



## Board of Zoning Appeals Division III (March 19, 2024) Meeting Agenda

### Meeting Details

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

**Date:** Tuesday, March 19, 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-DV3-003 | 3308 North Mitthoefer Road**  
Warren Township, Council District #15, Zoned I-3 / I-4  
The Finish Line Inc., by Joseph D. Calderon

Variance of Development Standards of the Consolidated Zoning and Subdivision Ordinance to provide for the location of two incidental signs, each encroaching 4.5-feet into the right-of-way of Mitthoefer Road (prohibited), with the north sign located 70-feet from a dwelling district (100-foot transitional yard required).

**\*\* Petitioner requesting a continuance to the April 16, 2024 hearing of Division III**

2. **2024-DV3-005 | 2360 Prospect Street**  
Center Township, Council District #18, Zoned C-4  
Linda Thompson, by Daniel Newton

Variance of Development Standards of the Consolidated Zoning and Subdivision Ordinance to provide for the location of a six-foot-tall perimeter chain link fence within the required clear-sight triangle (maximum 3.5-foot-tall fence permitted in front yards, chain link not permitted within front yards, encroachment into the clear-sight triangle not permitted).

**\*\* Staff to request continuance, on the Petitioners behalf, to the April 16, 2024 hearing of Division III**

3. **2024-DV3-006 | 3805 South East Street**  
Perry Township, Council District #23, Zoned C-5  
S & L Properties Indianapolis East LLC, by Emily Bublitz

Variance of Development Standards of the Consolidated Zoning and Subdivision Ordinance to provide for the construction of an eating establishment with the location of a drive through and stacking spaces within the front yard of National Avenue without the required screening of a service unit (not permitted) and 120 parking spaces and zero bicycle parking (maximum 46 spaces permitted, three bicycle parking spaces required) and deficient landscaping.

**\*\* Petitioner requesting a continuance to the April 16, 2024 hearing of Division III to revise the filed site plan**

### Petitions for Public Hearing

## PETITIONS TO BE EXPEDITED:

### 4. 2023-SE3-005 (Amended) | 6179 East 26th Street

Warren Township, Council District #9, Zoned D-A  
Iglesia De Dios Israelita El Elohe Israel II Inc., by Marco Antonio Vazquez

Special Exception of the Consolidated Zoning and Subdivision Ordinance to provide for religious uses with a 5.5-foot tall, 21-square foot monument sign (not permitted).

Variance of development standards of the Consolidated Zoning and Subdivision Ordinance to provide for the construction of a 37-foot wide parking area within the front yard of Sheridan Avenue (parking area width limited to 30 feet within front yards).

### 5. 2024-SE3-001 | 8550 East 30th Street

Warren Township, Council District #9, Zoned I-2  
Marita y Castro Rivas, by David Kingen

Special Exception of the Consolidated Zoning and Subdivision Ordinance to provide for religious uses.

Variance of Development Standards of the Consolidated Zoning and Subdivision Ordinance to provide for the location of an expanded parking area with a zero-foot rear yard setback (30-foot setback required).

## PETITIONS FOR PUBLIC HEARING (Transferred Petitions):

### 6. 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).

## PETITIONS FOR PUBLIC HEARING (Continued Petitions):

### 7. 2023-SE3-006 | 1140 Dr. Martin Luther King Jr. Street

Center Township, Council District #11, Zoned SU-2 / D-8 (RC)  
SMJ International o/b/o ATC, by Aaron Adelman

Special Exception of the Consolidated Zoning and Subdivision Ordinance to provide for a wireless communications facility with a 120-foot tall monopole tower and a four-foot lightning rod.

Variance of development standards of the Consolidated Zoning and Subdivision Ordinance to provide for a wireless communication facility without the required perimeter landscape screening (minimum 10-foot landscape yard required).

### 8. 2023-UV3-024 | 2745 and 2815 Curry Road

Warren Township, Council District #14, Zoned D-A  
David Palacios, by Joseph D. Calderon

Variance of use of the Consolidated Zoning and Subdivision Ordinance to provide for the operation of a landscaping contractor, including the indoor and outdoor storage of commercial vehicles, equipment, and materials (not permitted).

### 9. 2024-DV3-001 | 6027 Castlebar Circle

Lawrence Township, Council District #3, Zoned D-2  
Audrey Dressel, by Russell Brown

Variance of Development Standards of the Consolidated Zoning and Subdivision Ordinance to provide for the location of a six-foot tall fence within the front yard of Circlewood Road (maximum 3.5-foot tall fence permitted) and an 88-foot wide parking area within the front yard of Castlebar Circle (maximum 30-foot wide parking area permitted).

## PETITIONS FOR PUBLIC HEARING (New Petitions):

### 10. 2024-SE3-002 | 6760 Dalton Street

Lawrence Township, Council District #4, Zoned C-4  
Reagan Outdoor Advertising, by Michelle Noppenberger

Special Exception of the Consolidated Zoning and Subdivision Control Ordinance to provide for the relocation of a legally established Outdoor Advertising Sign due to a highway widening and improvement of I-69 and I-465 by a state agency.

Variance of Development Standards of the Consolidated Zoning and Subdivision Ordinance to provide for the relocation of an existing 14-foot by 48-foot, 50-foot tall off-premise advertising sign, of which the relocated off-premise sign will have a height of 65 feet (maximum height of 40 feet permitted) and will be considered a multi-sided sign with faces 33 degrees and 30 feet apart (maximum 15 degrees or 42 inches of separation permitted), to a 7,170 square-foot lot (maximum 6-foot by 12-foot sign permitted on lots with less than 10,000 square feet of area), with a five-foot setbacks from Bash Street, Dalton Street and the western property line (10-foot setback required), located 345 feet from the centerline of an interstate exit roadway (500-foot separation required from interstate ramp entries), within 605 and 975 feet from other outdoor advertising signs (1,000-foot radial spacing required).

### 11. 2024-DV3-004 | 1328 Lawrence Avenue

Perry Township, Council District #23, Zoned D-4  
Amy DiVincenzo & William Esquivel Najera

Variance of Development Standards of the Consolidated Zoning and Subdivision Ordinance to provide for the location of a six-foot tall fence within the front yards of Otterbein Avenue and Lawrence Avenue (maximum 3.5-foot-tall fence permitted).

**\*\* Staff requests continuance to the April 16, 2024 hearing of Division III, in order to amend the request**

### 12. 2024-UV3-002 | 5312 South Emerson Avenue

Perry Township, Council District #24, Zoned D-A  
Ranveer Singh Khangura

Variance of use of the Consolidated Zoning and Subdivision Ordinance to provide for the operation of an insurance agency office and real estate brokers office (not permitted).

**\*\* Petition to be withdrawn in order to file a rezoning petition**

### 13. 2024-UV3-003 | 8540 US 31

Perry Township, Council District #23, Zoned SU-1 / HD-1  
Christ Indianapolis United Methodist Church, Inc., by Damon C. Cox

Variance of use and development standards of the Consolidated Zoning and Subdivision Ordinance to provide for the location of a pole sign (not permitted), within 90 and 180 feet of existing freestanding signs (300-foot of separation required, one freestanding sign permitted along a frontage) and including a 37.28-square-foot digital display component (prohibited) and to legally establish an existing pole and monument sign.

## 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](mailto:planneroncall@indy.gov). Written objections to a proposal are encouraged to be filed via email at [dmdpubliccomments@indy.gov](mailto: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.