



## Board of Zoning Appeals Division III (November 28, 2023) Meeting Agenda

### Meeting Details

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

**Date:** Tuesday, November 28, 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. 2023-SE3-005 | 6179 East 26th Street**

Warren Township, Council District #13, 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 an 8.5-foot tall, 22-square foot pole sign (not permitted).  
Variance of development standards of the Consolidated Zoning and Subdivision Ordinance to provide for the construction of a 111-foot wide parking area within the front yard of Sheridan Avenue (parking area width limited to 30 feet within front yards).

**\*\*Automatic Continuance to be acknowledged.**

**2. 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 lightening 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).

**\*\*Continuance requested by staff.**

**3. 2023-SE3-007 | 1841 Ludlow Avenue**

Center Township, Council District #17, Zoned I-3  
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 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 70-feet tall (maximum height of 40 feet permitted), a setback of five feet from I-70 (60-foot setback required), within 761 and 630 feet from other outdoor advertising signs (1,000-feet of radial spacing

required between signs) and being located within no less than 197 feet from protected districts (300-foot separation from protected districts required).

**\*\*Automatic Continuance to be acknowledged.**

**4. 2023-DV3-028 (Amended) | 405 South Shortridge Road**

Warren Township, Council District #18, Zoned C-S  
SRMK Realty LLC, by In and Out Unlimited

A). Variance of Development Standards of the Consolidated Zoning and Subdivision Ordinance to provide for the location of a 6-foot tall, metal perimeter fence (fence heights limited to 3.5-foot-tall in front yards and six-foot tall within side and rear yards).

B). Variances of Use and Development Standards to provide for the location of a 10-foot tall, electric fence containing barbed-wire (electric fences not permitted, barbed-wire not permitted).

**\*\*Automatic Continuance to be acknowledged.**

**5. 2023-DV3-040 | 8850 East 21st Street**

Warren Township, Council District #19, Zoned C-4 (D-7 Pending)  
8850 East Twenty First Street Inc., by David E. Dearing

Variance of Development Standards of the Consolidated Zoning and Subdivision Ordinance to provide for the conversion of an existing motel into a multi-family dwelling project, resulting in a 15-foot-wide perimeter yard (20-foot perimeter yard required).

**\*\*Continuance requested.**

**Petitions for Public Hearing**

**PETITIONS TO BE EXPEDITED:**

**6. 2023-UV3-017 (Amended) | 5420-5418 McFarland Road**

Perry Township, Council District #24, Zoned D-1  
David Smithmeyer, by Jerry Hornback

Variance of development standards of the Consolidated Zoning and Subdivision Ordinance to legally establish a 19,966 square foot parcel (24,00 square feet required), with a street frontage and width of 43-feet wide (minimum 45-foot-wide street frontage and lot width of 90 feet required), and to provide for a dwelling with a five foot south side setback, and a 16 foot north side setback (eight-foot side yard setback and twenty-two-foot aggregate side yard setback required).

**7. 2023-DV3-042 | 6830 Lake Plaza Drive**

Lawrence Township, Council District #3, Zoned C-3  
CMG Binford LLC, by Michael Rabinowitch

Variance of Development Standards of the Consolidated Zoning and Subdivision Ordinance to provide for the location of a third freestanding sign along the Binford Boulevard frontage of an integrated center (maximum two signs per frontage).

**PETITIONS FOR PUBLIC HEARING (Transferred Petitions):**

**PETITIONS FOR PUBLIC HEARING (Continued Petitions):**

**8. 2023-DV3-035 | 2305 North Leland Avenue**

Warren Township, Council District #13, Zoned I-2  
Philip Chambers, by Pat Rooney

Variance of Development Standards of the Consolidated Zoning and Subdivision Ordinance to provide for a wooden privacy fence with a height ranging between 8.5-feet to 9.5 feet tall within the front yards and clear sight

triangle of the intersection of Leland Avenue and 23rd Street (maximum fence height of 3.5-foot tall permitted, encroachment of clear sight triangles not permitted).

## PETITIONS FOR PUBLIC HEARING (New Petitions):

**9. 2023-DV3-039 | 6422 Fall Creek Road**

Lawrence Township, Council District #4, Zoned D-1 (FF)  
Sean Clauson, by Chris Schrader

Variance of Development Standards of the Consolidated Zoning and Subdivision Ordinance to provide for the construction of a single-family dwelling with a 36.17-foot front yard setback from Fall Creek Road (84-foot front yard setback required).

**10. 2023-DV3-041 | 1409 and 1411 Roosevelt Avenue**

Center Township, Council District #17, Zoned C-S  
Early Learning Center Indiana, by Jennifer Milliken

Variance of Development Standards of the Consolidated Zoning and Subdivision Ordinance to provide for the location of a second skyline sign on the northwestern elevation (one skyline sign per elevation permitted).

**11. 2023-DV3-043 | 7801 East 38th Street**

Warren Township, Council District #13, Zoned C-S (TOD)  
Second Circle Investments, LLC, by Misha Rabinowitch

Variance of Development Standards of the Consolidated Zoning and Subdivision Ordinance to provide for the construction of a retail establishment with one public entry along the 140' front facade (one public entry per 50 feet required) and the building occupying 41% of the lot width (minimum 80% required) and a front building line of 63 feet (maximum 10-foot front building line required) with parking in the front yard (prohibited) and a 36-foot wide driveway width (maximum of 16 feet permitted).

**12. 2023-DV3-044 | 2440 West County Line Road**

Perry Township, Council District #20, Zoned C-4  
Reeder Real Estate Holdings LLC, by Brian J. Tuohy

Variance of Development Standards of the Consolidated Zoning and Subdivision Ordinance to provide for the location of a 35-foot pylon sign (maximum height of 25 feet permitted).

**13. 2023-UV3-021 | 1838 East Epler Avenue**

Perry, Council District #24, Zoned D-3  
Griselda Delgado, by James R. Browne Jr.

Variance of use of the Consolidated Zoning and Subdivision Ordinance to provide for the storage of four commercial vehicles (not permitted).

## 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.