Board of Zoning Appeals
Board of Zoning Appeals Division III
(November 24, 2026)
Meeting Agenda

Meeting Details

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

Date: Tuesday, November 24, 2026 **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. **2026-SE3-004 | 1735 W. Edgewood Avenue**
Perry Township, Council District #22, zoned I-3, (FF)
David Gilman

Special Exception of the Consolidated Zoning and Subdivision Control Ordinance to provide for a commercial parking lot (special exception required) and a variance and use of development standards of the Consolidated Zoning and Subdivision Ordinance to provide for truck storage (not permitted within a flood zone).

****This petition will be continued to the December 15, 2026 hearing.**

2. **2026-DV3-044 | 4914 South Meridian Street**
Perry Township, Council District #22, zoned D-A
Matthew Bowen

Variance of Development Standards of the Consolidated Zoning and Subdivision Ordinance to provide for a six-foot tall perimeter black chain link fence (maximum 3.5-foot-tall fence permitted in front yards).

****This petition will be continued to the December 15, 2026 hearing.**

3. **2026-UV3-021 | 3665 North Irvington Avenue**
Warren Township, Council District #9, zoned D-4 (TOD)
HJJ Scholtens of Scholtens LLC, by Miosotis Adorno

Variance of Use and Development Standards of the Consolidated Zoning and Subdivision Ordinance to permit the outdoor storage of commercial vehicles (three box trucks) in D-4 (TOD) (not permitted), and vehicle parts (not permitted). To permit the outdoor storage of commercial vehicles on a non-paved surface (paved required). To permit a 0-foot transitional yard without required landscaping (15-foot transitional yard with landscaping required), and to permit a 72-foot driveway width in the front-yard (maximum width of 30-foot permitted).

****This petition has been automatically continued to the December 15, 2026 hearing.**

Petitions for Public Hearing

PETITIONS TO BE EXPEDITED:

4. **2026-DV3-046 | 2535 Ethel Avenue**
Center Township, Council District #12, zoned D-5
Josh Smith

Variance of Development Standards of the Consolidated Zoning and Subdivision Ordinance to permit the construction of a single-family detached dwelling with a 5-foot front setback (12-foot permitted).

5. **2026-DV3-047 | 1501 Kennington Street**
Center Township, Council District #18, zoned D-5
DMD, by Richard Acevedo

Variance of Development Standards of the Consolidated Zoning and Subdivision Ordinance to allow a minimum lot width of 38 feet (60 feet required), a minimum lot size area of 3,250 SF (7,200 SF required), a zero-corner side yard setback (8 feet required) with a front yard setback of 35 feet (10-19.9 feet required) for the construction of a residential duplex.

6. **2026-DV3-048 (Amended) | 2511, 2513, 2516, 2517, 2518, 2519, 2522, 2523, 2524, 2525, 2528, 2529, 2530, 2531, 2534, 2535, 2536, 2537, 2540, 2541, 2542 & 2543 Walker Place**
Center Township, Council District #19, zoned D-5II
IHR Builders LLC & Walker Place Equity Fund LLC, by Joe Calderon (Barnes & Thornburg LLP)

Variance of Development Standards of the Consolidated Zoning and Subdivision Ordinance to provide for residential development with front-loaded garages in front of the front building line (not permitted) and with front-loaded garages comprising between 46.1% and 50% of the front façade (prohibited if over 45% of the façade).

7. **2026-DV3-049 | 1159 W 18th Street**
Center Township, Council District #12, zoned C-1
Ryan Gorman, by Veracity (Michael Clust)

Variance of development standards of the Consolidated Zoning and Subdivision Ordinance to allow for drive access off 18th street not exclusive access from abutting alley (greater than 200 feet of frontage on 18th street is required) and to keep the existing fence in current location without the installation of shrubs (3 smalls shrubs per 25 linear feet required).

8. **2026-DV3-050 | 5095 East Thompson Road**
Perry Township, Council District #24, zoned C-4
Suzanne Dark Most & Sharon L. David & BTR Indy I LLC, by Paige Weidner (CESO) & David Bruckmeyer (Sheetz)

Variance of Development Standards of the Consolidated Zoning and Subdivision Ordinance to provide for the construction of a fueling canopy and convenience store with 0 feet of landscaped area along the northern frontage (depth of 10 feet required) and with a 10.2-foot setback for a dumpster enclosure (20 feet required).

9. **2026-UV3-023 | 1310 South West Street**
Center Township, Council District #18, zoned I-4
GDW Realty V LLC, by Russell Brown

Variance of Use of the Consolidated Zoning and Subdivision Ordinance to permit a 1,600 square-foot customer sales area with items exceeding 75 lbs. (not permitted).

10. **2026-UV3-024 | 1901 North Rural Street**
Center Township, Council District #13, zoned MU-1 (TOD)
Stacey Munns

Variance of use and development standards of the Consolidated Zoning and Subdivision Ordinance to provide for the operation of outdoor storage of tires and outdoor services of existing tire shop (not permitted).

PETITIONS FOR PUBLIC HEARING (Transferred Petitions):

PETITIONS FOR PUBLIC HEARING (Continued Petitions):

11. **2026-DV3-042 | 240 South Pennsylvania Street**
Center Township, Council District #18, zoned CBD-2 (FF) (RC) (TOD)
Boxcar Development, LLC, by Jennifer Milliken

Variance of Development Standards of the Consolidated Zoning and Subdivision Ordinance to provide for permanent banner signs on the east façade of a proposed entertainment facility and projecting into the right-of-way of Pennsylvania Street (only temporary banner signs permitted and banner signs not permitted in the right-of-way).

12. 2026-UV3-018 | 5135 East 10th Street
Warren Township, Council District #14, zoned C-4
Bhatti Brothers, Inc, by Joseph Csikos

Variance of Use and Development Standards of the Consolidated Zoning and Subdivision Ordinance to provide for a 160-square foot accessory storage container (not permitted), with a one-foot south side transitional yard setback (10-foot transitional yard setback required).

13. 2026-UV3-019 | 11650 East 30th Street
Warren Township, Council District #15, zoned D-A
Kadeem Aman Brogan, by Clark, Quinn, Moses, Scott, & Grahn, LLP

Variance of Use of the Consolidated Zoning and Subdivision Ordinance to allow for indoor/outdoor recreation and entertainment (not permitted in D-A) and to allow for the parking of commercial vehicles not intended for agricultural purposes (parking of commercial vehicles and equipment only permitted in D-A if related to agricultural uses).

Variance of Development Standards to allow for an unpaved surface parking area (only permitted in D-A if related to agricultural, animal-related, and food production uses).

PETITIONS FOR PUBLIC HEARING (New Petitions):

14. 2026-UV3-022 | 3739 North Illinois Street
Center Township, Council District #8, zoned C-4 / D-8 (TOD)
Dolina Development LLC, by Todd Surinak

Variance of Use of the Consolidated Zoning and Subdivision Ordinance to permit expansion of office space for professional services and light fabrication (not permitted in D-8).

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 planneroncall@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) 327-7093, at least 48 hours prior to the meeting. - Department of Metropolitan Development - Current Planning Division.

This meeting can be viewed live at https://www.indy.gov/activity/channel-16-live-web-stream. The recording of this meeting will also be archived (along with recordings of other City/County entities) at https://www.indy.gov/activity/watch-previously-recorded-programs.

Member	Appointed By	Term
Joanna Taft, Chair	Metropolitan Development Commission	January 1, 2025 – December 21, 2025
Bryan Hannon, Vice-Chair	Mayor's Office	January 1, 2025 – December 21, 2025

Rayanna Binder, Secretary	Mayor's Office	January 1, 2025 – December 21, 2025
Rod Bohannon	City-County Council	January 1, 2025 – December 21, 2025
Percy Bland	City-County Council	January 1, 2025 – December 21, 2025

DEPARTMENT OF METROPOLITAN DEVELOPMENT
DIVISION OF PLANNING | CURRENT PLANNING

Department of Metropolitan Development
Division of Planning
Current Planning

BOARD OF ZONING APPEALS DIVISION III — November 24, 2026

Case Number:	2026-SE3-004
Property Address:	1735 W. Edgewood Avenue (approximate address)
Location:	Perry Township, Council District 22
Petitioner:	UDASIN Truck Parking LLC, by David Gilman
Current Zoning:	I-3, FF
Request:	Special Exception of the Consolidated Zoning and Subdivision Ordinance to provide for a commercial parking lot (special exception required). Variance of development standards of the Consolidated Zoning and Subdivision Ordinance to provide for truck storage (not permitted).
Current Land Use:	Commercial
Staff Reviewer:	Jasmine Dillard Nikolich, Senior Planner

PETITION OVERVIEW

Petitioner is requesting a two-month continuance from the November 24, 2026, hearing to the January 2027, hearing due to bereavement.

Department of Metropolitan Development
Division of Planning
Current Planning

BOARD OF ZONING APPEALS DIVISION III — November 24th, 2026

Case Number:	2026-UV3-021
Property Address:	3665 North Irvington Avenue (approximate address)
Location:	Warren Township, Council District #9
Petitioner:	HJJ Scholtens of Scholtens LLC, by Miosotis Adorno
Current Zoning:	D-4 (TOD)
Request:	Variance of Use and Development Standards of the Consolidated Zoning and Subdivision Ordinance to permit the outdoor storage of commercial vehicles (three box trucks) in D-4 (TOD) (not permitted), and vehicle parts (not permitted). To permit the outdoor storage of commercial vehicles on a non-paved surface (paved required). To permit a 0-foot transitional yard without required landscaping (15-foot transitional yard with landscaping required), and to permit a 72-foot driveway width in the front-yard (maximum width of 30-foot permitted).
Current Land Use:	Single-family home
Staff Reviewer:	Adam Skrzeszewski, Senior Planner

PETITION HISTORY

A timely automatic continuance was filed by a registered neighborhood organization, automatically continuing this petition to the December 15th, 2026 hearing date. A full staff report will be made available in advance of that hearing.

Department of Metropolitan Development
Division of Planning
Current Planning

BOARD OF ZONING APPEALS DIVISION III — November 24, 2026

Case Number:	2026-DV3-046
Property Address:	2535 Ethel Ave (*approximate address)*
Location:	Center Township, Council District #12
Petitioner:	Josh Smith
Current Zoning:	D-5
Request:	Variance of Development Standards of the Consolidated Zoning and Subdivision Ordinance to permit the construction of a single-family detached dwelling with a 5-foot front setback (12-foot permitted).
Current Land Use:	Single-family residential
Staff Recommendations:	Staff recommends **approval**
Staff Reviewer:	Sam Sparzo, Senior Planner

PETITION HISTORY

First public hearing on this petition

STAFF RECOMMENDATION

Staff recommend **approval** of the requested variance

PETITION OVERVIEW

- The subject site is zoned D-5 intended for medium and large-lot housing, primarily single-family detached housing. The D-5 district is part of the Walkable Neighborhood District to advance the Livability Principles and to promote walkable and compact neighborhoods and to implement well-connected multi-mode street connectivity. Similarly, the Infill Housing Guide recommends matching the character of the surrounding blocks including spacing and front setbacks while for the maintenance of buildings.
- The D-5 district follows the form-based development standards listed in Table 742.103.03
    - The petitioner's site front is 39 feet in width (Detached House – Small Lot).
    - The petitioner's site's lot area is 1,905 square feet, which is smaller than the required lot area of 5,000 square feet. (Detached House – Smal Lot).
    - The development standards for a Detached House – Small Lot include side setback of 5 feet and a rear setback of 20 feet.
- The required frontage for the D-5 district can be found in Table 744-701-2: Private Frontage Design Standards. The required front setback for detached houses on small located in the D-5

district should be between 10 feet and 19.9 feet, The front setback of the neighboring properties is 12 feet.

- The petitioner has worked alongside the Department of Business and Neighborhood Services to update the site plan to limit the amount of variances required for the development. Adjusting the proposed development to meet the rear and side setbacks and keeping the site triangle clear. According to the Finding of Facts, to meet the required amount of living space 660 square feet and the small lot area, a variance would be required for either front setback and/or clear site triangle. The proposed development was updated to not require a variance for a clear site triangle, as a front setback variance would be the least intensive, benefit the public wellbeing, and allow for the practical livability use of the backyard.
- The proposed development will match the character of the neighborhood, meet the required living area requirement, meet rear and side setbacks, and keep the site triangle clear. Staff deem the requested 5-foot front back reasonable. Staff recommends **approval** of this variance.

GENERAL INFORMATION

Existing Zoning	D-5	
Existing Land Use	Single-family residential	
Comprehensive Plan	Dwellings 3.5 – 5 Units per Acre	
Surrounding Context	**Zoning**	**Surrounding Context**
North:	D-5	North: Single-family residential
South:	D-5	South: Single-family residential
East:	D-5	East: Single-family residential
West:	D-5	West: Single-family residential
Thoroughfare Plan		
Ethel Ave	Local Street	50 feet of Right of Way
Context Area	Compact	
Floodway / Floodway Fringe	No	
Overlay	No	
Wellfield Protection Area	No	
Site Plan	9/28/2026	
Site Plan (Amended)	N/A	
Elevations	N/A	
Elevations (Amended)	N/A	
Landscape Plan	N/A	
Findings of Fact	9/28/2026	
Findings of Fact (Amended)	N/A	

COMPREHENSIVE PLAN ANALYSIS

Comprehensive Plan

- Marion County Land Use Plan Pattern Book
- Infill Housing Guidelines

Pattern Book / Land Use Plan

- The Comprehensive Plan recommends 3.5 – 5 Units per Acre for this site

Red Line / Blue Line / Purple Line TOD Strategic Plan

- Not Applicable to the Site

Neighborhood / Area Specific Plan

- Not Applicable to the Site.

Infill Housing Guidelines

- The Infill Housing Guidelines recommend the following when adding onto an existing structure.
    - Consider the context of the block/neighborhoods to help guide the
        - Size,
        - Height,
    - Leave room for maintenance
    - Reinforce the spacing of the existing lots
- The proposal follows the above recommendation and matches the context of the surrounding blocks/neighborhood; therefore, the staff support the variance request.

Indy Moves
(Thoroughfare Plan, Pedestrian Plan, Bicycle Master Plan, Greenways Master Plan)

- Not Applicable to the Site.

ZONING HISTORY

ZONING HISTORY – SITE

N/A

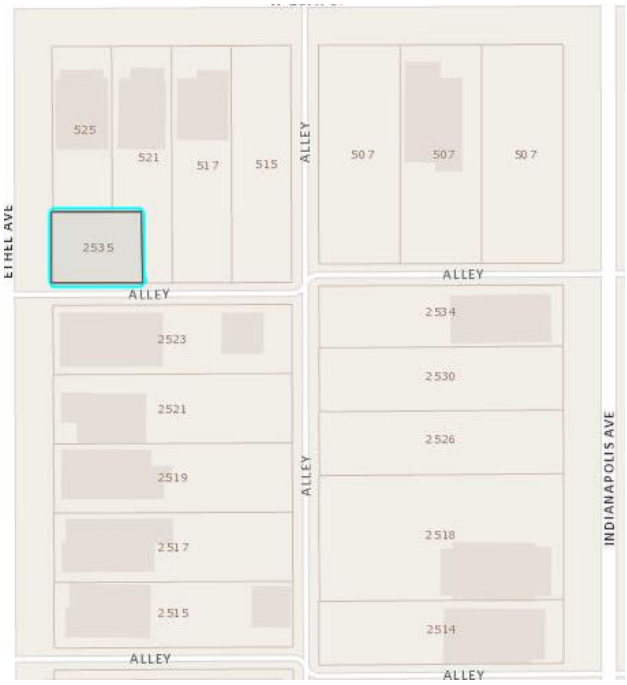
ZONING HISTORY – VICINITY

2002-DV3-048; 530 W 26th Street; (northwest of site). Variance of development standards of the Dwelling Districts Zoning Ordinance to provide for the construction of townhomes with 580 square feet of main floor area (minimum 660 square feet of main floor area required), with a minimum 6-foot front setback (minimum 25-foot front setback required for local streets) (minimum 30-foot front setback required for collector and secondary arterials) (minimum 40-foot front setback required for primary arterials), **approved**.

EXHIBITS

2026DV3046; Aerial Map





2026DV3046; Site Photos



Subject Site; From Ethel Ave; Facing east



Subject Site; From Ethel Ave; Facing northeast



Subject Site; From Ethel Ave; Facing south



Subject Site; From Ethel Ave; Facing north

Department of Metropolitan Development
Division of Planning
Current Planning

BOARD OF ZONING APPEALS DIVISION III — November 24, 2026

Case Number:	2026-DV3-047
Property Address:	1501 Kennington Street (approximate address)
Location:	Center Township, Council District #18
Petitioner:	City of Indianapolis, Department of Metropolitan Development, by Richard Acevedo
Current Zoning:	D-5
Request:	Variance of Development Standards of the Consolidated Zoning and Subdivision Ordinance to allow a minimum lot width of 38 feet (60 feet required), a minimum lot size area of 3,250 SF (7,200 SF required), a zero-corner side yard setback (8 feet required) with a front yard setback of 35 feet (10-19.9 feet required) for the construction of a residential duplex.
Current Land Use:	Residential
Staff Recommendations:	Staff recommends **approval** for this petition
Staff Reviewer:	David Arrom Garza, AICP Senior Planner

PETITION HISTORY

This is the first public hearing for this petition.

STAFF RECOMMENDATION

Staff recommends **approval** for this petition.

PETITION OVERVIEW

City of Indianapolis, c/o Vacant to Vibrant (V2V), as the owner of a vacant parcel address 1501 Kennington St has authorized Richard Acevedo to file land development petitions for the aforesaid site.

The petitioner seeks Variance of Development Standards of the Consolidated Zoning and Subdivision Ordinance to allow for a minimum lot width of 38 feet (60 feet required), a minimum lot size area of 3,250 SF (7,200 SF required), a zero-corner side yard setback (8 feet required) with a front yard setback of 35 feet (10 – 19.9 feet required) for the construction of a residential duplex.

SITE PLAN

The site plan, file-dated September 21, 2026, and updated November 6, 2026, depicts a two-unit attached duplex with a unit “A” area of 970 square feet and a unit “B” area of 1,040 square feet.

with a detached parking pad of 344 square feet providing two parking spaces with side rear driveway access.

STAFF ANALYSIS

DWELLING DISTRICT

The subject lot is zoned D-5. The D-5 district is intended for medium and large-lot housing formats, primarily for detached houses, but may incorporate small-scale multi-unit building types in strategic locations. This district can be used for new, walkable suburban neighborhoods or for infill situations in established urban areas, including both low density and medium density residential recommendations of the Comprehensive Plan, and the Suburban Neighborhood and Traditional Neighborhood Typologies of the Land Use Pattern Book.

D-5 Districts may implement walkable, compact neighborhood patterns with well-connected street and block structures to advance the Livability Principles of the Code.

D-5 development standards for a Duplex (2 units) require a lot area minimum greater or equal to 7,200 square feet, a lot width minimum of 60 feet and a side and corner side yard minimum setback of 5 feet and 8 feet respectively (Table 742.103.03 – Residential Building Type Standards).

Table 744-701-2 – Private Frontage Design Standards, coordinate the setback and building placement of specific building types on a block-by-block basis. For the D-5 District, given the neighborhood context and street network, the 10 – 19.9’ front setback to the Front Building Line is applicable.

Infill Housing Guidelines recommend an evaluation of the surrounding block for appropriate housing sizes of undersized lots.

SITE CHARACTERISTICS

The subject lot, zoned D-5, is a corner Compact Lot bounded by Kennington St and E Alley 1500 S: a local street and an alleyway providing primary residential access.

As Compact Lot, with a total lot size area of approximately 3,250 square feet and a lot width of 38 feet, the subject site does not meet D-5 minimum lot size area and minimum lot width requirements.

As a corner yard with two front yards, and where multiple frontage types are permitted, the frontages should be similar for all lots on the same block face or gradually transition to different building placement and frontage types.

For a corner lot bounded by public right-of-way a clear sight triangular area is formed by the intersecting centerlines of each right-of-way and the line connecting the two end points of each extended centerline.

Chapter 740 Article III Section 04 C. Table 740-304-C, Clear Sight distances at intersections of ROW require 75’ feet distance along centerline right-of-way for each street according to the ‘local’ street classification identified for Kennington St and alleyway to be outside of the clear sight distance triangular

area. The proposed site plan places the duplex frontage on Kennington St for a 35-foot front yard setback, 15.1 feet beyond the maximum desired 19.9-foot Front Building Line as not to not conflict with the clear sight triangular area.

A zero-corner side yard setback is requested (8-feet required for D-5). To accommodate the geometric angle of the north property line and the placement of the proposed front porch columns at the northwest corner of lot, a zero-corner side yard setback is being requested.

Given the triangular shape of the lot at the northern property line where the corner side yard is located, together with insufficient lot area and width by D-5 standards, practical site difficulties occur for the construction of a residential duplex, a use permitted by right in a D-5 district.

Additionally, staff find that proposed site plan aligns with Infill Housing Guidelines which recommend for undersize lots, an evaluation of the surrounding context for appropriate housing sizes with the proposed square footage in agreement with existing dwelling sizes. For these reasons, staff recommend approval for this petition

GENERAL INFORMATION

Existing Zoning	D-5	
Existing Land Use	Exempt	
Comprehensive Plan	Traditional Neighborhood	
Surrounding Context	**Zoning**	**Surrounding Context**
North:	D-5	North: Single-family dwelling
South:	D-5	South: Single-family dwelling
East:	D-5	East: Single-family dwelling
West:	I-4	West: Single-family dwelling
Thoroughfare Plan		
Kennington St	Local Street	18’ R/W existing (curb-to-curb)
E Alley 1500 S	Alley	16’ R/W existing (no curb)
Context Area	Compact	
Floodway / Floodway Fringe	No	
Overlay	No	
Wellfield Protection Area	No	
Site Plan	September 21, 2026	
Site Plan (amended)	November 6, 2026	
Elevations	August 19, 2026	
Findings of Fact	August 19, 2026	

COMPREHENSIVE PLAN ANALYSIS

Comprehensive Plan

- Marion County Land Use Plan Pattern Book

Pattern Book / Land Use Plan

- The Marion County Land Use Plan ("Pattern Book") recommends the Traditional Neighborhood living typology for this site. Traditional Neighborhood typology includes a full spectrum of housing types, ranging from single family homes to large-scale multifamily housing. The development pattern of this typology should be compact and well-connected, with access to individual parcels by an alley when practical. Building form should promote the social connectivity of the neighborhood, with clearly defined public, semi-public, and private spaces. Infill development should continue the existing visual pattern, rhythm, or orientation of surrounding buildings when possible. A wide range of neighborhood serving businesses, institutions, and amenities should be present. Ideally, most daily needs are within walking distance. This typology usually has a residential density of 5 to 15 dwelling units per acre, but a higher density is recommended if the development is within a quarter mile of a frequent transit line, greenway, or park.

Red Line / Blue Line / Purple Line TOD Strategic Plan

- Not Applicable to the Site

Neighborhood / Area Specific Plan

- Not Applicable to the Site

Infill Housing Guidelines

- The Infill Housing Guidelines apply to infill development in residential areas within the Compact Context Area.

- For building setbacks and open space standards, the Infill Housing Guidelines recommend new construction:

    - Use the surrounding block context to help guide where appropriate setbacks should be

    - Build within the front "setback range" between the shortest and longest distances from the right-of-way (i.e. streets or sidewalks) to houses

    - Reflect and reinforce the character of spacing found on the block

    - For undersize lots, evaluation of the surrounding context for appropriate housing sizes

Indy Moves
(Thoroughfare Plan, Pedestrian Plan, Bicycle Master Plan, Greenways Master Plan)

- Not Applicable to the Site

ZONING HISTORY

ZONING HISTORY – VICINITY

2001UV2032; 1506 Kennington St: Variance of Use Standards of the Consolidated Zoning and Subdivision Ordinance to allow a residential use in an industrial zone, **approved**.

2018DV2051; 1521 Kennington St: Variance of development standards of the Consolidated Zoning and Subdivision Ordinance to provide for a single-family dwelling with an attached garage, with 55% open space (60% open space required), **approved**.

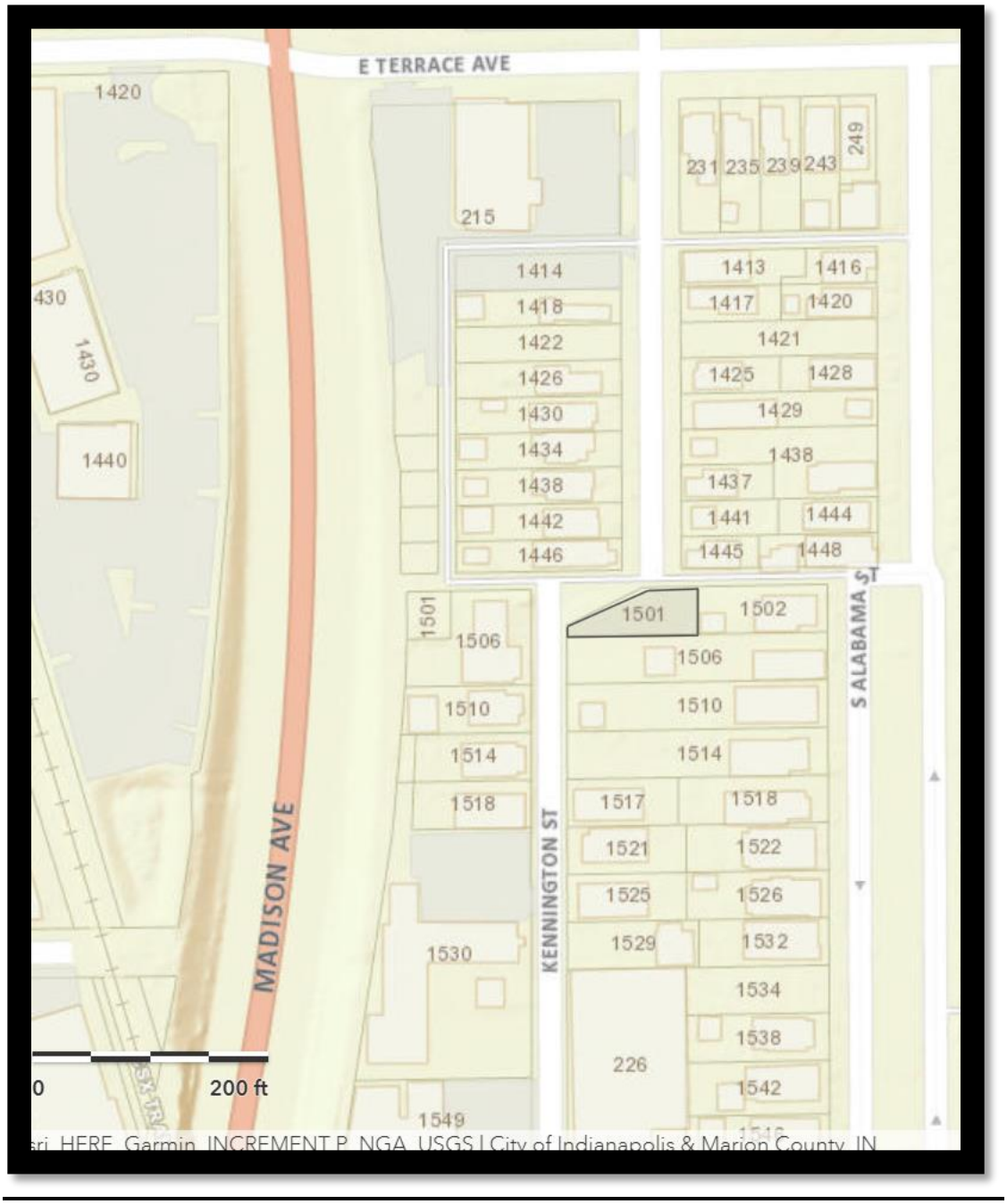
2018UV1021; 1411 S Alabama St: Variance of use and development standards of the Consolidated Zoning and Subdivision Ordinance to legally establish two, two-family dwellings (not permitted) on a 7,400-square foot, 40-foot wide lot (70-foot lot width required), with zero parking spaces (four parking spaces required), with a nine-foot front setback, a 10-foot rear setback and 56% open space (18-foot front setback, 20-foot rear setback and 60% open space required), and with one two-family dwelling having deficient main and total floor area (minimum 660 main floor and 900 square feet required), **approved**.

DMD INDY
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DIVISION OF PLANNING | CURRENT PLANNING

Department of Metropolitan Development
Division of Planning
Current Planning

EXHIBITS

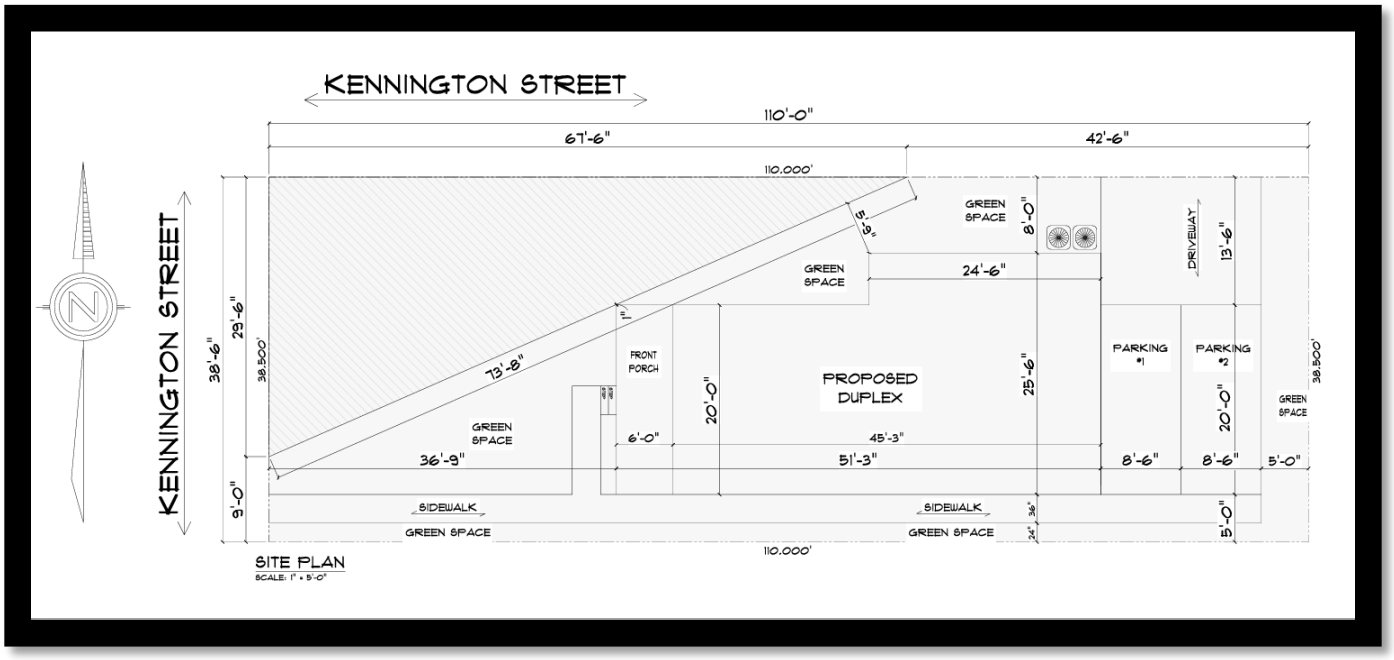
Location Map



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Department of Metropolitan Development
Division of Planning
Current Planning

Site Plan



Findings of Fact

Petition Number _____

METROPOLITAN DEVELOPMENT COMMISSION
HEARING EXAMINER
METROPOLITAN BOARD OF ZONING APPEALS, Division _____
OF MARION COUNTY, INDIANA

PETITION FOR VARIANCE OF DEVELOPMENT STANDARDS

FINDINGS OF FACT

1. The grant will not be injurious to the public health, safety, morals, and general welfare of the community because:

The requested variances would accommodate the proposed duplex at 1501 Kennington Street on a small, irregularly shaped lot while maintaining an unobstructed public right-of-way and driveway. Parking would be provided on the property, with vehicle access from the alley to reduce conflicts with pedestrians along the street. The development would remain subject to applicable building and fire-safety requirements. These features would support residential use of the property while maintaining safe access for residents, neighbors, and the public.

2. The use or value of the area adjacent to the property included in the variance will not be affected in a substantially adverse manner because:

The proposed duplex would be consistent with the surrounding residential character, with the building and parking located entirely within the property. The requested lot-width and lot-area variances address the lot's existing dimensions. The setback variances concern the street-facing sides of the property; no reduction in the required interior setbacks along neighboring properties is requested. These features would maintain separation from adjoining properties and support continued residential use of the area. A substantially adverse effect on neighboring property use or value is therefore not expected.

3. The strict application of the terms of the zoning ordinance will result in practical difficulties in the use of the property because:

The existing lot is smaller and narrower than required for the proposed duplex, and its irregular shape and angled boundary further limit the available building area. Moving the building would not resolve the lot-width and lot-area deficiencies. The limited width constrains placement along the corner side, while the angled frontage requires the proposed duplex to sit farther back from the front street to fit within the lot. Together, these conditions substantially restrict a workable duplex layout. The requested variances address these physical constraints while keeping the building, parking, and access within the property.

DECISION

IT IS THEREFORE the decision of this body that this VARIANCE petition is APPROVED.

Adopted this _____ day of _____ , 20 ____

2026DV3047 Site Photographs



Development site frontage at 1501 Kennington St (west elevation)



Looking at corner side yard area from E Alley (depicted as north elevation on site plan)

Department of Metropolitan Development
Division of Planning
Current Planning

BOARD OF ZONING APPEALS DIVISION I — November 24, 2026

Case Number:	2026-DV3-048 (Amended)
Property Address:	2511, 2513, 2516, 2517, 2518, 2519, 2522, 2523, 2524, 2525, 2528, 2529, 2530, 2531, 2534, 2535, 2536, 2537, 2540, 2541, 2542 & 2543 Walker Place *(approximate addresses)*
Location:	Center Township, Council District #19
Petitioner:	IHR Builders LLC & Walker Place Equity Fund LLC, by Joe Calderon (Barnes & Thornburg LLP)
Current Zoning:	D-5II
Request:	Variance of Development Standards of the Consolidated Zoning and Subdivision Ordinance to provide for residential development with front-loaded garages in front of the front building line (not permitted) and with front-loaded garages comprising between 46.1% and 50% of the front façade (prohibited if over 45% of the façade).
Current Land Use:	Residential / Undeveloped
Staff Recommendations:	Staff recommends **approval** of the requested variances.
Staff Reviewer:	Michael Weigel, Principal Planner I

PETITION HISTORY

This is the first public hearing for this petition.

STAFF RECOMMENDATION

Staff recommends **approval** of the variances.

PETITION OVERVIEW

The subject area comprising this variance request is 22 separate parcels along the street Walker Place, which is accessed from Walker Avenue to the north. This area was originally rezoned to the D-P zoning designation by the petition 2001ZON143 in 2001 to allow for two-family dwellings. Two of those dwellings were built shortly after approval of the 2001, rezoning, but the other parcels have remained undeveloped. Earlier this year, the boundary lines of the undeveloped parcels were adjusted by the approval of 2026CPL817 and the site was rezoned to the D-5II designation by the petition 2026CZN817, to allow for the construction of single-family dwellings on remaining parcels.

The typical width and frontage of undeveloped lots within the subdivision area is 37 feet. Areas to the south of the subdivision are within the floodway fringe, although the subject parcels seeking variances do not appear to fall within floodplain areas. Surrounding land uses beyond the existing two-family dwellings include residential development to the west and north and a religious use to the east.

The Indianapolis Zoning Ordinance was amended in 2021 to introduce new Walkable Neighborhood standards for higher-density residential zoning districts (including but not limited to the D-5II district). These standards include Table 744-701-2, which introduced limitations on the placement of front-loaded garages extending past the established front building line of homes or comprising a large percentage of the overall width of the façade. There are two existing duplexes on site, which are considered legal non-conforming structures since they were legally permitted prior to the establishment of the current ordinance. However, these rules are applicable for *new* residential development.

Documents provided by the petitioner indicate the usage of three primary floorplans and building elevations: the Everglades model, the Redwood model, and the Yosemite model (see sample plans within Exhibits below). Each of those models utilizes front-loaded garages, and would require the following variances:

- The Ordinance prohibits the placement of garages in front of the established front building line (FBL) of the house, which would be the areas of the home comprised of habitable and conditioned space. Two of the three proposed models (Redwood and Yosemite) indicate usage of front-loaded garages that would extend past the FBL of the house by 1 foot and 5 feet, respectively.
- The Ordinance also only permits a maximum garage width of 45% of the width of the home (30% if the garage is recessed less than 12 feet from the FBL). The proposed width of the garages shown on provided plans range from 46.1% (Yosemite) to 50% (Everglades and Redwood).

The original filing for the petition included a fourth model ('Glacier') which would have utilized a 2-car garage that would have been placed 16.33 feet in front of the FBL and would have comprised around 77% of the overall width of the residence. Staff noted upon initial review of plans that utilization of this model would not constitute minimal relief from Ordinance standards, and the petitioner agreed to remove that model from their plans at staff's suggestion. The "Model Distribution Within Subdivision" table within Exhibits below shows the proposed location of each model type on proposed lots. Permit applications to allow for development of the single-family homes were made in late 2025, which have not been issued. Any previous filings utilizing the Glacier model would need to be amended to a different model.

Per Ordinance, each of the subject parcels are zoned D-5II to allow for small-lot housing formats, primarily for small detached houses but also including a mix of small-scale multi-unit building types. Similarly, the Comprehensive Plan Pattern Book recommends them to the Suburban Neighborhood typology to allow for predominantly single-family housing but is interspersed with attached and multifamily housing where appropriate. The Infill Housing Guidelines (a component of the Comprehensive Plan) indicate that front-loaded garages should be avoided when alley access is available, and that entry points and architectural elements on front facades should be consistent with the broader neighborhood context. Given the lack of available alleys for these lots and that the only existing development is comprised of front-loaded garages on the previous duplexes, staff does not feel the proposal would violate Infill Housing Guidelines.

Findings of Fact provided by the applicant note the difficulty created by the width of the subject lots as well as the lack of alley access preventing reasonable installation of garages that would either be side-loaded or that would meet the 30-45% requirement for front-loaded garage width. Staff would note that the width required for both placement of a side-loaded garage *and* adequate paved maneuvering space

('apron' area) would likely exceed 30 feet, which would comprise at least 81% of the full width of these lots (37 feet) even before factoring in applicable side yard setback requirements.

In addition to the practical difficulty that result from the narrowness of the lots, staff would also note that the maximum width of front-loaded garages contemplated by the Ordinance is 45%, and that the relief sought by this variance would only exceed that standard by 1.1% to 5% given the petitioner's willingness to amend plans and remove the 2-car garage 'Glacier' model. Garages located slightly past the FBL are also contextual for the neighborhood and would not violate Infill Housing Guidelines. This would represent the minimal necessary deviation from the Zoning Ordinance standards.

Staff recommends **approval** of the variance requests given the practical difficulty posed by the lot widths, the established context of the neighborhood's previous development, and the willingness of the applicant to amend plans in a way that would result in their only asking for minimal relief from applicable Ordinance standards.

GENERAL INFORMATION

Existing Zoning	D-5II	
Existing Land Use	Residential / Undeveloped	
Comprehensive Plan	Suburban Neighborhood	
Surrounding Context	**Zoning**	**Surrounding Context**
North:	D-5	North: Residential
South:	D-5II	South: Undeveloped
East:	SU-1	East: Religious Use
West:	D-4	West: Residential
Thoroughfare Plan		
Walker Avenue	Local Street	61-foot existing right-of-way and 48-foot proposed right-of-way
Walker Place	Local Street	50-foot existing right-of-way and 48-foot proposed right-of-way
Context Area	Compact	
Floodway / Floodway Fringe	No	
Overlay	Yes ; Environmentally Sensitive	
Wellfield Protection Area	No	
Site Plan	03/13/2026 (2026CZN817)	
Site Plan (Amended)	N/A	
Elevations	09/25/2026	
Elevations (Amended)	N/A	
Landscape Plan	N/A	
Findings of Fact	09/25/2026	
Findings of Fact (Amended)	N/A	

COMPREHENSIVE PLAN ANALYSIS

Comprehensive Plan

- Marion County Land Use Plan Pattern Book
- Infill Housing Guidelines

Pattern Book / Land Use Plan

- The Suburban Neighborhood typology is predominantly made up of single-family housing but is interspersed with attached and multifamily housing where appropriate. This typology should be supported by a variety of neighborhood-serving businesses, institutions, and amenities. Natural Corridors and natural features such as stream corridors, wetlands, and woodlands should be treated as focal points or organizing systems for development. Streets should be well-connected, and amenities should be treated as landmarks that enhance navigability of development. This typology generally has a residential density of 1 to 5 dwelling units per acre, but a higher density is recommended if the development is within a quarter mile of a transit line, greenway, or park.
    - The Environmentally Sensitive Areas (ES) Overlay is intended for areas containing high quality woodlands, wetlands, or other natural resources that should be protected. The purpose of this overlay is to prevent or mitigate potential damage to these resources caused by development. This overlay is also appropriate for areas that present an opportunity to create a new environmental asset. This overlay is not intended for the preservation of open space.

Red Line / Blue Line / Purple Line TOD Strategic Plan

- Not Applicable to the Site.

Neighborhood / Area Specific Plan

- Not Applicable to the Site.

Infill Housing Guidelines

- The surrounding neighborhood should help guide the appropriateness of incorporating different architectural elements into infill design. Entry points should be consistent with surrounding locations.
- Garages should be oriented along alleys, and front-loading garages and driveways should be avoided when alleys are available.

Indy Moves
(Thoroughfare Plan, Pedestrian Plan, Bicycle Master Plan, Greenways Master Plan)

- Not Applicable to the Site.

ZONING HISTORY

ZONING HISTORY – SITE

2026CZN817, Rezoning of 4.597 acres from the D-P district to the D-5II district to provide for single-family attached dwellings, **approved.**

2026CPL817, Approval of a Subdivision Plat to be known as Replat of Lots 1-13 Walker Place Subdivision, dividing 4.597 acres into 26 lots, with a waiver of the open space requirements in Chapter 741, Article III, Section 10 B of the Consolidated Zoning and Subdivision Ordinance, **approved.**

2008ZON028, Rezoning of 4.597 acres, from the DP (FW) (FF) District, to the DP (FW) (FF) classification to provide for the construction of 43 attached dwelling units at a density of 9.35 units per acre, **pending**.

2001ZON143, Rezone 4.957 acres, from D-4 (FW)(FF) to D-P (FW)(FF), to provide for 13 two family dwellings, constituting 26 dwelling units (5.65 units per acre), **approved.**

2001PLT088, Subdivision approval of 4.957 acres into 13 lots, **approved.**

ZONING HISTORY – VICINITY

2015DV2020 ; 2455 S State Avenue (west of site), Variance of development standards of the Dwelling Districts Zoning Ordinance to provide for a 576-square foot garage in the established front yard of the primary dwelling on Walker Avenue (not permitted), and creating an accessory use area of 1,164 square feet or 113.2% of the total floor area of the primary dwelling (maximum 1,026 square feet or 99.9% of the total floor area of the primary dwelling permitted), **approved.**

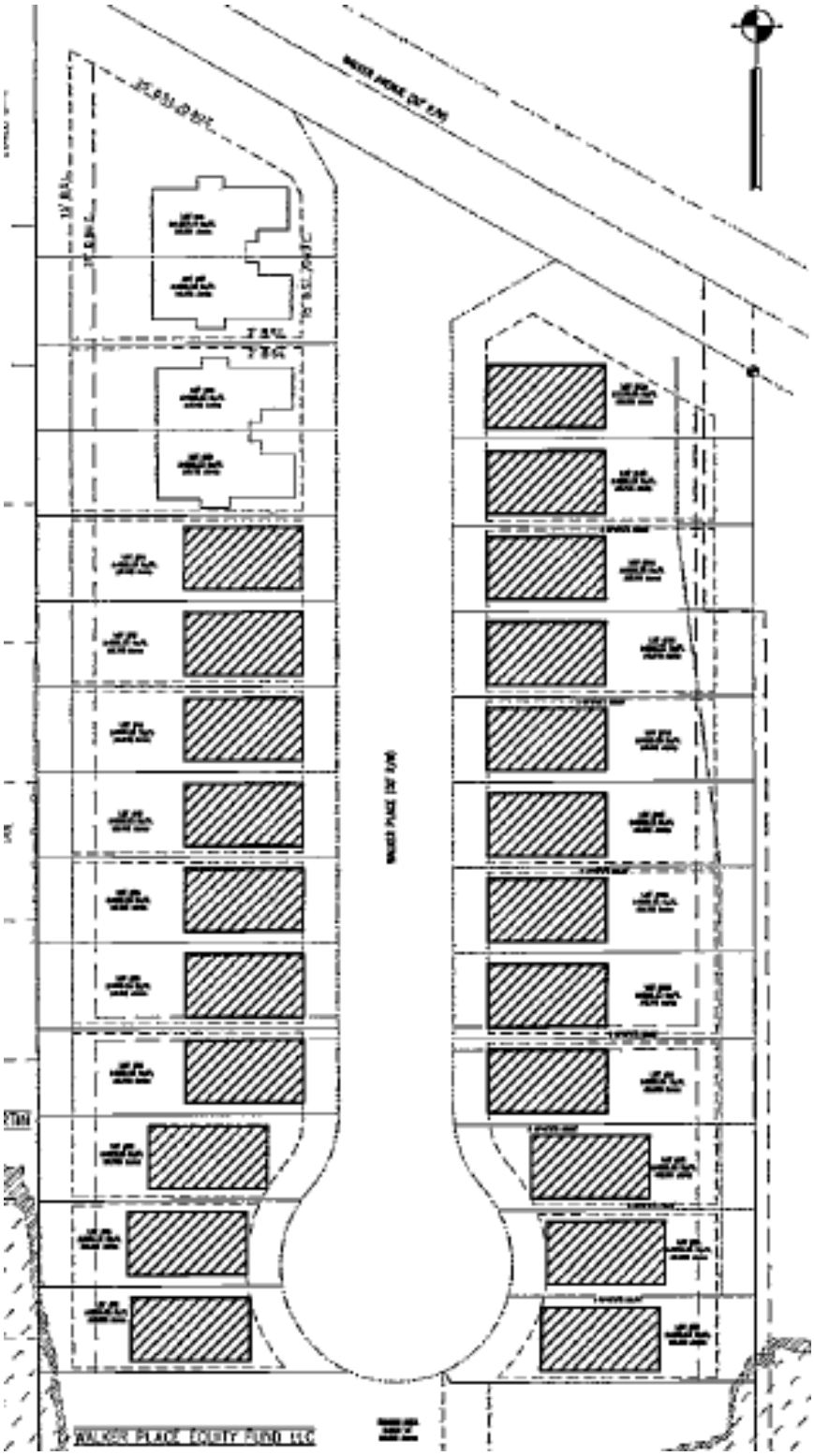
2008SE2002 ; 1751 Walker Avenue (east of site), Special exception of the Wireless Communications Zoning Ordinance to provide for a 120-foot tall monopole wireless communications tower and associated equipment cabinets, **approved.**

EXHIBITS

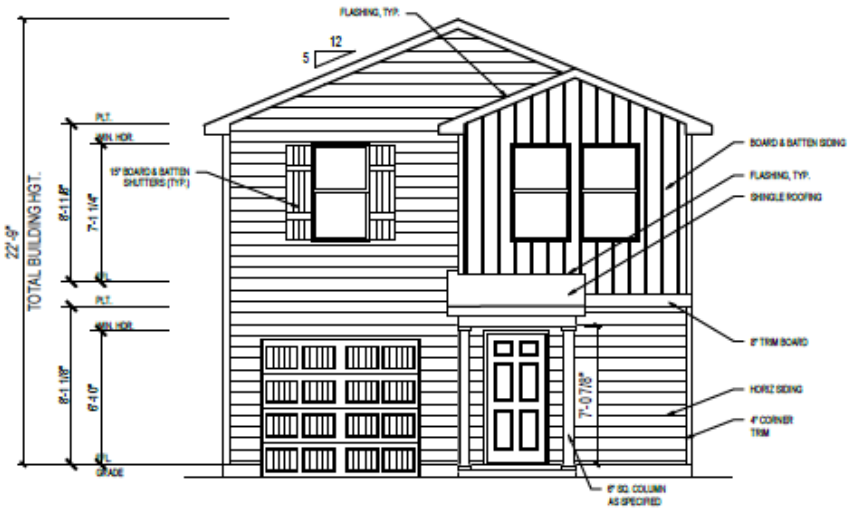
2026DV3048 ; Aerial Map



2026DV3048 ; Site Plan (Conceptual, from 2026CZN817)

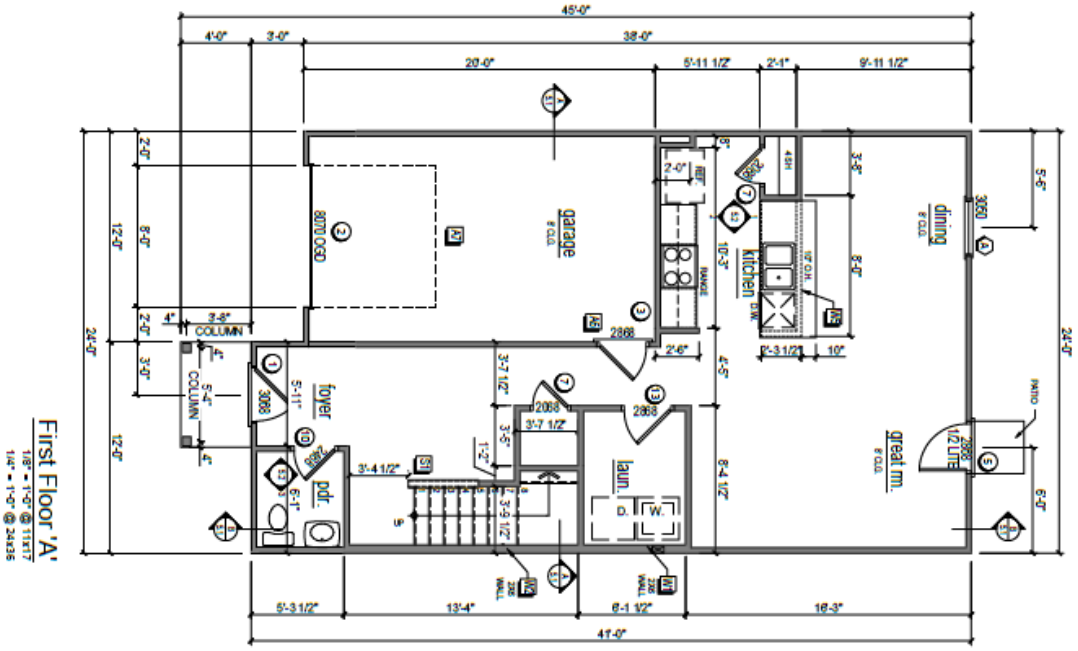


2026DV3048 ; Front Elevation (Everglades Model Sample)



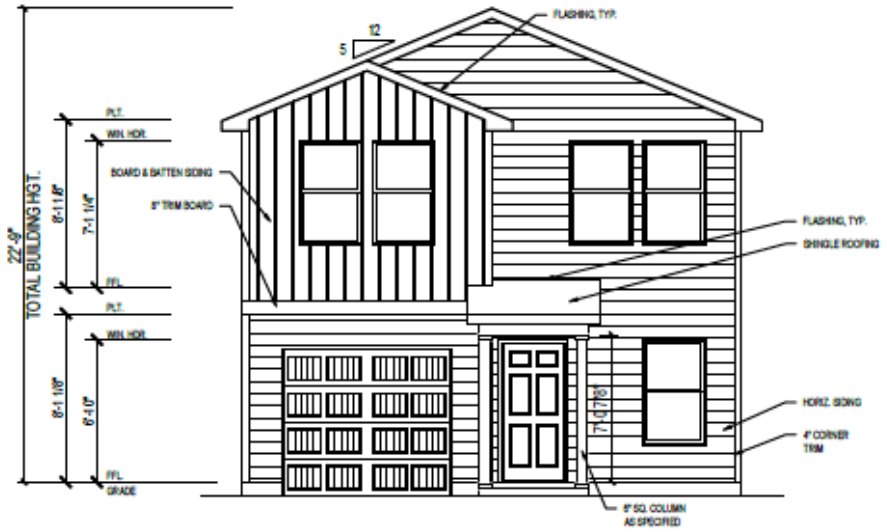
Front Elevation 'A1'
1/8" = 1'-0" @ 11x17
1/4" = 1'-0" @ 24x36

2026DV3048 ; Floorplans (Everglades Model ; First Story)



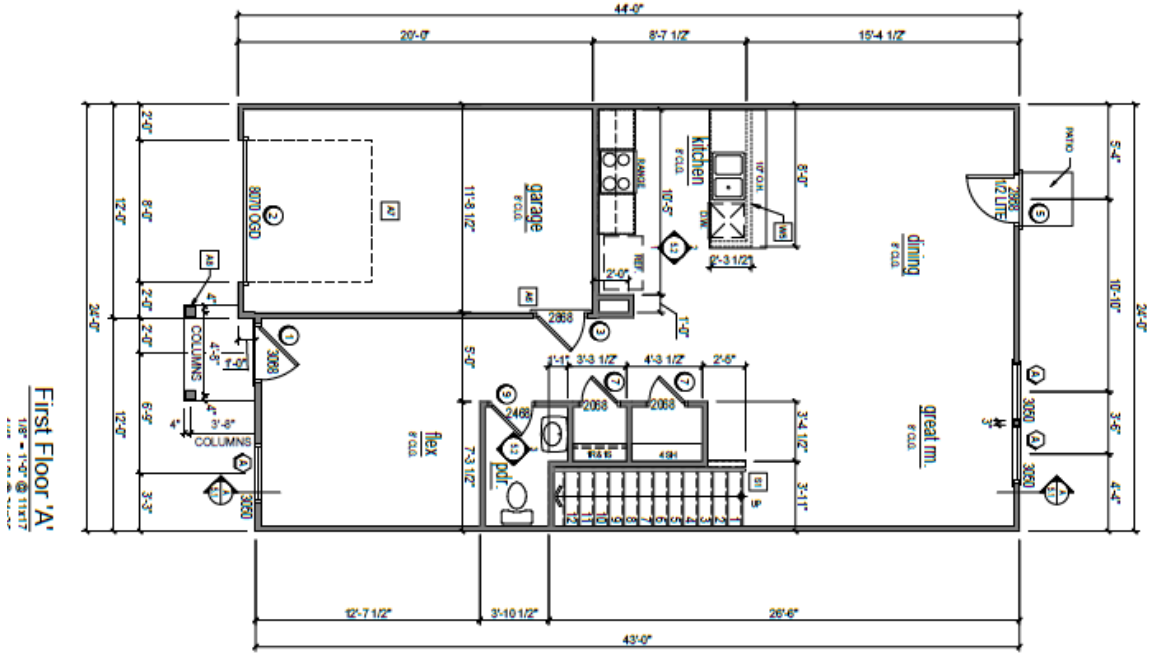
First Floor 'A'
1/8" = 1'-0" @ 11x17
1/4" = 1'-0" @ 24x36

2026DV3048 ; Front Elevation (Redwood Model Sample)



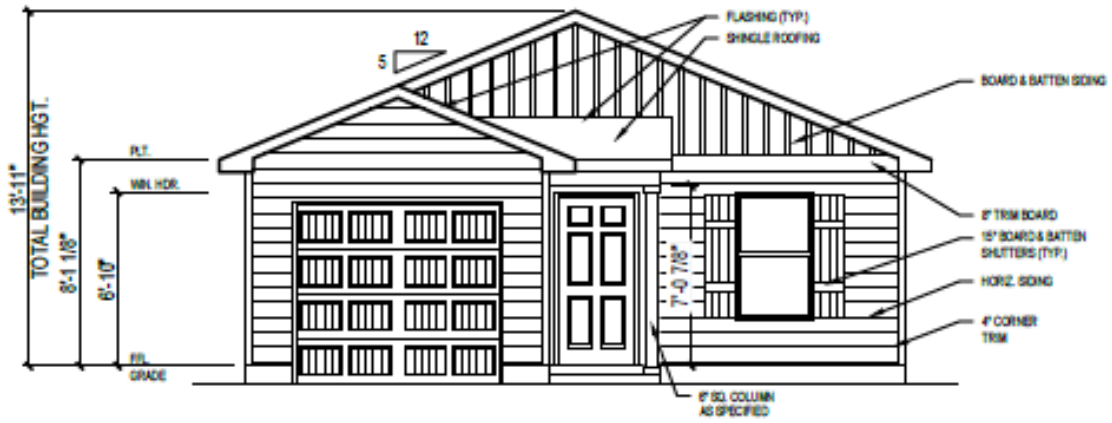
Front Elevation 'A1'
1/8" = 1'-0" @ 11x17
1/4" = 1'-0" @ 24x36

2026DV3048 ; Floorplans (Redwood Model ; First Story)



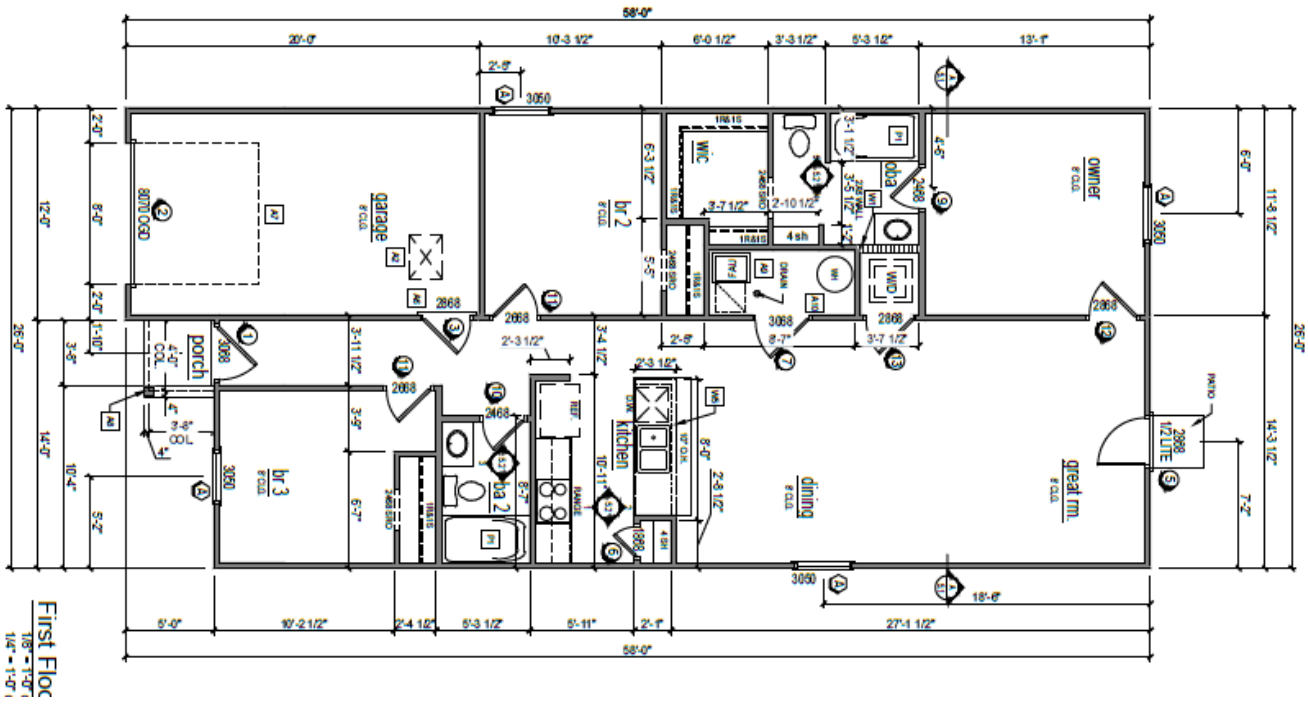
First Floor 'A'

2026DV3048 ; Elevations (Yosemite Model Sample)



Front Elevation 'A1'
1/8" = 1'-0" @ 11x17
1/4" = 1'-0" @ 24x36

2026DV3048 ; Floorplans (Yosemite Model)



2026DV3048 ; Model Distribution within Subdivision

Lot	Address	County	Model Name	Elevation	Garage Swing
5A	2528 Walker	Marion	Everglades	B1	Right
5B	2530 Walker	Marion	Yosemite	B1	Right
6A	2534 Walker	Marion	Redwood	B1	Right
6B	2536 Walker	Marion	Yosemite	A1	Right
7A	2540 Walker	Marion	Everglades	A1	Right
7B	2542 Walker	Marion	Redwood	A1	Right
8A	2541 Walker	Marion	Yosemite	B1	Left
8B	2543 Walker	Marion	Redwood	B1	Left
9A	2535 Walker	Marion	Everglades	B1	Left
9B	2537 Walker	Marion	Yosemite	A1	Left
10A	2529 Walker	Marion	Yosemite	A1	Left
10B	2531 Walker	Marion	Redwood	A1	Left
11A	2523 Walker	Marion	Everglades	A1	Left
11B	2525 Walker	Marion	Redwood	B1	Left
12A	2517 Walker	Marion	Yosemite	B1	Left
12B	2519 Walker	Marion	Redwood	B1	Left
13A	2511 Walker	Marion	Everglades	A1	Right
13B	2513 Walker	Marion	Yosemite	A1	Left

2026DV3048 ; Findings of Fact

1. The grant will not be injurious to the public health, safety, morals, and general welfare of the community because:

the garages will be consistent with the front loading garages in the neighborhood and will meet all minimum setback requirements.

2. The use or value of the area adjacent to the property included in the variance will not be affected in a substantially adverse manner because:

the subdivision is just being built out, and the proposed garages will be self contained within the subdivision without any impact on adjoining properties.

3. The strict application of the terms of the zoning ordinance will result in practical difficulties in the use of the property because:

there is not enough room on the lots to provide a side or rear loading garage, and to meet the requirement for a front loading garage would render the dwelling with a garage that would not allow for a useful garage or for the dwelling to have living space behind the garage.

2026DV3048 ; Photographs (May 2026)



View looking north along Walker Place



View of site looking northeast

2026DV3048 ; Photographs (May 2026 ; continued)



View of site looking southeast



View of site looking southeast

2026DV3048 ; Photographs (May 2026 ; continued)



View of site looking south



View of site looking southwest

2026DV3048 ; Photographs (May 2026 ; continued)



View of site looking northwest



View of site looking west at new development

Department of Metropolitan Development
Division of Planning
Current Planning

BOARD OF ZONING APPEALS DIVISION III — November 24, 2026

Case Number:	2026-DV3-049
Property Address:	1159 W 18th Street (*approximate address)*
Location:	Center Township, Council District #12
Petitioner:	Ryan Gorman, Veracity (Michael Clust)
Current Zoning:	C-1 (W-1)
Request:	Variance of development standards of the Consolidated Zoning and Subdivision Ordinance to allow for drive access off 18th Street not exclusive access from abutting alley (greater than 200 feet of frontage on 18th Street is required) and to keep the existing fence in current location without the installation of shrubs (3 smalls shrubs per 25 linear feet required).
Current Land Use:	Commercial parking lot
Staff Recommendations:	Staff recommends **approval**
Staff Reviewer:	Sam Sparzo, Senior Planner

PETITION HISTORY

First public hearing on this petition

STAFF RECOMMENDATION

Staff recommend **approval** of the requested variance

PETITION OVERVIEW

- The subject site is zoned C-1 and is used as the parking lot for Guggman Haus Brewery, located south of the property. The lot is currently gravel and will be improved with hard surfacing, striping, curbs, and landscaping.
- The subject site includes a fence along its eastern property line that separates the parking from the adjacent D-5 district to the east. The D-5 district was rezoned from C-1 by Case 2021CZN856, creating a nonconformity because the subject site now abuts a dwelling district. As a result, the requirements of 744-508.B.2 became applicable, requiring a fence or wall at least three feet inside the property line, a fence of six feet tall, opacity of at least 75%, and three small shrubs per 25 linear feet are required. The existing fence meets the height and opacity requirements but does comply with the setback or required landscaping requirement. In addition, the property owner to the east has paved a section of the subject site to allow for easement access which encroaches on the petitioner's lot. The same neighbor has shown support of the fence, and neither petitioner

nor neighbor wishes to remove paving to place the fence within 3 feet of the subject site property line and to add shrubs, requiring repaving the land.

- The petitioner met with DMD, DNS, and DPW staff members to evaluate potential site plans and to minimize the number of required variances and included vehicle access from W 18th Street, during ILP application, staff determined that such access would not be permitted. Pursuant to 744-301.A, when a lot that abuts an improved alley and has less than 200 feet of street frontage, vehicular access must be provided exclusively from the alley. Therefore, access from W 18th would not be permitted, and all vehicular access must be exclusively from the alley to the west.
- The subject site's current frontage on 18th Street is 108.8 feet. This is due to the unusual lot configuration, as the NW corner of the lot has been truncated by a CSX railroad right-of-way. If the lot was a traditional rectangular shape, the frontage would be approximately 265 feet, exceeding the threshold that would permit direct access from W 18th Street. Additionally, historical aerial imagery indicates that the site previously had direct access to W 18th Street.
- Staff find the requests to allow the existing fence to remain in its current location without the installation of additional shrubs and to permit vehicular access onto W. 18th Street to be reasonable and, therefore, **supports** the variances.

GENERAL INFORMATION

Existing Zoning	C-1	
Existing Land Use	Commercial parking lot	
Comprehensive Plan	Dwellings 3.5 – 5 Units per Acre	
Surrounding Context	**Zoning**	**Surrounding Context**
North:	I-3	North: Agricultural processing
South:	C-S	South: Restaurant
East:	D-5	East: Commercial self-storage
West:	D-2	West: Single-family residential
Thoroughfare Plan		
W 18th Street	Local Street	65 feet of Right of Way
Gent Ave	Local Street	55 feet of Right of Way
Context Area	Compact	
Floodway / Floodway Fringe	No	
Overlay	No	
Wellfield Protection Area	Yes	
Site Plan	10/13/2026	
Site Plan (Amended)	N/A	
Elevations	N/A	
Elevations (Amended)	N/A	
Landscape Plan	N/A	
Findings of Fact	10/13/2026	
Findings of Fact (Amended)	N/A	

COMPREHENSIVE PLAN ANALYSIS

Comprehensive Plan

- Marion County Land Use Plan Pattern Book

Pattern Book / Land Use Plan

- The Comprehensive Plan recommends Light Industrial for this site

Red Line / Blue Line / Purple Line TOD Strategic Plan

- Not Applicable to the Site

Neighborhood / Area Specific Plan

- Not Applicable to the Site.

Infill Housing Guidelines

- Not Applicable to the Site.

Indy Moves
(Thoroughfare Plan, Pedestrian Plan, Bicycle Master Plan, Greenways Master Plan)

- Not Applicable to the Site.

ZONING HISTORY

ZONING HISTORY – SITE

2021-CZN-856 / 2021-CVR-856 / 2021-CPL-856; Variance of use and development standards to provide for a single-family dwelling with a twelve-foot front setback and 40-foot minimum lot width (residential not permitted in C-1, eighteen-foot setback required, 50-foot lot width required.

Approval of a subdivision plat to be known as Replat of Lots Four Through Seven in Kothe and Lieber's Addition, dividing 0.53 acre into three lots), **granted.**

ZONING HISTORY – VICINITY

2020-ZON-093; 1113 West 18th Street (east of site), requested the rezoning of 0.13 acre from the C-1 and C-3 district to the D-5 district, **approved**.

2020-ZON-039; 1206 West 18th Street and nine other addresses on West 18th, Montcalm, and Herbert streets (northwest of site), requested the rezoning of 0.95 acre from the C-1, C-3 and I-2 districts to the D-5 district, **approved**.

2020-UV3-012; 1113 West 18th Street (east of site), requested a variance of use to provide for a single-family dwelling and garage in a commercial district, **approved**.

2017-CZN-846 / 2017-CVR-846 / 2017-CVC-846; 1701 & 1704 Gent Avenue (southwest of site), requested the rezoning of 0.78 acre from the I-3 and I-2 districts to the C-S district to provide for artisan food and beverage, indoor recreation and entertainment, eating establishment and food preparation, wireless communications facility, and accessory uses including eating establishment and food preparation, offices, light general retail, automobile, motorcycle and light vehicle repair and service, warehousing, wholesaling and distribution, outdoor recreation and entertainment, parking, and outdoor display of vehicles, and a variance of development standards to provide for buildings in the clear sight triangle, deficient transparency, setbacks, number of parking spaces, excess parking in the front yard, a driveway within 100 feet of a railway line and steps, stoops and landings, bike parking and motor vehicle display in the right-of-way, and a vacation of a portion of the east-west alley, **approved**.

2000-ZON-838 / 2000-VAR-838; 1701 Gent Street (southwest of site), requested the rezoning of 0.75 acre from the D-5 district to the I-3-U district and a variance of development standards to provide for deficient side setbacks and for off-site parking, **approved**.

2014-UV1-009; 1117 West 18th Street (east of site), requested a variance of use to provide for a dwelling and garage in a C-1 district, **approved**.

Department of Metropolitan Development
Division of Planning
Current Planning

EXHIBITS

2026DV3049; Aerial Map



2026DV3049; Letters of Support

1730 Rembrandt Street

Marion County Board of Zoning Appeals, Division 3
200 E Washington St.
Indianapolis, IN 46204
CC: Department of Metropolitan Development, Current Planning

RE: 2026-DV3-049

Dear BZA Division 3:

My name is Jeffrey D Congdon, I live immediately east of the proposed Guggman Haus parking lot project at 1730 Rembrandt Street. I am writing to offer my support for petition 2026-DV3-049. The proposed asphalt parking lot and addition of landscaping will be a substantial improvement over the existing gravel lot. Guggman has been a good neighbor since their opening in 2019, improving the site little by little, and this project is no exception.

Guggman's variance request to not provide landscaping on the east of the existing fence does not impact me. This fence was installed relatively recently and is a nice, aesthetically pleasing fence. I like the fence location as it is and do not wish for the fresh pavement to be torn up on the east side, which is an area used for access my garage at the rear of my lot.

The request for a drive access from 18th St similarly is not impactful to my residence. It would seem to make intuitive sense for Guggman to have an access from a public way in addition to the alley.

I respectfully ask that you vote to approve this petition. Thank you for your consideration.

Sincerely,

Jeffrey D Congdon

DMD INDY
DEPARTMENT OF METROPOLITAN DEVELOPMENT
DIVISION OF PLANNING | CURRENT PLANNING

Department of Metropolitan Development
Division of Planning
Current Planning

RCL Riverside Civic League

November 16, 2026

Board of Zoning Appeals
City of Indianapolis

RE: Letter of Support – Guggman Haus Brewing Co.
Zoning Petition #2026-DV3-049

Dear Members of the Board of Zoning Appeals:

On behalf of the Riverside Civic League (RCL), I am pleased to express our support for Guggman Haus Brewing Co. and Indianapolis Zoning Petition #2026-DV3-049.

Guggman Haus Brewing Co. has been a wonderful addition to our neighborhood, providing a welcoming environment where residents, families, and visitors can gather, enjoy a meal, and build meaningful connections. Establishments such as Guggman Haus contribute to the vibrancy of our community, encourage neighborhood engagement, and support the continued growth and revitalization of the Riverside area.

During the Riverside Civic League's November 5, 2026, community meeting, Michael Clust and Courtney Guggenberger attended and presented information regarding the proposed zoning petition. Following their presentation and discussion with community members, the Riverside Civic League expressed its support for Petition #2026-DV3-049.

We recognize the importance of supporting local businesses that positively contribute to the character, economic vitality, and overall quality of life within our neighborhood. Guggman Haus has demonstrated its value as a neighborhood gathering place and community asset.

The Riverside Civic League respectfully requests that the Board of Zoning Appeals give favorable consideration to and approve Zoning Petition #2026-DV3-049.

We appreciate the opportunity to provide our perspective and thank the Board for its consideration of this matter.

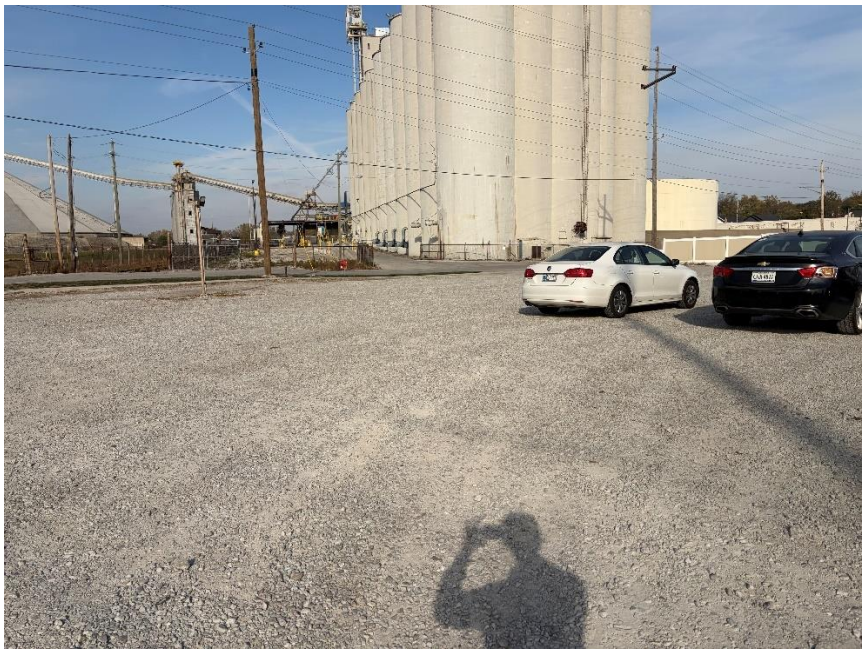
Please feel free to contact us if additional information or support is needed.

Sincerely,

Stephen Downing Jr.

Stephen Downing Jr.
President
Riverside Civic League

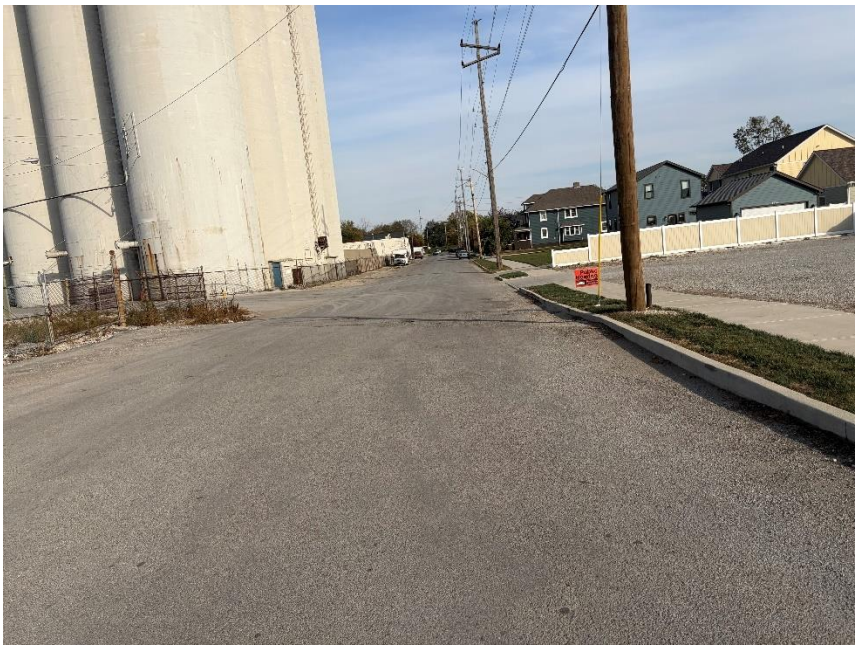
2026DV3049; Site Photos



Subject Site; Facing south toward W 18th Street; Shows current condition of site



Subject Site; Facing north toward Guggman Haus Brewery; Shows current condition of site



Subject Site; Facing east on W 18th Street; shows established W 18th access and established fence



Subject Site; Corner of W 18th Street/Gent Ave; Facing north on Gent Ave



Subject Site; Facing east on W 18th Street; Existing fence

Department of Metropolitan Development
Division of Planning
Current Planning

BOARD OF ZONING APPEALS DIVISION I — November 24, 2026

Case Number:	2026-DV3-050
Property Address:	5095 East Thompson Road *(approximate address)*
Location:	Perry Township, Council District #24
Petitioner:	Suzanne Dark Most & Sharon L. David & BTR Indy I LLC, by Paige Weidner (CESO) & David Bruckmeyer (Sheetz)
Current Zoning:	C-4
Request:	Variance of Development Standards of the Consolidated Zoning and Subdivision Ordinance to provide for the construction of a fueling canopy and convenience store with 0 feet of landscaped area along the northern frontage (depth of 10 feet required) and with a 10.2-foot setback for a dumpster enclosure (20 feet required).
Current Land Use:	Vacant Commercial
Staff Recommendations:	Staff recommends **approval** of the requested variances.
Staff Reviewer:	Michael Weigel, Principal Planner I

PETITION HISTORY

This is the first public hearing for this petition.

STAFF RECOMMENDATION

Staff recommends **approval** of the variances.

PETITION OVERVIEW

5095 East Thompson Road is a 1.44-acre parcel located at the southwest corner of the intersection of Thompson Road and Emerson Avenue just outside of the boundaries of the excluded City of Beech Grove. It is currently improved with a vacant commercial structure and accessory parking areas that most recently housed a pharmacy store. The property is accessible by vehicles both from Thompson and from Emerson (via a right-in, right-out only access point). Adjacent land uses include single-family residences to the south, commercial uses to the west and north, and a multitenant commercial shopping center to the east that has recently undergone substantial redevelopment.

The permit application ILP26-02085 was opened in July of 2026 seeking permission for new development at the property, per plans within Exhibits below. After demolition of the existing building, new structures would be built both housing a convenience store and covering six outdoor fueling pump islands under a new canopy. Existing parking areas would largely be utilized, underground fuel tanks would be placed to the east of the canopy, and the building would be 6,132 square feet in size.

Initial review of the submitted permit application indicated multiple deficiencies and zoning non-conformities (several of which related to a proposed drive-through which has since been removed from plans). If not directly addressed by this variance, those remaining holds would need to be addressed outside of the petition process prior to the ability of those permits to be issued.

The petitioner has requested two total Variances of Development Standards in relation to this project:

- Current Ordinance requires the placement of landscaped area along street frontages with a minimum depth of 10 feet. The current site layout does not have any landscape strip along the northern property line (Emerson), and while the current proposal would add some landscape islands within the required 10-foot range the depth of landscaped area along the frontage would remain 0 feet. This was cited as a non-conformity by review of ILP26-02085.
- The proposed dumpster enclosure on the southern portion of the site would be set back 10.2 feet from the southern property line. The Ordinance requires a minimum 20-foot transitional side yard setback, which would be applicable given that the property to the south is zoned D-A.

The property is zoned C-4 to allow for the development of major business groupings and regional-size shopping centers to serve a population ranging from a community or neighborhoods to a major segment of the total metropolitan area, per Ordinance. Additionally, the Comprehensive Plan Pattern Book recommends it to the Community Commercial land use typology to allow for low-intensity commercial and office uses that serve nearby neighborhoods.

Findings of Fact and supporting documentation by the petitioner highlight both the existing conditions of the paved parking areas along the northern property line (a previously existing condition of the property) as well as the limited options that would exist for placement of a compliant service area given both the property's status as a corner lot and the need for adequate maneuvering for trash vehicles to safely access the dumpster with adequate separation from the building.

Staff would concur that the proposed landscape plan would decrease the level of existing non-conformity along the northern property line, and would result in an overall increase in green space and coverage given the addition of landscape islands. For this reason, as well as the need for the provision of required minimum parking spaces (24 spaces total based on the building size), staff recommends **approval** of the request related to the depth of landscaped area along the northern property line.

Staff would also note that the proposed structure and parking stalls would all comply with the required southern transitional yard, with the only encroachment coming from a dumpster that would have its own enclosure and landscape screening provided (in addition to existing fencing and trees along the southern property line visible in Photos 5 and 6 below). Additionally, the need for adequate maneuvering space for trash pickup vehicles and the two front yards of the property limit alternate viable locations. For these reasons, staff recommends **approval** of the request related to the service area setback.

GENERAL INFORMATION

Existing Zoning	C-4	
Existing Land Use	Vacant Commercial	
Comprehensive Plan	Community Commercial	
Surrounding Context	**Zoning**	**Surrounding Context**
North:	C-4 / C-3	North: Commercial
South:	D-A	South: Residential
East:	C-4	East: Commercial
West:	C-4	West: Commercial
Thoroughfare Plan		
Thompson Road	Primary Arterial	110-foot existing right-of-way and 90-foot proposed right-of-way
Emerson Avenue	Primary Arterial	142-foot existing right-of-way and 112-foot proposed right-of-way
Context Area	Metro	
Floodway / Floodway Fringe	No	
Overlay	No	
Wellfield Protection Area	No	
Site Plan	10/22/2026	
Site Plan (Amended)	N/A	
Elevations	N/A	
Elevations (Amended)	N/A	
Landscape Plan	10/22/2026	
Findings of Fact	10/22/2026	
Findings of Fact (Amended)	N/A	

COMPREHENSIVE PLAN ANALYSIS

Comprehensive Plan

- Marion County Land Use Plan Pattern Book

Pattern Book / Land Use Plan

- The Community Commercial typology provides for low-intensity commercial and office uses that serve nearby neighborhoods. These uses are usually in freestanding buildings or small, integrated centers. Examples include small-scale shops, personal services, professional and business services, grocery stores, drug stores, restaurants, and public gathering spaces.

Red Line / Blue Line / Purple Line TOD Strategic Plan

- Not Applicable to the Site.

Neighborhood / Area Specific Plan

- Not Applicable to the Site.

Infill Housing Guidelines

- Not Applicable to the Site.

Indy Moves
(Thoroughfare Plan, Pedestrian Plan, Bicycle Master Plan, Greenways Master Plan)

- Not Applicable to the Site.

ZONING HISTORY

ZONING HISTORY – SITE

95-V3-114, Variance of development standards of the Sign Regulations to provide for the placement of a 25 foot tall illuminated pole sign located within 250 feet of a Protected District (illumination of pole signs not permitted within 600 feet of a Protected District), **approved.**

95-HOV-23, Variance of development standards of the Commercial Zoning Ordinance to provide for the construction of a drug store with a drive-through customer service window located on the west side of the building, being 87.92 feet from a residential zoning district (drive-through service units not permitted on the side or rear of a building and not permitted less than 100 feet from a protected district), **approved.**

94-HOV-130, Variance of development standards of the Commercial Zoning Ordinance to provide for the construction of a drug store with a drive-through customer service window located on the south side of the building being 49 feet from a residential zoning district (drive-through service units not permitted on the side or rear of a building and not permitted less than 100 feet from a protected district), **approved.**

64-Z-171, Rezoning of 1.865 acre, being in A-2 district, to B-4 classification to provide for the construction and operation of a gasoline service station, **approved.**

ZONING HISTORY – VICINITY

2025DV1060 ; 5151 E Thompson Road (east of site), Variance of Development Standards of the Consolidated Zoning and Subdivision Ordinance to provide for the erection of two (2) new freestanding signs along the Emerson Avenue frontage, resulting in three (3) freestanding signs along the Emerson Avenue frontage (2 permitted), with one (1) of the new signs being a pylon sign located within 210 feet of the existing pylon sign, and the other new sign being an 8.5-foot tall monument sign located 284 feet from the proposed pylon sign. (300 feet of separation between signs required), **approved.**

2025DV3008 ; 5101 E Thompson Road (southeast of site), Variance of Development Standards of the Consolidated Zoning and Subdivision Ordinance to provide for the construction of an automobile fueling station and convenience store with facade transparency as low as zero percent (40 percent required), a drive-through without a bypass lane (required), and overall deficient site landscaping, **approved.**

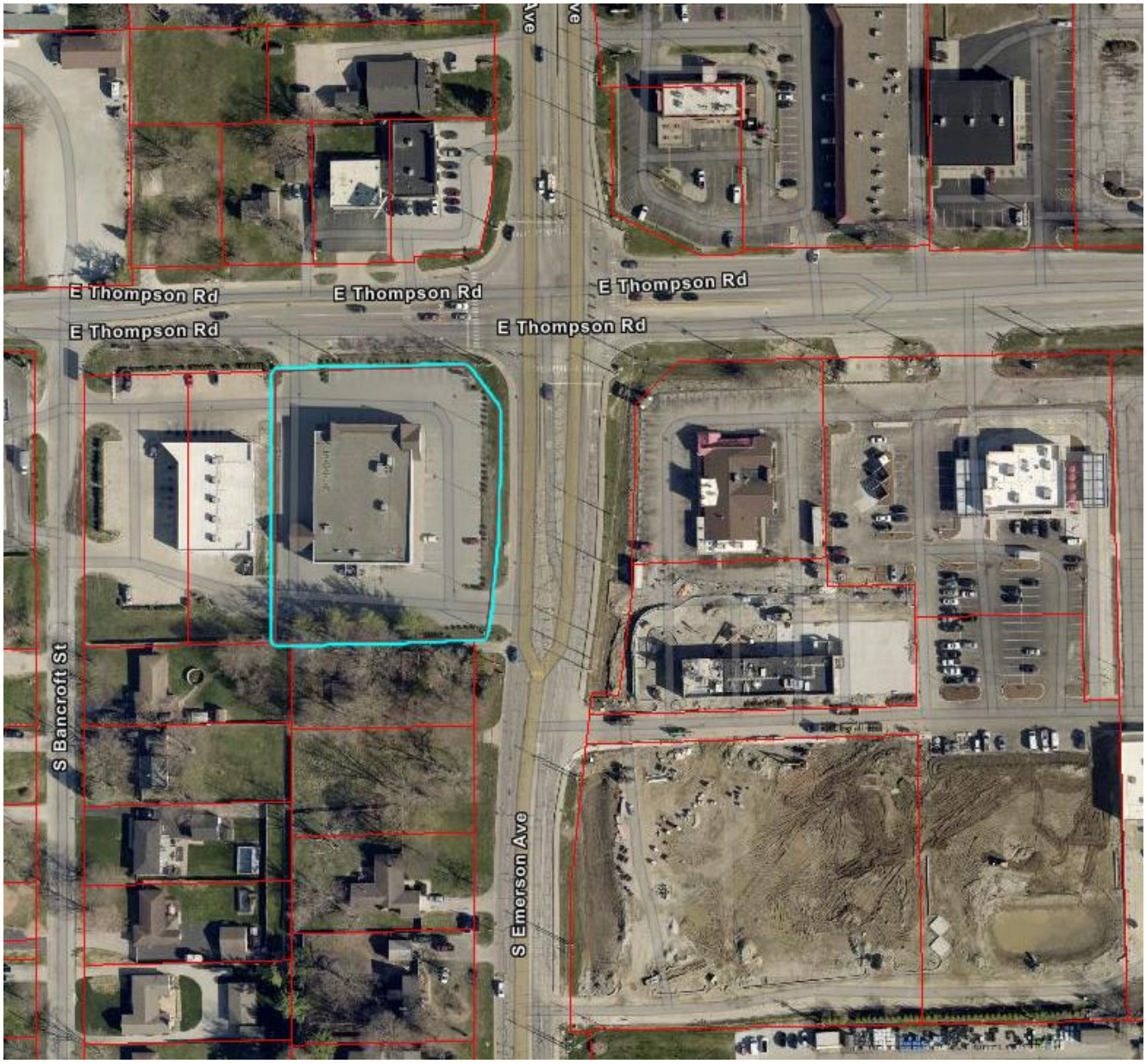
2024DV1027 ; 5101 E Thompson Road (east of site), Variance of Development Standards of the Consolidated Zoning and Subdivision Ordinance to provide for the location of two drive-throughs and stacking spaces within the front yard of Thompson Road (not permitted) and without required bypass aisles, deficient compliance with various landscaping standards, and 64 parking spaces accessory to a restaurant use (maximum 25 spaces permitted for proposed square footage), **approved.**

2024DVB004 ; 5002 E Thompson Road (northwest of site), Variance of Development Standards of the Consolidated Zoning and Subdivision Ordinance to provide for a rear yard parking lot addition for an insurance sales office with a deficient side yard transitional setback (20-foot setback required) and deficient transitional yard landscaping, **approved.**

2023DVB002 ; 4933 S Bancroft Street (northwest of site), Variance of Development Standards of the Consolidated Zoning and Subdivision Ordinance to legally establish a detached accessory structure with a 1.5-foot side setback, being taller than the primary structure (minimum five-foot setback required, accessory structure not permitted to be taller than the primary structure) and to legally establish a fence taller than six feet (maximum six-foot tall fence permitted), **denied.**

EXHIBITS

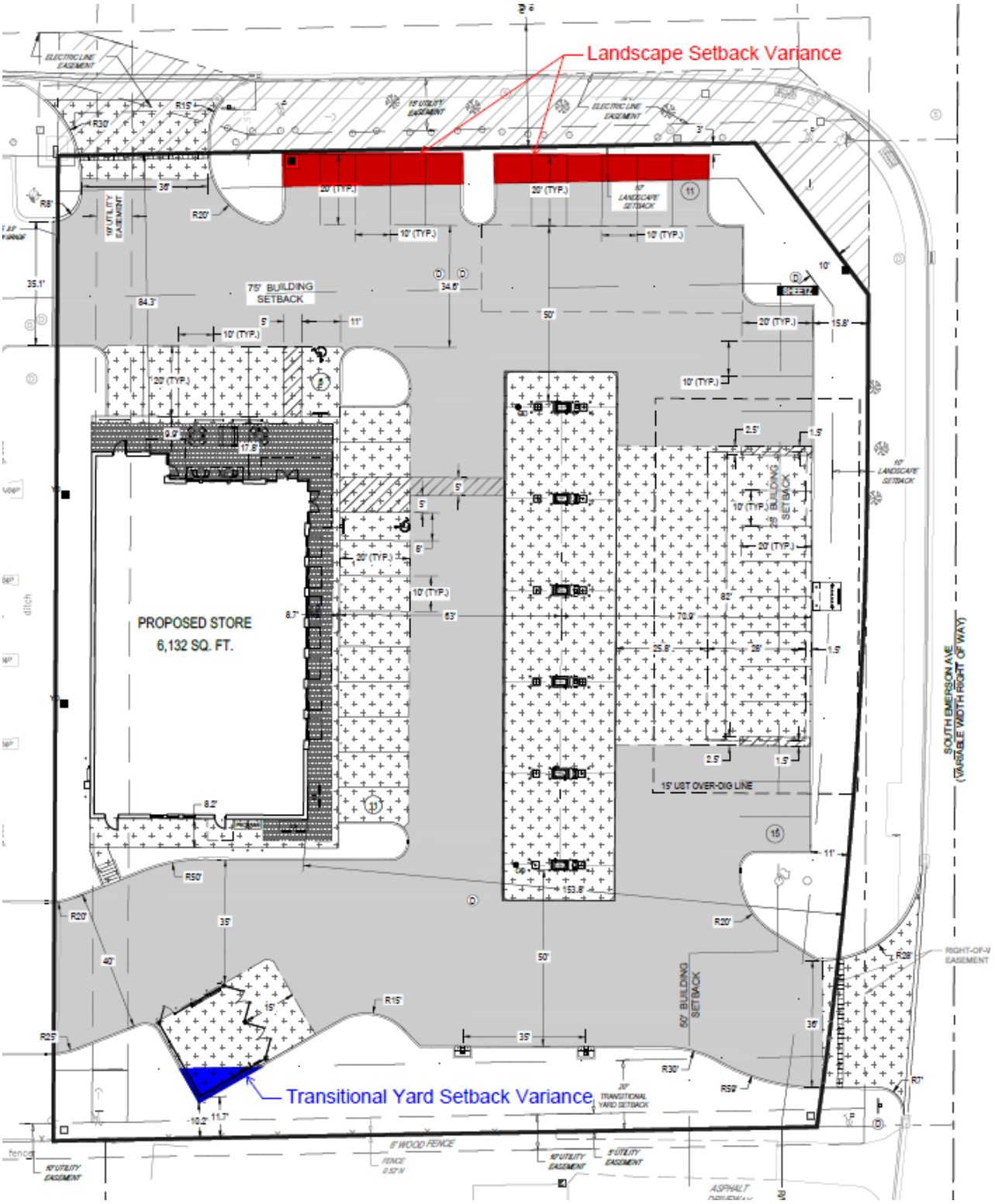
2026DV3050 ; Aerial Map



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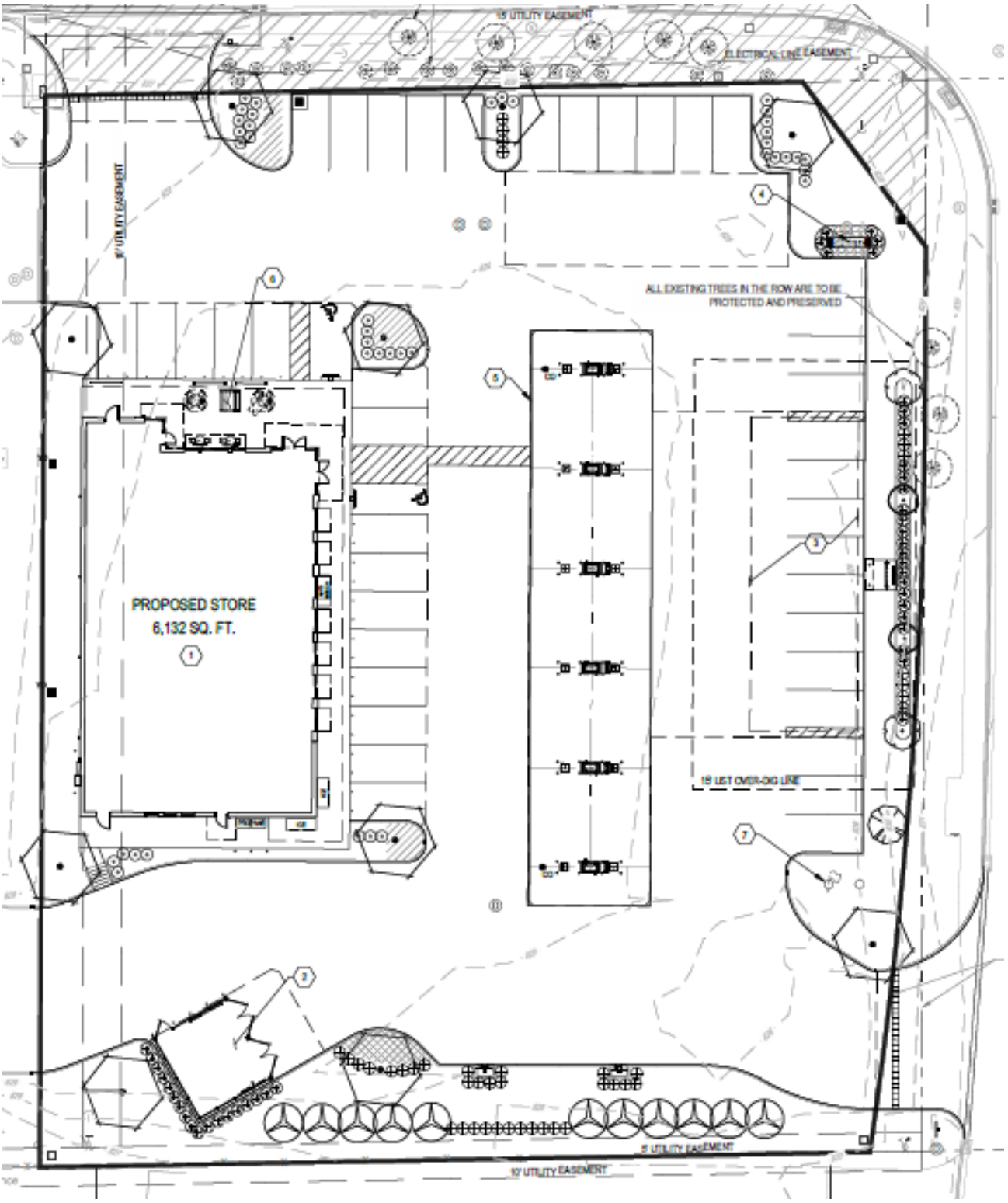
2026DV3050 ; Site Plan



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2026DV3050 ; Landscape Plan



2026DV3050 ; Findings of Fact

1. The grant will not be injurious to the public health, safety, morals, and general welfare of the community because: The requested variances will allow for the safe and efficient redevelopment of the property while maintaining appropriate landscaping, screening, and site circulation. The variance for the encroachment in the landscape setback will provide adequate on-site parking for customers and employees, supporting safe vehicle and pedestrian movement throughout the site. The variance for the dumpster enclosure is necessary due to the property's dual frontage along East Thompson Road and South Emerson Avenue, which limits alternative placement options. The proposed dumpster enclosure will be screened by an enclosure and enhanced landscaping along the southern property line, minimizing visibility from adjacent properties. The redevelopment will improve an existing commercial property through upgraded site design, increased landscaping, improved buffering, and enhanced circulation. The requested variances are limited in scope and represent the minimum relief necessary to accommodate the operational needs of the development while preserving the intent of the City's development standards. The proposed redevelopment enhances an existing commercial property through improved site design, landscaping, circulation, and overall functionality. The requested variances are limited to dimensional requirements, preserve the intent of the applicable development standards, and will not create adverse impacts on the surrounding area or the continued safe operation of the site.

2. The use or value of the area adjacent to the property included in the variance will not be affected in a substantially adverse manner because: The proposed redevelopment is located within an established commercial corridor along East Thompson Road, with commercial uses surrounding the property to the north, east, and west. The requested variances are limited in scope and will not alter the commercial nature of the site or create impacts that are inconsistent with surrounding development. The proposed dumpster enclosure will be screened by an enclosure constructed of attractive building materials and supplemented with enhanced landscaping along the southern property line, including evergreen trees and shrubs that provide effective buffering from the adjacent residential property. These screening measures will minimize visibility of the dumpster enclosure and maintain compatibility with neighboring uses. The redevelopment will also increase the amount of landscaping on the site and improve the overall appearance of the property compared to existing conditions. The requested parking variance will provide adequate on-site parking for customers and employees, supporting safe circulation and reducing the potential for parking impacts on neighboring properties. As a result, the proposed variances will not negatively affect the use or value of adjacent properties and will be compatible with the character of the surrounding area.

3. The strict application of the terms of the zoning ordinance will result in practical difficulties in the use of the property because: The subject property's dual frontage along East Thompson Road and South Emerson Avenue limits the area available for site improvements and operational features. Strict compliance with the landscape setback and transitional yard requirements would adversely affect the site's ability to accommodate safe circulation, fuel operations, delivery access, and other essential site functions. Additionally, the zoning ordinance restricts the placement of the dumpster enclosure, leaving the southern portion of the property as the only practical location. The requested variances represent the minimum relief necessary to accommodate a safe and functional site layout while maintaining appropriate landscaping, screening, and compatibility with surrounding properties. The requested variances represent the minimum relief necessary to accommodate the operational needs of the proposed development while maintaining safety, appropriate screening, and compatibility with surrounding properties.

2026DV3050 ; Plan of Operation

Description of Proposed Facilities
The proposed project consists of the redevelopment of the property located at 5095 E. Thompson Road with a new Sheetz convenience store, restaurant, and fueling station. The development includes a 6,132-square-foot building featuring a made-to-order food service operation, convenience retail sales, and customer seating. Site improvements include a fuel canopy with six fuel dispensers, underground fuel storage tanks, a dumpster enclosure, associated parking areas, landscaping, pedestrian connections, and supporting infrastructure.

Number of Employees
The facility is expected to employ approximately 30 to 35 employees. Staffing levels will vary by shift and operational demand.

Security Provisions
Sheetz utilizes a comprehensive security program designed to provide a safe environment for customers and employees. The facility will be equipped with a 24-hour security camera system that continuously monitors the site. Cameras are positioned throughout the property, including building entrances, parking areas, fueling areas, and other critical locations. Store personnel will also be present at all times during operation.

Hazardous or Explosive Materials
The proposed development includes the installation and operation of six (6) 12,000-gallon underground storage tanks (USTs) for the storage of motor vehicle fuels. All fuel storage, handling, and dispensing operations will comply with applicable federal, state, and local regulations governing underground storage tanks and fuel dispensing facilities.

Hours of Operation
The proposed convenience store, restaurant, and fueling station will operate 24 hours per day, seven days per week.

Additional Operational Information
The facility will include a 24-hour made-to-order kitchen that will serve food and beverages to customers throughout all hours of operation. Merchandise deliveries, fuel deliveries, refuse collection, and routine site maintenance activities will occur as necessary to support ongoing business operations.

The site has been designed to provide safe vehicle circulation, convenient customer access, appropriate screening, and adequate on-site parking for customers and employees.

Public Assembly Information
Although the fueling station, convenience store, and restaurant are open to the public twenty-four hours a day, seven days a week, the facility is not intended to serve as a public assembly venue. Sheetz does not permit unauthorized public gatherings on its properties and maintains anti-loitering policies designed to promote customer safety and efficient business operations.

Customer seating will be available within the restaurant area for patrons utilizing the food service component of the business; however, organized assemblies, events, meetings, or similar gathering activities are neither proposed nor anticipated at this location.

Conclusion
The proposed redevelopment will provide a convenience store, restaurant, and fueling station that serves the traveling public and surrounding community while enhancing an existing commercial property. The facility will be operated in a safe and orderly manner through continuous staffing, security monitoring, maintenance practices, and compliance with all applicable regulatory requirements. The proposed use is consistent with the established commercial character of the East Thompson Road corridor and represents a significant investment in the property and surrounding area.

2026DV3050 ; Photographs



Photo 1: Subject Site Viewed from East



Photo 2: Subject Site Viewed from Northeast

2026DV3050 ; Photographs (continued)



Photo 3: Northern Property Line Viewed from East



Photo 4: Subject Site Viewed from Southwest

2026DV3050 ; Photographs (continued)



Photo 5: Adjacent Property to South

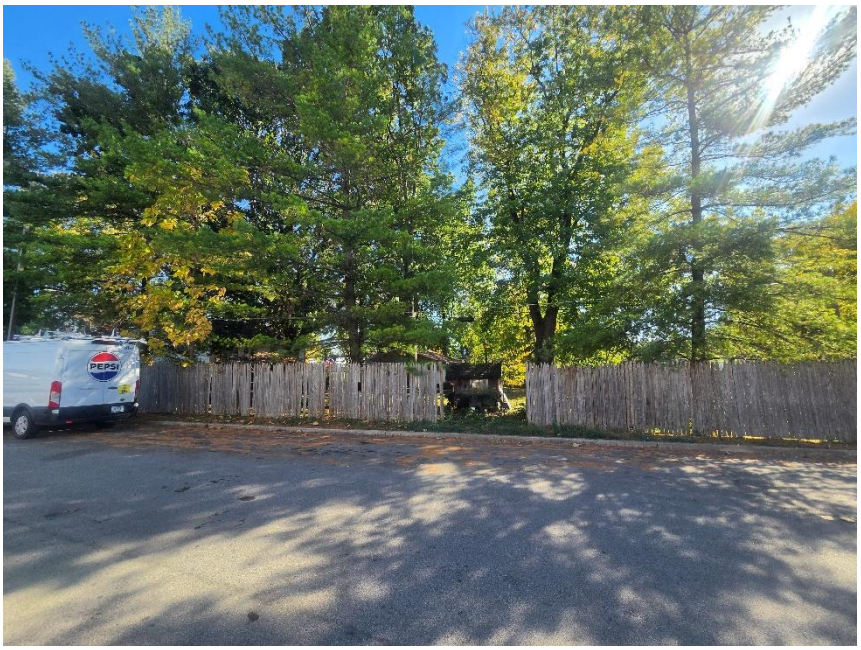


Photo 6: Adjacent Property to South

2026DV3050 ; Photographs (continued)



Photo 7: Adjacent Property to West



Photo 8: Adjacent Property to North (May 2025)

2026DV3050 ; Photographs (continued)



Photo 9: Adjacent Property to Northeast (September 2024)



Photo 10: Adjacent Property to East

Department of Metropolitan Development
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BOARD OF ZONING APPEALS DIVISION III — November 24, 2026

Case Number:	2026UV3023
Property Address:	1310 S West St (*approximate address*)
Location:	Center Township, Council District #18
Petitioner:	GDW Realty V LLC, by Russell Brown
Current Zoning:	I-4, (A)
Request:	Variance of Use of the Consolidated Zoning and Subdivision Ordinance to permit a 1,600 square customer sales area (limited to 15,000 square feet) with items exceeding 75 lbs. (not permitted).
Current Land Use:	Industrial
Staff Recommendations:	Approval
Staff Reviewer:	Adrienne Baker, Principal Planner I

PETITION HISTORY

This is the first public hearing for this petition.

STAFF RECOMMENDATION

Staff recommends approval.

PETITION OVERVIEW

The petitioner requests a Variance of Use to allow a 1,600-square-foot customer sales area within a proposed warehouse facility. The site is zoned I-4 and designated Light Industrial in the Comprehensive Plan. It is located within an established industrial corridor and is surrounded by industrial zoning and development. The existing building will be demolished and replaced with a new warehouse facility totaling approximately 64,000 square feet. The proposed sales area would occupy less than three percent of the building's total floor area.

The sales area is intended to function as a small showroom and will-call counter serving contractors and existing customers. While some products sold from the site exceed the 75-pound threshold associated with the Retail, Light General classification, warehousing, and distribution will remain the primary function of the property. The customer-facing component is intended to support those operations and will remain clearly subordinate to the warehouse use.

The showroom will be integrated into a much larger warehouse and distribution facility and is not expected to alter the character of the site or surrounding area. Given its limited size and relationship to the principal use, any customer activity associated with the showroom is expected to remain secondary to the warehouse operation. The development has been designed to accommodate both functions while maintaining the site's industrial character.

The request stems from the structure of the zoning ordinance rather than any change in the nature of the proposed use. Warehouse and distribution facilities are permitted within the I-4 district, but the ordinance does not specifically provide for a small showroom component associated with those operations when products exceed the weight limitations established for Retail, Light General uses. The showroom is intended to support the warehouse operation through limited product display, customer pickup, and direct sales, rather than function as an independent retail establishment.

Without the requested variance, the petitioner would be unable to fully integrate these customer service functions into the overall operation despite their limited scale and direct relationship to the principal use. The showroom allows customers to view products and complete purchases while remaining incidental to the site's primary industrial purpose.

The proposal is consistent with the Light Industrial designation of the Comprehensive Plan, which supports industrial employment, warehousing, and distribution activities. The warehouse will remain the principal use of the property, and the showroom will occupy only a small portion of the building. Because the customer sales area is clearly subordinate to the overall operation and is not expected to create adverse impacts on surrounding properties, the request meets the standards for a Variance of Use. Approval is recommended.

GENERAL INFORMATION

Existing Zoning	I-4 (A)	
Existing Land Use	Industrial	
Comprehensive Plan	Light Industrial	
Surrounding Context	**Zoning**	**Surrounding Context**
North:	I-4	North: Industrial
South:	I-4	South: Industrial
East:	I-4	East: Industrial
West:	I-4	West: Industrial
Thoroughfare Plan		
West St	Primary Arterial	Existing ROW: 95 Proposed ROW: 78
Dakota St	Local Street	Existing ROW: 48 Proposed ROW: 48
Context Area	Compact	
Floodway / Floodway Fringe	No	
Overlay	Yes	
Wellfield Protection Area	No	
Site Plan	October 12, 2026	
Site Plan (Amended)	N/A	
Elevations	N/A	
Elevations (Amended)	N/A	
Landscape Plan	N/A	
Findings of Fact	October 12, 2026	
Findings of Fact (Amended)	N/A	

COMPREHENSIVE PLAN ANALYSIS

Comprehensive Plan

The **I-4 District** is for those heavy industrial uses which present an elevated risk to the general public and are typically characterized by factors that would be exceedingly difficult, expensive, or impossible to eliminate. These industries are therefore buffered by a sizeable area to minimize any detrimental aspects. The development standards and performance standards reflect the recognition of these problems. Location of this district should be as far as possible from protected districts and environmentally sensitive areas as practical and never be adjacent to protected districts.

Retail, Light General: Establishments engaged in offering or selling goods or merchandise to the general public for personal or household consumption that typically weighs 75 lbs. or less and removed immediately by the consumer, or if the goods or merchandise is larger, then the size of the establishment is limited to 15,000 square feet or less. Goods and merchandise may be delivered from an off-site warehouse or occasionally delivered from the site. The establishment typically serves the neighborhood and may also render services incidental to the sale of such goods. The establishment typically buys goods for resale to the public. This definition includes uses such as shoe store; luggage and leather; clothing, apparel, and accessories; computers or computer software; antique store; religious goods; tobacco; variety store; music, recorded; instrument, sheet; camera store; bait and tackle; bike; book store; card store; stationer and scrapbooking; trophy shop; paint, wallpaper, window coverings; small-scale furniture, flooring and appliance stores; hardware; pool or billiard tables; sporting goods store; second hand store; office supply store; office machines; optical goods; drapery or fabric; florist; gift shop; hobby, toys, games; jewelry; telephone store; radio, TV, computer or consumer electronics store; drug store; and convenience market.

Retail, Heavy General: Establishments not included in light general retail that are engaged in offering or selling goods or merchandise to the general public for personal or household consumption that are large in size and typically weigh more than 75 lbs. The establishment may sell products that often require special delivery or delivery directly from the site. The establishment typically draws from a wide area and may also render services incidental to the sale of such goods. The establishment typically buys goods for resale to the public. This definition includes uses such as garage and outbuilding sales; gravestones and monuments; furniture; flea market; tool leasing; appliance store; flooring; playground equipment; air conditioner sales; hot tub sales; gymnasium equipment sales; swimming pool sales; building materials and garden supplies; home improvement store/center; hospital and sick room sales; lumber and other building materials; garden shop, nursery; and lawn and garden supply stores.

Pattern Book / Land Use Plan

The Light Industrial typology accommodates industrial production, distribution, and repair activities conducted entirely within enclosed buildings and not expected to generate noticeable light, odor, noise, or vibration. Development in this category typically consists of freestanding buildings or groups of buildings, frequently organized within industrial parks. Common uses include warehousing, self-storage, parts assembly, laboratory functions, wholesale operations, and printing services.

To ensure compatibility with surrounding neighborhoods, industrial and truck traffic must be routed away from local residential streets. Internal circulation routes within industrial developments should connect directly to an arterial roadway to prevent heavy vehicle traffic from entering residential areas.

The logistics and industrial sectors play an important role in Indianapolis by providing full-time, well-compensated employment opportunities and contributing to the city's tax base, which supports public infrastructure and municipal services. However, the supply of undeveloped land with appropriate access to transportation networks is declining. Once large tracts are subdivided, they become difficult to reassemble for major industrial projects, and the introduction of non-compatible land uses can reduce the long-term viability of industrial areas and the jobs they sustain. Protecting land designated for industrial purposes is therefore essential to maintaining and expanding these economic opportunities.

Red Line / Blue Line / Purple Line TOD Strategic Plan

Not Applicable to the Site.

Neighborhood / Area Specific Plan

Not Applicable to the Site.

Infill Housing Guidelines

Not Applicable to the Site.

Indy Moves
(Thoroughfare Plan, Pedestrian Plan, Bicycle Master Plan, Greenways Master Plan)

Not Applicable to the Site.

ZONING HISTORY

ZONING HISTORY – SITE

N/A

ZONING HISTORY – VICINITY

2015DV2041; 1414 S. West St; Variance of Development Standards of the Industrial Zoning Ordinance to provide for the reconstruction of a building, with a 5.5-foot front setback from Dakota Street (minimum 20-foot front setback required); **approved.**

2003ZON121; 229, 324 & 349 W. Morris St; Rezone 2.90 acres from the 1-3-U District to the C-S classification to provide for all C-3C, C-ID and 1-1-U uses; **approved.**

2000VD2002; 550 W. Morris St; Board of Zoning Appeals, at its regular meeting on February 15, 2000, heard your petition for a variance of development standards of the Industrial Zoning Ordinance to provide for an interior access drive, being zero feet fs of the Industrial Zoning Ordinance to provide for an interior access drive, being zero feet from the right-of-way line of a federal interstate highway route (minimum 20 feet required); **approved.**

97-V2-49; 550 W. Morris St; Variance of development standards of the Sign Regulations to provide for the placement of a double sided pole sign being: a) 66 feet in height (maximum 40 feet permitted); b) with a 5 foot setback from 1-70 (minimum 15 feet required) ; and, c) with a sign surface area of 672 square feet (maximum surface area 390 square feet permitted); **approved.**

89-HOV-17; 1604 S. West St; Variance of Development Standards of the Industrial Zoning Ordinance to provide for an addition to an existing building with an eighty-five-foot setback from the center line of S. West St. (one hundred five feet required), and parking and loading in the required setback (not permitted); **approved.**

87-UV1-121; 1350 S. West St; Variance of Use of the Industrial Zoning Ordinance to permit truck and tractor/trailer sales and service with outdoor display; **approved.**

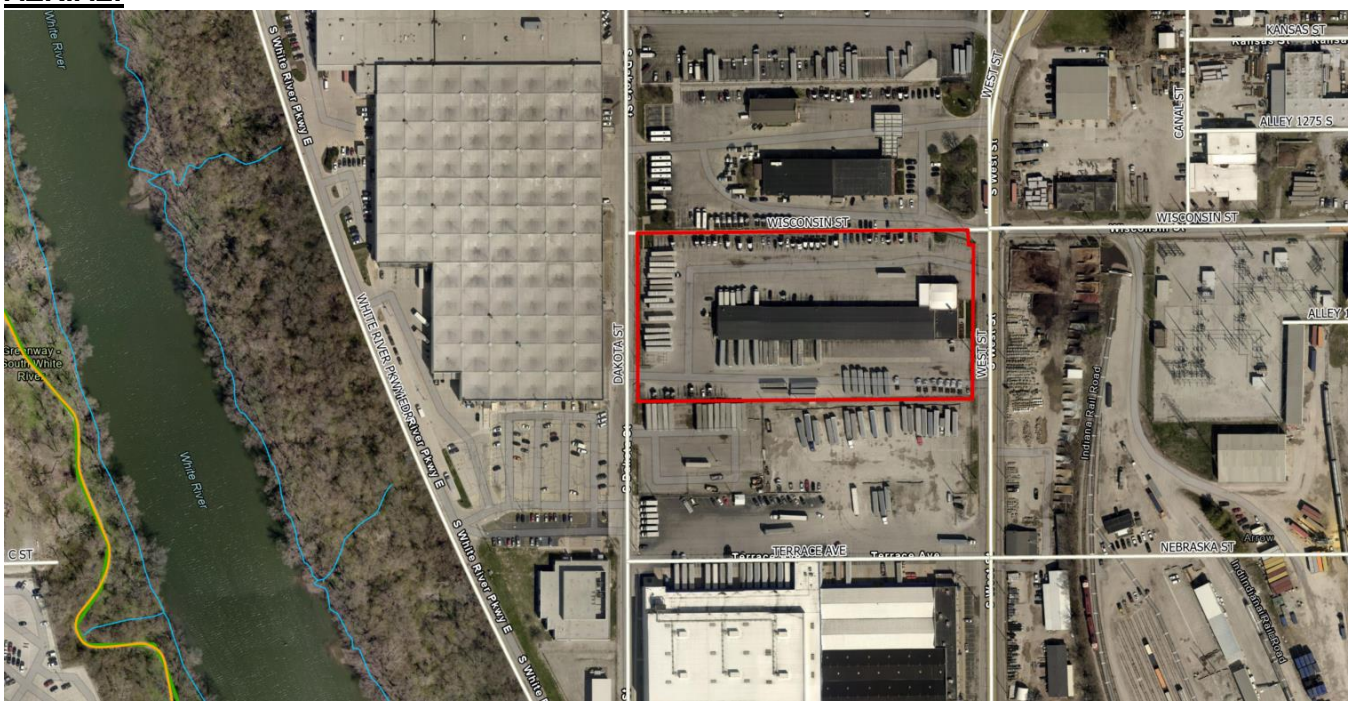
86-V2-146; 1301 S. West St; Variance of Development Standard of the Industrial Zoning Ordinance to provide tor the outside storage of automobiles without the required perimeter setbacks, landscaping, or screening; **denied.**

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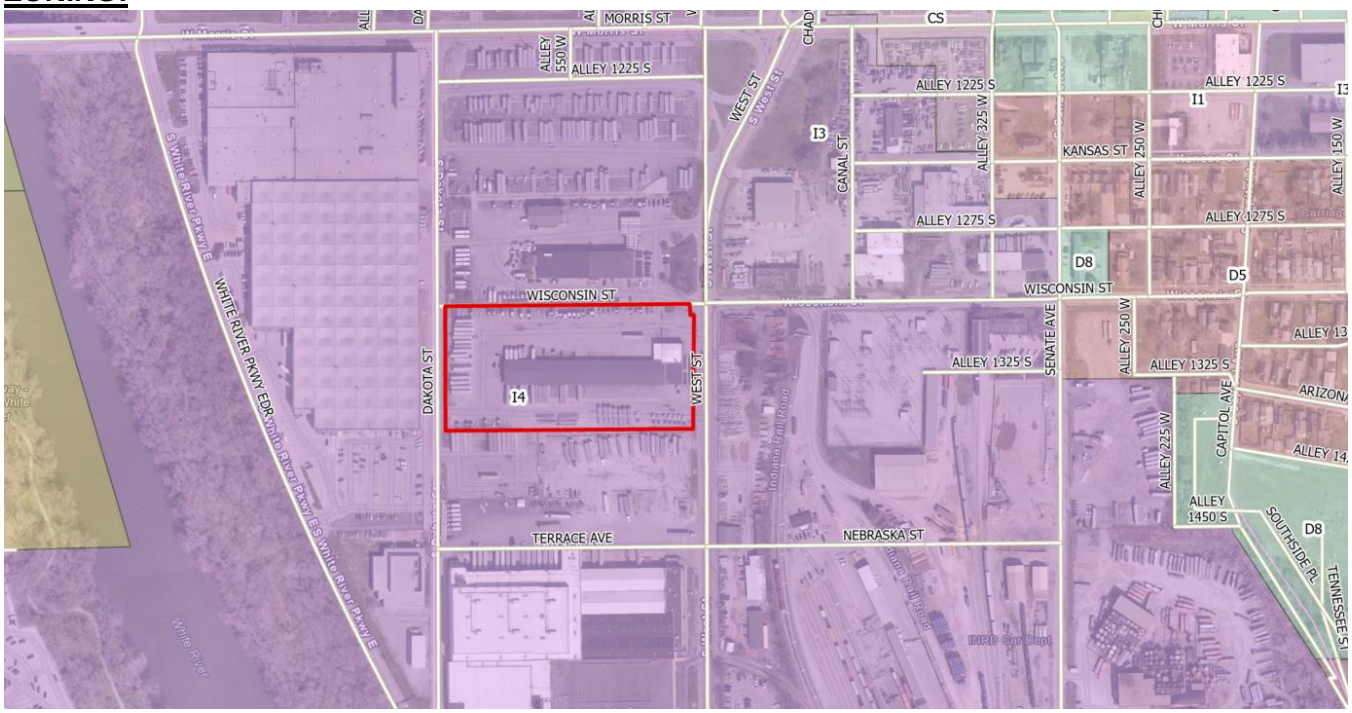
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EXHIBITS

AERIAL:



ZONING:



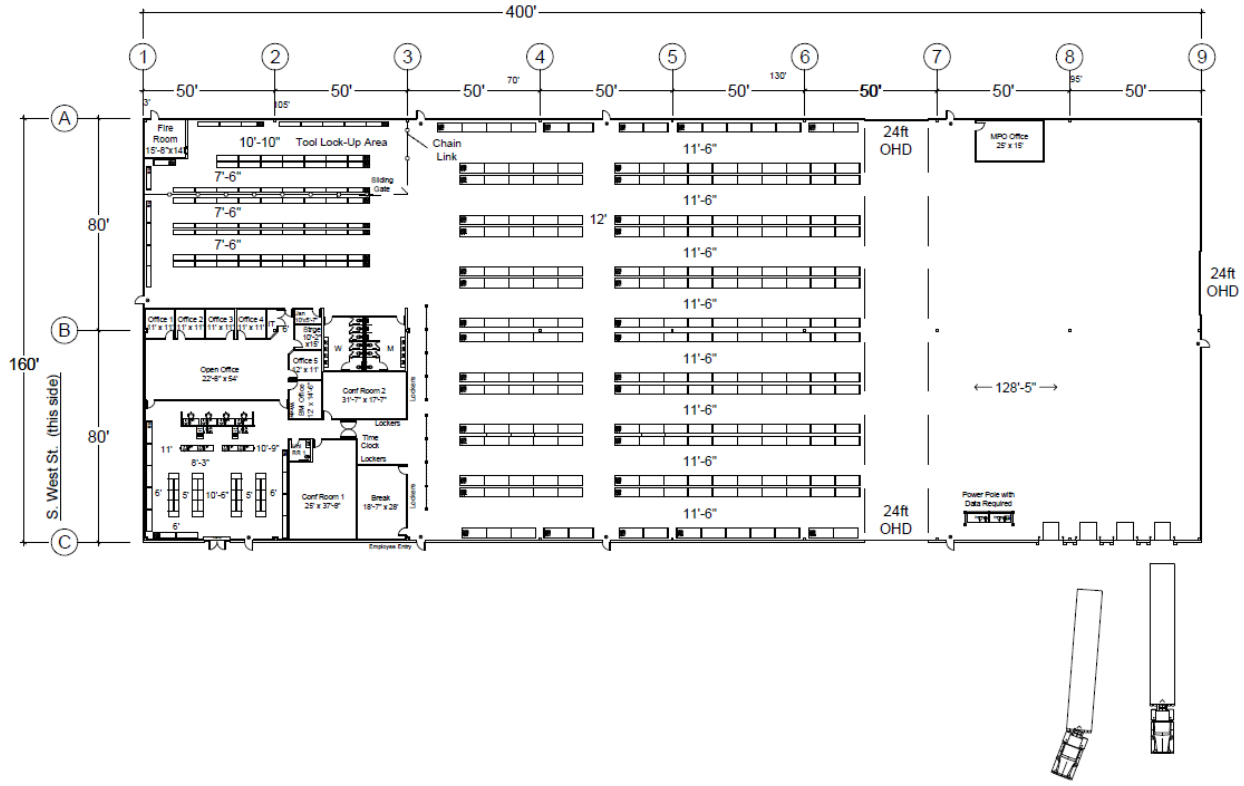
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SITE PLAN:



FLOOR PLAN:



PLAN OF OPERATION:

White Cap is a wholesale distributor to construction professional contractors in the Commercial, Residential, and Industrial building industries. White Cap is America's leading supplier of specialty hardware, tools and materials for medium-to-large contractors. We have delivery options like will-call, site or yard delivery and direct-ship to get the products to our customers when and where they need them. We offer expertise in jobsite and personal safety, concrete, tilt-up, bridge, highway, grading, waterproofing, residential and commercial construction practices. White Cap has warehouse and distribution facilities located in 49 states of the United States.

The proposed Indianapolis location is approximately 64,000 square feet and includes a 1,594-square-foot showroom or Customer Sales Area (retail space). We plan to maintain an inventory in the Customer Sales Area (showroom) of concrete accessories, Water proofing products, safety PPT, decorative concrete, hand tools, and power tools. White Cap customers are professional contractors with established accounts. The majority of orders will be placed by phone or online and delivered to job sites throughout the surrounding market. Approximately 25–30% of sales will consist of showroom purchases or will-call pickup orders. Shipments will be received almost daily to replenish warehouse inventory. The facility will also include office space for account managers, the sales team, and the branch manager. Approximately 60 employees will work at this location, including three to five employees in the Customer Sales Area. Operating hours will be Monday through Friday from 6:00 a.m. to 5:00 p.m.

Examples of products include, but are not limited to:

- Concrete and masonry hand tools and accessories
- Safety Equipment and accessories (Anchoring, Back Braces, Barricades and Cones, Barrier Tape, Boots)
- Above and below grade waterproofing
- Erosion control items
- Brigade, Black & Decker, Dewalt and other brand name power tools (drills, grinders, battery chargers, saws, hammers, screw guns)
- Job site and personal safety equipment
- Lightweight construction equipment and hand tools
- Concrete additives and cementitious products

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FINDINGS OF FACT:

1. THE GRANT WILL NOT BE INJURIOUS TO THE PUBLIC HEALTH, SAFETY, MORALS, AND GENERAL WELFARE OF THE COMMUNITY BECAUSE

The proposed retail uses are an accessory use to the primary, permitted use of the Property. The retail showroom is a convenience item for customers and will be subordinate in size, volume and operational impact to the permitted use. The site has been developed to minimize any unneccessary interaction between those visiting retail showroom and warehouse space to avoid potential health and safety concerns for visitors to site and community at large.

2. THE USE AND VALUE OF THE AREA ADJACENT TO THE PROPERTY INCLUDED IN THE VARIANCE WILL NOT BE AFFECTED IN A SUBSTANTIALLY ADVERSE MANNER BECAUSE

The proposed development will allow for the relocation of an existing business to a new facility. The new facility will be a modern updated facility, replacing a structure which has outlived its effective life. The new development will allow for updating to modern design and zoning standards.

3. THE NEED FOR THE VARIANCE ARISES FROM SOME CONDITION PECULIAR TO THE PROPERTY INVOLVED BECAUSE

The primary use of the property is permitted by right. The type of potential products acquired by retail customers exceeds the definition of "Retail, Light", which is permitted as an accessory use in the I4 zoning classificaiton. The definition does not contemplate a small retail component of an I-4 use cohiesively being located in the same structure and being provided as a convenience for customers already visiting the I-4 use.

4. THE STRICT APPLICATION OF THE TERMS OF THE ZONING ORDINANCE CONSTITUTES AN UNUSUAL AND UNNECESSARY HARDSHIP IF APPLIED TO THE PROPERTY FOR WHICH THE VARIANCE IS SOUGHT BECAUSE

The inability to service limited will call customers with these retail items creates an inefficiency for business operations. The limited retail items provided in the showroom are not as efficiently stored and distributed through the warehouse operations. But for the fact that the will call customers can also order and pick-up warehouse items (larger than 75 pounds) simultaneous to obtaining retail items (many of which are less than 75 pounds), the accessory use would be permitted by right.

5. THE GRANT DOES NOT INTERFERE SUBSTANTIALLY WITH THE COMPREHENSIVE PLAN BECAUSE

The primary use of the property will remain as an I4 use as contemplated by the Comp Plan. The accessory use (occupying less than 3% of the area of the proposed structure) will not unreasonably interfere with the use of the surrounding properties in compliance with the Comp Plan. The accessory use will be subordinate to the primary, permitted use and will allow for the comprehensive redevelopment of this site, establishing a standard for redevelopment in the vicinity in support of the Comp Plan.

SITE PHOTOS:




SODREL
TRUCK LINES INC.
NOTICE
THIS PROPERTY
IS PROTECTED BY
VIDEO
SURVEILLANCE


GODREL



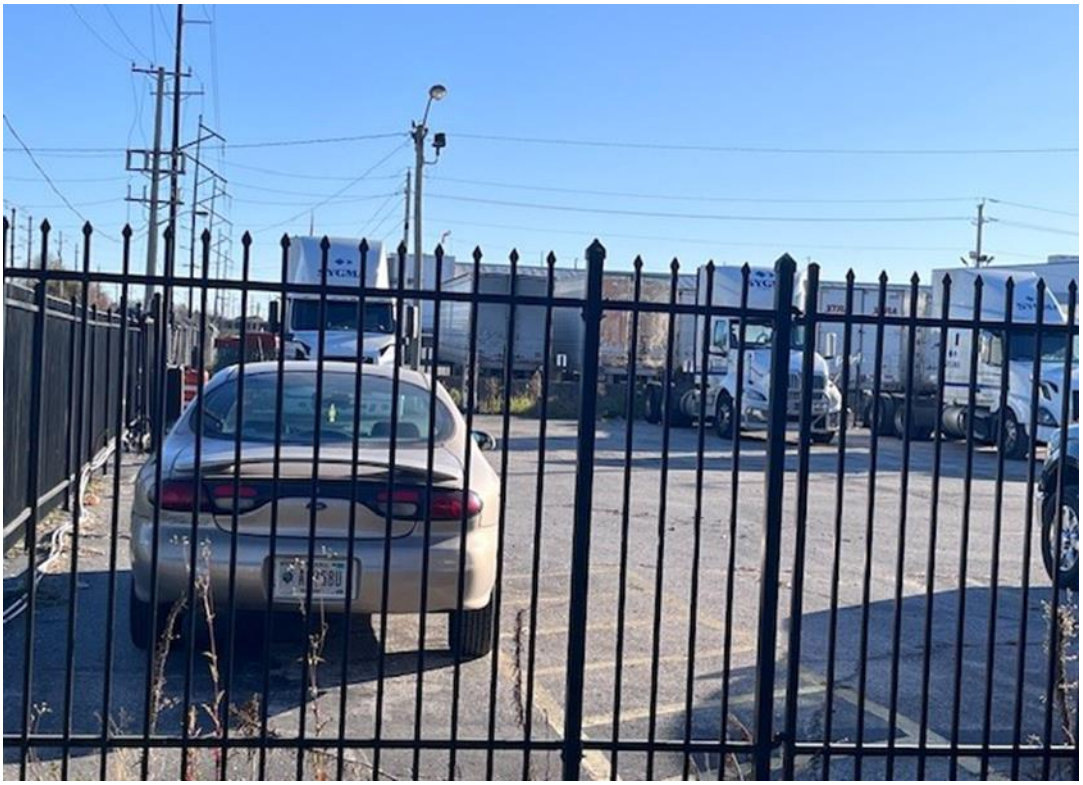
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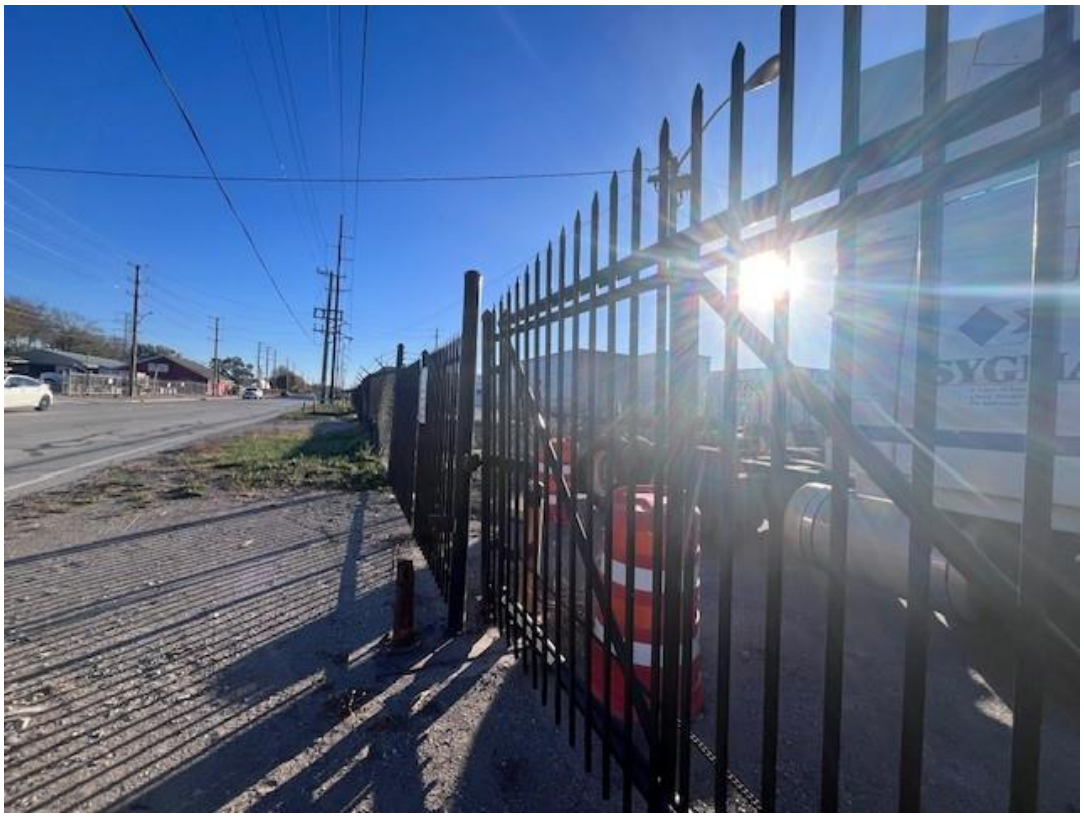
Department of Metropolitan Development
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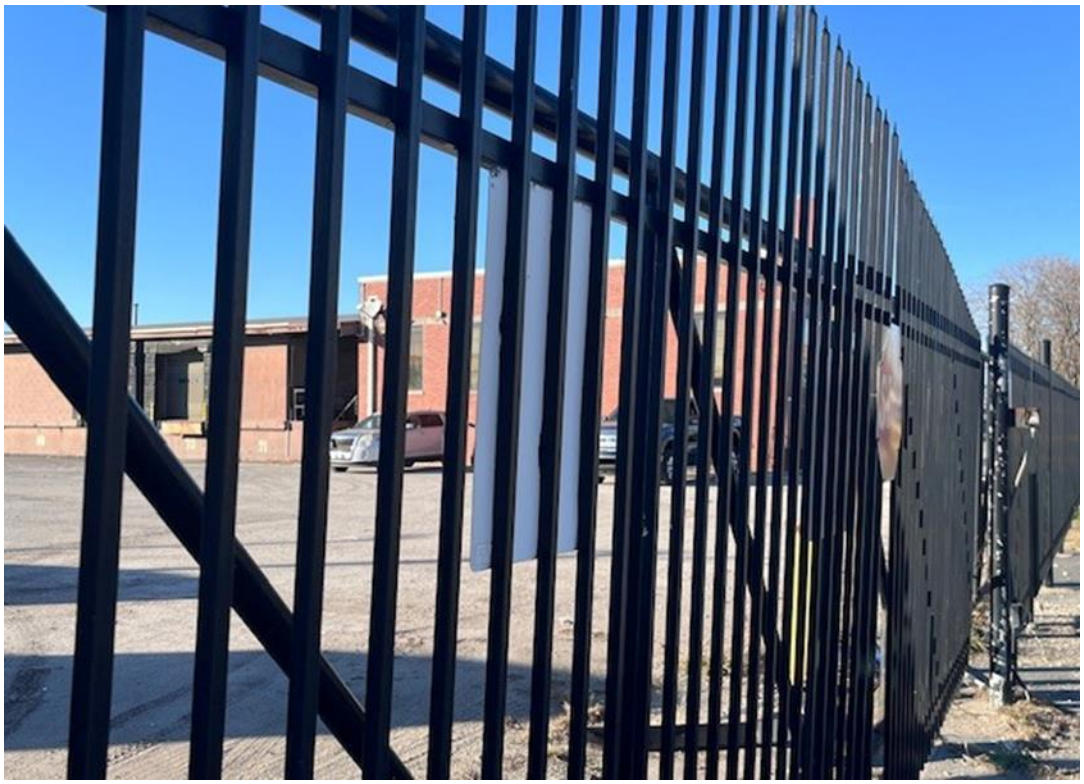













STOP



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BOARD OF ZONING APPEALS DIVISION III — November 24, 2026

Case Number:	2026-UV3-024
Property Address:	1901 North Rural Street (approximate address)
Location:	Center Township, Council District #13
Petitioner:	Stacey Munns
Current Zoning:	MU-1
Request:	Variance of use and development standards of the Consolidated Zoning and Subdivision Ordinance to provide for the operation of outdoor storage of tires and outdoor services of existing tire shop (not permitted).
Current Land Use:	Commercial
Staff Recommendations:	Staff recommend **approval** of this petition with commitments.
Staff Reviewer:	Jasmine Dillard Nikolich, Senior Planner

PETITION HISTORY

There is no history of this petition.

STAFF RECOMMENDATION

Staff recommends **approval** of this petition, subject to the commitments that being reduced to writing on the BZA's Exhibit "A" forms at least three days prior to the BZA hearing:

1. Variance of Uses shall substantially comply with the site plan filed-dated October 21, 2026.
2. Variance of Uses shall substantially comply with the Plan of Operation filed-dated October 21, 2026.

PETITION OVERVIEW

1901 North Rural Street is a 0.14-acre commercial parcel on the corner of North Rural Street and East Brookside Avenue with an improved tire shop known as Joe's New and Used Tires. The building structure and a shed was originally built in 1928 with asphalt paving added in 1936 per the Assessor's Property Card. The tire shop was later established in 1995 through 95-UV2-47 variance approval. The property is assessed with parking to the north of the lot. Additionally, the tire shop is surrounded by a 6-feet wooded fence. Surrounding areas include a fueling station to the north, a commercial building to the west, and residential to the south and east.

Approval of this variance would allow for the operation of outdoor storage of tires and outdoor services of existing tire shop. Staff would note that outdoor storage and outdoor services was previously prohibited for the tire shop under commitments through variance petition 95-UV2-47.

This property is zoned MU-1, which is typically intended for high-rise office uses and apartment intermixes but is also designed for use along arterials with both high-traffic counts and positive pedestrian experience or demand. Appropriate settings for the MU-1 district include the midtown and uptown areas of the city, very near rapid transit stops, or in the mist of high intensity regional commercial complexes.

The Comprehensive Plan recommends that this property be developed for Community Commercial (additional information within the Comprehensive Plan Analysis section below).

Findings of fact provided by the petitioner indicate that storing all tire parts and equipment inside the tire shop is nearly impossible due to the small size and limited amount of space inside the building. Additionally, there have been significant changes in tire sizes within today's economy. Changing tires outside provides convenient services to customers. Granting the variance will not be injurious to the public health, safety, morals, and general welfare of the community because the upkeep of the property is and will always be professionally managed. Staff would note that despite of the current owner's difficulty with reading, the property has been in great condition since transfer of ownership in 2022 due to the passing of the previous owner. Additionally, the current owner has actively communicated with the zoning inspectors and staff to ensure that the property is in compliant with all zoning inspections and variance approvals. Granting the variance would not interfere substantially with the comprehensive plan because the tire shop and parking is already existing and will not require additional expansions.

The Plan of Operation provided by the petitioner indicate that the nature of operation is strictly for tire changing, airing tires, and straightening tire rims when bent. There will be no additional auto repairs or services provided. The tire shop will only be in operation Monday through Saturday during the day and all services will be conducted by three employees. Furthermore, the tire shop is surrounded by a 6-feet wooded fence to keep most of the tire equipment in place.

The Variance of Use would be restricted to the current square foot of 1,040 of the existing building structure. Further additions will require a rezone or a new variance of use. This means that further expansion of this incompatible use will be subject to further petitions and public hearings. Staff recommend **approval** of this petition with the proposed commitments.

GENERAL INFORMATION

Existing Zoning	MU-1	
Existing Land Use	Commercial	
Comprehensive Plan	Community Commercial	
Surrounding Context	**Zoning**	**Surrounding Context**
North:	MU-1	North: Fueling Station
South:	D-5	South: Residential
East:	C-3	East: Commercial
West:	D-5	West: Residential
Thoroughfare Plan		
North Rural Street	Primary Arterial	60-foot existing right-of-way and a 60-foot proposed right-of-way

East Brookside Avenue	Local Street	70-foot existing right-of-way and a 70-foot proposed right-of-way
Context Area	Compact	
Floodway / Floodway Fringe	No	
Overlay	No	
Wellfield Protection Area	No	
Site Plan	10/21/2026	
Site Plan (Amended)	N/A	
Elevations	10/21/2026	
Elevations (Amended)	N/A	
Landscape Plan	10/21/2026	
Findings of Fact	10/21/2026	
Findings of Fact (Amended)	N/A	

COMPREHENSIVE PLAN ANALYSIS

Comprehensive Plan

- Marion County Land Use Pattern Book (2019).

Pattern Book / Land Use Plan

- The Community Commercial typology provides for low-intensity commercial and office uses that serve nearby neighborhoods. These uses are usually in freestanding buildings or small, integrated centers. Examples include small-scale shops, personal services, professional and business services, grocery stores, drug stores, restaurants, and public gathering spaces (Page, 20).

- Should be located along an arterial street. Outdoor display of merchandise should be limited (Page, 79).

Red Line / Blue Line / Purple Line TOD Strategic Plan

- Not Applicable to the Site.

Neighborhood / Area Specific Plan

- The site is located within the boundaries of the Highland -Brookside Plan which designates the site for retail/service/automobile related development.

Infill Housing Guidelines

- Not Applicable to the Site.

Indy Moves
(Thoroughfare Plan, Pedestrian Plan, Bicycle Master Plan, Greenways Master Plan)

- Not Applicable to the Site.

ZONING HISTORY

ZONING HISTORY – SITE

95-UV2-47, Variance of use and development standards of the Consolidated Zoning and Subdivision Ordinance to provide for the operation for the sale, display, and instillation of tires, **approved**.

91-UV2-141, Variance of use and development standards of the Consolidated Zoning and Subdivision Ordinance to provide for the operation for the sale, display, and instillation of tires, **pending.**

ZONING HISTORY – VICINITY

2018-ZON-113; 2654 Brookside Avenue (northeast of site), Rezoning of 1.26 acres from the C-3, MU-1 and I-3 districts to the D-5 classification, **approved.**

2013-ZON-021; 2801 Massachusetts Avenue (east of site), Rezoning of 0.74 acre from the I-3-U District to the C-3 classification to provide for a convenience store / gasoline station, **approved.**

2007-UV1-022, 1856 N. Rural Street (North of site), BY ROBERT V CLUTTER - VARIANCE OF USE AND DEVELOPMENT STANDARDS of the Commercial Zoning Ordinance to provide for the expansion of a gas station (expansion of use not permitted, gas station use previously permitted by petition 80-UV1-132), by constructing a twenty-foot tall, 720-square foot canopy over the previously approved pump location, with a 42-foot front setback from the centerline of Rural Street (minimum 70-foot front setback required), **approved.**

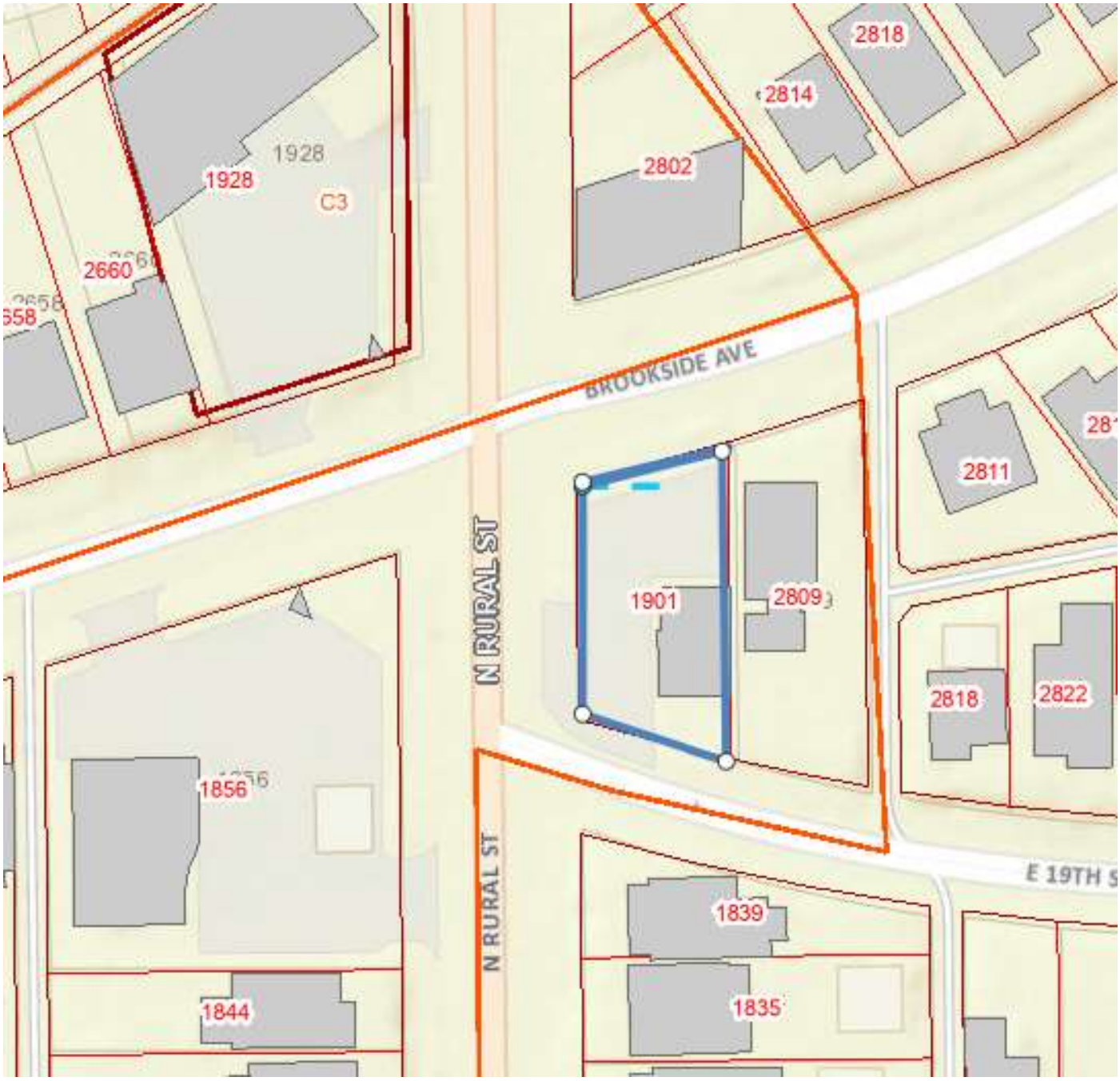
2004-ZON-030; 1928 N. Rural Street (northeast of site), Rezone 0.5 acre from the C-3 district to the C-4 classification to provide for a commercial use, **withdrawal.**

98-V1-18; 1856 N. Rural Street (North of Site), Variance request for a TP Shed, side yard setback, **approved.**

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EXHIBITS

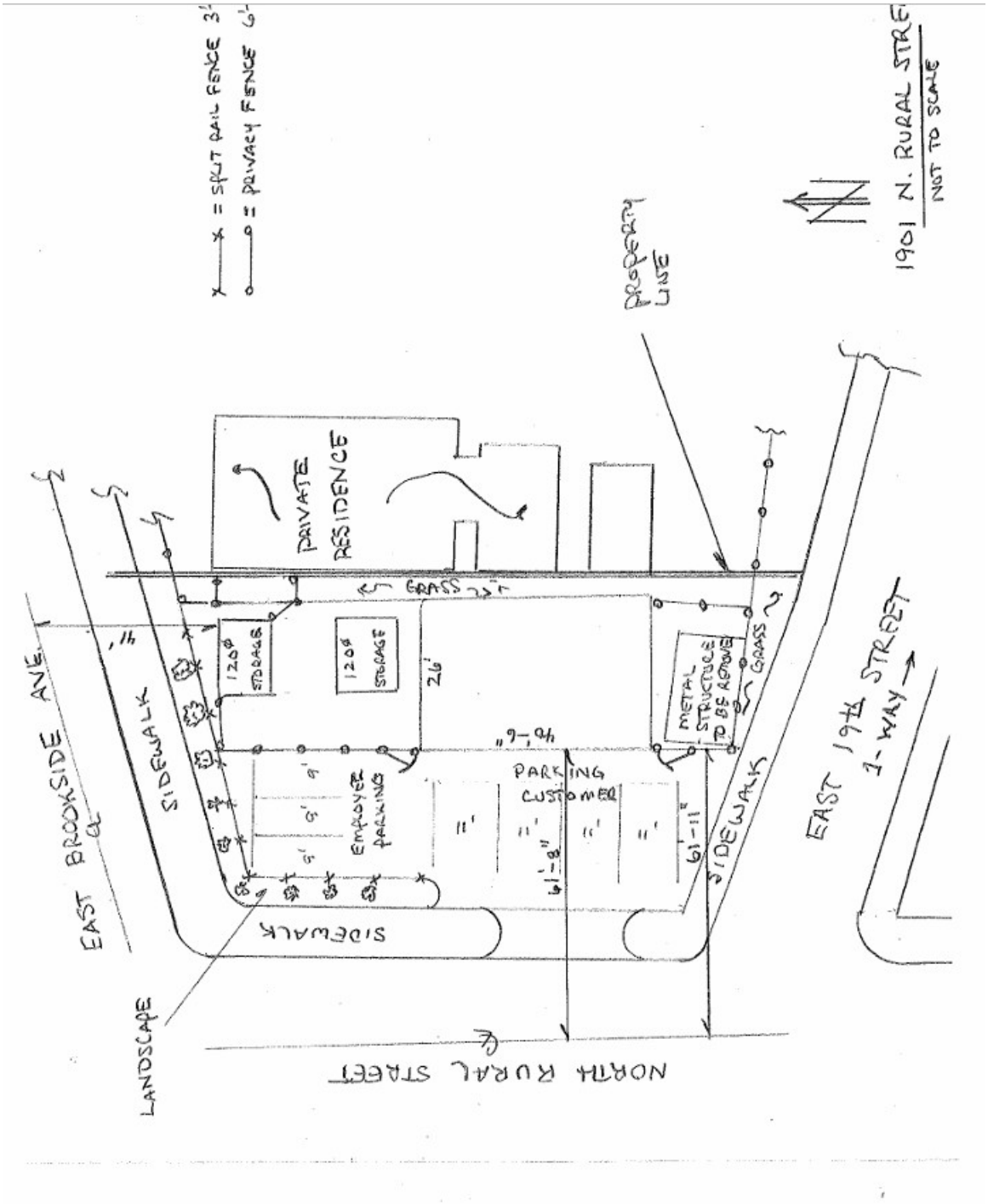
2026-UV3-024 ; Aerial Map



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2026-UV3-024 ; Site Plan



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2026-UV3-024 ; Findings of Fact

FINDINGS OF FACT

1. THE GRANT WILL NOT BE INJURIOUS TO THE PUBLIC HEALTH, SAFETY, MORALS, AND GENERAL WELFARE OF THE COMMUNITY BECAUSE

The granting of the proposed variance will not be injurious to the public health, safety, morals, and general welfare of the community because the upkeep of the property is always professionally managed and the owner of the property has been in good faith by actively communicating with the zoning inspectors and DMD staff to ensure that property is in compliance with zoning and variance requirements.

2. THE USE AND VALUE OF THE AREA ADJACENT TO THE PROPERTY INCLUDED IN THE VARIANCE WILL NOT BE AFFECTED IN A SUBSTANTIALLY ADVERSE MANNER BECAUSE

The use and value of the area adjacent to the property included in the variance will not be affected because the property is currently existing and there is a fence surrounding the property to keep all uses within the property.

3. THE NEED FOR THE VARIANCE ARISES FROM SOME CONDITION PECULIAR TO THE PROPERTY INVOLVED BECAUSE

The need for the variance arises from the citing of zoning inspectors because outdoor storage and tires are prohibited within the current zoning district. There were previous variances approved for this site under petition number 95-UV2-47.

4. THE STRICT APPLICATION OF THE TERMS OF THE ZONING ORDINANCE CONSTITUTES AN UNUSUAL AND UNNECESSARY HARDSHIP IF APPLIED TO THE PROPERTY FOR WHICH THE VARIANCE IS SOUGHT BECAUSE

There is strict hardship because there is a limited amount of storage space on the parcel due to significant changes of tire size within today's economy. Additionally, changing tires outside provides more convenient services to customers. Last, the owner of the property has keep the property in good condition since the passing of the previous owner despite difficulty with reading.

5. THE GRANT DOES NOT INTERFERE SUBSTANTIALLY WITH THE COMPREHENSIVE PLAN BECAUSE

The grant does not interfere substantially with the comprehensive plan because the tire shop is already existing and will expand the operation for customers in a safe way.

2026-UV3-024 ; Plan of Operation

Plan of Operation

Joe's New and Used Tires

Location: 1901 N. Rural Street
Zoning District: MU-1
Property Use: Tire Shop
Operation Schedule:
Monday through Friday (8am to 5pm)
Saturday (8am to 2pm)
Sunday (Closed)

1. **Nature of Operation:** Change tires, air tires up, and straighten rims when bent.
2. **Employees:** The business has 3 employees. All employees perform daily tasks (as mentioned by nature of operation).
3. **Existing Fence:** The property contains a secured privacy wooden fence at 6 feet in height to the rear and side of the property to hide tires within parcel limits.
4. **Variance Request:** The petitioner is requesting a variance of use for the operation of outdoor storage and tire supplies due to the limited amount of space indoor due to changes of tire sizes within the economy and to provide convenient services to customers.

2026-UV3-024 ; Photographs

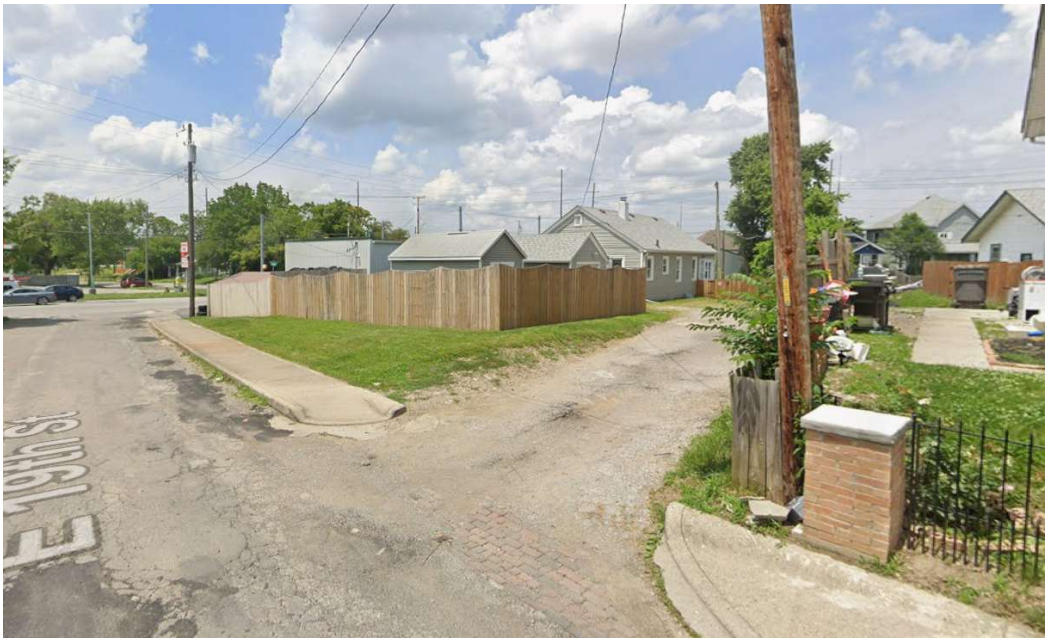
Photograph 1: North of Property



Photograph 2: East of Property



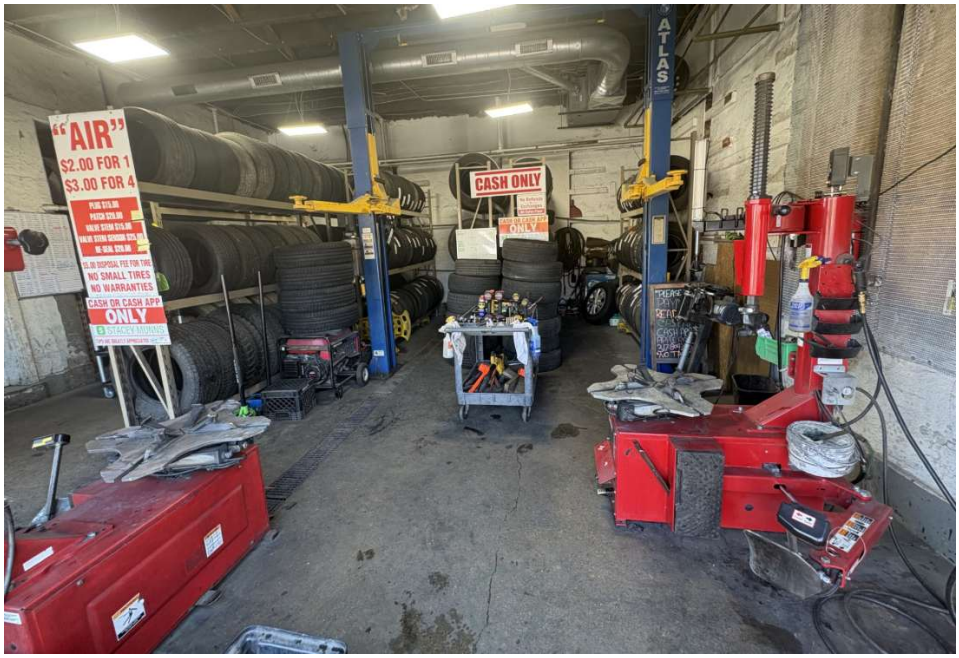
Photograph 3: Southwest of Property



Photograph 4: West of Property



Photograph 5: Inside Property



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Current Planning

BOARD OF ZONING APPEALS DIVISION III — November 24, 2026

Case Number:	2026-DV3-042
Property Address:	240 South Pennsylvania Street (approximate address)
Location:	Center Township, Council District #18
Petitioner:	Boxcar Development, LLC, by Jennifer Milliken
Current Zoning:	CBD-2 (FF) (RC) (TOD)
Request:	Variance of Development Standards of the Consolidated Zoning and Subdivision Ordinance to provide for permanent banner signs on the east façade of a proposed entertainment facility and projecting into the right-of-way of Pennsylvania Street (only temporary banner signs permitted and banner signs not permitted in the right-of-way).
Current Land Use:	Entertainment Facility Under Construction
Staff Recommendations:	Staff recommends **approval** of this petition.
Staff Reviewer:	Jeffrey York, Manager

PETITION HISTORY

This petition was continued from the October 20, 2026, hearing, to the November 24, 2026, hearing by request of a remonstrator. As of this writing, no new information has been submitted to the file.

STAFF RECOMMENDATION

Staff recommends **approval** of this petition.

PETITION OVERVIEW

240 South Pennsylvania Street is currently under development for an entertainment facility, immediately south of a proposed hotel and mixed-use development. The hotel and mixed-use development are within the Wholesale District and is under the jurisdiction of the Indianapolis Historic Preservation Commission (MDC).

The subject site was rezoned from I-3 (FF) (RC) (TOD) district to the CBD-2(FF) (RC) (TOD) in 2024, per 2024-ZON-095. In 2025, a Regional Center Approval petition was approved for the proposed entertainment facility, per 2025-REG-046. Later, in 2025, a Regional Center Approval petition was approved for updated plans for the proposed entertainment facility, per 2025-REG-095.

Construction began earlier this year on the facility. Signage was not specifically reviewed during the Regional Center Approval process, which is normal. This request would provide for four banner signs to extend from the building's east façade within the right-of-way of Pennsylvania Street. The banners would

be 3-foot by 17.25 foot in size and would be placed above the 20-foot level of the building. The building is approximately 38 feet in height.

The following variances of development standards would be required to allow for placement of the banners as shown within the below renderings:

- Ordinance does not permit banners to extend from the building. They are required to be affixed entirely on the building's façade.
- Ordinance does not permit banners within the public right-of-way.

Staff would note that the proposed banners would provide for quick change of the signage to promote upcoming events within the facility. It should be noted that the banners cannot advertise a business, profession, commodity, or service offered at another site. That type of sign would be an off-premises sign and is not permitted.

This site is zoned CBD-2, which is a district for the general downtown area of Indianapolis representing the typical urban core of the city to be developed at a very high density. It is a pedestrian oriented environment that is also the focus of the City's transit system providing excellent accessibility. The Comprehensive Plan recommends the site to the Regional Special Use typology given its proximity to Gainbridge Fieldhouse (additional information within Comprehensive Plan Analysis below). Additionally, the property is within the Regional Center (RC) and Transit-Oriented Development (TOD) secondary zoning overlays, given its location downtown and near an IndyGo BRT stop, respectively.

Findings of Fact provided by the applicant indicate that the type of signage would provide visual interest to the building and upcoming events. The Findings state that the signage would not negatively affect the property values of adjacent properties. Staff agrees recommends **approval** of the petition.

GENERAL INFORMATION

Existing Zoning	CBD-2 (FF) (RC) (TOD)	
Existing Land Use	Entertainment Facility Under Construction	
Comprehensive Plan	Regional Special Use	
Surrounding Context	**Zoning**	**Surrounding Context**
North:	CBD-2 (FF) (RC) (TOD)	North: Mixed-use development (under construction)
South:	CBD-2 (FF) (RC) (TOD)	South: Active railroad
East:	CBD-2 (FF) (RC) (TOD)	East: Gainbridge Fieldhouse
West:	CBD-2 (FF) (RC) (TOD)	West: Commercial
Thoroughfare Plan		
Pennsylvania Street	Primary Arterial	90-foot existing right-of-way and 78-foot proposed right-of-way
Context Area	Compact	

Floodway / Floodway Fringe	No
Overlay	No
Wellfield Protection Area	No
Site Plan	09/01/2026
Site Plan (Amended)	N/A
Elevations	09/1/2026; amended 10/14/2026
Elevations (Amended)	N/A
Landscape Plan	N/A
Findings of Fact	00/01/2026
Findings of Fact (Amended)	N/A

COMPREHENSIVE PLAN ANALYSIS

Comprehensive Plan

- Marion County Land Use Plan Pattern Book

Pattern Book / Land Use Plan

- The Regional Special Use non-typology land use category provides for public, semi-public and private land uses that serve a specific institutional purpose for a significant portion of the county. Examples are large-scale, generally stable institutional uses such as cemeteries, hospitals, universities, high schools, government complexes, large museums, the Indiana State Fairgrounds, and the Indianapolis Motor Speedway.

Red Line / Blue Line / Purple Line TOD Strategic Plan

- Not Applicable to the Site.

Neighborhood / Area Specific Plan

- Not Applicable to the Site.

Infill Housing Guidelines

- Not Applicable to the Site.

Indy Moves
(Thoroughfare Plan, Pedestrian Plan, Bicycle Master Plan, Greenways Master Plan)

- Not Applicable to the Site.



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ZONING HISTORY

ZONING HISTORY – SITE

2025-REG-016, Regional Center Approval to provide for updated plans for a three-story entertainment venue previously approved through 2024-REG-046, **approved.**

2024-ZON-095, Rezoning of 1.89 acres from the I-3 (FF) (RC) (TOD) district to the CBD-2(FF) (RC) (TOD) district for a mixed-use development, **approved.**

2024-REG-046, Regional Center Approval to provide for a three-story entertainment venue, **approved.**

ZONING HISTORY – VICINITY

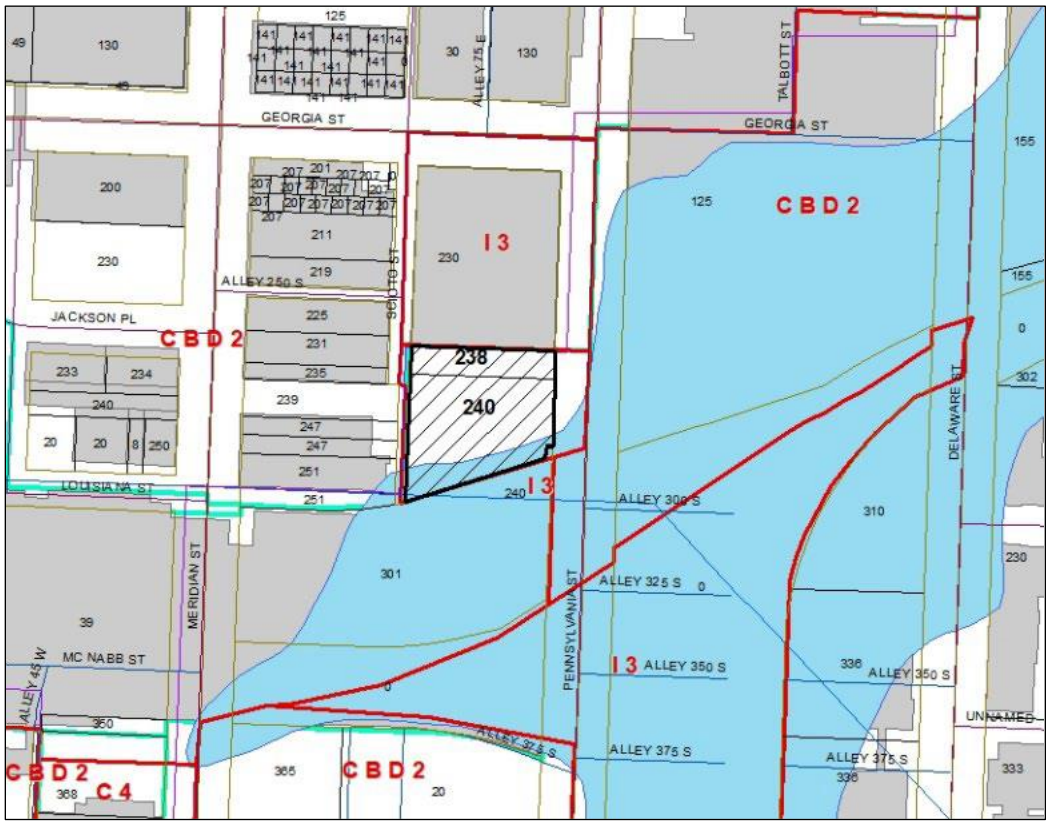
None.

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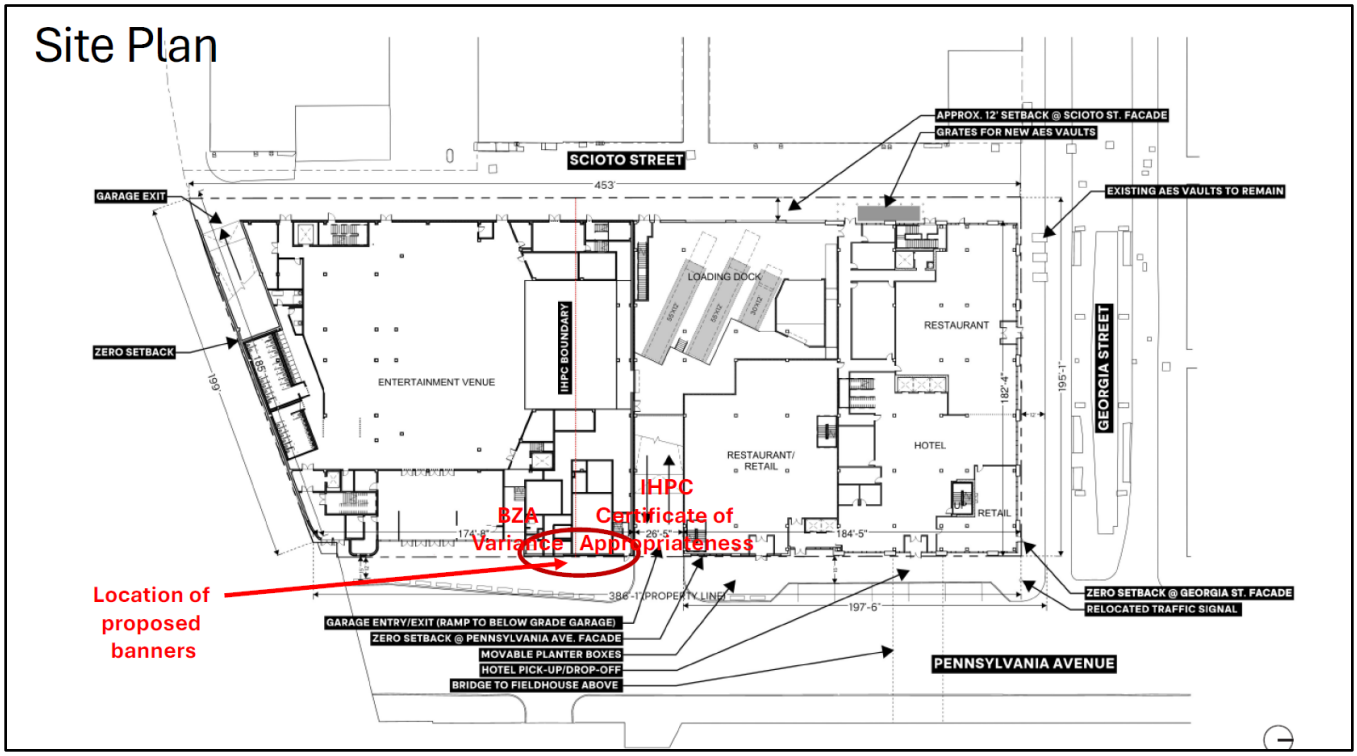
EXHIBITS

2026-DV3-042; Map



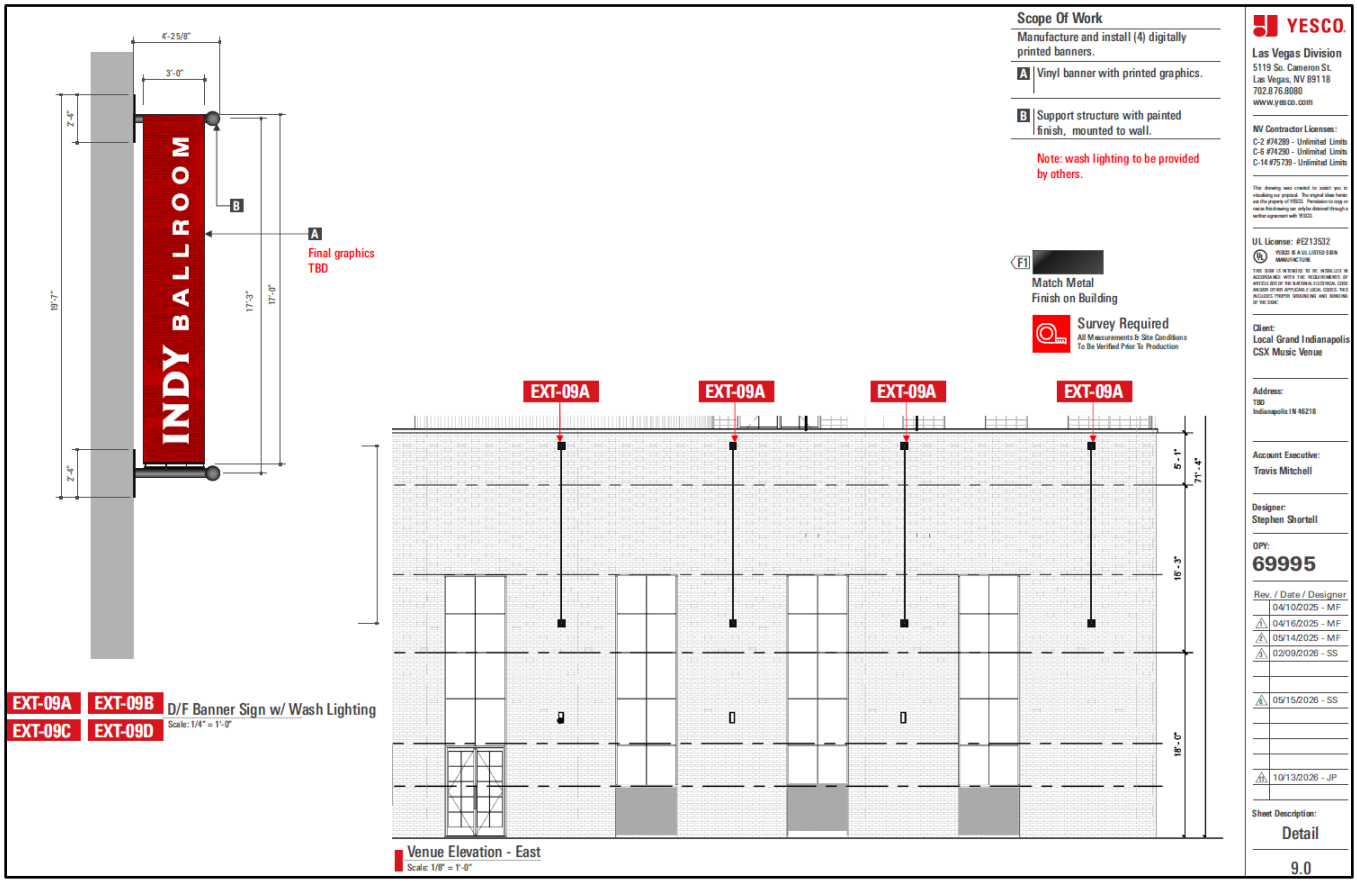
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2026-DV3-042; Site Plan



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2026-DV3-042; Building Elevations and Sign Elevation



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2026-DV3-042; Building Rendering



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2026-DV3-042; Findings of Fact

METROPOLITAN DEVELOPMENT COMMISSION
HEARING EXAMINER
METROPOLITAN BOARD OF ZONING APPEALS, Division _____
OF MARION COUNTY, INDIANA

PETITION FOR VARIANCE OF DEVELOPMENT STANDARDS

FINDINGS OF FACT

1. The grant will not be injurious to the public health, safety, morals, and general welfare of the community because:

The banners and their hardware supporting mechanism are being professionally designed and installed by an expert national sign company.
The lowest part of the banners will be 14 feet above grade, out of reach of pedestrians on the sidewalk.
They will extend only 6' 5.5" from the building face, which is narrower than the sidewalk in front of the building - i.e., they are well outside of the street.
Their design is subtle and will not be a distraction to drivers.

2. The use or value of the area adjacent to the property included in the variance will not be affected in a substantially adverse manner because:

The area is an entertainment district with a variety of signage appropriate to their use.
The proposed banners are appropriate to the current and planned character of this area.
Therefore, they will not adversely affect the use or value of the area.

3. The strict application of the terms of the zoning ordinance will result in practical difficulties in the use of the property because:

The proposed banners will serve an important role as a part of the Live Nation streetscape, adding visual interest by breaking up the large brick wall planes with a three dimensional element. The fact that these are banners, specifically, adds a missing element, in that they are of a softer material that will provide a welcome contrast against the brick walls and the other, hard-surfaced signage.

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2026-DV3-042; Photograph



Subject Site from Pennsylvania Street (site under construction)

DEPARTMENT OF METROPOLITAN DEVELOPMENT
DIVISION OF PLANNING | CURRENT PLANNING

Department of Metropolitan Development
Division of Planning
Current Planning

BOARD OF ZONING APPEALS DIVISION III — November 24, 2026

Case Number:	2026-UV3-018
Property Address:	5135 East 10th Street (approximate address)
Location:	Warren Township, Council District #14
Petitioner:	Bhatti Brothers, Inc, by Joseph Csikos
Current Zoning:	C-4
Request:	Variance of Use and Development Standards of the Consolidated Zoning and Subdivision Ordinance to provide for a 160-square foot accessory storage container (not permitted), with a one-foot south side transitional yard setback (10-foot transitional yard setback required).
Current Land Use:	Commercial
Staff Recommendations:	Staff recommends **denial** of the requested variances.
Staff Reviewer:	Michael Weigel, Principal Planner I

PETITION HISTORY

10/20/26: A timely automatic continuance request was filed by a registered neighborhood organization.

STAFF RECOMMENDATION

Staff recommends **denial** of the variances.

PETITION OVERVIEW

5135 East 10th Street is a 0.28-acre parcel that is currently improved with a liquor store building on the southwest corner of the lot (size of 1725 square feet per the property card) and with accessory parking areas to the north and east. The site fronts on 10th Street to the north, Leland Avenue to the east, and an alley to the west. Surrounding land uses include commercial structures to the north and west and residential ones to the south and east.

In late 2024 to early 2025, a shipping container was placed on the property directly to the south of the existing building, per aerials and photographs below. The petitioner has indicated that the shipping container is utilized for storage of inventory and for fluctuations in stock to allow for secure overflow storage. The container is 8x20 in size, has been painted white to match the building, and per the petitioner is solely accessed from inside the existing commercial building (not from the west or east).

Two separate complaints filed with the Mayor's Action Center led to the opening of a zoning enforcement case at the subject site: VIO24-009414 (full text within Exhibits below). It cited the property for placement of the portable shipping container on a permanent basis, as well as for encroaching within the required setback of the southern yard.

Approval of this petition would allow for:

- Placement of the accessory storage container on a permanent basis (Ordinance disallows for placement of portable storage containers for periods over 30 days per 743-306.Y); and
- Placement of the accessory storage container with a 1-foot southern transitional yard setback (10 feet is required when commercial areas border residential ones per Table 744-201-3).

The property is zoned C-4 to allow for the development of major business groupings and regional-size shopping centers to serve a population ranging from a community or neighborhoods to a major segment of the total metropolitan area. Similarly, the Comprehensive Plan recommends it to the Community Commercial typology to allow for low-intensity commercial and office uses that serve nearby neighborhoods. The Pattern Book also indicates that "outdoor display of merchandise should be limited, and if adjacent to residential uses or a Living Typology, outdoor display… is not recommended".

Findings of Fact provided by the petitioner indicate that no alternate locations to construct a building addition would exist on the site, that the property is zoned commercially, and that the container would be screened from public view. Staff disagrees with each assertion: the container is partially visible from public right-of-way (see Photo 7) and would be visible from the residentially zoned property to the south, the commercial container would be 1 foot away from residentially zoned areas, and an alternate location for a permanent building addition might be onto the eastern portion of the site.

Staff would also note that no permits appear to have been pulled in relation to any removal or modification of the existing building's southern wall to allow for access from the liquor store into the shipping container: approval of this petition would not serve as permission to deviate from any applicable IBC standards or to not obtain a structural permit from the Department of Business and Neighborhood Services, if required.

No undue hardship would exist preventing the usage of compliant, non-temporary materials for a small building addition, and the usage of a temporary shipping container specifically is discouraged by the Ordinance both for visual/aesthetic reason as well as for the higher likelihood of the non-permanent structures to rust, attract graffiti, etc. Staff therefore recommends **denial** of the requested Use Variance to allow for the use of an accessory storage container on a permanent basis.

Similarly, no practical difficulty exists that would require a building addition (either temporary or permanent) to be placed so close to the southern property line shared with an occupied residence (the proposed 1-foot setback would be a 90% reduction from the requirements of the district, and site photographs depict limited visual buffering exists to reduce the negative externality. Additionally, any difficulty that would result from the container already existing at the site would be a *self-imposed* difficulty, rather than anything inherent to the site. For these reasons, staff recommends **denial** of the requested Variance of Development Standards to allow for the proposed 1-foot southern transitional yard setback.

Department of Metropolitan Development
Division of Planning
Current Planning

GENERAL INFORMATION

Existing Zoning	C-4	
Existing Land Use	Commercial	
Comprehensive Plan	Community Commercial	
Surrounding Context	**Zoning**	**Surrounding Context**
North:	C-4	North: Commercial
South:	D-5	South: Residential
East:	D-5	East: Residential
West:	C-4	West: Commercial
Thoroughfare Plan		
10th Street	Primary Arterial	76-foot existing right-of-way and 78-foot proposed right-of-way
Leland Avenue	Local Street	61-foot existing right-of-way and 48-foot proposed right-of-way
Context Area	Compact	
Floodway / Floodway Fringe	No	
Overlay	No	
Wellfield Protection Area	No	
Site Plan	08/12/2026	
Site Plan (Amended)	N/A	
Elevations	N/A	
Elevations (Amended)	N/A	
Landscape Plan	N/A	
Findings of Fact	08/12/2026	
Findings of Fact (Amended)	N/A	

COMPREHENSIVE PLAN ANALYSIS

Comprehensive Plan

- Marion County Land Use Plan Pattern Book

Pattern Book / Land Use Plan

- The Community Commercial typology provides for low-intensity commercial and office uses that serve nearby neighborhoods. These uses are usually in freestanding buildings or small, integrated centers. Examples include small-scale shops, personal services, professional and business services, grocery stores, drug stores, restaurants, and public gathering spaces.
    - Outdoor display of merchandise should be limited, and if adjacent to residential uses or a Living Typology, outdoor display of merchandise is not recommended.

Red Line / Blue Line / Purple Line TOD Strategic Plan

- Not Applicable to the Site.

Neighborhood / Area Specific Plan

- Not Applicable to the Site.

Infill Housing Guidelines

- Not Applicable to the Site.

Indy Moves
(Thoroughfare Plan, Pedestrian Plan, Bicycle Master Plan, Greenways Master Plan)

- Not Applicable to the Site.

ZONING HISTORY

ZONING HISTORY – SITE

N/A

ZONING HISTORY – VICINITY

2014DV2040 ; 5068 East 10th Street (northwest of site), Variance of development standards of the Commercial Zoning Ordinance to provide for the construction of a convenience store / gasoline station, by legally establishing building walls and providing for a canopy with approximately 44-foot setbacks from the centerline of 10th Street, by providing for gasoline pumps with an approximately 55-foot setback from the centerline of 10th Street, by legally establishing building walls, with an approximately 34-foot setback from Emerson Avenue (70-foot setback from the centerlines of 10th Street and Emerson Avenue required), and by providing for a directional sign within the right-of-way (not permitted), **withdrawn.**

2010DV1013 ; 5109 East 10th Street (west of site), Variance of use of the Dwelling Districts Zoning Ordinance to provide for a parking lot (parking lots not permitted in the D-5 District) and a variance of development standards of the Commercial Zoning Ordinance to provide for tavern within zero feet and fifteen feet of a protected district (100-foot separation from protected districts required), **approved.**

2009UV1003 ; 926 North Emerson Avenue (southwest of site), Variance of Use of the Dwelling Districts Zoning Ordinance to provide for environmental remediation equipment and a thermal oxidizer (not permitted) and to legally establish a commercial trash container and enclosure (not permitted) with access from the alley to the west, **approved.**

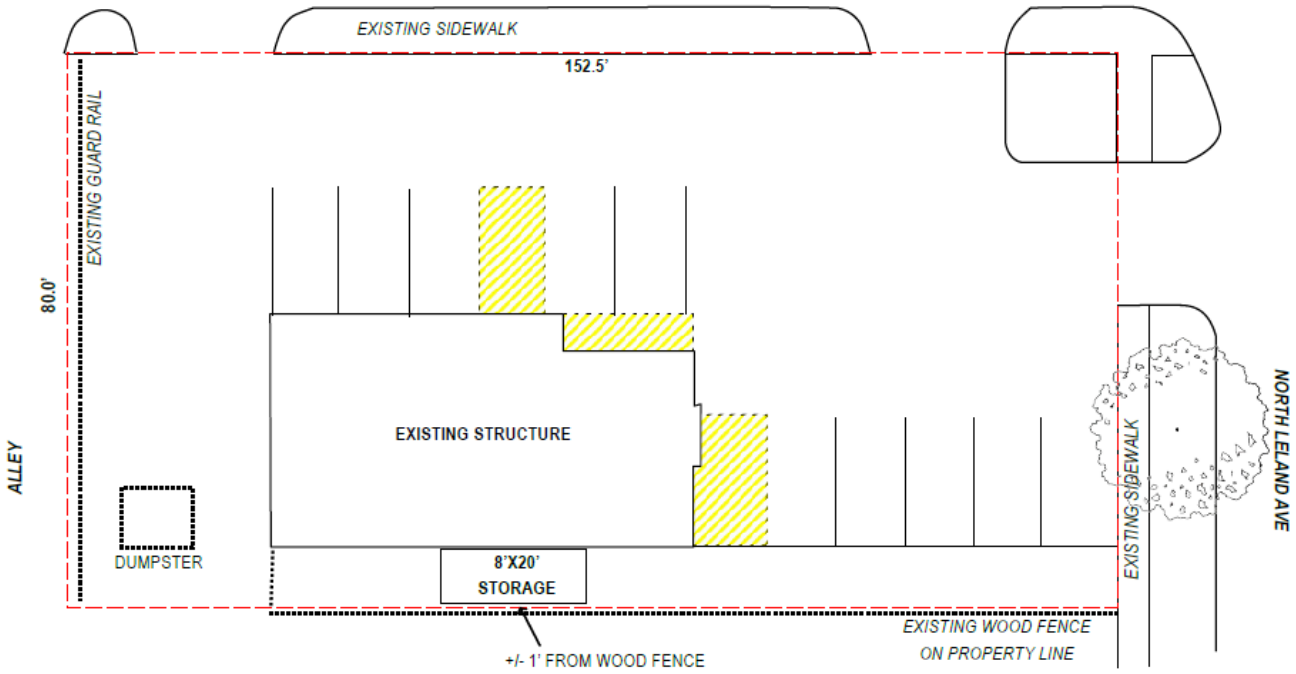
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EXHIBITS

2026UV3018 ; Aerial Map



2026UV3018 ; Site Plan



2026UV3018 ; Notice of Violation (VIO24-009414)

Section 740 -1005.A.2. Civil Zoning Violation

Specific Violation: The failure to obtain an Improvement Location Permit when one is required by the terms and provisions of the Zoning Ordinance; (740-801.A.2. - Failure to obtain an Improvement Location Permit (ILP) for increasing the height, size or lateral bulk of the structure... primary structure).

Section 740 -1005.A.3. Civil Zoning Violation

Specific Violation: The outdoor storage of junk, trash, or debris in any zoning district, the provisions of which do not specifically permit such a use; (Door, sheet metal, and other miscellaneous items throughout the property).

Section 740 -1005.A.8. Civil Zoning Violation

Specific Violation: Failure to comply with use-specific standards and zoning district development standards for the C-4 district; (743-306.Y.1- The storage of portable storage units is limited to 30 days….shipping container).

Section 740 -1005.A.8. Civil Zoning Violation

Specific Violation: Failure to comply with use-specific standards and zoning district development standards for the C-4 district; (Table 744-201-1: - Primary structure addition located in the 5ft. rear yard setback).

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2026UV3018 ; Findings of Fact (Development Standards)

1. The grant will not be injurious to the public health, safety, morals, and general welfare of the community because:

Approval of this variance will not pose any threat to public health, safety, morals, or general welfare. The storage container is locked, structurally secure, and utilized strictly for non-hazardous overflow inventory and business supplies associated with Joey's Liquor Store. It is situated behind the primary structure and remains clear of drive aisles, ire access lanes, and utility easements. Because it is fully screened from the south by an existing wooden privacy fence and hidden from E 10th St by the primary building, it creates no traffic hazard, visual impairment, or safety risk to the public or adjacent properties.

2. The use or value of the area adjacent to the property included in the variance will not be affected in a substantially adverse manner because:

The use and value of adjacent properties will not be adversely impacted. The storage container is positioned behind the primary commercial building and is visually buffered from the property to the south by an existing wooden fence. Storing excess inventory within a secure container prevents outdoor clutter, unorganized pallet storage, or trash accumulation on the lot. By maintaining an orderly exterior and concealing the container behind the existing visual barriers, the proposal preserves neighboring property values and maintains the commercial character of the corridor.

3. The strict application of the terms of the zoning ordinance will result in practical difficulties in the use of the property because:

Strict application of the Zoning Ordinance results in practical difficulties because there is no physical location on the existing lot where the storage container can be placed that complies with both the required setback standards and the visual screening requirements of the Ordinance. Moving the container inward to satisfy standard setback distances would force it into active parking spaces and delivery turning areas, blocking vehicular circulation and creating hazardous traffic bottlenecks. Conversely, moving it to an open area would violate screening rules by exposing the container to public view. Placing the container +/-1 foot from the south property line (utilizing otherwise unused space behind the primary building and an existing wooden privacy fence) is the only feasible option that maintains required visual screening while preserving safe on-site parking and circulation.

2026UV3018 ; Findings of Fact (Use)

1. THE GRANT WILL NOT BE INJURIOUS TO THE PUBLIC HEALTH, SAFETY, MORALS, AND GENERAL WELFARE OF THE COMMUNITY BECAUSE

The portable storage container will be sited in a secure location at the rear of the commercial property, fully clear of public rights-of-way, drive aisles, sight triangles, and fire access lanes. The container will remain locked, structurally sound, and maintained in a clean, neutral finish to prevent visual blight or physical hazards. No toxic, hazardous, or explosive materials will be stored within the unit. Sight lines for surrounding vehicular traffic along East 10th St and adjacent alleys will remain completely unimpeded.

2. THE USE AND VALUE OF THE AREA ADJACENT TO THE PROPERTY INCLUDED IN THE VARIANCE WILL NOT BE AFFECTED IN A SUBSTANTIALLY ADVERSE MANNER BECAUSE

The subject property is located within an established commercial corridor along E 10th St. The storage container is ancillary to an existing, long-standing retail operation and generates no additional vehicular traffic, noise, glare, odor, or dust. The container will be positioned to the rear of the structure as to not visually dominate neighboring properties or the streetscape, preserving the physical character and commerical viability of adjacent properties. The location of the storage is visually screened by the structure and existing wood fencing.

3. THE NEED FOR THE VARIANCE ARISES FROM SOME CONDITION PECULIAR TO THE PROPERTY INVOLVED BECAUSE

The commercial building at 1535 E 10th St features a highly compact interior footprint with minimal back-of-house storage space relative to modern retail inventory demands. Furthermore, lot configuration, structural constraints, and existing setbacks preclude constructing a permanent building expansion or attached addition without eliminating off-street parking spaces or creating greater setback non-conformities.

4. THE STRICT APPLICATION OF THE TERMS OF THE ZONING ORDINANCE CONSTITUTES AN UNUSUAL AND UNNECESSARY HARDSHIP IF APPLIED TO THE PROPERTY FOR WHICH THE VARIANCE IS SOUGHT BECAUSE

Strict enforcement prohibiting storage containers for periods exceeding 30 days would severely restrict the petitioner's ability to maintain sufficient stock, process bulk shipments, and operate competitively within the local market. Depriving the petitioner of needed supplemetal storage on-site would force inefficient off-site storage logistics or force property alterations that are impractical, creating a severe operational burden without delivering any corresponding public benefit.

5. THE GRANT DOES NOT INTERFERE SUBSTANTIALLY WITH THE COMPREHENSIVE PLAN BECAUSE

The Comprehensive Plan designates this site for community commercial development. Supporting the operational infrastructure of a long-established local commercial business aligns with the plan's goals of economic vitality, business retention, and commercial corridor stability. The primary use of the site remains retail, and the container serves solely as an accessory storage function directly tied to the primary permitted use.

2026UV3018 ; Photographs



Photo 1: Existing Building Viewed from Northeast



Photo 2: Existing Building Viewed from North

2026UV3018 ; Photographs (continued)



Photo 3: Unpermitted Shipping Container Viewed from East (May 2026)

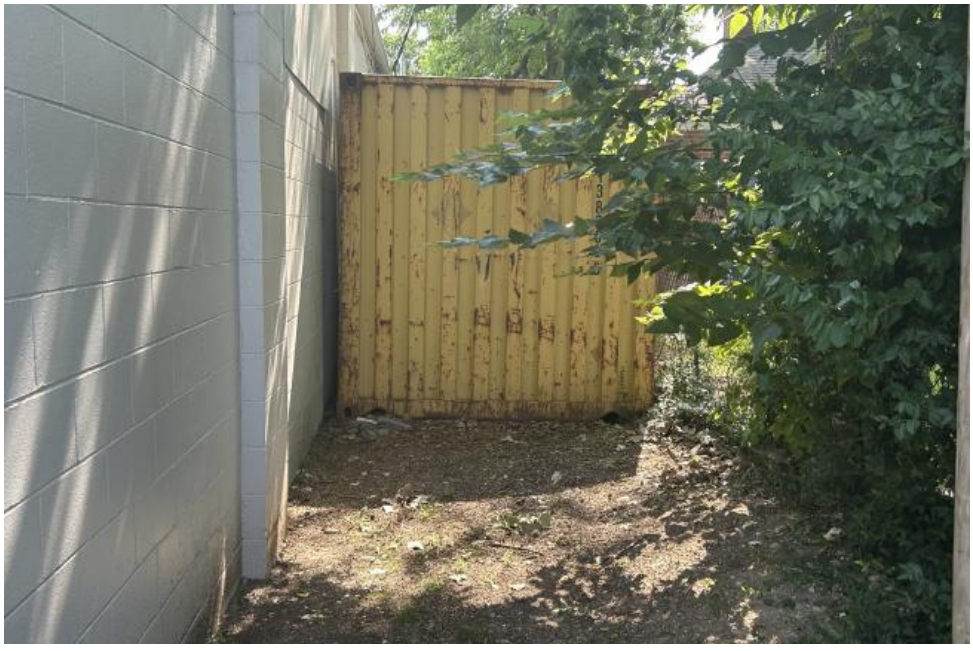


Photo 4: Unpermitted Shipping Container Viewed from West (July 2026)

2026UV3018 ; Photographs (continued)



Photo 5: Unpermitted Shipping Container Viewed from East



Photo 6: Unpermitted Shipping Container Viewed from West

2026UV3018 ; Photographs (continued)



Photo 7: Unpermitted Shipping Container Viewed from Southwest



Photo 8: Building Viewed from Southwest (May 2024)



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2026UV3018 ; Photographs (continued)



Photo 9: Adjacent Property to East



Photo 10: Adjacent Property to West

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BOARD OF ZONING APPEALS DIVISION III — November 24, 2026

Case Number:	2026-UV3-019
Property Address:	11650 E. 30th Street (approximate address)
Location:	Warren Township, Council District #15
Petitioner:	Clark Quinn, Moses, Scott, & Grahn, LLP, by Kadeem Aman Brogan
Current Zoning:	D-A
Request:	Variance of Use of the Consolidated Zoning and Subdivision Ordinance to allow for indoor/outdoor recreation and entertainment (not permitted in D-A) and to allow for the parking of commercial vehicles not intended for agricultural purposes (parking of commercial vehicles and equipment only permitted in D-A if related to agricultural uses). Variance of Development Standards to allow for an unpaved surface parking area (only permitted in D-A if related to agricultural, animal-related, and food production uses).
Current Land Use:	Agricultural
Staff Recommendations:	Staff recommend **approval** of this petition with commitments.
Staff Reviewer:	Jasmine Dillard Nikolich, Senior Planner

PETITION HISTORY

10/20/2026: A timely automatic continuance request was filed by a registered neighborhood organization, continuing this petition from the October 20, 2026, BZA III hearing to the November 24, 2026, BZA III hearing. This request was acknowledged by the Board.

STAFF RECOMMENDATION

Staff recommends **approval** of this petition, subject to the commitments that being reduced to writing on the BZA's Exhibit "A" forms at least three days prior to the BZA hearing:

1. Variance of Uses shall substantially comply with the site plan filed-dated October 14, 2026.
2. Variance of Uses shall substantially comply with the Plan of Operation filed-dated August 11, 2026.
3. Site shall be maintained in a reasonably neat and orderly manner during and after development.

PETITION OVERVIEW

11650 E. 30th Street is a 7-acre agricultural parcel on East 30th Street known as Broganville's Farm, with improved building structures (a primary home and multiple animal barns), a garden, and farmland with domesticated animals. Broganville's Farm was established in 2020 by Petitioner, Air Force Veteran, Kadeem Brogan, to host special events, standard educational events, and summer camp for children and the local community. The special events include horseback riding, hands-on animal experience, and more. The property is currently zoned D-A and is accessed by two driveways used for entry and exist to the north of the parcel, facing East 30th Street. The site is typically secured with fencing and gates. Surrounding land uses includes a church to the west and residential to the north, south, east.

Approval of this variance would allow for indoor/outdoor recreation and entertainment and to allow for the parking of commercial vehicles not intended for agricultural purposes. Additionally, approval of this variance would allow for unpaved surface parking, excluding the surrounding residential neighbor parking areas.

This property is zoned D-A, to allow for agricultural lands of Marion County and provides for a variety of agricultural uses. It is intended to provide for animal and poultry husbandry, farming, cultivation of crops, dairying, pasturage, floriculture, horticulture, viticulture, apiaries, aquaculture, hydroponics, together with necessary, accompanying accessory uses, buildings, or structures of housing, packing, treating, or storing said products, or lands developed to a soil conservation or forestry management program. A single-family dwelling is intended to be permitted as a part of such agricultural uses. A secondary provision of this district is large estate development of single-family dwellings. This district fulfills the very low-density residential classification of the Comprehensive General Land Use Plan. This district does not require public water and sewer facilities.

The Comprehensive Plan recommends for the property to be developed as a Rural or Estate Neighborhood and Suburban Neighborhood (additional information within the Comprehensive Plan Analysis section below).

Findings of Fact provided by the applicant indicate that the proposed agritourism preserves the low-density, open-space, and natural agricultural aesthetic of the site, serving as a tranquil green buffer for adjacent properties. The farm's daily activities (educational tours, small animal interactions, and equestrian care) are low-intensity, non-industrial, and quiet, generating noise levels comparable to standard agricultural and residential land uses permitted in the D-A district. Because visits are scheduled in advance and group sizes are capped, traffic flow remains light and predictable, eliminating disruptive noise, headlight glare, or off-site parking impact on neighboring residential parcels. The continued maintenance of the farm structures, pastures, and grounds maintains and protects property values across the surrounding area. The proposed agritourism operations are conducted strictly on a controlled, appointment-only basis during daytime business hours (typically Monday through Saturday, 8:00 AM – 6:00 PM). This operating model prevents spontaneous traffic congestion, overcrowding, or unannounced walk-ins along East 30th Street. All animal enclosures, activity areas, and farm features are professionally managed, securely fenced, and supervised to ensure visitor and neighborhood safety. Furthermore, the

grant enhances public welfare by providing surrounding urban and suburban neighborhoods with access to agricultural education, youth enrichment programs, and outdoor recreational open space.

Infill housing guidelines indicate that open space can improve stormwater drainage on existing lots when combined with strategic landscaping and limited impervious surfaces, like driveways and paved pathways. Use the surrounding block and neighborhood to help guide appropriate open space.

Staff would note that the parcel provides ample space for on-site parking, vehicle turnarounds, and safe passenger drop-off entirely within property boundaries, ensuring no off-site parking or obstruction of the public right-of-way. Staff would note that parking and traffic flow will be controlled by staff through the uses of traffic cones, traffic barriers, and traffic batons to keep traffic flowing and parking steady. Special events must align with special event permitting rules and regulations. Additionally, regular vehicle parking will be separated from bus parking (as shown on site plan under the Exhibit Section below).

Staff would note that the use of a gravel surface maintains high soil permeability allowing direct infiltration of rainwater which significantly reduces runoff volume and peak discharge rates while aligning with the farm's sustainable rural development standards and eliminating the need for commercial retention basins. As the property is zoned D-A, installing large asphalt or concrete parking lots would introduce a more urbanized aesthetic that conflicts with the visual appearance of a traditional working farm and rural homestead. Additionally, gravel over a well compacted sub-base provides flexibility and load-bearing capacity easily supporting heavy vehicles, livestock trailers, and agricultural operations without cracking buckling or subgrade shearing common in rural applications of asphalt surface. Because the farm uses an appointment only model with fluctuating daily traffic volumes, gravel offers a durable, easily graded surface that withstands concentrated farm use without requiring heavy industrial pavement maintenance. Ongoing maintenance is simplified allowing for localized spot-grading and replacement as needed.

The Plan of Operation provided by the applicant indicates a minimized traffic flow and proper spaces for parking, with ADA accessibility. Shared transportation (busses or shuttles) to and from the location is encouraged. Parking is accommodated entirely on-site within designated grass/gravel parking areas.

The Plan of Operation also indicates that Broganville's Farm will operate under a strict appointment-only model to minimize neighborhood disturbance, traffic queuing, and noise. Unannounced visits will be strictly prohibited. All visitors must reserve time slots in advance through the online booking or direct phone/email scheduling. Group arrival and departure times are staggard by at least 15 to 30 minutes to eliminate traffic congestion on East 30th Street. Staff will note that there is a maximum limit of 60 guests allowed for standard daily operations per two-hour sessions, and a maximum limit of 100 guests in attendance for summer camp and special events permitted (including group gatherings). Prominent signage posting safety rules, animal interaction guidelines, and Indiana Agritourism Liability warnings (IC 34-31-9) will be displayed.

Staff will note that activities will be supervised, waste will be managed, animals will be secured, and lighting and noise levels will be controlled. Outdoor activities will be restricted to daytime operations (8:00 AM to 6:00 PM) unless otherwise permitted by a special event permit(s). Heavy amplified music and high-

decibel public address systems will be prohibited. Last, hand-washing stations and first-aid stations will be on-site to ensure safety and well-being of all visitors and guests.

The Variance of Use would be restricted to the current square footage (170,710 sq ft.) of the existing facility. On-street parking is prohibited to visitors and guests. Unpaved on-site parking is prohibited to the southern (rear) of parcel. All parking and traffic flow must be monitored by staff. Special events must be regulated by special event permits and Indiana State guidelines. Further additions will require a rezone or a new variance of use. This means that further expansion of this incompatible use will be subject to further petitions and public hearings. Staff recommend **approval** of this petition with proposed commitments by staff and owners of surrounding parcels.

GENERAL INFORMATION

Existing Zoning	D-A	
Existing Land Use	Agricultural	
Comprehensive Plan	Rural or Estate Neighborhood and Suburban Neighborhood	
Surrounding Context	**Zoning**	**Surrounding Context**
North:	D-3	North: Residential
South:	D-3	South: Residential
East:	D-3	East: Residential
West:	SU-1	West: Church
Thoroughfare Plan		
East 30th Street	Primary Collector	90-foot existing and proposed right-of-way.
Context Area	Metro	
Floodway / Floodway Fringe	No	
Overlay	No	
Wellfield Protection Area	No	
Site Plan	8/11/2026	
Site Plan (Amended)	10/14/2026	
Elevations	Enter Date. 8/11/2026	
Elevations (Amended)	Enter Date. 10/14/2026	
Landscape Plan	Enter Date. 8/11/2026	
Findings of Fact	Enter Date. 8/11/2026	
Findings of Fact (Amended)	Enter Date. N/A	

COMPREHENSIVE PLAN ANALYSIS

Comprehensive Plan

- Marion County Land Use Pattern Book (2019).
- Infill Housing Guidelines

Pattern Book / Land Use Plan

- The **Rural or Estate Neighborhood** typology applies to both rural or agricultural areas and historic, urban areas with estate-style homes on large lots. In both forms, this typology prioritizes the exceptional natural features – such as rolling hills, high quality woodlands, and wetlands – that make these areas unique. Development in this typology should work with the existing topography as much as possible. Typically, this typology has a residential density of less than one dwelling unit per acre unless housing is clustered to preserve open space (Page, 23).

- The **Suburban Neighborhood** typology is predominantly made up of single-family housing, but is interspersed with attached and multifamily housing where appropriate. This typology should be supported by a variety of neighborhood-serving businesses, institutions, and amenities. Natural Corridors and natural features such as stream corridors, wetlands, and woodlands should be treated as focal points or organizing systems for development. Streets should be well-connected and amenities should be treated as landmarks that enhance navigability of the development. This typology generally has a residential density of 1 to 5 dwelling units per acre, but a higher density is recommended if the development is within a quarter mile of a frequent transit line, greenway, or park (Page, 26).

Red Line / Blue Line / Purple Line TOD Strategic Plan

- Not Applicable to the Site.

Neighborhood / Area Specific Plan

- Not Applicable to the Site.

Infill Housing Guidelines

- Infill housing guidelines indicate that open space can improve stormwater drainage on existing lots when combined with strategic landscaping and limited impervious surfaces, like driveways and paved pathways (Page, 14).
- Use the surrounding **block** and **neighborhood** to help guide appropriate open space (Page, 14).

Indy Moves
(Thoroughfare Plan, Pedestrian Plan, Bicycle Master Plan, Greenways Master Plan)

- Not Applicable to the Site.

ZONING HISTORY

ZONING HISTORY – SITE

2000-PLT-035, Originally filed as Warren Woods with 285 lots and 110 acres**, approved.**

ZONING HISTORY – VICINITY

2026-ZON-010; 11700 E. 30th Street (west of site), Rezoning of 9.91 acres from the D-A district to the SU-1 district to provide for religious uses, **approved.**

96-Z-223; 2840 Cumberland Road (east of site), Rezoning acres from D-A district to the D-3 district to provide for a single-family residence, **approved.**

90-Z-189; 11840 E. 30th Street (approximate address, west of site), Rezoning acres from D-A district to the D-3 district to provide for a single-family residence**, approved.**

DMD INDY
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EXHIBITS

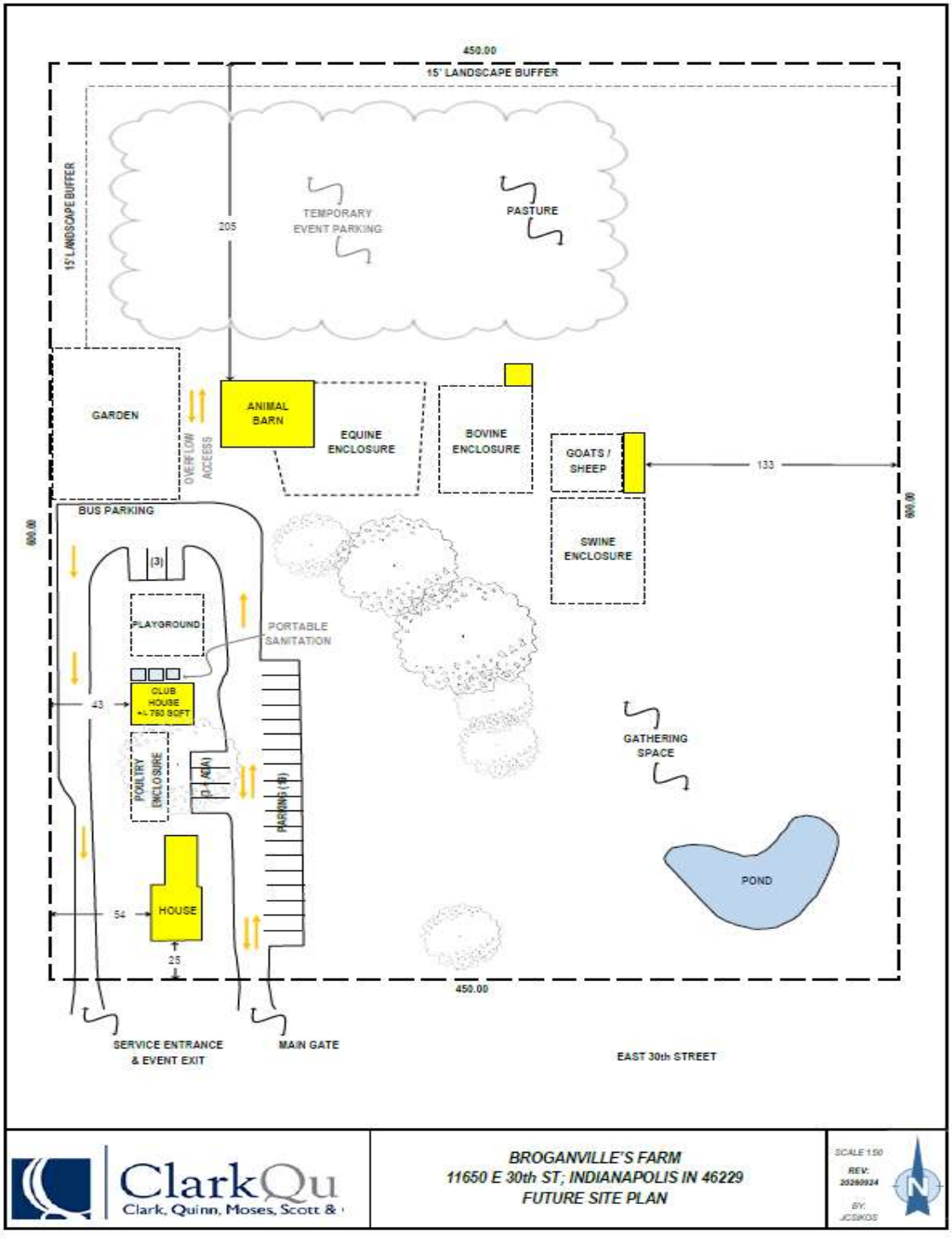
2026-UV3-019 ; Aerial Map



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2026-UV3-019 ; Site Plan



2026-UV3-019 ; Findings of Fact

PETITIONER'S FINDINGS OF FACT

Variance of Use – Marion County Board of Zoning Appeals

Property Address:	11650 E. 30th Street, Indianapolis, IN 46229
Subject Name:	Broganville's Farm
Current Zoning:	DA (Dwelling Agriculture)
Current Land Use Classification:	Agriculture
Comprehensive Plan Recommendation:	Suburban Neighborhood
Requested Relief:	Variance of Use to permit agritourism operations (including guided educational farm tours, petting farm experiences, equestrian activities, small-scale community events, and seasonal farm recreation).

1. **The grant will not be injurious to the public health, safety, morals, and general welfare of the community because:**

The proposed agritourism operations are conducted strictly on a controlled, appointment-only basis during daytime business hours (typically Monday through Saturday, 8:00 AM – 6:00 PM). This operating model prevents spontaneous traffic congestion, overcrowding, or unannounced walk-ins along East 30th Street. The parcel provides ample space for on-site parking, vehicle turnarounds, and safe passenger drop-off entirely within property boundaries, ensuring no off-site parking or obstruction of the public right-of-way. All animal enclosures, activity areas, and farm features are professionally managed, securely fenced, and supervised to ensure visitor and neighborhood safety. Furthermore, the grant enhances public welfare by providing surrounding urban and suburban neighborhoods with access to agricultural education, youth enrichment programs, and outdoor recreational open space.

2. **The use and value of the area adjacent to the property included in the variance will not be affected in a substantially adverse manner because:**

Agritourism preserves the low-density, open-space, and natural agricultural aesthetic of the site, serving as a tranquil green buffer for adjacent properties. The farm's daily activities (educational tours, small animal interactions, and equestrian care) are low-intensity, non-industrial, and quiet, generating noise levels comparable to standard agricultural and residential land uses permitted in the DA district. Because visits are scheduled in advance and group sizes are capped, traffic flow remains light and predictable, eliminating disruptive noise, headlight glare, or off-site parking impact on neighboring residential parcels. The continued maintenance of the farm structures, pastures, and grounds maintains and protects property values across the surrounding area.

3. **The need for the variance arises from some condition peculiar to the property involved because:**

The subject property consists of a modest parcel zoned DA (Dwelling Agriculture). While the site is sufficient to maintain small pastures, stables, and livestock, it is too small to function as a viable, traditional commercial agricultural crop or livestock production operation under modern agricultural economics. The property is uniquely improved with existing equestrian facilities, barns, pastures, and open green space ideal for small-scale educational and agritourism use. Standard DA zoning permits traditional farming and single-family dwellings but does not explicitly accommodate public-facing agritourism activities, youth educational tours, or community farm visits without variance relief. The property's size, layout, and agricultural infrastructure create a unique condition where agritourism is the most appropriate and sustainable agricultural land use.

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4. **The strict application of the terms of the Zoning Ordinance constitutes an unusual and unnecessary hardship if applied to the property for which the variance is sought because:**

Strict enforcement of the DA ordinance would restrict the property solely to single-family residential living or conventional farming. Traditional farming on the tract cannot generate sufficient revenue to maintain the physical infrastructure, animal care, and land upkeep of the site. Denying the variance would deprive the owner of reasonable economic utilization of existing agricultural and equine infrastructure and force the property toward eventual residential subdivision, eliminating a valuable agricultural open-space asset in Marion County. The hardship is unnecessary because the proposed agritourism use honors the underlying agricultural intent of the DA district while allowing the property to remain economically viable without causing negative externalities to surrounding properties.

5. **The grant does not interfere substantially with the Comprehensive Plan because:**

The Marion County Comprehensive Plan recommends Suburban Neighborhood for this location, a designation focused on preserving neighborhood character, managing traffic, and maintaining compatible community amenities. Permitting agritourism on this parcel preserves natural green space and agricultural land, preventing premature, residential infill or commercial sprawl. The Comprehensive Plan encourages educational, community-enrichment, and recreational amenities that serve surrounding residents. Agritourism bridges rural and urban environments by offering local youth and families hands-on nature experiences, perfectly complementing the character, open-space goals, and community vision of the Suburban Neighborhood plan.

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DIVISION OF PLANNING | CURRENT PLANNING

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2026-UV3-019 ; Plan of Operation

Property Address: 11650 E. 30th Street, Indianapolis, IN 46229
Applicant / Operator: Broganville's Farm LLC (Kadeem Brogan, Founder & Operator)
Property Size: 5.73 Acres
Current Zoning: DA (Dwelling Agricultural)
Requested Action: Variance of Use to permit Agritourism, Outdoor Educational & Recreational Activities, and Event Operations under the Indianapolis Zoning Ordinance.

1. Executive Summary & Purpose

Broganville's Farm is a veteran-owned, family-operated 6+ acre homestead located on the far east side of Indianapolis. Founded in 2020 by U.S. Air Force veteran Kadeem Brogan, the farm's mission is to bridge the gap between urban and rural life by providing accessible, hands-on agritourism, animal care education, equestrian experiences, and community gatherings.

This Plan of Operations outlines the daily operational standards, visitor limits, safety protocols, and neighborhood mitigation strategies proposed to support a Variance of Use for Agritourism.

2. Description of Proposed Agritourism Uses

Broganville's Farm operates as an integrated agritourism venue offering six primary program components:

1. Guided Educational Farm Tours: Structured, staff-led tours designed for families, youth groups, and school field trips focused on farm life, animal husbandry, and agricultural education.
2. Interactive Petting Farm: Supervised guest interaction with resident farm animals (including horses, goats, miniature livestock, and poultry).
3. Equestrian Activities & Instruction: Guided horseback riding, beginner riding experiences, and equine care education in dedicated riding areas.
4. Supervised Recreational Activities:
   - Supervised Axe Throwing: A contained, staff-monitored activity limited to older participants with strict safety lanes and rules.
   - Playground & Outdoor Activity Area: A designated children's play space.
5. Private Events & Gatherings: Hosting small-to-medium gatherings (e.g., birthday parties, family reunions, educational workshops, community celebrations).
6. Fishing Pond: Small pond for fishing and non-motorized water activities.
7. Mobile Farm Staging: Base of operations for off-site mobile petting zoo and horse rental services. Use and storage of tractor trailers that are used in conjunction with the mobile farm operations as well as transport for animals and feed.

3. Hours of Operation & Access Model

To minimize neighborhood disturbance, traffic queuing, and noise, Broganville's Farm operates under a strict Appointment-Only Model.

Day	Operating Hours	Operational Basis
Monday – Saturday	8:00 AM – 6:00 PM	Scheduled Appointments & Pre-Booked Events Only
Sunday	9:00 AM – 5:00 PM	Special Accommodations & Pre-Booked Events Only

- No Walk-in Traffic: Unannounced visits are strictly prohibited. All visitors must reserve a time slot in advance via online booking or direct phone/email scheduling.
- Staggered Arrivals: Group arrival and departure times are staggered by at least 15 to 30 minutes to eliminate traffic congestion on E. 30th Street.

4. Traffic Control, Parking, and Capacity Management

Site Capacity

- Standard Daily Operations (Tours/Riding): up to 60 guests per 2-hour session.
- Summer Camps: Occasional host of summer camps with up to 100 individuals per visit.
- Special Events / Group Gatherings: Maximum concurrent attendance is capped at 100 guests unless a special event permit is issued. In the instance of a special event, all requirements of the Indianapolis Special Event Permit are adhered to.

Parking Plan

- Off-Street Parking: All guest and staff parking is accommodated entirely on-site within designated grass/gravel parking areas set back from E. 30th Street. Visits, summer camps, and special events are encouraged to provide for shared transportation (busses or shuttles) to and from the location.
- No On-Street Parking: Parking along E. 30th Street and within the neighboring Warren Pines Subdivision is expressly prohibited for farm visitors and monitored by staff.
- Ingress/Egress: Existing driveway access onto E. 30th Street provides adequate sightlines for safe ingress and egress. Fire and emergency vehicle access routes will remain clear at all times.

5. Site Management & Animal Welfare

Animal Management & Housing

- Animals are housed in secure pastures, barns, and fenced runs meeting or exceeding standard equine and livestock care guidelines.
- Gated entry systems, in combination with perimeter fencing are maintained at petting zoo enclosures and riding arenas to prevent animal escapes.

Waste Management & Sanitation

- Manure Management: Stalls and paddocks are mucked daily. Waste is collected in designated covered holding areas setback from property lines and processed through composting or periodic haul-off to prevent odor or runoff.
- Handwashing Stations: Portable or fixed handwashing and sanitization stations equipped with soap and running water are stationed adjacent to all animal interaction zones.
- Restroom Facilities: On-site restroom facilities (supplemented by ADA-compliant portable sanitation units during peak event operations) are maintained in accordance with Marion County Public Health Department standards.

6. Noise, Lighting, and Environmental Mitigation

- Noise Control:
  - Outdoor activities are restricted to standard daytime operating hours (8:00 AM – 6:00 PM) unless a special event permit has been obtained.
  - No heavy amplified music or high-decibel public address systems are permitted outside of stated special events. Modest ambient sound or small speakers for private events must adhere to Indianapolis noise ordinances.
- Lighting: Existing site lighting is residential/agricultural in scale. Any new security or operational lighting will be downward-facing and full-cutoff ("dark-sky" compliant) to prevent light trespass onto adjacent properties.
- Property Buffers: The parcel provides substantial physical setbacks, mature natural vegetation, and perimeter fencing separating active farm activity zones from neighboring residences.

7. Safety, Security, and Risk Management

1. Staffing: All equine and recreational activities (horseback riding, axe throwing, boat rides) are supervised by trained staff members.

2. Safety Protocols & Signage:
   - Prominent signage posting safety rules, animal interaction guidelines, and Indiana Agritourism Liability warnings (IC 34-31-9).
   - Life vests are required for all participants using non-motorized boats on the pond.
3. Emergency Management: First aid stations are maintained on-site. Emergency access lanes are designated across the property.

2026-UV3-019 ; Photographs

Photograph 1: North of Site



Photograph 2: Northeast of Site:



Photograph 3: Southeast of Site



Photograph 4: Further Southeast of Site



Photograph 5: South of Site



Photograph 6: West of Site



Photograph 7: Further West of Site



Photograph 8: Southwest of Site



Department of Metropolitan Development
Division of Planning
Current Planning

BOARD OF ZONING APPEALS DIVISION III — November 24, 2026

Case Number:	2026UV3022
Property Address:	3739 N Illinois St (*approximate address*)
Location:	Center Township, Council District #8
Petitioner:	Dolina Development LLC, by Todd Surinak
Current Zoning:	D-8, C-4, (TOD)
Request:	Variance of Use Standards of the Consolidated Zoning and Subdivision Ordinance to permit expansion of office space for professional services and light fabrication (not permitted in D-8).
Current Land Use:	Residential, Industrial
Staff Recommendations:	Denial
Staff Reviewer:	Adrienne Baker, Principal Planner I

PETITION HISTORY

This is the first public hearing for this petition.

STAFF RECOMMENDATION

Staff recommends denial of this petition.

PETITION OVERVIEW

The petitioner requests a Variance of Use Standards to allow the expansion of an existing professional services office and light fabrication operation. The subject property contains a long-established business and has received previous zoning approvals, including approval for an addition to the existing building in 2001. The property is zoned D-8 and C-4 within the TOD Overlay District and is designated as both City Neighborhood and Village Mixed Use under the adopted Comprehensive Plan. The site is surrounded primarily by residential development to the south, east, and west, while commercial uses are generally concentrated along nearby corridor roadways.

Staff recommends denial of the request because the proposed expansion is inconsistent with the intent of the D-8 zoning district, the TOD Overlay District, and the adopted Comprehensive Plan. Although the business has operated on the property for many years, the request is not limited to the continuation of an existing use. Rather, it would expand office and fabrication space for a use that is not permitted within the D-8 district and increase its presence within an area planned for residential and neighborhood-oriented development.

The D-8 district is intended to support a range of housing types within compact, walkable neighborhoods while promoting development patterns that reinforce residential character and compatibility with nearby

homes. The requested expansion would move the site further from those objectives by increasing the scale of a nonresidential use within a predominantly residential setting. While the existing operation remains on the property, expanding the use would reinforce a land use pattern that is not consistent with the district's intended character or long-term development vision.

The proposal is also difficult to reconcile with the Comprehensive Plan's recommendations for the area. The City Neighborhood designation envisions dense, walkable residential environments supported by a full range of urban services and amenities. The Village Mixed-Use designation encourages compact neighborhood centers that integrate housing, small-scale commercial services, and pedestrian-oriented public spaces. Both designations emphasize development patterns that serve surrounding neighborhoods and contribute to a walkable urban environment. Expanding office and light fabrication space does not further those objectives and instead continues a land use pattern that differs from the area's planned transition toward residential and neighborhood-serving mixed-use development.

In addition to policy considerations, the proposal raises compatibility concerns because of the site's close relationship to surrounding residential properties. The property is bordered on three sides by residentially zoned and developed lots, making the intensity of activity on the site an important factor. Additional building area can reasonably be expected to accommodate more employees, customers, deliveries, service vehicles, and operational activity over time. As a result, the expansion has the potential to increase traffic, parking demand, noise, and other commercial impacts that are generally not associated with surrounding residential uses. Increasing the scale of the operation within this setting could adversely affect the character of the neighboring area and intensify land use conflicts between the site and adjacent homes.

The property's history also highlights the challenges associated with maintaining a fabrication-related use in close proximity to residential development. Records indicate prior zoning and property maintenance violations involving outdoor storage, screening, landscaping, signage, and construction activities undertaken without the required approvals. While many of these issues have been resolved, they demonstrate the ongoing need to manage the impacts of the use on surrounding properties. Expanding the operation could increase the potential for future conflicts and require continued oversight to maintain compatibility with nearby residences.

The property's location within the TOD Secondary District provides an additional policy consideration. The purpose of the overlay district is to encourage compact development patterns that support transit use, walking, bicycling, and increased residential density. Development within the district is intended to contribute to a more pedestrian-oriented environment and support long-term transit-focused growth. Expanding office and fabrication space does not advance those goals and would dedicate additional building area to a use that is not envisioned as a primary component of future neighborhood development. Although the petitioner has proposed improvements to the site, those enhancements do not address the underlying land use concerns associated with expanding a use that is not permitted within the district.

Approval of the variance would be inconsistent with the long-term implementation of the Comprehensive Plan. The adopted vision for the area encourages residential investment, neighborhood-serving mixed-use development, and a more walkable urban form. Allowing the expansion of a fabrication-related use would extend a development pattern that does not align with those objectives and could make future

redevelopment efforts more difficult. It may also encourage similar requests to expand nonconforming or incompatible uses within residentially oriented districts, reducing the effectiveness and predictability of the adopted zoning framework.

For these reasons, the proposed expansion is inconsistent with the intent of the D-8 zoning district, does not advance the objectives of the TOD Overlay District, and is not supported by the City Neighborhood and Village Mixed-Use designations of the Comprehensive Plan. The request would intensify a use that is not permitted within the district, increase the scale of commercial activity within a predominantly residential area, and move the property further from the long-term vision established for the corridor and surrounding neighborhood. Therefore, staff recommends denial of the variance.

GENERAL INFORMATION

Existing Zoning	D-8, C-4, (TOD)	
Existing Land Use	Residential, Industrial	
Comprehensive Plan	City Neighborhood, Village Mixed-Use	
Surrounding Context	**Zoning**	**Surrounding Context**
North:	C-4	North: Commercial
South:	D-8	South: Residential
East:	D-9	East: Residential
West:	D-5	West: Residential
Thoroughfare Plan		
Illinois St	Primary Arterial	95-foot existing right-of-way and 78-foot proposed right-of-way
38th St	Primary Arterial	121-foot existing right-of-way and 114-foot proposed right-of-way
Salem St	Local Street	48-foot existing right-of-way and 48-foot proposed right-of-way
Context Area	Compact	
Floodway / Floodway Fringe	No	
Overlay	Yes	
Wellfield Protection Area	No	
Site Plan	September 28, 2026	
Site Plan (Amended)	N/A	
Elevations	September 28, 2026	
Elevations (Amended)	N/A	
Landscape Plan	N/A	
Findings of Fact	September 28, 2026	
Findings of Fact (Amended)	N/A	

COMPREHENSIVE PLAN ANALYSIS

Comprehensive Plan

To advance the Livability Principles of this Code, the D-5, D-5II, D-8, D9 and D-10 districts implement walkable, compact neighborhoods within a well-connected street network and block structure, using slow neighborhood streets, walkable connectors, and multi-mode thoroughfares. Access to parks and recreation, transit and neighborhood services within walking distance is important. Street trees, landscape and trees along private frontages, and an active amenity zone create comfortable walking environment and add appeal to neighborhoods. These districts require urban public and community facilities and services to be available. These districts may be used in combination to supply critical mass of residents to support nearby commercial and transit investments.

Walkable Neighborhood Design Standards:

- Design walkable streetscapes, with slow traffic speeds, well-connected sidewalks, and shade and enclosure offered from street trees.
- Orient all buildings to the street to activate the streetscape, while still promoting effective transitions from public spaces to private spaces on the lot.
- Promote human-scale buildings and create active, social spaces along the streetscape and private frontages with building massing and architectural details that break up larger masses into smaller components and define outdoor spaces.
- Use similar forms and massing, common building elements, and consistent relationships to the streetscape to create compatibility among different building types, and to create effective transitions between different scales of buildings.
- Minimize the impact of car access on neighborhood streetscapes by limiting driveways and the extent of front-loaded garages along block frontages and use alternative access patterns integrated towards the interior of the block.
- Reinforce the neighborhood character with quality materials, windows, and architectural details that provide interest, depth, texture, and variety visible to those experiencing a neighborhood on foot.
- Improve the appearance and livability of neighborhoods with good civic design.
- Promote lasting and sustained investment in neighborhoods with quality design.

The **D-8 District** is intended for a variety of housing formats, with a mix of small-scale multi-unit building types. This district can be used as a part of new mixed-use areas, or for infill situations in established urban areas, including medium and high-density residential recommendations of the Comprehensive Plan, and the Traditional Neighborhood, City Neighborhood, and Village or Urban Mixed-Use Typologies of the Land Use Pattern Book.

The **C-4 District** is designed to provide for the development of major business groupings and regional-size shopping centers to serve a population ranging from a community or neighborhoods to a major segment of the total metropolitan area. These centers may feature a number of large traffic generators such as home improvement stores, department stores, and theatres. Even the smallest of such freestanding uses in this district, as well as commercial centers, require excellent access from major thoroughfares. While these centers are usually characterized by indoor operations, certain permitted uses may have limited outdoor activities, as specified.

The intent of the **Transit Oriented Development (TOD) Secondary District** is to coordinate more compact, walkable, and urban development patterns with public investment in the transit system. These development patterns ensure that walking and biking are viable options for short trips and transit is a priority for longer trips. Development patterns and site designs that prioritize automobile travel undermine these public and private investments. This district follows the policies and principles of the comprehensive plan, the transit-oriented development strategic plans, and the Livability Principles in this code, and has the following specific design objectives:

1. Place a wide range of housing types within walking distance of commercial centers and transit stops or stations, and at a critical mass that supports these places.
2. Create connections through many different modes of transportation between neighborhoods and places for commercial services and employment.
3. Provide a concentration of many different and small-scale uses with a fine-grained pattern that integrates and transitions well with the neighborhoods they support.
4. Ensure human-scale design that prioritizes relationships of sites and buildings to the streetscapes.

Civil Zoning Violations:

It shall be unlawful for any person who is the owner or contract vendee of, or who has a possessory interest in, real property located in Marion County to cause, suffer, or allow any of the following civil zoning violations to occur on such property:

1. The location, erection, or maintenance of any sign not specifically permitted by the Zoning Ordinance.
2. The failure to obtain an Improvement Location Permit when one is required by the terms and provisions of the Zoning Ordinance.
3. The outdoor storage of junk, trash, or debris in any zoning district, the provisions of which do not specifically permit such a use.
4. The outdoor storage of Inoperable vehicles or vehicle parts in any zoning district, the provisions of which do not specifically permit such a use.
5. The parking or storage of a commercial vehicle in any zoning district when the provisions of which do not specifically permit such a use. However, this provision does not apply to motorized commercial vehicles which do not exceed a gross vehicle weight rating (GVWR) of 10,000 pounds

and are not categorized as a commercial vehicle by Item 2 in the definition of a commercial vehicle.

6. The outdoor storage or display of merchandise or goods in any zoning district, the provisions of which do not specifically permit such use or in violation of zoning district development standards regulating such use.
7. The conduct of any activity in a zoning district, not specifically enumerated as a permitted primary or accessory use in that zoning district, and which activity has not been legally established by a currently valid variance, special exception, or other approval grant.
8. Failure to comply with use-specific standards and zoning district development standards, including but not limited to landscaping, paving, or striping of parking areas, minimum parking space requirements, service area enclosure, fencing or screening requirements.
9. The failure to comply with the terms, provisions, conditions or commitments of a variance grant, special exception, ordinance, or other approval grant.

Pattern Book / Land Use Plan

The **City Neighborhood Typology** consists largely of multifamily housing and is stepped down to other living typologies with attached housing. This typology is dense and walkable with a full range of city services and public amenities. Ideally, block lengths are shorter than 500 feet and publicly accessible pedestrian connections are provided through large developments. Access to individual parcels is generally by an alley or internal parking structures. Public spaces are typically of a smaller and more intimate scale in the form of smaller parks, streetscapes, and interior courtyards or rooftop spaces. Residential development activates the sidewalk with externalized doors and public or semi-public spaces. The City Neighborhood typology typically has a residential density in excess of 15 dwelling units per acre.

- All development should include sidewalks along the street frontage.
- Offices are preferred as a component of mixed-use residential structures unless it is an adaptive reuse of an existing structure.

The **TOD overlay** is intended for areas within walking distance of a rapid transit station. The purpose of this overlay is to promote pedestrian connectivity and a higher density than the surrounding area.

Modified Uses:

- Structured Parking - Should include ground-floor office, retail, or personal or professional services.
- Assisted Living Facilities/Nursing Homes – Vehicular access should be provided from a street with few or no pedestrian destinations.

The **Village Mixed-Use Typology** creates neighborhood gathering places with a wide range of small businesses, housing types, and public facilities. This typology is intended to strengthen existing, historically small-town centers as well as to promote new neighborhood centers. Businesses found in this typology serve adjacent neighborhoods, rather than the wider community. This typology is compact and

walkable, with parking at the rear of buildings. Buildings are one to four stories in height and have entrances and large windows facing the street. Pedestrian-scale amenities such as lighting, landscaping, and sidewalk furniture also contributes to a walkable environment in this typology. Uses may be mixed vertically in the same building or horizontally along a corridor. Public spaces in this typology are small and intimate, such as pocket parks and sidewalk cafes. This typology has a residential density of 6 to 25 dwelling units per acre.

The **TOD overlay** is intended for areas within walking distance of a rapid transit station. The purpose of this overlay is to promote pedestrian connectivity and a higher density than the surrounding area.

Modified Uses:

- Attached Housing - A residential density of 15+ units per acre is recommended.
- Small-Scale Multi-Family Housing - A residential density of 15+ units per acre is recommended.
- Large-Scale Multi-Family Housing - A residential density of 15+ units per acre is recommended.
- Small-Scale Schools, Places of Worship, Neighborhood-Serving Institutions/Infrastructure, and Other Places of Assembly - Development should be supportive of pedestrian activity (e.g., compact, connected to a pedestrian system, no more than one third of the frontage used for parking.)
- Large-Scale Schools, Places of Worship, Community-Serving Institutions/Infrastructure, and Other Places of Assembly- Development should be supportive of pedestrian activity (e.g., compact, connected to a pedestrian system, no more than one third of the frontage used for parking.)
- Assisted Living Facilities/Nursing Homes – Vehicular access should be provided from a street with few or no pedestrian destinations.

Compatibility between land uses is key to maintaining stable property values and resilient neighborhoods. Compatibility should be considered at the typology level, where transitions in scale and character between typologies should happen gradually rather than abruptly. It should also be considered parcel by parcel, where uses integrated into residential neighborhoods should respect the existing scale and character of the built environment. Uses that create a higher level of disturbance (such as loading zones or pick-up/drop-off areas) should include buffers along their perimeter.

Aesthetics are an important factor in ensuring that neighborhoods and individual properties hold their value over time. At the scale of individual properties, quality, durable materials and carefully considered facades are just a couple of factors that can contribute to a higher aesthetic value. Native trees and plants are better suited to our climate and conditions. Because of this, they often contribute aesthetic value longer than their non-native counterparts and they cost less to maintain because they require less water and fertilizer. At the neighborhood scale, thoughtful and engaging streetscapes, unique landmarks, and interesting sight lines are examples of aesthetic improvements that help create lasting value.

Red Line / Blue Line / Purple Line TOD Strategic Plan

TOD Typologies are concerned with the area beyond the station platform. They are the systematic classification or arrangement of types of places according to their common characteristics. Typologies are mode-neutral - they will be the same for light rail as they are for bus rapid transit. They are created to help guide the planning of areas within a 1/4-1/2 mile around transit stations.

Walkable commercial centers should offer a full spectrum of commercial types, from aging and newer strip developments to office spaces, shopping malls, and big-box retail. These areas may include a mix of retail, entertainment, office, and residential uses as desired. Surface parking should be consolidated and located behind buildings, supporting a pedestrian-oriented streetscape while still accommodating drive-to customers.

Structures immediately adjacent to station areas will be commercial or mixed-use, relatively short at 1-3 stories, transitioning to historic patterns of residential uses. As depicted here, open spaces should be moderate for private property, but dedicated public recreational spaces are encouraged. Surface parking is discouraged near stations or in front yards but permissible if located behind structures that front major corridors and intersections accessible by alleys. On street parking is encouraged.

Neighborhood / Area Specific Plan

Not Applicable to the Site.

Infill Housing Guidelines

Not Applicable to the Site.

Indy Moves
(Thoroughfare Plan, Pedestrian Plan, Bicycle Master Plan, Greenways Master Plan)

Not Applicable to the Site.

ZONING HISTORY

ZONING HISTORY – SITE

2001UV3039; 3739 N Illinois St; To permit the construction of a 2251 square-foot addition to legally established building, with parking loading, and maneuvering in front yard with 35-foot-long load space length; **approved**.

ZONING HISTORY – VICINITY

2020CVR821; 111 W 38th St; Variance of development standards of the Consolidated Zoning and Subdivision Ordinance to provide for a carwash with stacking spaces in the front yard of Illinois Street, 38th Street and Kenwood Avenue (not permitted along street 30 feet in width or greater), 35 feet from a

protected district, with an 80-foot front setback from 38th Street and with a 55-foot exit drive lane (100-foot separation requirement, maximum 65-foot front setback and 100-foot exit drive required); **approved.**

2010DV2004; 21 W 38th St; Variance of development standards of the Sign Regulations to provide for a four-foot tall, 24.7-square foot free-standing sign (not permitted), with a four-foot front setback from 38th Street (15-foot front setback required), and to provide for a 46.22-square foot wall sign on the east elevation (one wall sign permitted per structure); **approved.**

97-HOV-42; 37 W 38th St; Variance of Development Standards from the Commercial Zoning Ordinance to provide for the location of a trash enclosure in front of the established front building line (not permitted) and within a required side transitional yard (not permitted), the location of a drive-through restaurant within one-hundred (100) feet of a Protected District not separate by an intervening street (not permitted), an interior access drive and trash enclosure with a side transitional yard of fifteen (15) feet (20-feet required), and a parking areas and interior access drives within the required front yard along both 38th Street and Illinois Street (required front yard along 38th Street and Illinois Street is the greater of 10-feet from right-of-way or 70-feet from centerline); **approved.**

97-V2-105; 3750 N Illinois St; Variance Of Development Standards of the Commercial Zoning Ordinance to provide for the development of a commercial parking lot with a front setback of 40 feet from the centerline of Illinois Street (minimum 70 feet from the center line required); **approved.**

ZONING VIOLATIONS – SITE

VIO25-002729; 3734 Salem St; furniture and other discarded trash that is considered accumulated litter; **closed.**

VIO23-004100; 3734 Salem St; plastic trash bags and other trash bags that is considered accumulated litter; **closed.**

INV15-44163; 3734 Salem St; three mattresses have been piled in the ROW of the street in front of this property; **closed, case referred to DPW.**

INV10-25042; 3731-3749 N Illinois St; outdoor storage not screened, not permitted, ground sign, too tall, no setback, no ILP, no landscaping per variance; **closed.**

INV04-16439; 3750 Salem St; vacant structure, high weeds and grass, people sleeping on porch; **finaled.**

VEH04-00056; 3750 Salem St; abandoned vehicles - blue Escort - no plate; maroon Buick Century - exp plate; **closed, VIO.**

TRA04-14971; 3739 N Illinois St; wood on ground in front yard, high weeds/grass and wood on ground in back yard; **finaled.**

INV03-22646; 3750 Salem St; city says that this is a double that he owns the correct address is 3752 Salem, there are 2 cars on the property that was from a previous tenant and needs to be removed; the outdoor storage of an inoperable motor vehicles and/or motor vehicle parts; **closed, VIO.**

TRA03-03260; 3750 Salem St; trash and weed violations; **finaled.**

VIO01-03575; 3739 N Illinois St; construction of commercial addition without a permit or approved plans; **closed, VIO.**

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EXHIBITS

AERIAL PHOTOGRAPH:



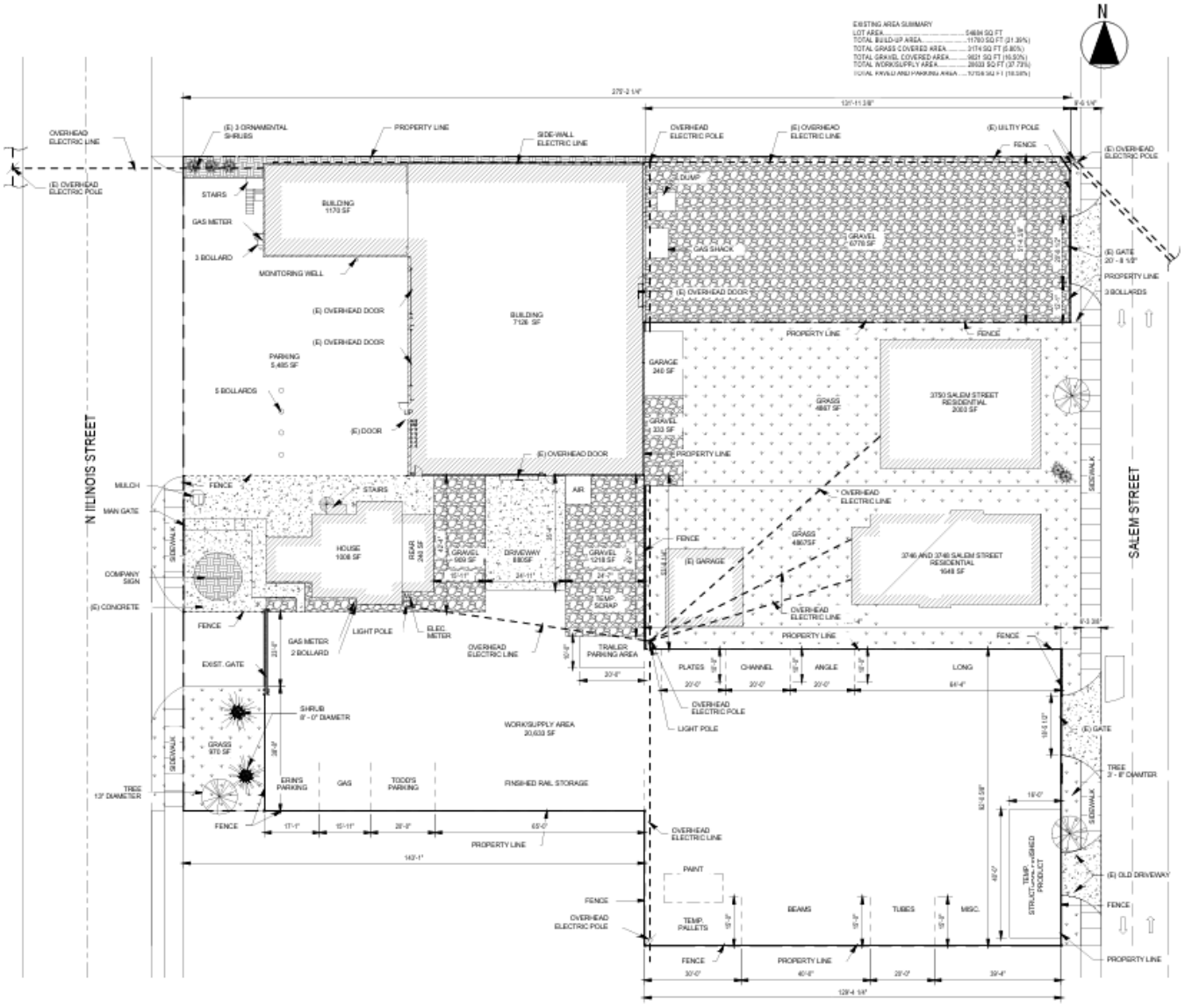
ZONING:



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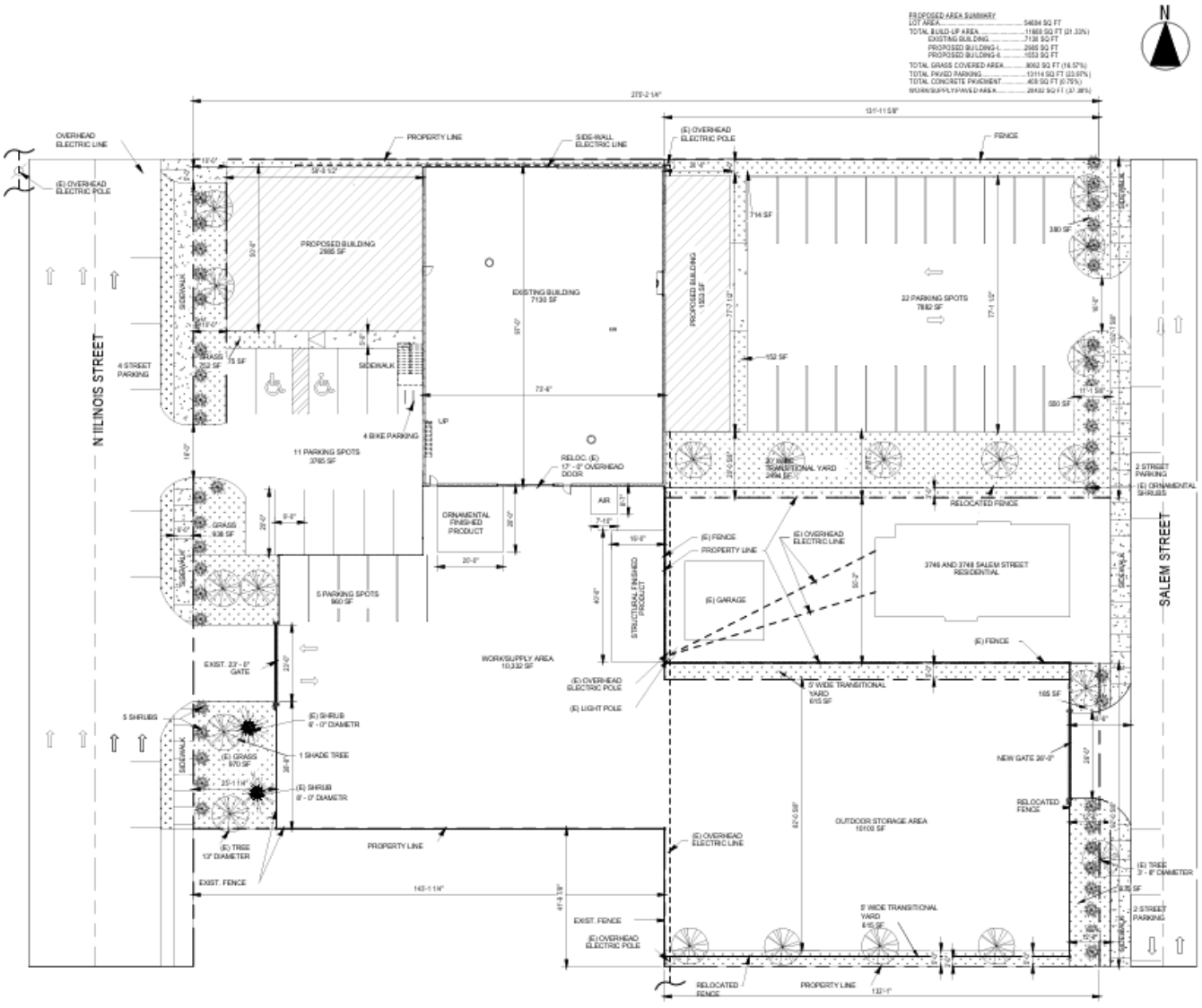
SITE PLAN:



1 EXISTING SITE PLAN
1/16" = 1'-0"

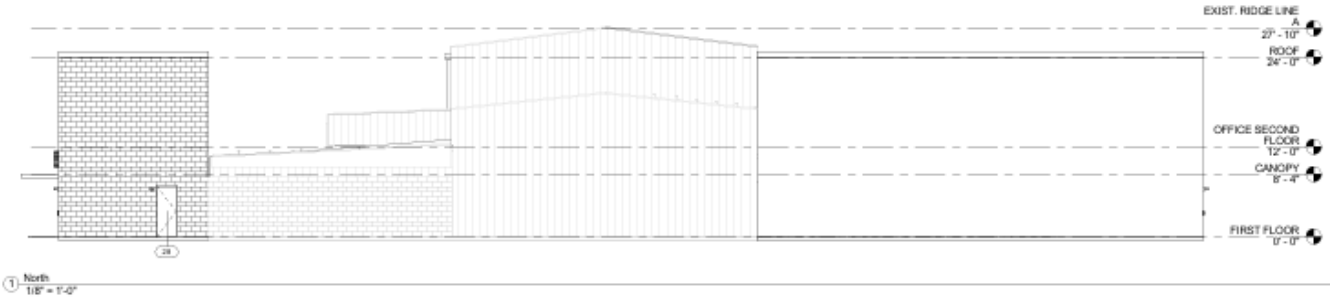
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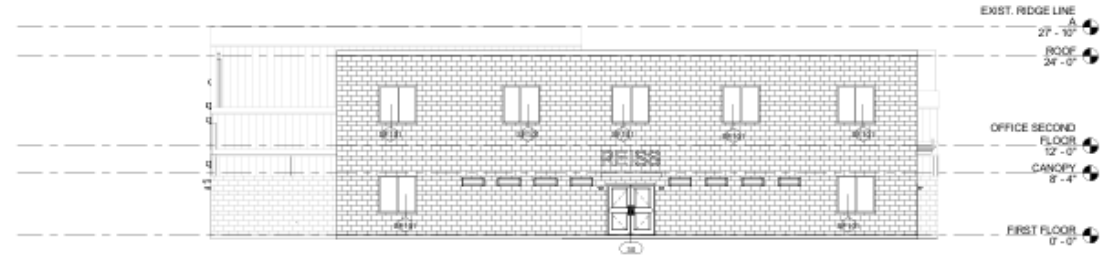


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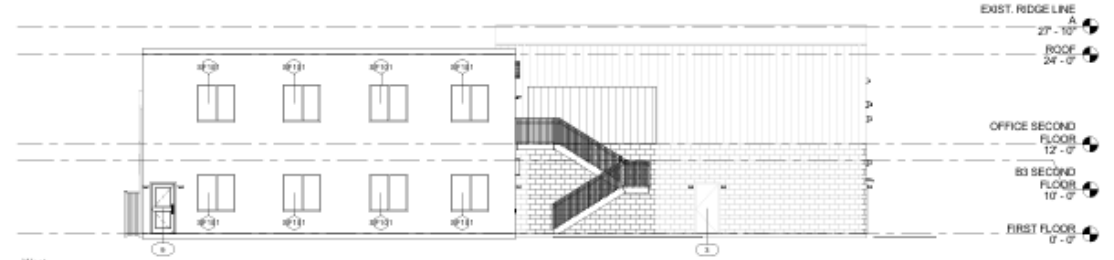
1 North
1/8" = 1'-0"



2 East
1/8" = 1'-0"



3 South
1/8" = 1'-0"



4 West
1/8" = 1'-0"

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FINDINGS OF FACT:

1. THE GRANT WILL NOT BE INJURIOUS TO THE PUBLIC HEALTH, SAFETY, MORALS, AND GENERAL WELFARE OF THE COMMUNITY BECAUSE

THE PROPOSED USE WILL BE CONDUCTED IN A MANNER THAT COMPLIES WITH ALL APPLICABLE BUILDING, FIRE, HEALTH, AND SAFETY REGULATIONS.

The variance removes a nuisance property, reduces outdoor storage, improves the facade on two sides, reduces total curb cut lengths, and adds additional transitional yards to neighbors.

2. THE USE AND VALUE OF THE AREA ADJACENT TO THE PROPERTY INCLUDED IN THE VARIANCE WILL NOT BE AFFECTED IN A SUBSTANTIALLY ADVERSE MANNER BECAUSE

The nuisance property at 3750 N Salem is being removed. The 76 foot curb cut on Illinois is reduced to 16 feet. Outdoor storage at 3774 N Salem is being eliminated as some materials will be moved into the new building. Residences at 3746 and 3730 N Salem gain additional transitional yard depth. New buildings will visually, acoustically, and thermally screen portions of old structure along Illinois and Salem streets.

3. THE NEED FOR THE VARIANCE ARISES FROM SOME CONDITION PECULIAR TO THE PROPERTY INVOLVED BECAUSE

The establishment has been in the same location since 1886 and has expanded as business has increased. A second company (professional engineering services) has been co-located on site since 2015 and is also expanding.

4. THE STRICT APPLICATION OF THE TERMS OF THE ZONING ORDINANCE CONSTITUTES AN UNUSUAL AND UNNECESSARY HARDSHIP IF APPLIED TO THE PROPERTY FOR WHICH THE VARIANCE IS SOUGHT BECAUSE

Strict enforcement of the zoning ordinance would prevent reasonable use of the property and impose a hardship that is not self-created

Current office is at maximum occupancy. Employee facilities (restroom/breakroom) need updates to support growth in staff. Nuisance property is a blight to the neighborhood.

5. THE GRANT DOES NOT INTERFERE SUBSTANTIALLY WITH THE COMPREHENSIVE PLAN BECAUSE

The proposed use advances the goals of orderly development, productive land use, and economic activity while remaining compatible with neighboring properties

The owners and some employees live in Midtown and a place of employment within Midtown meets comprehensive plan goals of mixed use. The expansion will allow continued employment growth - unskilled, skilled, and professional positions will be added as the site expands.

PLAN OF OPERATION
Reiss Structural & Architectural Products, LLC
Surinak Engineering, LLC
3739 N. Illinois Street
Indianapolis, Indiana 46208

1. Property and Business Overview

This Plan of Operation is submitted for the property located at **3739 N. Illinois Street, Indianapolis, Indiana 46208**. The property serves as the principal business location for both **Reiss Structural & Architectural Products, LLC** and **Surinak Engineering, LLC**. Both companies are owned and operated by members of the same family and work collaboratively to provide integrated engineering, design, fabrication, and construction-related services.

The shared location creates operational efficiencies by allowing engineering, structural design, project management, and fabrication services to be coordinated from a single site. Although the businesses are separate legal entities, their operations are closely related and complementary.

2. Reiss Structural & Architectural Products, LLC

Business Description

Reiss Structural & Architectural Products LLC is a long-established Indianapolis company specializing in custom structural and architectural metal fabrication, including:

- Custom railings
- Ornamental ironwork
- Gates and fencing
- Structural steel components
- Stairs and handrails
- Specialty fabricated metal products
- Historic restoration metalwork

The company serves residential, commercial, institutional, and industrial customers throughout Central Indiana.

Workforce

The company employs management personnel, project managers, estimators, fabricators, welders, installers, laborers, and administrative staff.

Typical workforce:

- 15-25 employees
- Monday through Friday
- 7:00 a.m. to 4:00 p.m.

Employees arrive in personal vehicles and park on-site, walk/bike, or take public transportation to one of the nearby bus stops.

Customers and Client Activity

Customers primarily include:

- Homeowners
- General contractors
- Developers
- Architects

- Engineers
- Municipal agencies
- Educational institutions

Most project consultations occur by appointment. Public walk-in traffic is limited and does not generate significant customer activity.

On-Site Activities

Operations include:

Administrative Functions

- Bidding and estimating
- Project management
- Design coordination
- Customer meetings
- Scheduling and procurement

Fabrication Operations

- Structural steel fabrication
- Metal cutting
- Welding
- Grinding
- Drilling
- Assembly
- Finishing and preparation

Most fabrication activities occur entirely within the enclosed building.

Staging and Delivery

Finished products are temporarily staged outside the facility prior to shipping or installation.

Materials Used

Materials utilized include:

- Structural steel
- Stainless steel
- Aluminum
- Fasteners
- Welding consumables
- Primers and coatings
- Packaging materials

Materials are stored in accordance with applicable fire, building, and safety regulations.

Shipping and Receiving

Receiving activities consist primarily of:

- Steel deliveries
- Hardware deliveries
- Project materials

Shipping activities involve delivery of completed fabricated products using company vehicles, trailers, or commercial carriers.

Deliveries occur during normal business hours.

Parking and Traffic
Employee and visitor parking is provided on the site.
The nature of the business generates moderate delivery activity but does not create unusually high traffic volumes. Most traffic consists of:

- Employee vehicles
- Delivery trucks
- Contractor pickups
- Installation vehicles

Traffic impacts on neighboring properties are minimal.

Security
Security measures include:

- Locked facilities
- Exterior lighting
- Controlled employee access
- Security monitoring systems
- Secured storage of materials and equipment

Waste Management
Waste streams generated by fabrication include:

- Scrap steel
- Aluminum remnants
- Welding materials
- Packaging materials
- General office waste

Recyclable metals are collected and sold or transferred to licensed recycling facilities. General waste is removed by licensed waste haulers.

3. Surinak Engineering, LLC
Business Description
Surinak Engineering LLC provides professional engineering, architectural, and consulting services for residential, commercial, industrial, and specialty projects. Services include structural engineering, architectural design, civil engineering, mechanical, electrical, and plumbing (MEP) engineering, inspections, forensic investigations, and construction support services.
The firm operates as a professional office and engineering practice.

Workforce
The office employs:

- Licensed engineers
- Designers
- CAD technicians
- Administrative personnel

- Project managers

Typical workforce:

- 6-10 employees
- Monday through Friday
- 8:00 a.m. to 5:00 p.m.
- Employees arrive in personal vehicles and park on-site, walk/bike, or take public transportation to one of the nearby bus stops.

Customer Activity

Clients include:

- Homeowners
- Contractors
- Architects
- Businesses
- Property owners
- Government agencies

Client meetings generally occur by appointment.

Many services are provided remotely or through site visits to client property.

Office Operations

Activities include:

- Structural analysis
- Building evaluations
- Architectural design
- Construction document preparation
- Permit assistance
- Engineering reports
- Construction observation
- Project management

No manufacturing activity is performed by Surinak Engineering.

Materials and Equipment

Office materials include:

- Computers
- Drafting and design software
- Printers and Plotters
- Office equipment
- Project records and plans

No hazardous manufacturing materials are utilized.

Deliveries and Shipping

Deliveries consist primarily of:

- Office supplies
- Plot sets
- Project documentation

- Small package deliveries

Traffic generated by the engineering office is minimal.

Security

Security measures include:

- Limited-access office areas
- Secure document storage
- Electronic data protection
- Exterior lighting
- Alarm systems

Waste Management

Waste consists primarily of:

- Paper
- Cardboard
- Printer consumables
- Office refuse

Recyclable materials are recycled whenever feasible.

4. Shared Operations and Family Ownership

Both businesses are owned and operated by members of the same family and have historically worked together to provide comprehensive project solutions.

The shared location creates operational efficiencies through:

- Shared administrative support
- Shared parking facilities
- Shared meeting spaces
- Coordination between engineering and fabrication functions
- Reduced transportation between design and manufacturing teams

Many projects involve structural engineering or design services provided by Surinak Engineering followed by fabrication and implementation by Reiss Structural & Architectural Products.

The co-location of these related businesses improves project efficiency while reducing transportation demands and operational redundancy.

5. Compatibility with Surrounding Area

The businesses have operated in a manner designed to be compatible with surrounding properties.

Measures taken to minimize impacts include:

- Conducting fabrication primarily indoors.
- Restricting business operations to standard business hours.
- Maintaining orderly site conditions.
- Managing waste through licensed vendors.
- Providing on-site employee parking.
- Controlling noise-producing activities.
- Maintaining safe ingress and egress.

The site does not generate unusual odors, vibrations, or excessive traffic beyond that typically associated with light industrial fabrication and professional office uses.

6. Future Growth

The property provides opportunities for continued growth of both businesses while maintaining compatibility with surrounding land uses.

Future growth may include:

- Additional engineering staff
- Expanded fabrication capacity
- Increased project management resources
- Technological improvements

Any future growth will continue to comply with applicable zoning, building, environmental, and safety regulations.

Conclusion

The operation of **Reiss Structural & Architectural Products, LLC** and **Surinak Engineering, LLC** at **3739 N. Illinois Street, Indianapolis, Indiana 46208** represents a coordinated family-owned business operation that combines professional engineering services with architectural and structural metal fabrication. Both businesses operate during normal business hours, maintain responsible waste management and security practices, provide adequate on-site parking, and conduct activities in a manner intended to minimize impacts on neighboring properties while contributing to the economic vitality of the neighborhood.

STATEMENT OF COMMITMENTS:

3734 SALEM ST, INDIANAPOLIS, IN 46208
Local Parcel # : 1011347

1. *5- foot-wide transitional yard provided along southern lot line with edge buffering*
2. *5- foot-wide transitional yard provided along northern lot line with edge buffering*
3. *12'-6" landscaping buffer provided along Salem Street Frontage*

3750 SALEM ST, INDIANAPOLIS, IN 46208
Local Parcel #: 1061076

1. *20- foot transitional yard provided along southern lot line with edge buffering*

3774 SALEM ST, INDIANAPOLIS, IN 46208
Local Parcel #: 1091745

1. *Limit the curb cut to 16'-0" wide*

SITE PHOTOS:





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