

DPS/FORT WAYNE HEARING OFFICER

Minutes: 12 April 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, 12 April 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.

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.

OLD 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

The Fort Wayne Hearing Officer accepted the withdrawal. There was no one present in favor of or in opposition to this request.

NEW BUSINESS:

PROPOSAL: DSV-2023-0030
APPLICANT: Bajco Michiana LLC
REQUEST: An appeal for a development standards variance to reduce the south side setback from the minimum required 25 feet to 6 feet to construct a cooler/freezer addition.
LOCATION: 6233 Bluffton Road, 100 feet north of Interlaken Drive (Section 27 of Wayne Township)
PRESENT ZONING: C4/Heavy Commercial
LAND AREA: 0.40 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-2023-0031
APPLICANT: Chris Bronson
REQUEST: An appeal for a development standards variance to reduce the front setback from 50 feet

to 0 feet for a retaining wall.
LOCATION: 1515 Profit Drive, 600 feet east of Executive Boulevard (Section 22 of Washington Township)
PRESENT ZONING: I3/Heavy Industrial
LAND AREA: 2.88 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-2023-0032
APPLICANT: Chick-fil-A, Inc. c/o John Romanello
REQUEST: DSV-2023-0032 (1725 Apple Glen Boulevard): An appeal for a development standards variance to: 1) reduce the front setback from 50 feet to 19 feet and 2) the side setback from 25 feet to 0 feet for an enclosed dumpster.
LOCATIONS: 1725 1000 feet northwest of Jefferson Boulevard (Section 08 of Wayne Township)
PRESENT ZONING: SC/Shopping Center
LAND AREA: 33.85

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-2023-0033
APPLICANT: Chick-fil-A, Inc. c/o John Romanello
REQUEST: DSV-2023-0033 (4230 W. Jefferson Boulevard): An appeal for a development standards variance to: 1) reduce the front setback from 50 feet to 19 feet and 2) the side setback from 25 feet to 0 feet for an enclosed dumpster.
LOCATIONS: 4230 W. Jefferson Boulevard, 1000 feet northwest of Jefferson Boulevard (Section 08 of Wayne Township)
PRESENT ZONING: SC/Shopping Center
LAND AREA: 0.99 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-2023-0034
APPLICANT: Steigerwald Construction LLC
REQUEST: An appeal for a development standards variance to reduce the rear setback from the minimum required 25 feet to 13 feet to construct an addition.
LOCATION: 8203 Grand Forest Court, 500 feet west of Greythorn Drive (Section 35 of St. Joseph Township)
PRESENT ZONING: R1/Single Family Residential
LAND AREA: 0.22 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 no one present in favor of or in opposition to this request.

PROPOSAL: DSV-2023-0035
APPLICANT: Camden Fox
REQUEST: An appeal for a development standards variance to allow accessory structure space to exceed the size of the primary building.
LOCATION: 1425 Reckeweg Road, 900 feet north of Illinois Road (Section 08 of Wayne Township)
PRESENT ZONING: R1/Single Family Residential
LAND AREA: 0.22 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 no one present in favor of or in opposition to this request.

PROPOSAL: DSV-2023-0036
APPLICANT: Hector & Erika Garrido-Chavez
REQUEST: An appeal for a development standards variance to reduce the current residence west side setback from the minimum required 25 feet to 3 feet to add a second story addition.
LOCATION: 345 W. DeWald Street, at the southeastern corner of its intersection with Hoagland Avenue (Section 11 of Wayne Township)
PRESENT ZONING: R3/Multiple Family Residential
LAND AREA: 0.06 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-2023-0037
APPLICANT: Rudolph A. Mahara
REQUEST: An appeal for development standards variances to: 1) update DSV-2020-0040, 2) reduce minimum house size from 700 square feet to 572 square feet, 3) have three houses on a platted lot, and 4) reduce rear setback from 25 feet to 24 feet to convert a garage into a house.
LOCATION: 1232 Fairfield Avenue, 100 feet north of W. Brackenridge Street (Section 11 of Wayne Township)
PRESENT ZONING: R3/Multiple Family Residential
LAND AREA: 0.10 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-2023-0040
APPLICANT: M. Johnston Investments, LLC
REQUEST: An appeal for a development standards variance to eliminate screening on the south and west sides.
LOCATION: 3810 Lake Avenue, 600 feet west of N. Coliseum Boulevard (Section 05 of Adams Township)
PRESENT ZONING: C2/Limited Commercial
LAND AREA: 1.34 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.

There being no further business, the meeting adjourned at 10:01 a.m.

Patrick Rew, Deputy Land Use Director
BZA Hearing Officer