

METROPOLITAN DEVELOPMENT COMMISSION  
MARION COUNTY, INDIANA

**FEBRUARY 7, 2024 – HEARING RESULTS**

Notice is hereby given that the Metropolitan Development Commission of Marion will hold public hearings on Wednesday, **February 7, 2024**, beginning at 1:00 PM, in the Public Assembly Room, City-County Building, 200 East Washington Street, Indianapolis, IN, on the following petitions:

PART I

MODIFICATION PETITION RECOMMENDED FOR APPROVAL BY THE HEARING EXAMINER, NO APPEAL FILED:

**2023-MOD-021 | 10 South Mickley Avenue | APPROVED<sup>1</sup>**  
Wayne Township, Council District #15 (#16 Beginning 2024)  
C-4  
Zach Wilkinson

Modification of Commitments related to 90-Z-48 to terminate Commitment #2.C, which restricts the permitted uses of the subject site to C-1 uses, to provide for a gas station.

PART II

REZONING PETITION RECOMMENDED FOR APPROVAL BY THE HEARING EXAMINER, NO APPEAL FILED:

**2023-ZON-120 | 9501 36th Place | APPROVED to CCC March 4, 2024**  
Warren Township, Council District #14 (#15 Beginning 2024)  
Indianapolis Public Schools, by Russell McClure

Rezoning of 9.12 acres from the D-4 district to the SU-7 district to provide for a non-profit center providing education, mentoring and meals.

PART III

COMPANION PETITION RECOMMENDED FOR APPROVAL BY THE HEARING EXAMINER, NO APPEAL FILED:

**2023-CZN-867 | 2233 Dr Martin Luther King Jr Street | APPROVED to CCC March 4, 2024**  
Center Township, Council District #11 (#12 Beginning 2024)  
Days Property Group, LLC, by Sarah Walters

Rezoning of 0.17 acres from the C-1 (W-1) district to the D-8 (W-1) district to legally establish and provide for the expansion of an existing two-family dwelling with a new detached garage.

PART IV

REZONING PETITION RECOMMENDED FOR DENIAL BY THE HEARING EXAMINER, APPEAL FILED BY THE PETITIONER:

**2023-ZON-116 | 2002 North Tibbs Avenue | DENIED to CCC March 4, 2024**

Wayne Township, Council District #11  
Hugo Rubin de Celis

Rezoning of 0.35 acres from the D-5 district to the C-3 district to provide for food sales from food trucks.

PART V

COMPANION PETITIONS RECOMMENDED FOR APPROVAL BY THE HEARING EXAMINER, APPEAL FILED BY REMONSTRATOR:

**2023-CZN-859 / 2023-CVR-859 / 2023-CPL-859 (Amended) | 3838 East 46th Street | APPROVED<sup>1</sup> 2023-CZN-859 to CCC March 4, 2024. APPROVED 2023-CVR-859 and Adopted the Findings of Fact. APPROVED 2023-CPL-859 (Amended) subject to the fourteen conditions in the Staff Report and Adopted the Findings of Fact for the Vacation and the Sidewalk Waiver.**

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.

For a complete list of petitions, staff reports, and hearing results, visit <https://indianapolis.in.municodemeetings.com/DMDmeetings>. 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](mailto:planneroncall@indy.gov). Written comments to a proposal are encouraged to be filed via email to [dmdpubliccomments@indy.gov](mailto:dmdpubliccomments@indy.gov) before the hearing, and such comments 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.

1. Per Article VIII.5.A. of the MDC Rules of Procedure, "...no petition shall be considered finally approved by the Commission or be so certified [to the City-County Council (CCC)] until all the covenants and/or commitments required or allowed by the Commission, and which comply with the requirements of Article VII, shall have been filed with the Administrator..."