

October 16, 2024

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City of Lawrence Board of Zoning Appeals  
9001 East 59<sup>th</sup> Street  
Lawrence, Indiana 46216

RE: Affirmation of Administrative Determination

Dear Board Members:

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 46<sup>th</sup> 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. The Administrative Determination is enclosed.

In the absence of an official application for Administrative Appeal, Hickory is filing this letter and the Administrative Determination on this date in order for its appeal to be heard by the Board at its November 19, 2024 meeting. Please advise whether the Board will require additional information for its consideration of this appeal, and please contact us with any questions.

Sincerely,



Kevin G. Buchheit, AICP  
Agent for Chosen Lawrence Manor LLC, d.b.a.  
Hickory Treatment Lawrence

Enclosure



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,

Shannon Norman, Principal Planner II--Ordinances