

METROPOLITAN DEVELOPMENT COMMISSION  
MARION COUNTY, INDIANA  
HEARING EXAMINER

**JULY 25, 2024 – HEARING RESULTS**

Notice is hereby given that the Hearing Examiner for the Metropolitan Development Commission of Marion County held public hearings on Thursday, **July 25, 2024**, at 1:00 PM in the Public Assembly Room on the 2<sup>nd</sup> Floor of the City-County Building, 200 East Washington Street, Indianapolis, IN on the following petitions:\*

**PETITIONS EXPEDITED:**

**2024-MOD-013 (Amended) | 6904 and 6908 North Tacoma Avenue | After Petition was amended, Recommended Approval, subject to Commitments, to MDC August 21, 2024**

Washington Township, Council District #3

C-S

Patrick Sullivan, LLC, by Brian J. Tuohy

Modification of the Development Statement and Site Plan related to 2015-CZN-800 (6908) to provide for a greenhouse, and a Modification of Development Statement, Site Plan and Commitments related to petition 2018-ZON-029 (6904), to provide for a greenhouse and to terminate Commitment #2, which required development of the site to be in substantial compliance with the site plan, file-dated April 28, 2018. ~~and to modify Commitment #3, which required accessory structures at 6904 North Tacoma Avenue to not be demolished.~~

**2024-CZN-824 (Amended) / 2024-CVR-824 | 1402 Shelby Street | Recommended Approval of 2024-CZN-824, subject to Commitments, to MDC August 21, 2024. Approved 2024-CVR-824 and Adopted the Findings of Fact.**

Center Township, Council District #18

Carnivore Properties, LLC, by Emily Duncan and David Kingen

Rezoning of 0.14-acre from the MU-1 (TOD) district to the C-3 (TOD) district.

Variance of Development Standards of the Consolidated Zoning and Subdivision Ordinance to provide for zero off-street parking spaces (minimum 15 spaces required), to legally establish a zero-foot rear transitional yard setback, without landscaping (minimum 15-foot rear transitional yard required, and to legally establish a three-foot north side yard setback along an alley (minimum 10-foot side setback required along an alley).

**PETITIONS FOR PUBLIC HEARING (Continued Petitions):**

**2023-ZON-129 | 3050 North Illinois Street | Acknowledged the Withdrawal of the Petition**

Center Township, Council District #8

The Children's Museum of Indianapolis, by Jamilah Mintze

Rezoning of 3.31 acres from the C-S (TOD) district to the C-S (TOD) district to provide for a storage building.

Modification of Site Plan related to 2003-ZON/VAR-805 and 2004-APP-041 to provide for an updated site plan to include the proposed storage building.

**2024-ZON-030 | 1362 and 1368 North Olney Street | Granted Petitioner request to continue to October 10, 2024, with new Notice; noted request to be last Petitioner request for continuance for cause**

Center Township, Council District #13

Read Investment Trust / Brookside Community Development Corp., by Emily Duncan and David Kingen

Rezoning of 0.29-acre from the C-3 district to the MU-1 district to provide for a mixed-use development.

**2024-ZON-040 | 6000, 6012, 6020, 6180, and 6206 East 46th Street | Granted Staff request for continuance for cause to August 29, 2024**

Lawrence Township, Council District #9

Indianapolis Re Management LLC, 600-B East 46th Street LLC, and Bazilio Real Estate LLC, by Emily Duncan and David Kingen

Rezoning of 35.8 acres from the C-3 (FF) and C-4 (FF) districts to the MU-2 (FF) district.

**2024-ZON-050 | 3739 North Kitley Avenue | Acknowledged Automatic Continuance to August 29, 2024, filed by a Registered Neighborhood Organization**

Warren Township, Council District #9

Patrium LLC, by Luis Gomez

Rezoning of 1.22 acres from the D-3 (TOD) district to the C-7 (TOD) classification to provide for a commercial contractor.

**2024-ZON-056 | 4545 East Michigan Street | Granted Petitioner request for continuance for cause to August 29, 2024, with new Notice**

Center Township, Council District #13

SJM Co. Inc., by Jamilah Mintze

Rezoning of 0.12-acre from the D-5 district to the C-5 district to provide for general commercial uses, including an automobile repair shop.

**2024-ZON-059 (Amended) | 2345 South Arlington Avenue | After a Public Hearing, Recommended Approval, subject to Commitments, to MDC August 21, 2024**

Warren Township, Council District #20

Doris M. Lambert, by Teri L. Hutchison

Rezoning of five acres from the D-A (FF) district to the C-1 (FF) district to provide for office-buffer commercial uses.

**2024-CAP-815 / 2024-CVR-815 (Amended) | 2439 and 2455 Dr. Martin Luther King, Jr. Street | Granted Petitioner request for Continuance for cause to August 29, 2024, with new Notice**

Center Township, Council District #12

C-S (W-5)

King Commons, LLC, by Bryan Conn

Modification of Development Statement and Site Plan related to 2020-ZON-067 to provide for a four-story multi-family, with supportive services development, with 32 dwelling units for persons experiencing homelessness, community meeting space, mental health services, employment assistance, health and wellness programs, life skills training and development, and a food pantry for residents.

Variance of Development Standards of the Consolidated Zoning and Subdivision Ordinance to provide for construction of a four-story multi-family, supportive services, and community space building, with 39% transparency on the west façade (minimum 40% transparency required on facades within 50 feet of a local, collector or arterial street), with 6% transparency on the north façade, with 25% transparency on the east façade, with 0% transparency on the south façade (minimum 40% transparency required within 50 feet of a public pedestrian entrance), with a front yard setback of five feet (minimum 10 feet required), and a north side yard setback of three feet (minimum 10-foot side yard setbacks required).

**2024-CZN-820 / 2024-CPL-820 | 3107 East Sumner Avenue | **Granted Petitioner request for Continuance for cause to August 15, 2024****

Perry Township, Council District #19  
Francisco Aleman, by Josh Smith

Rezoning of 0.924 acre from the D-A district to the D-5 district to provide for residential uses.

Approval of a Subdivision Plat to be known as Aleman's Subdivision, subdividing 0.924-acre into two lots.

**PETITIONS FOR PUBLIC HEARING (New Petitions):**

**2024-MOD-012 | 5943 Copeland Mills Drive | **Acknowledged the Automatic Continuance to August 29, 2024, filed by Registered Neighborhood Organization****

Decatur Township, Council District #21  
D-3  
Ronald Holland

Modification of the Commitments related to petition 97-Z-30 to modify Commitment #20 to allow for a six-foot tall privacy fence with 100% opacity along the side and rear property lines (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).

**2024-ZON-072 | 4903 West Washington Street | **Granted Petitioner request for Continuance for cause (presented by Staff) to August 29, 2024****

Wayne Township, Council District #17  
Axum Auto Parts, LLC, by Pat Rooney

Rezoning of 0.9 acre from the C-3 and C-4 districts to the C-5 district to provide for a restaurant, automobile repair and automobile sales.

**2024-ZON-073 / 2024-ZON-073B | 2155 Kessler Boulevard, West Drive | Acknowledged Automatic Continuance to August 29, 2024, filed by a City-County Councilor**

Washington Township, Council District #2  
Broadmoor Investments, LLC, by Russell L. Brown

Rezoning of 6.01 acres from the SU-34 (FF) district to the D-4 (FF) district to provide for residential uses.

B. Rezoning of 7.68 acres from the SU-34 district to the D-5II district to provide for residential uses.

**2024-ZON-075 | 7015 Brookville Road | Granted Petitioner request for Continuance for cause to August 15, 2024**

Warren Township, Council District #20  
Liberty Boatwrks, LLC, by Joseph D. Calderon

Rezoning of 2.85 acres from the I-1 district to the I-3 district to provide for boat sales and repair.

**2024-ZON-076 / 2024-VAR-008 | 4701 East Thompson Road | After a Public Hearing, Recommended Approval of 2024-ZON-076 to MDC August 21, 2024. Acknowledged Withdrawal of 2024-VAR-008.**

Perry Township, Council District #24  
Grace Bible Christian Church of Indiana, by Misha Rabinowitch  
Rezoning of 3.65 acres from the D-A (FF) and SU-1 (FF) districts to the SU-1 (FF) district to provide for religious uses.

Variance of Development Standards of the Consolidated Zoning and Subdivision Ordinance to provide for a parking lot, dumpster enclosure and two existing garages encroaching into the stream protection corridor (50-foot stream protection corridor required).

**2024-ZON-078 | 402 South Carroll Road | Granted a one-day Waiver of the 23-day period for mailed notice for four Hancock County addresses. Continued to August 15, 2024, due to lack of Petitioner representation during Petition's hearing.**

Warren Township, Council District #20  
Kristopher Holeyfield

Rezoning of 4.623 acres from the D-P district to the D-A district.

**2024-CAP-828 / 2024-CVR-828 / 2024-CVC-828 | 1013 West Morris Street | Granted Petitioner request for Continuance for cause to August 15, 2024**

Center Township, Council District #18  
C-7 (FF)  
Indy Grille Family Restaurant, LLC, by Adam DeHart

Modification of Conditions and Site Plan related to 85-UV2-52 to delete Condition #3 which states that Morris Street shall be used for exit only and shall be properly identified

as such and to modify the site plan related to 85-UV2-52 to provide for additions to the existing structure and additional surface parking area.

Variance of Development Standards of the Consolidated Zoning and Subdivision Ordinance to provide for a 2.2-foot front setback from Morris Street, a 6.7-foot front setback from Bridge Street, a five-foot front setback from Drover Street (minimum 10-foot front setback required along all streets), no landscaping along Drover Street (landscaping required), and no interior landscaping within the proposed parking area (minimum 9% of all uncovered vehicle areas required).

Vacation of a portion of Drover Street (formerly a portion of Lot 85 in McCarty's Third West Side, an Addition to the City of Indianapolis), ranging from 31 to 33 feet (irregular) in width, from the south right-of-way line of Morris Street, south 109.2 feet to the first east-west alley south of Morris Street.

**2024-CZN-829 / 2024-CVR-829 | 707 East 22nd Street | **Granted Petitioner and Staff request for Continuance for cause to August 29, 2024, with new Notice****

Center Township, Council District #13  
Elliott 317, LLC, by Jamilah Mintze

Rezoning of 0.07-acre from the C-3 district to the D-8 district to provide for a two-unit multi-unit house.

Variance of Development Standards of the Consolidated Zoning and Subdivision Ordinance to provide for a two-unit multi-unit house with a deficient 2,926 square foot lot area (3,500 square feet required), a five-foot rear setback (10-foot rear setback required), with no street trees and deficient landscaping (minimum one street tree per 35 feet of lot frontage and 50% living material required).

\*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](mailto:planneroncall@indy.gov). Written objections to a proposal are encouraged to be filed via email at [planneroncall@indy.gov](mailto:planneroncall@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) 327-7093, at least 48 hours prior to the meeting. Department of Metropolitan Development - Current Planning Division.