

Minutes - Goshen Board of Zoning Appeals
Tuesday, April 28, 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, 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. Absent: Lee Rohn

II. Approval of Minutes from 3/24/26: Lauver/Loewen 4-0

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

IV. Postponements/Withdrawals – None

Developmental Variances – public hearing items

26-06DV – Levi & Rebecca Yoder Smucker and Nathan Mateer Rempel request developmental variances to allow a front building setback of 10' where a minimum of 25' is required for an approximately 420 Sf accessory building, and to allow a side (south) building setback of 7' where a minimum of 8' is required for an approximately 285 Sf addition to the existing home. The subject property is generally located at 1105 S 8th Street and is zoned Residential R-1 District.

Mr. Loewen recused himself at 4:02 p.m.

Staff Report

Mr. Deegan explained this property has frontage on S 8th Street and Cottage Avenue, with the home facing S 8th Street. This request is for a small addition to the house, and for a small accessory structure at the rear of the property. The overhang on the home addition will have a setback of 7.5' where 8' is required and the accessory building will be located in the front yard along Cottage, at a distance of 10' where 25' is required.

Staff recommends approval of the requests, noting that the addition will match the current setback and the accessory building in the back is in line with other accessory buildings in the neighborhood.

No public comments were received regarding this request.

Petitioner Presentation:

Nathan Mateer Rempel, 113 E Madison Street, spoke on behalf of the petitioner. He stated he has nothing to add, but is happy to answer any questions.

Audience Comments:

Matt Scott, 1022 S 7th Street, spoke to the petition. He stated the rear of his property butts up to Cottage Avenue and is the low point on Cottage Avenue. He stated there are no sewer or storm drains, and he's been working with the Stormwater Department to find a solution to the water issues. His concern is that a 420 SF structure will displace a lot of water, and he fears that water will flow onto his property.

He provided photos (*Exhibit 26-06DV: 1-3*) showing water retention on his property, noting that water has entered his garage on multiple occasions. He went on to say he's not opposed to the structure, just its proximity to Cottage Avenue.

Mr. Deegan clarified that the structure will be 10' from the property line, not 10' from the paving on Cottage Ave.

Mr. Fisher asked Mr. Rempel if he has any thoughts on what effect the construction of this building will have on water drainage.

Mr. Rempel stated this will have a mono-pitched roof so it will all come off of one side. He also suggested

possibly talking with the customer regarding a retention area.

Mr. Deegan asked for confirmation that the structure will be a substantial distance from the actual paving of Cottage Avenue.

Mr. Rempel stated there will be a concrete pad from the structure, coming around to Cottage Ave to allow for bicycles.

Mr. Deegan asked if that was included on the site plan.

Mr. Rempel stated it's not on this plan, but it will be part of Engineering's review.

Mr. Deegan agreed if it is in the right-of-way, Engineering will review, and a right-of-way permit will be required.

The public hearing was closed.

Staff Discussion:

Mr. Fisher commented that he is friends with Mr. Scott and didn't realize he would be speaking today. He questioned if he is able to vote on this case.

Attorney Shuler commented if he feels it will impact his ability to be impartial, but generally the only conflict that would come into play is if there is some sort of monetary interest or something of that nature.

Mr. Fisher commented he just wanted this to be known before any further discussion.

Mr. Deegan reminded Board members that this is only a setback issue.

Action:

A motion was made and seconded, Holtzinger/Lauver, to adopt the Staff recommendations as the findings of the Board and based on these findings, approve 26-06DV with the 4 conditions listed in the Staff Report.

Mr. Fisher commented that he understands Mr. Scott's concern about the water, but agrees the water is an Engineering issue and its unknown if this project will affect that.

The motion passed unanimously by a vote of 3-0.

Mr. Loewen rejoined the meeting at 4:15p.m.

26-07DV – Lloyd Yoder requests developmental variances to allow a front building setback of 20' from Michigan Avenue where a minimum of 25' is required for an approximately 48 Sf shed, and to allow a front parking and driving aisle setback of 5' along Michigan Avenue where a minimum of 25' is required for a two-stall concrete parking area. The subject property is generally located at 503 W Wilden Avenue and is zoned Residential R-2 District.

Staff Report

Mr. Deegan explained this small home does not have a garage for parking, but the property currently contains a small gravel parking pad. The petitioner would like to enlarge and pave the parking area to 25' x 35' with a 5' setback along Michigan Avenue. Additionally, he would like to place a 6' x 8' shed within 20' of W Wilden Avenue where a minimum of 25' is required. Staff supports both of these requests, pointing out the proposed parking is not out of character with the neighborhood and there is no other available parking.

Petitioner Presentation:

Lloyd Yoder, 605 Skyview Drive, Middlebury, spoke to the petition. He stated he has good tenants and he's just trying to make this nicer.

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/Lauver, to adopt the Staff recommendations as the findings of the Board and based on these findings, approve 26-07DV with the 4 conditions listed in the Staff Report. The motion passed unanimously by a vote of

V. Audience Items
None

VI. Staff Board Items
None

VII. Adjournment: 4:19 pm Lauver/Fisher

Respectfully Submitted:

/s/ Lori Lipscomb
Lori Lipscomb, Recording Secretary

Approved By:

/s/ Tom Holtzinger
Tom Holtzinger, Chair

/s/ Le Rohn
Lee Rohn, Secretary



EXHIBIT

26-06SV:1-3



