



Board of Zoning Appeals BZA Division III (February 21, 2023) Meeting Agenda

Meeting Details

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

Date: Tuesday, February 21, 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-DV3-046 (Amended) 1321 Sturm Avenue**
Center Township, Council District #17, Zoned D-8
Chase & Kristin Glassburn, by David Kingen & Emily Duncan

Variance of development standards of the Consolidated Zoning and Subdivision Ordinance to legally establish the existing two-foot rear yard setback of Lot 24 (15-foot rear setback required); and on Lot 25, provide for:

- a) The construction of a single-family dwelling with a 79-foot setback from Oriental Avenue (maximum setback of 19.9 feet permitted); and
- b) A six-foot fence within the front yard of Oriental Street (maximum 3.5-foot-tall fence permitted); and
- c) A three-foot corner side yard setback (eight-foot corner side yard setback required); and
- d) A 10-foot rear setback (minimum 15-foot rear setback required).

*Continuance Requested by Petitioner

- 2. 2022-DV3-049 (Amended) 2315 North Spencer Avenue**
Warren Township, Council District #13, Zoned I-2
Jaspal S Athwal, by David Kingen & Emily Duncan

Variance of development standards of the Consolidated Zoning and Subdivision Ordinance to provide five shade trees (ten shade trees required) and to legally establish a zero-foot northern side yard setback (10-foot side setback required); a six-foot tall fence within the front yards of Spencer Avenue and 23rd Street being within the clear sight triangle of a street and alley (front yard fence height limited to 3.5-feet, not permitted in the clear sight triangle); with a dumpster in the front yard of Spencer Avenue (not permitted).

***Withdrawn

- 3. 2023-DV3-002 | 3620 South East Street**
Perry Township, Council District #16, Zoned C-5
Felbram Holdings LLC, by Joseph D. Calderon

Variance of development standards of the Consolidated Zoning and Subdivision Ordinance to provide for the location of seven unenclosed trash enclosures within the front yard of National Avenue (not permitted, enclosures required).

**Automatic Continuance filed. Hearing continued to March 21st.

4. *2023-DV3-003 | 1739 and 1795 North Shadeland Avenue

Warren Township, Council District #19, Zoned MU-2
VAG Indiana LLC, by Ryan Grassly

Variance of development standards of the Consolidated Zoning and Subdivision Ordinance to provide for the location of an enclosed dumpster within the front yard of 18th Street (not permitted); a drive-through within 18 feet of a protected district without the required transitional yard landscaping and screening of service units (25-foot separation required, landscaping required), a stacking space within the front yard of 18th Street (not permitted) and zero-stacking spaces provided at the exit of the service unit (two stacking spaces required); a building with a 28-foot front setback from 18th street, a 12.8% front building line along 18th Street (maximum 25-foot front setback and 60% front building line required along Connector Frontage,), and a 23.9-foot front building line along Shadeland Avenue (40% front building line required along Buffer/Suburban Frontages); on a lot with deficient landscaping.

**Automatic Continuance filed. Hearing continued to March 21st.

5. 2023-DV3-005 | 7548 East Washington Street

Warren Township, Council District #19, Zoned C-5 (TOD)
Ray Skillman Realty LLC, by Michael Kalberg

Variance of development standards of the Consolidated Zoning and Subdivision Ordinance to provide for a car dealership with:

- a) A surface parking lot with a six-foot front yard setback from Washington Street and Mitchner Avenue (25-foot setback required along Connector Frontages, improvements not permitted within the front setback);
- b) A surface parking lot maintaining a 56% width of the lot at the front building line along Washington Street and 64% width of the lot along Mitchner Avenue (40% maximum width of the lot along Connector Frontages);
- c) Three single-loaded rows of parking in front of the building along Washington Street (one double-loaded row of parking permitted);
- d) A building with a 125' front setback from Washington Street and a 30-foot front setback from Mitchner Avenue (maximum 25-foot front yard setback permitted), a 46% width along Washington Street and 13% along Mitchner Avenue (minimum building width of 60% required);
- e) A zero-foot transitional yard along the northern lot line (15-foot transitional yard required);
- f) Deficient landscaping; and
- g) 29 and 30-foot wide driveway widths (24 feet maximum width permitted).

**Automatic Continuance filed. Hearing continued to March 21st.

6. 2023-UV3-003 | 3146 and 3202 Arbor Street

Perry Township, Council District #20, Zoned D-4 (FF)
Jose Ariza

Variance of use and development standards of the Consolidated Zoning and Subdivision Ordinance to provide for the operation of a commercial contractor with outdoor storage and multiple commercial vehicles (not permitted) with a parking area in the front yard greater than 30 feet in width (maximum 30-foot wide parking area permitted) and a six-foot fence within the front yard of Arbor Street and a four-foot fence in the front yard of Arbor Street and Murray Street, encroaching within the clear sight triangle of these intersecting streets (maximum 3.5-foot tall fence permitted in front yards, encroachment of clear sight triangle not permitted).

**Automatic Continuance filed. Hearing continued to March 21st.

Petitions for Public Hearing

PETITIONS TO BE EXPEDITED:

7. 2023-SE3-001 | 7201 Pendleton Pike

Lawrence Township, Council District #13, Zoned C-4 (TOD)
REL P Pendleton LLC C/O RD Management LLC, by Chris Greene

Special Exception of the Consolidated Zoning and Subdivision Ordinance to provide for the reuse of an existing building that would allow for the operation of an Extra Large Retail Sales/Service facility (retail sales greater than 20,000 square feet require grant of a special exception).

Expedited

8. 2023-UV3-002 | 5825 East 38th Street

Warren Township, Council District #13, Zoned C-3, C-1, D-4 (TOD)
Down But Not Out Communications, Inc., by John Cross

Variance of use of the Consolidated Zoning and Subdivision Ordinance to provide for a boxing gym and instruction facility as a primary use (not permitted).

Expedited.

PETITIONS FOR PUBLIC HEARING (Transferred Petitions):

PETITIONS FOR PUBLIC HEARING (Continued Petitions):

9. 2022-DV3-056 | 4411 East Thompson Road (Amended)

Perry Township, Council District #24, Zoned D-A
Dana Eveland

Variance of development standards of the Consolidated Zoning and Subdivision Ordinance to provide for the construction of a 20.08-foot detached garage, being taller than the 13-foot tall primary structure (not permitted).

10. 2022-UV3-037 | 1410 East Epler Avenue

Perry Township, Council District #24, Zoned C-1 / C-3 (TOD)
Indianapolis Insulators Union Local #18, by Michael Rabinowitch

Variance of use and development standards of the Consolidated Zoning and Subdivision Ordinance to provide for the construction of a commercial building to be used as a union insulators training facility, with a front setback of 35 feet (maximum 10-foot setback required along Pedestrian / Urban Frontages) and a required front building line of 56% (80% front building line required).

11. 2022-UV3-039 | 1751 South Meridian Street

Center Township, Council District #16, Zoned C-1
Derick Williams, by Hannah Able

Variance of use and development standards of the Consolidated Zoning and Subdivision Ordinance to provide for the operation of an event center and eating establishment, with a parking area maintaining a zero-foot transitional yard along the alley and a two-foot north transitional yard (eight-foot transitional yard along alley and 10-foot side transitional yard required), a trash enclosure and an outdoor patio with a five-foot transitional yard along Caven Steet (10-foot front transitional yards required).

PETITIONS FOR PUBLIC HEARING (New Petitions):

12. 2023-DV3-001 | 5505 and 5855 Brookville Road

Warren Township, Council District #12, Zoned I-4
AOZI Brookville Building I, LLC, by Joseph D. Calderon

Variance of development standards of the Consolidated Zoning and Subdivision Ordinance to provide for the redevelopment of an industrial site and building expansion resulting in, collectively, multiple double-loaded and single-loaded rows of parking within the front yards of Irvington Avenue, Brookville Avenue and Arlington Avenue (parking in front of a building limited to one double-loaded row in Industrial Districts); and to provide for loading areas within the front yard of Brookville Road (not permitted), with 9-foot by 18-foot employee parking spaces (180-square foot parking spaces required) and deficient landscaping.

13. 2023-DV3-004 | 10220 East Washington Street

Warren Township, Council District #19, Zoned C-4 (TOD)
Indy WS40 LLC, by Joseph D. Calderon

Variance of development standards of the Consolidated Zoning and Subdivision Ordinance to provide for the development of an integrated center with:

- a) an accessory drive through within 600 feet of a transit station with access provided by a private drive (alley access required);
- b) a surface parking area within the minimum 50-foot front yard setback (not permitted);
- c) all buildings maintaining a 20-foot front yard setback (maximum 10-foot setback permitted);
- d) and a 46% front building line (80% required).

14. 2023-DV3-006 | 6039 South Harding Street

Perry Township, Council District #20, Zoned D-A (FF)
Robert E. Wampler and Linda L. Waites

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

- a) A carport, being taller than the primary building, and another mini barn located within the front yard of Harding Street, and with a 20-foot front yard setback from Harding Street (accessory structures not permitted in front of, or taller than, the primary building, 35-foot front yard setback required);
- b) A mini barn with a six-foot north side yard setback, and another with an eight-foot north side yard setback, resulting in a 50-foot aggregate side yard setback (minimum 30-foot side yard setback, 75-foot aggregate side yard setback required); and
- c) Resulting in an open space of 82% (85% open space required).

15. 2023-UV3-004 | 3049 North Post Road

Warren Township, Council District #14, Zoned I-3
Volumod Indy LLC, by David Gilman

Variance of use and development standards of the Consolidated Zoning and Subdivision Ordinance to provide for the outdoor display and sales of modular homes within the required front yard and not abutting a building exterior wall and a 48-foot front setback from Post Road (not permitted, 60-foot front yard setback 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.**