

# **PROJECT BRIEF - SDVA-25-1**

Application Date: 08/15/2025

Meeting Date: 09/08/2025; 10/14/2025

## Application Description:

Application for a Variance from Subdivision Standards to allow for a smaller right of way for a future road.

Current Zoning: General Business(GB)	Project Location: 2629 N Michigan Rd; 4-88 Century Lane; and
	200+ State Road 62
Applicant: Jim Pruett	Owner: D&W Realty Holdings LLC

## Preliminary Staff Recommendation: Approve

#### **Conditions:**

**Reasoning:** The width of the roadway itself will be built to standards. The reduction of the right of way should not impact the development of the roadway.

# History, Relevant Information, & Prior Approvals:

History:

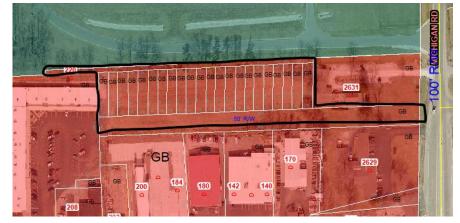
#### Relevant Information:

Part of Century Plaza

### **Prior Approvals:**

## Surrounding Zoning and Land Use:

North: Heavy Industry(M-2)
South: General Business(GB)
East: General Business(GB)
West: General Business(GB)



# Comprehensive Plan, Ordinances, & Finding of Fact

#### Comprehensive Plan:

Future Land Use Designations (Page 74-78)

**COMMUNITY COMMERCIAL** 

Community commercial includes higher intensity uses including national retailers, offices, food services, lodging, and entertainment, which draw customers from the City and adjacent communities. The designation may also contain medium to high density multifamily residential. These developments ideally are located on major thoroughfares and at prominent intersections as these uses require high visibility (enough daily traffic to support significant sales) and convenient access, on larger parcels with dedicated parking. While most community commercial uses are predominately one-story, uses may be mixed both vertically (in the same structure with retail below and residential or office above), or

horizontally -- uses adjacent. New commercial centers should have cohesive architectural styles using high-quality materials, and provide landscaping, lighting, pedestrian accommodations, and even open space if over a certain size. Controlled access (limiting curb cuts) and cross-access easements between businesses (connecting parking lots) should be considered to mitigate potential traffic congestion.

### Ordinance:

## **Subdivision Regulations**, SECTION J - VARIANCES

- 1. Where the Plan Commission finds that extraordinary hardships or practical difficulties may result from strict compliance with these regulations and/or the purposes of these regulations may be served to a greater extent by an alternative proposal, it may approve variances to these subdivision regulations so that substantial justice may be done and the public interest secured, provided that such variance shall not have the effect of nullifying the intent and purpose of these regulations; and further provided the Plan Commission shall not approve variances unless it shall make findings based upon the evidence presented to it in each specific case that:
  - a. The granting of the variance will not be detrimental to the public safety, health, or welfare, or injurious to other property.
  - b. The conditions upon which the request for a variance is based are unique to the property for which the variance is sought and are not applicable generally to other property.
  - c. Because of the particular physical surroundings, shape or topographical conditions of the specific property involved, a particular hardship to the owner would result, as distinguished from a mere inconvenience, if the strict letter of these regulations are carried out.
  - d. The variance will not in any manner vary the provisions of the Zoning Ordinance or Comprehensive Plan as interpreted by the Commission or their agents.
  - e. Where the variance impacts on design and construction of public facilities, all appropriate public agencies have been given ample time to comment in writing to the Commission.
- 2. In approving variances, the Plan Commission may require such conditions as will, in its judgment, secure substantially the objectives of the standards or requirements of these regulations.
- 3. A petition for any such variance shall be submitted in writing by the subdivider at the time when the sketch plat is filed for the consideration of the Commission. The petition shall state fully the grounds for the application and all of the facts relied upon by the petitioner.
- 4. Financial disadvantage to the property owner is not proof of hardship within the purpose of this Ordinance.
- 5. A comprehensive group housing, commercial, or industrial development, including the large-scale construction of housing commercial or industrial units together with necessary drives and ways of access, may be approved by the Plan Commission although the design of the project does not include standard street, lot, and subdivision arrangements, provided that departure from the standards of these regulations can be made without destroying their intent and is in accordance with the provisions of the zoning ordinance relating to planned development.

### Subdivision Regulations, SECTION G - STREETS

- 4. Dedication of Right-of-Way for new streets
  - a. The dedication of right-of-way for new streets measured from lot line to lot line shall be as shown in Table IV-1.

### Zoning Ordinance, SECTION 6.13 – MEDIUM DENSITY RESIDENTIAL (R-8)

A. General

- 1. Floor area ratio Not to exceed one and two-tenths (1.2).
- 2. Lot area No restrictions.
- 3. Lot width This would be based on other restrictions such as setbacks, floor area ratios, and other requirements.
- 4. The Plan Commission shall determine setbacks. Each site should be individually checked by the Building Inspector to determine what the most appropriate setback should be. Landscaping, ease of access, light and air, and costs should all be taken into account. Adjacent uses should also be considered so as to not locate a noisy use next to a quiet one, or some similar misfortune.



DOCKET ID ASSIGNED:

101 W Main St Madison, IN 47250 (812) 265-8324

# Application for Variance from Subdivision Regulations

Application Fee

\$ 50.00

Ad Fee (for Legal Notice)

**OWNER INFORMATION (IF DIFFERENT\*)** 

City: Greensburg

Name: Dan Wu - DEW Realty

\$ 15.00

Total Due

\$ 65.00

Paper applications will be accepted by the Office of Planning, Preservation, and Design; however, electronic submissions through our Permit Portal are preferred. This application can be submitted electronically at www.madison-in.gov/reporting.

Purpose: Per the City of Madison Subdivision Regulations, where the Plan Commission finds that extraordinary hardships or practical difficulties may result from strict compliance with these regulations and/or the purposes of these regulations may be served to a greater extent by an alternative proposal, it may approve variances to these subdivision regulations so that substantial justice may be done and the public interest secured, provided that such variance shall not have the effect of nullifying the intent and purpose of these regulations.

This application must be filed at least 15 days prior to scheduled meeting to be eligible for consideration at that meeting. Actual deadlines vary due to holidays, office business hours and operating schedule, media publishing deadlines, etc. Deadlines are published publicly and can also be provided by contacting the Planning Office.

\_\_\_ Zip: <u>47250</u>

Phone (Preferred): 812. 701.1000	Phone (Preferred): 270 · 952 · 7080
Phone (Alternate): 812 · 274 · 0660	Phone (Alternate):
Email: Jim Pruett @ Jim Pruett. Com	Email: Dan Wu 594011@ gmail. Com
* If Applicant is not Owner, MUST submit documentation from o	
PROPERTY FOR WHICH VARIANCE IS REQUESTED	
Address and/or Legal Description of Property: 2629	N Michigan Rd & others
Zoning Classification: <u>GB</u>	
Description of Existing Use: Vacant Land	
Description of Proposed Use: Approximately Houses on One parcel	20 Single family Rental
List Sections of the Subdivision Regulations for which a variant Table 4-1 Right away width.	ce is requested:
Eorm # DDD B 10 Dov 2	

Respond to each question below with Yes/No and  a. Will this variance be detrimental to the public s	safety, health, or welfare, or injurious to other property?
Sought and are not applicable generally to other	ra variance is based unique to the property for which the variance is er property?  Note: To build homes on both Sides
c. Did the need for the variance arises because of conditions of the specific property involved and mere inconvenience, if the strict letter of these North & South Sides of	area to build houses on hall
d. Will the variance in any manner vary the provisi by the Commission or their agents?  No: Every thing else to l	ions of the Zoning Ordinance or Comprehensive Plan as interpreted
e. If the variance impacts on design and construct given ample time to comment in writing to the Control No. Not necessary to Control No.	tion of public facilities, have all appropriate public agencies been Commission?
Certified letters MUST be mailed to adjoining property of easements as well as others who may share a common can assist you in obtaining this information. Proof of the given to the Planning Office at least one (1) working application unless these are received.  I certify that the information provided in this application and agree to the Certified mail stipulations. I undersume the County Recorder one copy of the approved variance date and a copy provided to the Office. Failure to file	owners (includes owners of real estate at corners, across streets, alleys or to boundary) at least ten (10) days prior to the meeting. The Planning Office the Certified Mail receipts and the corresponding returned green cards shall aday prior to the scheduled meeting. The Board will not review the ation is true and accurate to the best of my ability and I understand stand that it is the responsibility as the Subdivider to file with the ewith the final plat within thirty (30) days of the final plat signature within this time shall constitute a violation of this ordinance.
COMPLETED BY PLANNING OFFICE	Meeting Information: Plan Commission
Application Accepted on:	101 W Main St, Madison, IN 47250 – Council Chambers
Application Accepted by:	Meeting Date: Time: 5:30PM
Documentation Review (Completed by Planning Office)  Owner Authorization provided (if req'd)  Site plan is adequate  Narrative Statements completed	GIS Information to applicant and attached Certified Mail Receipts received (attach) Certified Mail Green Cards received (attach)

## **Amanda Gross**

From:

danwu594011@gmail.com

Sent:

Friday, August 15, 2025 9:41 AM

To:

Amanda Gross; Jim Pruett

## LETTER OF AUTHORIZATION

Date: 8/15/2025

To Whom It May Concern,

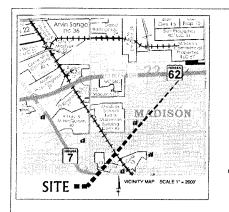
- I, Dan Wu, as a member of D&W Realty Holdings, LLC, hereby authorize Jim Pruett to act on behalf of D&W Realty Holdings, LLC in all matters pertaining to the filing and processing of the following applications:
  - Application to Amend Final Plat
  - Application for Variance from Subdivision Regulations

This authorization includes, but is not limited to, the submission of all necessary documents, attendance at meetings, and communication with relevant authorities regarding these applications.

This authorization is effective as of the date above and shall remain in effect until the completion of the application processes unless revoked in writing by D&W Realty Holdings, LLC.

Sincerely,

**Dan Wu** Member D&W Realty Holdings,LLC



#### ☐ Stake Set • 5/8" Rebar Set (Flush) (Pettitt Survey) ₱ 5/8" Rebar Fnd (As Noted) × Existing Fence 6 Monument Fnd (As Noted) A Mag Nail/Spike End ▲ Mag Nail Set # 1/2" Rebor Fnd (As Noted) 100 150

LEGEND

#### CERTIFICATE OF ACCURACY

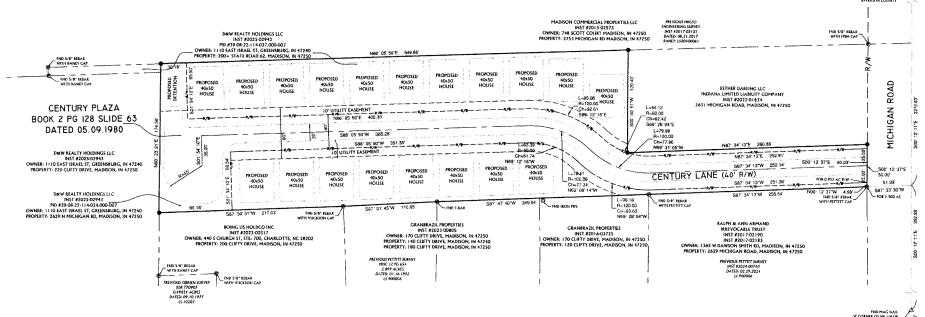
PLANNING COMMISSION CERTIFICATE

Approved this \_\_\_\_\_day of \_\_\_\_

A.D. 20\_\_\_\_\_ By the planning commission staff.

SCHOOLS SAUGESSAU

# RE-PLAT CENTURY PLA7A LOTS 1-22



NOTARY CERTIFICATE

STATE OF INDIANA

State aforesaid, do nereby certify that \_\_

\_\_\_ a Notary Public in and for the said County, in the

personally known to me to be the same person(s) whose name is (are) subscribed to the foregoing instrument as such owner(s), appeared before me this day in person and acknowledged the execution and delivery of this pict os a free and voluntary act for the uses and purposes herein set forth.

County of residence.

Notary Public

#### OWNER'S CERTIFICATE

STATE OF INDIANA

This is to certify that the undersigned is the owner of the land herein described on this plot and that he has caused the same to be surveyed as indicated thereon, for the uses and purposes herein set forth, and does hereby admarkedge and adopt the some under the style and title indicated.

# SURVEYOR'S CERTIFICATE

I the undersigned, a Registered Land Surveyor, in the State of Indiana, hereby certify that a survey was performed by me or personnel enployed by me, and under my direct with the state of the state of

Dated: 8/15/2025

William E. Pettitt Registered Land Surveyor #LS80900006

I. WINDOM E. Pettitt, AFRAM, CHOER THE RESILES FOR REPOWER, HART I HAVE TAKEN BRADDAMBLE CONF. TO REDICE STALLA SOCIAL SECURITY WEMBER ALTHIS DOCUMENT, CAUCISE RETURNING BY LAW.

Per 865 IAC 1-12-12, This Plot and Survey will be VOID if not recorded within 3 months of the Survey Certification Date.

#### PROPOSED LOT SETBACKS

FRONT: 10' REAR: 5' SIDE: 3' (EACH)





#### PETTITT & ASSOCIATES

Surveyors Engineers 11 Medical Plaza P.O.Box 412 Hanover, IN 47243 (812) 866-2562 Fax (812) 866-2561

DRAWN BY: JEL CHECKED BY: JWK JOB NO: 25-149 Revision Drawn By Date SCALE: 1" = 50' DATE: 8/15/2025 HEFSAT SURVEY OF CENTURY PLAZA IN SEC 22. TAN. RISE. MADISON TOWNSHIP, USES, CO. DRAWING NO.



BEING ALL OF LICT NO. 1-22 M CENTINY PLAZA, RECORDED IN PLAY BOOK 2 PAGE 128, SUDG 83 AND DATED 5-10+1000 AND BRIDG PART OF THE NORTHEAST QUARTER OF SECTION 22. TOWNHAIP A INCERT NAME 10 EAST, MADISON TOWNSHIP, JEFFERSON COUNTY, INDIANA AND BEING THE SAME PROPERTY. CONVEYED TO DAW REALTY HOLDINGS LLE OF HISTRUMENT HUNGER 20250243 AND BREIND ANN MURR, BY INSTRUMENT NUMBER 20250243 AND BREIND ANN MURR, BY INSTRUMENT NUMBER 2025045 AND BREIND ANN MURR, BY INSTRUMENT NUMBER 2025045 AND BREIND ANN MURR, BY INSTRUMENT NUMBER 2025045 AND BREIND ANN MURR, BY INSTRUMENT NUMBER 2025 AND STREAM AND AND STREAM DIRECT SUPERVISION OF WILLIAM E PETITIT, PLS #900006, DATED AUGUST 15, 2025, HAVING A JOB NUMBER OF 25-149 AND BEING PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A MAG SPIKE FOUND AT THE NORTHEAST CORNER OF SECTION 22, TOWNSHIP 4 NORTH,

THENCE SOO' 12'11'E, 2272.83 FEET;

THENCE \$87°33'30"W, \$1.99 FEET TO A FOUND 5/8" REBAR AT THE TRUE POINT OF BEGINNING:

THENCE WITH THE NORTH LINE OF PROPERTY CONVEYED TO RALPH E ARMAND AND ANN ARMAND, S87°34'13"W, 255.54 FEET TO A FOUND 5/8" REBAR;

THENCE 587°47'40"W, 249,04 FEET TO A FOUND T-BAR:

THENCE \$87°0 1'45"W. 1 10.65 FEET TO A FOUND 5/8" REBAR CAPPED BY VUCKSON:

THENCE \$87°50'31"W. 217.03 FEET TO A SET 5/8" REBAR WITH CAP:

THENCE NOO"23'21"E. 174.56 FEET TO A SET 5/8" REBAR WITH CAP:

THENCE N86°05'50"E. 549.86 FEET TO A SET 5/6" REBAR WITH CAP:

THENCE 500'00'51"W. 120.40 FEET TO A SET 5/8" REBAR WITH CAP:

THENCE N87°34'13"E, 280.89 FEET TO A SET 5/8" REBAR WITH CAP AT THE WEST RIGHT OF WAY OF

THENCE SOO' 1 2'37"E, 50.00 FEET TO THE POINT OF BEGINNING:

CONTAINING A TOTAL OF 2.500 ACRES OF LAND, MORE OR LESS, SUBJECT TO EASEMENTS, CONDITIONS, RESTRICTIONS, COVENANTS, AND RIGHTS-OF-WAY OF RECORD.

EXCEPTING 0.957 ACRES FOR ROAD RIGHT A WAY AND BEING DESCRIBED AS FOLLOWS:

BEGINNING AT A MAG SPIKE FOUND AT THE NORTHEAST CORNER OF SECTION 22, TOWNSHIP 4 NORTH, RANGE TO EAST:

THENCE 500" | 2" | 1" E. 2272.83 FEET;

THENCE \$87°33'30"W, 51.99 FEET TO A FOUND 5/8" REBAR;

THENCE N OO' 12'37" W. 4.98 FEET TO THE POINT OF BEGINNING:

THENCE S 87°34'13" W, 251.36 FEET;

THENCE ALONG A CURVE HAVING AN ARC DISTANCE OF 98, 18 FEET AND A RADIUS OF 120,00 FEET AND A CHORD BEARING N 69°28'04" W. A DISTANCE OF 93,63 FEET;

THENCE ALONG A CURVE HAVING AN ARC DISTANCE OF 63.39 FEET AND A RADIUS OF 60.00 FEET AND A CHORD BEARING N 69°12′16′ W. A DISTANCE OF 61.74 FEET;

THENCE 5 88"05"50" W. 351.35 FEET;

THENCE S 01'54'10" E. 68.54 FEET:

THENCE S 87°50'31" W. 86, 16 FEET:

THENCE N 00°23'21" E. 174.56 FEET:

THENCE N 88"05"50" E, 30.18 FEET:

THENCE S 01°54'10" E, 65.50 FEET;

THENCE N 88'05'50" E, 400.35 FEET;

THENCE ALONG A CURVE HAVING AN ARC DISTANCE OF 95.08 FEET AND A RADIUS 120.00 FEET AND A CHORD BEARING 5 69°12'16" E, A DISTANCE OF 92.61 FEET:

THENCE ALONG A CURVE HAVING AN ARC DISTANCE OF 64.12 FEET AND A RADIUS 80.00 FEET AND A CHORD BEARING S 69°28'04" E, A DISTANCE OF 62.42 FEET;

THENCE N 87°34'13" E, 252.91 FEET TO THE RIGHT OF WAY OF MICHIGAN ROAD:

THENCE S OO' 12'37" E. 40.03 FEET TO THE POINT OF BEGINNING:

CONTAINING IN ALL AFTER SAID EXCEPTION A TOTAL OF 1.543 ACRES

THE BASIS OF BEARING FOR THIS DESCRIPTION IS THE INDIANA STATE PLANE US SURVEY FOOT, GEIOD 18. NAD83.

ALL CALLED SET IRON PIN AND CAPS ARE 5/6" REBAR WITH ORANGE CAP STAMPED "PETTITT PLS 900006".

# **RE-PLAT CENTURY PLAZA** LOTS 1-22

THE ATTACHED PLAT WAS PREPARED AUGUST 15, 2025, FROM A FIELD SURVEY PERFORMED FROM JULY 23, 2025 TO AUGUST 1, 2025 BY JON KUNER UNDER MY DIRECT SUPERVISION. THE FINAL MONUMENTS WERE SET AUGUST 1, 2025.

THERE MAY BE UNMITTEN RIGHTS AFFECTING THE SUBJECT PROPERTY, WHICH MAY OR MAY NOT BE SHOWN ON THE SURVEY DRAWING, UNLESS NOTED HEREON THERE IS NO VISIBLE EVIDENCE OF OCCUPATION OR POSSESSION ALONG BOUNDARY LINES OF THE SURVEYED PROPERTY, MONLINENTS WERE RECOVERED OR SET AS SHOWN ON THE ATTACHED DRAWING.

THE PRIPOSE OF THIS SHYCT WAS TO BELLY EDITINF PLAZA SUBDIVISION AND LANDS CONNETED TO DAW REALTY HOLDINGS LIC RECORDED AS INSTRUMENT SHAMES SHAME AND THE PLAZA RECORDED AS RETURNING TO HARDERS SHAME AND THE PLAZA RECORDED AS ROOMED AS ROOMED.

THE BASIS OF BEARINGS FOR THIS DESCRIPTION IS THE INDIANA STATE PLANE, US SURVEY FOOT, GEIOD 16, NAD63.

SURFACE AND SUBSURFACE IMPROVEMENTS ON OR ADJACENT TO THE SURVEY ARE NOT NECESSARILY SHOWN, SUBSURFACE AND ENVIRONMENTAL CONDITIONS WERE NOT EXAMBLED OR CONSIDERED A PART OF THIS SURVEY, NO ABSTRACT OF TITLE, TITLE COMMITMENT, NOR RESULTS OF TITLE SEARCHES WERE FURNISHED TO THE SURVEYOR.

THIS PARCEL IS CURRENTLY ZONED IGBI GENERAL BUSINESS, BUILDING AND ZONING SETBACKS DETERMINED BY GOVERNING AUTHORITY.

THIS TRACT LIES WITHIN A MINIMAL FLOOD MAZARD ZONE X AS SAID TRACT PLOTS BY SCALE ON FIRM PANEL 18077C017CC, EFFECTIVE DATE APRIL Z. 2015. THE ACCUMANT OF THE FLOOD MAZARD STATEMENT SHOWN ON THIS REPORT IS SUBJECT TO MAP SCALE UNCERTAINTY AND TO ANY OTHER UNCERTAINTY IN LOCKTION OF THE LICENTRICENCE DUCOD MEMBARICE ARE MEMBARICE THE MEMBARICE ARE MEMBARICE THE MEMBARICE ARE MEMBARICE ARE MEMBARICE AND THE MEMBARICE AND T

The relative positional accuracy (due to random errors in measurement) of the corners of the survey established hereon is within the Specifications of a "urban" survey as defined in 665 Mg (++) 2-7.

#### SURVEYOR'S CERTIFICATE

I the undersigned, a Registered Land Surveyor, in the state of Indiana, hereby certify that a survey was performed byte of Indiana, hereby certify that a survey was performed type of the man under my direct supervision, of property as herein described and manumented, and that this plot is true and correct to the best of my information, knowledge, and belief.

Dated: 8/15/2025

William E. Pettitt
Registered Land Surveyor
#LS80900006

I. WINIOM E. Pettitt, AFFIRM. UNDER THE PENALTIES FOR PERJURY, THAT I HAVE TAKEN REASONABLE CARE TO REDACT EACH SOCIAL SECURITY NUMBER IN THIS DOCUMENT, UNLESS REQUIRED BY LAW.

Per 865 IAC 1-12-12, This Plot and Survey will be VOID if not recorded within 3 months of the Survey Certification Date.





## PETTITT & **ASSOCIATES** Surveyors Engineers

11 Medical Plaza P.O.Box 412 Hanover, IN 47243 (812) 866-2562 Fux (812) 866-2561

CERTIFIED BY DATE
Revision Drawn By Date

SCALE: 1" = 50' DRAWN BY: JEL DATE: 8/15/2025 JOE JEL CHECKED BY: JWK JOB NO: 25-149 FOR: JIM PRUETT

REPLAT SURVEY OF CENTURY PLAZA IN SEC 22. TAN, RIDE, MADISON TOWNSHIP, JEFF. CO.

