

## **DPS/ALLEN COUNTY HEARING OFFICER**

**Minutes: 11 January 2023**

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

The Allen County 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 Kimberly Mack Asst. 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.

### **NEW BUSINESS:**

**PROPOSAL:** DSV-2022-0172  
**APPLICANT:** Conor Collins  
**REQUEST:** An appeal for a development standards variance to reduce the minimum west side setback from 115 feet to 85 feet and allow accessory space to exceed primary building size for a garage addition.  
**LOCATION:** 8825 Hessen Cassel Road, at the northeast corner of its intersection with Maples Road (Section 32 of Adams Township)  
**PRESENT ZONING:** R1/Single Family Residential  
**LAND AREA:** 1.00 acre

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-2022-0173  
**APPLICANT:** Adam Cameron/Custom Signs Unlimited Co.  
**REQUEST:** An appeal for a development standards variance to increase the maximum permitted number of entrance signs for a residential subdivision from 2 to 3.  
**LOCATION:** 13001 Bethel Road, Huntertown, 2,000 feet south of Hathaway Road (Section 30 of Perry Township)  
**PRESENT ZONING:** R1/Single Family Residential  
**LAND AREA:** 45.03 acres

No one was present to provide information on the above noted request, the Zoning Hearing Officer continued the above noted request until the 8 February 2023 public hearing. There was no one present in favor of and no one in opposition to this request.

**PROPOSAL:** DSV-2022-0174  
**APPLICANT:** Muslim Community Help Center Cemetery Association, Inc. (Muhammd Raza)  
**REQUEST:** An appeal for a development standards variance to increase the maximum permitted height of an entry gate and ornamental arch from 8 feet to 19 feet.  
**LOCATION:** 8631 Decatur Road, 1,000 feet north of Maples Road (Section 31 of Adams Township)  
**PRESENT ZONING:** R1/Single Family Residential  
**LAND AREA:** 14.48 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: UVAR-2022-0059  
APPLICANT: Grabill Rail Terminal, Inc. (Toby Graber)  
REQUEST: An appeal for a use variance to have outdoor storage without a primary structure or use.  
LOCATION: 13730 3<sup>rd</sup> Street, Grabill, at the southwest corner of its intersection with Main Street (Section 25 of Cedar Creek Township)  
PRESENT ZONING: R1/Single Family Residential  
LAND AREA: 0.48 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-2022-0175  
APPLICANT: Grabill Rail Terminal, Inc. (Toby Graber)  
REQUEST: An appeal for a development standards variance to reduce the north, south, and west setbacks from 25 feet to 1 foot and east setback from 10 feet to one foot for a canopy.  
LOCATION: 13730 3<sup>rd</sup> Street, Grabill, at the southwest corner of its intersection with Main Street (Section 25 of Cedar Creek Township)  
PRESENT ZONING: R1/Single Family Residential  
LAND AREA: 0.48 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-2022-0176  
APPLICANT: Grabill Rail Terminal, Inc. (Toby Graber)  
REQUEST: An appeal for a development standards variance to reduce the north, south, and west setbacks from 25 feet to zero feet for a six-foot-tall chain link fence topped with barbed wire fence.  
LOCATION: 13730 3<sup>rd</sup> Street, Grabill, at the southwest corner of its intersection with Main Street (Section 25 of Cedar Creek Township)  
PRESENT ZONING: R1/Single Family Residential  
LAND AREA: 0.48 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.

There being no further business, the meeting adjourned at 10:12 a.m.

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Patrick D. Rew Deputy Land Use Director  
BZA Hearing Officer