



Board of Zoning Appeals Board of Zoning Appeals Div. I (December 6, 2022) Meeting Agenda

Meeting Details

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

Date: Tuesday, December 06, 2022 **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 for Public Hearing

PETITIONS REQUESTING TO BE CONTINUED:

1. 2022-SE1-001 | 4330 Michigan Road | Washington Township, Council District 8, Zoned SU-2 (FW) (FF)

Veracity Land Use Development Services, by Michael Clust

Special Exception of the Consolidated Zoning and Subdivision Ordinance to provide for a wireless communications facility with a 200-foot tall monopole tower and a four-foot lightning rod.

2. 2022-SE1-002 | 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 rear yard (minimum 30-foot side yard setback, 75-foot rear yard setback required).

3. 2022-DV1-055 | 2853 and 2849 McPherson Street | Center Township, Council District 17, Zoned D-5

Gary Ruble, by Matthew Peyton

Variance of development standards of the Consolidated Zoning and Subdivision Ordinance to provide for the construction of a single-family dwelling with a 10-foot front yard setback from McPherson Street (minimum 20-foot front setback required along Neighborhood Frontages) and a detached garage with two street trees provided (five street trees required) and no planting beds provided (minimum 10% of front yard must be improved with planting beds with shrubs or perennial plants).

4. 2022-UV1-027 | 2803 North New Jersey Street | Center Township, CD #9, Zoned C-1

Larry Eakle

Variance of use and development standards of the Consolidated Zoning and Subdivision Ordinance to provide for the construction of a storage garage and a six-foot fence in the front yards of New Jersey Street and 28th Street (not permitted, fence height limited to 3.5-feet in front yards).

5. 2022-UV1-035 | 6234 East Hanna Avenue | Franklin Township, Council District 18, Zoned I-3

Exotic Metal Treatment, by Brian E. Moench

Variance of use and development standards of the Consolidated Zoning and Subdivision Ordinance to provide for the operation a metal treatment facility (not permitted) and a building addition with a 38-foot front transitional yard along Hanna Avenue, an expanded parking area with a 25-foot transitional yard along Hanna Avenue (150-foot transitional yard required) and an expanded parking area with a 12-foot front yard setback from the proposed right-of-way of Churchman By-Pass (60-foot front setback from proposed right-of-way required) and deficient landscaping.

6. 2022-UV1-036 | 2711, 2715 and 2719 Madison Avenue | Center Township, Council District 16, Zoned C-5

SC Indy Land LP and TGA SC Global Indy I LP, by Joseph D. Calderon

Variance of use of the Consolidated Zoning and Subdivision Ordinance to provide for the operation of a self-storage facility in an existing retail building (not permitted) with the outdoor covered storage of recreational vehicles, boats, and other vehicles (only storage of inoperable vehicles awaiting repair permitted).

7. 2022-UV1-038 | 4010 West 86th Street | Pike Township, Council District 1, Zoned C-1 (FF)

UHS of Delaware, Inc., d/b/a Valle Vista Health System, by Joseph D. Calderon

Variance of use of the Consolidated Zoning and Subdivision Ordinance to provide for the operation of a methadone clinic, including counseling, and education, within 160 feet of a dwelling district (500 feet of separation required).

PETITIONS TO BE EXPEDITED:

8. 2022-DV1-054 (Amended) | 2655 Oliver Avenue | Wayne Township, Council District 16, Zoned D-5

Jonathan Dickey

Variance of development standards of the Consolidated Zoning and Subdivision Ordinance to provide for the construction of a single-family dwelling with a 60-foot setback from Holmes Avenue and a 208-foot setback from Addison Street (maximum 50-foot setback permitted along Neighborhood Yard Frontages) and no front entry feature along the Oliver Avenue frontage (front entry feature required).

9. 2022-DV1-056 | 235 West 44th Street | Washington Township, Council District 7, Zoned D-5

Deborah L. De Vries, by David Kingen & Emily Duncan

Variance of development standards of the Consolidated Zoning and Subdivision Ordinance to provide for the construction of an attached orangery with 15-foot rear setback (20-foot rear setback required) and to legally establish the existing one-foot western side yard setback (five-foot side yard setback required).

10. 2022-DV1-059 | 7036 Warwick Road | Washington Township, Council District 2, Zoned D-4

Margaret & Sandfria L. Hale

Variance of development standards of the Consolidated Zoning and Subdivision Ordinance to provide for the construction of an attached garage and building addition resulting in a three-foot northern side yard setback and seven-foot aggregate side yard setback (five-foot side yard setback and 13-foot aggregate side setback required).

11. 2022-UV1-040 | 1220 South High School Road | Wayne Township, Council District 22, Zoned SU-2 / D-3 (TOD)

MSD Wayne Township, by Barry Gadener

Variance of use of the Consolidated Zoning and Subdivision Ordinance to provide for the location of solar panels within the front yard of High School Road (solar panels not permitted within the front yard, accessory structures not permitted in front of the primary building in Dwelling Districts).

12. 2022-UV1-041 | 1110 Bates Street | Center Township, Council District 17, Zoned I-4

Daniel Graf and Erica Davis

Variance of use and development standards of the Consolidated Zoning and Subdivision Ordinance to provide for the construction of a detached garage (residential uses not permitted) with a six-foot west side yard setback and a seven-foot east side yard setback and a 10-foot rear yard setback (20-foot side and rear yard setbacks required).

PETITIONS FOR PUBLIC HEARING (Transferred Petitions):

PETITIONS FOR PUBLIC HEARING (Continued Petitions):

13. 2022-DV1-047 | 409 East Morris Street | Center Township, Council District 16, Zoned D-5

Build Indy LLC, by John Cross

Variance of development standards of the Consolidated Zoning and Subdivision Ordinance to legally establish a 39-foot wide lot, a zero-foot western side yard setback (40 foot lot width required) and provide for a three-story addition (not permitted) resulting in a 4.2-foot eastern side yard setback and a 19.4-foot rear setback and a walking path with a one-foot eastern side setback (five-foot side setbacks, 20-foot rear setback required).

14. 2022-DV1-052 | 358 East Terrace Avenue | Center Township, Council District 16, Zoned D-5

William T & Katherine Gribbin, by David Kingen & Emily Duncan

Variance of development standards of the Consolidated Zoning and Subdivision Ordinance to provide for the construction of a detached front-loaded garage (prohibited, must maintain access from alley when improved) with a zero-foot east corner side yard setback, and a three-foot western side yard setback, within the clear-sight triangle of the intersection of South New Jersey Street and the alley, resulting in an open space of 37 percent, and to legally establish a dwelling with a 3.5-foot corner side setback (eight-foot corner side setback required, five-foot west side yard setback required, encroachment of the clear sight triangles not permitted, 40 percent open space required).

PETITIONS FOR PUBLIC HEARING (New Petitions):

15. 2022-DV1-051 | 3127 West Washington Street | Wayne Township, Council District 16, Zoned C-4 / C-5 (TOD)

RSM Oil, Inc, by Sarah M. Dillinger

Variance of development standards of the Consolidated Zoning and Subdivision Ordinance to provide for the construction of retail building along a Connector Frontage, with:

- a) A 32-front setback from Washington Street (maximum 25-foot setback permitted);
- b) A building comprising 44% of the building line (60 percent building line width required);
- c) 16 parking spaces provided (maximum 13 parking spaces permitted);
- d) No bicycle parking spaces provided (three spaces required); and
- e) Deficient landscaping (frontage and interior parking area landscaping, and conformity with green factor required).

16. 2022-DV1-057 | 4001 North Park Avenue | Washington Township, Council District 7, Zoned D-5 (TOD)

Brandi Waddy

Variance of development standards of the Consolidated Zoning and Subdivision Ordinance to provide for street access to an existing detached garage (access from an improved alley required) and legally establish the existing 0.60-foot north side setback and 4-foot east rear setback (five-foot side and rear setbacks required).

17. 2022-DV1-058 (Amended) | 1635 Cornell Avenue | Center Township, Council District 11, Zoned D-8

Hit It Till You're Happy LLC, by Matthew Peyton

Variance of development standards of the Consolidated Zoning and Subdivision Ordinance to provide for the construction of a duplex on a 5,396 square foot, 43-foot-wide lot (minimum 7,200 square feet and 60-foot wide

lot required for a duplex) and a detached garage with three-foot side yard setbacks (five-foot side yard setbacks required), resulting in an open space of 55 percent (60 percent open space required).

18. 2022-UV1-042 | 3401 East 96th Street | Washington Township, Council District 3, Zoned C-4

YLTM LLC, by Jason P. Lueking

Variance of use of the Consolidated Zoning and Subdivision Ordinance to provide for the operation of buying, selling, and leasing of motor 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. 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.