

## PLAT COMMITTEE

September 13, 2023

<b>Case Number:</b>	2023-PLT-059
<b>Property Address:</b>	2330 and 2332 West 44 <sup>th</sup> Street ( <i>Approximate Address</i> )
<b>Location:</b>	Washington Township, Council District # 8
<b>Petitioner:</b>	Mint Properties, LLC, by Christian C. Badger, PE
<b>Zoning:</b>	D-2
<b>Request:</b>	Approval of a Subdivision Plat, to be known as Dexter Woods, dividing five acres into eight lots, with a waiver of the cul-de-sac length.
<b>Waiver Requested:</b>	Waiver of the cul-de-sac length
<b>Current Land Use:</b>	Undeveloped
<b>Staff Reviewer:</b>	Allison Richardson, Senior 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 July 20, 2023, 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.
12. That the waiver of the cul-de-sac length be approved.

## PETITION OVERVIEW

### SITE PLAN AND DESIGN

The subject site is zoned D-2. This proposed plat would divide this property into eight lots and common areas. Each lot would contain at least 15,000 square feet for single-family development. The proposed plat generally meets the standards of the D-2 zoning classification.

This proposed plat was previously approved by the Plat Committee on October 8, 2020 (2020-PLT-073). However, it was not recorded within the required two-year time frame following the approval and has, therefore, expired.

### STREETS

Each lot would front on the proposed cul-de-sac street. This street would connect to the existing street on the adjacent subdivision to the east—Hidden Orchard Lane.

The proposed cul-de-sac exceeds the maximum 500-foot length permitted; however, given that a cul-de-sac may serve up to 20 lots and only eight lots are proposed, staff believes this is a reasonable request and is not opposed to the waiver.

Additionally, the cul-de-sac length waiver was previously approved by the Plat Committee in 2020.

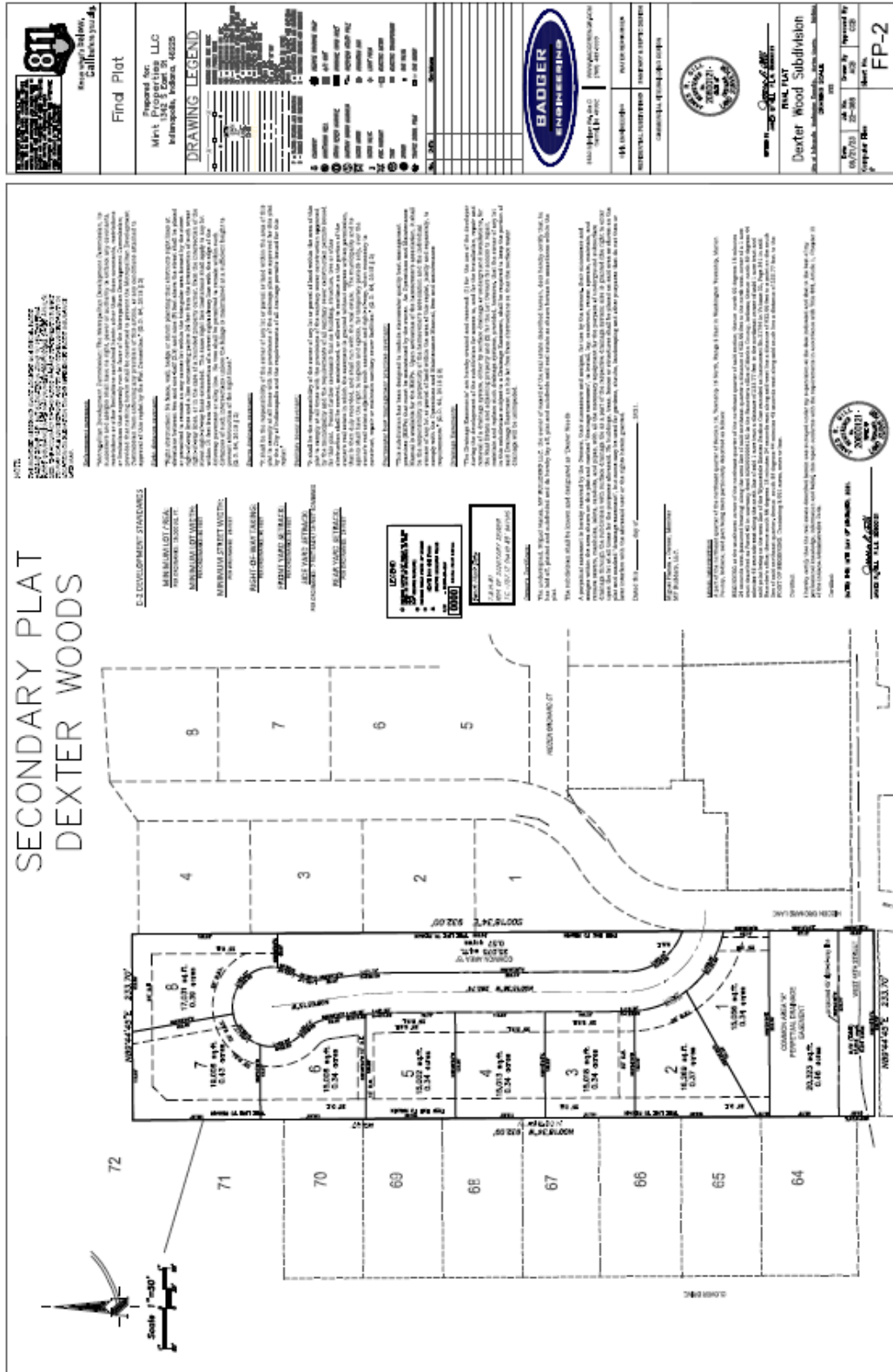
### SIDEWALKS

Sidewalks are proposed on the West 44<sup>th</sup> Street frontage and the proposed cul-de-sac.

## GENERAL INFORMATION

<b>Existing Zoning</b>	D-2	
<b>Existing Land Use</b>	Undeveloped	
<b>Comprehensive Plan</b>	Suburban Neighborhood	
<b>Surrounding Context</b>	<b><u>Zoning</u></b>	<b><u>Land Use</u></b>
North:	D-2	Undeveloped
South:	D-2	Single-Family residential
East:	D-2	Single-Family residential
West:	D-2	Single-Family residential
<b>Thoroughfare Plan</b>		
West 44 <sup>th</sup> Street	Primary Collector	48-feet existing and 80-feet proposed
Hidden Orchard Lane	Local Street	50-feet existing and proposed
<b>Petition Submittal Date</b>	July 20, 2023	







Department of Metropolitan Development  
Division of Planning  
Current Planning

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 Petitioner at 8020 Brookville Road wants to adjust the cul-de-sac size  
in their addition.

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 Planned adjustment in the size of the cul-de-sac does not limit the access to the residences. The value of the adjacent properties will not be affected.

3. The strict application of the terms of the zoning ordinance will result in practical difficulties in the use of the property because:

The property is slightly the wrong length to accommodate the standard size of the cul-de-sac.



PHOTOS



Existing frontage on 44<sup>th</sup> Street, looking west



Existing frontage on 44<sup>th</sup> Street, driveway to be removed, looking west





Existing frontage on 44<sup>th</sup> Street, viewed from Hidden Orchard Lane, looking west



Subject site looking north





Frontage on Hidden Orchard Lane, looking south