

METROPOLITAN DEVELOPMENT COMMISSION
MARION COUNTY, INDIANA

HEARING EXAMINER

AUGUST 24, 2023 - HEARING RESULTS

Notice is hereby given that the Hearing Examiner for the Metropolitan Development Commission of Marion County held public hearings on Thursday, **August 24, 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 TO BE EXPEDITED:

2023-APP-020 | 8260 Naab Road | Recommended Approval to MDC September 20, 2023

Washington Township, Council District #1
HD-2
SPT Ivey 8260 Naab MOB, by Doug Staley

Hospital District - Two Approval to provide for one wall sign.

2023-APP-021 | 8091 Township Line Road | Recommended Approval to MDC September 20, 2023

Washington Township, Council District #1
HD-1/HD-2
Paragon Dream I, LLC, by Doug Staley

Hospital District-One and Two Approval to provide for one wall sign.

2023-APP-023 (Amended) | 310 West 42nd Street | Recommended Approval to MDC September 20, 2023

Washington Township, Council District #7
PK-1
Indy Parks, by Ben Jackson

Park District One Approval to provide a new spray ground.

2023-MOD-014 | 6011 Copeland Mills Drive | Recommended Approval, subject to the Modified Commitments, to MDC September 20, 2023

Decatur Township, Council District #20
D-3
Jesse Cook

Modification of the Commitments related to petition 97-Z-30 to modify Commitment #20 to allow for a privacy fence along the property boundary (current commitment limits privacy fencing to being used in conjunction with a porch, patio, deck, terrace or pool, it must be located within fifteen feet of said structure and shall not encroach into the required building setbacks).

2023-CZN-834 / 2023-CVR-834 / 2023-CPL-834 | 4202 East 10th Street and 1009 Gladstone Avenue | Recommended Approval of 2023-CZN-834, subject to the Commitment in the Staff Report, to MDC September 20, 2023; Approved 2023-CVR-834 and adopted the Findings of Fact. Approved 2023-CPL-834, subject to the eleven conditions in the Staff Report.

Center Township, Council District #12
Mountain Goat Properties, LLC, by Pat Rooney

Rezoning of 0.134 acre from the C-4 district to the D-5II district.

Variance of Development Standard of the Consolidated Zoning and Subdivision Ordinance to provide for a 2.8-foot front yard setback (10-19.9-foot required), a two-foot side setback (three-foot required) and a 0.4-foot rear setback (fifteen feet required) for proposed Lot 5A.
Variance of Development Standard of the Consolidated Zoning and Subdivision Ordinance to provide for a five-foot corner side setback (eight feet required) for proposed Lot 5B.

Approval of a Subdivision Plat, to be known as 10th St and Gladstone Ave Addition, dividing 0.134 acre into two lots.

2023-CVR-841 / 2023-CPL-841 | 420 East 49th Street | ~~Approved 2023-CVR-841 and adopted the Findings of Fact. Approved 2023-CPL-841, subject to the eleven conditions in the Staff Report.~~

Washington Township, Council District #7
Sami Abu-Rumman and Lamese Hasan, by Jynell D. Berkshire
D-4

Variance of Development Standards of the Consolidated Zoning and Subdivision Ordinance to provide for a 35-foot wide, 5,265-square foot lot and a 45-foot wide, 6,770-square foot lot (minimum 60-foot wide, 7,200-square foot lot required).

Approval of a Subdivision Plat, to be known as Awakenings at 49th Street (a replat of Lot 16 in Arthur V. Brown's East Meridian Heights Addition), subdividing 0.28 acre into two lots.

2023-CZN-842 / 2023-CVR-842 | 2601 East New York Street and 239 North Temple Avenue | ~~Recommended Approval, subject to the two Commitments in the Staff Report, to MDC September 20, 2023. Approved 2023-CVR-842 and adopted the Findings of Fact.~~

Center Township, Council District #17
Englewood Community Development Corporation, by Joseph D. Calderon

Rezoning of 0.76 acre from the MU-1 district to the D-8 district.

Variance of Development Standards of the Consolidated Zoning and Subdivision Ordinance to provide for rowhouses with 16-foot lot widths (20 feet required).

PETITIONS FOR PUBLIC HEARING (Continued Petitions):

2022-CZN-867 (Amended) | 5400 and 5430 Greenfield Avenue and 400 Burgess Avenue | ~~After a Public Hearing, Recommended Denial to MDC September 20, 2023 (Note: 2022-CVC-867 was announced as withdrawn by the Petitioner on July 27, 2023, & the withdrawal acknowledged by Hearing Examiner on August 24, 2023.)~~

Warren Township, Council District #12
Baldeep Baidwan ~~by David Kingen and Emily Duncan~~ **by Adam Hoffer**

Rezoning of 2.71 acres from the D-5 district to the D-8 district to provide for residential development.

2023-MOD-009 | 4375 Kentucky Avenue | Continued to September 28, 2023

Decatur Township, Council District #22

C-S

Five Star Oil, Inc., by Garrett E. Lawton

Modification of the Commitments related to 2019-ZON-053 to extend the deadline for the completion of all commitments to September 30, 2023 (previous commitments required completion by several dates in 2020).

2023-ZON-004 | 5680 Eden Village Drive | Continued to September 28, 2023, with Notice

Pike Township, Council District #8

Olanrewaju Ahmeed Azeez

Rezoning of 1.55 acres from the C-S district to the D-6 district to allow for a single-family attached residential development.

2023-ZON-042 | 3002 South Arlington Avenue | Continued to October 26, 2023, with Notice

Franklin Township, Council District #18

Vishavdeep Singh Cheema, by David Gilman

Rezoning of 5.52 acres from the D-A district to the I-2 district to provide for light industrial uses.

2023-CZN-828 / 2023-CVR-828 (Amended) | 3416, 3420 and 3520 South Post Road | Continued to October 26, 2023

Franklin Township, Council District #18

Quicktrip Corporation, by J. Murray Clark

Rezoning of 12.269 acres from the C-S and C-7 districts to the C-7 district to provide for a truck stop.

Variance of Development Standards of the Consolidated Zoning and Subdivision Ordinance to provide for no street trees along the northern portion of the Post Road frontage (street trees required), no planting beds/shrubs along the entire Post Road frontage (landscaping required), three parking lot trees (17 required), to provide for a 50-foot tall, 391-square-foot pole sign (maximum 20-foot tall, 300 square foot pole sign permitted), to provide for a 23-foot tall, 109-square-foot freestanding incidental sign (maximum eight-foot tall, 32 square feet permitted) and to provide for a truck stop located within 425 feet of a protected district (500-foot separation required).

2023-CVR-832 / 2023-CPL-832 | 2144 East 12th Street | Continued to September 28, 2023, with Notice, as needed

Center Township, Council District #17

D-5

Bybee Holdings LLC, by Jynell D. Berkshire

Variance of development standards of the Consolidated Zoning and Subdivision Ordinance to provide for the subdivision of a 5,700 square foot lot into two lots, with:

a) Lot One containing an area of 2,742 square feet (minimum 5,000 square feet of lot area required);

b) Lot Two containing an area of 2,968 square feet and a lot width of 27.82 feet (40-foot lot width required);

And the construction of a single-family dwelling on each lot, with:

- c) The dwelling on Lot One having a 1.8-foot front yard setback from Jefferson Avenue and a five-foot rear yard setback (minimum 10-foot front setback, 20-foot rear yard setback required); and
- d) The dwelling on Lot Two having a 5.1-foot rear yard setback.

Approval of a Subdivision Plat to be known as Bybee's 12th Street Addition, a replat of Lot 18 in Joseph A. Moore's Addition, subdividing 0.14 acre into two lots.

2023-CZN-835 / 2023-CVR-835 (Amended) | 1100, 1106, 1110, 1114, 1118 and 1122 English Avenue | After a Public Hearing, Recommended Approval of 2023-CZN-835, subject to the Commitments in the Staff Report, to the MDC September 20, 2023; Approved 2023-CVR-835, as amended during hearing, and adopted the Findings of Fact.

Center Township, Council District #12

Lexington Place, LLC / LP 2, LLC, by Luke Burrow

Rezoning of 0.54 acre from the C-1 and C-5 districts to the D-8 district.

Variance of Development Standard of the Consolidated Zoning and Subdivision Ordinance to provide for six, ~~three-story~~, single-family dwellings ~~(maximum 2.5-story dwellings permitted)~~, with a five-foot corner west side setback for 1100 English Avenue (eight feet required); and to provide for encroachment into the clear-sight triangle for 1100 ~~and 1106~~ English Avenue.

2023-CVC-837 | 217 West 10th Street and 916, 918 & 922 North Capitol Avenue | After a Public Hearing, Approved 2023-CVC-837 and adopted the Findings of Fact. Approved the Assessment of Benefits (\$2,100.00) and payment of appraiser fee (\$800.00) by Petitioner.

Center Township, Council District #11

MTP – 922 North Capitol Ave, LLC, by Joseph D. Calderon

Vacation of Roanoke Street, being 30 feet in width, from the south right-of-way line of 10th Street, south 253.10 feet.

PETITIONS FOR PUBLIC HEARING (New Petitions):

2023-ZON-072 | 2143 and 2145 South Emerson Avenue | Continued to September 14, 2023

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-4 district to provide for residential uses.

2023-ZON-073 | 8300 Camby Road | Acknowledged the Automatic Continuance filed by a Registered Neighborhood Organization to September 28, 2023

Decatur Township, Council District #20

Second Circle Investments, LLC, by Andrew Rossell

Rezoning of 2.67 acres from the C-1 district to the C-3 district to provide for neighborhood commercial uses.

*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.