

MDC HEARING EXAMINER

September 10, 2026

Case Number: 2026-ZON-041
Property Address: 3553 Shelby Street (*approximate address*)
Location: Perry Township, Council District #23
Petitioner: Cameron & Caden Shake, by Mark and Kim Crouch
Request: Rezoning of 0.48-acre from the C-3 (TOD) district to the D-10 (TOD district) to provide for multifamily housing
Current Land Use: Residential
Staff Reviewer: Josh Levesque, Senior Planner

PETITION OVERVIEW

- Petitioner previously requested a 2-month continuance from the June 11, 2026, Hearing Examiner hearing to the August 13, 2026, Hearing Examiner hearing to allow for additional time to acquire property that could result in changing the scope and request of the project. Staff was in support of this continuance.
- The petitioner requested an additional one-month continuance from the August 13th, 2026, to the September 10th, 2026 Hearing Examiner hearing to finalize plans related to the changed scope of the project. Staff indicated that that continuance would be the final one that staff would support.
- As staff has not received legal descriptions for the new parcels, staff was unable to update notice as needed. Staff has also not received an updated description of the project to determine the appropriate notice language. Given the lack of notice, a continuance would be required. As stated previously, staff will not support any further continuances.
- Staff recommends that the Hearing Examiner dismiss the petition for want of prosecution. Staff will note that the MDC's rules and procedures indicate that "no parcel of ground that has been included in any petition that has been dismissed by the Hearing Examiner, Committee or Commission for want of prosecution shall again be included in any petition filed for consideration within a period of three (3) months from the date of dismissal, except upon motion to permit refile by a majority vote of all members present at a regular or special meeting, for good cause shown."