

Minutes - Goshen Board of Zoning Appeals
Tuesday, March 24, 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: Lee Rohn, Hesston Lauver, James Loewen, Tom Holtzinger, and Mathew Fisher. Also present were Assistant City Planner Rossa Deegan, Assistant City Attorney Don Shuler, and Youth Advisor, Ezra Tice.
- II. Approval of Minutes from 2/24/26: Lauver/Rohn 5-0
- III. Filing of Zoning/Subdivision Ordinances and Official Staff Reports into Record: Lauver/Rohn 5-0
- IV. Postponements/Withdrawals – None

Use & Developmental Variances – public hearing items

26-04UV – Trustees of Goshen Church of God and Signtech Sign Services request a use variance to allow an illuminated freestanding sign 6.5' in height and 43 Sf in area adjacent to a residential property where churches are a conditional use allowing freestanding signs a maximum 5' in height and 36 Sf in area and where illuminated signs are not permitted adjacent to residential uses. The subject property is generally located at 1304 E Lincoln Avenue and is zoned Residential R-2 District.

Staff Report

Mr. Deegan explained this church property has an existing pole mounted, illuminated sign which includes changeable copy and appears to have been approved by Planning in 1998. The approval was for a 36 SF sign, 12 feet in height, and met the zoning ordinance requirements at the time. He pointed out that today, churches are a conditional use and freestanding signs up to 5' in height and 36 SF in area are permitted. The applicants would like to replace the existing sign with an illuminated monument sign, 6.5' in height and 43 SF in area.

Staff recommends denial of the request, pointing out there is nothing peculiar about the subject property that creates a need for the variance. Although the petitioner states snow interferes with the door for the changeable copy, denial will not result in practical difficulty in the use of the property as it can still be used as a church. No inquiries were received from the public regarding this request.

Petitioner Presentation:

Todd Lehman, Signtech Sign Services, 1508 Bashor Road, spoke on behalf of the petitioner. He stated they were approached by the church leadership to make improvements to the road frontage sign, using stone that matched the building fascia. The church provided a sketch of what they would like to see and during discussion, they felt the existing sign could be turned into a monument style sign. Locking doors are proposed over the changeable copy area to keep people from tampering with the lettering and the added height is because the doors only open so far and when there is snow on the ground, it's sometimes difficult to get under the door to change the message. The thought is to keep the 32 SF sign, and the additional square footage would be to add the logo to the corner of the sign.

Mr. Fisher asked how the design would change if they had to conform to the standards.

Mr. Lehman stated they would have to remove the logo and bring the base down a small amount to conform with the zoning ordinance requirements.

Pastor Pete Ramie, 623 Connie Court, spoke on behalf of the petitioner. He described several improvements that have been made to the church and property over the past 30 years, noting that permits were always obtained. He stated they are good neighbors, allowing people to park in their lot that want to go to the park. He also pointed out that they donated some property to the park last year in return for having their parking lot sprayed for weeds once a year for three years. He pointed out there are numerous businesses in the area with illuminated signs and questioned why churches are prohibited from having illuminated signs.

Audience Comments:

None

The public hearing was closed.

Staff Discussion:

Mr. Holtzinger stated the Board has allowed additional square footage for signs, but he only remembers one recent exception where additional height was approved.

Mr. Loewen stated he feels this request is an upgrade to the existing sign and benefits the neighborhood. He stated he's inclined to approve the request.

Mr. Fisher stated he feels the sign should be designed to meet the requirements of the ordinance.

Mr. Lauver stated the design wouldn't have to undergo much change to meet the requirements of the ordinance and feels the sign should be redesigned to meet those requirements.

Mr. Rohn commented that the way the sign is measured includes a lot of empty space.

Mr. Holtzinger questioned if the emblem could be moved from the top to become part of the main sign.

Mr. Rohn stated if the emblem is moved down into the main part of the sign it would likely be too small.

Mr. Lehman stated the rectangle is 32SF and 36SF is permitted. It was discussed with the church, and they wanted it like it is on the design.

Mr. Loewen commented that although this sign is larger than what the current zoning ordinance allows, he feels this proposed sign is closer to today's standards than the existing sign.

Mr. Deegan reminded the Board if they're considering approving the variance request, they must go through the list of criteria and support each of those with findings.

Action:

A motion was made and seconded, Lauver/Holtzinger, to adopt the Staff recommendations as the findings of the Board and based on these findings, deny 26-04UV with the reasons listed in the Staff Report. A roll call vote was requested with the following outcome: Holtzinger, yes; Loewen, no; Lauver, yes; Fisher, yes; Rohn, no. The motion passed by a vote of 3-2.

Mr. Lauver recused himself from the next petition at 4:34pm.

26-05UV & 26-03DV – Deer Run Partners, LLC & Elkhart County Jail Ministry request a use variance to allow a community center in the M-1 District where such uses are a conditional use in the Residential R-1, R-1S, R-2, R-3, and R-4 Districts, and a developmental variance to allow ten on-site parking spaces where a minimum of 46 are required. The subject property is generally located at 320 N Main Street and is zoned Industrial M-1 District.

Staff Report

Mr. Deegan explained a use variance is required for this request because the petitioners would like to use this Industrial M-1 property as a community center which is not permitted in the M-1 district. It's being described as "one that would assist formerly incarcerated individuals and their families to successfully reintegrate into the Elkhart County community". The building already has rooms set up that can accommodate this use.

A developmental variance is also required because regular worship services will be held here on Sunday mornings and that requires additional parking. Ten parking spaces will be provided where 46 spaces are required. He noted this location is within walking distance of the work release center, where some of the patrons will be coming

from. Other parking in the area might become available and that should be kept in mind.

He also discussed the recommended conditions of approval, notably that churches require screening between their parking areas and residential properties. He pointed out the fence on the east side is a chain link fence and he recommended that some sort of opaque screening be added to the existing fence. If the City allows parking on their lot to the east, a gate should be installed in the fence to provide access between the properties.

No calls were received by the Planning Office, but several letters in support were included in packets.

Petitioner Presentation:

Cory Martin, 707 N 5th Street, spoke on behalf of the petitioner. He commented that they currently meet on Sunday mornings at the Goshen City Church of the Brethren and most of their clientele don't have driver's licenses or cars. He stated that on Sunday mornings with 100 people, they might have five cars. Most people walk, ride bicycles, or a scooter. He went on to say that even at full capacity, he doesn't anticipate filling up the current parking lot. He stated that they have received a lot of support, in addition to the letters and that putting in fences and gates is not a problem.

Mr. Rohn asked what plans they have for the fence.

Mr. Martin stated they will do whatever is required to bring it up to code. It's possible they'll place slides in-between or possibly use fabric. He went on to say they'd like this to be one of the nicer buildings in the community and they want this building to make their clientele feel they deserve nice things. At some point, they'd even like to consider putting up a nice wooden fence.

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, Loewen/Rohn, to adopt the Staff recommendations as the findings of the Board and based on these findings, approve 25-05UV & 26-03DV with the 7 conditions listed in the Staff Report. The motion passed unanimously by a vote of 4-0.

Mr. Lauver rejoined the meeting at 4:45pm.

26-04DV – Jesse Stoltzfus requests developmental variances to allow a fence 6' in height in the front yard where a maximum of 4' is allowed and the total footprint area of all detached accessory buildings to exceed the building footprint area of the primary residential dwelling for an approximately 750 Sf garage addition. The subject property is generally located at 713 Middlebury Street and is zoned Residential R-1 District.

Staff Report

Mr. Deegan explained this 2,400 SF single-family home is located on approximately 2.5 acres. Also located on this property are three accessory structures that total approximately 3,088 SF. Two developmental variances are being requested; the first is to allow a 6' fence in the front yard that would run parallel to the home, and the second is to allow an L-shaped addition to one of the accessory buildings. This addition would raise the total accessory building footprint to approximately 3,758 SF, where the current zoning ordinance does not allow the total square footage of accessory buildings to exceed the footprint of the home. Staff recommends approval of these developmental variances, pointing out that the 6' tall fence will actually be behind the front wall of the home and the addition to the total accessory square footage will still be less than 6% lot coverage where 35% coverage is permitted. No public comments were received regarding this request.

Petitioner Presentation:

Jesse Stoltzfus, 713 Middlebury Street, spoke on behalf of the petitioner. He stated he'd like to add the 6' privacy fence up to the front of the house, so it doesn't stop at the window on the side of the home. The L-shaped addition to an accessory building will be a covered storage area for firewood, tractor implements, trailer, etc. This area will not be enclosed; it will only be a porch roof addition.

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 26-04DV with the 4 conditions listed in the Staff Report. The motion passed unanimously by a vote of 5-0.

26-05DV – Wabash National, LP & Danch, Harner & Associates, Inc. request developmental variances to allow 0' side parking and driving aisle setbacks where a minimum of 5' is required for an access drive crossing the shared property line at a point along Lincolnway East and for the variance to be valid for one year before the zoning clearance is issued. The subject property is generally located at 2510 Lincolnway East and 2572 E Kercher Road and is zoned Industrial M-1 District.

Staff Report

Mr. Deegan explained this request includes four tax parcels; two of the parcels will remain with an existing box truck manufacturing facility to the east, and two will be separated and transferred to a new owner for the development of a gas station. This location has frontage on Lincolnway East, as well as on Kercher Road. During the preliminary design, the State was consulted regarding the access drive to the gas station, and the State has determined that the access drive needs to be a certain distance away from the intersection. For this reason, the access is pushed farther away from the location of the proposed gas station. Because the driving aisle crosses a property line, and the minimum setback to property lines won't be met, a developmental variance is required for each property to allow a zero-foot setback. Staff recommends approval of the request, noting that all other developmental requirements will be met. Staff received no inquiries or public comments regarding this request.

Mr. Deegan also noted that large species trees will be required along the access drive, including the area along the adjacent property. The Planning Office will also require a recorded copy of the cross-access agreement.

Mr. Loewen asked how this will impact the proposed gas station to the north.

Mr. Deegan stated the variance is in place, but no zoning clearance or approval has been issued for the other gas station at this time.

Attorney Shuler commented that today's application has been made, based on what exists at the time the application is submitted. Although the other gas station has a variance, the use doesn't actually exist at the property so there is no requirement for this proposed gas station to apply for a use variance at this time.

Mr. Loewen questioned what will happen if/when both of these receive approval to begin construction.

Attorney Shuler pointed out today's request for a variance is for a driveway. The fact that the property might eventually be used for a gas station is irrelevant to their developmental variance request because the use of the property is not part of this request. He went on to say if the gas station to the north gets built, it might require this property to come back to the BZA for a use variance. He stated he understands the concern, but just because a variance is approved doesn't mean development will happen.

Petitioner Presentation:

Andy Heltzel, 1643 Commerce Drive, South Bend, spoke on behalf of the petitioner. He stated if the proposed gas station is issued permits before they are, and it's determined they do not meet the minimum distance between gas stations, then they will return to the BZA to request permission to build. At this point, they're only asking for the developmental variance for the drive.

Audience Comments:

None

The public hearing was closed.

Staff Discussion:

None

Action:

A motion was made and seconded, Loewen/Rohn, to adopt the Staff recommendations as the findings of the Board and based on these findings, approve 26-05DV with the 7 conditions listed in the Staff Report. The motion passed unanimously by a vote of 5-0.

V. Audience Items

None

VI. Staff Board Items

None

VII. Adjournment: 5:05 pm Lauver/Fisher

Respectfully Submitted:

/s/ Lori Lipscomb

Lori Lipscomb, Recording Secretary

Approved By:

/s/ Tom Holtzinger\

Tom Holtzinger, Chair

/s/ Lee Rohn

Lee Rohn, Secretary