



**Board of Zoning Appeals  
Board of Zoning Appeals Division II  
(August 13, 2024)  
Meeting Agenda**

**Meeting Details**

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

**Date:** Tuesday, August 13, 2024

**Time:** 1:00 PM

**Location:** Public Assembly Room, 2nd Floor, City-County Building, 200 E. Washington Street

**Business:**

**Adoption of Meeting Minutes**

**Special Requests**

**2024-DV2-020 | 821 Orange Street**

Center Township, Council District #18, zoned D-5  
Keen Development LLC, by Cindy Thrasher

Variance of Development Standards of the Consolidated Zoning and Subdivision Ordinance to provide for the construction of two multi-unit houses on three originally platted lots, with zero-feet of street frontage (25 feet required), with the northern primary building maintaining a 27.5-foot front building line and 13-foot rear yard setback and the southern building a 32-foot front building line (maximum 19.0-feet permitted, 20-foot rear yard setback required) and zero parking spaces (one space per unit required).

**\*\* Petitioner to withdraw this request**

**2024-UV2-010 | 3707 Woodview Terrace**

Pike Township, Council District #1, zoned MU-1  
Basis Woodview LLC, by David Kingen and Emily Duncan

Variance of use and development standards of the Consolidated Zoning and Subdivision Ordinance to provide for the operation of pet hotel and daycare facility with outdoor turf area and kennel space (not permitted) and the location of a dumpster within the front yard and an eight-foot tall fence within the west side yard and south rear yard (dumpster enclosures not permitted within front yards, fences limited to 6 feet tall).

**\*\* Petitioner to withdraw**

**PETITIONS REQUESTING TO BE CONTINUED:**

**1. 2024-DV2-015 | 2366 Winthrop Avenue**

Center Township, Council District #8, zoned D-8  
Angela and Kendrick Davis, by Sharmin Frye

Variance of Development Standards of the Consolidated Zoning and Subdivision Ordinance to provide for construction of a 35-foot tall, three-story single-family dwelling (maximum 2.5-story dwelling permitted).

**\*\* Petitioner to request a continuance to the September 10, 2024 hearing**

**2. 2024-DV2-016 | 921 East 24th Street**

Center Township, Council District #8, zoned D-8  
Angela Davis, by Sharmin Frye

Variance of Development Standards of the Consolidated Zoning and Subdivision Ordinance to provide for the construction of a 34-foot tall, three-story single-family dwelling (maximum 2.5-story dwelling permitted), with a three-foot west side yard setback (five feet required) and a front-loaded garage (prohibited along terrace frontages) resulting in an open space of 24 percent (40 percent required).

\*\* Petitioner to request a continuance to the September 10, 2024 hearing

**3. 2024-DV2-025 | 1670 Columbia Avenue**

Center Township, Council District #13, zoned D-8 / SU-1  
Karissa Grove, by Justin Kingen

Variance of Development Standards of the Consolidated Zoning and Subdivision Ordinance to provide for vertical addition and conversion of a single-family dwelling into a two-unit-multi-unit house resulting in a three-foot corner side yard setback (eight-feet required) and a four-foot south side yard setback (five-feet required) and a third story (limited to 2.5 stories).

**\*\* Petitioner to request a continuance to the September 10, 2024 hearing**

**4. 2024-UV2-011 | 1237 Evison Street**

Center Township, Council District #18, zoned D-5  
Rachel & Cory Alban, by Justin Kingen

Variance of Use of the Consolidated Zoning and Subdivision Ordinance to provide for the location of a second 1,106-square-foot primary dwelling (one primary dwelling permitted per lot).

**\*\* Petitioner to request continuance to the September 10, 2024 hearing**

**5. 2024-UV2-022A | 6701 Zionsville Road**

Pike Township, Council District #6, zoned SU-2  
Metropolitan School District of Pike Township, by Joseph D. Calderon

Variance of use and development standards of the Consolidated Zoning and Subdivision Ordinance to provide for the location of a pylon sign with digital display (digital display not permitted) within 85 feet of a protected district (600-foot separation required).

**\*\* Automatic continuance filed by a registered neighborhood organization, continuing this to the September 10, 2024 hearing**

**6. 2024-UV2-022B | 7001 Zionsville Road**

Pike Township, Council District #6, zoned SU-2  
Metropolitan School District of Pike Township, by Joseph D. Calderon

Variance of use and development standards of the Consolidated Zoning and Subdivision Ordinance to provide for the location of a pylon sign with digital display (digital display not permitted) within 288 feet of a protected district (600-foot separation required).

**\*\* Automatic continuance filed by a registered neighborhood organization, continuing this to the September 10, 2024 hearing**

**7. 2024-UV2-022C | 2811 Barnard Street**

Pike Township, Council District #1, zoned SU-2  
Metropolitan School District of Pike Township, by Joseph D. Calderon

Variance of use and development standards of the Consolidated Zoning and Subdivision Ordinance to provide for the location of a pylon sign with digital display (digital display not permitted) within 50 feet of a protected district (600-foot separation required).

**Petitions for Public Hearing**

**PETITIONS TO BE EXPEDITED:**

- 8. 2024-DV2-028 | 561 Jefferson Avenue**  
Center Township, Council District #13, zoned D-5  
Lincoln & Lynda Brill, by Joseph Lese

Variance of Development Standards of the Consolidated Zoning and Subdivision Ordinance to provide for a detached garage addition including the connection to the primary building, resulting in a four-foot ten-inch rear yard setback (20-foot rear setback required).

- 9. 2024-UV2-012 | 420 West Michigan Street**  
Center Township, Council District #12, zoned CBD-2 (RC)  
OZ Business Property II LLC, by Tim Ochs and Jennifer Milliken

Variance of use of the Consolidated Zoning and Subdivision Ordinance to provide for the lease of an apartment unit for a general contractor, resulting in four overall multi-family dwelling units (minimum of five required).

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

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

- 10. 2024-DV2-023 | 1313 West 86th Street**  
Washington Township, Council District #2, zoned C-4  
FIF, LLC, by Joseph D. Calderon

Variance of Development Standards of the Consolidated Zoning and Subdivision Ordinance to provide for the location of a pylon sign, being the third freestanding sign along 86th Street (two permitted), and located within 130 feet of another freestanding sign to the east (300-foot separation required).

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

- 11. 2024-DV2-026 | 3360 West 86th Street**  
Pike Township, Council District #1, zoned C-4  
Chik fil A Inc., by Gabriela Mosquera

Variance of Development Standards of the Consolidated Zoning and Subdivision Ordinance to provide for the modification of an existing drive-through which would result in an additional drive through and stacking spaces within the front yards of 86th Street and Purdue Road, each being rights-of-way with a width greater than 30 feet and without the required screening and without an exclusive bypass aisle (drive throughs not permitted in front yards, bypass aisle required).

- 12. 2024-DV2-027 | 450 Braeside Drive North**  
Washington Township, Council District #1, zoned D-S  
Klein Hill Smith Investments LLC, by Ryan Cromer

Variance of Development Standards of the Consolidated Zoning and Subdivision Ordinance to provide for the construction of a 24-foot tall detached garage, being taller than the primary building (not permitted).

- 13. 2024-UV2-013 | 5455 West 56th Street**  
Pike Township, Council District #6, zoned SU-2 / SU-38  
Metropolitan School District of Pike Township, by Joseph D. Calderon

Variance of use and development standards of the Consolidated Zoning and Subdivision Ordinance to provide for the location of a pylon sign with digital display within 70 feet of a protected district (digital display not permitted within zoning, 600' digital display separation required).

**\*\* Automatic continuance filed by a registered neighborhood organization to the September 10, 2024 hearing**

**Additional Business:**

\*\*The addresses of the proposals listed above are approximate and should be confirmed with the Division of Planning. Copies of the proposals are available for examination prior to the hearing by emailing [planneroncall@indy.gov](mailto:planneroncall@indy.gov). Written objections to a proposal are encouraged to be filed via email at [dmdpubliccomments@indy.gov](mailto:dmdpubliccomments@indy.gov), before the hearing and such objections will be considered. At the hearing, all interested persons will be given an opportunity to be heard in reference to the matters contained in said proposals. The hearing may be continued from time to time as may be found necessary. For accommodations needed by persons with disabilities planning to attend this public hearing, please call the Office of Disability Affairs at (317) 327-5654, at least 48 hours prior to the meeting. - Department of Metropolitan Development - Current Planning Division.



**BOARD OF ZONING APPEALS DIVISION II**

**August 13, 2024**

**Case Number:** 2024-DV2-020  
**Address:** 821 Orange Street (approximate address)  
**Location:** Center Township, Council District #18  
**Zoning:** D-5  
**Petitioner:** Keen Development LLC, by Cindy Thrasher  
**Request:** Variance of Development Standards of the Consolidated Zoning and Subdivision Ordinance to provide for the construction of two multi-unit houses on three originally platted lots, with zero-feet of street frontage (25 feet required), with the northern primary building maintaining a 27.5-foot front building line and 13-foot rear yard setback and the southern building a 32-foot front building line (maximum 19.0-feet permitted, 20-foot rear yard setback required) and zero parking spaces (one space per unit required).

**Staff Reviewer:** Robert Uhlenhake, Senior Planner

**PETITION HISTORY**

This petition was automatically continued at the request of a registered neighborhood organization, from the June 11, 2024, hearing, to the July 9, 2024, hearing.

The petition was continued for cause at the request of the petitioner to allow time to amend the petition, from the July 9, 2024, hearing, to the August 13, 2024, hearing.

The petitioner has **submitted a request to withdraw the petition**, since they were able to amend the development to where no variance were needed. The withdraw will need to be acknowledged by the Board.

**BOARD OF ZONING APPEALS DIVISION II**

**August 13, 2024**

**Case Number:** 2024-UV2-010

**Property Address:** 3707 Woodview Trace (approximate address)

**Location:** Pike Township, Council District #1

**Petitioner:** Basis Woodview LLC, by David Kingen and Emily Duncan

**Current Zoning:** MU-1

**Request:** Variance of use and development standards of the Consolidated Zoning and Subdivision Ordinance to provide for the operation of pet hotel and daycare facility with outdoor turf area and kennel space (not permitted) and the location of a dumpster within the front yard and an eight-foot tall fence within the west side yard and south rear yard (dumpster enclosures not permitted within front yards, fences limited to 6 feet tall).

**Current Land Use:** Vacant Commercial Office

**Staff Reviewer:** Michael Weigel, Senior Planner

**PETITION HISTORY**

The petitioner indicated their desire to have this petition withdrawn via email on August 2<sup>nd</sup>. The withdrawal will be acknowledged by the board at the August 13, 2024 hearing.

A timely automatic continuance request was filed by a registered neighborhood organization to continue this petition from the July 9, 2024 hearing to the August 13, 2024 hearing date. A full staff report will be available in advance of that hearing.



**BOARD OF ZONING APPEALS DIVISION II** **August 13, 2024**

**Case Number:** 2024-DV2-015

**Property Address:** 2366 Winthrop Avenue (approximate address)

**Location:** Center Township, Council District #8

**Petitioner:** Angela and Kendrick Davis, by Sharmin Frye

**Current Zoning:** D-8

**Request:** Variance of Development Standards of the Consolidated Zoning and Subdivision Ordinance to provide for construction of a 35-foot tall, three-story single-family dwelling (maximum 2.5-story dwelling permitted).

**Current Land Use:** Vacant

**Staff Recommendations:** Staff has no recommendation for this petition

**Staff Reviewer:** Noah Stern, Senior Planner

**PETITION HISTORY**

**ADDENDUM FOR AUGUST 13, 2024 BZA DIVISION II HEARING**

- This petition was continued to the July 9, 2024 BZA Division II hearing and then to the August 13, 2024 hearing to allow for additional review.
- The petitioner is requesting an additional continuance to the September 10, 2024 BZA Division II which would be without additional notice unless new variances are requested.



**STAFF RECOMMENDATION**

- Staff has no recommendation for this petition.

**PETITION OVERVIEW**

- This petition would provide for construction of a 35-foot tall, three-story single-family dwelling (maximum 2.5-story dwelling permitted).

**GENERAL INFORMATION**

<b>Existing Zoning</b>	--	
<b>Existing Land Use</b>	--	
<b>Comprehensive Plan</b>	--	
<b>Surrounding Context</b>	<b>Zoning</b>	<b>Surrounding Context</b>
North:		North:
South:		South:
East:		East:
West:		West:
<b>Thoroughfare Plan</b>		
Enter Street(s)	Enter Thoroughfare	___ feet of right-of-way existing and ___ feet proposed
<b>Context Area</b>	Compact or Metro	
<b>Floodway / Floodway Fringe</b>	Yes or No	
<b>Overlay</b>	Yes or No	
<b>Wellfield Protection Area</b>	Yes or No	
<b>Site Plan</b>		
<b>Site Plan (Amended)</b>		
<b>Elevations</b>		
<b>Elevations (Amended)</b>		
<b>Landscape Plan</b>		
<b>Findings of Fact</b>		
<b>Findings of Fact (Amended)</b>		

**COMPREHENSIVE PLAN ANALYSIS**

Comprehensive Plan





- Marion County Land Use Plan Pattern Book
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**Pattern Book / Land Use Plan**

- The Marion County Land Use Plan pattern Book recommends the \_\_\_\_\_ typology for this site.

**Red Line / Blue Line / Purple Line TOD Strategic Plan**

- Enter Recommendation by TOD Plans or “Not Applicable to the Site.”

**Neighborhood / Area Specific Plan**

- Enter Recommendation by Pattern Book or “Not Applicable to the Site.”

**Infill Housing Guidelines**

- Enter Recommendation by IHG or “Not Applicable to the Site.”

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

- Enter Recommendation by Indy Moves Plans or “Not Applicable to the Site.”



**ZONING HISTORY**

**ZONING HISTORY – SITE**

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**ZONING HISTORY – VICINITY**

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Department of Metropolitan Development  
Division of Planning  
Current Planning

**EXHIBITS**

Enter any photographs or site plans



**BOARD OF ZONING APPEALS DIVISION II**

**August 13, 2024**

**Case Number:** 2024-DV2-016  
**Property Address:** 921 East 24<sup>th</sup> Street (approximate address)  
**Location:** Center Township, Council District #8  
**Petitioner:** Angela Davis, by Sharmin Frye  
**Current Zoning:** D-8

**Request:** Variance of Development Standards of the Consolidated Zoning and Subdivision Ordinance to provide for the construction of a 34-foot tall, three-story single-family dwelling (maximum 2.5-story dwelling permitted), with a three-foot west side yard setback (five feet required) and a front-loaded garage (prohibited along terrace frontages) resulting in an open space of 24 percent (40 percent required).

**Current Land Use:** Vacant

**Staff Recommendations:** Staff has no recommendation for this petition

**Staff Reviewer:** Noah Stern, Senior Planner

**PETITION HISTORY**

**ADDENDUM FOR AUGUST 13, 2024 BZA DIVISION II HEARING**

- This petition was continued to the July 9, 2024 BZA Division II hearing and then to the August 13, 2024 hearing to allow for additional review.
- The petitioner is requesting an additional continuance to the September 10, 2024 BZA Division II which would be without additional notice unless new variances are requested.



**STAFF RECOMMENDATION**

- Staff has no recommendation for this petition

**PETITION OVERVIEW**

- This petition would provide for the construction of a 34-foot tall, three-story single-family dwelling (maximum 2.5-story dwelling permitted), with a three-foot west side yard setback (five feet required) and a front-loaded garage (prohibited along terrace frontages) resulting in an open space of 24 percent (40 percent required).

**GENERAL INFORMATION**

<b>Existing Zoning</b>	--	
<b>Existing Land Use</b>	--	
<b>Comprehensive Plan</b>	--	
<b>Surrounding Context</b>	<b>Zoning</b>	<b>Surrounding Context</b>
North:		North:
South:		South:
East:		East:
West:		West:
<b>Thoroughfare Plan</b>		
Enter Street(s)	Enter Thoroughfare	___ feet of right-of-way existing and ___ feet proposed
<b>Context Area</b>	Compact or Metro	
<b>Floodway / Floodway Fringe</b>	Yes or No	
<b>Overlay</b>	Yes or No	
<b>Wellfield Protection Area</b>	Yes or No	
<b>Site Plan</b>		
<b>Site Plan (Amended)</b>		
<b>Elevations</b>		
<b>Elevations (Amended)</b>		
<b>Landscape Plan</b>		
<b>Findings of Fact</b>		
<b>Findings of Fact (Amended)</b>		



**COMPREHENSIVE PLAN ANALYSIS**

**Comprehensive Plan**

- Marion County Land Use Plan Pattern Book
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**Pattern Book / Land Use Plan**

- The Marion County Land Use Plan pattern Book recommends the \_\_\_\_\_ typology for this site.

**Red Line / Blue Line / Purple Line TOD Strategic Plan**

- Enter Recommendation by TOD Plans or “Not Applicable to the Site.”

**Neighborhood / Area Specific Plan**

- Enter Recommendation by Pattern Book or “Not Applicable to the Site.”

**Infill Housing Guidelines**

- Enter Recommendation by IHG or “Not Applicable to the Site.”

**Indy Moves**

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

- Enter Recommendation by Indy Moves Plans or “Not Applicable to the Site.”



**ZONING HISTORY**

**ZONING HISTORY – SITE**

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**ZONING HISTORY – VICINITY**

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Department of Metropolitan Development  
Division of Planning  
Current Planning

**EXHIBITS**

Enter any photographs or site plans





**BOARD OF ZONING APPEALS DIVISION II** **August 13, 2024**

**Case Number:** 2024-DV2-025

**Property Address:** 1670 Columbia Avenue (approximate address)

**Location:** Center Township, Council District #13

**Petitioner:** Karissa Grove, by Justin Kingen

**Current Zoning:** D-8 / SU-1

**Request:** Variance of Development Standards of the Consolidated Zoning and Subdivision Ordinance to provide for vertical addition and conversion of a single-family dwelling into a two-unit-multi-unit house resulting in a three-foot corner side yard setback (eight-feet required) and a four-foot south side yard setback (five-feet required) and a third story (limited to 2.5 stories).

**Current Land Use:** Residential

**Staff Recommendations:** Staff has no recommendation for this petition

**Staff Reviewer:** Noah Stern, Senior Planner

**PETITION HISTORY**

**ADDENDUM FOR AUGUST 13, 2024 BZA DIVISION II HEARING**

- This petition was continued to the August 13, 2024 BZA Division II hearing.
- The petitioner is seeking an additional continuance to the September 10, 2024 BZA Division II hearing to potentially change the request which would require new notice.



**STAFF RECOMMENDATION**

- Staff recommends of this petition

**PETITION OVERVIEW**

- This petition would ---

**GENERAL INFORMATION**

Existing Zoning	--	
Existing Land Use	--	
Comprehensive Plan	--	
Surrounding Context	<u>Zoning</u>	<b>Surrounding Context</b>
	North:	North:
	South:	South:
	East:	East:
	West:	West:
<b>Thoroughfare Plan</b>		
Enter Street(s)	Enter Thoroughfare	___ feet of right-of-way existing and ___ feet proposed
Context Area	Compact or Metro	
Floodway / Floodway Fringe	Yes or No	
Overlay	Yes or No	
Wellfield Protection Area	Yes or No	
Site Plan		
Site Plan (Amended)		
Elevations		
Elevations (Amended)		
Landscape Plan		
Findings of Fact		
Findings of Fact (Amended)		

**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 \_\_\_\_\_ typology for this site.

**Red Line / Blue Line / Purple Line TOD Strategic Plan**

- Enter Recommendation by TOD Plans or “Not Applicable to the Site.”

**Neighborhood / Area Specific Plan**

- Enter Recommendation by Pattern Book or “Not Applicable to the Site.”

**Infill Housing Guidelines**

- Enter Recommendation by IHG or “Not Applicable to the Site.”

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

- Enter Recommendation by Indy Moves Plans or “Not Applicable to the Site.”



## ZONING HISTORY

### ZONING HISTORY – SITE

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### ZONING HISTORY – VICINITY

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Department of Metropolitan Development  
Division of Planning  
Current Planning

**EXHIBITS**

Enter any photographs or site plans



**BOARD OF ZONING APPEALS DIVISION II**

**August 13, 2024**

**Case Number:** 2024-UV2-011

**Property Address:** 1237 Evison Street (approximate address)

**Location:** Center Township, Council District #18

**Petitioner:** Rachel & Cory Alban, by Justin Kingen

**Current Zoning:** D-5

**Request:** Variance of Use of the Consolidated Zoning and Subdivision Ordinance to provide for the location of a second 1,106-square-foot primary dwelling (one primary dwelling permitted per lot).

**Current Land Use:** Residential

**Staff Recommendations:** Staff has no recommendation for this petition

**Staff Reviewer:** Noah Stern, Senior Planner

**PETITION HISTORY**

**ADDENDUM FOR AUGUST 13, 2024 BZA DIVISION II HEARING**

- This petition was continued to the August 13, 2024 BZA Division II hearing.
- The petitioner is seeking an additional continuance to the September 10, 2024 BZA Division II hearing to potentially change the request which would require new notice.



**STAFF RECOMMENDATION**

- Staff **recommends** of this petition

**PETITION OVERVIEW**

- This petition would ---

**GENERAL INFORMATION**

<b>Existing Zoning</b>	--	
<b>Existing Land Use</b>	--	
<b>Comprehensive Plan</b>	--	
<b>Surrounding Context</b>	<b>Zoning</b>	<b>Surrounding Context</b>
	North:	North:
	South:	South:
	East:	East:
	West:	West:
<b>Thoroughfare Plan</b>		
Enter Street(s)	Enter Thoroughfare	___ feet of right-of-way existing and ___ feet proposed
<b>Context Area</b>	Compact or Metro	
<b>Floodway / Floodway Fringe</b>	Yes or No	
<b>Overlay</b>	Yes or No	
<b>Wellfield Protection Area</b>	Yes or No	
<b>Site Plan</b>		
<b>Site Plan (Amended)</b>		
<b>Elevations</b>		
<b>Elevations (Amended)</b>		
<b>Landscape Plan</b>		
<b>Findings of Fact</b>		
<b>Findings of Fact (Amended)</b>		

**COMPREHENSIVE PLAN ANALYSIS**

**Comprehensive Plan**

- Marion County Land Use Plan Pattern Book



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**Pattern Book / Land Use Plan**

- The Marion County Land Use Plan pattern Book recommends the \_\_\_\_\_ typology for this site.

**Red Line / Blue Line / Purple Line TOD Strategic Plan**

- Enter Recommendation by TOD Plans or “Not Applicable to the Site.”

**Neighborhood / Area Specific Plan**

- Enter Recommendation by Pattern Book or “Not Applicable to the Site.”

**Infill Housing Guidelines**

- Enter Recommendation by IHG or “Not Applicable to the Site.”

**Indy Moves**

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

- Enter Recommendation by Indy Moves Plans or “Not Applicable to the Site.”





**ZONING HISTORY**

**ZONING HISTORY – SITE**

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**ZONING HISTORY – VICINITY**

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Department of Metropolitan Development  
Division of Planning  
Current Planning

**EXHIBITS**

Enter any photographs or site plans



**BOARD OF ZONING APPEALS DIVISION II** **August 13, 2024**

**Case Number:** 2024-UV2-022A  
**Address:** 6701 Zionsville Road (approximate address)  
**Location:** Pike Township, Council District #6  
**Zoning:** SU-2  
**Petitioner:** Metropolitan School District of Pike Township, by Joseph D. Calderon  
**Request:** Variance of use and development standards of the Consolidated Zoning and Subdivision Ordinance to provide for the location of a pylon sign with digital display (digital display not permitted) within 85 feet of a protected district (600-foot separation required).

**Staff Reviewer:** Robert Uhlenhake, Senior Planner

**PETITION HISTORY**

This is the first public hearing for this petition.

A Registered Neighborhood Organization has filed an automatic continuance, **continuing this petition from the August 13, 2024, hearing, to the September 10, 2024, hearing.** This will require the Board's acknowledgement.



**BOARD OF ZONING APPEALS DIVISION II** **August 13, 2024**

**Case Number:** 2024-UV2-022B  
**Address:** 7001 Zionsville Road (approximate address)  
**Location:** Pike Township, Council District #6  
**Zoning:** SU-2  
**Petitioner:** Metropolitan School District of Pike Township, by Joseph D. Calderon  
**Request:** Variance of use and development standards of the Consolidated Zoning and Subdivision Ordinance to provide for the location of a pylon sign with digital display (digital display not permitted) within 288 feet of a protected district (600-foot separation required)..

**Staff Reviewer:** Robert Uhlenhake, Senior Planner

**PETITION HISTORY**

This is the first public hearing for this petition.

A Registered Neighborhood Organization has filed an automatic continuance, **continuing this petition from the August 13, 2024, hearing, to the September 10, 2024, hearing.** This will require the Board's acknowledgement.



**BOARD OF ZONING APPEALS DIVISION II** **August 13, 2024**

**Case Number:** 2024-UV2-022C  
**Address:** 2811 Barnard Street (approximate address)  
**Location:** Pike Township, Council District #1  
**Zoning:** SU-2  
**Petitioner:** Metropolitan School District of Pike Township, by Joseph D. Calderon  
**Request:** Variance of use and development standards of the Consolidated Zoning and Subdivision Ordinance to provide for the location of a pylon sign with digital display (digital display not permitted) within 50 feet of a protected district (600-foot separation required).

**Staff Reviewer:** Robert Uhlenhake, Senior Planner

**PETITION HISTORY**

This is the first public hearing for this petition.

A Registered Neighborhood Organization has filed an automatic continuance, **continuing this petition from the August 13, 2024, hearing, to the September 10, 2024, hearing.** This will require the Board's acknowledgement.



**BOARD OF ZONING APPEALS DIVISION II**

**August 13 2024**

**Case Number:** 2024-DV2-028

**Property Address:** 561 Jefferson Avenue (approximate address)

**Location:** Center Township, Council District #13

**Petitioner:** Lincoln & Lynda Brill, by Joseph Lese

**Current Zoning:** D-5

**Request:** Variance of Development Standards of the Consolidated Zoning and Subdivision Ordinance to provide for a detached garage addition including the connection to the primary building, resulting in a four-foot ten-inch rear yard setback (20-foot rear setback required).

**Current Land Use:** Residential

**Staff Recommendations:** Staff recommends approval of this petition

**Staff Reviewer:** Noah Stern, Senior Planner

**PETITION HISTORY**

- This is the first public hearing for this petition.

**STAFF RECOMMENDATION**

- Staff recommends approval of this petition

**PETITION OVERVIEW**

- This petition would provide for a detached garage addition including the connection to the primary building, resulting in a four-foot ten-inch rear yard setback (20-foot rear setback required).
- Since the proposal calls for an open-air breezeway to connect the existing primary building and the proposed detached garage (as opposed to a fully enclosed, air-conditioned connection), the garage would not be considered a part of the primary structure. Therefore, the request for a 20-foot rear setback is not necessary and the proposal would only need a 2-inch variance, as the proposed accessory garage structure would be permitted to have a 5-foot rear yard setback.
- The property is improved with a primary residence and a detached garage. The current detached garage would be removed and replaced with a new detached garage that would contain the same setbacks as the existing garage.



Department of Metropolitan Development  
 Division of Planning  
 Current Planning

- Staff finds the request to be reasonable in nature, given that the location of the garage and its setbacks would not change as a part of this addition. Likewise, the addition proposal is moderate in nature with regards to height and bulk, and would match the design and style of the existing structures. Further, the proposal would meet all other setback standards and open space requirements. Therefore, Staff does not see the proposal as overdevelopment of the site. For these reasons, Staff is unopposed of the variance request.

**GENERAL INFORMATION**

<b>Existing Zoning</b>	D-5	
<b>Existing Land Use</b>	Residential	
<b>Comprehensive Plan</b>	Traditional Neighborhood	
<b>Surrounding Context</b>	<b>Zoning</b>	<b>Surrounding Context</b>
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
<b>Thoroughfare Plan</b>		
Jefferson Avenue	Local Street	60 feet of right-of-way existing and 48 feet proposed
<b>Context Area</b>	Compact	
<b>Floodway / Floodway Fringe</b>	No	
<b>Overlay</b>	No	
<b>Wellfield Protection Area</b>	No	
<b>Site Plan</b>	7/7/24	
<b>Site Plan (Amended)</b>	N/A	
<b>Elevations</b>	7/7/24	
<b>Elevations (Amended)</b>	N/A	
<b>Landscape Plan</b>	N/A	
<b>Findings of Fact</b>	7/12/24	
<b>Findings of Fact (Amended)</b>	N/A	

**COMPREHENSIVE PLAN ANALYSIS**

**Comprehensive Plan**

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

**Pattern Book / Land Use Plan**



- The Marion County Land Use Plan pattern Book recommends the Traditional Neighborhood typology 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**

- With regards to new garages, the Infill Housing Guidelines recommends:
  - Locate accessory structures behind primary buildings
  - Access accessory buildings from alleys, when possible
  - Don't overshadow primary buildings

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

- Enter Recommendation by Indy Moves Plans or "Not Applicable to the Site."





## ZONING HISTORY

### ZONING HISTORY – SITE

N/A

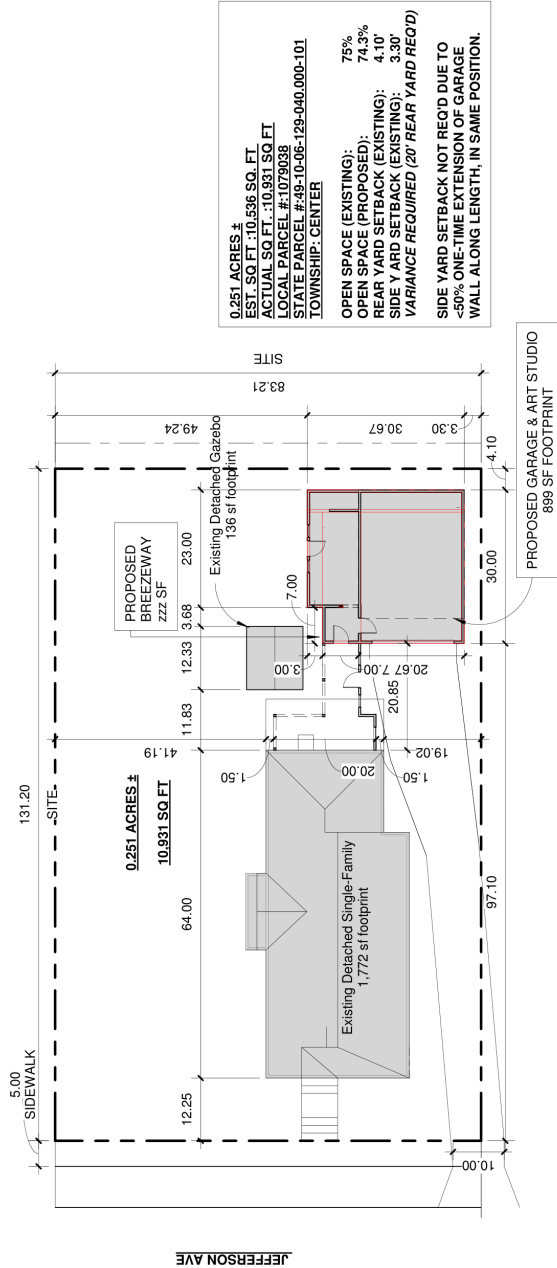
### ZONING HISTORY – VICINITY

**2019UV2003; 552 Jefferson Avenue (west of site)**, Variance of use of the Consolidated Zoning and Subdivision Ordinance to legally establish a three-unit dwelling (not permitted), **withdrawn**.

**99-V2-124; (west of site)**, Variance of development standards of the dwelling districts Zoning Ordinance to provide for construction of a 720 square foot detached garage resulting in 61% open space (minimum 65% required), **approved**.

**EXHIBITS**






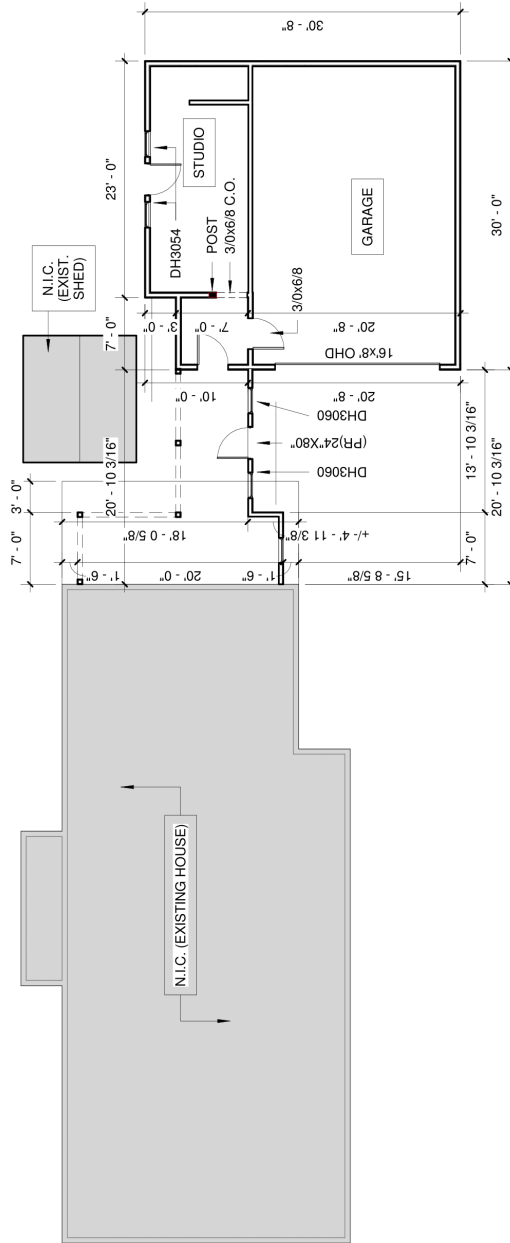
0.251 ACRES ±  
EST. SQ. FT.: 10,936 SQ. FT.  
ACTUAL SQ. FT.: 10,931 SQ. FT.  
SOCAL PARCEL #: 1079038  
STATE PARCEL #: 89-10-08-129-040-000-101  
TOWNSHIP: CENTER

OPEN SPACE (EXISTING): 75%  
OPEN SPACE (PROPOSED): 74.3%  
REAR YARD SETBACK (EXISTING): 4.10'  
SIDE YARD SETBACK (EXISTING): 3.30'  
VARIANCE REQUIRED (20' REAR YARD REQ'D)

SIDE YARD SETBACK NOT REQ'D DUE TO <50% ONE-TIME EXTENSION OF GARAGE WALL ALONG LENGTH, IN SAME POSITION.

1 FIRST FLOOR NEW SITE PLAN A1.2  
1" = 20'-0"

 <b>PROGRESS   STUDIO</b> 220 North College Avenue, Indianapolis, IN 46202 317-978-1100 www.theprogresstudio.com	<b>CLIENT</b> LYNDA BRILL 561 JEFFERSON AVE. INDIANAPOLIS, IN 46201	<b>PROJECT</b> BRILL GARAGE 561 Jefferson Ave. Indianapolis, IN 46201	<b>DRAWING TITLE</b> NEW SITE PLAN <b>DRAWING DATE</b> 6/24/24	<b>SHEET NUMBER</b> <h1>A1.2</h1>
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FIRST FLOOR NEW CONSTRUCTION  
PLAN A1.3

1  
1" = 10'-0"



SHEET NUMBER  
**A1.3**

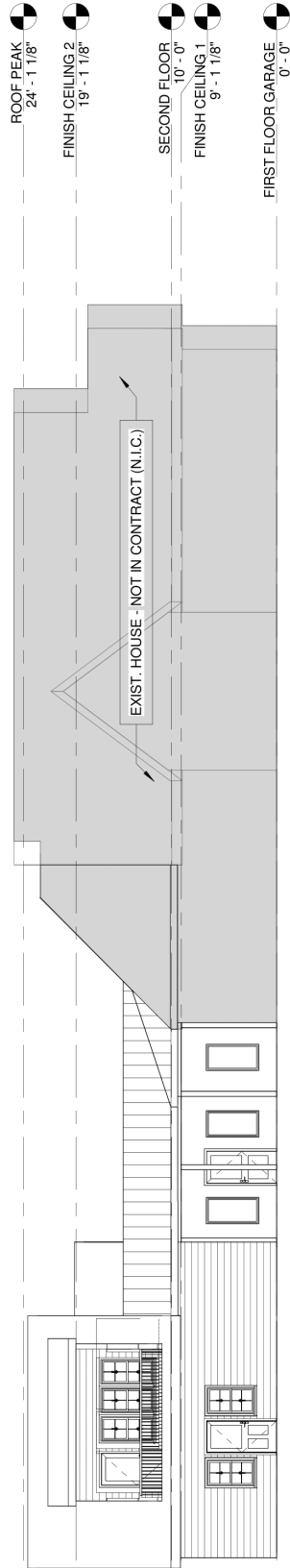
DRAWING TITLE  
**NEW CONSTRUCTION  
PLAN**  
DRAWING DATE  
6/24/24

PROJECT  
**BRILL GARAGE**  
561 Jefferson Ave.  
Indianapolis, IN 46201

CLIENT  
**LYNDA BRILL**  
561 JEFFERSON AVE.  
INDIANAPOLIS, IN 46201

**PROGRESS | STUDIO**  
220 North College Avenue, Indianapolis, IN 46202  
317-978-1100 www.theprogressstudio.com





1 NORTH ELEVATION A1.4  
 1" = 10'-0"

CLIENT	LYNDA BRILL 561 JEFFERSON AVE. INDIANAPOLIS, IN 46201	PROJECT	BRILL GARAGE 561 Jefferson Ave. Indianapolis, IN 46201	DRAWING TITLE	EXTERIOR ELEVATION 1 DRAWING DATE 6/24/24	SHEET NUMBER	A1.4
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**PROGRESS | STUDIO**  
 220 North College Avenue, Indianapolis, IN 46202  
 317-978-1100 www.theprogressstudio.com







**BOARD OF ZONING APPEALS DIVISION II**

**August 13, 2024**

**Case Number:** 2024-UV2-012

**Property Address:** 420 West Michigan Street (approximate address)

**Location:** Center Township, Council District #12

**Petitioner:** OZ Business Property II LLC, by Tim Ochs and Jennifer Milliken

**Current Zoning:** CBD-2 (RC)

**Request:** Variance of use of the Consolidated Zoning and Subdivision Ordinance to provide for the lease of an apartment unit for a general contractor, resulting in four overall multi-family dwelling units (minimum of five required).

**Current Land Use:** Mixed-Use

**Staff Recommendations:** Staff **recommends approval** of this petition, subject to the commitment that the use variance terminates after two years of the occupation of the unit.

**Staff Reviewer:** Noah Stern, Senior Planner

**PETITION HISTORY**

- This is the first public hearing for this petition.

**STAFF RECOMMENDATION**

- Staff **recommends approval** of this petition, subject to the commitment that the use variance terminates after two years of the occupation of the unit.

**PETITION OVERVIEW**

- This petition would provide for the lease of an apartment unit for a general contractor, resulting in four overall multi-family dwelling units (minimum of five required).
- Staff is recommending approval of the variance, subject to the following commitment:
  - The use variance shall terminate after 2 years from the initial date of occupation of the unit by the general contractor
- The requirement to have at least five residential units is to ensure that areas in the CBD-2 have a base level of housing options available to serve Central Business District. The proposal to use one of the residential units for the location of a general contractor for a future nearby development project would be temporary and would last only as long as the duration of the development project. Staff is requesting that the variance not run with the property and terminate at the determined date. With four





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residential units remaining available for residents, and with the fifth one set to return back to an available residential unit upon the completion of the adjacent residential project, Staff sees this request as reasonable, and of minor impact. Therefore, Staff is not opposed to the variance request.

**GENERAL INFORMATION**

<b>Existing Zoning</b>	CBD-2 (RC)	
<b>Existing Land Use</b>	Mixed-Use	
<b>Comprehensive Plan</b>	Urban Mixed-Use	
<b>Surrounding Context</b>	<b>Zoning</b>	<b>Surrounding Context</b>
	North:	North: Mixed-Use
	South:	South: Mixed-Use
	East:	East: Mixed-Use
	West:	West: Mixed-Use
<b>Thoroughfare Plan</b>		
West Michigan Street	Primary Arterial	90 feet of right-of-way existing and 78 feet proposed
Indiana Avenue	Primary Arterial	90 feet of right-of-way existing and 78 feet proposed
<b>Context Area</b>	Compact	
<b>Floodway / Floodway Fringe</b>	No	
<b>Overlay</b>	No	
<b>Wellfield Protection Area</b>	No	
<b>Site Plan</b>	6/26/24	
<b>Site Plan (Amended)</b>	N/A	
<b>Elevations</b>	N/A	
<b>Elevations (Amended)</b>	N/A	
<b>Landscape Plan</b>	N/A	
<b>Findings of Fact</b>	6/26/24	
<b>Findings of Fact (Amended)</b>	N/A	

**COMPREHENSIVE PLAN ANALYSIS**

**Comprehensive Plan**

- Marion County Land Use Plan Pattern Book

**Pattern Book / Land Use Plan**



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- The Marion County Land Use Plan pattern Book recommends the Urban Mixed-Use typology 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.



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## ZONING HISTORY

### ZONING HISTORY – SITE

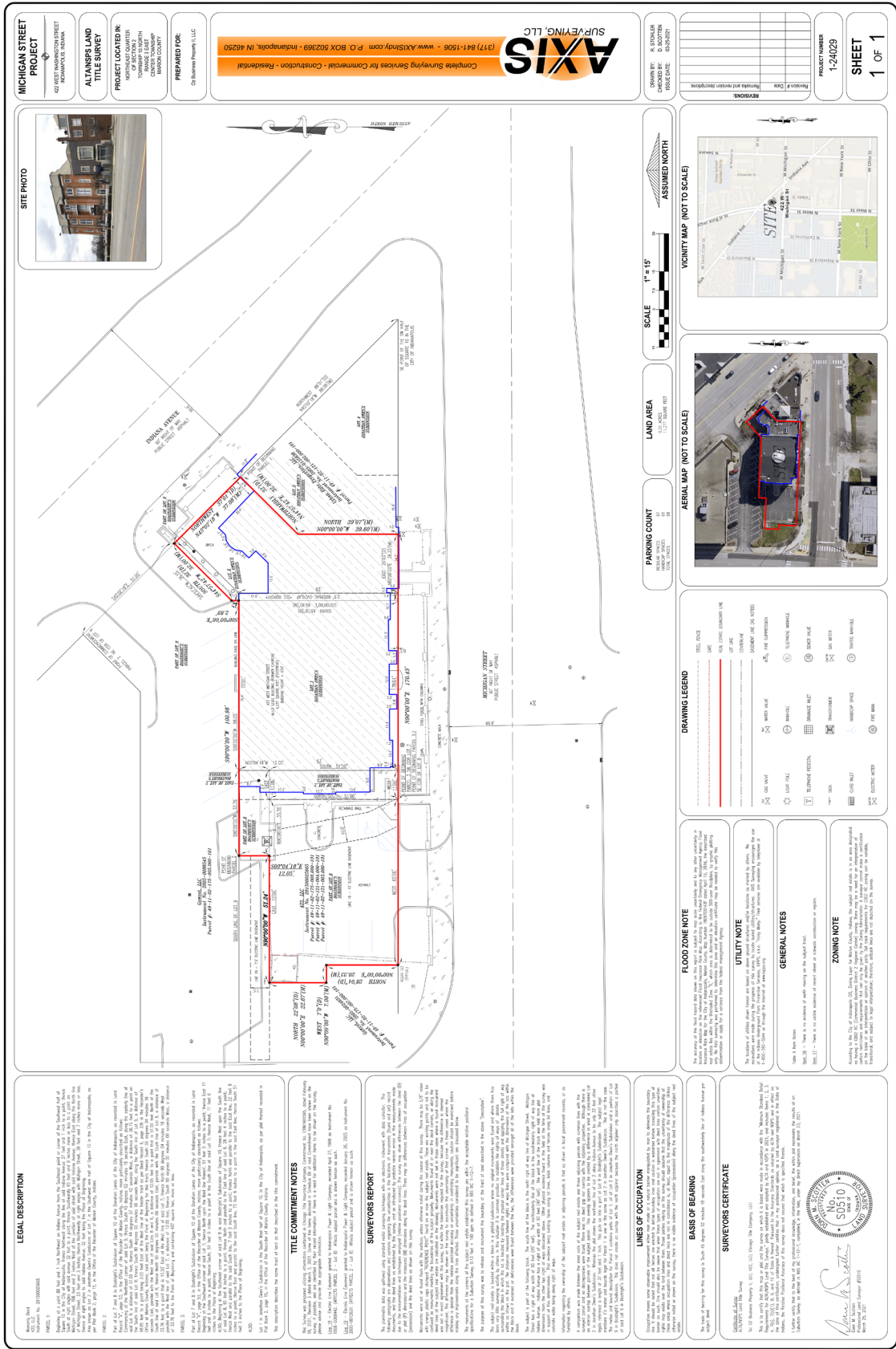
N/A

### ZONING HISTORY – VICINITY

**2004ZON149; 520 Indiana Avenue (north of site)**, Rezoning of 0.403 acres, being the I-3-U (RC) District, to the CBD-2 (RC) classification to legally establish office uses, **approved.**

**EXHIBITS**



















## BOARD OF ZONING APPEALS DIVISION II

August 13, 2024

<b>Case Number:</b>	<b>2024-DV2-023</b>
<b>Property Address:</b>	<b>1313 West 86<sup>th</sup> Street (approximate address)</b>
<b>Location:</b>	<b>Washington Township, Council District #2</b>
<b>Petitioner:</b>	<b>FIF, LLC, by Joseph D. Calderon</b>
<b>Current Zoning:</b>	<b>C-4</b>
<b>Request:</b>	<b>Variance of Development Standards of the Consolidated Zoning and Subdivision Ordinance to provide for the location of a pylon sign, being the third freestanding sign along 86<sup>th</sup> Street (two permitted), and located within 130 feet of another freestanding sign to the east (300-foot separation required).</b>
<b>Current Land Use:</b>	<b>Vacant Commercial</b>
<b>Staff Recommendations:</b>	<b>Staff recommends denial of this petition</b>
<b>Staff Reviewer:</b>	<b>Noah Stern, Senior Planner</b>

## PETITION HISTORY

### ADDENDUM FOR AUGUST 13, 2024 BZA II HEARING

- This petition was continued from the July 9, 2024 BZA Division II hearing to the August 13, 2024 BZA Division II hearing to allow for further review of the proposal.

## STAFF RECOMMENDATION

- Staff **recommends denial** of this petition

## PETITION OVERVIEW

- This petition would provide for the location of a pylon sign, being the third freestanding sign along 86<sup>th</sup> Street (two permitted), and located within 130 feet of another freestanding sign to the east (300-foot separation required).
- The subject site is improved with an existing vacant commercial building and accessory parking lot. The proposed sign would stand 10-feet tall and almost 8-feet wide. Currently, freestanding signs exist approximately 130 feet to the east and 395 feet to the west, both along the same frontage as the proposed sign.
- The Sign Regulations standard that requires at least 300-feet of separation from existing freestanding signs and the standard that limits the number of freestanding signs to two per frontage, are in place



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to promote orderly development, to limit the number of distractions to oncoming motorists, and to maintain visibility of the surrounding area. Staff sees the proposed addition of a third freestanding sign along this frontage to be a detriment to achieving these goals. Additionally, Staff would note that alternative signage options are permitted by the Ordinance, such as building and wall signs, that would not require the requested variances. Staff does not find there to be any practical difficulty related to the site that necessitates the variances and finds that the reasons for the petitioner requesting the variances to be self-imposed.

- Further, this portion of West 86<sup>th</sup> Street is an area that currently contains a substantial number of freestanding signs. Staff believes that future development in this area should conform with the modern sign regulations and should seek to reduce the overall number of freestanding signs along the corridor. Therefore, for all of these reasons, Staff recommends denial of the request.

**GENERAL INFORMATION**

<b>Existing Zoning</b>	C-4	
<b>Existing Land Use</b>	Vacant Commercial	
<b>Comprehensive Plan</b>	Community Commercial / Linear Park	
<b>Surrounding Context</b>	<b>Zoning</b>	<b>Surrounding Context</b>
	North:	C-3 North: Commercial
	South:	C-4 South: Commercial
	East:	C-4 East: Commercial
	West:	C-4 West: Commercial
<b>Thoroughfare Plan</b>		
West 86 <sup>th</sup> Street	Primary Arterial	110 feet of right-of-way existing and 112 feet proposed
<b>Context Area</b>	Metro	
<b>Floodway / Floodway Fringe</b>	No	
<b>Overlay</b>	No	
<b>Wellfield Protection Area</b>	No	
<b>Site Plan</b>	5/10/24	
<b>Site Plan (Amended)</b>	N/A	
<b>Elevations</b>	5/10/24	
<b>Elevations (Amended)</b>	N/A	
<b>Landscape Plan</b>	5/10/24	
<b>Findings of Fact</b>	5/10/24	
<b>Findings of Fact (Amended)</b>	N/A	

## COMPREHENSIVE PLAN ANALYSIS

### Comprehensive Plan

- Marion County Land Use Plan Pattern Book
- Indy Greenways Full Circle Master Plan (2014)

### Pattern Book / Land Use Plan

- The Marion County Land Use Plan pattern Book recommends the Community Commercial typology as well as Linear Park 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)

- The Indy Greenways Full Circle Master Plan from 2014 calls for a multi-use path connector along 86<sup>th</sup>/82<sup>nd</sup> Street, connecting to the existing multi-use path along West 86<sup>th</sup> Street under I-465 to Lafayette Road to the west, and reaching Hague Road and 82<sup>nd</sup> Street on the Northeast side of Marion County.
- The plans for this multi-use path call for using the same side of the street as the subject site of the proposed sign.



## ZONING HISTORY

### ZONING HISTORY – SITE

N/A

### ZONING HISTORY – VICINITY

**2013DV2001; 1275 W 86<sup>th</sup> Street (south of site)**, Variance of development standards of the Commercial Zoning Ordinance to provide for a maneuvering area for a parking lot, with a zero-foot east side transitional setback (20-foot transitional setback), **approved**.

**2010DV2013; 1375 W 86<sup>th</sup> Street (west of site)**, Variance of development standards of the Sign Regulations to legally establish a) a 30.42-foot tall, 85.14-square foot free-standing sign along 86th Street, containing a 32.45-square foot electronic variable message sign, being within approximately 360 feet of the D-7 zoned protected district to the north (600-foot separation from protected districts required), and b) to legally establish a 24-foot tall, 93.14-square foot freestanding sign along Ditch Road, with a 32.45-square foot electronic variable message sign, being within approximately 475 feet of the D-7 zoned protected district to the north (600-foot separation from protected districts required), **denied**.

**2009DV3014; 1318 W 86<sup>th</sup> Street (north of site)**, VARIANCE OF DEVELOPMENT STANDARDS of the Sign Regulations to provide for a 25-foot tall, 130-square foot pole sign: a) being the fourth freestanding sign along 918 feet of street frontage (maximum three signs permitted), b) being within 130, 220 and 230 feet, respectively, of three other freestanding signs within the same integrated center (minimum 300-foot separation required), with the lowest point of the sign face being less than nine feet above grade (minimum nine-foot clearance required), **approved**.

**2005UV1025; 1210 W 86<sup>th</sup> Street (north of site)**, variance of use of the Commercial Zoning Ordinance to legally establish belly dancing within an existing restaurant, (live entertainment not permitted), **approved, subject to commitments**.

**2004DV3054; 1225 W 86<sup>th</sup> Street (east of site)**, variance of development standards of the Sign Regulations to provide for a 7-foot tall, 53.9-square foot ground sign, located 157 feet from an existing freestanding integrated center sign in C-4, **denied**.

**2003DV1045; 1225 W 86<sup>th</sup> Street (east of site)**, variance of development standards of the Sign Regulations to provide for a 55.10-square foot on premise pylon advertising sign, with a 13.75-square foot electronic variable message component within 247 feet of an existing integrated center sign, and within 70 feet of a protected district in C-4, **dismissed**.

**2001DV2060; 1225 W 86<sup>th</sup> Street (east of site)**, variance of development standards of the Sign Regulations to legally establish a 287-66-square foot, 13.25-foot tall pole sign, located 247 feet from an existing integrated center sign in C-4, **denied**.

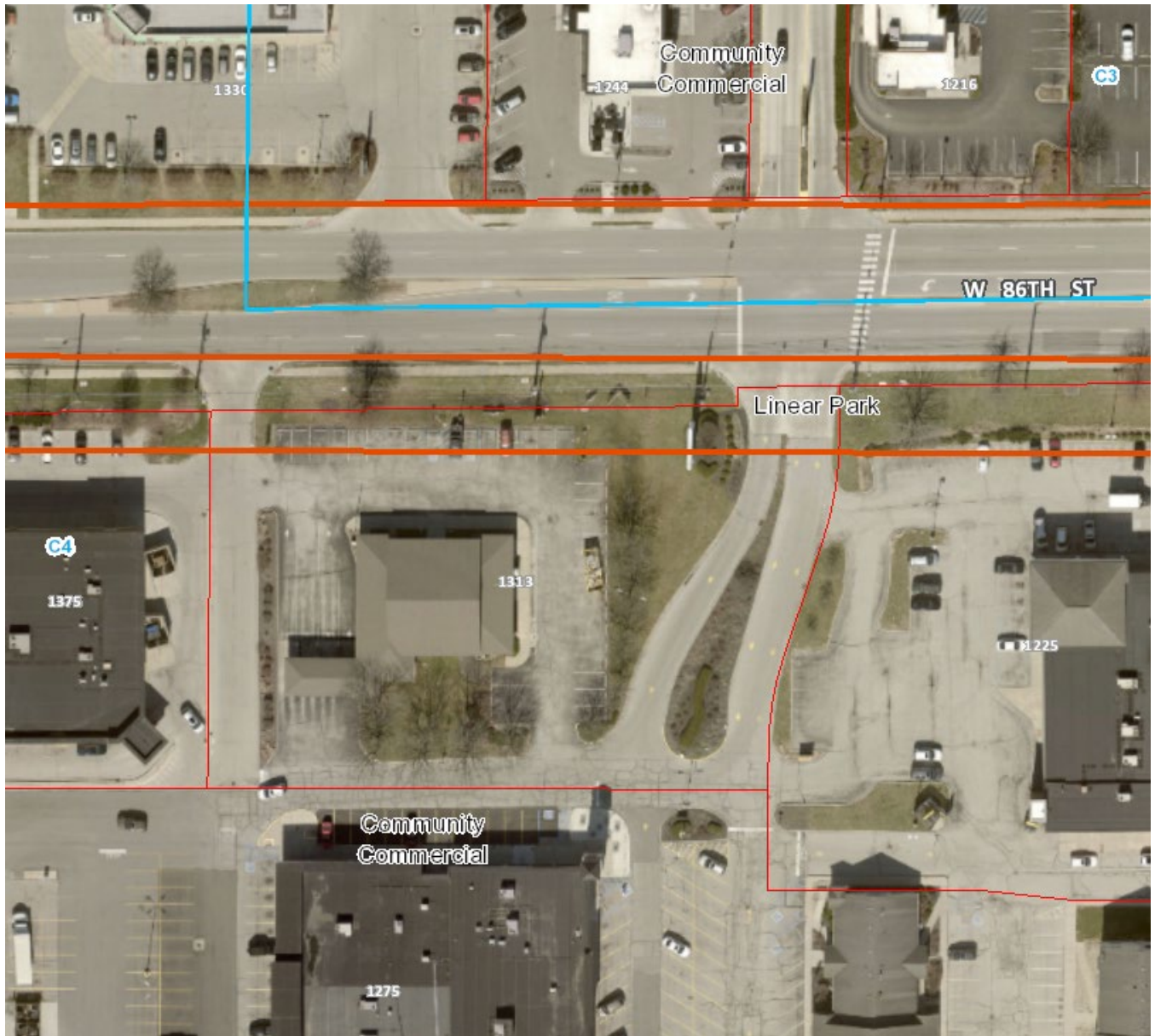


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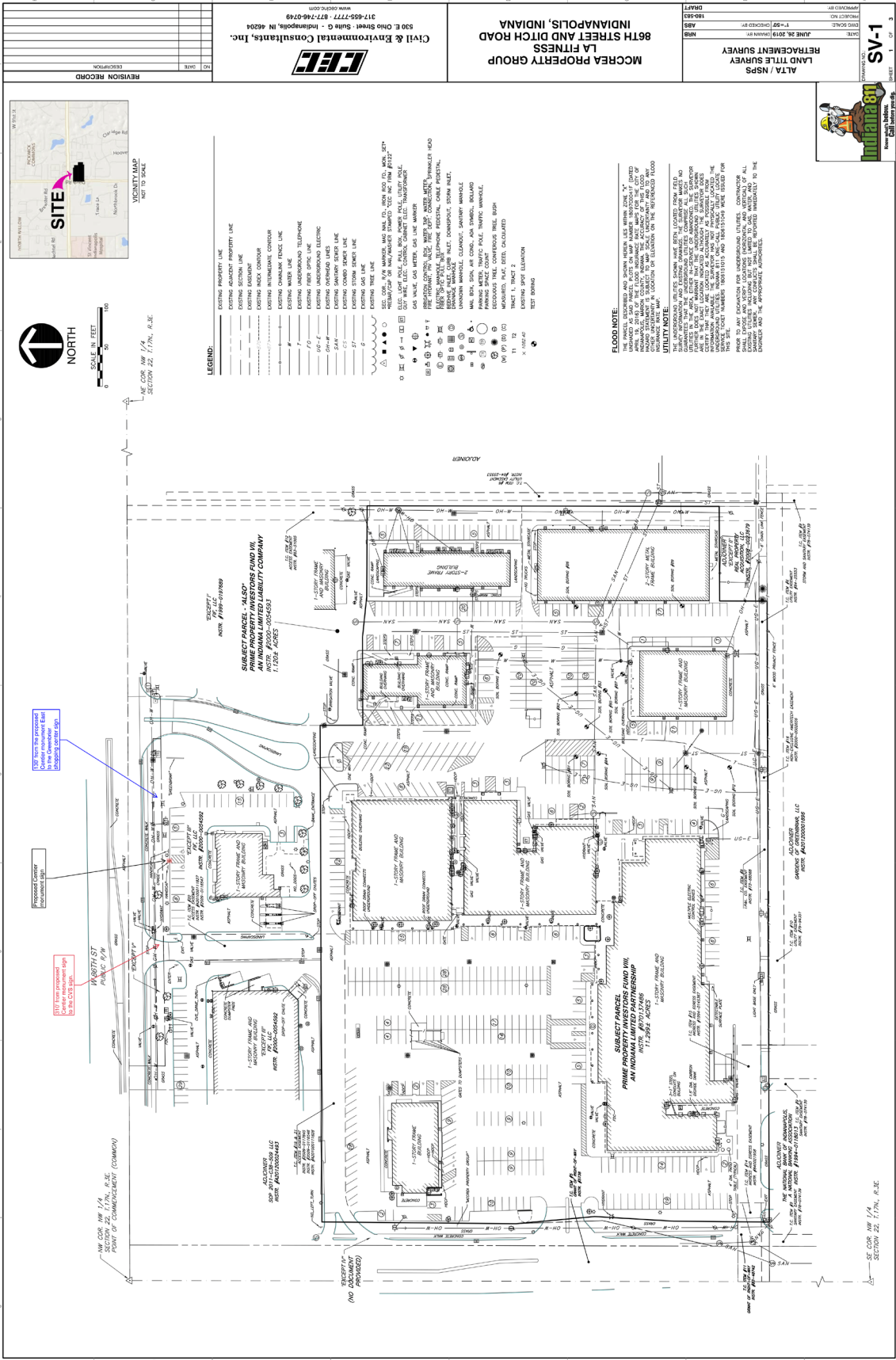
**95-UV3-48; 1289 W 86<sup>th</sup> Street; (south of site)**, variance of use and development standards of the Commercial Zoning Ordinance to provide for the placement of a monopole antenna and an equipment building, with a 90-foot tall monopole antenna with a pre-existing parking area 15 feet from the east and south property lines, **granted with conditions.**

**88-Z-12; 1410 W 86<sup>th</sup> Street (west of site)**, rezoning from the SU-1 classification, to the C-3 district, **approved.**

**EXHIBITS**





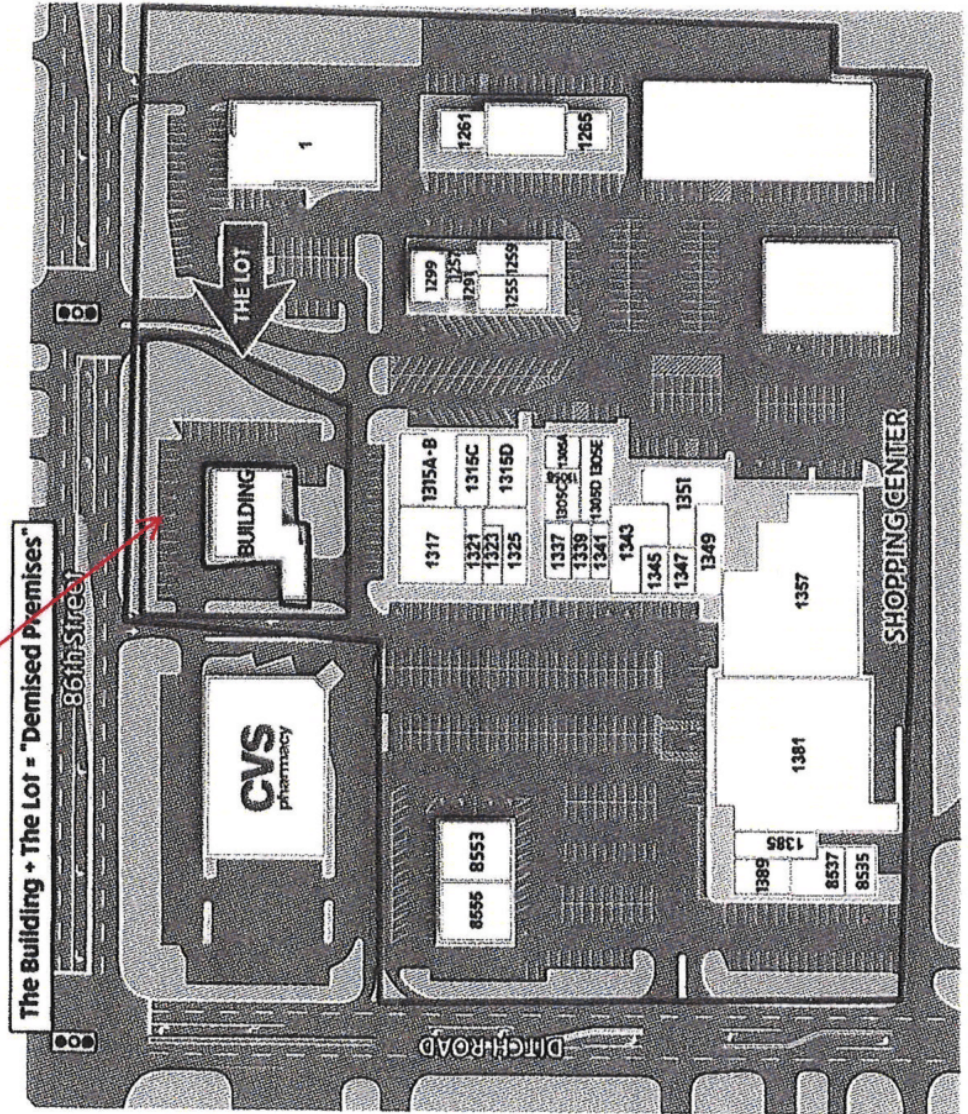




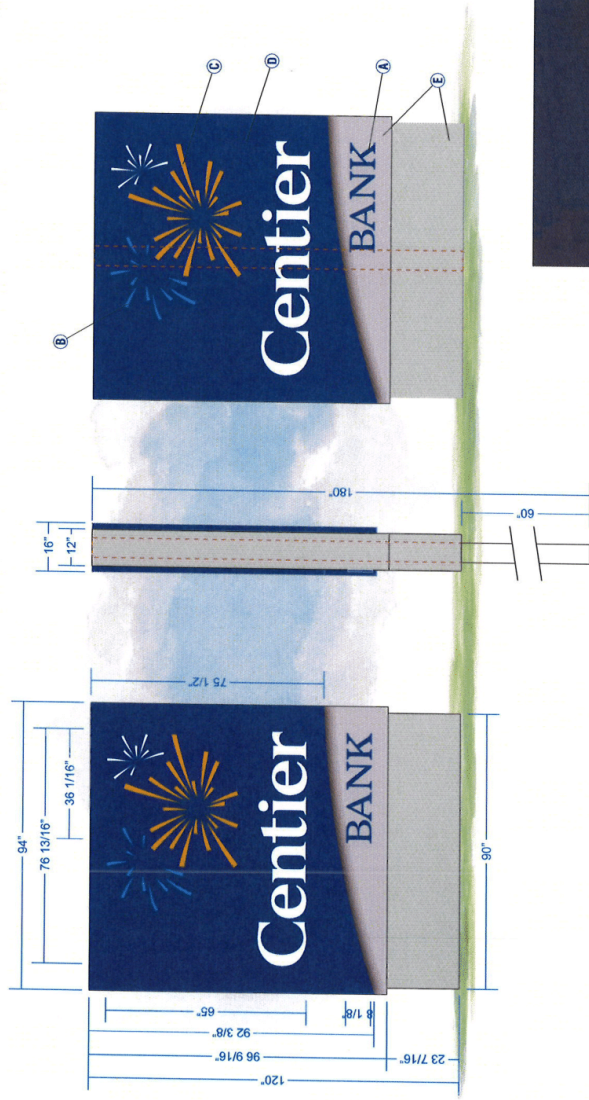
Proposed location of Monument Sign

Exhibit "A"  
 including the Building, the Lot and the Demised Premises)

(Site Plan of the Shopping Center)



CENTIER BANK • 1313 W 86TH ST INDIANAPOLIS, IN 46260 RENDERING #: 0923-0166B



**78.33 SQ FT**  
**FABRICATE AND INSTALL QTY 1 INTERNALLY ILLUMINATED D/F MONUMENT SIGN**  
BODY - 2" ALUMINUM ANGLE SKINNED IN .090 ALUMINUM PAINTED TO MATCH SPECS  
FACES - .090 ALUMINUM PAINTED TO MATCH SPECS, ROUTED AND BACKED UP W/  
3/16" 7338 WHITE ACRYLIC "CENTIER" + LOGO, AND 1" CLEAR ACRYLIC PUSH THRU "BANK"  
VINYL - TO MATCH SPECS  
LEDS - WHITE  
POST - QTY 1 - 6" SCH 40  
INSTALLATION - POST BURIED IN GRADE, STRUCTURE MOUNTED TO POST



PHOTO SCALE: NOT TO SCALE



ILLUMINATED NIGHT VIEW: NOT TO SCALE

<p><b>COLOR SPECIFICATIONS:</b></p> <ul style="list-style-type: none"> <li>A BIG PRINT IN PLUS SPEC OF BLUE VINYL</li> <li>B BIG PRINT IN PLUS SPEC OF BLUE FEB 1ST</li> <li>C BIG PRINT IN PLUS SPEC YELLOW FEB 1ST</li> <li>D PLUS SPEC OF BLUE</li> <li>E PLUS SPEC OF BLUE</li> </ul>		<p><b>DESIGNER:</b> PB</p>	<p><b>SC REP:</b> SAC</p>	<p><b>DATE:</b> 10/04/2023</p>	<p><b>REVISION DATE:</b> 11/27/2023</p>	<p><b>PERMIT INFORMATION:</b> N/A</p>	<p><b>FINAL DATE &amp; BY:</b> 1/5</p>
<p><small>NOTE: THERE WILL BE COLOR VARIATIONS FROM THIS PRINTED DRAWING TO THE FINAL PRODUCT COLORS SPECIFIED. WILL ALWAYS BE MATCHED AS CLOSELY AS POSSIBLE. RENDERING IS BASED ON ESTIMATED DIMENSIONS. A FINAL SITE VISIT AFTER INSTALLATION IS REQUIRED FOR FINAL ADJUSTMENT.</small></p> <p><small>IF ILLUMINATED, WILL BE WIRED TO LEAD TIMES OR OTHERWISE SPECIFIED. THIS SIGN IS INTENDED TO BE USED IN ACCORDANCE WITH THE NATIONAL ELECTRICAL CODE AND ALL APPLICABLE LOCAL CODES. THIS IS A PRELIMINARY RENDERING OF THE SIGN.</small></p>							

© 2020 - SIGNCRAFT INDUSTRIES ALL RIGHTS RESERVED - 8816 CORPORATION DR - INDIANAPOLIS, INDIANA 46256 - 317-842-8664 - SIGNCRAFTIND.COM ART SCALE: 3/8" = 1'-0"



Department of Metropolitan Development  
Division of Planning  
Current Planning

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 proposed sign does not impede with any clear sign triangle or otherwise interfere with vehicular or pedestrian traffic on 86th Street.

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

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 sign only fronts on the subject property and does not interfere with access to or visibility of any adjacent property.

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

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

the integrated center sign located on the subject property is designed to provide panels for the shopping locating south of the subject property and has been located on the subject property for many years. The proposed sign on the subject property is replacing a free-standing sign that identified the prior owner/user.

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

DECISION

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

Adopted this \_\_\_\_\_ day of \_\_\_\_\_, 20 \_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_









**BOARD OF ZONING APPEALS DIVISION II** **August 13, 2024**

**Case Number:** 2024-DV2-026  
**Property Address:** 3360 W 86<sup>th</sup> Street (approximate address)  
**Location:** Pike Township, Council District #1  
**Petitioner:** Chik fil A Inc., by Gabriela Mosquera  
**Current Zoning:** C-4

**Request:** Variance of Development Standards of the Consolidated Zoning and Subdivision Ordinance to provide for the modification of an existing drive-through which would result in an additional drive through and stacking spaces within the front yards of 86<sup>th</sup> Street and Purdue Road, each being rights-of-way with a width greater than 30 feet and without the required screening and without an exclusive bypass aisle (drive throughs not permitted in front yards, bypass aisle required).

**Current Land Use:** Commercial  
**Staff Reviewer:** Michael Weigel, Senior Planner

**PETITION HISTORY**

A timely automatic continuance request was filed by a registered neighborhood organization in advance of the August 13, 2024 hearing date. This petition will be heard instead at the September 10, 2024 hearing date and a full staff report will be available in advance of that hearing date.





**BOARD OF ZONING APPEALS DIVISION II** **August 13<sup>th</sup>, 2024**

**Case Number:** 2024-DV2-O27

**Property Address:** 450 Braeside North Drive

**Location:** Washington Township, Council District #1t

**Petitioner:** Indy Home Remodels, by Ryan Cromer

**Current Zoning:** D-S

**Request:** Variance of Development Standards of the Consolidated Zoning and Subdivision Ordinance to provide for the construction of a 24-foot tall, detached garage, being taller than the primary building (not permitted).

**Current Land Use:** Residential

**Staff Recommendations:** Staff **recommends denial** of this variance request.)

**Staff Reviewer:** Kiya Mullins, Associate Planner

**PETITION HISTORY**

This is the first public hearing for this petition.

**STAFF RECOMMENDATION**

Staff **recommends denial** of this variance request.

**PETITION OVERVIEW**

- This petition requests a variance to allow a detached garage to be 4’9” taller than the primary structure, which is not permitted within Dwelling Districts of the Zoning Ordinance.
- The primary structure on this D-S zoned property has a height of 19’3” while the proposed 2,029 sqft accessory structure (garage) is planned to stand at 24’.
- According to the petitioners findings, a lower height is not possible in order to match the pitch of the roof to the primary structure. A lower pitch would not be possible unless plans replace the shingled roof for a metal roof, which is believed by the client to dimmish value of the property and surrounding properties.
- The large size of the proposed garage is intended for the accommodation to the indoor storage of recreation vehicles. Recreational vehicles are permitted to be stored indoors or outdoors in the Dwelling districts. However, recreational vehicles may not be stored in any side or rear yard. They may be stored within the front yard so long as they are stored on a durable, dust-free, hard surface.



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- Given alternative storage methods and locations, as well as the ability to redesign the proposed garage to be compliant with the ordinance, staff does not believe there to be sufficient practical difficulty warranting a favorable recommendation. Therefore, staff **recommends denial** of the request.

**GENERAL INFORMATION**

<b>Existing Zoning</b>	D-S	
<b>Existing Land Use</b>	Residential	
<b>Comprehensive Plan</b>	Suburban Neighborhood	
<b>Surrounding Context</b>	<b>Zoning</b>	<b>Surrounding Context</b>
	North: D-S	North: Single-family Residential
	South: D-S	South: Single-family Residential
	East: D-2	East: Single-family Residential
	West: D-S	West: Single-family Residential
<b>Thoroughfare Plan</b>		
Braeside Drive North	Local Street	50-foot right-of-way existing and 50-foot proposed
<b>Context Area</b>	Metro	
<b>Floodway / Floodway Fringe</b>	No	
<b>Overlay</b>	Yes – Environmentally Sensitive	
<b>Wellfield Protection Area</b>	No	
<b>Site Plan</b>	07/07/2024	
<b>Site Plan (Amended)</b>	N/A	
<b>Elevations</b>	07/19/2024	
<b>Elevations (Amended)</b>	N/A	
<b>Landscape Plan</b>	N/A	
<b>Findings of Fact</b>	07/07/2024	
<b>Findings of Fact (Amended)</b>	N/A	

**COMPREHENSIVE PLAN ANALYSIS**

**Comprehensive Plan**

- Marion County Land Use Plan Pattern Book.
- Infill Housing Guidelines
- Indy Moves Final Plan 2018
- City of Indianapolis Consolidated Zoning/Subdivision Ordinance

### Pattern Book / Land Use Plan

- The Marion County Land Use Plan Pattern Book states Washington Township, Critical Area 001, is intended to promote development that is orientated towards and provides access to trails and greenways. All new development in Washington Township should have a primary entrance facing the trail or greenway. Existing development should retrofit to provide a public access point to the trail or greenway and wherever possible, provide a direct protected pedestrian connection between the trail/greenway and the primary entrance(s). Existing development should provide significant screening for dumpsters, loading docks/areas, and parking. Addressing on all development should be provided on both the trail and vehicular access sides to accommodate wayfinding and emergency access. Pedestrian amenities, including benches, lighting, public art, and drinking fountains are encouraged (pg 117).
- Within the Consolidated Zoning and Subdivision Ordinance an accessory use includes a subordinate structure, building or use that is customarily associated with and is appropriately and clearly incidental and subordinate in use, size, bulk, area and height to the primary structure, building and use and is located on the same lot as the primary building, structure or use (pg 10)
- According to the Consolidate Zoning and Subdivision Ordinance Accessory buildings and minor residential structures in all dwelling districts shall comply with the following requirements:
  - A. The horizontal land area covered by the primary building and all accessory buildings, and all game courts and all minor residential structures must cumulatively meet the required open space requirement of the district.
  - B. The horizontal land area covered by any one accessory building or minor residential structure must be less than the horizontal land area covered by the primary building.
  - C. The height of any accessory building or minor residential structure shall be less than the height of the primary building (pg 447).

### Red Line / Blue Line / Purple Line TOD Strategic Plan

- Not Applicable to the Site.

### Neighborhood / Area Specific Plan

- The Marion County Land Use Plan Pattern Book states that Suburban Neighborhood typology are 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 navigated 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 withing a quarter mile of a frequent transit line, greenway, or park. (pg 26)



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- Within the Consolidated Zoning and Subdivision Ordinance a D-S zoning is described as suburban areas of extreme topography, areas conducive to estate development or areas where it is desirable to permit only low-density development. Generous front yards with trees along roadways that follow the D-S district. Estate development in a natural setting is typical realization of the district. The S-S district provides for single-family residential lot consisting of at least one acre. A typical density of the D-S is 0.4 units per gross acre. This district fulfills the lowest density residential classification of the Comprehensive General Land Use Plan. Development plans would likely use the cluster option when subdividing and should incorporate and promote environmental and aesthetic considerations, including vegetation topography drainage and wildlife. (pg 150)

### **Infill Housing Guidelines**

- The Infill Housing Guidelines indicate that Accessory Structures scale, height, size and mass should relate to the primary building and should not overshadow it. (pg 28)

### **Indy Moves**

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

- The Indy Moves Final Plan states that 86<sup>th</sup> street and its surrounded area will be used in multiple plans across Indianapolis (pgs 62, 63, Appendix D page 2, 4 and 13)

## ZONING HISTORY

### ZONING HISTORY – SITE

N/A

### ZONING HISTOR – SURROUNDING AREA

- **2023-DV1-047: 775 Braeside S Dr. (West of site)**
  - Variance of Development Standards of the Consolidated Zoning and Subdivision Ordinance to provide for the construction of a detached garage with a five-foot southern side yard setback (15-foot side yard setback required), **approved.**
- **2019-CVR-800: 8727 Pine Ridge Dr. (South of Site)**
  - Variance of development standards of the Consolidated Zoning and Subdivision Ordinance to legally establish an eight-foot tall privacy fence along the east and north perimeter lot lines and along internal segments of 8727 Pine Ridge Drive, and to legally establish an eight-foot tall masonry wall along the west property line of 630 West 86th Street, to provide for the construction of an 8.3-foot tall wrought iron style fence along the north, west and south perimeter of the property, to permit the construction of a six-foot tall wrought iron style fence within the south front yard of 8727 Pine Ridge Drive rear property line and to provide for a 6.21-foot tall masonry wall (with portions of the wall at 7.1-foot tall) with 8.75-foot and 10.21-foot columns along the southern perimeter of the site (maximum 3.5-foot tall fence permitted in the front yard, maximum six-foot tall fence permitted in the side and rear yards), **approved.**
- **2017-DV1-010: 8640 Spring Mill Rd (South of Site)**
  - Variance of development standards of the Consolidated Zoning and Subdivision Ordinance to provide for a six-foot and eight-foot tall fence, with 8.5-foot tall columns and a 13-foot tall gate in the front yard and an eight-foot tall fence in the perimeter yard (maximum 3.5-foot tall front yard fence and six-foot tall perimeter fence permitted) columns permitted to be one-foot taller than permitted fence height), with the fence encroaching into the clear sight triangle of the driveway and intersecting street (not permitted), **approved.**
- **2017-HOV-046 536 W 86<sup>th</sup> St (South of Site)**
  - Variance of development standards of the Consolidated Zoning and Subdivision Ordinance to provide for the construction of an addition to an existing garage located in front of the established building line, creating an accessory structure larger than the primary dwelling (not permitted), **approved.**
- **2015-DV3-035 457 92<sup>nd</sup> St (North of Site)**
  - Variance of development standards of the Dwelling Districts Zoning Ordinance to legally establish an enclosed trailer (commercial vehicles not permitted) and a mini-barn, both with a seven-foot east side setback (15-foot side setback required), creating a 34.91 aggregate side setback (35-foot aggregate side setback required), **approved.**

**EXHIBITS**



Photo 1: Front of 450 Braeside Dr N



Photo 2: Beside garage on left side of 450 Braeside Dr N.



Photo 3: General location of proposed driveway and accessory structure.

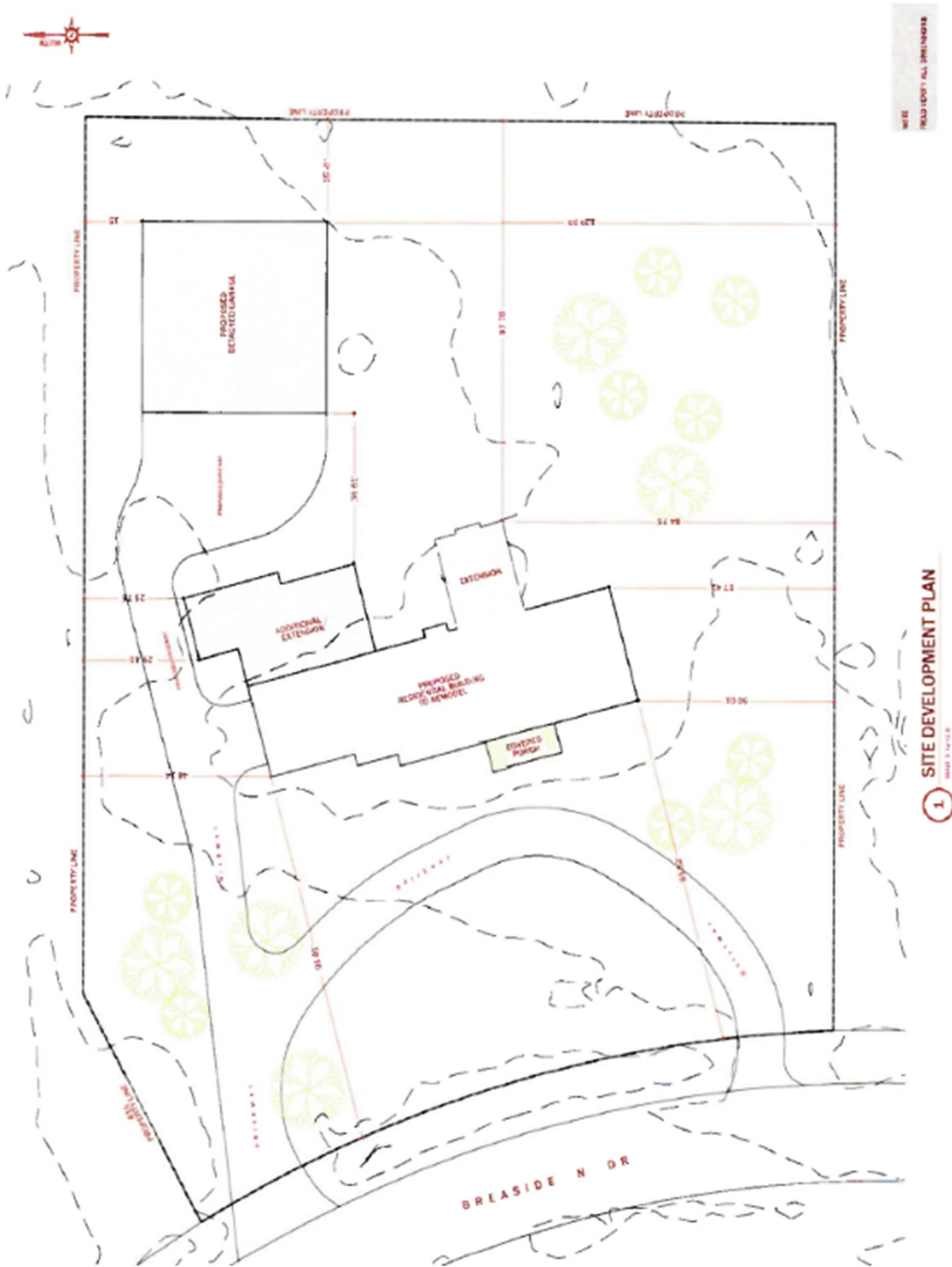


Photo 4: Proposed Site Plan for 450 Braeside Dr N



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Photo 5: Residential home to right of 450 Braeside Dr N.



Photo 6: Residential home to left of 450 Braeside Dr N.



Photo 7: Residential home across from 450 Braeside Dr N





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Photo 8: Findings of Fact for 2024-DV2-027

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 request to allow the secondary height to increase 4' 9" over the primary structure poses no known risk to the welfare of the general community. There is no known public health issue, or safety issue, related to this request. This is a structural and functional need only.

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 request only serves to increase the property value to the petitioner, and the surrounding homeowners. The request allows the petitioner to build upon an already established, and visually appealing, neighborhood aesthetic. Secondary structures, such as a detached additional garage, are known to give positive value rise to homeowners. It helps to increase neighborhood property values, which provides for positive growth in neighborhoods, and adjacent areas. In further support, adjacent homeowners have already been allowed to have secondary structures constructed with heights above the primary structure. Letters of support are attached.

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

In order to comply with the strict application, the secondary structure would need to be redesigned with a much lower roof pitch. The new lower roof pitch would require a metal roof, which would diminish the value of the property, and surrounding properties alike. One of the primary functions of the secondary structure, for the petitioner, is RV and boat storage. A lower roof pitch would not allow the petitioner to store petitioners RV within the secondary structure. Petitioner would be unduly burdened with increased costs related to upkeep and off-site storage of the RV, along with other recreational equipment. Any redesign of the primary, or secondary, structure would be very costly, in both time and money.

**DECISION**

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

Adopted this \_\_\_\_\_ day of \_\_\_\_\_, 20 \_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_



**BOARD OF ZONING APPEALS DIVISION II** **August 13, 2024**

**Case Number:** 2024-UV2-013

**Property Address:** 5455 W 56<sup>th</sup> Street (approximate address)

**Location:** Pike Township, Council District #6

**Petitioner:** Metropolitan School District of Pike Township, by Joseph D. Calderon

**Current Zoning:** SU-2 / SU-38

**Request:** Variance of use and development standards of the Consolidated Zoning and Subdivision Ordinance to provide for the location of a pylon sign with digital display within 70 feet of a protected district (digital display not permitted within zoning, 600' digital display separation required).

**Current Land Use:** Special Use (School)

**Staff Reviewer:** Michael Weigel, Senior Planner

**PETITION HISTORY**

A timely automatic continuance request was filed by a registered neighborhood organization in advance of the August 13<sup>th</sup> hearing date. This case will be continued out to the September 10<sup>th</sup> Division II hearing, and a full staff report will be available in advance of that date.