



## Board of Zoning Appeals Division I (May 9, 2023) Meeting Agenda

### Meeting Details

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

**Date:** Tuesday, May 09, 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:

#### Petitions for Public Hearing

#### PETITIONS TO BE EXPEDITED:

1. **2023-DV1-014 | 1103 South Mickley Avenue**  
Wayne Township, Council District #22, Zoned D-5 (TOD)  
Hector O. Gomez

Variance of Development Standards of the Consolidated Zoning and Subdivision Ordinance to provide for vehicle access from a front yard curb cut (exclusive vehicular access from an improved alley required).

2. **2023-DV1-015 | 1128 South High School Road**  
Wayne Township, Council District #22, Zoned D-3  
Arcelia Hernandez-Badillo & Leodegario Montiel-Munoz, by Sarah Walters

Variance of Development Standards of the Consolidated Zoning and Subdivision Ordinance to provide for the construction of an attached garage with a four-foot south side yard setback, resulting in an eight-foot aggregate side yard setback, six-foot rear yard setback and 63% open space (six-foot side yard setback, 16-foot aggregate side yard setback, 20-foot rear yard setback, and 70% open space required).

3. **2023-DV1-018 | 6490 North Sherman Drive**  
Washington Township, Council District #3, Zoned D-S  
Ronald Todd, by James P. Mack

Variance of Development Standards of the Consolidated Zoning and Subdivision Ordinance to provide for a dwelling renovation and construction of an attached garage resulting in a 68-foot front yard setback from 65th Street (75-foot front yard setback required).

4. **2023-DV1-019 | 8719 Southeastern Avenue**  
Franklin Township, Council District #25, Zoned C-4  
Cornerstone Wealth LLC, by David A. Retherford

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

renovation of an existing commercial structure resulting in an 18% front façade transparency (40% transparency required) and the addition of a porch with a zero-foot front setback and encroaching up to two feet into the right-of-way of Southeastern Avenue (10-foot front yard setback required, encroachment within the right-of-way not permitted).

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

5. **2022-DV1-062 (2nd Amended) | 1012 Olive Street**  
Center Township, Council District #17, Zoned D-5 (TOD)  
Kristen Fern

Variance of development standards of the Consolidated Zoning and Subdivision Ordinance to provide for a driveway with a zero-foot north side yard setback and a three-foot rear yard setback (three-foot side yard setback and 20-foot rear setback required) providing access from Olive Street (exclusive vehicle access from improved alley required), also with the existing single-family dwelling encroaching within the clear site triangle of Olive Street and the driveway (encroachment into the clear site triangle not permitted).

6. **2023-DV3-012 (Amended) | 2411 North Rural Street**  
Center Township, Council District #17, Zoned D-5  
Martindale Brightwood Community development Corp., by Jamilah Mintze (In and Out Unlimited LLC)

Variance of Development Standards of the Consolidated Zoning and Subdivision Ordinance to provide for the construction of a duplex on a 30-foot-wide lot with an area of 4,050 square feet (minimum 60-foot lot width, minimum 7,200 square foot lot area), with an eight-foot lot width for proposed plat of Lot 17A and a 22-foot lot width for proposed plat of Lot 17B, and a parking pad with 1.5-foot side yard setbacks (three-foot side yard setbacks required).

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

7. **2022-SE1-002 (Amended) | 9140 East McGregor Road**  
Franklin Township, Council District #25, Zoned D-A  
Shalom Christian Church, by Jonathan L Albright Jr.

Special Exception of the Consolidated Zoning and Subdivision Ordinance to provide for religious uses and a modification of development standards to allow for the construction of a religious use facility, parking lot and related accessory structures with a 22-foot western side yard and an 18-foot rear yard (minimum 30-foot side yard setback, 75-foot rear yard setback required), and a 110-foot wide parking area within the front yard (maximum 30-foot wide parking area permitted within the front yard).

8. **2023-DV1-009 | 1313 Gumwood Drive**  
Wayne Township, Council District #6, Zoned D-4  
Toni Clark

Variance of Development Standards of the Consolidated Zoning and Subdivision Ordinance to provide for the location of a mini-barn with a 0.5-foot west side yard setback (five foot-side yard setback required).

9. **2023-DV1-011 (Amended) | 902 East 66th Street**  
Washington Township, Council District #2, Zoned D-4 (TOD)  
A Ciobanu Properties LLC, by Andrea Ciobanu

Variance of Development Standards of the Consolidated Zoning and Subdivision Ordinance to provide for a 3.5-foot-tall fence within the clear sight triangle of the intersection, with the location of automated gates within the clear sight triangle of two vehicular access drives (encroachment within clear sight triangles not permitted).

10. **2023-DV1-012 | 6209 East Edgewood Avenue**  
Franklin Township, Council District #25, Zoned D-A  
Salina and Jaime Hernandez, by David Gilman

Variance of Development Standards of the Consolidated Zoning and Subdivision Ordinance to provide for the future subdivision of a parcel into two lots, with:

- a. Future Lot One maintaining a 100.5-foot street frontage and lot width and an area of .81-acre

(minimum 125-foot street frontage, 250-foot lot width and area of three acres required); and  
b. Future Lot Two maintaining a 25-foot street frontage and lot width.

**\*\*\* Petitioner to withdraw**

**11. 2023-UV1-006 (Amended) | 201 West 38th Street and 3750 North Capitol Avenue**

Center Township, Council District #7, Zoned C-4 / D-5  
Martin Petroleum Inc., by Pat Rooney

Variance of use and development standards of the Consolidated Zoning and Subdivision Ordinance to provide for the redevelopment of a convenience store within a residential district (not permitted) with a zero-foot south side transitional yard (10-foot side transitional yard required).

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

**12. 2023-DV1-016 | 2701 Wheeler Street**

Center Township, Council District #17, Zoned D-8  
Georgia May Craig, by Gary S. Cole

Variance of Development Standards of the Consolidated Zoning and Subdivision Ordinance to provide for vehicular access from 27th Street (exclusive vehicular access from an improved alley required).

**13. 2023-DV1-017 | 4002 North Park Avenue**

Washington Township, Council District #7, Zoned D-5 (TOD)  
Elite Custom Homes, by Cassandra Nielsen

Variance of Development Standards of the Consolidated Zoning and Subdivision Ordinance to provide for the construction of a deck with a two-foot rear yard setback (20-foot rear yard setback required).

**14. 2023-UV1-007 | 1034 South Tremont Street**

Wayne Township, Council District #16, Zoned D-5  
Abel Solares and Reina Alfaro, by Sarah Walters

Variance of use and development standards of the Consolidated Zoning and Subdivision Ordinance to provide for the operation of a commercial contractor and the parking of up to eight commercial vehicles (not permitted), a 48.5-foot wide parking area in the front yard with a zero-foot south side yard setback and an eight-foot tall perimeter fence (parking area in front yard limited to 30-foot wide, seven-foot side yard setback required, maximum 3.5-foot tall fence permitted within the front yard and maximum six-foot tall fence permitted in side and rear yards) and deficient living materials and landscaping (60% of required landscaped areas must be covered by living materials, minimum landscaping 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](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.