



Board of Zoning Appeals Division I (February 7, 2023) Meeting Agenda

Meeting Details

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

Date: Tuesday, February 07, 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. 2022-DV1-047 | 409 East Morris Street
Center Township, CD #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).

Continuance request by Petitioner, to the March 7, 2023 hearing of Division I.

2. 2022-DV1-062 (Amended) 1012 Olive Street
Center Township, CD #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).

Automatic Continuance to the March 7th Division I Hearing

3. 2022-UV1-027 (Amended) 300 East Fall Creek Parkway North Drive
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 with a zero-foot setback from 28th Street (10-foot setback required), and to legally establish an existing garage with a zero-foot setback from 28th Street.

Withdrawn

4. 2022-SE1-002 | 9140 East McGregor Road
Franklin Township, CD #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).

Automatic Continuance to the March 7th Division I Hearing

5. 2022-DV1-063 | 114 East 49th Street (4901 North Pennsylvania Street Parcel Address)
Washington Township, CD #7, Zoned C-3 (MSPC)
Patachou, Inc., by Jonathan W. Hughes

Variance of development standards of the Consolidated Zoning and Subdivision Ordinance to provide for the enlargement of an outdoor sidewalk cafe area from 777 square feet to 1,142 square feet (not permitted), with a permanent awning.

Automatically Continued to March 7th

Petitions for Public Hearing

PETITIONS TO BE EXPEDITED:

6. 2023-UV1-001 | 1344 South Belmont Avenue
Wayne Township, CD #16, Zoned C-3
Kewin Martinez, by Sarah Walters

Variance of use of the Consolidated Zoning and Subdivision Ordinance to provide for a triplex within an existing building.

7. 2023-UV1-002 | 1090 West 23rd Street
Center Township, CD #11, Zoned I-3 (W-5)
BB's Home Away From Home, by Joseph Lese

Variance of use of the Consolidated Zoning and Subdivision Ordinance to provide for the operation of a daycare facility as a primary use (not permitted).

8. 2023-UV1-003 | 2962 North Delaware Street
Center Township, CD #9, Zoned D-5 (TOD)
Jeffrey & Michelle Shukhman, by Jeffrey S. Jacob, Esq.

Variance of use and development standards of the Consolidated Zoning and Subdivision Ordinance to allow for a triplex within an existing building (not permitted) and legally establish its zero-foot northern corner side yard setback (eight-foot corner side yard setback required) and zero-foot south side yard setback (five-foot side yard setback required).

PETITIONS FOR PUBLIC HEARING (Transferred Petitions):

9. 2022-UV1-038 | 4010 West 86th Street (Indecisive)
Pike Township, CD #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 FOR PUBLIC HEARING (Continued Petitions):

10. 2022-DV1-057 | 4001 North Park Avenue
Washington Township, CD #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).

11. 2022-UV1-035 (Amended) 6234 East Hanna Avenue
Franklin Township, CD #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), deficient landscaping and a waiver of sidewalk installation requirements along Churchman By-Pass (installation of sidewalks required).

12. 2022-UV1-044 | 5702 North College Avenue
Washington Township, CD #2, Zoned D-3 (TOD)
Tim Schluge

Variance of use of the Consolidated Zoning and Subdivision Ordinance to provide for an accounting firm (not permitted).

PETITIONS FOR PUBLIC HEARING (New Petitions):

13. 2023-DV1-002 | 902, 916, 918 and 922 North Capitol Avenue
Center Township, CD #11, Zoned CBD-2 (RC) (TOD)
Capitol Street Properties LLC, 916 North Capitol Avenue LLC, MTP South Parking Propco LLC and MPT - 922 N Capitol Ave LLC, by Joseph D. Calderon

Variance of development standards of the Consolidated Zoning and Subdivision Ordinance to provide for the construction of a 243,000 square foot mixed-use building with one 24-foot by 28.5-foot loading space (two loading spaces with dimensions of 30-foot by 12-foot and 55-feet by 12-feet 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.