

METROPOLITAN DEVELOPMENT COMMISSION
MARION COUNTY, INDIANA

HEARING EXAMINER

DECEMBER 14, 2023 - HEARING RESULTS

Notice is hereby given that the Hearing Examiner for the Metropolitan Development Commission of Marion County held public hearings on Thursday, **December 14, 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:*

PETITIONS EXPEDITED:

2023-ZON-100 | 4509 and 4585 Allisonville Road and 2828 E 45th Street | Recommended Approval, subject to Commitments, to MDC January 3, 2024

Washington Township, Council District #9

Sheetmetal Workers Local No. 20 Apprenticeship and Training Trust, by Russell L. Brown

Rezoning of 7.40 acres from the MU-1 (FF) district to the C-S (FF) district to provide for the following permitted uses: Vocational, Technical or Industrial School or Training Facility; Office: Business, Professional or Government; Financial & Insurance Services; and Club or Lodge.

2023-ZON-101 | 3905 East Raymond Street and 3820 and 3912 Bethel Avenue | Recommended Approval, subject to Commitments, to MDC January 3, 2024

Center Township, Council District #21

Malwa Truck & Tire Repair Shop, LLC, by David Gilman

Rezoning of 17.25 acres from the D-3 (FW) (FF), C-7 (FF) and I-3 districts to the C-7 (FW) (FF) district to provide for heavy commercial uses.

2023-ZON-104 | 2920 and 2990 North Arlington Avenue | Recommended Approval to MDC January 3, 2024

Warren Township, Council District #13

Associated Drywall Partners, by Andrew Wert

Rezoning of 1.80 acres from the C-3 and D-3 districts to the C-5 district to legally establish and provide for the expansion of a Commercial and Building Contractor.

2023-ZON-107 | 2831 East 38th Street | Recommended Approval, subject to Commitments, to MDC January 3, 2024

Center Township, Council District #9

Kourain Burgers, LLC, by Joseph D. Calderon

Rezoning of 0.683 acre from the D-5 (TOD) district to the C-3 (TOD) district to provide for a restaurant.

2023-ZON-108 | 1102 East Stop 11 Road | Recommended Approval, subject to Commitments, to MDC January 3, 2024

Perry Township, Council District #24

SIDHU 13, LLC, by Joseph D. Calderon

Rezoning of 2.67 acres from the C-S district to the C-3 district to provide for neighborhood commercial uses.

2023-ZON-110 | 2837 East New York Street and 253 North Rural Street | Recommended Approval, subject to Commitments, to MDC January 3, 2024

Center Township, Council District #17
Carmel Lutheran Church - Missouri Synod Inc., by Kevin Buchheit

Rezoning of 0.99 acre from the MU-1 and D-5 districts to the MU-2 district to provide for educational uses.

2023-CZN-803 / 2023-CVR-803 (Amended) | 3601 North Kitley Avenue and 6535 Massachusetts Avenue | Recommended Approval of 2023-CZN-803, subject to Commitments, to MDC January 3, 2024; Approved 2023-CVR-803 (Amended) and adopted the Findings of Fact.

Warren Township, Council District #13
Diego Diaz Huijon, by Joseph D. Calderon

Rezoning of 7.9 acres from the D-3 district to the C-S district to legally establish a commercial building contractor with outside storage, accessory uses related to the building contractor and two single-family dwellings with residential accessory uses.

Variance of Development Standards of the Consolidated Zoning and Subdivision Ordinance to legally establish a front building setback of 338 feet from Massachusetts Avenue (65-foot maximum permitted) and outside storage with a zero-foot setback from the east and west property lines (10-foot transitional yard/side yard required).

PETITIONS FOR PUBLIC HEARING (Continued Petitions):

2023-MOD-018 (Amended) | 4411 Wild Pheasant Lane | After a Public Hearing, Recommended Approval to MDC January 3, 2024

Franklin Township, Council District #25
D-P
Nicole Smithers

Modification of Development Statement, related to 2003-ZON-060, to modify Commitment 8.B to legally establish a six-foot solid privacy fence (current commitment prohibits six-foot solid privacy fences along perimeter lots of the subdivision, unless they fence a patio, deck, hot tub, etc., are no more than 300 square feet and abut the residence).

2023-ZON-057 | 6801 and 6921 Mills Road and 6912 Camby Road | Withdrawn

Decatur Township, Council District #20
Arbor Homes, by Caitlin Dopher

Rezoning of 106.721 acres from the D-A district to the D-4 district to provide for residential development.

2023-ZON-072 (Amended) | 2143 and 2145 South Emerson Avenue | After a Public Hearing, Recommended Approval, subject to Commitments, to MDC January 3, 2024

Warren Township, Council District #18
Tropical Island, LLC, by David Kingen

Rezoning of 0.94 acre from the D-3 and SU-18 districts to the D-5 district to provide for residential uses.

2023-ZON-085 | 6531 East 34th Street | Withdrawn

Warren Township, Council District #13
Ben Singh Bashal

Rezoning of one acre from the D-3 district to the I-2 district to provide for light industrial uses.

2023-ZON-086 | 6185, 6421, 6423 and 6441 East 34th Street | Continued to January 11, 2024, with Notice

Warren Township, Council District #13
Ben Singh Bashal

Rezoning of 4.3 acres from the D-3 and C-S districts to the I-3 district to provide for truck/trailer parking and repair.

2023-ZON-102 | 117 (119) North Sherman Drive | Continued to January 11, 2024

Center Township, Council District #12
Verma Properties, Inc., by Sharmin Frye

Rezoning of 0.11 acre from the D-5 (TOD) district to the C-3 (TOD) district.

2023-CZN-859 / 2023-CVR-859 / 2023-CPL-859 (Amended) | 3838 East 46th Street | Granted a six-day Waiver of the written Notice for the amended Petition; Continued Petition to January 11, 2024

Washington Township, Council District #9
Habitat for Humanity of Greater Indianapolis, Inc., by Chris Barnett

Rezoning of 4.22 acres from the SU-1 (FW) (FF) to the D-5 (FW) (FF) district to provide for residential uses.

Variance of Development Standards to provide for an access drive extending 34-feet into the Stream Protection Corridor of Devon Creek for a maximum length of 107 feet (100-foot Stream Protection Corridor Required) and a 68-foot front setback along 46th Street for property address 3860 East 46th Street (front building line range of 20 to 50 feet required).

Approval of a Subdivision Plat, to be known as Devon Creek, dividing 4.22-acres into ten single-family detached lots and one common area, including the vacation of an irregular portion of right-of-way at the northwest corner of the intersection of East 46th Street and Millersville Road containing 2,307.8 square feet, with a waiver of the sidewalk requirement along a 65-foot segment of Millersville Road.

PETITIONS FOR PUBLIC HEARING (New Petitions):

2023-ZON-105 | 5935 West 86th Street | Continued to January 25, 2024

Pike Township, Council District #1
Ragin McQuade - Bohler Engineering

Rezoning of 1.345 acres from the C-3 district to the C-4 district to provide for a car wash.

2023-ZON-106 | 2620 and 2710 Wicker Road | Continued to January 25, 2024, with Notice, if needed

Perry Township, Council District #20
Reid Litwack, by Joseph D. Calderon

Rezoning of 6.39 acres from the D-A (W-1) district to the I-3 (W-1) district to provide for a fleet terminal and truck parking facility.

2023-ZON-109 | 5136 Michigan Road | Acknowledged Automatic Continuance, filed by Registered Neighborhood Organization, to January 11, 2024

Washington Township, Council District #8
Paramount Schools of Excellence, Inc., by Timothy Ochs

Rezoning of 10.13 acres from the SU-1 district to the SU-2 district to provide for educational uses.

2023-CZN-863 / 2023-CAP-863 / 2023-CVR-863 / 2023-CPL-863 | 1228, 1232, 1302 and 1306 East 10th Street | Continued to December 28, 2023, with Notice

Center Township, Council District #17
Structure Midwest, LLC, by Russell L. Brown and Elizabeth Bentz Williams

Rezoning of 0.41 acres from the MU-1 and D-8 districts to the D-8 district.

Termination of Commitments related to 2019-CZN/CVR-821 to provide for a new two-family dwelling development (previous commitments required four-foot side setbacks for single-family detached dwellings).

Variance of development standards of the Consolidated Zoning and Subdivision Ordinance to provide for front yard setbacks of nine feet and side yard setbacks of three feet for a six-unit, two-family dwelling development (setback range of 10-19.9 feet required, five-foot side yard required).

Approval of a Subdivision Plat to be known as Windsor on 10th, dividing 0.41 acres into three duplex lots (six units).

*The addresses of the proposals listed above are approximate and should be confirmed with the Division of Planning. For a complete list of petitions, staff reports, and hearing results, visit <https://indianapolis-in.municodemeetings.com/DMDmeetings>. 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.