



Board of Zoning Appeals Hearing Officer Meeting Agenda

Meeting Details

Notice is hereby given that the Metropolitan Board of Zoning Appeals will hold public hearings on:

Date: Tuesday, September 12, 2023 **Time:** 10:00 AM

Location: Room 1808, 18th Floor, City-County Building, 200 E. Washington Street

Business:

Special Requests

Petitions for Public Hearing

PETITIONS REQUESTING TO BE CONTINUED:

NEW PETITIONS:

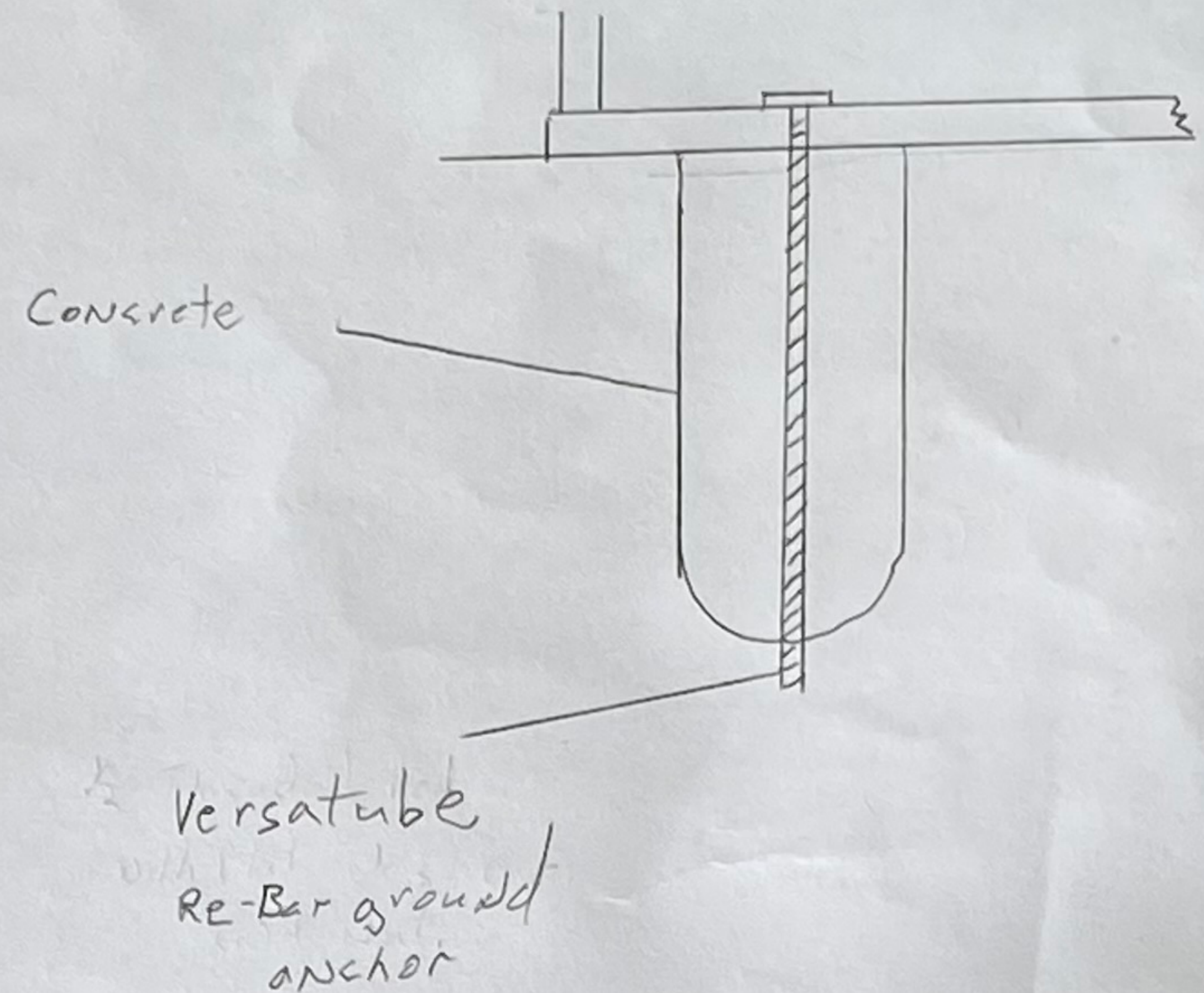
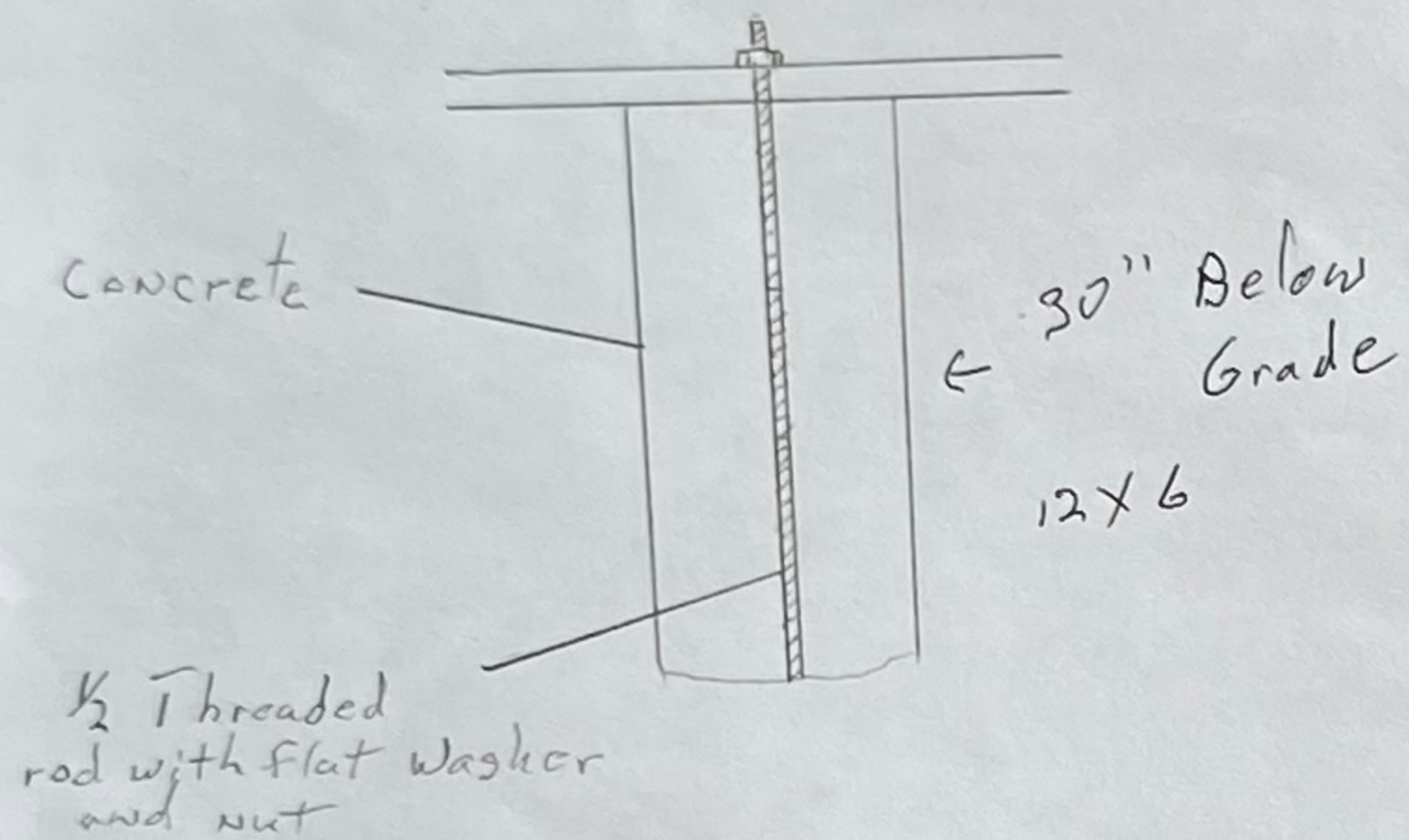
- 1. 2023-HOV-004 | 2233 North Hawthorne Lane**
Warren Township, Council District #19, Zoned D-A / D-6II
Meria & John Williams

Variance of Development Standards of the Consolidated Zoning and Subdivision Ordinance to provide a carport addition in the front yard of Hawthorne Lane, with a six-foot south side yard setback, and 77 percent open space (15-foot side yard setback required, 85 percent open space required).

Additional Business:

**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 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.

Anchoring to ground
with concrete piers



John Williams

2233 N Hawthorne Ln

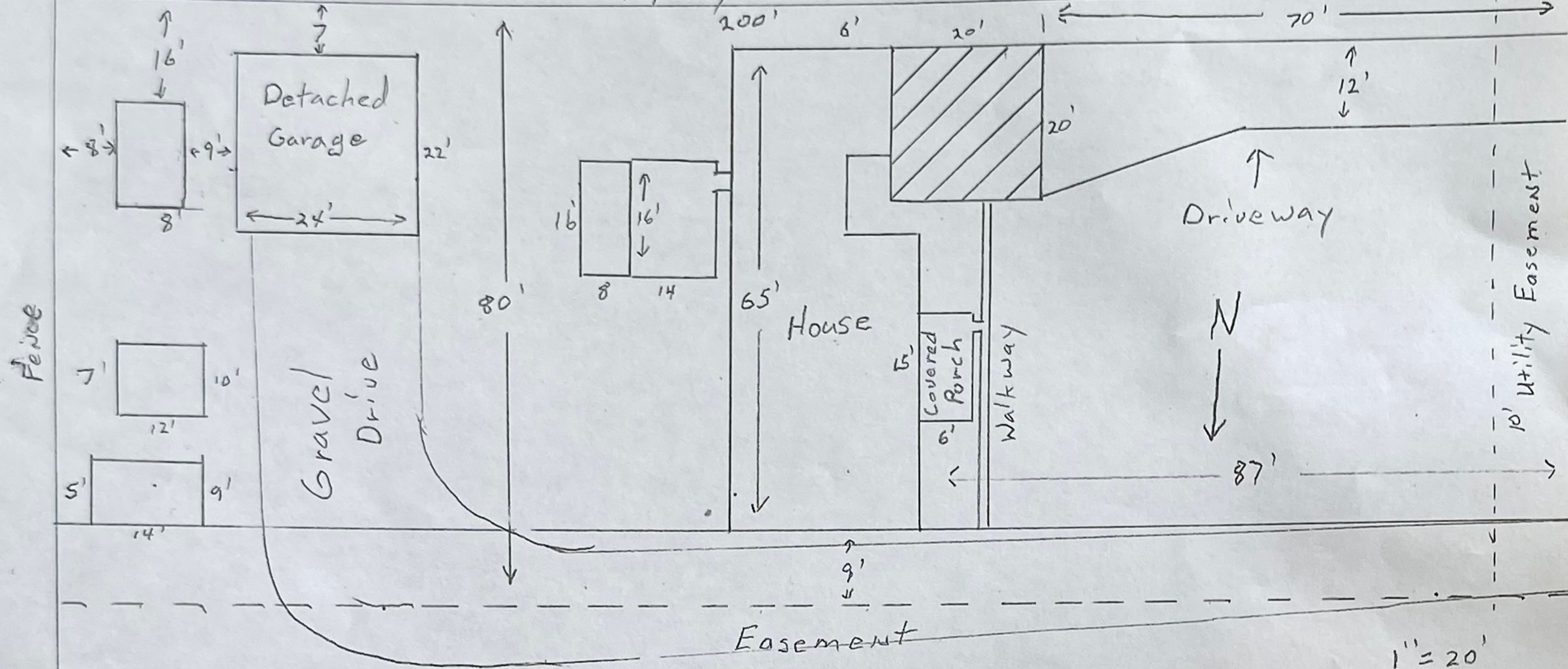
Attached Metal Carport Frame to House



John Meria Williams

2233 N HAWTHORNE LN

Property Line



2233 N. Hawthorne Ln

John Maria Williams Carport

METROPOLITAN DEVELOPMENT COMMISSION
HEARING EXAMINER
METROPOLITAN BOARD OF ZONING APPEALS, Division _____
OF MARION COUNTY, INDIANA

PETITION FOR VARIANCE OF DEVELOPMENT STANDARDS

FINDINGS OF FACT

1. The grant will not be injurious to the public health, safety, morals, and general welfare of the community because:
The reduced setback and open space are consistent with similar single-family development in the area

2. The use or value of the area adjacent to the property included in the variance will not be affected in a substantially adverse manner because:
The reduced setbacks and open space will not affect the surrounding properties and are consistent with existing development in the area

3. The strict application of the terms of the zoning ordinance will result in practical difficulties in the use of the property because:
The required setbacks and open space are based on a much larger lot size than existing. The proposed setbacks align with the existing house, and the proposed open space is consistent with similar single-family dwellings in the area.

DECISION

IT IS THEREFORE the decision of this body that this VARIANCE petition is APPROVED.

Adopted this _____ day of _____, 20 ____



Legal Notice of Public Hearing Hearing Officer

Item 1.

of the Metropolitan Board of Zoning Appeals
200 East Washington St, Suite 1842, Indianapolis, IN 46204 317-327-5155

TO WHOM IT MAY CONCERN:

You are receiving this notice of a public hearing as a nearby property owner, or as a representative of a registered neighborhood organization, or as an affected City-County Councilor.

A **Public Hearing** of the Hearing Officer has been scheduled for **Tuesday, September 12, 2023, at 10:00 a.m.** in Room 1842 on the Eighteenth Floor of the City-County Building, 200 East Washington Street, Indianapolis, Indiana. At this hearing, the Hearing Officer will consider the following petition(s).

Case Number: 2023-HOV-004
Address: 2233 North Hawthorne Lane (approximate address)
Location: Warren Township, Council District #19
Zoning: D-A / D-6II
Petitioner: Meria & John Williams
Request: Variance of Development Standards of the Consolidated Zoning and Subdivision Ordinance to provide a carport addition in the front yard of Hawthorne Lane, with a six-foot south side yard setback, and 77 percent open space (15-foot side yard setback required, 85 percent open space required).

Vicinity Map (approximate location is marked)

The legal description and the details of the proposal are on file in the Department of Metropolitan Development, Suite 1842, City-County Building. All information may be reviewed between the hours of 8:00 a.m. to 4:45 p.m., Monday through Friday, excluding legal holidays.

All interested persons wishing to speak to this petition, either for or against, will be given an opportunity to be heard, in accordance with the Rules of Procedure. Written comments regarding this proposal may be filed with the Secretary of the Metropolitan Board of Zoning Appeals before the hearing at the above address and such comments will be considered.



The hearing may be continued to a future date from time to time when found necessary. Any change in room location will be posted at the Current Planning Office. For special accommodations needed by physically challenged individuals planning to attend, please call at least 48 hours prior to the meeting 317-327-5654.

To ensure a fair hearing, contacting any member of the Metropolitan Board of Zoning Appeals or the Hearing Officer regarding a pending or future proposal is strictly **PROHIBITED** by the Rules of Procedure and Indiana State statute.

Petitioner or Agent for Petitioner Contact Information

Signature: _____

Printed Name: John V Williams

Street Address: 2233 N Hawthorne Ln

City, State, Zip: Indianapolis, IN 46218

Phone Number: 317-801-1764 FAX: _____

Email: brittenywilliams@gmail.com

**General Information about this Legal Notice of the
Metropolitan Board of Zoning Appeals (BZA)**

Item 1.

Why am I getting this?	You are receiving this formal notice for one of three reasons. You are either a property owner within two (2) properties distance or within 660 feet of the property which is the subject of this petition; or you are a neighborhood representative; or you are a City-County Councilor.
Do I need to do anything or go anywhere?	This notice does <u>not</u> require you to attend the hearing or do anything. This notice simply informs you that a petition has been filed pertaining to property near you and that you have the opportunity to be informed and speak to that petition.
What is the Hearing Officer?	The Hearing Officer (HOV) is an official authorized by State Statute and appointed by the Mayor. The Hearing Officer has the authority to grant or deny variance petitions pertaining to developmental standards and limited use variances; Special Exceptions; and approval petitions regarding petitions the Hearing Officer previously decided.
What is a Variance?	A variance is permission to deviate or depart from the zoning ordinance. The zoning ordinance identifies uses that are permitted in various zoning classifications and the basic standards that development must meet, such as height and setback from property lines. The Metropolitan Board of Zoning Appeals has the authority to grant or deny variance petitions.
What do the Zoning Districts mean?	D-6II is Dwelling District Six II, which is intended principally for medium intensity residential development as a transition between areas of high intensity uses and low intensity uses, or land areas characterized by more challenging terrain or unusual land configuration. D-6II permits multifamily dwellings, triplex, fourplex, two-family and single-family attached dwellings with a typical density of 9 to 12 units per acre. D-A is the Dwelling Agriculture District, which holds the agricultural lands of Marion County and provides for a variety of agricultural uses. Most agricultural uses (farms) are permitted in this District. A single-family dwelling is intended to be permitted as a part of such agricultural uses. A secondary provision of this district is large estate development of single-family dwellings. The district does not require public water and sewer facilities. Consult the zoning code for specific details: http://www.indy.gov/dmd
May I contact the petitioner?	Yes. The petitioner's contact information is on the front side of this notice.
May I contact a Department of Metropolitan Development Staff?	Yes. While you cannot contact the BZA directly, you may contact DMD staff. A DMD staff planner is available to discuss questions you may have regarding the hearing process or the basis for the staff recommendation as written in the Staff Report. The Staff Planner assigned to this case is Allison Richardson, Senior Planner. She can be reached at 317-951-3982 or by e-mail at Allison.Richardson@Indy.Gov. Letters of support or opposition to this request can be sent to the planner or to DMDpubliccomments@indy.gov The Mayor's Neighborhood Advocate is Brennan Edwards who can be reached at 317-833-4933 or by email at Brennan.Edwards@Indy.Gov. Neighborhood Advocates serve as a bridge between citizens and city government, acting as ombudsmen and providing a communication link between neighborhoods and the City.
What Is a Staff Report?	The planner assigned to the petition prepares a written Staff Report prior to the hearing that includes an objective planning analysis and recommendation. The Staff Report is available to the public and petitioner six (6) days prior to the hearing date listed on the front side of this notice.
How do I get a Continuance?	A continuance may be requested by letter or in person at the hearing. The Hearing Officer determines whether to continue the hearing of any petition. Continuances move the petition to another regularly scheduled hearing of the Hearing Officer (Tuesdays at 10AM). The Hearing Officer may refer any petition to any Division of the Metropolitan Board of Zoning Appeals (BZA). The Hearing Officer may determine if notification of owners of adjacent parcels, or if notification of additional interested parties shall be required if a petition is referred to one of the Divisions of the BZA. There are no "Automatic Continuances" of petitions scheduled before the Hearing Officer. The person requesting a continuance should notify to all known interested parties and indicate the proposed date. Continuances do not require a fee. The Rules of Procedure are available in the City-County Building, 200 East Washington Street, Suite 1842.
What about Commitments or Conditions?	If the petition is approved, commitments or conditions may be attached to its approval. After the hearing process has been completed, the commitments or conditions may be obtained by mailing a self-addressed, stamped envelope, with the petition number, to the staff planner indicated above at 200 East Washington Street, Suite 1842, Indianapolis, Indiana 46204.
Where can I get more information?	In addition to contacting the petitioner or city staff as indicated above, you might also contact your City-County Councilor, your neighborhood organization, the Indianapolis Neighborhood Resource Center, or the public library. Online resources include: Current Planning (Zoning) office for general information: http://www.indy.gov/dmd Determine the neighborhood organizations in your area: http://maps.indy.gov/Indy.Organizations.Web/ Determine your elected officials, including City-County Councilors: https://www.indy.gov/agency/city-county-council or http://maps.indy.gov/MyNeighborhood/