



Metropolitan Development Commission Plat Committee (November 13, 2024) Meeting Agenda

Meeting Details

Notice is hereby given that the Plat Committee of the Metropolitan Development Commission of Marion County, IN will hold public hearings on:

Date: Wednesday, November 13, 2024 **Time:** 1:00 PM

Location: Room 260, 2nd Floor, City-County Building, 200 E. Washington Street

At which time and place the following petitions requesting approval of subdivision plats and petitions and resolutions for the vacation of Streets, Alleys, Plats, or Public Grounds, will be heard, pursuant to Indiana Code 36-7-4-700, series and action thereon determined.

Business:

Adoption of Meeting Minutes:

Special Requests

[2024-PLT-032](#) | 4150 North Keystone Avenue

Washington Township, Council District #8, zoned C-4 (FF)
LandWorx Engineering LLC, by Leslie Steinert

Approval of a Subdivision Plat to be known as Mainscape Plaza Subdivision, subdividing 12.253 acres into two lots.

** The petitioner has submitted a request to withdraw this petition.

PETITIONS REQUESTING TO BE CONTINUED:

1. 2024-PLT-066 | 7725 Kentucky Avenue

Decatur Township, Council District #21, zoned D-4
Lennar Homes of Indiana, LLC, by Jim Pence

Approval of a Subdivision Plat, to be known as Noble Heights Section 2, dividing 37.01 acres into 102 single-family lots.

** An automatic continuance has been filed by a registered neighborhood organization.

2. 2024-PLT-068 | 1401 Indiana Avenue, 1426 Rembrandt Street, and 1465 Gent Avenue

Center Township, Council District 12, zoned CBD-2 (RC) / I-3 (RC)
Matchbook Learning Schools of Indiana, Inc., by Joseph D Calderon

Approval of a Subdivision Plat, to be known as Replat pf Lots 368-378, 401 and 402 in Stouts Indiana Avenue Addition, dividing 1.97 acres into five lots, with a waiver of the sidewalk requirement along Gent Avenue and 15th Street, per Chapter 741, Article III, Section 6 of the Consolidated Zoning and Subdivision Ordinance.

** Staff request to continue to December 11, 2024

Petitions for Public Hearing

PETITIONS TO BE EXPEDITED:

- 3. 2024-PLT-065 | 5330 East Thompson Road**
Franklin Township, Council District #24, zoned C-4
TD Management LTD., by Alexander van Melle

Approval of a Subdivision Plat, to be known as Ross Park Lot 2 Split, dividing 1.5 acres into two lots.

- 4. 2024-VAC-002A and 2024-VAC-002B | 1401 Indiana Avenue**
Center Township, Council District #12
Matchbook Learning Schools of Indiana, Inc., by Joseph D. Calderon

A. Vacation of a portion of the first east-west alley north of Indiana Avenue, being 15 feet in width, beginning at the west right-of-way line of Rembrandt Street, west 109.22 feet, then continuing northwest 59.50 feet to a point, with a waiver of the assessment of benefits.

B. Vacation of a portion of the first east-west alley north of Indiana Avenue, being 15 feet in width, beginning at the southwest corner of the first north-south alley east of Rembrandt Street, northwest 106.36 to a point, (location of previously vacated alley), with a waiver of the assessment of benefits.

PETITIONS FOR PUBLIC HEARING (Continued Petitions):

None

PETITIONS FOR PUBLIC HEARING (New Petitions):

- 5. 2024-PLT-067 | 5400 West 86th Street**
Pike Township, Council District #1, zoned I-4
Asphalt Materials Inc, by Andrew Dotson

Approval of a Subdivision Plat, to be known as Asphalt Materials Minor Subdivision II, dividing 4.33 acres into two lots.

- 6. 2024-VAC-003 | 7212 North Rural Street and 7200 Sarto Drive**
Washington Township, Council District #3
Roman Catholic Archdiocese of Indianapolis Properties, Inc., by Paul J. Carroll

Vacation of North Rural Street, being 25.68 feet in width, beginning at the north right-of-way line of 73rd Street, north 305.47 feet to the south right-of-way line of Highland Creek Boulevard, South Drive, with a waiver of the assessment of benefits.

Additional Business:

None

**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 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.



PLAT COMMITTEE

November 13, 2024

Case Number: 2024-PLT-032
Property Address: 4150 North Keystone Avenue (*Approximate Address*)
Location: Washington Township, Council District #8
Petitioner: Landworx Engineering LLC, by Leslie Steinert
Zoning: C-4 (FF)
Request: Approval of a Subdivision Plat to be known as Mainscape Plaza Subdivision, subdividing 12.253 acres into two lots.
Waiver Requested: None
Current Land Use: Commercial
Staff Reviewer: Noah Stern, Senior Planner

PETITION HISTORY

ADDENDUM FOR NOVEMBER 13, 2024 PLAT COMMITTEE HEARING

This petition was continued to the November 13, 2024 Plat Committee hearing to review the submitted proposal.

The petitioner is requesting to formally withdraw the petition.



PLAT COMMITTEE **November 13, 2024**

Case Number: 2023-PLT-066
Property Address: 7725 Kentucky Avenue (*Approximate Address*)
Location: Decatur Township, Council District #21
Petitioner: Lennar Homes of Indiana, LLC, by Jim Pence
Zoning: D-4
Request: Approval of a Subdivision Plat, to be known as Noble Heights Section 2, dividing 37.01 acres into 102 single-family lots.
Waivers Requested: None
Current Land Use: Undeveloped
Staff Reviewer: Noah Stern, Senior Planner

PETITION HISTORY

This is the first hearing for this plat petition.

A timely automatic continuance has been filed by a registered neighborhood organization, continuing this petition to the December 11, 2024 Plat Committee hearing.



PLAT COMMITTEE **November 13, 2024**

Case Number: 2024-PLT-068

Property Address: 1401 Indiana Avenue, 1426 Rembrandt Street, and 1465 Gent Avenue
(Approximate Addresses)

Location: Center Township, Council District #12

Petitioner: Matchbook Learning Schools of Indiana, Inc., by Joseph D. Calderon

Zoning: CBD-2 (RC) / I-3 (RC)

Request: Approval of a Subdivision Plat to be known as Replat of Lots 368-378, 401 and 402 in Stouts Indiana Avenue Addition, dividing 1.97 acres into five lots.

Waiver Requested: Waiver of sidewalks along Gent Avenue and 15th Street

Current Land Use: Former industrial building and a small industrial building

Staff Reviewer: Jeffrey York, Principal Planner II

PETITION HISTORY

A waiver of the sidewalk requirement is requested along Gent Avenue and 15th Street, however, the required findings of fact for this waiver request have not been submitted to the file. Therefore, this petition should be **continued** to the **December 11, 2024**, hearing, at the request of staff. A full staff report will be available in advance of that hearing.



PLAT COMMITTEE **November 13, 2024**

Case Number: 2024-PLT-065

Property Address: 5330 East Thompson Road (*Approximate Address*)

Location: Franklin Township, Council District #24

Petitioner: TD Management LTD., by Alexander Van Melle

Zoning: C-4

Request: Approval of a Subdivision Plat, to be known as Ross Park. Lot 2 split, dividing 1.5 acres into two lots.

Waiver Requested: None

Current Land Use: Commercial

Staff Reviewer: Kiya Mullins, Associate Planner

PETITION HISTORY

This is the first hearing for this plat petition.

STAFF RECOMMENDATION

Staff recommends that the Plat Committee **approve** and find that the plat, file-dated October 16th, 2024, complies with the standards of the Subdivision regulations, subject to the following conditions:

1. Subject to the Standards and Specifications of Citizens Energy Group, Sanitation Section.
2. Subject to the Standards and Specifications of the Department of Public Works, Drainage Section.
3. Subject to the Standards and Specifications of the Department of Public Works, Transportation Section.
4. That addresses and street names, as approved by the Department of Metropolitan Development, be affixed to the final plat prior to recording.
5. That the Enforcement Covenant (Section 741-701, of the Consolidated Zoning and Subdivision Ordinance) be affixed to the final plat prior to recording
6. That the Site Distance Covenant (Section 741-702, of the Consolidated Zoning and Subdivision Ordinance) be affixed to the final plat prior to recording.
7. That the Sanitary Sewer Covenant (Section 741-704, of the Consolidated Zoning and Subdivision Ordinance) be affixed to the final plat prior to recording.
8. That the Storm Drainage Covenant (Section 741-703, of the Consolidated Zoning and Subdivision Ordinance) be affixed to the final plat prior to recording.
9. That the plat restrictions and covenants, done in accordance with the rezoning commitments, be submitted prior to recording the final plat.



- 10. That all the standards related to secondary plat approval listed in Sections 741-207 and 741-208 of the Consolidated Zoning and Subdivision Ordinance be met prior to recording the final plat.

PETITION OVERVIEW

SITE PLAN AND DESIGN

The subject site is 1.5 acres and zoned C-4. If approved, this plat petition will split the existing 1.5-acre parcel into two (2) parcels. Lot 1 will be used to continue operating the existing Tire Discounters on the new 0.996-acre lot. Lot 2 will contain the remaining 0.504 acres and is currently being planned to be the location of a new Dutch Bro's Coffee location.

STREETS

Lots One and Two would both front on East Thompson Road, with access from the Kroger parking lot to the north of the site. No new streets are proposed.

SIDEWALKS

Sidewalks are existing along East Thompson Road.

PROCEDURE

This plat petition, if approved, only legally establishes the division of land. The new Dutch Bro's Coffee building would be required to meet all development standards of the C-4 Commercial District, including, but not limited to, setbacks, drive through standards, minimum lot width and frontage, and minimum open space.

GENERAL INFORMATION

Existing Zoning	C-4	
Existing Land Use	Commercial	
Comprehensive Plan	Regional Commercial	
Surrounding Context	Zoning	Land Use
North:	D-5	Two-Family dwelling
South:	D-5	Two-Family dwelling
East:	D-5	Single-Family residential
West:	D-5	Single-Family residential
Thoroughfare Plan		
Harlan Street	Primary Arterial	150ft of right-of -way existing and 119 ft right-of-way proposed
Petition Submittal Date	October 16 th 2024	



Department of Metropolitan Development
 Division of Planning
 Current Planning

EXHIBITS

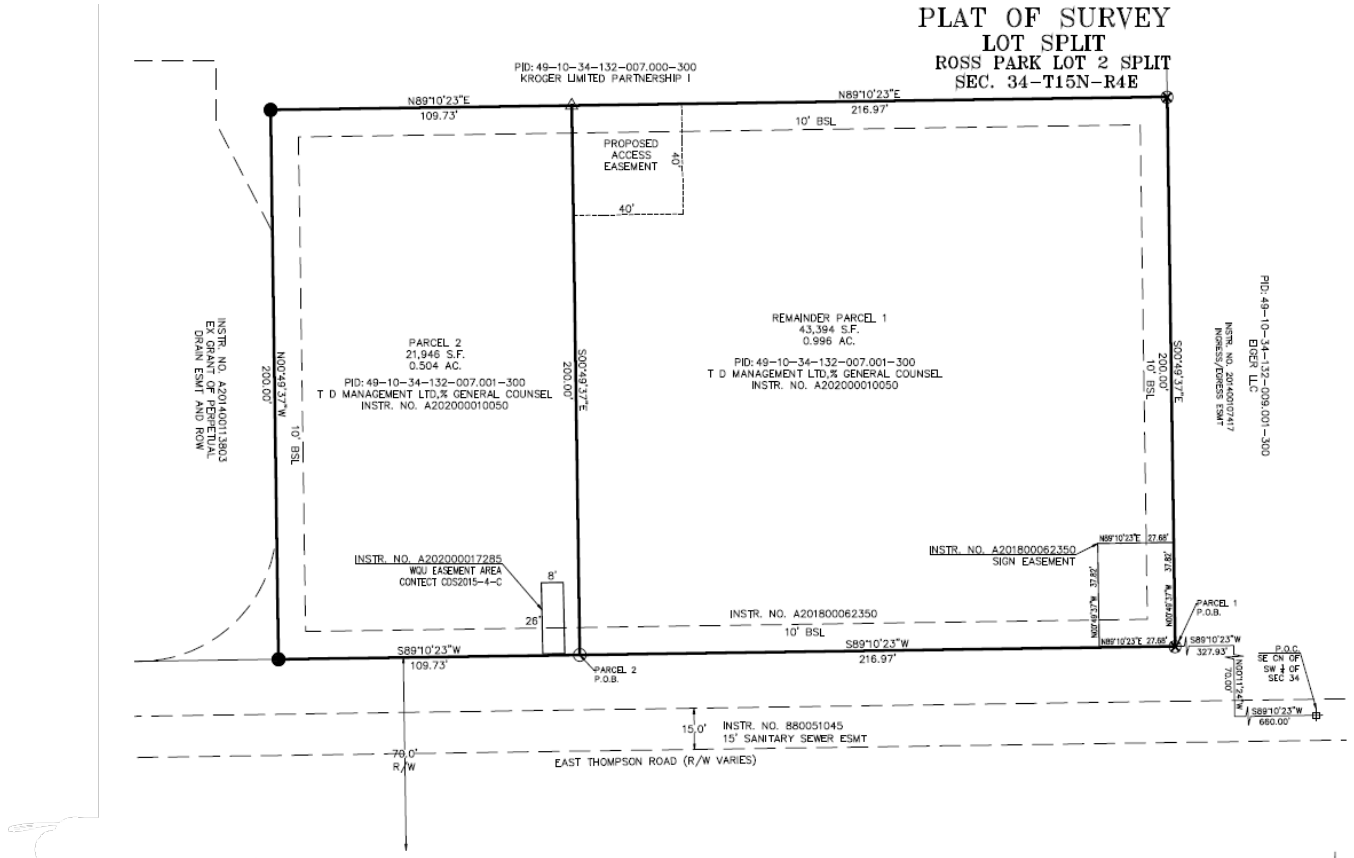
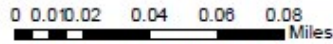
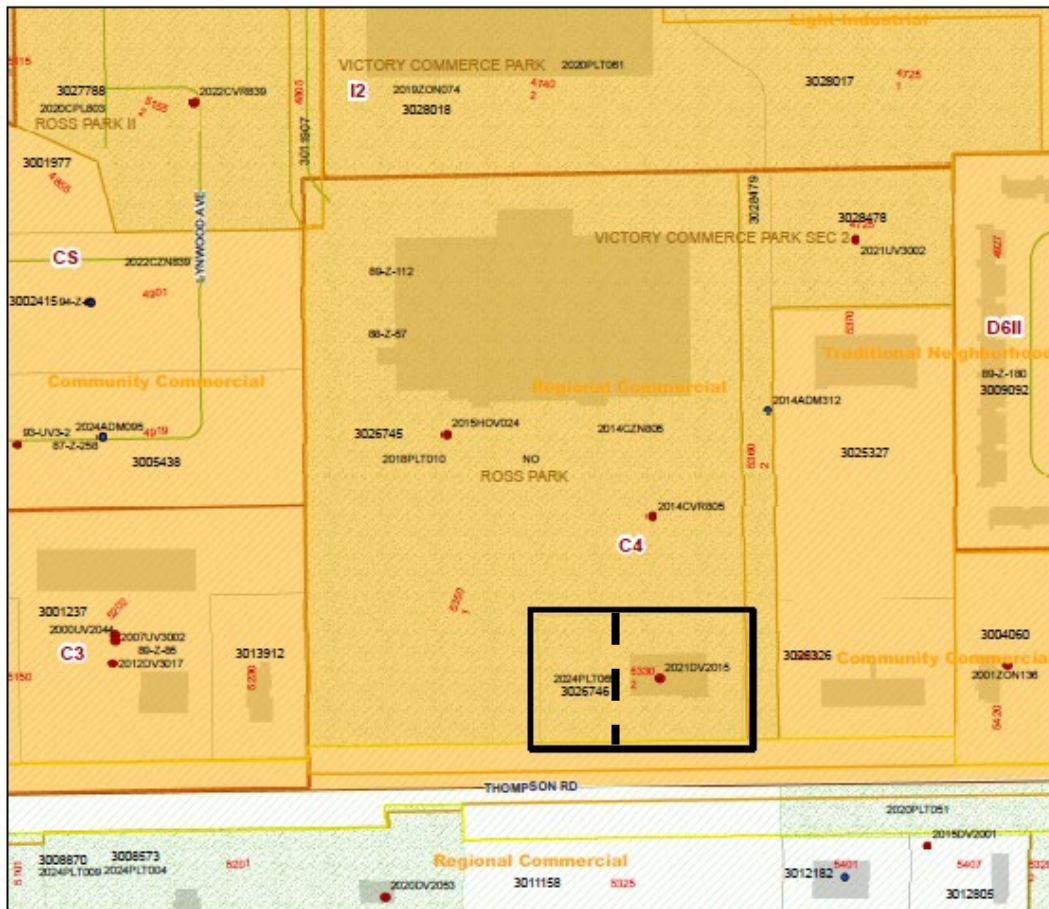


Exhibit 1: Lot split plat.



Legend	
• ZoningApprovals	— Built/Platted
• ZoningLncu	OPER_STATUS
• ZoningVariances	— REMOVED
■ Rezoning	— VACATED
▨ ZoningVacations	— VACATED/BUILT
■ ZoningPlats	— VACATED/LOCATOR
— CCGIS.ThoroughfarePlan	□ CCGIS.DMDLandUsePlanBase
— CCGIS.EASEMENT	▨ CCGIS.lhpc
— CCGIS.RIGHTOFWAY	■ CCGIS.ZONING
CCGIS.STREETS	□ PARCELSTATEPIN
	□ PARCELS
	□ PLATTEDSUBDIVISION
	■ CCGIS.Buildings



Exhibit 2: Area map around 5330 E Thompson Road



Exhibit 3: Parcel that holds both the Tire Discount and the empty lot that would be separated if this petition is approved.



Exhibit 4: Section of the parcel that will be split off from the rest if this petition is approved.



Exhibit 5: Tire Discount that will stay on the remaining part of the parcel.



PLAT COMMITTEE **November 13, 2024**

Case Number: 2024-VAC-002 (Amended)

Property Address: 1401 Indiana Avenue (*Approximate Address*)

Location: Center Township, Council District #12

Petitioner: Matchbook Learning Schools of Indiana, by Joseph D. Calderon

Zoning: CBD-2 (RC)

Request:
 A. Vacation of a portion of the first east-west alley north of Indiana Avenue, being 15 feet in width, beginning at the west right-of-way line of Rembrandt Street, west 109.22 feet, then continuing northwest 59.5 feet to a point.
 B. Vacation of a portion of the first east-west alley north of Indiana Avenue, being 15 feet in width, beginning at the southwest corner of the first north-south alley east of Rembrandt Street, northwest 106.36 to a point, (location of previously vacated alley).

Waiver Requested: Assessment of benefits

Current Land Use: Unimproved alley

Staff Reviewer: Jeffrey York, Principal Planner II

PETITION HISTORY

This petition was continued from the October 8, 2024, Plat Committee, to the November 13, 2024, due to an amendment to this petition. Documents were submitted to the file on October 16, 2024, requesting an additional section of an alley to be vacated.

STAFF RECOMMENDATION

RECOMMENDED MOTION (approval): That the Plat Committee find that the proposed vacation is in the public interest; that a hearing upon the assessment of benefits be waived; that the Plat Committee confirm and ratify the adoption of Declaratory Resolution 2024-VAC-002; and that the vacation be subject to the rights of public utilities under IC 36-7-3-16.

PETITION OVERVIEW

SUMMARY

This petition, if approved, would vacate two sections of an unimproved alley, with part A, being from the west right-of-way line of Rembrandt Street, west and northwest approximately 168 feet to a point, then further northwest, part B, a section that would begin at the west right-of-way of an existing north-south alley, northwest 106.36 feet to a point where it would connect to a previously vacated portion of this alley. The previous vacation occurred in 1981, via 81-VAC-20.



**Department of Metropolitan Development
Division of Planning
Current Planning**

The vacations would provide for a proposed new use of the site, an educational use, to utilize the rights-of-way that would provide for additional safety for children to be dropped off away from street rights-of-way and more internal to the site. A newly dedicated alley would replace the east-west alley that is the subject of Part B of this request. That dedication is part of 2024-PLT-068, which will be heard by the Plat Committee on December 11, 2024.

The vacation of these portions of the alley would be in the public interest.

PROCEDURE

Neither the Division of Planning nor the Plat Committee, Hearing Examiner or Metropolitan Development Commission determines how vacated right-of-way is divided. The approval of a vacation petition only eliminates the public right-of-way. The vacation approval does nothing more. A petitioner will not receive a deed or other document of conveyance after the approval of a vacation.

The general rule under Indiana case law is that when a street or highway is vacated or abandoned the title to the land reverts to the abutting property owners. This rule exists by virtue of the fact that the abutting landowner owns to the center of the street or highway subject only to an easement for the public to the use of the street or highway. *Gorby v. McEndarfer* 135 Ind.App. 74, *82, 191 N.E.2d 786, **791 (Ind.App.1963). However, there are possible exceptions to this general rule.

After a vacation of public right-of-way, the county assessor determines how the vacated right-of-way will be assessed for tax purposes.

Petitioners and abutters of the vacated right-of-way should consult their own attorneys for advice regarding the ownership of the vacated right-of way.

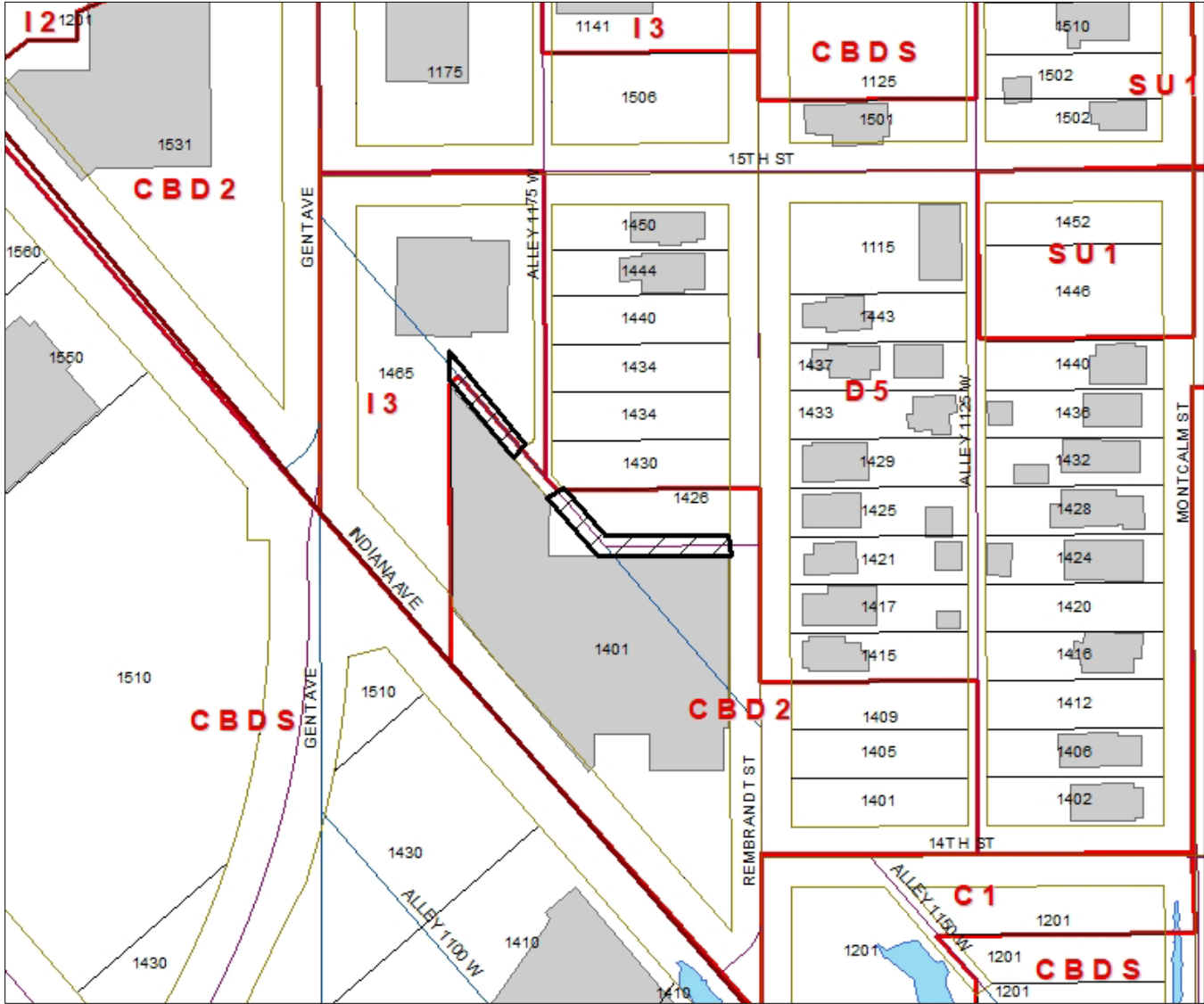
ASSESSMENT OF BENEFITS

Both sections of right-of-way are unimproved; therefore, the requested waiver of the Assessment of Benefits would be appropriate.

GENERAL INFORMATION

Existing Zoning	CBD-2 (RC)		
Existing Land Use	Existing industrial building being renovated to educational uses		
Comprehensive Plan	Urban mixed-use development		
Surrounding Context	Zoning	Land Use	
	North:	D-5 (RC)	Undeveloped / single-family residential
	South:	CBD-2 (RC)	16 Tech
	East:	D-5 (RC)	Single- and two-family residential
	West:	I-3 (RC)	Medium industrial use
Thoroughfare Plan			
Rembrandt Street	Local street	48-foot existing and proposed	
Petition Submittal Date	August 2, 2024; October 16, 2024 (Amended)		

EXHIBITS



Zoning map of the two sections of the requested alley rights-of-way vacation and surrounding area



Department of Metropolitan Development
Division of Planning
Current Planning

Petition Number _____

METROPOLITAN DEVELOPMENT COMMISSION
PLAT COMMITTEE
HEARING EXAMINER
OF MARION COUNTY, INDIANA

PETITION FOR VACATION OF A PUBLIC WAY, EASEMENT OR PUBLIC PLACE

FINDINGS OF FACT

1. THE PROPOSED VACATION IS IN THE PUBLIC INTEREST because:

The vacation will facilitate redevelopment of a former industrial building into a new charter school and allow for important improvements in the vacated area.

DECISION

IT IS THEREFORE the decision of this body that this VACATION petition is APPROVED, subject to any conditions stated in the minutes (which conditions are incorporated herein by reference and made a part of this decision).

Adopted this _____ day of _____, 20 ____

44083836.1



Department of Metropolitan Development
Division of Planning
Current Planning

Petition Number _____

METROPOLITAN DEVELOPMENT COMMISSION
PLAT COMMITTEE
HEARING EXAMINER
OF MARION COUNTY, INDIANA

PETITION FOR VACATION OF A PUBLIC WAY, EASEMENT OR PUBLIC PLACE

FINDINGS OF FACT

1. THE PROPOSED VACATION IS IN THE PUBLIC INTEREST because:
the Petitioner owns both sides of the alley to be vacated and is renovating an existing building as a new school. The vacation will facilitate redevelopment and allow for important improvements in the vacated area. Finally, the alley to be vacated is a segment of an alley running parallel to Indiana Avenue which was previously vacated to the south line of the segment to be vacated.

DECISION

IT IS THEREFORE the decision of this body that this VACATION petition is APPROVED, subject to any conditions stated in the minutes (which conditions are incorporated herein by reference and made a part of this decision).

Adopted this _____ day of _____, 20 ____

4466366.1

Photos



Photograph of sidewalk and subject alley (Part A), along Rembrandt Street, looking north



Photograph of Part A of the request in the foreground and Part B in the background (along the building), from Rembrandt Street, looking west



Photograph of the area where a proposed new alley would be constructed, north of Part A



Photograph of the existing north-south alley, with Part A shown to the right and the area of the proposed dedication of alley right-of-way, looking east toward Rembrandt Street



PLAT COMMITTEE **November 13, 2024**

Case Number: 2024-PLT-067
Property Address: 5400 West 86th Street (*Approximate Address*)
Location: Pike Township, Council District #1
Petitioner: Asphalt Materials Inc, by Andrew Dotson
Zoning: I-4
Request: Approval of a Subdivision Plat, to be known as Asphalt Materials Minor Subdivision II, dividing 4.33 acres into two lots.
Waiver Requested: None
Current Land Use: Commercial
Staff Reviewer: Noah Stern, Senior Planner

PETITION HISTORY

This is the first hearing for this petition.

STAFF RECOMMENDATION

Staff recommends that the Plat Committee **approve** and find that the plat, file-dated October 7, 2024, complies with the standards of the Subdivision regulations, subject to the following conditions:

1. That the applicant provides a bond, as required by Section 741-210, of the Consolidated Zoning and Subdivision Ordinance.
2. Subject to the Standards and Specifications of Citizens Energy Group, Sanitation Section.
3. Subject to the Standards and Specifications of the Department of Public Works, Drainage Section.
4. Subject to the Standards and Specifications of the Department of Public Works, Transportation Section.
5. That addresses and street names, as approved by the Department of Metropolitan Development, be affixed to the final plat prior to recording.
6. That the Enforcement Covenant (Section 741-701, of the Consolidated Zoning and Subdivision Ordinance) be affixed to the final plat prior to recording
7. That the Site Distance Covenant (Section 741-702, of the Consolidated Zoning and Subdivision Ordinance) be affixed to the final plat prior to recording.
8. That the Sanitary Sewer Covenant (Section 741-704, of the Consolidated Zoning and Subdivision Ordinance) be affixed to the final plat prior to recording.
9. That the Storm Drainage Covenant (Section 741-703, of the Consolidated Zoning and Subdivision Ordinance) be affixed to the final plat prior to recording.



- 10. That the plat restrictions and covenants, done in accordance with the rezoning commitments, be submitted prior to recording the final plat.
- 11. That all the standards related to secondary plat approval listed in Sections 741-207 and 741-208 of the Consolidated Zoning and Subdivision Ordinance be met prior to recording the final plat.

PETITION OVERVIEW

SITE PLAN AND DESIGN

This site is zoned I-4 and developed with commercial uses. The proposed plat would subdivide the property into two lots to provide for a commercial development. The proposed plat meets the standards of the I-4 zoning classification.

STREETS

Lot One would front on West 86th Street and Robbins Road and Lot Two would front on Robbins Road. No new streets are proposed as part of this petition.

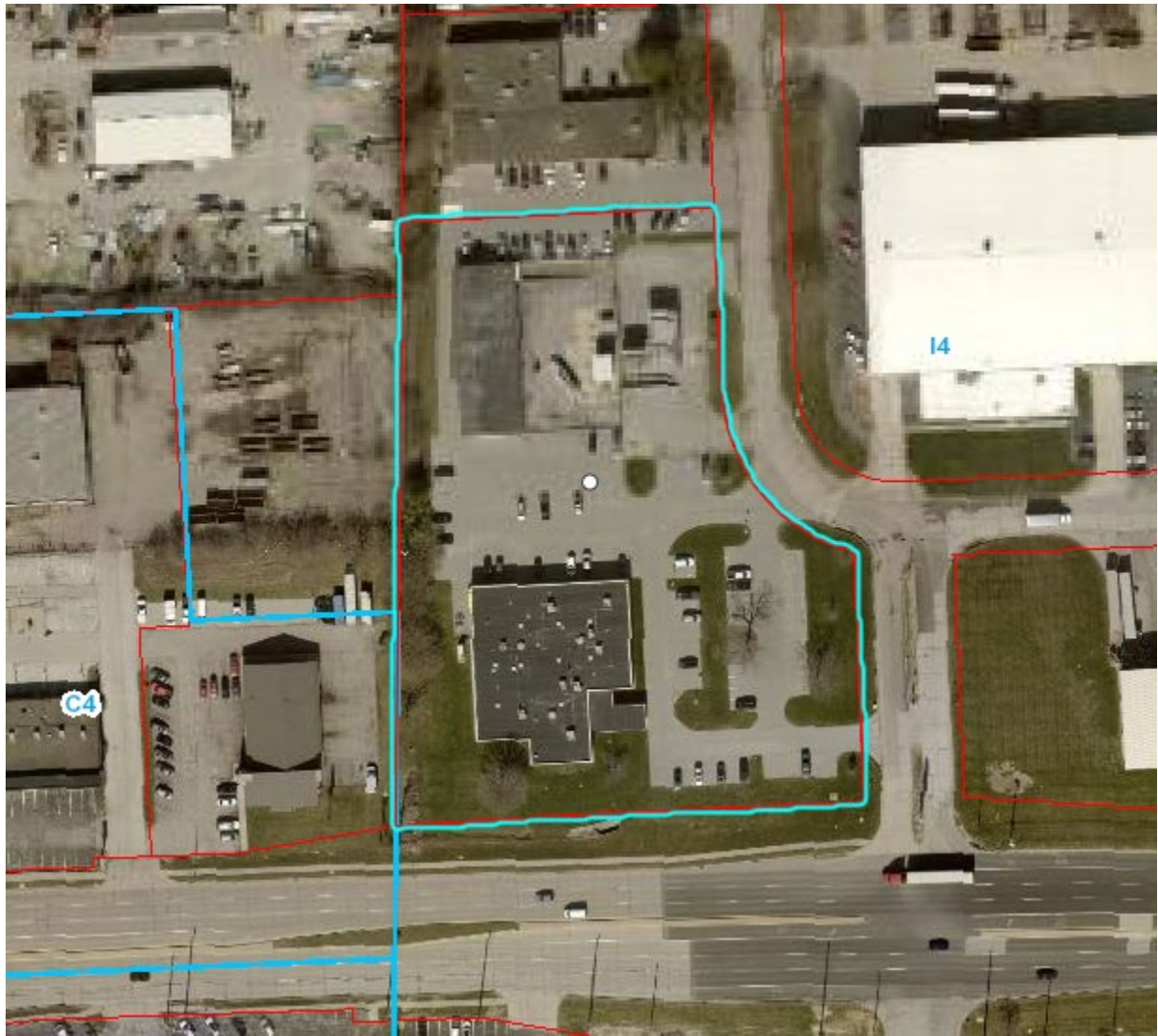
SIDEWALKS

Sidewalks are existing on West 86th Street and do not exist along Robbins Road and are required along all public rights-of-way.

GENERAL INFORMATION

Existing Zoning	C-4	
Existing Land Use	Commercial Integrated Center	
Comprehensive Plan	Village Mixed-Use	
Surrounding Context	Zoning	Land Use
	North:	I-4 Commercial
	South:	I-4 Industrial
	East:	I-4 Commercial
	West:	C-4 Commercial
Thoroughfare Plan		
West 86 th Street	Primary Arterial	195-foot ROW existing and 134-foot proposed
Robbins Road	Local Street	80-foot ROW existing and 50-foot proposed
Petition Submittal Date	October 4, 2024	

EXHIBITS



PHOTOS











PLAT COMMITTEE **November 13, 2024**

Case Number: 2024-VAC-003

Property Address: 7212 North Rural Street and 7200 Sarto Drive (*Approximate Addresses*)

Location: Washington Township, Council District #3

Petitioner: Roman Catholic Archdiocese of Indianapolis Properties, Inc., by Paul J. Carroll

Zoning: D-5

Request: Vacation of North Rural Street, being 25.68 feet in width, beginning at the north right-of-way line of 73rd Street, north 305.47 feet to the south right-of-way line of Highland Creek Boulevard, South Drive.

Waiver Requested: Assessment of benefits

Current Land Use: Unimproved alley

Staff Reviewer: Jeffrey York, Principal Planner II

PETITION HISTORY

This is the first hearing for this petition.

STAFF RECOMMENDATION

Staff finds the **vacation** would be in the public interest and recommends the vacation petition be **approved**. Staff does not support the waiver of the assessment of benefits and recommends **denial of the waiver of the assessment of benefits**.

RECOMMENDED MOTION (denial): That the Plat Committee find that the proposed vacation is in the public interest, that the waiver of the assessment of benefits be denied; that a hearing upon the assessment of benefits be held on December 11, 2024; that the Plat Committee confirm and ratify the adoption of Declaratory Resolution 2024-VAC-003; and that the vacation be subject to the rights of public utilities under IC 36-7-3-16

RECOMMENDED MOTION (approval): That the Plat Committee find that the proposed vacation is in the public interest; that a hearing upon the assessment of benefits be waived; that the Plat Committee confirm and ratify the adoption of Declaratory Resolution 2024-VAC-003; and that the vacation be subject to the rights of public utilities under IC 36-7-3-16.



PETITION OVERVIEW

SUMMARY

This petition, if approved, would vacate a remnant and mostly improved street right-of-way, from the north right-of-way line of 73rd Street, 305.47 feet to the north, a point of which is the south right-of-way line of Highland Creek Boulevard, an unimproved street right-of-way. On a site visit, staff noted that a chain link fence was constructed within this right-of-way, with a gate.

The petitioner owns properties on both sides of this right-of-way, including Lot 101, as shown in the survey, below under Exhibits. It is unlikely that development would occur on the lots west of this street, due to an existing large ditch to the north.

The vacation of this portion of this street right-of-way would be in the public interest.

PROCEDURE

Neither the Division of Planning nor the Plat Committee, Hearing Examiner or Metropolitan Development Commission determines how vacated right-of-way is divided. The approval of a vacation petition only eliminates the public right-of-way. The vacation approval does nothing more. A petitioner will not receive a deed or other document of conveyance after the approval of a vacation.

The general rule under Indiana case law is that when a street or highway is vacated or abandoned the title to the land reverts to the abutting property owners. This rule exists by virtue of the fact that the abutting landowner owns to the center of the street or highway subject only to an easement for the public to the use of the street or highway. *Gorby v. McEndarfer* 135 Ind.App. 74, *82, 191 N.E.2d 786, **791 (Ind.App.1963). However, there are possible exceptions to this general rule.

After a vacation of public right-of-way, the county assessor determines how the vacated right-of-way will be assessed for tax purposes.

Petitioners and abutters of the vacated right-of-way should consult their own attorneys for advice regarding the ownership of the vacated right-of way.

ASSESSMENT OF BENEFITS

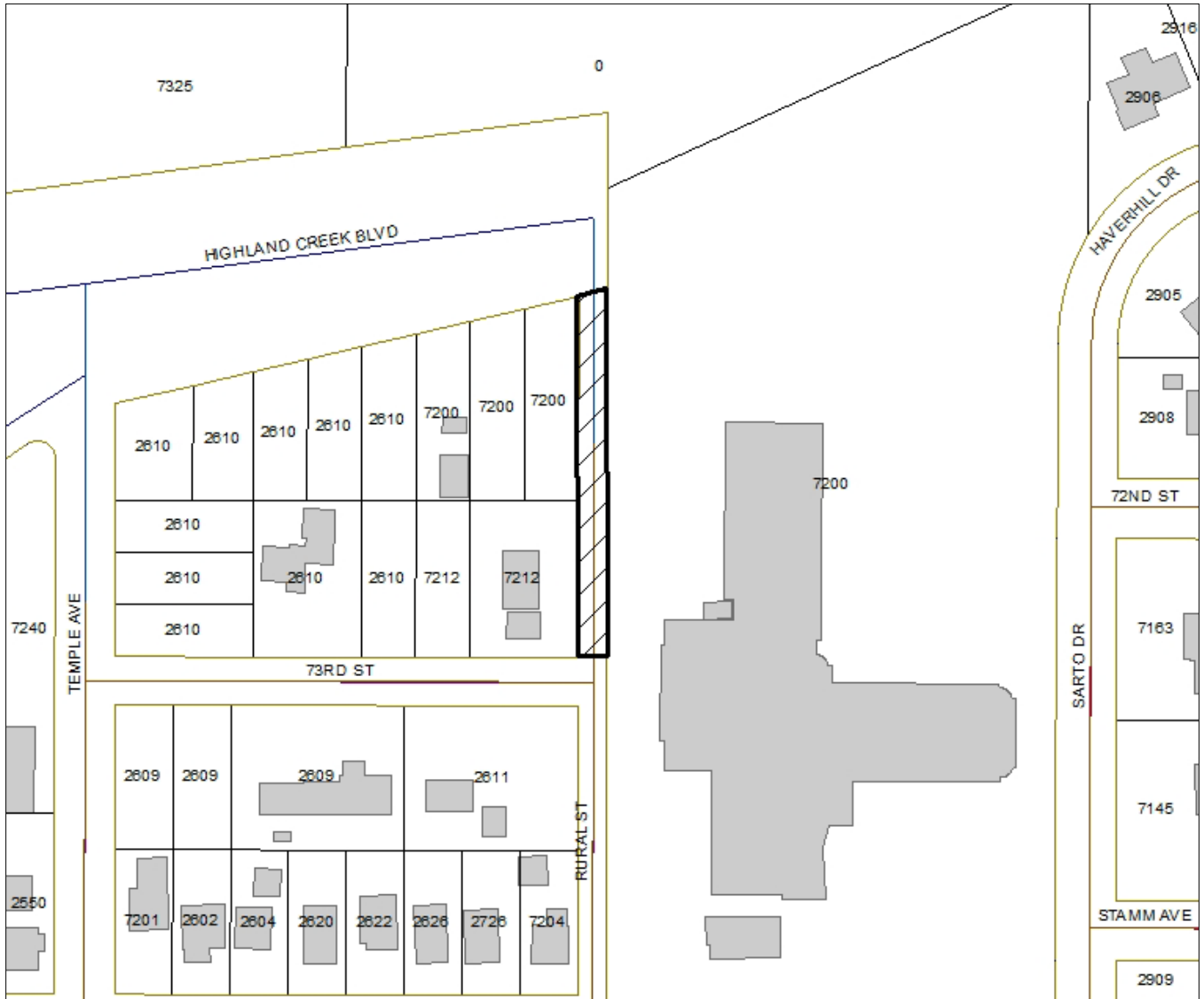
Approximately 180 feet of the existing right-of-way is improved with pavement to the point where a chain link fence has been constructed. The remaining 125 feet of right-of-way is unimproved. Due to previous investment into this right-of-way, the request to waive the assessment of benefits should be denied.



GENERAL INFORMATION

Existing Zoning	D-5 (RC)		
Existing Land Use	Church, school, and single-family dwelling		
Comprehensive Plan	Suburban neighborhood development		
Surrounding Context	Zoning	Land Use	
	North:	D-6	Attached single-family residential
	South:	D-5	Single-family residential
	East:	SU-1	Church and school
	West:	D-5	Single-family residential / undeveloped
Thoroughfare Plan			
Rural Street	Local street	50-foot existing and proposed	
Petition Submittal Date	September 11, 2024		

EXHIBITS





Department of Metropolitan Development
Division of Planning
Current Planning

Petition Number _____

METROPOLITAN DEVELOPMENT COMMISSION
PLAT COMMITTEE
HEARING EXAMINER
OF MARION COUNTY, INDIANA

PETITION FOR VACATION OF A PUBLIC WAY, EASEMENT OR PUBLIC PLACE

FINDINGS OF FACT

1. THE PROPOSED VACATION IS IN THE PUBLIC INTEREST because:

the street sought to be vacated is between parcels owned by Petitioner, which operates St. Pius Church and School. The street does not extend all the way to the end of 7218 N. Rural St. and dead ends. The street would be unlikely to ever be extended as there is a ditch north of where the street dead ends and the only place it could extend is to the private residential community of Harbour Club Condos. No one besides Petitioner would have any use for the street, as the portion sought to be vacated does not connect to any other street north of 73rd Street or any other property besides those owned by Petitioner.

DECISION

IT IS THEREFORE the decision of this body that this VACATION petition is APPROVED, subject to any conditions stated in the minutes (which conditions are incorporated herein by reference and made a part of this decision).

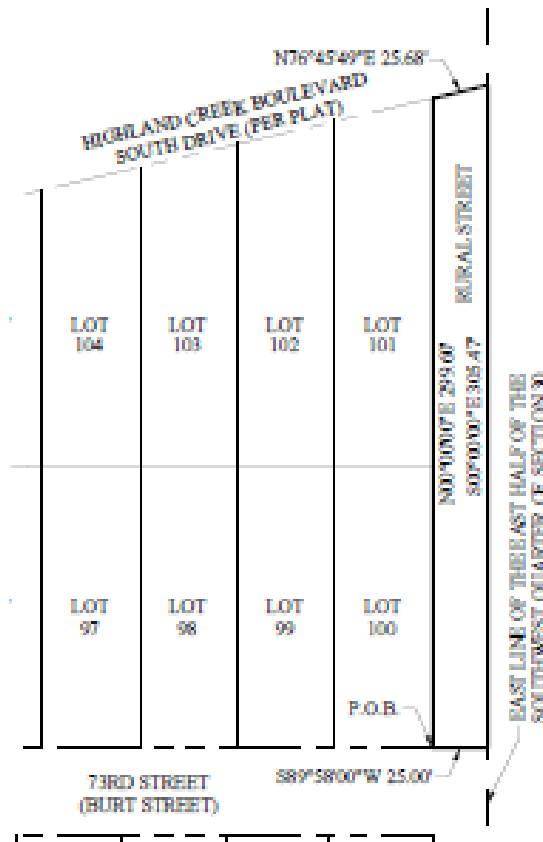
Adopted this _____ day of _____, 20 ____

Findings of Fact



Department of Metropolitan Development
Division of Planning
Current Planning

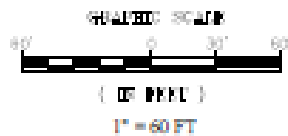
Exhibit A
Prepared for: Weston Hoy, LLC
Vacation Exhibit



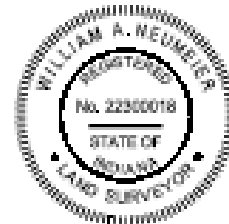
PROPOSED VACATION DESCRIPTION

A part of Rural Street as per plat of Highland Creek Boulevard Addition, recorded as Plat Book 22, Page 168, and being located in the East Half of the Southwest Quarter of Section 30, Township 17 North, Range 4 East of the Second Principal Meridian, Washington Township, Marion County, Indiana, being more particularly described as follows:

Beginning at the Southeast corner of Lot Number 100 of said plat; thence North 00 degrees 00 minutes 00 seconds East (assumed bearing), along the East line of said Lot and Lot Number 101, also being the western extents of said Rural Street, a distance of 299.60 feet to the Northeast corner of said Lot Number 101, said corner also being on the southern extents of Highland Creek Boulevard South Drive as per said plat; thence North 76 degrees 45 minutes 49 seconds East, along the extension of said southern extents and the North lines of Lots Numbered 108 through 101, a distance of 25.68 feet to a point on the East line of the eastern extents of said Rural Street, also being the East line of said Half Quarter Section; thence South 00 degrees 00 minutes 00 seconds East, along said East line, a distance of 305.47 feet to a point on the extended South line of Lots Numbered 95 through 100; thence South 89 degrees 58 minutes 00 seconds West, along said extended line, a distance of 25.00 feet to the Point of Beginning, containing 0.174 acres, more or less.



William A. Neunzer
William A. Neunzer
Professional Land Surveyor
Indiana No.: 22300018
Certified: August 22nd, 2024



THIS DRAWING IS NOT INTENDED TO BE REPRESENTED AS A RETRACEMENT OR ORIGINAL BOUNDARY SURVEY, A ROUTE SURVEY OR A SURVEYOR LOCATION REPORT.

 S T O E P P E L W E R T H ALWAYS ON THE Way (1000) Street, Tulsa, OK 74103-3325 phone: 918.438.9922 fax: 918.438.9922	JOB NO. 112568	PAGE
	DRAWN BY: WAN	1 OF 1 SHEETS
	CHECKED BY: BBS	
	DATE DRAWN: 08/01/2024	
	FIELDWORK DATE: N/A	

Vacation exhibit.

Photos



Photograph of proposed alley with improved portion from 73rd Street looking north



Photograph of subject alley looking north



Photograph of the north end of the improved portion of the subject site, with the existing fence and gate constructed within the existing right-of-way. The terminus of the subject site is approximately at the tree line, beyond the fence.