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FEB 27 2024

SPEEDWAY BOARD OF ZONING APPEALS OF MARION COUNTY, INDIANA

2024-DVS-002

CONSENT FORM

The undersigned, Dr. Ashwani Sharma, by DA Dental Partners, LLC being the owner of the property commonly known as 5735 Crawfordsville Road hereby authorizes Chris Hinkle, Red Barn Engineering, LLC to file land development petitions and filings necessary for the aforementioned address.

This consent shall (check one):

remain in effect until revoked by a written statement filed with the Speedway Board of Zoning Appeals.

remain in effect until

X remain in effect until these land development petitions are resolved.

[Handwritten signature of Dr. Ashwani Sharma]

Signature of Owner

2/21/2024

Date

Signature of Owner

Date

STATE OF Indiana COUNTY OF Hendricks SS: Subscribed and Sworn to before me this 21 day of February, 2024

[Handwritten signature of Marlon L. Harvey] Notary Public

[Printed signature of Marlon L. Harvey] Printed Signature

My commission expires: 12/05/2030

My county of residence: Hendricks

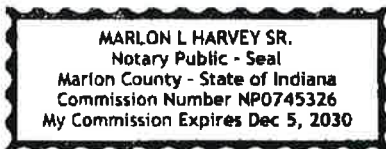
STATE OF COUNTY OF SS: Subscribed and Sworn to before me this day of 20

[Blank signature line] Notary Public

[Blank printed signature line] Printed Signature

My commission expires:

My county of residence:



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SPEEDWAY BOARD OF ZONING APPEALS
OF MARION COUNTY, INDIANA
PETITION FOR VARIANCE

Docket No. 2024-DVS-002

BZA Use Only

Address of Subject Property: 5735 Crawfordsville Road
Petitioner(s) Name: Chris Hinkle, Red Barn Engineering Co Phone: 317-677-6797
Petitioner(s) Address: 115 Round Up Trail, Fishers IN Zip Code: 46038
Petitioner E-mail: chris@redbarneengineeringco.com
Property Owner(s) name(s) (if different from Petitioner(s)): Dr. Ashwani Sharma, DA Dental Partners, LLC
Owner(s) Address: 653 Ridge Gate Drive, Brownsburg IN 46112
Owner(s) E-mail: ASharmaD115@ama1.com

Legal Description (check one):
[X] Complete Metes and Bounds legal description attached
Platted Site within recorded subdivision, copy of plat map attached Subdivision Name
Lot No(s) Section No(s)
Recorded in Plat Book number Page(s) in the Marion County Recorder's Office

If this property was the subject of any previous petition, list the previous docket number:
Current Zoning Classification: C3 Acreage: 0.52 Township Wayne
Existing Use of Subject Property: Vacant Commercial Building
Existing Improvements on Subject Premises: Vacant Commercial Building and associated pavement

Request is for (check all that apply):
Variance of Use [X] Variance of Development Standards

(Provide a detailed description of the proposal. Specify any specific ordinance(s), standard(s), condition(s), commitment(s), and/or regulation(s) sought to be modified. Attach additional pages if necessary.)

Table 744-201-3 Dimensional Standards for Districts C-1, C-3, C-4, C-5, C-7 and C-8 states the required minimum front setback in a C-3 Zoning Metro Context Area is 10' from the existing right-of-way and the required side or rear transitional yard is 20'. We are requesting a minimum front setback of 5' and a rear transitional yard of 5'. Additionally, Table 744-505-1 Required street frontage landscaping notes a minimum depth of landscape area along frontage in the Metro Context Area to be 10' along the entire frontage and we are proposing a 5' depth.

Oath: The above information, to my knowledge and belief, is true and correct.

Signature(s) of Petitioner(s)

Signature(s) of Owner(s) (if different than petitioner)

STATE OF Indiana
COUNTY OF Hendricks SS
Subscribed and sworn to before me this

STATE OF
COUNTY OF SS
Subscribed and sworn to before me this

21 day of February, 2024
Notary Public

day of 20
Notary Public

Printed name of Notary Public

Printed name of Notary Public

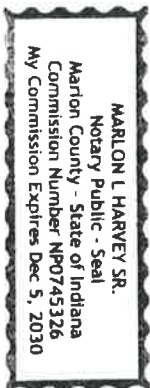
My Commission expires 12/05/2030

My Commission expires

My County of residence Hendricks

My County of residence

Revised 02-22-2021



My County of residence: Hendricks

My County of residence: _____

MARLON L HARVEY SR.
Notary Public - Seal
Marion County - State of Indiana
Commission Number NP0745326
My Commission Expires Dec 5, 2030

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LEGAL NOTICE OF PUBLIC HEARING
SPEEDWAY BOARD OF ZONING APPEALS
OF MARION COUNTY

Petition No: 2024-DVS-002

Notice is hereby given that the undersigned has filed with the Speedway Board of Zoning Appeals of Marion County, Indiana, a petition requesting the following:

DA Partners, LLC is requesting a variance of development standards from the requirements of Table 744-201-3 Dimensional Standards for Districts C-1, C-3, C-4, C-5, C-7 and C-8. This would include the reduction of the required front yard setback and rear transitional yard from 10' and 20' to 5', respectively. Additionally, Table 744-505-1: Required street frontage landscaping notes a minimum depth of landscape area along frontage in the Metro Context Area to be 10' along the entire frontage and we are proposing a 5' depth.

Legal description of address: (Attach description on a separate sheet of paper if necessary)

This petition and all exhibits and plans filed therewith may be examined in the Board's office at the Speedway Municipal Center, 5300 Crawfordsville Road, Room 116, Speedway Indiana 46224, between the hours of 8:30 A.M. to 4:30 P.M., Monday through Friday, excluding Town designated holidays. Written objections to the petition may be filed with the Recording Secretary to the Speedway Board of Zoning Appeals at the above address and such objections will be considered.

Contacting members of the Speedway Board of Zoning Appeals regarding a pending petition is prohibited.

A public hearing will be held at the Speedway Municipal Center, 5300 Crawfordsville Road, Room 005, on _____, 20____, at 7:00 P.M. All interested persons will be given an opportunity to be heard in reference to the matters set out in said petition. The hearing may be continued from time to time as may be found necessary. This notice is sent to you as an owner of property adjacent to the property included in said petition, pursuant to the applicable Rules of Procedure.

PETITIONER

DEVELOPER

(if different from Petitioner)

Signature: A Sharma

Signature: _____

Printed: ASHWANI SHARMA

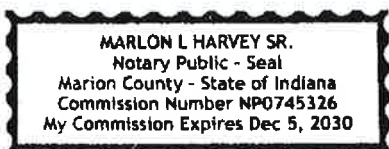
Printed: _____

Address: 653 Ridge Gate Dr.
Brownsburg, IN 46112

Address: _____

STATE OF INDIANA)

Hendricks) SS:
COUNTY OF ~~MARION~~)



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Legal Description

A part of the Southeast Quarter of Section 25, Township 16 North, Range 2 East, Marion County, Indiana, being more particularly described as follows:

Beginning at a point in the east line of said quarter section, 305.40 feet north of the southeast corner thereof, said point being the intersection of said east line of said quarter section and the north right of way line of the Peoria and Eastern R.R. as now existing; thence north 62 degrees 06 minutes 40 seconds west on and along said north right of way line of the P. and E. R.R. for a distance of 380.81 feet to the point of beginning of Parcel #3-A; thence continuing north 62 degrees 06 minutes 40 seconds west on and along said north right of way line for a distance of 144.15 feet; thence north 41 degrees 39 minutes 40 seconds east for a distance of 173.22 feet to a point in the south right of way line of the Crawfordsville Road (S.R. 136) as now existing; thence south 48 degrees 20 minutes 20 seconds east on and along said south right of way line of the Crawfordsville Road for a distance of 140.00 feet; thence south 41 degrees 39 minutes 40 seconds west for a distance of 138.90 feet to the point of beginning, containing 0.502 acres, more or less.



7/8/2022

- Parcels
 - Interstates
 - Thoroughfare
 - Streets
 - Parcels
- 2021 Fall Aerial Photography
- Red: Band_1
 - Green: Band_2
 - Blue: Band_3

AREA MAP

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2024-DVS-002

Source: Esri, Maxar, Earthstar Geographics, and the GIS User Community

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Petition No. 2024-DVS-002

SPEEDWAY BOARD OF ZONING APPEALS 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 existing commercial development on the site has asphalt pavement up to the existing right-of-way of Crawfordsville Road in the front and pavement back to the rear property line. The existing commercial developments to the east and west of the site have done the same. The proposed reducing in width will still allow for the required landscaping material along the perimeter of the property, even with the landscape depth being less than the required amount.

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 existing abandoned building is an eyesore and has been vacant for almost 10 years. The proposed building and associated improvements will greatly increase the surrounding land values. Additionally, the residential properties to the south of the site are separated from the proposed development by the Peoria Eastern Rail Trail and therefore will not be affected by the reduction in the rear transitional yard.

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 severely limit the ability to place a free-standing commercial building on the property. Given the small size of the lot, the required setbacks and transitional yard would create a situation where when combined with the drive-through and parking requirements, the allowable building size would not be financially viable to construct.

DECISION

IT IS THEREFORE the decision of this body that this VARIANCE petition is granted, subject to any conditions stated in the minutes (which are incorporated herein by reference and made a part of this decision).

Adopted this _____ day of _____, 20__

_____ Chairperson

_____ Vice-Chairperson

_____ Secretary

_____ Member

_____ Member

