

**METROPOLITAN DEVELOPMENT COMMISSION  
HEARING EXAMINER**

**October 15, 2026**

**Case Number:** 2026-CZN-850 / 2026-CPL-850

**Property Address:** 6300 Mann Road

**Location:** Decatur Township, Council District #21

**Petitioner:** Anthony Elrod, by Justin Kingen

**Current Zoning:** D-A (FF) (FW)

**Request:** Rezoning of 24.7 acres from the D-A (FF) (FW) district to the D-3 (FF) (FW) district to provide for residential development.

Approval of a Subdivision Plat to be known as Elrod Estates, dividing 24.7 acres into two lots, with a waiver of sidewalks, per Chapter 741.306.

**Current Land Use:** Undeveloped land

**Staff Recommendations:** Approval of the rezoning request, plat request and waiver.

**Staff Reviewer:** Kathleen Blackham, Senior Planner

**PETITION HISTORY**

This is the first hearing on these requests.

**STAFF RECOMMENDATION**

Staff recommends that the Hearing Examiner approve and find that the plat, file dated August 6, 2026, 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.
11. That the plat shall be recorded within two (2) years after the date of conditional approval by the Hearing Examiner.

Staff recommends approval of the rezoning, subject to the following commitments being reduced to writing on the Commission's Exhibit "B" form at least three days prior to the MDC hearing:

1. A tree inventory, tree assessment and preservation plan of all existing trees over 2.5 inches in diameter, shall be prepared by a certified arborist and shall be submitted for Administrator Approval prior to preliminary plat approval and / or prior to any site preparation activity or disturbance of the site. This plan shall, at a minimum: a) indicate proposed development; b) delineate the location of the existing trees, c) characterize the size and species of such trees, d) identify all heritage trees, e) indicate the wooded areas to be saved by shading or some other means of indicating tree areas to be preserved and f) identify the method of preservation (e.g. provision of snow fencing or staked straw bales at the individual tree's dripline during construction activity). All trees proposed for removal shall be indicated as such.
2. A 59.5-foot half right-of-way shall be dedicated along the frontage of Mann Road, as per the request of the Department of Public Works (DPW), Engineering Division. Additional easements shall not be granted to third parties within the area to be dedicated as public right-of-way prior to the acceptance of all grants of right-of-way by the DPW. The right-of-way shall be granted within 60 days of approval and prior to the issuance of an Improvement Location Permit (ILP).

## PETITION OVERVIEW

This 24.7-acre site, zoned D-A (FF) (FW), is undeveloped and surrounded by undeveloped land and a single family dwelling to the north, zoned D-A (FF) (FW); a single-family dwelling and undeveloped land to the south, zoned D-A (FF) (FW); undeveloped land to the east, zoned SU-13 (FF) (FW); and undeveloped land and multi-family dwellings to the west, across Mann Road, zoned C-3 and D-7, respectively.

## PLAT

This request would provide for approval of a Subdivision Plat, to be known as Elrod Estates, subdividing 24.7 acres into two lots.

## **Site Plan**

This site is undeveloped.

Lot 1 would be 2.16 acres, with 35 feet of street frontage along Mann Road. Lot 2 would be 20.7 acres, with 165 feet of street frontage along Mann Road.

## **Streets**

No new street is proposed.

## **Sidewalks**

Sidewalks would not be required due to the exemption in Chapter 744.303.B.

## **Waivers**

Sidewalk waiver.

## **REZONING**

The request would rezone the site the D-3 district. "The D-3 district provides for low or medium intensity residential development. Land in this district should have good thoroughfare access, be relatively flat in topography, and be afforded pedestrian linkages to community and neighborhood services and facilities (schools, parks, shopping areas, etc.). Recreational facilities developed for the neighborhood complement the treed yards on the individual lots. Predominantly single-family detached dwellings are envisioned with two-family dwellings on corner lots in this district. The D-3 district has a typical density of 2.6 units per gross acre. This district fulfills the low-density residential classification of the Comprehensive General Land Use Plan. All public utilities and facilities must be present. Development plans, which may include the use of clustering, should incorporate and promote environmental and aesthetic considerations, working within the constraints and advantages presented by existing site considerations, including vegetation, topography, drainage and wildlife."

The Comprehensive Plan recommends rural or estate typology for the site.

Recommended land uses in this typology include detached housing; working farms; group homes; bed and breakfast; and wind or solar farms.

## **Overlays**

This site is also located within an overlay, specifically the Environmentally Sensitive Areas (ES) Overlay. "Overlays are used in places where the land uses that are allowed in a typology need to be adjusted. They may be needed because an area is environmentally sensitive, near an airport, or because a certain type of development should be promoted. Overlays can add uses, remove uses, or modify the conditions that are applied to uses in a typology."

The Environmentally Sensitive Areas (ES) Overlay is intended for areas containing high quality woodlands, wetlands, or other natural resources that should be protected. The purpose of this overlay is to prevent or mitigate potential damage to these resources caused by development. This overlay is also appropriate for areas that present an opportunity to create a new environmental asset. This overlay is not intended for the preservation of open space.

Much of this site is covered by high quality woodlands, specifically identified as Forest Alliance Woodlands.

### **Preservation / Heritage Tree Conservation**

There are significant amounts of natural vegetation and trees located throughout the site. Due to their inherent ecological, aesthetic, and buffering qualities, the maximum number of these existing trees should be preserved on the site.

All development shall be in a manner that causes the least amount of disruption to the trees.

A tree inventory, tree assessment and preservation plan of all existing trees over 2.5 inches in diameter, shall be prepared by a certified arborist and shall be submitted for Administrator Approval prior to preliminary plat approval and / or prior to any site preparation activity or disturbance of the site. This plan shall, at a minimum: a) indicate proposed development, b) delineate the location of the existing trees, c) characterize the size and species of such trees, d) identify all heritage trees, e) indicate the wooded areas to be saved by shading or some other means of indicating tree areas to be preserved and f) identify the method of preservation (e.g. provision of snow fencing or staked straw bales at the individual tree's dripline during construction activity). All trees proposed for removal shall be indicated as such.

If any of the trees are heritage trees that would be impacted, then the Ordinance requires that the Administrator, Urban Forester or Director of Public Works determine whether the tree(s) would be preserved or removed and replaced.

The Ordinance defines "heritage tree" as a tree over 18 inches Diameter at Breast Height (DBH) and one of the Heritage tree species. Heritage tree species include: Sugar Maple (*Acer saccharum*), Shagbark Hickory (*Carya ovata*), Hackberry (*Celtis occidentalis*), Yellowwood (*Cladrastus kentukea*), American Beech (*Fagus grandifolia*), Kentucky Coffeetree (*Gymnocladus dioica*), Walnut or Butternut (*Juglans*), Tulip Poplar (*Liriodendron tulipifera*), Sweet Gum (*Liquidambar styraciflua*), Black Gum (*Nyssa sylvatica*), American Sycamore (*Platanus occidentalis*), Eastern Cottonwood (*Populus deltoides*), American Elm (*Ulmus americana*), Red Elm (*Ulmus rubra*) and any oak species (*Quercus*, all spp.)

The Ordinance also provides for replacement of heritage trees if a heritage tree is removed or dies within three years of the Improvement Location Permit (ILP) issuance date. See Exhibit A, Table 744-503-3: Replacement Trees.

## **Floodway / Floodway Fringe – White River**

This site has a secondary zoning classification of a Floodway (FW) and Floodway Fringe (FF). The Floodway (FW) is the channel of a river or stream and those portions of the floodplains adjoin the channels which are reasonably required to efficiently carry and discharge the peak flood flow of the base flood of any river or stream. The Floodway Fringe (FF) is the portion of the regulatory floodplain that is not required to convey the 100-year frequency flood peak discharge and lies outside of the floodway.

The purpose of the floodway district is to guide development in areas identified as a floodway. The Indiana Department of Natural Resources (IDNR) exercises primary jurisdiction in the floodway district under the authority of IC 14-28-1.

The designation of the FF District is to guide development in areas subject to potential flood damage, but outside the Floodway (FW) District. Unless otherwise prohibited, all uses permitted in the primary zoning district (D-3 in this request) are permitted, subject to certain development standards of the Flood Control Secondary Zoning Districts Ordinance and all other applicable City Ordinances.

## **Department of Public Works**

The Department of Public Works, Traffic Engineering Section, has requested the dedication and conveyance of a 59.5-foot half right-of-way along Mann Road. This dedication would also be consistent with the Marion County Thoroughfare Plan.

## **Planning Analysis**

As proposed, this request would be consistent with Plan recommendation of rural or estate neighborhood, with a residential density of less than one dwelling unit per acre.

Staff would note that the proposed plat complies with the D-3 standards, including the minimum street frontage and lot area.

## **GENERAL INFORMATION**

|                            |                              |                                            |
|----------------------------|------------------------------|--------------------------------------------|
| <b>Existing Zoning</b>     | D-S (FW) (FF)                |                                            |
| <b>Existing Land Use</b>   | Agricultural uses            |                                            |
| <b>Comprehensive Plan</b>  | Rural or estate neighborhood |                                            |
| <b>Surrounding Context</b> | <b><u>Zoning</u></b>         | <b><u>Land Use</u></b>                     |
| North:                     | D-A (FW) (FF)                | Single-family dwelling / Agricultural uses |
| South:                     | D-A (FW) (FF)                | Single-family dwelling / undeveloped land  |
| East:                      | SU-13 (FW) (FF)              | Floodway / Undeveloped                     |
| West:                      | C-3 / D-7                    | Undeveloped land / multi-family dwellings  |

| Thoroughfare Plan          |                                                                       |                                                                   |
|----------------------------|-----------------------------------------------------------------------|-------------------------------------------------------------------|
| Mann Road                  | Primary Arterial                                                      | Existing 50-foot right-of-way and proposed 119-foot right-of-way. |
| Context Area               | Metro                                                                 |                                                                   |
| Floodway / Floodway Fringe | Yes – White River                                                     |                                                                   |
| Overlay                    | Yes - Environmentally Sensitive Areas (ES). Forest Alliance Woodlands |                                                                   |
| Wellfield Protection Area  | No                                                                    |                                                                   |
| Site Plan                  | Plat - August 6, 2026                                                 |                                                                   |
| Site Plan (Amended)        | N/A                                                                   |                                                                   |
| Elevations                 | N/A                                                                   |                                                                   |
| Elevations (Amended)       | N/A                                                                   |                                                                   |
| Landscape Plan             | N/A                                                                   |                                                                   |
| Findings of Fact           | August 6, 2026                                                        |                                                                   |
| Findings of Fact (Amended) | N/A                                                                   |                                                                   |
| C-S/D-P Statement          | N/A                                                                   |                                                                   |

## COMPREHENSIVE PLAN ANALYSIS

### Comprehensive Plan

The Comprehensive Plan recommends Rural or Estate Neighborhood typology. “The Rural or Estate Neighborhood typology applies to both rural or agricultural areas and historic, urban areas with estate-style homes on large lots. In both forms, this typology prioritizes the exceptional natural features – such as rolling hills, high quality woodlands, and wetlands – that make these areas unique. Development in this typology should work with the existing topography as much as possible. Typically, this typology has a residential density of less than one dwelling unit per acre unless housing is clustered to preserve open space.”

### Pattern Book / Land Use Plan

The Comprehensive Plan consists of two components that include The Marion County Land Use Pattern Book (2019) and the land use map. The Pattern Book provides a land use classification system that guides the orderly development of the county and protects the character of neighborhoods while also being flexible and adaptable to allow neighborhoods to grow and change over time.

The Pattern Book serves as a policy guide as development occurs. Below are the relevant policies related to this request:

## Overlay Modifications (Environmentally Sensitive Areas) – Rural or Estate Neighborhood Typology

### Modified Uses

- Detached Housing - Should be oriented to minimize impact on the natural environment, including trees, wetlands, and exceptional topography. Housing is significantly discouraged in floodplains. Additionally, development should preserve or add at least 30% of the entire parcel as tree canopy or naturalized area.
- Group Homes - Should be oriented to minimize impact on the natural environment, including trees, wetlands, and exceptional topography. Additionally, development should preserve or add at least 30% of the entire parcel as tree canopy or naturalized area.
- Bed and Breakfast - Should be oriented to minimize impact on the natural environment, including trees, wetlands, and exceptional topography. Additionally, development should preserve or add at least 30% of the entire parcel as tree canopy or naturalized area.

### Removed Uses

- Working Farms
- Wind or Solar Farms

### **Red Line / Blue Line / Purple Line TOD Strategic Plan**

Not Applicable to the Site.

### **Neighborhood / Area Specific Plan**

Not Applicable to the Site.

### **Infill Housing Guidelines**

Not Applicable to the Site.

### **Indy Moves**

(Thoroughfare Plan, Pedestrian Plan, Bicycle Master Plan, Greenways Master Plan)

The Marion County Thoroughfare Plan (2019) “is a long-range plan that identifies the locations classifications and different infrastructure elements of roadways within a defined area.”

The following listed items describe the purpose, policies and tools:



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- Classify roadways based on their location, purpose in the overall network and what land use they serve.
- Provide design guidelines for accommodating all modes (automobile, transit, pedestrians, bicycles) within the roadway.
- Set requirements for preserving the right-of-way (ROW).
- Identify roadways for planned expansions or new terrain roadways.
- Coordinate modal plans into a single linear network through its GIS database.

## ZONING HISTORY

**2026-ZON-039 6301 Mann Road (north of site)**, requested rezoning of 26.83 acres from the D-A (FF) (FW) district to the D-7 (FF) (FW) district to provide for a multi-family residential development, **pending**.

**2025-ZON-077; 6301 Mann Road (north of site)**, requested rezoning of 26.83 acres from the D-A (FF) (FW) district to the D-7 (FF) (FW) district to provide for a multi-family residential development, **withdrawn**.

**2018-ZON-082; 5500 Mills Road (north of site)**, requested rezoning of 9.363 acres from the D-7 and D-6 II districts to the C-3 classification, **approved**.

**2013-ZON-016; 5500 Mills Road (north of site)**, requested rezoning of 15.52 acres, from the D-7, D-11 and C-4 Districts to the **D-7** classification to provide for multifamily uses, **approved**.

**2006ZON131; 6505 Tanner Drive (north of site)**, requested rezoning of 2.49 acres, from the D-11 District to the D-7 classification to provide for multi-family residential uses, **withdrawn**

**2001-SE3-012; 6341 Mann Road (north of site)**; Special exception of the Wireless Communications Zoning Ordinance to provide for the construction of a 105-foot-tall wireless communication tower, **granted**.

**2000-ZON-098; 5500 Mills Road (north of site)**, requested rezoning of 96 acres from D-7, D-11, D-611, D-4 and C-4 to DP to provide for a maximum of 405 single-family dwellings and condominiums, yielding a density of 4.19 dwelling units per acre, withdrawn.

**95-Z-72; 5880 Mann Road (north of site)**, requested rezoning of 231.30 acres from D-2 (FF), D-3 (FF), D-6 and D-6II (FF) to the D-4 (FF) classification.

**90-Z-39; 5393 West Mills Road (north of site)**, requested rezoning of 34.63 acres, being in the D-7 District, to the D-11 classification to provide for the development of a mobile home park, **denied**.

**78-Z-95; 5155 West Epler Avenue (north of site)**, requested rezoning of 29.88 acres, being in the D-6 and PK-1 Districts, to the SU-2 classification to permit school uses, **approved**.

**73-Z-319; 5701 Furnas Road (north of site)**, requested rezoning of 228.10 acres, being in the A-2 District, to the D-3 classification to provide for residential use, **approved**.

**71-Z-178; 5510 Mann Road (north of site)**, requested rezoning of 4.81 acres, being in the A-2 District, to the C-3 classification to provide for a convenience shopping center, **approved**.

**71-Z-177; 6950 Mann Road (south of site)**, requested rezoning of 42 acres from the A-2 to the C-4, **approved**.



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**71-Z-176; 5349 West Epler Avenue (north of site)**, requested rezoning of 15.0 acres, being in the A-2 District, to the SU-2 classification to provide for a school, **approved**.

**71-Z-175; 5560 Mann Road (north of site)**, requested rezoning of 2 acres, being in the A-2 District, to the SU-9 classification to provide for a fire station, **approved**.

**71-Z-174; 5155 West Epler Avenue (north of site)**, requested rezoning of 5 acres, being in the A-2 District, to the PK-1 classification to provide for a park, **approved**

**71-Z-173; 5401 West Mills Road (north of site)**, requested rezoning of 49.6 acres from A-2 to D-11, **approved**.

**71-Z-172; 6100 Mann Road (north of site)**, requested rezoning of 101.29 acres, being in the A--2 District, to the D-6II classification to provide for multi-family dwellings, **approved**.

**71-Z-171; 6560 Mann Road (south of site)**, requested rezoning of 60.06 acres, being in the A-2 District, to the D-7 classification to provide for multi-family dwellings, **approved**.

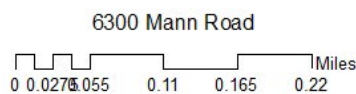
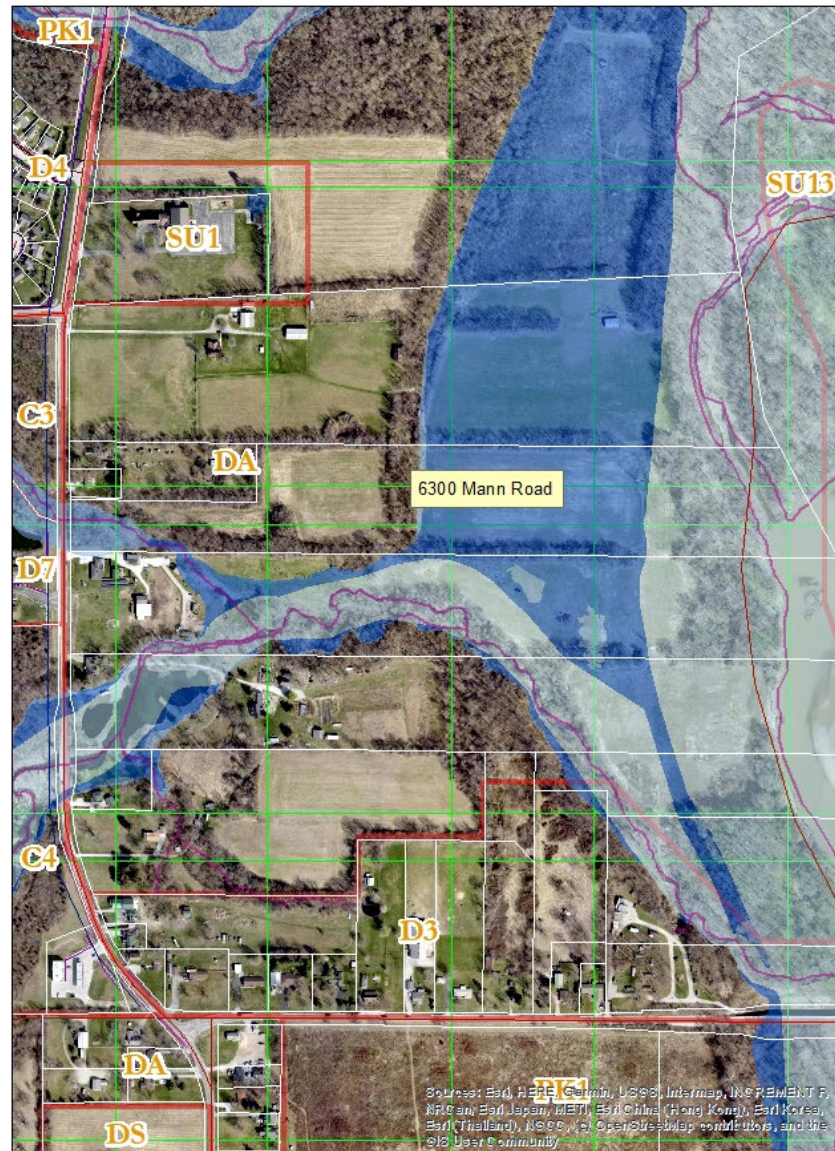
**71-Z-170; 5470 West Mills Road (north of site)**, requested rezoning of 69.62 acres, being in the A-2 District, to the D-3 classification to provide for residential development, **approved**.

**71-Z-169; 5745 West Mills Road (north of site)**, requested rezoning of 61.38 acres, being in the A-2 District, to the D-4 classification to provide for residential development, **approved**.

**71-Z-168; 5491 West Epler Road (north of site)**, requested rezoning of 56.84 acres, being in the A-2 District, to the D-2 classification to provide for residential development, **approved**.

**71-Z-167; 5700 Mann Road (north of site)**, requested rezoning of 53.77 acres, being in the A-2 District, to the D-6 classification to provide for multi-family dwellings, **approved**

EXHIBITS



## EXHIBIT A

### Heritage Tree Conservation

Removal of any Heritage Tree is prohibited unless any of the following determinations are made before removal:

1. The Administrator or the city's Urban Forester determines that the tree is dead, significantly and terminally diseased, a threat to public health or safety, or is of an undesirable or nuisance species.
2. The Director of the Department of Public Works determines that the tree interferes with the provision of public services or is a hazard to traffic.
3. The Administrator determines that the location of the tree is preventing development or redevelopment that cannot be physically designed to protect the tree.
4. The site from which the tree is removed is zoned D-A and the tree is harvested as timber or similar forestry product.

| <b>Table 744-503-3: Replacement Trees</b>    |                                                                 |                                                                  |
|----------------------------------------------|-----------------------------------------------------------------|------------------------------------------------------------------|
| <b>Size of tree removed or dead (inches)</b> | <b>Number of Trees to be planted to replace a Heritage Tree</b> | <b>Number of Trees to be planted to replace an existing tree</b> |
| Over 36 DBH                                  | 15                                                              | 10                                                               |
| 25.5 to 36 DBH                               | 11                                                              | 8                                                                |
| 13 to 25 DBH                                 | 8                                                               | 6                                                                |
| 10.5 to 12.5 DBH                             | 6                                                               | 4                                                                |
| 8.5 to 10 DBH                                | 5                                                               | 4                                                                |
| 6.5 to 8                                     | 3                                                               | 2                                                                |
| 4 to 6                                       | 2                                                               | 2                                                                |
| 2.5 to 3.5                                   | 1                                                               | 1                                                                |



Petition Number \_\_\_\_\_

**REQUESTED WAIVER:** Sec. 731-323(e) (Sidewalks) - 8300 Mann Road (Elrod Estates) Secondary Plat (2-Lot Subdivision)

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

**WAIVER OF THE SUBDIVISION REGULATIONS  
FINDINGS OF FACT**

1. The granting of the waiver or modification will not be detrimental to the public health, safety, or welfare or injurious to other property because:

The subject frontage along Mann Road is a rural, undeveloped corridor with no existing sidewalk network in the vicinity.

Because the roadway abuts Little Mann Creek at this location, it is narrow with little to no shoulder and a pronounced drop-off toward the creek on both sides, such that constructing a sidewalk here would place pedestrians close to both vehicular traffic and the embankment rather than improve safety.

2. The conditions upon which the request is based are individual to the property for which the relief is sought and are not applicable generally to other property because:

The subject property is constrained by floodplain, floodway, and drainage conditions associated with Little Mann Creek and the White River, which limit the buildable area and practical means of constructing sidewalk improvements along this frontage. These physical conditions are not generally applicable to other properties along Mann Road.

3. Because of the particular physical surroundings, shape, or topographical conditions of the specific property involved, a particular hardship would result, as distinguished from a mere inconvenience, if the strict letter of these regulations is carried out:

Because the property abuts Little Mann Creek at this location, the roadway sits on a narrow grade with a pronounced drop-off on both sides toward the creek, leaving no practical shelf on which to construct a sidewalk without substantial retaining retaining structures or fill. Requiring sidewalk construction here would create an isolated fragment of sidewalk serving no practical circulation function, at substantial engineering cost.

4. The resulting subdivision fulfills the purpose and intent of these regulations at an equal or higher standard than what would have been possible without the deviation because:

The proposed subdivision otherwise complies with applicable development standards, and the resulting two lots preserve the established rural, low-density character of the surrounding Mann Road corridor.

5. The relief sought shall not in any manner vary from the provisions of the Zoning Ordinance, or official zoning base maps, except as those documents may be amended in the manner prescribed by law because:

This waiver relates solely to a subdivision improvement requirement and does not seek any change to the zoning classification, use, or official zoning maps. A companion rezoning petition (D-A to D-3) is being pursued separately and is unaffected by this waiver request.

**DECISION**

IT IS THEREFORE the decision of this body that this WAIVER of the Subdivision Regulations be granted, 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 \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_



View looking south along Mann Road



View looking north along Mann Road



View of site looking northeast



View of site looking southeast



View of site looking south along Mann Road



View of site looking north along Mann Road