

**FORT WAYNE BOARD OF ZONING APPEALS**  
**Minutes: 19 October 2023**

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

Chairman Mr. James Hoch called to order the October 2023 public hearing of the Fort Wayne Board of Zoning Appeals at 5:30 p.m. on Thursday, 19 October 2023. The hearing was held in Room 35, Garden Level of the Citizens Square Building. Attendance of Board members was as follows.

	Appointed By	Present	Absent
Chairman James Hoch	City Council's Citizen	X	
Member LaKeisha Woods	Mayor's Citizen	X	
Member Ron Howard	Mayor's Citizen	X	
Vice Chairperson Rachel Tobin-Smith	Mayor's from Plan Commission	X	
Member Connie Haas Zuber	Plan Commission	X	

Staff members present were, Patrick D Rew, Deputy Land Use Director, Bryan L. McMillan, AICP, Senior Land Use Planner, Maureen Voors, AICP, CFM Principal Land Use Planner, Jonathan Bramblewood, Associate Land Use Planner and Robert Eherenman, Legal Counsel to the Board.

**OLD BUSINESS:**

PROPOSAL: UVAR-2023-0035  
 APPLICANT: Provident Healthcare Management  
 REQUEST: An appeal for a use variance for a hospital to provide inpatient and outpatient alcohol and drug detoxification for short and long-term residents.  
 LOCATION: 3310 East State Boulevard and 3320 East State Boulevard  
 PRESENT ZONING: RP/Planned Residential  
 LAND AREA: 5.31 acres

Following discussion, Mrs. Haas Zuber moved the Board approve UVAR-2023-0035 based on certain Findings of Fact that are to be made a part of these minutes. This approval requires a recorded written commitment and is subject to continuous compliance with the conditions listed in the Findings of Fact. After a second by Ms. Woods, the motion was approved, 4-1. Mr. Howard voted against. No one spoke in support and no one spoke against the proposal.

PROPOSAL: UVAR-2023-0039  
 APPLICANT: Josh Mahon  
 REQUEST: An appeal for a use variance for a duplex.

LOCATION: 1504 Kensington Boulevard at its intersection with Lake Avenue, Section 31, St. Joseph Township.  
PRESENT ZONING: R1/Single Family Residential  
LAND AREA: 0.21 acres

Following discussion, Mrs. Tobin-Smith moved the Board approve UVAR-2023-0039 based on certain Findings of Fact that are to be made a part of these minutes. After a second by Mrs. Haas-Zuber, the motion was failed, 2-3. Ms. Woods, Mr. Howard, & Mr. Hoch voted against. Mr. Hoch motion for denial. Mr. Howard second. Motioned passed 3-2. Mrs. Haas Zuber & Mrs. Tobin-Smith voted against. No one spoke in support and no one spoke against the proposal.

**NEW BUSINESS:**

PROPOSAL: UVAR-2023-0043  
APPLICANT: Humadi Group, LLC  
REQUEST: An appeal for a use variance to allow for a gas station canopy located between the primary building and a residential district in a C3 zoning district.  
LOCATION: 615 E State Boulevard, located on the Northwest corner of the intersection of E State Boulevard and Parnell Avenue.  
PRESENT ZONING: C3/General Commercial  
LAND AREA: 0.94 acres

Following discussion, Mrs. Haas Zuber moved the Board deny UVAR-2023-0043 based on certain Findings of Fact that are to be made a part of these minutes. After a second by Mrs. Tobin-Smith, the motion was approved, 5-0. No one spoke in support and four spoke against the proposal.

PROPOSAL: UVAR-2023-0044  
APPLICANT: Fort Wayne Investment Club, LLC  
REQUEST: An appeal for a use variance to permit auto service in a C2 zoning district.  
LOCATION: 9033 Lima Road, located approximately 130 feet Southwest of the intersection of Lima Road and Prairie Lane.  
PRESENT ZONING: C2/Limited Commercial  
LAND AREA: 0.44 acres

Following discussion, Mrs. Haas Zuber moved the Board approve UVAR-2023-0044 based on certain Findings of Fact that are to be made a part of these minutes. This approval requires a recorded written commitment and is subject to continuous compliance with the conditions listed in the Findings of Fact. After a second by Mrs. Tobin-Smith, the motion was approved, 5-0. No one spoke in support and four spoke against the proposal.

PROPOSAL: UVAR-2023-0045  
APPLICANT: David Ramierz Salgado  
REQUEST: An appeal for a use variance to allow a sign as the primary use of a property in a C4 zoning district.  
LOCATION: 7002 Ideal Avenue, located on the Southwest corner of Lower Huntington Road and Ideal Avenue.

PRESENT ZONING: C4/Intensive Commercial  
LAND AREA: 0.91 acres

Following discussion, Mrs. Haas Zuber moved the board deny UVAR-2023-0045 based on certain Findings of Fact that are to be part of these minutes. After a second by Ms. Woods, the motion failed 1-4. Mrs. Tobin-Smith, Ms. Woods, Mr. Howard, and Mr. Hoch voted against. Following discussion, Mr. Hoch moved the Board approve UVAR-2023-0045 based on certain Findings of Fact that are to be made part of these minutes. This approval requires a recorded written commitment and is subject to continuous compliance with the conditions listed in the Findings of Fact. After a second by Mr. Howard, the motion was approved 4-1. Mrs. Haas Zuber voted against.

PROPOSAL: UVAR-2023-0046  
APPLICANT: Brigitte Luyeye  
REQUEST: An appeal for a use variance to allow a child care center in an R1 zoning district.  
LOCATION: 4805 Palatine Drive, located on the Southwest corner of the intersection of W Jefferson Boulevard and Palatine Drive.  
PRESENT ZONING: R1/Single Family Residential  
LAND AREA: 0.74 acres

Following discussion, Mrs. Tobin-Smith moved the Board approve UVAR-2023-0046 based on certain Findings of Fact that are to be made a part of these minutes. This approval requires a recorded written commitment and is subject to continuous compliance with the conditions listed in the Findings of Fact. After a second by Mr. Howard, the motion was approved, 5-0. No one spoke in support and no one spoke against the proposal.

PROPOSAL: UVAR-2023-0047  
APPLICANT: Janae DuBose  
REQUEST: An appeal for a use variance to allow a child care center in an R1 zoning district.  
LOCATION: 4109 Tacoma Avenue, located approximately 100 feet south and east of the intersection of W Branning Avenue and Tacoma Avenue.  
PRESENT ZONING: R1/Single Family Residential  
LAND AREA: 0.11 acres

Following discussion, Mrs. Haas Zuber moved the Board approve UVAR-2023-0047 based on certain Findings of Fact that are to be made a part of these minutes. This approval requires a recorded written commitment and is subject to continuous compliance with the conditions listed in the Findings of Fact. After a second by Mr. Howard, the motion was approved, 4-1. Mr. Hoch voted against. No one spoke in support and five spoke against the proposal.

**MINUTES:** Following discussion, Mrs. Haas Zuber moved the Board approve the minutes and Findings of Fact of the September 2023 meeting. After a second by Mr. Howard the motion carried, 5-0.

**OTHER BUSINESS:** Following discussion, Mrs. Haas Zuber moved the Board approve 2024 Board of Zoning Appeals Calendar. After a second by Mr. Howard the motion carried, 5-0.

There being no further business, the meeting adjourned at 7:34 p.m.



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Patrick Rew Deputy Land Use Director,  
Secretary to the City of Fort Wayne Board of Zoning Appeals