

DPS/ALLEN COUNTY HEARING OFFICER

Minutes: 12 April 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, 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 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-2023-0025
APPLICANT: James & Erica Rice
REQUEST: An appeal for a development standards variance to reduce the rear setback from 15 feet to 12 feet for an addition.
LOCATION: 11963 Kendrick Court, 300 feet west of Hager Way (Section 04 of Aboite Township)
PRESENT ZONING: R1/Single Family Residential
LAND AREA: 0.27 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-2023-0026
APPLICANT: Christy E. Schmucker
REQUEST: An appeal for a development standards variance to reduce the rear setback from 25 feet to 9 feet for an existing accessory building addition.
LOCATION: 13220 Schwartz Road, 500 feet south of Witmer Road (Section 27 of Cedar Creek Township)
PRESENT ZONING: A1/Agricultural
LAND AREA: 2.96 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-2023-0010
APPLICANT: James Orr
REQUEST: An appeal for a use variance to amend UVAR-2021-0038 to ask for time extension to build an accessory structure without a primary structure.
LOCATION: 13017 Bass Road, 2,500 feet east of N. Noyer Road (Section 05 of Aboite Township)
PRESENT ZONING: A1/Agricultural
LAND AREA: 2.38 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-2023-0027
APPLICANT: Jerry Hickman dba Mirage Sports Inc.
REQUEST: An appeal for a development standards variance to retain gravel parking and driving areas for recreation area.
LOCATION: 11703 North River Road, at the northwest corner of the intersection with I-469 (Section 31 of Milan Township)
PRESENT ZONING: A1/Agricultural
LAND AREA: 22.16 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 or in opposition to this request.

PROPOSAL: SU-2023-0008
APPLICANT: Wellspring Components, LLC
REQUEST: A request for a special use to have ground mounted solar panels.
LOCATION: 10516 Wheelock Road, 2,000 feet north of Notestine Road (Section 33 of Cedar Creek Township)
PRESENT ZONING: A1/Agricultural
LAND AREA: 19.40 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 and three opposition to this request.

PROPOSAL: DSV-2023-0028
APPLICANT: Miller Land Surveying
REQUEST: An appeal for a development standards variance to reduce the west side setback from 15 feet to 8 feet for a garage addition in an A1 zoning district.
LOCATION: 19123 Maples Road, 200 feet east of Ternet Road (Section 36 of Jefferson Township)
PRESENT ZONING: A1/Agricultural
LAND AREA: 0.86 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-2023-0029
APPLICANT: Charles R. Koenemann
REQUEST: An appeal for a development standards variance to reduce the front setback from the minimum required 65 feet to 34 feet for an existing garage addition.
LOCATION: 12424 Aljean Avenue, 200 feet west of Felt Place (Section 17 of Madison Township)
PRESENT ZONING: A1/Agricultural
LAND AREA: 0.57 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

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

Patrick D. Rew Deputy Land Use Director
BZA Hearing Officer