



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

Meeting Details

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

Date: Tuesday, March 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. 2023-DV3-007 (Amended) | 9539 Prospect Street (approximate address)

Warren Township, Council District #18, Zoned D-A (FF)

Jose A. Angel Nunez and Evelyn Y. Jacome Mazariegos

Variance of Development Standards of the Consolidated Zoning and Subdivision Ordinance to provide for the construction of a detached garage with a four-foot west side yard setback (15-foot side yard required).

****Petitioner requests a continuance to the April 18, 2023 hearing**

2. 2023-UV3-003 | 3146 and 3202 Arbor Street (approximate address)

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).

**** Staff requests continuance to the April 18, 2023 hearing**

Petitions for Public Hearing

PETITIONS TO BE EXPEDITED:

3. 2022-DV3-046 (2nd Amended) | 1321 Sturm Avenue (approximate address)

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 an addition, with a two-foot rear setback (15-foot rear setback required); and
- b) A six-foot fence within the front yard of Oriental Street (maximum 3.5-foot-tall fence permitted).

PETITIONS FOR PUBLIC HEARING (Transferred Petitions):

4. 2023-DV3-006 (Amended) | 6039 South Harding Street (approximate address)

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 and 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 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).

PETITIONS FOR PUBLIC HEARING (Continued Petitions):

5. 2022-UV3-029 (Amended) | 1009 West Edgewood Avenue (approximate address)

Perry Township, Council District #20, Zoned D-A / D-4

Willis Group LLC, by James Lewis Hillery

Variance of use and development standards of the Consolidated Zoning and Subdivision Ordinance to provide for the operation of a semi-tractor repair facility (not permitted) and the construction of a building addition and freestanding commercial building, with a 15-foot eastern side yard setback, resulting in a 30-foot aggregate side yard setback (30-foot side yard setback, 75-foot aggregate side yard setback required).

6. 2022-UV3-039 | 1751 South Meridian Street (approximate address)

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).

7. 2023-DV3-002 (Amended) | 3620 South East Street (approximate address)

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 trash enclosures within the front yard of National Avenue, enclosed on three sides only (not permitted, four-sided enclosures required).

8. 2023-DV3-003 | 1739 and 1795 North Shadeland Avenue (approximate address)

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.

*****Petitioner has requested that this petition be withdrawn**

9. 2023-DV3-005 | 7548 East Washington Street (approximate address)

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).

10. 2023-UV3-004 | 3049 North Post Road (approximate address)

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).

PETITIONS FOR PUBLIC HEARING (New Petitions):

11. 2023-DV3-008 | 5030 Southport Crossing Place (approximate address)

Perry Township, Council District #24, Zoned C-4

McDonald's Corp., by Joseph D. Calderon

Variance of Development Standards of the Consolidated Zoning and Subdivision Ordinance to provide for a restaurant remodel resulting in drive through service units and stacking spaces within the front yards of Emerson Avenue and Southport Road (not permitted), a dumpster enclosure within the front yard of Southport Road (not permitted) and without the required screening along the entirety of the drive through within the front yard of Southport Road or walkways connecting public entries to the sidewalk (required).

12. 2023-DV3-009 | 10700 East Troy Avenue (approximate address)

Warren Township, Council District #19, Zoned D-A (FF) (FW)

Joel Wesseling

Variance of Development Standards of the Consolidated Zoning and Subdivision Ordinance to provide for the construction of a single-family dwelling and related accessory structures on a lot without street frontage (125 feet of frontage 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.