

METROPOLITAN DEVELOPMENT COMMISSION
MARION COUNTY, INDIANA

HEARING EXAMINER

JANUARY 26, 2023 - HEARING RESULTS

Notice is hereby given that the Hearing Examiner for the Metropolitan Development Commission of Marion County held public hearings on Thursday, **January 26, 2023**, at 1:00 PM in the Public Assembly Room on the 2nd Floor of the City-County Building, 200 East Washington Street, Indianapolis, IN on the following petitions:

EXPEDITED PETITION:

2022-MOD-023 Rec. Approval to MDC on 2-15-23	5340 Senour Road Franklin Township, CD #25, Zoned D-4 M/I Homes of Indiana L.P., by Joseph D. Calderon Modification of Commitments related to 2021-ZON-009 to modify: Commitment #3 to permit two-story duplex dwellings with a minimum of 1,500 square feet (previous commitment allowed for single-story duplex dwellings with lofts, with a minimum of 1,400 square feet); and Commitment #27 to update the architectural character representations to include two-story dwellings.
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CONTINUED PETITIONS:

2022-ZON-069 (Amended) Rec. Approval to MDC on 2-15-23	3737 East Washington Street Center Township, CD #12 Madison Capital V, LLC, by Timothy K. Ryan Rezoning of 1.53 acres from the C-4 (TOD) district to the D-10 (TOD) district to provide for multi-family residential development.
2022-ZON-078 Cont'd to 2-23-23 Without notice	8965 Rockville Road Wayne Township, CD #15 Vu Tran, by Pat Rooney Rezoning of 0.57 acre from the D-2 district to the C-3 district to provide for retail uses.
2022-ZON-091 (2 nd Amended) Rec. Approval to MDC on 2-15-23	3510 Division Street Perry Township, CD #20 Sumner St, LLC, by Casey Cloyd Rezoning of 1.69 acres from the D-4 (FF) district to the C-S (FF) district to provide for commercial and building contractors; artisan manufacturing; light manufacturing; warehouse, wholesaling and distribution; consumer services or repair of consumer goods; financial and insurance services; hair and body care salon or service; printing services; office: business, professional or government; information, technology, R&D; Logistics R&D; retail, light general; automotive,

2022-ZON-124 WITHDRAWN	motorcycle and light vehicle service or repair; and employee living quarters accessory to a permitted use. 940 West Banta Road Perry Township, CD #23 John J. Holzer, Trustee, by David Kingen & Emily Duncan Rezoning of 6.86 acres from the D-A (FW) (FF) district to the C-1 (FW) (FF) district.
2022-CZN-848 2022-CVC-848 Cont'd to 4-27-23 With notice	419 & 441 East Ohio Street, 424 East Wabash Street and 124 & 132 North East Street Center Township, CD #17 Moes, LLC / Feroze and Sons, LLC, by David Kingen and Emily Duncan Rezoning of 0.85 acre from the CBD-2 (RC) and I-3 (RC) Districts to the CBD-2 (RC) district. Vacation of the first north-south alley west of East Street, being twelve feet in width, from the south right-of-way line of Ohio Street, south 195 feet to the north right-of-way line of Wabash Street, with a waiver of the assessment of benefits.
2022-CZN-861 2022-CVR-861 (Amended) Rec. Approval to MDC on 2-15-23 Variance approved	4016 East 82nd Street Washington Township, CD #3 Edward Rose Properties, Inc., by Joseph D. Calderon Rezoning of 9.805 acres from the C-S (FW)(FF) district to C-S (FW)(FF) district to provide for a 300-unit multi-family development with a Modification of Commitments related to 89-Z-208, as amended by 94-Z-103 and 2011-CZN-800, to amend Commitment #4 to add multi-family uses as a permitted use to Parcel D of Area B. Variance of development standards of the Consolidated Zoning and Subdivision Ordinance to provide for a lot with zero-feet of street frontage (50 feet required), with a maximum setback greater than 85 feet from 82 nd Street (maximum 85-foot setback permitted), with a maximum building height of 55 feet (maximum 45 feet permitted) and encroachment into the 100-foot stream protection corridor.
2022-CZN-868 2022-CVR-868 (Amended) Cont'd to 2-23-23 Without notice	431 South Shortridge Road Warren Township, CD #18 Bhullar Deol Properties, Inc, by David Kingen and Emily Duncan Rezoning of 2.74 acres from the D-A district to the C-S district to provide for truck fleet services, an event center and C-1 uses with exceptions. Variance of development standards of the Consolidated Zoning and Subdivision Ordinance to provide for a zero-foot east yard (10-foot rear yard required), and without the required front-yard landscaping (landscaping required).
2022-CZN-872 2022-CVR-872 Cont'd to 2-23-23 Without notice	4822 East Edgewood Avenue and 5820 South Emerson Avenue Perry Township, CD #24 IN Indianapolis Emerson, LLC, by Joseph Calderon Rezoning of 21.232 acres from the D-A, C-1 and C-3 districts to the D-6 district to provide for single-family attached dwellings (townhomes) and multi-family residential development.

Variance of development standards of the Consolidated Zoning and Subdivision Ordinance to provide for a building height of 49.5 feet (maximum 45 feet permitted) and a minimum livability ratio of 1.33 (1.80 required).

NEW PETITIONS:

2022-ZON-135 9100 and 9402 East 21st Street
WITHDRAWN Warren Township, CD #14
DevCo Preservation, LLC, by Joseph D. Calderon
Rezoning of 30.46 acres from the C-1 and C-4 districts to the D-8 district to provide for a single-family detached residential development.

NOT ON DOCKET:

2022-CZN-876 1507 & 1517 West Vermont Street and 333 Koehne Street
2022-CVR-876 Center Township, CD #16
2022-CVC-876 Own It Enterprise, LLC, by David Kingen and Emily Duncan
Cont'd from 1-12-23 Rezoning of 0.62 acre from the D-8 (RC) district to the CBD-2 (RC)
to 2-23-23 district.
With notice Variance of Development Standards of the Consolidated Zoning and Subdivision Ordinance to provide for a side and rear yard setback of zero feet when abutting an alley (ten-feet required).
Vacation of the first alley east of Koehne Street, being 12 feet in width, from the south right-of-way line of Vermont Street, being the northeast corner of Lot 47 in Lentz Heirs Addition, Recorded in Plat Book 11, Page 69 in the Office of the Recorder of Marion County, Indiana, south a distance of 109 feet to the southeast corner of Lot 45 in said subdivision, with a waiver of the assessment of benefits.
Vacation of an irregular portion of White River Parkway West Drive located at the southwest intersection of Vermont Street and White River Parkway West Drive totaling 0.12 acres, with a waiver of the assessment of benefits.

Legal Notice for 2022-CZN/CVR/CVC-876 previously sent by petitioner with January 26, 2023, hearing date; petition continued from initial hearing on January 12, 2023, with new notice to February 23, 2023.

The addresses of the proposals listed above are approximate and should be confirmed with the Division of Planning. Copies of the proposals are available for examination prior to the hearing by emailing planneroncall@indy.gov. Written objections to a proposal are encouraged to be filed via email at dmdpubliccomments@indy.gov before the hearing and such objections will be considered. At the hearing, all interested persons will be given an opportunity to be heard in reference to the matters contained in said proposals. The hearing may be continued

from time to time as may be found necessary. For accommodations needed by persons with disabilities planning to attend this public hearing, please call the Office of Disability Affairs at (317) 327-5654, at least 48 hours prior to the meeting. Department of Metropolitan Development - Current Planning Division.