage (A) = 0.239  
Outflow Rate (O) = 0.4 rect

| Storm Duration (Tc) hrs | Intensity (I) inches/hr | Inflow Rate (Q (cfs)) = C(I) A | Outflow Rate (O) (cfs) | Retention Volume (V) = (Q - O) S | Required Storage (S) = V / (I - O) | Rank | Vol. Req'd |
|-------------------------|-------------------------|--------------------------------|------------------------|----------------------------------|------------------------------------|------|------------|
| 0.25                    | 6.47                    | 0.66987                        | 0.4                    | 0.2698702                        | 0.0056223                          | 1    | 0.01       |
| 0.5                     | 3.98                    | 0.409998                       | 0.4                    | 0.009978                         | 0.0004166                          | 2    | 0.00       |
| 0.75                    | 2.71                    | 0.280579                       | 0.4                    | -0.119421                        | -0.007464                          | 3    | 0.00       |
| 1                       | 1.98                    | 0.204999                       | 0.4                    | -0.195001                        | -0.01625                           | 4    | 0.00       |
| 2                       | 1.55                    | 0.160479                       | 0.4                    | -0.239521                        | -0.03992                           | 5    | 0.00       |
| 3                       | 1.14                    | 0.11803                        | 0.4                    | -0.28197                         | -0.070493                          | 6    | 0.00       |
| 4                       | 0.92                    | 0.095252                       | 0.4                    | -0.304748                        | -0.101583                          | 7    | 0.00       |
| 5                       | 0.77                    | 0.079722                       | 0.4                    | -0.320278                        | -0.133449                          | 8    | 0.00       |
| 6                       | 0.67                    | 0.069368                       | 0.4                    | -0.330632                        | -0.165316                          | 9    | 0.00       |
| 7                       | 0.59                    | 0.061086                       | 0.4                    | -0.338914                        | -0.1977                            | 10   | 0.00       |
| 8                       | 0.53                    | 0.054873                       | 0.4                    | -0.345127                        | -0.230084                          | 11   | 0.00       |
| 9                       | 0.48                    | 0.049697                       | 0.4                    | -0.350303                        | -0.262737                          | 12   | 0.00       |
| 10                      | 0.44                    | 0.045555                       | 0.4                    | -0.354445                        | -0.295371                          | 13   | 0.00       |
| 15                      | 0.32                    | 0.033131                       | 0.4                    | -0.366689                        | -0.458586                          | 14   | 0.00       |
| 20                      | 0.25                    | 0.025884                       | 0.4                    | -0.374116                        | -0.623527                          | 15   | 0.00       |
| 24                      | 0.22                    | 0.022778                       | 0.4                    | -0.377222                        | -0.754445                          | 16   | 0.00       |

Required Retention Pond Storage

Vol. Req'd = 0.01 Acre-Ft

## Land Description - Modernized

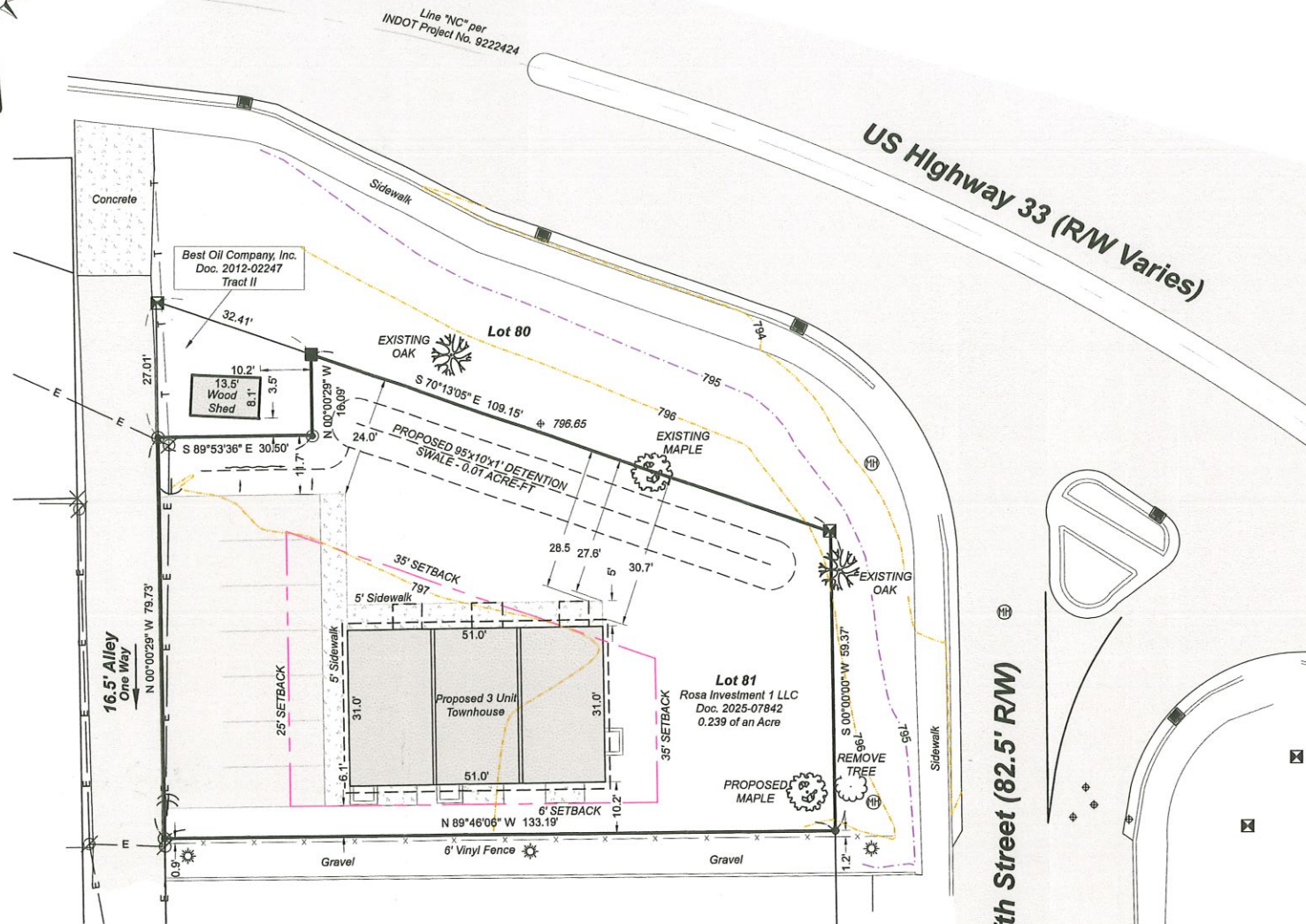
A part of the Northeast Quarter of Section 9, Township 36 North, Range 6 East, Elkhart Township, Elkhart County, State of Indiana, being Lot 81 and a portion of Lot 80 as the said Lots are known and designated on the Original Plat of the Town of Goshen recorded in Deed Record 1 Page 17 in the Office of the Recorder of Elkhart County, Indiana, surveyed by Travis R. Shetler of Land and Boundary LLC, registration number LS21400008, as shown on a survey dated September 30, 2025 for project number 250506, and being more particularly described as follows:

Beginning at the Southwest corner of Lot 81 as the said Lot is known and designated on the Original Plat of the Town of Goshen recorded in Deed Record 1 Page 17 in the Office of the Recorder of Elkhart County, Indiana said point being marked by rebar with cap inscribed "BRADSKO"; thence North 01°10'27" West along the West line of said Lot 81 and the West line of Lot 80 of said Plat a distance of 79.73 feet to the Southwest corner of land deeded to Best Oil Company, Inc. in Document No. 2012-02247 in the Office of the Recorder of Elkhart County, Indiana being marked by a rebar; thence North 88°56'26" East along the South line of said Best Oil land a distance of 30.50 feet to the Southeast corner of said Best Oil land being marked by a rebar with cap inscribed "BRADSKO"; thence North 01°10'27" West along the East line of said Best Oil land a distance of 16.08 feet to a point on the South line of US Highway 33 being marked by a rebar with cap inscribed "LANDBRO"; thence South 71°23'03" East along the South line of said Highway a distance of 109.15 feet to a point on the East line of Lot 81 being marked by a concrete right-of-way monument; thence South 01°09'58" East along the East line of said Lot 81 a distance of 59.37 feet to the Southeast corner of said Lot 81 being marked by rebar with cap inscribed "LANDBRO"; thence South 89°03'56" West along the South line of said Lot 81 a distance of 133.19 feet to the Point of Beginning of this description.

Containing 0.239 of an acre, more or less.

## Note

The purpose of this drawing is to meet the requirements of a site plan developmental variance for the City of Goshen to obtain building permits. This drawing is not intended to be represented as a retracement or original boundary survey, a route survey, or a surveyor location report. Topographic information show was obtained utilizing NAVD88 INDOT CORS GPS.



## Tabulated Site Data

- Acreage of Site - 10,404 SFT (0.239 AC)
- Proposed Land Use:  
3 Unit Townhouse
- Parking ratio required by ordinance:  
2 spaces per 3 bedroom unit  
- 7 spaces proposed, as shown
- Proposed Land Coverage:
 

|                              | SQ.FT.        | % of Site      |
|------------------------------|---------------|----------------|
| A. Proposed Building         | 1,911         | 18.4%          |
| B. Proposed Sidewalk/Parking | 2,425         | 23.3%          |
| D. Open Spaces               | 6,068         | 58.3%          |
| <b>Total</b>                 | <b>10,404</b> | <b>100.00%</b> |
- Total disturbed area - 10,000 SF (0.23 Ac)
- The storm water runoff from this site will drain to the proposed detention swale along US Highway 33 R/W, and infiltrate into the well drained soils.
- This parcel is to be serviced by City of Goshen sewer and water. Sewer to be connected in US Highway 33. Water to be connected in Fifth Street.
- Access to this site is limited to the one way alley along the West boundary line, entering from US Highway 33.
- Setback Requirements per City of Goshen  
B-2 Zone with Conditional Use following R-3 requirements:
  - 35' from R/W along US Hwy 33 and Fifth Street
  - 25' side (West)
  - 6' rear (South)

## Site Information

- Property is Zoned: B-2
- Proposed land use: 3 Unit Townhouse
- Soil Types:  
- UdeA, Urban land-Bainter Complex, 0 to 1 percent slopes, water table > 80", Well Drained.
- Based on scaling from the flood insurance rate map of Elkhart County, Indiana, Map Number 18039C0254D, dated 8-2-2011, the property is located zone "X".

## Site Plan

Lot 81 and part of Lot 80 of the Original Town of Goshen  
Part of the Northeast Quarter (NE 1/4) of Section 9,  
Township 36 North, Range 6 East,  
Elkhart Township, Elkhart County  
State of Indiana

**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: 8-28-2025  
SCALE: 1" = 20'  
SHEET 1 OF 1

Client/Owner: Rosa Investment 1 LLC (Doc. 2025-07842)  
Site Location: 219 N Fifth Street Goshen, Indiana 46528

**LOCATION:** 611 N Greene Road  
**CASE NUMBER:** 26-03UV

**DATE:** February 24, 2026  
**PREPARED BY:** Rossa Deegan

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**GENERAL INFORMATION**

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**APPLICANT:** Steven & Lark Klinge (owners); Royer Construction (agent)

**REQUEST:** The applicant requests a use variance to allow an addition to an existing home for a second dwelling unit where two-family dwellings are permitted in the Residential R-2 and R-3 Districts and are conditional uses in the R-1S & B-2 Districts

**LOT SIZE:** ±1.96 acres; ±132' of frontage; ±647' of depth

**APPLICABLE ZONING:** Residential R-1

**NOTICES SENT:** 40

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**SPECIAL INFORMATION**

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**PUBLIC UTILITIES:** Connected to City sewer; City water available

**AREA DEVELOPMENT:** Residential

**NEIGHBORHOOD:** None

**THOROUGHFARES:** Greene Road

**TOPOGRAPHY:** Level

**VARIANCE OF USE STANDARDS**

- ◇ Goshen Zoning Ordinance, *Section 4140*, R-1: Residential (Single Family) District Regulations  
The intent of the R-1 Residential District is to provide areas where single family detached dwelling units located on individual lots may be located.
- ◇ Goshen Zoning Ordinance, *Appendix E*, Table of Permitted Uses  
Two-family dwelling units are a permitted use in the R-2 and R-3 districts and are conditional uses in the R-1S and B-2 districts

**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.

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**ANALYSIS**

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The subject property is a single family home located on the west side of Greene Road and a short distance south of Bashor Road. The subject and surrounding properties are zoned Residential R-1. Colonial Farms subdivision is located to the west while homes along the west side of Greene Road are characterized by large-lot single family development. The subject property is close to two acres in size, which is exceptionally large for single family uses. The home has an approximate footprint of 2,473 SF; it includes a four-stall attached garage served by a long driveway from Greene Road.

The petitioners are proposing to add a living unit to the rear (west) side of the home to be used for aging family members. The living unit will be approximately 26'x30' (780 SF) in area and will be connected to the existing home by an approximately 14'x14' breezeway. It will include a kitchen and bathroom separate from the main home.

The addition of the second home requires a use variance because the R-1 Districts permits single family homes only. Two family homes are permitted in the R-2 and R-3 Districts and are conditional uses in the R-1S and B-2 districts.

Staff recommends approval of the request. Because the property is so large, all other requirements will be met easily and the use will not adversely impact adjacent properties:

- Two parking spaces are required for each dwelling for a total of four. In addition to the four-stall garage, the driveway has over 100' of space outside the front yard setback for vehicles to park
- The additional dwelling unit will not be visible from Greene Road
- The property is approximately 132' wide, so the addition can be built to have side setbacks of 50' or greater.
- The property is approximately 647' deep, so the addition will have a rear setback of well over 400'
- The footprint of the building will cover approximately 4% of the property area where up to 35% is allowed

The proposed addition will increase the density of the property where subdividing it would be difficult. The Comprehensive Plan seeks to increase density by infilling already developed properties.

The property is currently connected to City sewer only. With approval, the entire property, including the existing home and the addition, will need to be connected to City water. Additionally, a commitment should be included requiring that both residences remain under single ownership.

### **FINDINGS OF FACT**

Staff recommends **approval with conditions and commitments** of a use variance to allow an addition to an existing home for a second dwelling unit where two-family dwellings are permitted in the Residential R-2 and R-3 Districts and are conditional uses in the R-1S & B-2 Districts, based on the following:

- 1. The approval will not be injurious to the public health, safety, morals, and general welfare of the community.** The addition for the small second dwelling unit will meet all developmental standards of the R-1 District and will be built to building code. *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 dwelling will not be visible from Greene Road. It will have ample side and rear building setbacks. *The standard is confirmed.*
- 3. The need for the variance arises from a condition peculiar to the subject property.** At close to two acres in size, the subject property is exceptionally large for a single family home and is easily capable of including a second dwelling without any appreciable changes to the property or neighborhood. *The standard is confirmed.*
- 4. Strict application of the terms of the Zoning Ordinance will constitute an unnecessary hardship if applied to the subject property.** While large, the subject property is configured in a manner that would make subdividing if for additional residential development difficult. That's because the majority of remaining space is at the rear of the parcel and unconnected to the street. *The standard is confirmed.*
- 5. The approval does not interfere substantially with the Comprehensive Plan.** The proposed addition will create new housing on an already developed property, which supports Goshen's Comprehensive Plan's objective of encouraging infill residential development (Land Use 3.3). *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. 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. The subject property, including the existing home and additional dwelling, shall connect to City water and sewer with this project.

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. Both dwelling units shall remain under single ownership.



From Greene Road looking west



Looking west



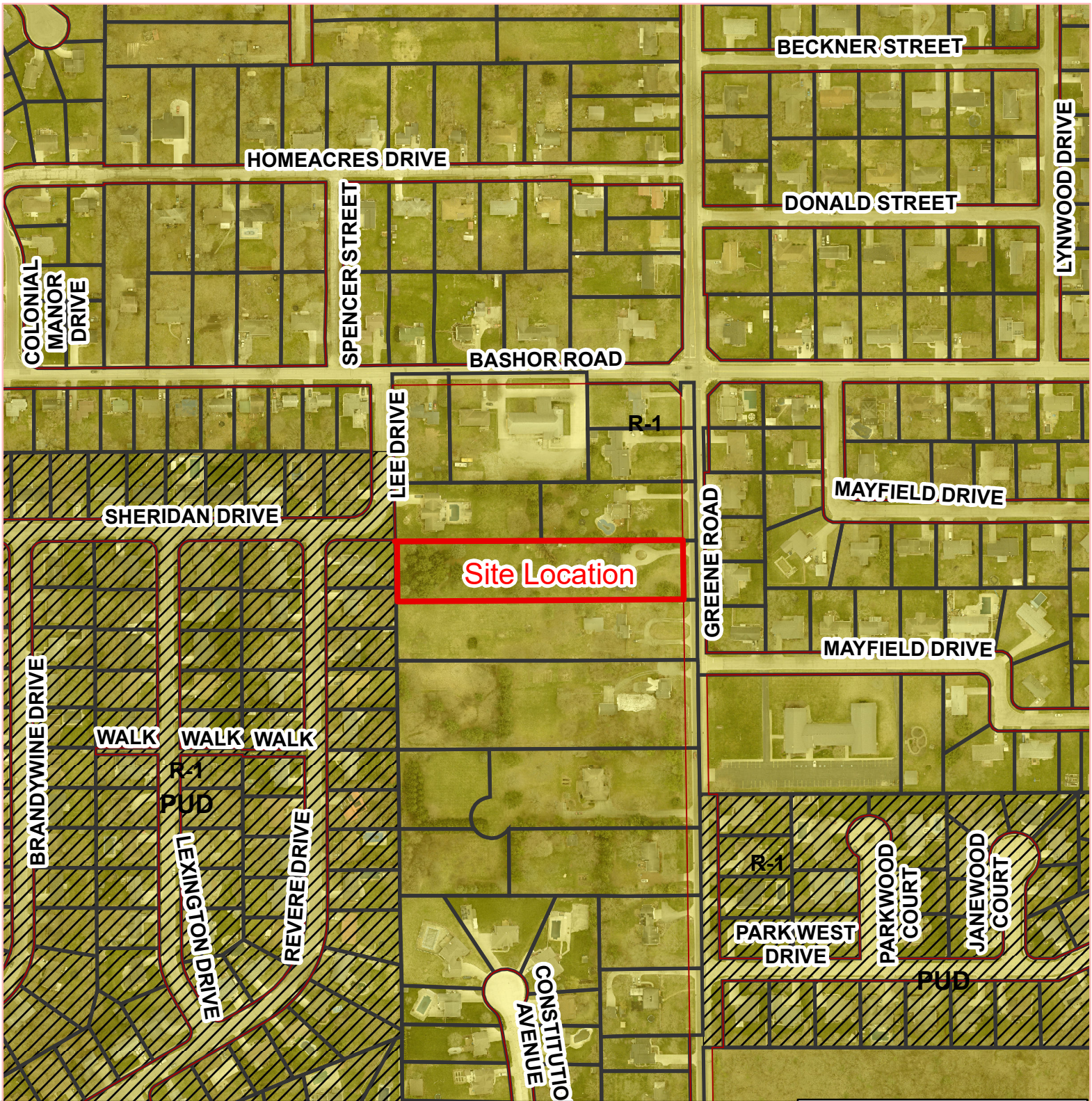
Looking east at rear side of home where dwelling will be added



Looking northeast at rear of home



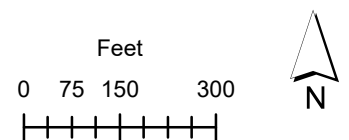
Looking southeast



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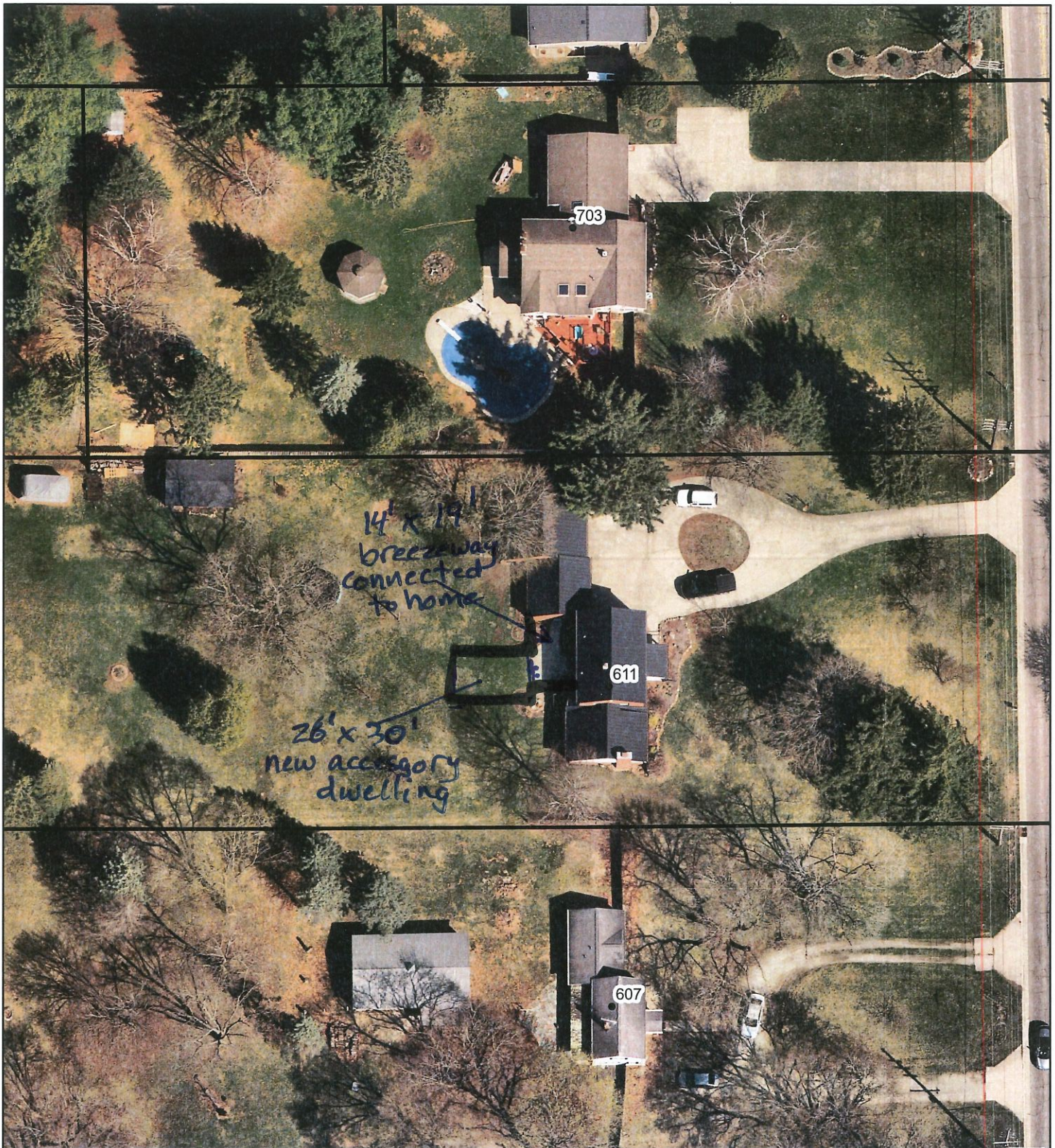
611 N Greene Road

2023 Aerial  
Printed February 10, 2026



1 inch = 300 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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611 Nth Greene

2025 Aerial  
Printed on 12/30/2025



0 12.5 25 50  
1 inch equals 50 feet

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

12737 CR 30

MIDDLEBURY, IN 46540

574-642-0015

PROJECT NAME

DATE

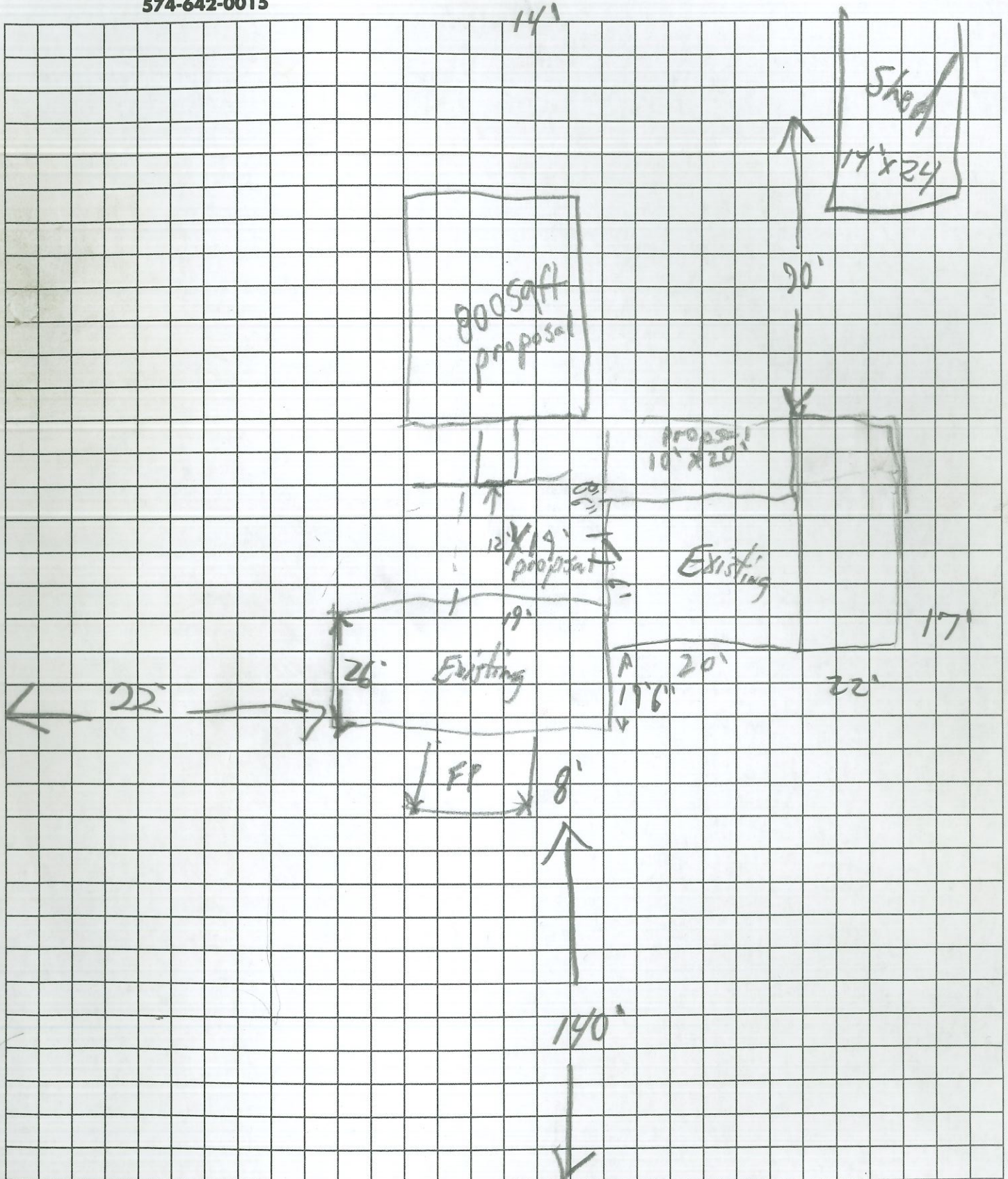
COMPANY

BY

LOCATION

TEL

16" o.c.  
at 1/4" scale



THE OPEN JOIST

