



Board of Zoning Appeals Division I (March 5, 2024) Meeting Agenda

Meeting Details

Notice is hereby given that the Metropolitan Board of Zoning Appeals will hold public hearings on:

Date: Tuesday, March 05, 2024

Time: 1:00 PM

Location: Public Assembly Room, 2nd Floor, City-County Building, 200 E. Washington Street

Business:

Adoption of Meeting Minutes

Special Requests

PETITIONS REQUESTING TO BE CONTINUED:

1. 2024-DV1-006 | 5565 Bertha Street

Wayne Township, Council District #17, Zoned D-4

Juan Carlos Lopez Cortes and Silvia Canchola Medina

Variance of Development Standards of the Consolidated Zoning and Subdivision Ordinance to provide for the location of a detached garage with a 4.5-foot rear yard setback and a two-foot east side yard setback (five-foot side and rear yard setbacks required).

**** Staff requesting continuance to April 2, 2024 hearing of Division I to allow for amended notice**

Petitions for Public Hearing

PETITIONS TO BE EXPEDITED:

2. 2024-DV1-003 | 7219 92nd Street

Pike Township, Council District #1, Zoned D-1

Daniel & Sarah Richardt, by Jay Christman

Variance of Development Standards of the Consolidated Zoning and Subdivision Ordinance to provide for the construction of a 26.5-foot tall pole barn taller than the primary building, with a four-foot front yard setback from and within the front yard of Moore Road (maximum height of 24 feet permitted, height of accessory buildings must be less than height of primary building, 30-foot front yard setback required, accessory structures not permitted in front yards).

3. 2024-DV3-002 | 6161 East 82nd Street

Lawrence Township, Council District #4, Zoned C-3 (FF)

Gilligan Company, by Mike Friend

Variance of Development Standards of the Consolidated Zoning and Subdivision Ordinance to provide for the location of a drive-through and stacking space within the front yard of Knue Road, without the required service unit screening (not permitted within front yards along rights-of-way greater than 30 feet wide, and screening required).

4. 2024-UV3-001 | 1615 West Edgewood Avenue

Perry Township, Council District #22, Zoned C-4
GND Property Inc., by Epifanio Carbajal

Variance of use of the Consolidated Zoning and Subdivision Ordinance to provide for primary and accessory residential uses (not permitted).

PETITIONS FOR PUBLIC HEARING (Transferred Petitions):

5. 2023-UV3-022 | 8345 Bash Street

Lawrence Township, Council District #3, Zoned C-4
CF Laughner Associates, by David Gilman

Variance of use of the Consolidated Zoning and Subdivision Ordinance to provide for the construction of a building to be used for automobile sales (not permitted).

6. 2023-UV3-026 | 4328 East Michigan Street

Center Township, Council District #13, Zoned MU-1
Robert McInteer

Variance of use and development standards of the Consolidated Zoning and Subdivision Ordinance to provide for the conversion of an existing building to a duplex (not permitted) with one-foot front yard setbacks from Michigan Street and Euclid Avenue and a six-foot west side yard setback (12-foot front yard, 10-foot side yard setbacks required).

PETITIONS FOR PUBLIC HEARING (Continued Petitions):

7. 2023-UV1-021 | 7040 Rockville Road

Wayne Township, Council District #15, Zoned D-3
Donald P. Quass, by David Gilman

Variance of use and Development Standards of the Consolidated Zoning and Subdivision Ordinance to provide for a secondary dwelling unit, without an owner living on site (not permitted), with a zero-foot west side yard setback (six-foot side yard setback required).

8. 2023-UV1-027 | 7425 Westfield Boulevard

Washington Township, Council District #2, Zoned D-4 (TOD) (FF)
7425 Westfield Boulevard LLC, by Michael Lang

Variance of use and development standards of the Consolidated Zoning and Subdivision Ordinance to provide for the operation of a mental health treatment facility (not permitted) with 20 off-street parking spaces (31 parking spaces required).

**** Petitioner requests withdrawal of request**

PETITIONS FOR PUBLIC HEARING (New Petitions):

9. 2024-MO1-001 / 2024-DV1-007 | 7530 Allisonville Road

Washington Township, Council District #3, Zoned D-A (FW) (FF)
Phillip D. Rushton & Joanne Rushton Rev. Trust – Rebecca Patton Successor TTE, by Gregory J. Cagnassola

Modification of Commitments related to 2009-UV2-036, to terminate Commitment Number Eight and Four, which requires compliance with required setbacks of the D-A District, and the use of slick mounted antenna and associated attachments, respectively.

Variance of Development Standards of the Consolidated Zoning and Subdivision Ordinance to provide for the location of structures related to the cell phone tower resulting in a seven-foot south side and 0.5-foot north side yard setback and a 2.5-foot rear yard setback, resulting in a 7.5-foot aggregate side yard setback (30-foot side yard, 75-foot aggregate side yard, 75-foot rear yard setbacks required) and a lot line adjustment resulting in a 0.606-acre lot and a 40-foot frontage (minimum three acres and frontage of 125 feet required).

**** Staff requesting a continuance and transfer to the March 19, 2024 hearing of Division III**

10. 2024-MO1-002 | 3527 North College Avenue
Center Township, Council District #8, Zoned D-5
Walvan Investments LLC, by John Cross

Modification of Commitments related to 2018-UV1-006, to terminate Commitment Numbers One and Two, requiring sale of units to owner-occupants and prohibiting subsequent owners from renting individual units.

11. 2024-DV1-005 | 1639 Lafayette Road
Wayne Township, Council District #12, Zoned I-3 (FW)
Gardner Glass Products, by Nick Lee

Variance of development standards of the Consolidated Zoning and Subdivision Ordinance to provide for the location of gravel parking and storage areas, within 23 feet of a protected district and partially encroaching into right-of-way (hard surfaced parking area, 40-foot transitional yards required, encroachment into right-of-way disallowed).

Additional Business:

**The addresses of the proposals listed above are approximate and should be confirmed with the Division of Planning. Copies of the proposals are available for examination prior to the hearing by emailing planneroncall@indy.gov. Written objections to a proposal are encouraged to be filed via email at dmdpubliccomments@indy.gov, before the hearing and such objections will be considered. At the hearing, all interested persons will be given an opportunity to be heard in reference to the matters contained in said proposals. The hearing may be continued from time to time as may be found necessary. For accommodations needed by persons with disabilities planning to attend this public hearing, please call the Office of Disability Affairs at (317) 327-5654, at least 48 hours prior to the meeting. - Department of Metropolitan Development - Current Planning Division.