



Board of Zoning Appeals BZA Division I (March 7, 2023) Meeting Agenda

Meeting Details

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

Date: Tuesday, March 07, 2023

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. 2022-SE1-001 | 4330 Michigan Road

Washington Township, Council District #8, Zoned SU-2 (FW) (FF)
Veracity Land Use Development Services, by Michael Clust

Special Exception of the Consolidated Zoning and Subdivision Ordinance to provide for a wireless communications facility with a 200-foot tall monopole tower and a four-foot lightening rod.

*Petitioner requesting continuance to April 4, 2023.

2. 2022-SE1-002 | 9140 East McGregor Road

Franklin Township, Council District #25, Zoned D-A
Shalom Christian Church, by Jonathan L Albright Jr.

Special Exception of the Consolidated Zoning and Subdivision Ordinance to provide for religious uses and a modification of development standards to allow for the construction of a religious use facility, parking lot and related accessory structures with a 22-foot western side yard and rear yard (minimum 30-foot side yard setback, 75-foot rear yard setback required).

*Staff requests continuance, for cause, to the April 4, 2023 hearing.

Petitions for Public Hearing

PETITIONS TO BE EXPEDITED:

3. 2023-UV1-005 | 6144 North College Avenue

Washington Township, Council District #2, Zoned D-4 (TOD)
Angela Alney

Variance of use of the Consolidated Zoning and Subdivision Ordinance to provide for the operation of a beauty salon (not permitted).

4. 2023-DV1-005 | 3100 North Meridian Street

Center Township, Council District #9, Zoned SU-2 (TOD)
Herron Preparatory Academy Real Estate, LLC, by David Kingen & Emily Duncan

Variance of development standards of the Consolidated Zoning and Subdivision Ordinance to provide for a decorative six-foot tall fence within the front yard of Meridian Street (maximum 42-inch-foot tall fence permitted) and a freestanding monument sign within 85 feet of another freestanding sign (300-foot separation required).

PETITIONS FOR PUBLIC HEARING (Transferred Petitions):

5. 2022-DV1-057B | 4001 North Park Avenue (Indecisive)

Washington Township, Council District #7, Zoned D-5 (TOD)

Brandi Waddy

Variance of development standards of the Consolidated Zoning and Subdivision Ordinance to provide for street access to an existing detached garage (access from an improved alley required).

6. 2022-DV2-045 | 1251 South Alabama Street

Center Township, Council District #16, Zoned D-5

David M Rollings, by Mark & Kim Crouch

Variance of development standards of the Consolidated Zoning and Subdivision Ordinance to legalize the existing ten-inch front, rear and northern side yard setbacks (front setback of zero-ten feet required for Terrace Frontages, 20-foot rear yard, five-foot side yard setback required) with no off-street parking provided (one space required); and to provide for a roofline change along a non-conforming setback and vertical expansion (not permitted), all within the clear sight triangle of Alabama and the intersecting alley (encroachment of clear sight triangles not permitted).

PETITIONS FOR PUBLIC HEARING (Continued Petitions):

7. 2022-DV1-062 (Amended) | 1012 Olive Street

Center Township, Council District #17, Zoned D-5 (TOD)

Kristen Fern

Variance of development standards of the Consolidated Zoning and Subdivision Ordinance to provide for a driveway with a zero-foot north side yard setback and a three-foot rear yard setback (three-foot side yard setback and 20-foot rear setback required) providing access from Olive Street (exclusive vehicle access from improved alley required).

8. 2022-DV1-063 | 114 East 49th Street (4901 North Pennsylvania Street Parcel Address)

Washington Township, Council District #7, Zoned C-3 (MSPC)

Patachou, Inc., by Jonathan W. Hughes

Variance of development standards of the Consolidated Zoning and Subdivision Ordinance to provide for the enlargement of an outdoor sidewalk cafe area from 777 square feet to 1,142 square feet (not permitted), with a permanent awning.

9. 2022-UV1-035 (3rd Amended) | 6234 East Hanna Avenue

Franklin Township, Council District #18, Zoned I-3

Exotic Metal Treatment, by Brian E. Moench

Variance of use and development standards of the Consolidated Zoning and Subdivision Ordinance to provide for the operation a metal treatment facility (not permitted) and a building addition with a 38-foot front transitional yard along Hanna Avenue, an expanded parking area with a 14-foot transitional yard along Hanna Avenue (150-foot transitional yard required) and an expanded parking area with a 12-foot front yard setback from the proposed right-of-way of Churchman By-Pass (60-foot front setback from proposed right-of-way required), deficient landscaping and a waiver of sidewalk installation requirements along Churchman By-Pass (installation of sidewalks required).

PETITIONS FOR PUBLIC HEARING (New Petitions):

10. 2023-DV1-003 | 8838 West 21st Street

Wayne Township, Council District #6, Zoned D-A

Paul Brannon

Variance of development standards of the Consolidated Zoning and Subdivision Ordinance to provide for the

construction of a 3,450 square foot detached accessory structure to be used as a hobby shop, being larger than the primary dwelling (not permitted).

11. 2023-DV1-004 | 1456 Fletcher Avenue

Center Township, Council District #17, Zoned D-5
Equity Trust Company, by Mark and Kim Crouch

Variance of development standards of the Consolidated Zoning and Subdivision Ordinance to provide for the construction of a detached carriage house with 1.5-foot side yard setbacks (five-foot side setbacks), encroaching within the clear sight triangle of the alley (encroachment of clear sight triangles not permitted), without an entry to the secondary dwelling visible from the right-of-way (required) and a walkway with a 1.5-foot west side yard setback.

12. 2023-DV1-007 | 3651 Five Points Road

Franklin Township, Council District #18, Zoned D-A / SU-43
Kevin L. Strickford, by Russell L. Brown and Elizabeth Bentz Williams

Variance of development standards of the Consolidated Zoning and Subdivision Ordinance to provide for the construction of a barn with a 21-foot north and aggregate side yard setback (30-foot side yard setback, 75-foot aggregate required), partially located within the front yard of Five Points Road (accessory structures not permitted forward of the established building line).

*Possible Expedite

13. 2023-DV1-008 | 8144 East Southport Road

Franklin Township, Council District #25, Zoned C-4
DRGSF Surplus, LLC, by Russell Brown and Elizabeth Bentz Williams

Variance of development standards of the Consolidated Zoning and Subdivision Ordinance to provide for the development of an outlot, including:

- a) The erection of a third freestanding sign along Southport Road, being 260 feet from an existing freestanding sign to the east (maximum of two freestanding signs permitted per frontage, 300-foot separation required);
- b) 51 162-square foot parking spaces provided (maximum 43 parking spaces permitted, minimum 180 square feet required); and
- c) A drive through with stacking spaces within the front yard of Southport Road (not permitted) and no exclusive bypass aisle (required).

14. 2023-UV1-004 | 5201 West Raymond Street

Wayne Township, Council District #22, Zoned SU-9 / D-4
Speed Way Inc., by Pat Rooney

Variance of use and development standards of the Consolidated Zoning and Subdivision Ordinance to provide for the operation of a repair shop with outdoor storage (not permitted) and a six-foot tall fence within the front yard (maximum 42-inch fence height permitted).

15. 2023-UV1-006 | 201 West 38th Street and 3750 North Capitol Avenue

Center Township, Council District #7, Zoned C-4 / D-5
Martin Petroleum Inc., by Pat Rooney

Variance of use and development standards of the Consolidated Zoning and Subdivision Ordinance to provide for the redevelopment of a convenience store within a residential district (not permitted) with a zero-foot south side transitional yard (10-foot side transitional yard required), a dumpster enclosure within the front yard of West 38th Street (not permitted in front yards), zero bicycle parking spaces provided (three bicycle spaces required) and eight frontage trees provided (nine required).

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.