



Legal Notice of Public Hearing Hearing Officer

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.

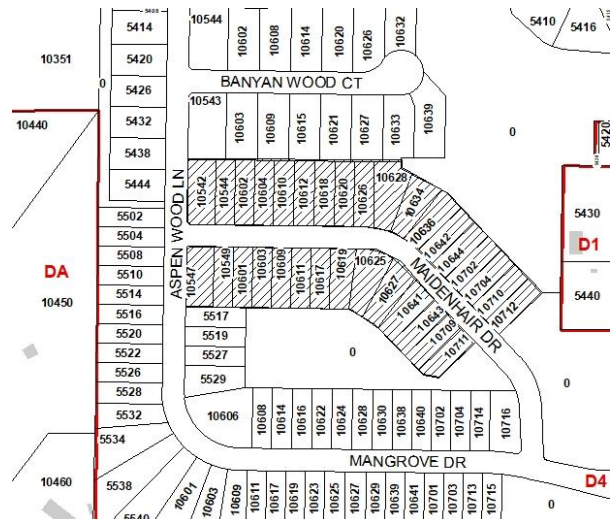
A **Public Hearing** of the Hearing Officer has been scheduled for **Tuesday, October 24, 2023, at 10:00 a.m.** in Room 1842 on the Eighteenth Floor of the City-County Building, 200 East Washington Street, Indianapolis, Indiana. At this hearing, the Hearing Officer will consider the following petition(s).

Case Number: 2023-HOV-005
Address: 10542-10712 Maidenhair Drive (approximate address)
Location: Franklin Township, Council District #25
Zoning: D-4
Petitioner: M/I Homes of Indiana, L.P., by Joseph D. Calderon
Request: Variance of Development Standards of the Consolidated Zoning and Subdivision Ordinance to provide for the construction of single-family dwellings and two-family dwellings on various lots with no less than 57 percent open space (65 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: Joseph D. Calderon

Street Address: 11 South Meridian Street

City, State, Zip: Indianapolis, IN 46204

Phone Number: 317-231-7787 FAX: _____

Email: jcalderon@btlaw.com

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

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?	<p>D-4 is Dwelling District Four, for low or medium intensity single-family and two-family residential development at a typical density of 4.2 units per acre. Land in this district needs good thoroughfare access, relatively flat topography, and nearby community and neighborhood services and facilities with pedestrian linkages. Provisions for recreational facilities serving the neighborhood within walking distance are vitally important.</p> <p>Consult the zoning code for specific details: http://www.indy.gov/dmd</p>
May I contact the petitioner?	Yes. The petitioner's contact information is on the front side of this notice.
May I contact Department of Metropolitan Development Staff?	<p>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 Linda Ahlbrand, Principal Planner II. She can be reached at 317-327-4968 or by e-mail at Linda.Ahlbrand@Indy.Gov.</p> <p>Letters of support or opposition to this request can be sent to the planner or to DMDpubliccomments@indy.gov</p> <p>The Mayor's Neighborhood Advocate is Mina Moussa, who can be reached at 317.408.1991 or by email at Mina.Moussa@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.</p>
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?	<p>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:</p> <p>Current Planning (Zoning) office for general information: http://www.indy.gov/dmd</p> <p>Determine the neighborhood organizations in your area: http://maps.indy.gov/Indy.Organizations.Web/</p> <p>Determine your elected officials, including City-County Councilors: https://www.indy.gov/agency/city-county-council or http://maps.indy.gov/MyNeighborhood/</p>