

DPS/ALLEN COUNTY HEARING OFFICER

Minutes: 8 March 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, 8 March 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-2023-0010
APPLICANT: Zehr Remodeling LLC (Jonas Zehr)
REQUEST: An appeal for a development standards variance to increase the maximum permitted height of an accessory building from 25 feet to 26 feet.
LOCATION: 25111 SR 37, 1500 feet northeast of Allen Road (Section 05 of Scipio Township)
PRESENT ZONING: A1/Agricultural
LAND AREA: 4.00 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-2023-0003
APPLICANT: Lester Schmucker
REQUEST: A request for a special use to convert an accessory structure into a primary structure (house).
LOCATION: 20711 SR 37, 2000 feet northeast of Rupert Road (Section 14 of Springfield Township)
PRESENT ZONING: A1/Agricultural
LAND AREA: 6.22 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 one present in favor of or in opposition to this request.

PROPOSAL: DSV-2023-0011
APPLICANT: Darren Yoder
REQUEST: An appeal for a development standards variance to have greater detached accessory building square footage than the primary building to construct a new barn.
LOCATION: 6930 Brush College Road, 1200 feet north of Doty Road (Section 14 of Milan Township)
PRESENT ZONING: A1/Agricultural
LAND AREA: 1.29 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 one present in favor of or in opposition to this request.

PROPOSAL: DSV-2023-0012
APPLICANT: BMP Real Estate Holdings, LLC
REQUEST: An appeal for a development standards variance to increase the maximum permitted height of a primary building from 50 feet to 55 feet for a cold storage facility.
LOCATION: 23202 Roemer Drive, Woodburn, 1700 feet east of SR 101 (Section 21 of Maumee Township)
PRESENT ZONING: I2/General Industrial
LAND AREA: Approx. 15 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 one present in favor of or in opposition to this request.

PROPOSAL: DSV-2023-0013
APPLICANT: GJHL Properties, LLC Attn: Jeff Thomas
REQUEST: An appeal for a development standards variance to: 1) reduce the front setback for a deck and retaining wall from 25 feet to 2 feet, 2) increase permitted height of a retaining wall from 3 feet to 4 feet.
LOCATION: 4238 Provision Parkway, 1000 feet east of Diebold Road (Section 25 of Perry Township)
PRESENT ZONING: NC/Neighborhood Center
LAND AREA: 11.76 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 one present in favor of or in opposition to this request.

PROPOSAL: SU-2023-0007
APPLICANT: Stephen Miller
REQUEST: A request for a special use for a home industry (custom cabinetry).
LOCATION: 16016 Trammel Road, 900 feet southeast of Cuba Road (Section 29 of Springfield Township)
PRESENT ZONING: A1/Agricultural
LAND AREA: 8.03 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. 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.

ADMINISTRATIVE UPDATE:

PROPOSAL: SU-2022-0009
APPLICANT: Jayme L. Brooks
REQUEST: A request for a special use for a home business (salon) in an A1 zoning district.
LOCATION: 19333 Notestine Road, 2,200 feet east of Bull Rapids Road (Section 34 of Springfield Township)

PRESENT ZONING: A1/Agricultural
LAND AREA: 11.91 acres

After hearing information on the matter from staff, SU-2022-0009 was withdrawn due to the property being sold by the applicant.

There being no further business, the meeting adjourned at 10:00 a.m.

Patrick D. Rew Deputy Land Use Director
BZA Hearing Officer