



Board of Zoning Appeals BZA Division II (February 13, 2024) Meeting Agenda

Meeting Details

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

Date: Tuesday, February 13, 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. **2023-DV2-038 | 8245 Allisonville Road (approximate address)**

Washington Township, Council District #3, Zoned C-4
Raising Cane's Restaurants, LLC, by Joseph D. Calderon

Variance of Development Standards of the Consolidated Zoning and Subdivision Ordinance to provide for the construction of an eating establishment, with a drive through, including stacking and service units, within the front yard of East 82nd Street, with a 9.2 front yard setback (service units and stacking spaces not permitted along facades adjacent to public rights-of-way with a width greater than 30-feet or related front yards, minimum 10-foot setback required) and without the required screening and exclusive bypass aisle.

**** Petitioner requests continuance to the March 12, 2024 hearing, without additional notice**

2. **2024-DV2-002 | 4645 Tempe Court (approximate address)**

Decatur Township, Council District #21, Zoned D-5
Michael & Mary Morris, by Cindy Thrasher

Variance of Development Standards of the Consolidated Zoning and Subdivision Ordinance to provide for the location of a 360-square-foot shed with a one-foot south side yard setback (10-foot corner side yard setback required).

****Staff requests continuance to March 12, 2024, in order to amend the legal notice**

Petitions for Public Hearing

PETITIONS TO BE EXPEDITED:

3. **2023-DV2-036 | 7508 Central Avenue, Town of Meridian Hills**

Washington Township, Council District #2, Zoned D-1
John & Marcia Taylor, by Brian J. Tuohy

Variance of development standards of the Consolidated Zoning and Subdivision Ordinance to provide for the construction of a single-family dwelling with a 107.66-foot front yard setback from Central Avenue (114.25-foot front yard setback required).

4. 2024-DV2-001 | 8705 Southeastern Avenue (approximate address)

Franklin Township, Council District #25, Zoned C-4
Flag Properties LLC, by David A. Retherford

Variance of Development Standards of the Consolidated Zoning and Subdivision Ordinance to provide for the location of a sidewalk café with a zero-foot front yard setback from Southeastern Avenue, encroaching 17.5 feet into its right-of-way, and being located zero-feet from a driveway (10-foot front yard setback, eight-feet of separation from a driveway required, encroachment into right-of-way not permitted).

5. 2024-DV2-003 | 2415 & 2427 North Rural Street (approximate address)

Center Township, Council District #8, Zoned D-5
Martindale Brightwood Community Development Corporation, by Susie Wilson

Variance of Development Standards of the Consolidated Zoning and Subdivision Ordinance to provide for the construction of a two-family dwelling on each lot, both with 30-foot lot widths and lot areas of 4,065 square feet (minimum lot width of 60 feet and area of 7,200 square feet required), each with a parking pad with a three-foot south side yard setback (five-foot side yard setbacks required).

6. 2024-DV2-004 | 4020 North Pennsylvania Street (approximate address)

Washington Township, Council District #7, Zoned D-2 (MSPC)
Wesley Thacker and Ellen Mrzlack, by Josh Valentine

Variance of Development Standards of the Consolidated Zoning and Subdivision Ordinance to provide for the construction of a detached garage with a one-foot north side yard setback (seven-foot side yard setback required).

7. 2024-DV2-005 | 435 West Hampton Drive (approximate address)

Washington Township, Council District #7, Zoned D-5
Haley Blanchet, Craig Blanchet and Kimberly Blanchet, by Joseph D. Calderon

Variance of Development Standards of the Consolidated Zoning and Subdivision Ordinance to provide for the construction of a detached garage with four-foot east side yard setback (seven-foot side yard setback required).

8. 2024-UV2-001 | 6519 Carrollton Avenue (approximate address)

Washington Township, Council District #7, Zoned D-4 (TOD) (FF)
GP CM Carrollton Avenue Developers LLC, by Misha Rabinowitch

Variance of use of the Consolidated Zoning and Subdivision Ordinance to provide for an office use, per the filed site plan and plan of operations (not permitted); and variance of development standards to provide for placement of a primary freestanding sign (two signs permitted for residential communities).

PETITIONS FOR PUBLIC HEARING (Transferred Petitions):

9. 2023-DV2-030 | 3833 East 56th Street (approximate address)

Washington Township, Council District #3, Zoned D-3
Race Dorsey and Lauren Hall

Variance of Development Standards of the Consolidated Zoning and Subdivision Ordinance to provide for the location of a six-foot fence within the front yard of 56th Street.

10. 2023-UV1-026 | 6524 Dover Road (approximate address)

Washington Township, Council District #3, Zoned D-S
Larry Rockafellow, by Melissa Iannucci

Variance of Use and Development Standards of the Consolidated Zoning and Subdivision Ordinance to provide for the temporary location of an accessory building without a primary building (not permitted) and the construction of a single-family dwelling on a .60-acre, 120-foot wide lot (minimum 150-foot lot width and area of one acre required), resulting in a 33.5-foot aggregate side yard setback (35-foot aggregate required).

PETITIONS FOR PUBLIC HEARING (Continued Petitions):

11. 2023-SE2-002 (Amended) | 3210 Chief Lane (approximate address)

Decatur Township, Council District #22, Zoned I-3

Reagan Outdoor Advertising, by Jon Campbell

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 by a state agency, along a freeway within I-465 (not permitted).

Variance of Development Standards of the Consolidated Zoning and Subdivision Ordinance to provide for the relocation of an existing 40-foot tall off-premise advertising sign, of which the relocated off-premise sign will have a height of no greater than 65-feet tall (maximum height of 40 feet permitted), a setback of five feet from Rand Road (20-foot setback required), being located within 400 feet of the centerline of an Interstate Ramp (500-foot separation from interstate ramp entries required) and being located within no less than 148 feet from protected districts (300-foot separation from protected districts required).

12. 2023-DV2-032 | 911 Sanders Street (approximate address)

Center Township, Council District #21, Zoned D-5 (TOD)

E&D Hopkins LLC, by Mark and Kim Crouch

Variance of Development Standards of the Consolidated Zoning and Subdivision Ordinance to provide for the construction of either:

A single-family dwelling:

- a) On a medium lot typology with an area of 2,817 square feet (minimum lot area of 7,200 square feet required);
- b) A six-foot front yard setback from Sanders Street (20-feet required);
- c) A three-foot front yard setback from Hartford Street;
- d) A five-foot front yard setback from I-65;
- e) A five-foot rear yard setback (20-foot rear yard setback required);
- f) An open space of 40 percent (60 percent required); and
- g) A front-loaded garage comprising 100 percent of a façade along Hartford Street (prohibited).

Or a two-unit multi-unit home:

- a) On a small lot with an area of 2,817 square feet (minimum lot area of 5,000 square feet required);
- b) A six-foot front yard setback from Sanders Street (20-feet required);
- c) A three-foot front yard setback from Hartford Street;
- d) A five-foot front yard setback from I-65;
- e) A five-foot rear yard setback (20-foot rear yard setback required); and
- f) A front-loaded garage comprising 100 percent of a façade along Hartford Street (prohibited).

13. 2023-DV2-034 | 1949 Alvord Street (approximate address)

Center Township, Council District #17, Zoned D-8

Kathryn Ramseyer, by Melissa Iannucci

Variance of Development Standards of the Consolidated Zoning and Subdivision Ordinance to provide for the construction of a single-family dwelling with a front building line of 26 feet (maximum 19.9-foot front building line permitted) and a detached garage with four-foot side yard setbacks (five-foot side yard setbacks required).

**** Petitioner requests withdrawal to be acknowledged**

14. 2023-DV2-035 (2nd Amended) | 5602 North Keystone Avenue (approximate address)

Washington Township, Council District #7, Zoned C-4

T5 Keystone LLC, by Timothy E. Ochs

Variance of Development Standards of the Consolidated Zoning and Subdivision Ordinance to provide for the operation of a quick service oil change facility with a drive-through with only one stacking space before the final component (two stacking spaces required) that faces a public right-of-way greater than 30-foot wide, within insufficient stacking maneuverability after the service bay exits (not permitted).

15. 2023-UV2-014 | 35 East Morris Street (approximate address)

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

Living Log Aquatic Services LLC, by Matthew Kerkhof

Variance of use and development standards of the Consolidated Zoning and Subdivision Ordinance to provide for the operation of an eating establishment with outdoor seating, storage and unscreened operations (not permitted, any outdoor operations must be screened), a 100-foot wide parking area within the front yard of Morris Street (parking within front yard limited to 30-foot in width) and a barbecue pit with a five-foot front yard setback from Charles Street, located in front of the primary building (minimum 20-foot front yard setback required, accessory structures not permitted within the front yard).

PETITIONS FOR PUBLIC HEARING (New Petitions):

16. 2024-UV2-002 | 5102, 5111, 5117, 5122, 5127, 5139, 5143 5210 and 5282 East 65th Street

Washington Township, Council District #3, Zoned I-2

Schmoll Development Company L.P. and Greg Schmoll, by S. Gregory Zubek

Variance of use of the Consolidated Zoning and Subdivision Ordinance to provide for the following as primary uses: sports performance training uses; physical fitness and athletics instruction and training; and dance and gymnastics instruction (not permitted).

**** Staff is requesting a continuance of this petition to the March 12, 2024 hearing of Division II**

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.