

DPS/FORT WAYNE HEARING OFFICER

Minutes: 11 January 2023

(The following reflects a synopsis of action taken by the Fort Wayne Hearing Officer. Actual audio recordings of the proceedings before the Fort Wayne Hearing Officer are available upon request.)

The Fort Wayne Hearing Officer conducted a public hearing on Wednesday, 11 January 2023, at 8:30 a.m. in Room 30, Citizens Square. Present were Patrick Rew, Hearing Officer, Bryan McMillan, AICP, Senior Land Use Planner, Beth Morales, Associate Land Use Planner, Gabrielle Herin, Associate Land Use Planner and Kim Mack, Assistant Front Office Manager.

Testimony was heard on items advertised per requirements of the Indiana Code. Immediately following the public hearing, the Hearing Officer acted on those items.

OLD BUSINESS:

PROPOSAL: DSV-2022-0155
APPLICANT: JAMCO 2 LLC (Gina Gerbers)
REQUEST: An appeal for a development standards variance to reduce the side setback from 25 feet to 14 feet for a side porch addition in an R3 zoning district.
LOCATION: 1024 Tennessee Avenue, at the southwest corner of its intersection with Tecumseh Street (Section 01 of Wayne Township)
PRESENT ZONING: R3/Multiple Family Residential
LAND AREA: 0.16 acres

After hearing information on the matter, the Zoning Hearing Officer made certain Findings of Fact/Law and Conditions of Approval a part of these minutes. Because of those findings, the request was approved. There was no one present in favor of and no one in opposition to this request.

NEW BUSINESS:

PROPOSAL: DSV-2022-0177
APPLICANT: Abigail Barnett
REQUEST: An appeal for a development standards variance to reduce the west side setback from 25 feet to 5 feet for a fence.
LOCATION: 1842 Clover Lane, at the northeast corner of its intersection with Tyler Avenue (Section 34 of Washington Township)
PRESENT ZONING: R1/Single Family Residential
LAND AREA: 0.14 acres

After hearing information on the matter, the Zoning Hearing Officer deferred the above noted item until the 12 April 2023 public hearing. There was no one present in favor of and no one in opposition to this request.

PROPOSAL: SU-2022-0087
APPLICANT: YWCA Northeast Indiana, Inc.
REQUEST: A request for a special use to amend SU-2020-0036 for additional time to begin operating a residential facility for a court-ordered reentry program.
LOCATION: 1313 W. Washington Center Road, 1,200 feet east of SR 3/Lima Road (Section 22 of Washington Township)
PRESENT ZONING: C2/Limited Commercial

LAND AREA: 6.62 acres

After hearing information on the matter, the Zoning Hearing Officer made certain Findings of Fact/Law and Conditions of Approval a part of these minutes. Because of those findings, the request was approved. There was no one present in favor of or in opposition to this request.

PROPOSAL: SU-2022-0088
APPLICANT: GRNE Solar
REQUEST: A request for a special use to amend SU-2021-0034 for additional time to install ground mounted solar panels.
LOCATION: 1095 W. Rudisill Boulevard, at the southwest corner of its intersection with Beaver Avenue (Section 15 of Wayne Township)
PRESENT ZONING: R1/Single Family Residential
LAND AREA: 0.93 acres

After hearing information on the matter, the Zoning Hearing Officer made certain Findings of Fact/Law and Conditions of Approval a part of these minutes. Because of those findings, the request was approved. There was no one present in favor of and one in opposition to this request.

PROPOSAL: DSV-2022-0178
APPLICANT: Chuck Downey
REQUEST: An appeal for a development standards variance to reduce the east side setback from 25 feet to 20 feet, south rear setback from 25 feet to 12 feet and south buffer requirements from 25 feet to 12 feet for a hotel.
LOCATION: 1520 E. Berry Street, at the southeast corner of its intersection with Hanover Street (Section 1 of Wayne Township)
PRESENT ZONING: I2/General Industrial
LAND AREA: 1.37 acres

After hearing information on the matter, the Zoning Hearing Officer made certain Findings of Fact/Law and Conditions of Approval a part of these minutes. Because of those findings, the request was approved. There was no one present in favor of or in opposition to this request.

PROPOSAL: SU-2022-0089
APPLICANT: Kids Rise, LLC (Patricia Oppor, CPA)
REQUEST: A request for a special use to allow a transitional use for a professional office (CPA firm).
LOCATION: 4628 S. Calhoun Street, at the northwest corner of its intersection with W Fleming Avenue (Section 23 of Wayne Township)
PRESENT ZONING: R1/Single Family Residential
LAND AREA: 0.29 acres

After hearing information on the matter, the Zoning Hearing Officer made certain Findings of Fact/Law and Conditions of Approval a part of these minutes. Because of those Findings., the request was approved. There was no one present in favor of and no one spoke in opposition to this request.

PROPOSAL: DSV-2022-0179
APPLICANT: Viridian Architectural Design, Inc.
REQUEST: An appeal for a development standards variance to increase the maximum permitted building height from 40 feet to 49 feet for rooftop equipment in Airport Overlay District

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LOCATION: 8645 Aviation Drive, 1,500 feet north of Airport Expressway (Section 32 of Wayne Township)
PRESENT ZONING: I2/General Industrial
LAND AREA: 21.03 acres

After hearing information on the matter, the Zoning Hearing Officer made certain Findings of Fact/Law and Conditions of Approval a part of these minutes. Because of those findings, the request was approved. There was no one present in favor of or in opposition to this request.

PROPOSAL: DSV-2022-0181
APPLICANT: Habitat for Humanity of Greater Fort Wayne
REQUEST: An appeal for a development standards variance to reduce the rear setback from 25 feet to 13 feet for a new house.
LOCATION: 433 W. Butler Street, 300 feet east of Fairfield Avenue (Section 11 of Wayne Township)
PRESENT ZONING: R3/Multiple Family Residential
LAND AREA: 0.07 acres

After hearing information on the matter, the Zoning Hearing Officer made certain Findings of Fact/Law and Conditions of Approval a part of these minutes. Because of those findings, the request was approved. This approval requires a recorded written commitment and is subject to continuous compliance with conditions in the Finding of Fact. There was no one present in favor of or in opposition to this request.

PROPOSAL: DSV-2022-0182
APPLICANT: Union Parking Company, LLC
REQUEST: An appeal for a development standards variance to increase the allowable height of a freestanding sign from 8 feet to 16 feet.
LOCATION: 999 Leykauf Street at its intersection with Union Street (Section 12 of Wayne Township)
PRESENT ZONING: UC/Urban Core
LAND AREA: Approx. 5.3 acres

After hearing information on the matter, the Zoning Hearing Officer made certain Findings of Fact/Law and Conditions of Approval a part of these minutes. Because of those findings, the request was approved. There was no one present in favor of or in opposition to this request.

ADMINISTRATIVE ITEM:

PROPOSAL: UVAR-2021-0059
APPLICANT: T. Harris Investments, LLC
REQUEST: An appeal for a use variance for a pipe, equipment storage, and office space business to allow an addition to the existing business in a R1 zoning district. (One year status report).
LOCATION: 2330 W Ludwig Road at its northeast intersection with Goings Road (Private Road) (Section 15 of Washington Township)
PRESENT ZONING: R1/Single Family Residential
LAND AREA: 0.57 acres

After hearing information on the matter, the Zoning Hearing Officer accepted the update from staff. There was no one present in favor of and no one in opposition to this request.

There being no further business, the meeting adjourned at 10:02 a.m.

Patrick Rew, Deputy Land Use Director
BZA Hearing Officer