



City of  
**Lawrence**  
Indiana

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Address: 8935 E 46<sup>th</sup> St, Parcel 4003610  
Docket # 24 LAP 08  
Hearing Date: February 18, 2025  
Council District # 2 ~ Rick Wells

Petitioner: Chosen Lawrence Manor LLC, d.b.a. Hickory Treatment Center  
c/o MAJH Holding Co LLC  
11988 Fishers Crossing Dr, Suite 100  
Fishers, IN 46038  
317-808-5820

Agent: Kevin Buchheit  
Krieg DeVault LLP  
12800 N Meridian St, Suite 300  
Carmel, IN 46032  
317-808-5820  
[Kbuchheit@kdlegal.com](mailto:Kbuchheit@kdlegal.com)

Owner: Same as Petitioner

**Application:**

On or before January 2020, the City of Indianapolis (the "City") conducted an administrative analysis and summarized its determination regarding similar land use classifications and the application of the Indianapolis-Marion County Consolidated Zoning/Subdivision Ordinance (the "Ordinance") to those classifications.

On January 16, 2020, the City issued its letter of administrative determination (the "Administrative Determination") that a "specialty type 'Substance Use Disorder Residential Addiction Treatment Facility'" is similar to a Nursing Home under the Ordinance.

In receipt of the Administrative Determination, Chosen Lawrence Manor LLC, d.b.a. Hickory Treatment Lawrence ("Hickory") established an addiction treatment facility on real estate located at 8935 East 46th Street (the "Property") in an existing building that legally hosted a former nursing home.

Hickory is filing this letter with the City of Lawrence Board of Zoning Appeals (the "Board") as its application for an Administrative Appeal under IC 36-7-4-918.1 in order to have the Board AFFIRM the Administrative Determination as it pertains to the Property.



**Analysis:**

This property is zoned D6. A Variance of Use was granted in the 1970's to allow a Nursing Home (SU6).

2020-2021 permits were issued to remodel the property. Once completed the owner opened as a substance abuse treatment and rehabilitation center.

The petitioner provided a letter from the City of Indianapolis, dated January 16, 2020, "The Department of Metropolitan Development as has reviewed the Ordinance and applicable use-specific criteria for 'Nursing Homes' and determined that the proposed facility aligns with intent of the Ordinance".

**Summary of the Subject Property Zoning Standards**

Current Zoning Designation:	D3
Surrounding Property Zoning	
North:	D7
South:	D3
East:	D3
West:	D3
Current Land Use:	Commercial
Compact Context Area:	Metro
Transit-Oriented Overlay:	Yes
Relevant Code Sections:	<a href="#">Table 742-101-1 Primary Zoning Districts Special Use (SU) Districts</a> <a href="#">Table 743-1 Use Table</a>



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January 16, 2020

Jay Chaudhary, JD  
Director, Division of Mental Health and Addiction  
Indiana Family and Social Services Administration

Mr. Chaudhary,

Research indicates that the proposed Hickory House facility was previously used as a nursing home facility defined in Consolidated Zoning Ordinance of Indianapolis-Marion County as:

**Nursing Home** (IRZ, 740-202): Licensed facilities primarily engaged in providing shelter, food and intermediate or long term nursing and health related care for individuals that may include assisted living facilities, but does not include hospitals, clinics or similar institutions devoted primarily to the diagnosis and treatment of the sick or injured. This definition includes uses such as convalescent care.

The following use-specific standards would apply (IRZ, 743-302(J)):

**J. Nursing Home**

1. Nursing homes shall be licensed by the Indiana State Department of Health and obtain, comply with, and maintain any required license from the Marion County Public Health Department.
2. Nursing homes in dwelling districts shall be designed to be residential in character.
3. Nursing homes shall be designed with appropriate access and maneuverability for emergency vehicles.

It is our understanding that Hickory House intends to pursue Indiana State Licensure under "specialty type 'Substance Use Disorder Residential Addiction Treatment Facility' to provide ASAM level 3.5 residential services. Per ASAM standards, level 3.5 residential treatment provides high intensity clinically focused services for individuals with substance use disorder who require less medical and clinical support than an inpatient hospital setting but more medical and clinical support than an outpatient setting." (Feder, 1.9.2020). The Department of Metropolitan Development as has reviewed the Ordinance and applicable use-specific criteria for 'Nursing Homes' and determined that the proposed facility aligns with intent of the Ordinance. Any expansion, alteration or addition of new facilities or uses will require further review by the Department of Metropolitan Development. The renovation of the facility and/or new construction shall be in compliance with all applicable building codes and permitting procedures.

Cordially,

A handwritten signature in black ink, appearing to read "Shannon Norman".

Shannon Norman, Principal Planner II--Ordinances





**Aerial:**





**Zoning Base Map:**





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**Cathy & James Clark**  
8807 E. 46<sup>th</sup> Street  
Indianapolis, IN 46226  
317-710-3143  
airclawn@aol.com

Distribution: Secretary to the Lawrence Board of Rezoning Renea Rafael Delivered in Person  
December 10, 2024  
City of Lawrence Legal Counsel delivered in Person December 10, 2024

Property Address 8935 E 46th St. Lawrence Indiana 46226  
Docket No. 24LAP 08

**VIO23-005505-See Attachment**

Subject: Violation of zoning ordinance City of Lawrence by Chosen Lawrence Manor Healthcare, LLC, Hickory Treatment Lawrence, Hickory Drug Rehab, Hickory Treatment center at Lawrence, Hickory House, PMHI, MAJH Holdings CO, LLC, & Sky Rehabilitation.

Doing business as Hickory Treatment Drug Rehab at 8935 E 46th St Lawrence 46226

- 1. Request to Speak in opposition of Chosen's Administrative Appeal to affirm an administrative determination related to land use.**
- 2. Request to postpone the Variance Zoning Hearing Request has been made to the Lawrence City Zoning Commission to delay the hearing date to March 18, 2025,** Time Frame for reasonable time for the residents to have ample information and time to assemble documents previously received as part of an Indiana freedom of Information Act The city of Lawrence provided an abundance of material pertaining to Chosen Healthcare/Hickory Drug Rehab concerning a deliberate and ongoing use of misinformation concerning the former Lawrence Manor Nursing home convalescent facility.

Residents have in their possession material both text and photographic also including emails and fax documents detailing the use of misinformation and lies regarding the intended use of the former Lawrence Manor.

Residents have material implicating the City of Lawrence (prior administration) showing a possible collusion with Chosen Healthcare to subvert the ordinances of Lawrence but also Indiana State Law regarding this matter.

The residents require a delay in the zoning variance hearing in order to obtain proper legal counsel regarding the violation of the rights as both citizens of the Watson Addition area and as property owners in the Watson surrounding area.

Residents are anticipating bringing a civil legal action against Chosen Healthcare/ Hickory Drug Rehab The request has been made in writing to the City of Lawrence Legal Department and Board Zoning Appeals board.

A copy of this letter has also been forwarded to both Legal & Board Zoning Appeals Board city offices. Should you have any questions regarding this letter please forward to.



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**Parties that request speaking on December 17, 2024 Appeals hearing or any future meetings.**

**Cathy & James Clark  
Robert Charlock**

*Cathy Clark*



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Re: Update regarding 8935 E. 46th Street

From: robert charlock (indyauditions@gmail.com)

To: airclawn@aol.com; airclawn@icloud.com

Date: Thursday, August 17, 2023 at 02:59 PM EDT

Good morning, I've spent time the last few days going over the response to my last FOIA request, what I find is that about 90% of the materials sent are communication from Myself and Jim and Cathy Clark to the city regarding the 8935 E46th St property. I did find some interesting material that brings new questions into play regarding the Lawrence city government's knowledge of the intent of Chosen Healthcare's to operate a drug rehab at the address.

What I did not find was the answer to my questions in the FOIA request, I believe the request was very clearly written, I would ask you to revisit and provide the answers. If it's necessary to resubmit the identical request please let me know, I don't feel it is.

If the city's position is that it has just become aware that Chosen has opened a drug rehab under the name of Hickory then please put that in a written form, email or letter.

Bob Charlock

On Tue, Aug 15, 2023 at 1:53 PM robert charlock <[indyauditions@gmail.com](mailto:indyauditions@gmail.com)> wrote:

This is laughable they now filed, now when nothing can be done.

----- Forwarded message -----

From: **Voller, Kaitlin** <[kvoller@cityoflawrence.org](mailto:kvoller@cityoflawrence.org)>

Date: Tue, Aug 15, 2023 at 12:28 PM

Subject: Update regarding 8935 E. 46th Street

To: robert charlock <[recoveryfood4souls@gmail.com](mailto:recoveryfood4souls@gmail.com)>, [indyauditions@gmail.com](mailto:indyauditions@gmail.com) <[indyauditions@gmail.com](mailto:indyauditions@gmail.com)>

Cc: Rothenbush, Mary Jo <[mrothenbush@cityoflawrence.org](mailto:mrothenbush@cityoflawrence.org)>

Mr. Charlock,

I wanted to provide an update regarding the property located at 8935 E. 46<sup>th</sup> Street. If you search **VIO23-005505**, Indianapolis has opened various zoning violation enforcement actions against Chosen Healthcare, including the following:





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Select To Print:  
Violation Status:  
Date:  
Property Owner:  
Registered Agent:  
Tenant:  
Zoning General Provisions:  
Specific Violation:

Yes  
Open  
08/15/2023  
Yes  
Yes  
Yes  
Section 740 -1005 A.7. Civil Zoning Violation  
The conduct of any activity in a zoning district, not  
specifically enumerated as a permitted primary or accessory  
use in that zoning district.743-303.H. - A drug habilitation  
center/treatment facility is not permitted in a D-3  
district...("Hickory Treatment Center At Lawrence").

Select To Print:

Yes



COPY

# No Drug Rehab in Our Neighborhood

Name Address Phone (optional)

~~Edgar Gonzalez~~ 8928 E 46<sup>th</sup> St 46226

Douglas R. Clark 8943 E 46<sup>th</sup> St 46226

~~SARAH CLARK~~ 8943 E 46<sup>th</sup> St 46226

~~Juan Carlos Abrego~~ 8934 E 46<sup>th</sup> St 46226

Mark C. Johnson 8802 E 46<sup>th</sup> St 46226

Kari H. Clark 8760 E 46<sup>th</sup> St 46226

Hector Martinez Rodriguez 4450 Clinton St Indianapolis 46226

J. Michael Stiles 8640 E 45<sup>th</sup> St

Janet Schulmeyer 8804 E 45<sup>th</sup> St Lawrence, IN 46226

Jerry Schulmeyer 8804 E 45<sup>th</sup> St Lawrence, IN 46226

ROBERT CHALOUF 8924 E 45<sup>th</sup> St 46226

Tyler Merritt-Jones 8939 E 45<sup>th</sup> St 46226

Cathy L Clark 8807 E 46<sup>th</sup> St 46226 317-710-3143

Vicki Ward 8940 E 45<sup>th</sup> St 46226 317-529-1968

8948 E 45<sup>th</sup> St 46226

Jose GANZALEZ 8950 45<sup>th</sup> St 46226

Debra Brown 4460 N. Past Rd 46226 317-8959391

Arsene Jones 8830 E 45<sup>th</sup> 46226 317-897-887

Air Force 8830 E 45<sup>th</sup> 46226 - 317-897-3866



# No Drug Rehab in Our Neighborhood

Name

Address

Phone (optional)

James O Edwards 4517 N. Clinton St Indpls, In. 46226

Shannon King 7230 INDIAN LAKE CO INDPIS IN 46236

Brittany Carter 4519 Clinton St (317) 402-7475

Michelle Brown 4519 Clinton St (812) 604-3027

J E Clark (James E Clark) 8803 8807 8815 8821 317 710 3145  
 Dawn Coover 8925 8931 8914 E 46th dawn@ad.com  
 4517 4519 Clinton 8812 E 45th