



Board of Zoning Appeals Board of Zoning Appeals Division II (October 13, 2026) Meeting Agenda

Meeting Details

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

Date: Tuesday, October 13, 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-DV2-027 | 7009 W Thompson Road**
Decatur Township, Council District #21, zoned C-S (Airspace)
Indy's Finest Fence, by Rocky Morton

Variance of Development Standards to allow for a lot with asphalt millings (asphalt pavement required), an 8-foot privacy fence (maximum 3 ½ foot required), 0-foot transitional yard (15-foot required), exceeding the maximum outdoor storage (limited to 25% of outdoor building area), no landscaping (landscaping and trees required).

****Staff to request continuance to November 17, 2026.**

- 2. 2026-DV2-030 | 7380 New Augusta Road**
Pike Township, Council District #1, zoned I-2 (FF) (FW)
Henry Hernandez by Brian Burtch

Variance of Development Standards of the Consolidated Zoning and Subdivision Ordinance to permit a 6-foot-tall fence in front yard (3.5-foot-tall permitted).

****This petition has been automatically continued to the November 17, 2026 hearing.**

- 3. 2026-DV2-034 | 2005 North Sherman Drive**
Center Township, Council District #8, zoned I-3
Dhaliwal LLC, by Thomas Pottschmidt

Variance of Development Standards of the Consolidated Zoning and Subdivision Ordinance to allow for a gravel surface parking lot (not permitted unless for agricultural, animal-related, or food-production uses in the D-A district), to allow for a 0-foot rear transitional yard (40-foot rear transitional yard required), and to allow for the omission of required screening/buffering (industrial districts abutting parks districts are required to provide a landscape buffer).

****This petition has been automatically continued to the November 17, 2026 hearing.**

- 4. 2026-UV2-012 | 1701 East New York Street**
Center Township, Council District #13, zoned C-3
Sheref Nessem, by Justin Kingen

Variance of Use of the Consolidated Zoning and Subdivision Ordinance to legally establish an auto repair use (tire sales and installation business), which is not permitted in C-3.

****Petitioner to request continuance to November 17, 2026.**

5. 2026-UV2-013 | 6201 Coffman Road

Pike Township, Council District #6, zoned I-2
Sandra Oatts

Variance of use and development standards of the Consolidated Zoning and Subdivision Ordinance to provide for the operation and installation of a kitchen, to prepare and deliver lunches to surrounding warehouses via personal vans (not permitted).

****This petition has been automatically continued to November 17, 2026.**

Petitions for Public Hearing

PETITIONS TO BE EXPEDITED:

6. 2026-DV2-028 | 906 East 16th Street

Center Township, Council District #13, zoned D-8
Stephens Holdings LLC, by Jeremy Stephens

Variance of Development Standards of the Consolidated Zoning and Subdivision Ordinance to provide for a front-loaded garage (not permitted) when a side-loaded, rear-loaded or detached garage would be required.

7. 2026-DV2-029 | 1607 Bellefontaine Street

Center Township, Council District #13, zoned D-8
Stephens Holdings LLC, by Jeremy Stephens

Variance of Development Standards of the Consolidated Zoning and Subdivision Ordinance to provide for a front-loaded garage (not permitted) when a side-loaded, rear-loaded or detached garage would be required.

8. 2026-DV2-031 | 3030 Southeastern Avenue

Center Township, Council District #18, zoned MU-2 (FF)
JO & CE Real Estate LLC, by Alicia Downs

Variance of Development Standards of the Dwelling Districts Zoning Ordinance to provide for 0% first floor facade transparency in an existing building (60-90 percent required).

9. 2026-DV2-032 | 826 East 46th Street

Washington Township, Council District #7, zoned D-5 (TOD) (W-5)
STR Landholdings LLC, by Josh Smith

Variance of Development Standards of the Consolidated Zoning and Subdivision Ordinance to provide for construction of a detached garage with a 0-foot northern side setback (7 feet required) and a 0-foot western rear setback (5 feet required).

10. 2026-DV2-033 | 1973 Ralston Avenue

Center Township, Council District #8, zoned D-8
City of Indianapolis, DMD by Chris Barnett

Variance of Development Standards of the Consolidated Zoning and Subdivision Ordinance to allow for an open front porch to encroach into the required clear-sight triangular area from the intersection of 20th and Ralston (not permitted).

11. 2026-DV2-035 | 215 South Davidson

Center Township, Council District #18, zoned D-8 (RC)
Neu Eckert Development LLC-S, by Kevin Eckert

Variance of Development Standards of the Consolidated Zoning and Subdivision Ordinance to allow for the development of three total 2-unit homes that are 3 stories in height (limited to the lesser of 2.5 stories or 35 feet) and to allow for the development of these 2-unit homes on lots that are 33 feet wide (35 feet required).

12. 2026UV2011 | 8450 Georgetown Road
Pike Township, Council District #15, zoned I-2
Kyle Davis, J.B. Hunt

Variance of Use of the Consolidated Zoning and Subdivision Ordinance to provide for the operation of a maintenance shop with associated office space and secure parking, supporting internal company operations with truck and trailing equipment (not permitted).

13. 2026-UV2-014 | 4201 Boulevard Place
Washington Township, Council District #7, zoned D-5
Steven Savoie

Variance of use of the Consolidated Zoning and Subdivision Ordinance to provide for the use of an existing single-family residence to create a small-scale mixed-use development that serves a coffee shop on the ground floor while occupying a single-family residential rental unit on the upper level (mixed-use development not permitted).

PETITIONS FOR PUBLIC HEARING (Transferred Petitions):

PETITIONS FOR PUBLIC HEARING (Continued Petitions):

PETITIONS FOR PUBLIC HEARING (New Petitions):

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
Craig Von Deylen, Chair	City-County Council	January 1, 2025 – December 21, 2025
James Duke, Vice-Chair	Mayor's Office	January 1, 2025 – December 21, 2025
Patrice Duckett-Brown, Secretary	City-County Council	January 1, 2025 – December 21, 2025
Beth Brandon	Mayor's Office	January 1, 2025 – December 21, 2025
Tom Barnes	Metropolitan Development Commission	January 1, 2025 – December 21, 2025



Department of Metropolitan Development
Division of Planning
Current Planning

BOARD OF ZONING APPEALS DIVISION II**October 13, 2026**

Case Number: 2026-DV2-030
Property Address: 7380 New Augusta Road
Location: Pike Township, Council District #1
Petitioner: Brian Burtch, NEON Architecture
Current Zoning: I-2 (FW) (FF)
Request: Variance of Development Standards of the Consolidated Zoning and Subdivision Ordinance to permit a 6-foot-tall fence in front yard (3.5-foot-tall permitted).
Current Land Use: Event Center
Staff Reviewer: Sam Sparzo, Senior Planner

PETITION OVERVIEW

- The Pike Township Residents Association is requesting an automatic one-month continuance to the November 17, 2026, BZA II hearing.



Department of Metropolitan Development
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BOARD OF ZONING APPEALS DIVISION II

October 13, 2026

Case Number: 2026-DV2-012

Property Address: 2005 North Sherman Drive (approximate address)

Location: Center Township, Council District #8

Petitioner: Dhaliwal LLC, by Thomas Pottschmidt

Current Zoning: I-3

Request: Variance of Development Standards of the Consolidated Zoning and Subdivision Ordinance to allow for a gravel surface parking lot (not permitted unless for agricultural, animal-related, or food-production uses in the D-A district), to allow for a 0-foot rear transitional yard (40-foot rear transitional yard required), and to allow for the omission of required screening/buffering (industrial districts abutting parks districts are required to provide a landscape buffer).

Current Land Use: Heavy Commercial/Industrial

Staff Reviewer: Josh Levesque, Senior Planner

PETITION HISTORY

This is the first hearing for this petition.

PETITION OVERVIEW

- A timely automatic continuance was filed by a registered neighborhood organization, continuing this petition to the November 17th, 2026, BZA II hearing. This merely requires the board's acknowledgement.



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BOARD OF ZONING APPEALS DIVISION II

October 13, 2026

Case Number: 2026-UV2-012

Property Address: 1701 East New York Street (approximate address)

Location: Center Township, Council District #13

Petitioner: Sheref Nessem, by Justin Kingen

Current Zoning: C-3

Request: Variance of Use of the Consolidated Zoning and Subdivision Ordinance to legally establish an auto repair use (tire sales and installation business), which is not permitted in C-3.

Current Land Use: Commercial; auto repair

Staff Reviewer: Josh Levesque, Senior Planner

PETITION HISTORY

This petition was continued from the September 8th BZA II hearing to allow for further discussion between the petitioner and the community.

PETITION OVERVIEW

- Petitioner is requesting an additional 1-month continuance to the November 17th, 2026, BZA II hearing to allow for further deliberation with neighborhood organizations.



Department of Metropolitan Development
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BOARD OF ZONING APPEALS DIVISION II

October 13, 2026

Case Number: 2026-UV2-013

Property Address: 6201 Coffman Road

Location: Pike Township, Council District #6

Petitioner: Sandra Oatts

Current Zoning: I-2

Request: Variance of use and development standards of the Consolidated Zoning and Subdivision Ordinance to provide for the operation and installation of a kitchen, to prepare and deliver lunches to surrounding warehouses via personal vans (not permitted).

Current Land Use: Industrial Office Structure

Staff Reviewer: Sam Sparzo, Senior Planner

PETITION OVERVIEW

- The Pike Township Residents Association is requesting an automatic one-month continuance to the November 17, 2026, BZA II hearing.



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BOARD OF ZONING APPEALS DIVISION II

October 13th, 2026

Case Number:	2026-DV2-028
Property Address:	906 East 16 th Street (approximate address)
Location:	Center Township, Council District #13
Petitioner:	Stephens Holdings LLC, by Jeremy Stephens
Current Zoning:	D-8
Request:	Variance of Development Standards of the Consolidated Zoning and Subdivision Ordinance to provide for a front-loaded garage (not permitted) when a side-loaded, rear-loaded or detached garage would be required.
Current Land Use:	Vacant, proposed home is currently being constructed
Staff Recommendations:	Staff recommends approval of this petition, subject to commitments
Staff Reviewer:	Adam Skrzyszewski, Senior Planner

PETITION HISTORY

This is the first public hearing for this petition

STAFF RECOMMENDATION

Staff recommends **approval** of this petition, subject to the following commitments provided by the petitioner:

1. Garage to remain a one car capacity.
2. Driveway width not to exceed 12-feet.
3. The structure shall be constructed substantially in accordance with the plans approved by the Board of Zoning Appeals (BZA), except as modified by permits.

PETITION OVERVIEW

- The petitioner is requesting to permit a front-loaded garage within the D-8 zoning district. Per Table 744-701-2 of the Ordinance, the subject parcel would be considered Terrace Frontage. If a garage is proposed in D-8 with Terrace Frontage, the garage must either be side-loaded or rear-loaded, and must face an improved alley adjacent to the home if one is present. The petitioner is requesting to permit a front-loaded garage due to the absence of an improved alley adjacent to the parcel, and no street parking on 16th Street where the home fronts.
- There is practical difficulty on-site in meeting the full extent of the Ordinance. There is no alley adjacent to the parcel, improved or non-improved, for the proposed garage to front on, and there is no street parking available on East 16th Street. Therefore, if the proposed home were to have



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Current Planning**

a garage, attached or detached, it would need to be front-loaded and face 16th Street, as this is the only thoroughfare the home faces. There will be no additional curb cut added to the public right-of-way as well, as the location of the home is upon an already existing curb cut.

- Per the Findings of Fact, staff is in agreement that the prioritized walkability of the D-8 district, per the Walkable Neighborhood Design Standards, will not be jeopardized through providing a 1-car garage for the proposed home on an already established curb cut. The amount of space dedicated to the proposed garage and its curb cut is as minimal as possible, only proposing space for a 1-car garage. Staff is also in agreement with the petitioner's arguments per the Findings of Fact that the proposed front-loaded garage will not have a negative effect to the public health, safety, morals, and general welfare of the community.
- Per Criteria Two of the Findings of Fact from the petitioner, staff is in agreement that the front-loaded garage will not be a detriment to the use and value of the adjacent property owners. Staff will note that the proposed front-loaded garage style would be out of context with the surrounding neighborhood as there are no front-loaded garages within the surrounding Traditional Neighborhood fronting 16th Street, making it out of context. This does not affect staff's recommendation as practical difficulty creates the need for a front-loaded garage.
- The proposed home's plans were initially submitted on June 11th, 2026 to the Department of Business and Neighborhood Services for the release of permits, but was initially denied due to the initial proposal having a front-loaded garage within D-8. The petitioner then changed the plans to comply with the Ordinance, but upon a staff site visit on August 21st, 2026, the home was found under construction on-site with a garage opening, which did not match the plans approved by DBNS, and found with a differing roof design that did not match the plans approved by DBNS. The petitioner has been issued a violation for this, and the violation letter is attached below within the staff report. This does not affect staff's recommendation, as this case only pertains to permitting a front-loaded garage within D-8, and the petitioner has indicated to come into compliance.
- There is no way for the petitioner to have a garage for the proposed home without it being front-loaded due to the site not having an alley adjacent to the parcel, and there being no street parking where the home fronts; therefore, staff recommends **approval** of 2026-DV2-028.



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GENERAL INFORMATION

Existing Zoning	D-8	
Existing Land Use	Vacant, proposed home is currently being constructed	
Comprehensive Plan	Traditional Neighborhood	
Surrounding Context	<u>Zoning</u>	Surrounding Context
North:	D-8	North: Single-family residential
South:	D-P	South: Single-family residential
East:	I-3	East: Single-family residential
West:	D-8	West: Single-family residential
Thoroughfare Plan		
East 16 th Street	Primary Arterial	78-foot existing and proposed right-of-way
Context Area	Compact	
Floodway / Floodway Fringe	No	
Overlay	No	
Wellfield Protection Area	No	
Site Plan	August 5 th , 2026	
Site Plan (Amended)	N/A	
Elevations	August 5 th , 2026	
Elevations (Amended)	N/A	
Landscape Plan	N/A	
Findings of Fact	August 5 th , 2026	
Findings of Fact (Amended)	N/A	



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COMPREHENSIVE PLAN ANALYSIS

Comprehensive Plan

- The Comprehensive Plan recommends Traditional Neighborhood. The proposed single-family home and its front-loaded garage match the recommendation of Traditional neighborhood and has no conflicts with its intended use.

Pattern Book / Land Use Plan

- Per the Pattern Book, the Traditional Neighborhood Typology includes a full spectrum of housing from single-family homes to large-scale more intense multi-family housing. The proposed single-family home and its front-loaded garage, matches the Traditional Neighborhood Typology.

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 proposed single-family home **does not comply fully** with the Aesthetic Considerations of the Infill Housing Guidelines, but this does not affect staff's recommendation, as this petition only refers to permitting the proposed front-loaded garage within the D-8 zoning district.

Indy Moves

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

- Not Applicable to the Site.



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ZONING HISTORY

2026-DV2-029 ; 1607 Bellefontaine Street (North of proposed site), Variance of Development Standards of the Consolidated Zoning and Subdivision Ordinance to provide for a front-loaded garage (not permitted) when a side-loaded, rear-loaded or detached garage would be required. (in progress, case docketed for October 13th BZA II hearing as well)

2019-HOV-034 ; 1621 Bellefontaine Street (North of proposed site), Variance of development standards of the Consolidated Zoning and Subdivision Ordinance to provide for two single-family dwellings, with three-foot side setbacks and nine feet between dwellings (four-foot side setback and 10-foot separation between dwellings required). **Approved**

2022-DVR-860 ; 1606 Cornell Avenue (East of proposed site), Variance of development standards of the Consolidated Zoning and Subdivision Ordinance to provide for the construction of a detached single-family dwelling with a two-foot north side setback (three feet required). **Approved**

2012-HOV-043 ; 1614 Cornell Avenue (East of proposed site), Variance of use of the Industrial Zoning Ordinance to legally establish a single-family dwelling (not permitted), per plans filed. **Approved**

2008-DV3-016 ; 1603 Cornell Avenue (East of proposed site), Variance of Development Standards of the Dwelling Districts Zoning Ordinance to provide for a single-family dwelling with a three-foot front setback from the existing right-of-way of Cornell Avenue and a ten-foot front setback from the existing right-of-way of 16th Street (minimum 40-foot front setback required), a 759-square foot detached garage with a 14-foot front setback from the existing right-off-way of 16th Street (minimum 40-foot front setback permitted), and a six-foot high ornamental fence within the required front yard of and within the clear sight triangle at the intersection of Cornell Avenue and 16th Street (maximum 3.5-foot tall fence permitted, structures not permitted within the clear site triangle). **Approved**

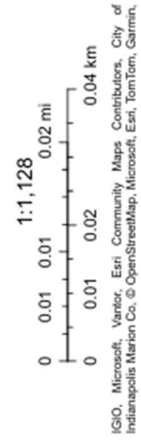
2017-UV3-011 ; 1622 Cornell Avenue (Northeast of proposed site), Variance of use and development standards of the Consolidated Zoning and Subdivision Ordinance to provide for two, single-family dwellings and detached garages, (not permitted), with 20-foot front setbacks, five-foot side setbacks, and 15-foot rear setbacks (30-foot front setback, 10-foot side setback and 40-foot transitional rear setback required). **Approved**

2003-VHP-027 ; 809 East 16th Street (Southwest of proposed site), VDS for 51% open space when 55% is req. And for an accessory building 22 ft. x 38 ft. when 24 x 30 is the max allowed. (IHPC) **Approved**

2003-VHP-004 ; 1557 Carrollton Avenue (Southwest of proposed site), VDS to allow for construction of a new SFR that encroaches into the clear sight triangle. (IHPC) **Approved**

EXHIBITS

906 E 16th St current aerial



9/29/2026



1 - plans submitted for 2026dv2028



2 - rendering submitted for previous ILP that got approved

Site Visit August 21st









**Department of Metropolitan Development
Division of Planning
Current Planning**



September 4, 2026

Case #: VIO26-007320

STEPHENS HOLDINGS LLC
7064 HART ST
INDIANAPOLIS, IN 46229

RE: 906 E 16TH ST

Dear STEPHENS HOLDINGS LLC:

A recent inspection of the above referenced property indicated violation (s) of the Revised Code of Indianapolis and Marion County as follows:

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 primary structure...the project is not in accordance with ILP26-01672).

The City of Indianapolis requests your cooperation in correcting the violation(s). If the violation(s) have not been abated before October 05, 2026, this will result in further enforcement action, which could include:

- 1.) Issuance of a citation for each violation (Section 103-3) and / or
- 2.) Assessment of an administrative fee in the amount of two hundred fifteen dollars (\$215.00) for each scheduled visit to the property and the violation is not abated (Section 536-609) and / or
- 3.) Lawsuit with fines up to \$2,500 for each violation plus court costs (Section 103-3)

*** If you are the property owner and have leased / rented the property noted above, please notify the undersigned immediately with tenant information.**

To further research the Marion County code section mentioned above, please visit www.municode.com.

If you have any questions, please contact me at the number listed below.

Sincerely,

Department of Business & Neighborhood Services
200 E. Washington Street, Suite 107 | Indianapolis, IN 46204 | Phone: (317) 327-8700 | www.indy.gov/bns
Fax Numbers: Building - 327-8479 | Business Licensing - 327-0817 | Contractor Licensing - 327-8400
Crafts - 327-5387 | Infrastructure/Right of Way - 327-3125 | Permits - 327-5174 | Zoning - 327-8696

3 - violation received from current construction differing from approved permits



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**COMMITMENTS CONCERNING THE USE OR DEVELOPMENT OF REAL ESTATE MADE
IN CONNECTION WITH A VARIANCE, SPECIAL EXCEPTION OR APPROVAL GRANT.**

In accordance with I.C. 36-7-4-1015, the owner of the real estate located in Marion County, Indiana, which is described below, makes the following COMMITMENTS concerning the use and development of the parcel of real estate:

Legal Description: The South 78 Feet of Lot 2, Block 28 in Gerrard's Sub of Johnson Heirs Addition to the City of Indianapolis, as per Plat thereof recorded in Plat Book 7, Page 154 in the Office of the Recorder of Marion County, Indiana

Statement of COMMITMENTS:

1. *Garage to remain a one car maximum capacity*
2. *Driveway width not to exceed 12 feet*
3. *The structure shall be constructed substantially in accordance with the plans approved by the Metropolitan Development Commission (MDC), except as modified by permits.*
4. *No additional dwelling units or expansion of the garage shall be permitted without obtaining any required approvals from the City of Indianapolis.*



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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 allowance of a front loading garage and accompanying curb cut will not be injurious to the public health, safety, morals, and general welfare of the community because it does not create any physical or chemical hazards, and does not interfere with the walkability or usability of the surrounding right of ways. It also does not encroach on any surrounding properties, and stays within bounds of the existing setbacks for the parcel

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 value of the properties adjacent to the parcel will not be negatively impacted due to the proposed front loading garage not encroaching on any adjacent parcel or stretching beyond currently allowable limits. It also aesthetically compliments to the current streetscape without creating an unattractive element that would negatively impact property values.

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

The strict application of the zoning ordinance/development standards negatively impacts this parcel in a way that the other surrounding parcels are not, due to the lack of usable alley access or street parking. Under the current standards there are no other practical solutions for providing off street parking, which is a critical need in moderate/high density zoning districts such as the one the parcel is located in.



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BOARD OF ZONING APPEALS DIVISION II

October 13th, 2026

Case Number:	2026-DV2-029
Property Address:	1607 Bellefontaine Street (approximate address)
Location:	Center Township, Council District #13
Petitioner:	Stephens Holdings LLC, by Jeremy Stephens
Current Zoning:	D-8
Request:	Variance of Development Standards of the Consolidated Zoning and Subdivision Ordinance to provide for a front-loaded garage (not permitted) when a side-loaded, rear-loaded or detached garage would be required.
Current Land Use:	Vacant, proposed home is currently being constructed
Staff Recommendations:	Staff recommends approval of this petition, subject to commitments
Staff Reviewer:	Adam Skrzyszewski, Senior Planner

PETITION HISTORY

This is the first public hearing for this petition

STAFF RECOMMENDATION

Staff recommends **approval** of this petition, subject to the following commitments, provided both from the petitioner and staff:

1. Garage to remain a two-car maximum capacity.
2. Driveway width not to exceed 18 feet.
3. The structure shall be constructed substantially in accordance with the plans approved by the Board of Zoning Appeals (BZA), except as modified by permits.
4. Will provide necessary masonry material & labor to fill in/remove existing curb cut in sidewalk to the north of subject property, and match existing sidewalk to eliminate conflicting sidewalk disruptions.

PETITION OVERVIEW

- The petitioner is requesting to permit a front-loaded garage within the D-8 zoning district. Per Table 744-701-2 of the Ordinance, the subject parcel would be considered Terrace Frontage. If a garage is proposed in D-8 with Terrace Frontage, the garage must either be side-loaded or rear-loaded, and must face an improved alley adjacent to the home if one is present. The petitioner is requesting to permit a front-loaded garage due to the absence of an improved alley adjacent to the parcel, inadequate space on the parcel to harbor a garage, and no connection from the subject parcel to the current improved alley to the east.



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- There is practical difficulty on-site in meeting the full extent of the Ordinance. There is a curb cut adjacent to the proposed home to the north that shows a non-improved alley, this alley would need to be improved to harbor a garage to front an alley to the north. The unimproved, if improved, would not contain enough space for ingress and egress to a potential garage that would face to the north, the parcel and non-improved alley is not large enough to harbor a garage to face to the north. There is an estimated 100+ year old tree within the non-improved alley as well.
- The parcel is also not long enough to have a connection to the nearest improved alley to the east with a detached garage. There is another parcel to the east before the improved alley, blocking this connection to the improved alley for a detached garage and connection to the proposed home.
- Per the Findings of Fact, staff is in agreement that the prioritized walkability of the D-8 district, per the Walkable Neighborhood Design Standards, will not be jeopardized through providing a curb cut and a 2-car garage for the proposed home.
- The petitioner, by committing to closing the unimproved alley's curb cut, as described in the 5th commitment, the petitioner is taking effort to minimize the effect of the proposed added curb cut and front-loaded garage to walkability. This commitment, if the case is approved, will require the petitioner to remove the existing curb cut to the north for the non-improved alley, bridge the sidewalk disruption, and provide all labor and materials in doing so. The Department of Public Works acknowledges and agrees with this commitment as well.
- There is a front-loaded garage for an existing home to the north of the proposed home at 1643 Bellefontaine Street. Therefore, the front-loaded garage with a curb cut for the proposed home is not out of character for the street and neighborhood.
- The proposed home's plans were initially submitted on June 11th, 2026 to the Department of Business and Neighborhood Services for the release of permits, but was initially denied due to the initial proposal having a front-loaded garage within D-8. The petitioner then changed the plans to comply with the Ordinance, but upon a staff site visit on August 21st, 2026, the home was found under construction on-site with a garage opening, which did not match the plans approved by DBNS. The petitioner has been issued a violation for this, and the violation letter is attached below within the staff report. This does not affect staff's recommendation, as this case only pertains to permitting a front-loaded garage within D-8, and the petitioner has indicated to come into compliance.
- There is no way for the petitioner to have a garage for the proposed home without it being front-loaded. Even if the unimproved alley to the north is improved and the estimated 100+ year old tree is removed, there will be a lack of space for the alley and the proposed home to co-exist for adequate ingress and egress for a garage, and there is no connection to the existing improved alley to the east; therefore, staff recommends **approval** of 2026-DV2-029.



Department of Metropolitan Development
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GENERAL INFORMATION

Existing Zoning	D-8	
Existing Land Use	Vacant, proposed home is currently being constructed	
Comprehensive Plan	Traditional Neighborhood	
Surrounding Context	<u>Zoning</u>	Surrounding Context
North:	D-8	North: Single-family residential
South:	D-P	South: Single-family residential
East:	I-3	East: Single-family residential
West:	D-8	West: Single-family residential
Thoroughfare Plan		
1607 Bellefontaine Street	Local Street	48-foot existing and proposed right-of-way
Context Area	Compact	
Floodway / Floodway Fringe	No	
Overlay	No	
Wellfield Protection Area	No	
Site Plan	August 5 th , 2026	
Site Plan (Amended)	N/A	
Elevations	August 5 th , 2026	
Elevations (Amended)	N/A	
Landscape Plan	N/A	
Findings of Fact	August 5 th , 2026	
Findings of Fact (Amended)	N/A	



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COMPREHENSIVE PLAN ANALYSIS

Comprehensive Plan

- The Comprehensive Plan recommends Traditional Neighborhood. The proposed single-family home and its front-loaded garage with curb cut matches the recommendation of Traditional neighborhood and has no conflicts with its intended use.

Pattern Book / Land Use Plan

- Per the Pattern Book, the Traditional Neighborhood Typology includes a full spectrum of housing from single-family homes to large-scale more intense multi-family housing. The proposed single-family home and its front-loaded garage with curb cut, matches the Traditional Neighborhood Typology.

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 proposed single-family home **does not comply fully** with the Aesthetic Considerations of the Infill Housing Guidelines, but this does not affect staff's recommendation, as this petition only refers to permitting the proposed front-loaded garage with curb cut within the D-8 zoning district.

Indy Moves

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

- Not Applicable to the Site.



Department of Metropolitan Development
Division of Planning
Current Planning

ZONING HISTORY

2026-DV2-028 ; 906 E 16th Street (South of proposed site), Variance of Development Standards of the Consolidated Zoning and Subdivision Ordinance to provide for a front-loaded garage (not permitted) when a side-loaded, rear-loaded or detached garage would be required. (in progress, case docketed for October 13th BZA II hearing as well)

2019-HOV-034 ; 1621 Bellefontaine Street (North of proposed site), Variance of development standards of the Consolidated Zoning and Subdivision Ordinance to provide for two single-family dwellings, with three-foot side setbacks and nine feet between dwellings (four-foot side setback and 10-foot separation between dwellings required). **Approved**

2022-DVR-860 ; 1606 Cornell Avenue (East of proposed site), Variance of development standards of the Consolidated Zoning and Subdivision Ordinance to provide for the construction of a detached single-family dwelling with a two-foot north side setback (three feet required). **Approved**

2012-HOV-043 ; 1614 Cornell Avenue (East of proposed site), Variance of use of the Industrial Zoning Ordinance to legally establish a single-family dwelling (not permitted), per plans filed. **Approved**

2008-DV3-016 ; 1603 Cornell Avenue (East of proposed site), Variance of Development Standards of the Dwelling Districts Zoning Ordinance to provide for a single-family dwelling with a three-foot front setback from the existing right-of-way of Cornell Avenue and a ten-foot front setback from the existing right-of-way of 16th Street (minimum 40-foot front setback required), a 759-square foot detached garage with a 14-foot front setback from the existing right-off-way of 16th Street (minimum 40-foot front setback permitted), and a six-foot high ornamental fence within the required front yard of and within the clear sight triangle at the intersection of Cornell Avenue and 16th Street (maximum 3.5-foot tall fence permitted, structures not permitted within the clear site triangle). **Approved**

2017-UV3-011 ; 1622 Cornell Avenue (Northeast of proposed site), Variance of use and development standards of the Consolidated Zoning and Subdivision Ordinance to provide for two, single-family dwellings and detached garages, (not permitted), with 20-foot front setbacks, five-foot side setbacks, and 15-foot rear setbacks (30-foot front setback, 10-foot side setback and 40-foot transitional rear setback required). **Approved**

2003-VHP-027 ; 809 East 16th Street (Southwest of proposed site), VDS for 51% open space when 55% is req. And for an accessory building 22 ft. x 38 ft. when 24 x 30 is the max allowed. (IHPC) **Approved**

2003-VHP-004 ; 1557 Carrollton Avenue (Southwest of proposed site), VDS to allow for construction of a new SFR that encroaches into the clear sight triangle. (IHPC) **Approved**

EXHIBITS

1607 Bellefontaine St current aerial



1:1,128
0 0.01 0.01 0.02 0.02 mi
0 0.01 0.02 0.04 km
iGEO, Microsoft, Vantor, Esri Community Maps Contributors, City of Indianapolis Marion Co. © OpenStreetMap, Microsoft, Esri, TomTom, Garmin.

9/30/2026



2 - elevations from approved ILP's

Site Visit August 21st





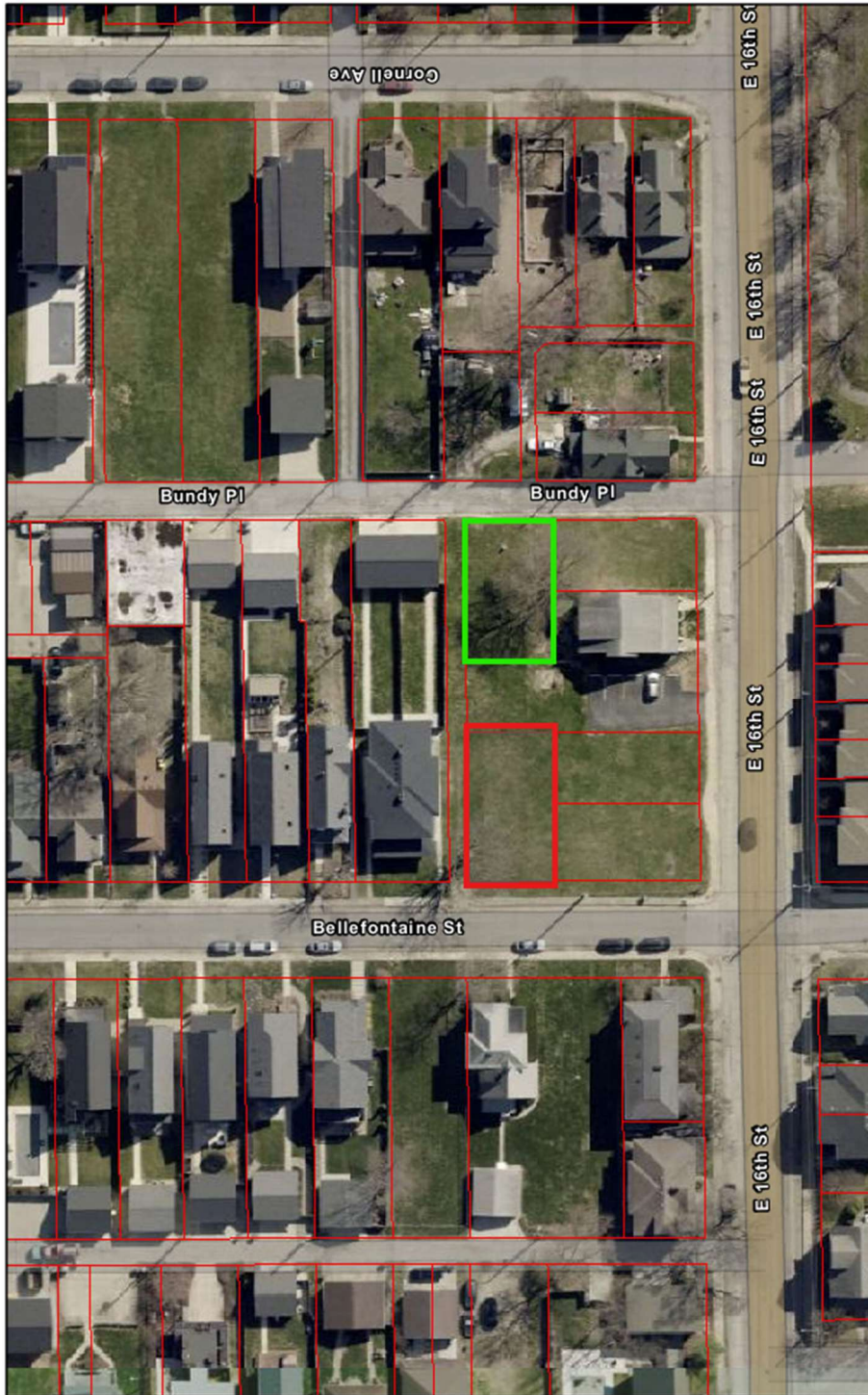
3 (above picture) - from inspection photographs VIO26-007306, 100+ year old tree to left of home, barring improvement of alley/curb cut





4 - looking north at public right-of-way and home

1607 Bellefontaine St parcels



9/30/2026

Parcels

IGIO, Microsoft, Vantor, City of Indianapolis & Marion County, IN, Esri
Community Maps Contributors, City of Indianapolis Marion Co. ©

5 - green parcel blocking connection from subject parcel (bold red) for connection to improved alley to the east



6 - 1643 Bellefontaine, similar home on same side of street north of proposal with front-loaded garage and curb cut



Department of Metropolitan Development
Division of Planning
Current Planning



September 3, 2026

Case #: VIO26-007306

STEPHENS HOLDINGS LLC
7064 HART ST
INDIANAPOLIS, IN 46229

RE: 1607 BELLEFONTAINE ST

Dear STEPHENS HOLDINGS LLC:

A recent inspection of the above referenced property indicated violation (s) of the Revised Code of Indianapolis and Marion County as follows:

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 garage opening...the project is not in accordance with ILP26-01602).

The City of Indianapolis requests your cooperation in correcting the violation(s). If the violation(s) have not been abated before October 05, 2026, this will result in further enforcement action, which could include:

- 1.) Issuance of a citation for each violation (Section 103-3) and / or
- 2.) Assessment of an administrative fee in the amount of two hundred fifteen dollars (\$215.00) for each scheduled visit to the property and the violation is not abated (Section 536-609) and / or
- 3.) Lawsuit with fines up to \$2,500 for each violation plus court costs (Section 103-3)

*** If you are the property owner and have leased / rented the property noted above, please notify the undersigned immediately with tenant information.**

To further research the Marion County code section mentioned above, please visit www.municode.com.

If you have any questions, please contact me at the number listed below.

Sincerely,

Department of Business & Neighborhood Services

200 E. Washington Street, Suite 107 | Indianapolis, IN 46204 | Phone: (317) 327-8700 | www.indy.gov/bns
Fax Numbers: Building - 327-8475 | Business Licensing - 327-0817 | Contractor Licensing - 327-8401
Crafts - 327-5397 | Infrastructure/Right of Way - 327-3125 | Permits - 327-5174 | Zoning - 327-8696



Department of Metropolitan Development
Division of Planning
Current Planning

**COMMITMENTS CONCERNING THE USE OR DEVELOPMENT OF REAL ESTATE MADE
IN CONNECTION WITH A VARIANCE, SPECIAL EXCEPTION OR APPROVAL GRANT.**

In accordance with I.C. 36-7-4-1015, the owner of the real estate located in Marion County, Indiana, which is described below, makes the following COMMITMENTS concerning the use and development of the parcel of real estate:

Legal Description: Forty-Two (42) feet by parallel lines of the entire north end of Lots 1 and 2 in Sarah Jean Gerard's Subdivision of Lots 1, 2 and 3, in Livingston D. Johnson's Subdivision of the south half of Block 28 in Thomas Johnson Heirs Addition to the city of Indianapolis, as per plat thereof, recorded in Plat Book 7, page 154, in the office of the recorder of Marion County, Indiana.

Statement of COMMITMENTS:

1. *Garage to remain a two car maximum capacity*
2. *Driveway width not to exceed 18 feet*
3. *The structure shall be constructed substantially in accordance with the plans approved by the Metropolitan Development Commission (MDC), except as modified by permits.*
4. *No additional dwelling units or expansion of the garage shall be permitted without obtaining any required approvals from the City of Indianapolis.*
5. *Will provide necessary masonry material & labor to fill in/remove existing curb cut in sidewalk to the north of subject property, and match existing sidewalk to eliminate conflicting sidewalk disruptions.*



Department of Metropolitan Development
Division of Planning
Current Planning

**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 allowance of a front loading garage and accompanying curb cut will not be injurious to the public health, safety, morals, and general welfare of the community because it does not create any physical or chemical hazards, and does not interfere with the walkability or usability of the surrounding right of ways. It also does not encroach on any surrounding properties, and stays within bounds of the existing setbacks for the parcel

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 value of the properties adjacent to the parcel will not be negatively impacted due to the proposed front loading garage not encroaching on any adjacent parcel or stretching beyond currently allowable limits. It also aesthetically compliments to the current streetscape without creating an unattractive element that would negatively impact property values.

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

The strict application of the zoning ordinance/development standards negatively impacts this parcel in a way that the other surrounding parcels are not, due to the lack of usable alley access or street parking. Under the current standards there are no other practical solutions for providing off street parking, which is a critical need in moderate/high density zoning districts such as the one the parcel is located in.



Department of Metropolitan Development
Division of Planning
Current Planning

BOARD OF ZONING APPEALS DIVISION II

October 13, 2026

Case Number:	2026-DV2-031
Address:	3030 Southeastern Avenue (approximate address)
Location:	Center Township, Council District #18
Zoning:	MU-2 (FF)
Petitioner:	JO & CE Real Estate LLC, by Alicia Downs
Request:	Variance of Development Standards of the Dwelling Districts Zoning Ordinance to provide for 0% first floor facade transparency in an existing building (60-90 percent required).
Current Land Use:	Vacant Mixed-Use Building
Staff Recommendations:	Staff recommends approval of this petition subject to the plans submitted.
Staff Reviewer:	Robert Uhlenhake, Senior Planner

PETITION HISTORY

This is the first hearing for this petition.

STAFF RECOMMENDATION

Staff recommends **approval** of this petition subject to plans submitted.

PETITION OVERVIEW

- The currently proposed development would allow for the renovation and reuse of an existing vacant mixed-use building. The ground floor would contain 3,600 square feet in commercial retail use, that requires façade transparency. The upper floor would contain 6,176 square feet in seven multi-family residential apartments.
- This property is zoned MU-2 (Mixed Use Two), which is intended to meet the daily needs for surrounding neighborhoods, and include small social spaces that serve as neighborhood gathering places. The district includes primarily neighborhood-serving businesses and institutions, including a wide range of small-scale retail and service uses that typically do not draw customers from beyond the adjacent neighborhoods, and employment, institutional and residential uses that complement the compact, walkable development pattern. The MU-2 District is implemented as a small node or on busy corridors in the Traditional Neighborhood or City Neighborhood Typologies of the Land Use Pattern Book, or as a Village Mixed Use Typology. The typical size of a district is from 2 to 20 acres (1 to 4 blocks) but depends on the context and what integrates best into surrounding neighborhoods and complimentary zoning districts.



**Department of Metropolitan Development
Division of Planning
Current Planning**

- Similarly, the Comprehensive Plan Pattern Book recommends this site for the Village Mixed-Use working typology to allow for the creation of 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.
- Regulations on building transparency within the Ordinance exist to ensure both public safety and visibility for emergency responders as well as to allow for activation of facades that contain public pedestrian entrances. The request is a result of the reuse of an existing vacant building that predates the transparency requirement. The findings of fact indicate that the installation of the required transparency would create additional structural hardships for the building, due to it being constructed prior to the current Ordinance requirements. Therefore, a practical difficulty does exist because of the existing building earlier design, and limitation on modifying the structural integrity.
- Staff would note that although this building is not a contributing historic building, the Pattern Book does encourage the reuse of, or incorporation of historic buildings into new development, which this proposed use does.

GENERAL INFORMATION

Existing Zoning	MU-2	
Existing Land Use	Vacant Mixed-use building	
Comprehensive Plan	Village Mixed Use	
Surrounding Context	Zoning	Surrounding Context
	North: D-5	Single-family residential
	South: C-4	Commercial restaurant
	East: C-4	Undeveloped
	West: D-5	Commercial use
Thoroughfare Plan		
Southeastern Avenue	Secondary Arterial	70-foot existing right-of-way and 78-foot proposed right-of-way
Context Area	Compact	
Floodway / Floodway Fringe	100-year flood plain	
Overlay	No	
Wellfield Protection Area	No	
Site Plan - Revised	August 18, 2026	
Elevations	September 16, 2026	
Landscape Plan	N/A	
Findings of Fact	August 18, 2026	

COMPREHENSIVE PLAN ANALYSIS

Comprehensive Plan

The Marion County Land Use Plan Pattern Book recommends the Village Mixed-Use typology that 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.

Pattern Book / Land Use Plan

The Comprehensive Plan consists of two components that include The Marion County Land Use Pattern Book (2019) and the land use map. The Pattern Book provides a land use classification system that guides the orderly development of the county and protects the character of neighborhoods while also being flexible and adaptable to allow neighborhoods to grow and change over time.

The Pattern Book serves as a policy guide as development occurs. Below are the relevant policies related to this request:

Conditions for All Land Use Types – Village Mixed Use Typology

- All land use types except small-scale parks and community farms/gardens in this typology must have adequate municipal water and sanitary sewer.
- All developments should include sidewalks along the street frontage.
- In master-planned developments, block lengths of less than 500 feet, or pedestrian cut-throughs for longer blocks, are encouraged.
- Where possible, contributing historic buildings should be preserved or incorporated into new development.

Red Line / Blue Line / Purple Line TOD Strategic Plan

- Not Applicable to the Site.

Neighborhood / Area Specific Plan

- Not Applicable to the Site.



Department of Metropolitan Development
Division of Planning
Current Planning

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

2026-ZON-016 / 2026-VAR-005; 3030 Southeastern Avenue (subject site), requested the Rezoning of 0.34-acre from D-5 (FF) to MU-2 (FF), for an existing building to be renovated for commercial retail uses and up to six dwelling units on the second floor, **approved**.

Requested a Variance of Development Standards of the Consolidated Zoning and Subdivision Ordinance to provide for a zero-foot front transitional yard from English Avenue, a zero-foot west transitional side yard, with 15 on-site parking spaces, **granted**.

2017-UV3-017; 3009 English Avenue (west of site), requested a Variance of Use and Development Standards to provide for a tire shop, and a zero-foot north front yard, without landscaping, and a zero-foot south front yard, with deficient landscaping, and to provide for four parking spaces, with insufficient maneuvering, within the front yard setback, **granted**

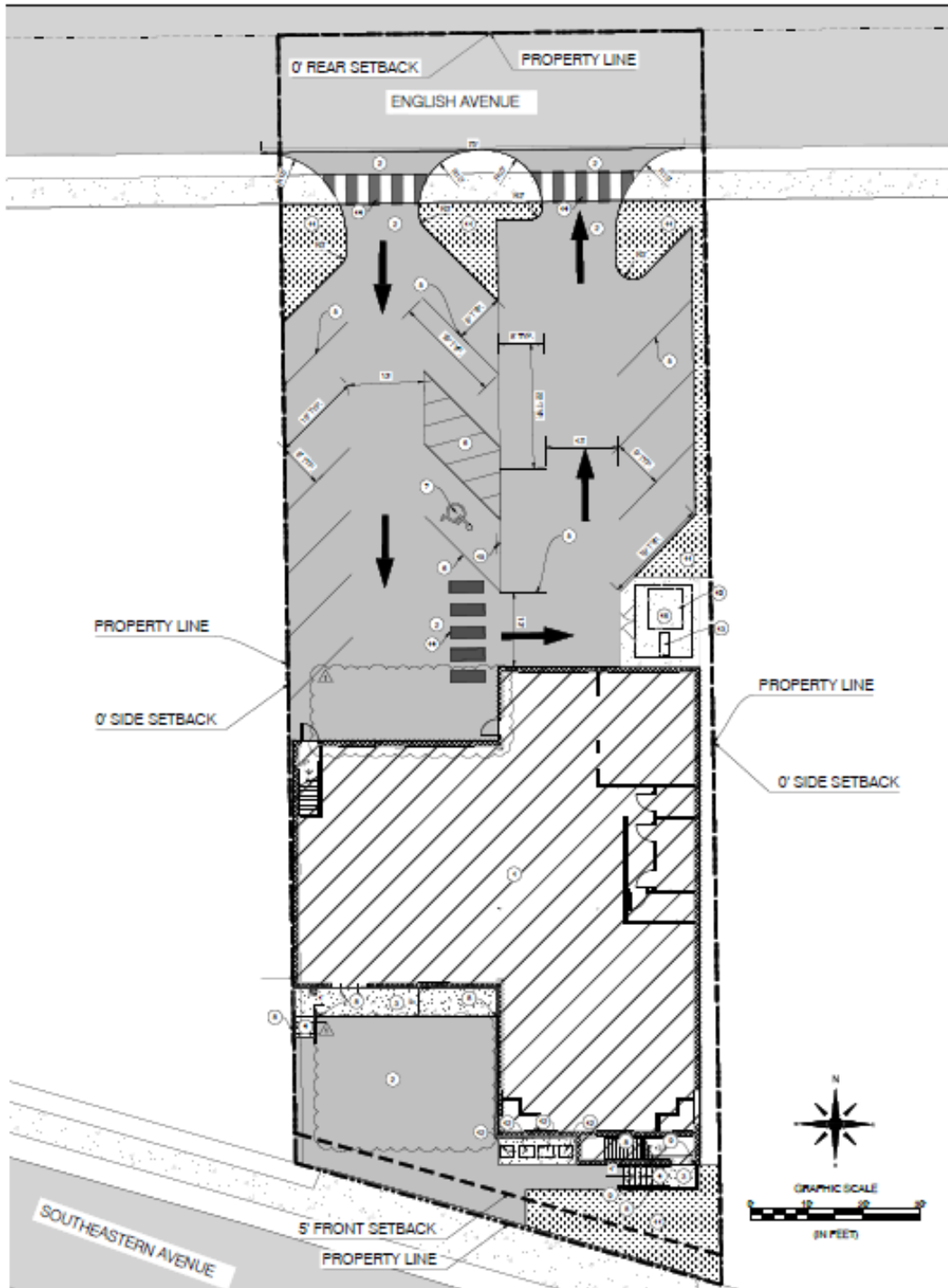
2015-ZON-069; 2815 English Avenue (west of site), requested the Rezoning of 4.18 acres, from the D-5 and C-4 districts to the D-10 classification to provide for multi-family uses, **approved**.

99-Z-160; 3009 English Avenue (subject site), requested the Rezoning of 0.23 acre from D-5 to C-3 to conform to the recommendation of the Southeastside Neighborhood Plan, **approved**.

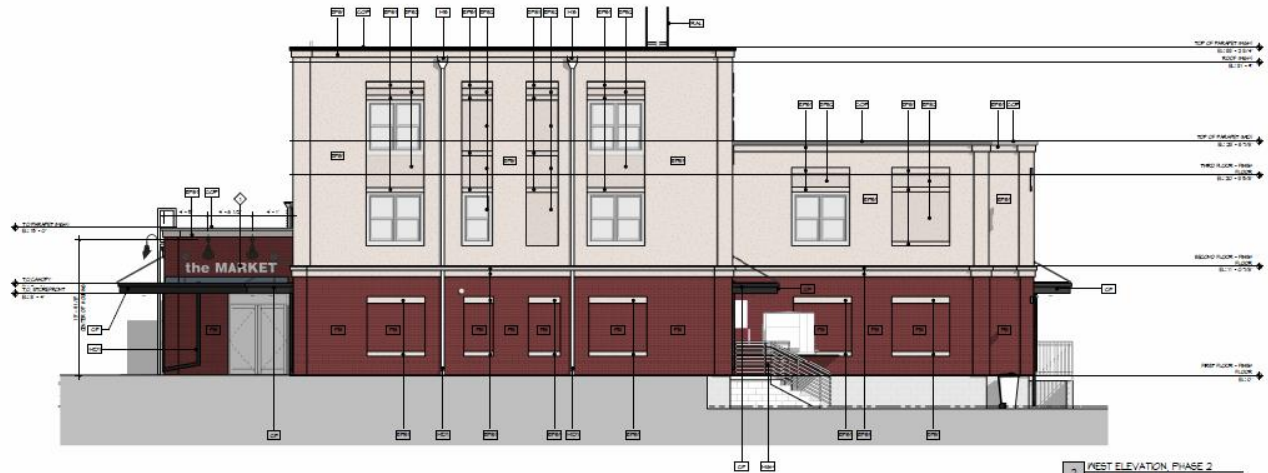
87-UV2-18; 3025 English Avenue (west of site), requested a Variance of Use of the Dwelling Districts Zoning Ordinance to provide for a machine shop, **granted**.

RU

Site Plan









Department of Metropolitan Development
Division of Planning
Current Planning

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:

We are requesting a variance to the Indianapolis Marion-County Zoning Ordinance Building Transparency Standards noted in Table 744-702-3, which requires the minimum first story transparency to be 60-90%. The existing site is an abandoned apartment complex. With our proposed improvements of a mixed-use building of retail and apartment units, we will positively impact the surrounding community through the revitalization of the existing site and the increase of business to the community.

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 adjacent properties are abandoned buildings and therefore would not negatively be impacted by our proposed improvements.

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 project scope is to renovate the existing building which currently does not meet the current City of Indianapolis Transparency Standards. To meet the current Transparency Standards, additional windows would need to be punched into the existing structure creating additional structural hardships to the building.

Photographs



Subject site, existing building north façade, looking south from English Avenue.



Subject site, existing building south façade, looking north from Southeastern Avenue.



Adjacent commercial to the west of subject site, looking south.



Adjacent undeveloped, and commercial to the east of subject site, looking northeast.



Department of Metropolitan Development
Division of Planning
Current Planning

BOARD OF ZONING APPEALS DIVISION I

October 13, 2026

Case Number:	2026-DV2-032
Property Address:	826 East 46 th Street (approximate address)
Location:	Washington Township, Council District #7
Petitioner:	STR Landholdings LLC, by Josh Smith
Current Zoning:	D-5 (TOD) (W-5)
Request:	Variance of Development Standards of the Consolidated Zoning and Subdivision Ordinance to provide for construction of a detached garage with a 0-foot northern side setback (7 feet required) and a 0-foot western rear setback (5 feet required).
Current Land Use:	Residential
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

826 East 46th Street is a 0.14-acre parcel currently developed with a residential structure and located on a corner lot to the northwest of the intersection of 46th Street and Guilford Avenue. The house was originally built in 1925, and per the property card a detached garage was built to the west of the primary structure as well (this garage is visible within Photo 4 of the Exhibits below and was demolished in 2026). The property lacks alley access given the presence of a second developed lot between the subject site and the first alley to the west of Guilford. Surrounding land uses are residential in nature.

Approval of this variance request would allow for the construction of a new detached garage with the same footprint (but a different foundation) as the previous garage that had existed for around 100 years prior to the recent demolition, per the site plan and elevations within Exhibits below. This would require the grant of two variances of development standards: one variance would be for a 0-foot northern side setback (7 feet required), and the other would be for a 0-foot western rear yard setback (5 feet required). Per the Indianapolis Zoning Ordinance, the eastern property line fronting on Guilford would be considered the front yard despite the front door being located facing 46th Street to the south, while the northern and southern property lines would be considered side and corner side yards respectively and the western property line would be the rear yard.



**Department of Metropolitan Development
Division of Planning
Current Planning**

Although the Indianapolis Zoning Ordinance does allow for the reconstruction of legally established, detached, accessory structures on “existing foundations” even if the reconstruction wouldn’t comply with side- or rear-yard setback requirements (744-202.E.1.b), that exception would not be applicable in this instance. Per the petitioner, parts of the existing foundation were removed and replaced with a new slab placed on existing footers, which would mean that it is no longer a fully “existing foundation”. Grant of this petition would not allow for foundation work or changes outside of what might be allowed by the 2020 Indiana Residential Code, and issuance of a structural permit would be required prior to construction.

The height of the new detached garage is 19 feet per submitted plans; Ordinance would require that the garage be shorter than the existing primary residence. Additionally, the combined footprint of the new garage and existing residence would not violate current open space requirements for the D-5 zoning district on a lot with this housing typology and dimensions (60% open space required, proposed 61%).

This site is zoned D-5 to allow for medium and large-lot housing formats (primarily for detached houses), and is also located within both the Transit-Oriented Development secondary zoning district (given its proximity to the 46th & College BRT stop of the Red Line) and a Wellhead Protection District (an area within a municipal water wellfield which would not impact residential zoning standards). The Comprehensive Plan recommends it to the Traditional Neighborhood living typology and a Walkable Neighborhood TOD typology (see Comprehensive Plan Analysis section of the report below). Relevant Infill Housing Guidelines indicate that side setbacks should allow for adequate spacing for maintenance while reinforcing the block’s context, and that accessory structures should not overshadow primary ones.

In 2026, a right-of-way violation was opened at the site related to the lack of permit permissions for work done within a public right-of-way. This appears to be related to the installation of concrete steps and paved areas at the property (see photos 3 and 4 below), and resolution of that violation would need to occur through the Department of Business and Neighborhood Services. Similarly, grant of this petition would not allow for the garage to deviate from applicable requirements for firewall installation or window limitations on the western and northern facades of the proposed structure.

Findings of Fact provided by the applicant cite the identical location of the new garage to the previous structure, the partial reuse of the foundation, and the lack of feasible alternate locations for a new garage as site-specific difficulties justifying grant of the variance. Staff would concur that the lot dimensions, lack of alley access, and placement of the existing residence and partial foundation would limit options for alternate, compliant development of a new detached garage meeting setback standards.

Additionally, staff would note that there is an existing pattern of garages with similarly deficient setback for nearby lots with residences fronting on 46th Street (see photos 8-10 below), and that the grant of a variance to allow for rebuild of the property on a new or altered foundation might be preferable to incentivizing the use of a foundation originally constructed in 1925 to avoid the need for a zoning petition. Given the conformity with Infill Housing Guidelines and the surrounding neighborhood, the site-specific difficulties created by lot dimensions and the existing residence, and the placement of the garage in an identical location to the previous garage, staff would recommend **approval** of the variance requests.

GENERAL INFORMATION

Existing Zoning	D-5 (TOD) (W-5)	
Existing Land Use	Residential	
Comprehensive Plan	Traditional Neighborhood	
Surrounding Context	Zoning	Surrounding Context
North:	D-5	North: Residential
South:	D-5	South: Residential
East:	D-5	East: Residential
West:	D-5	West: Residential
Thoroughfare Plan		
46 th Street	Primary Arterial	50-foot existing right-of-way and 56-foot proposed right-of-way
Guilford Avenue	Local Street	50-foot existing right-of-way and 48-foot proposed right-of-way
Context Area	Compact	
Floodway / Floodway Fringe	No	
Overlay	No	
Wellfield Protection Area	Yes	
Site Plan	08/19/2026	
Site Plan (Amended)	N/A	
Elevations	08/19/2026	
Elevations (Amended)	N/A	
Landscape Plan	N/A	
Findings of Fact	08/19/2026	
Findings of Fact (Amended)	09/23/2026	

COMPREHENSIVE PLAN ANALYSIS

Comprehensive Plan

- Marion County Land Use Plan Pattern Book
- Red Line TOD Strategic Plan
- Infill Housing Guidelines

Pattern Book / Land Use Plan

- The 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

- Given the proximity to the College & 46th Red Line BRT stop, the TOD Strategic Plan recommends this site to the Walkable Neighborhood TOD typology. This typology is intended for walkable areas that are primarily residential but may have a commercial node of 1-2 city blocks, with a mix of uses at the station and stabilized residential beyond. Off-street parking is discouraged and should be limited to garages.

Neighborhood / Area Specific Plan

- Not Applicable to the Site.

Infill Housing Guidelines

- Building spacing should reinforce spacing on the existing block, limit uncharacteristically large gaps between houses, and leave room for maintenance. Accessory structures should be located behind primary buildings, accessed from alleys when possible, and should be coordinated with primary buildings without overshadowing them in terms of scale, height, or mass.

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

2025DV1028 ; 4830 Guilford Avenue (north of site), Variance of Development Standards of the Consolidated Zoning and Subdivision Ordinance to provide for the construction of a detached garage resulting in a three-foot south side yard setback (five feet required), **approved**.

2015DV1046 ; 4851 Carrollton Avenue (north of site), Variance of development standards of the Dwelling Districts Zoning Ordinance to provide for a the construction of a deck on top of an existing garage, with an approximately zero-foot south side setback and a one-foot aggregate side setback (minimum four-foot side and 10-foot aggregate side setback required), **approved**.

2014HOV038 ; 4575 Guilford Avenue (southeast of site), Variance of development standards of the Dwelling Districts Zoning Ordinance to provide for the construction of a front porch, with an approximately 20-foot front setback from Guilford Avenue (minimum 25-foot front setback required), **approved**.

2010DV3003 ; 4801 Guilford Avenue (northeast of site), Variance of development standards of the Dwelling Districts Zoning Ordinance (a) to provide for the construction of a 260-square foot garage with a zero-foot front setback along 48th Street (25-foot front setback or average setback required); (b) to provide for a six-foot tall fence in the front yard of 48th Street and encroaching four feet into the right-of-way of 48th Street (maximum 42-inch fence permitted within the front yard, fences not permitted within the right-of-way); and (c) to provide for a porte-cochere, with a 10-foot setback from Guilford Avenue and a zero-foot setback from 48th Street (25-foot front setback required along local streets), **approved**.

2007DV1026 ; 4619 Carrollton Avenue (northwest of site), Variance of Development Standards of the Dwelling Districts Zoning Ordinance to legally establish the construction of a 115.5-square foot covered deck addition to a single-family dwelling with a 1.5-foot north side setback (minimum four-foot side setback required), and to legally establish an eight-foot side yard aggregate (minimum ten-foot side yard aggregate required), **denied**.

2000UV1034 ; 4715 Guilford Avenue (northeast of site), Variance of Use of the Dwelling Districts Zoning Ordinance to legally establish two dwelling units on one lot, with both units in a two-story dwelling structure originally constructed as a single-family dwelling (maximum two dwelling units in an originally constructed duplex permitted), **approved**.

EXHIBITS

2026DV2032 ; Aerial Map







Department of Metropolitan Development
Division of Planning
Current Planning

2026DV2032 ; Notice of Violation (VIO26-006154)

Violation Location: 826 E 46TH ST

Violation #: VIO26-006154

Certified Mail #:

This notice is to inform you that the above referenced location was inspected on 07/31/2026 by John Fife, Right-Of-Way Inspector of the Department of Business & Neighborhood Services, and you were found to be in violation of the Municipal Code of Indianapolis and Marion County. The violation found is as follows:

Violation of Ordinance: 645-324. Permit required for work in right-of-way; enforcement.

Specifics: It shall be unlawful for any person or other entity to perform any work, including cutting, drilling, digging or excavating in, on, over or under a public right-of-way without first having obtained a permit

You must bring yourself into compliance with the Code within 7 days. In order to do so you must do the following:

Corrective Action Needed: Must obtain driveway permit & activate

2026DV2032 ; Findings of Fact

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

This property will remain single family residential and in compliance with all other D5 regulations.

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:

This variance allows the rebuilding of a garage over the existing foundation at the existing setbacks. The design follows the character of the existing home, garage, and surrounding neighborhood.

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

Due the original layout of the home and detached garage on this corner lot, and being oriented to face south, there is limited room for garage space. The original garage was built in the NW corner of the property at the property lines. By granting the variance the existing foundation can be rebuilt upon and the new garage will not need to be reduced in size to meet the requirements for relocation; 7ft on the side and 5ft on the rear to meet the current D5 development standards.

2026DV2032 ; Photographs



Photo 1: Subject Site Viewed from East



Photo 2: Subject Site Viewed from South

2026DV2032 ; Photographs (continued)



Photo 3: Subject Driveway Access Viewed from South



Photo 4: Previous Garage at Subject Site (June 2024)

2026DV2032 ; Photographs (continued)



Photo 5: Adjacent Property to South



Photo 6: Adjacent Property to East

2026DV2032 ; Photographs (continued)



Photo 7: Proposed Garage Area Viewed from Property Line



Photo 8: Non-Conforming Detached Garage at 4575 Guilford Avenue (southeast of site)

2026DV2032 ; Photographs (continued)



Photo 9: Non-Conforming Detached Garage at 801 E 46th Street (southwest of site)



Photo 10: Non-Conforming Detached Garage at 721 E 46th Street (southwest of site)

BOARD OF ZONING APPEALS DIVISION II

October 13, 2026

Case Number:	2026-DV2-033
Property Address:	1973 Ralston Ave (approximate address)
Location:	Center Township, Council District #8
Petitioner:	City of Indianapolis, Department of Metropolitan Development, by Chris Barnett
Current Zoning:	D8
Request:	Variance of Development Standards of the Consolidated Zoning and Subdivision Ordinance to allow for an open front porch to encroach into the required clear-sight triangular area from the intersection of 20th and Ralston (not permitted).
Current Land Use:	Residential
Staff Recommendations:	Staff recommends approval for this petition
Staff Reviewer:	David Arrom Garza, 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 1973 Ralston Avenue (Local Parcel No. 1053818) has authorized Greater Indy Habitat for Humanity 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 the intrusion of an open front porch to encroach into the required clear-sight triangular area from the intersection of 20th and Ralston (not permitted) to enable for the construction of a proposed single-family residence.

SITE PLAN

The site plan, file-dated August 19, 2026, depicts an approximately 1,288 square foot single-family two-story dwelling with a detached parking pad of approximately 360 square feet with access provided by a rear alleyway.



Department of Metropolitan Development Division of Planning Current Planning

NEIGHBORHOOD CONTEXT

The subject site, zoned D8, is located on a corner lot bounded by two local streets: Ralston Avenue to the west and E 20th Street to the north. The intersection is two-way stop-controlled (TWSC) for east-west approaches along E 20th Street; an intersection control type commonly implemented for low-volume intersections.

Within the local street network and neighborhood context, Ralston Avenue and E 20th Street are oriented towards greater residential access rather than for regional mobility with East 20th Street dead-ending two blocks to the west of Ralston Avenue at Hovey Street and N Ralston Avenue providing connectivity only between 19th and 21st Streets.

CLEAR SIGHT DISTANCE

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 Ralston and 20th Street to be outside of the clear sight distance triangular area.

STAFF ANALYSIS

The site plan seeks to reduce the Clear Sight Triangle requirement from 75 feet to 70 feet along each street centerline to allow for the intrusion of a transparent front porch 5 feet into the code-required triangle. A single porch column post near E 20th Street is illustrated as intruding into the Clear Sight Triangle with a column post width of 7.5 inches diagramed in the side/north site plan elevations.

Practical site difficulties occur with the construction of a single-family residence due to location of the proposed use on a corner lot to meet all D8 front and side yard setback standards.

Neighborhood context and Zoning Code Frontage Standards require a home to be set back between 10 and 19.9 feet from the front property line. The Clear Sight Triangle would require a home with a 5' deep front porch setback (as depicted in the site plan), be set back a minimum of 21.9' which would necessitate a front yard setback variance for a front yard depth greater than 19.9' for a Terrace Frontage. Current site plans depict a 16.9' front setback to the front building line (FBL). While two parcels remain vacant to the south of the site, the proposed 16.9' front setback is within the front "setback range" between the shortest and longest distances between the sidewalk and FBL of existing dwellings contained on the same block face adhering to front setback practices promoted in the Infill Housing Guidelines.

Moreover, moving the home 5' to the south on the side yard, outside of the Clear Sight Triangle, would place the home directly on the south property line providing no side yard setback separation between lots in 1973 and 1971 Ralston Avenue (currently vacant).

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For these reasons, staff recommends **approval** for this petition, finding that practical difficulties imposed by the corner lot location in the D8 dwelling district impact the ability of the property to be used for a permitted residential purpose. Staff would also note that the traffic characteristics of this intersection at N Ralston Avenue and E 20th Street do not warrant immediate traffic safety concerns given lower travel volume and speed for local streets providing neighborhood residential access.

GENERAL INFORMATION

Existing Zoning	D8	
Existing Land Use	Exempt	
Comprehensive Plan	Traditional Neighborhood	
Surrounding Context	Zoning	Surrounding Context
North:	D8	North: Single-family dwelling
South:	D8	South: Vacant
East:	D8	East: Vacant
West:	D8	West: Single-family dwelling
Thoroughfare Plan		
Ralston Ave	Local Street	24' R/W existing (curb)
E 20 th Street	Local Street	20' R/W existing (no curb)
Context Area	Compact	
Floodway / Floodway Fringe	No	
Overlay	No	
Wellfield Protection Area	No	
Site Plan	August 19, 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,

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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

- Greater Martindale-Brightwood Certified Plan (2025)
 - Goal 2. Housing Development: Residents have more access to affordable, quality housing options.

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)

- The site address is located within one-mile walking distance to the Monon-Pogues Connector, a proposed greenway connection between the Monon Trail and the Pogue’s Run Greenway on an abandoned rail corridor that parallels 21st Street. (Indy Greenways For All).

ZONING HISTORY

ZONING HISTORY – VICINITY

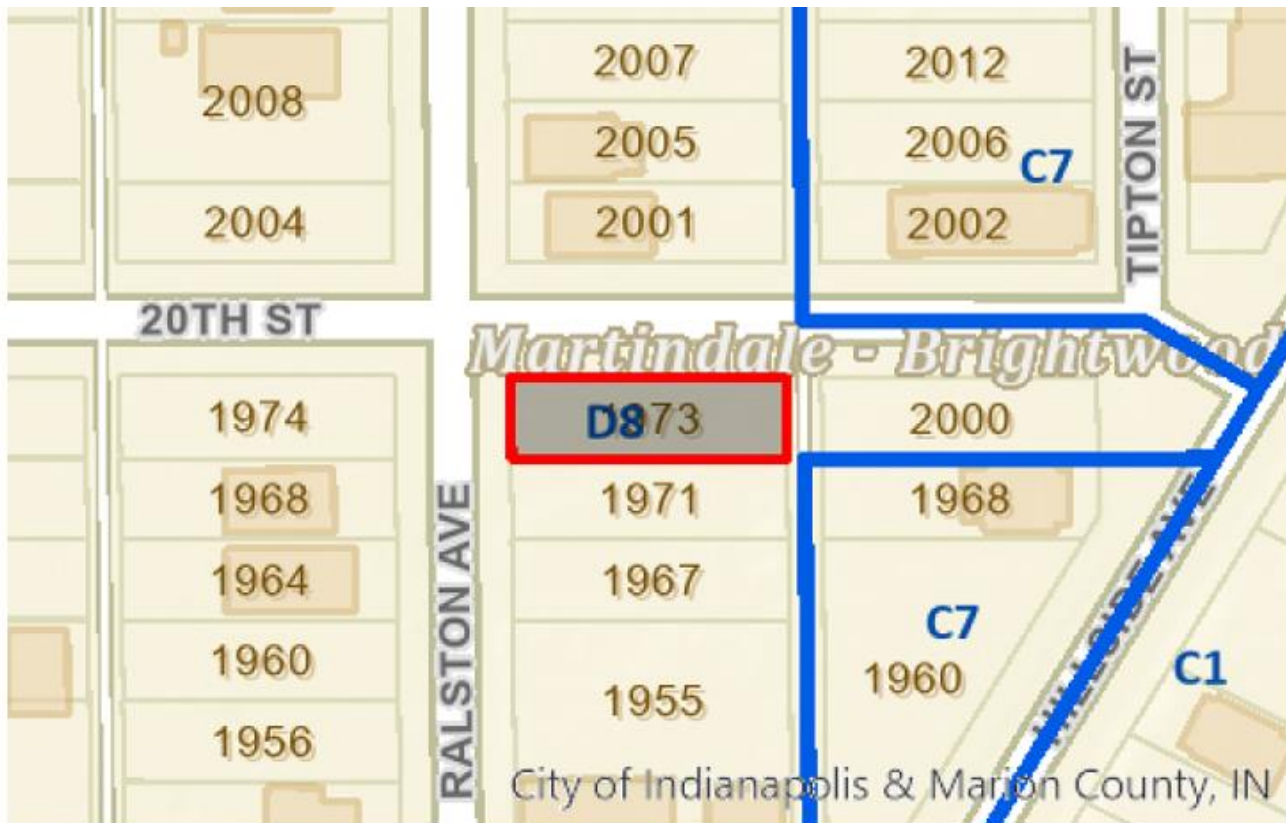
2024DV2012; 1613 E 20th St: Variance of Development Standards of the Consolidated Zoning and Subdivision Ordinance to provide for the construction of a single-family dwelling with a 4.5-foot corner side yard setback and a 27.4-foot front yard setback (eight-foot corner side required, maximum 19.9-foot front setback permitted) within the D-8 district, **approved**.

2018ZON112; 2000 Tipton St: rezoning of 0.1 acre from C-7 district to D-8 classification, **approved**.

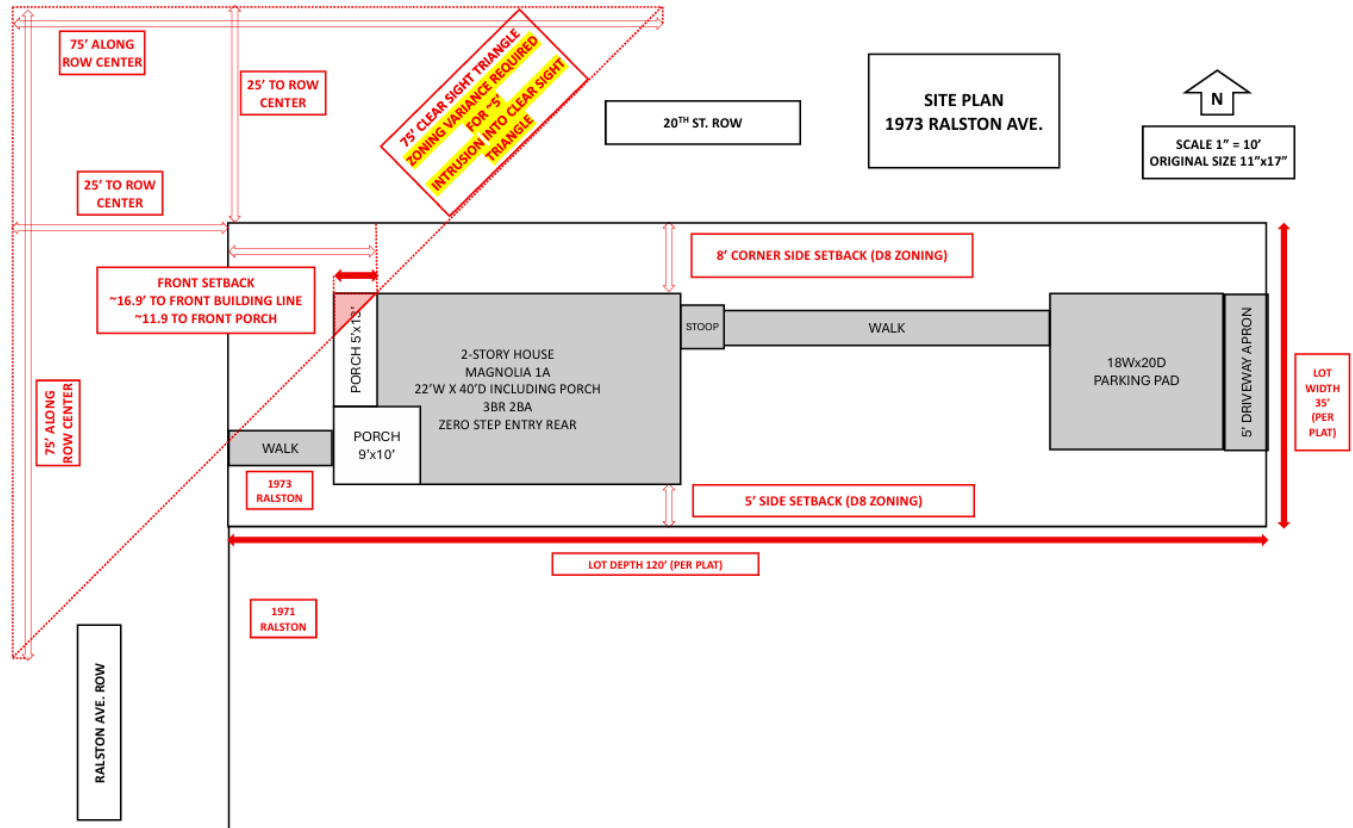
2011ADM173; 1610 E 19th St: Administrative approval to provide overnight stays for troubled male youth, with counseling services, life skills, etc. to assist them into being successful and returning to their family; **approved**.

EXHIBITS

Location Map



Site Plan





**Department of Metropolitan Development
Division of Planning
Current Planning**

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 proposed intrusion is of an open front porch where only the corner porch post intrudes into the clear sight triangle of Ralston Ave. and E. 20th St. 20th Street is a lightly traveled narrow street with a stop sign at the corner of Ralston; Drivers on 20th will easily see oncoming traffic from both directions on Ralston even after the Clear Sight Triangle intrusion and will be able to proceed safely through the intersection.

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:

An affordable new home constructed on the site(s) that is harmonious with its neighbors and sensitive to urban design requirements of code will enhance the neighborhood.

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

Neighborhood context and the Zoning Code Frontage Standards require a home between 10 and 19.9 feet from the front property line. The Clear Sight Triangle would require a home with a 5' deep front porch (as per proposed plan) to be set back at least 21.9 feet. The standards conflict and variance to one standard or the other is required.

2026DV2033 Site Photographs



Development site frontage at 1973 Ralston Ave



Looking west from East 20th Street and Ralston Ave intersection



Looking east from East 20th Street and Ralston Ave intersection



Looking north onto Ralston Avenue and East 20th Street intersection

BOARD OF ZONING APPEALS DIVISION II

October 13, 2026

Case Number: 2026-DV2-035

Property Address: 215 South Davidson Street (approximate address)

Location: Center Township, Council District #18

Petitioner: Neu Eckert Development LLC-S, by Kevin Eckert

Current Zoning: D-8 (RC)

Request: Variance of Development Standards of the Consolidated Zoning and Subdivision Ordinance to allow for the development of three total 2-unit homes that are 3 stories in height (limited to the lesser of 2.5 stories or 35 feet) and to allow for the development of these 2-unit homes on lots that are 33 feet wide (35 feet required).

Current Land Use: Undeveloped

Staff Recommendations: Staff recommends **approval** of this petition, subject to commitment(s).

Staff Reviewer: Josh Levesque, Senior Planner

PETITION HISTORY

This is the first hearing for this petition.

STAFF RECOMMENDATION

Staff recommends **approval** of this petition, subject to the following commitment: The height of each 2-unit home shall not exceed 35 feet.

PETITION OVERVIEW

215 South Davidson refers to three (3) parcels totaling roughly 0.15 acre. Each lot is roughly thirty-three (33) feet wide and roughly 75 feet long. All three lots are zoned D-8. Lots directly to the north and south are zoned I-4. The lot to the west is zoned CBD-2. The parcels are bordered by I-70/I-65 to the east. The proposed variance is being sought to allow for the development of three (3) total 2-unit homes each with a height of three (3) stories.

The petitioner is requesting two variances. The first is to allow for the development of three 2-unit homes that are three stories in height. D-8 height requirements limit such homes to the lesser of 2.5 stories or thirty-five (35) feet. Staff will note that, while the building height would go beyond 2.5 stories, the height would not go beyond thirty-five (35) feet.

**Department of Metropolitan Development
Division of Planning
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The second variance is to allow for these 2-unit homes to be developed on lots that are thirty-three (33) feet wide. The minimum lot width requirements for a 2-unit home in D-8 is thirty-five (35) feet.

The Ordinance indicates that 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 part of new mixed-use areas, or for infill situations in established urban areas, including medium density 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 Comprehensive Plan designates these parcels as part of the City Neighborhood typology. This 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 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.”

As the Ordinance suggests, D-8 should provide a variety of small-scale multi-unit residential types. With large-scale multi-unit housing across Davidson, single-family attached to the southwest, and two single-family homes at each end of Davidson, 2-unit homes fill in a gap for small-scale multi-family homes. D-8 standards limit what can be built on a lot of less than thirty-five (35) feet. The only options would be for single-family attached homes. In staff’s review, the lot widths represent a practical difficulty for development and the two-foot difference from the Ordinance standard represents minor relief. The proposed duplexes would be 24 feet wide with 3-foot setbacks on the northern side of each structure and 6-foot setbacks on the southern side setback of each structure for an aggregate side setback of 24 feet.

Staff will note that the properties do not have alley access. This means that required off-street parking must also be included on the lot. The lots are not wide enough to each support a 2-unit house and a driveway for two (2) vehicles. For a standard vehicle the minimum required parking stall width is 9 feet. If the extra three feet in the southern side setbacks are included, an additional 15 feet would be required for each lot to accommodate the structure as designed and two parking spaces. To alleviate this, plans indicate parking would be provided on the lowest level, reducing the amount of living space available. Staff will note that the garage will need to provide at least one (1) parking space per unit or two (2) per structure . Allowance for an additional story would provide the homes with two (2) livable stories. Additionally, the petitioner will commit to ensuring that the houses do not rise above 35 feet, a height that is contemplated within D-8 standards. In staff’s review, this represents a minor deviation from the height standards.

Based on the practical difficulties provided by the deficient lot width and the lack of on-street parking, along with minimal relief being sought in these variances, staff recommends approval of this petition subject to the following commitment: The height of each 2-unit home shall not exceed 35 feet.

GENERAL INFORMATION

Existing Zoning	D-8 (RC)	
Existing Land Use	Undeveloped	
Comprehensive Plan	City Neighborhood	
Surrounding Context	<u>Zoning</u>	Surrounding Context
North:	I-4	North: Residential
South:	I-4	South: Undeveloped
East:	N/A (Interstate)	East: N/A (Interstate)
West:	CBD-2	West: Multifamily Residential
Thoroughfare Plan		
Davidson Street	Local Street	40-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	11/20/2025	
Site Plan (Amended)	N/A	
Elevations	N/A	
Elevations (Amended)	N/A	
Landscape Plan	N/A	
Findings of Fact	7/30/2026	
Findings of Fact (Amended)	N/A	

COMPREHENSIVE PLAN ANALYSIS

Comprehensive Plan

- Marion County Land Use Plan Pattern Book

Pattern Book / Land Use Plan

**Department of Metropolitan Development
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- “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 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. should be provided as cut-through’s. This typology has a residential density of at least 25 to 75 units per acre.”

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

2020-REG-063; 215 South Davidson, Regional Center Approval to provide for the demolition or removal of one residential structure, **approved**.

2025-ZON-103; 215 South Davidson, Requesting rezoning of 0.54 acre from the C-3 and I-4 districts to the D-8 district, **approved**.

ZONING HISTORY – VICINITY

2018-ZON-033; 235 South College Avenue (west of site), Requesting rezoning of 2.83 acres from the C-3 and I-4 districts to the CBD-2 district, **approved**.

2021-REG-002; 231 South College Avenue and 745 Bates Street (west & southwest of site), Regional Center Approval to construct a multi-family residential development with 138 multi-family dwellings, including the conversion of an existing office building into 14 multi-family dwelling units and a propose six-story structure, containing 124 multi-family dwelling units, two levels of structured parking, and a small surface parking lot west of the existing office building, for a total of 147 off-street parking spaces, **approved**.

2024-REG-005; 745 Bates Street (southwest of site), Regional Center Approval to provide for building signage, **approved**.

EXHIBITS

2026DV2035; Aerial Map



2026DV2035; Findings of Fact

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

We are simply seeking a variance to build similar housing to what is currently constructed along Bates St

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:

There are currently 3 story townhomes located all along Bates St within a block of this property

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

Restrictive space does not allow for sufficient parking. Therefore the 3rd story is being utilized for garage parking

2026DV2035; Photographs



Photo 1: View of parcels from Davidson Street

2026DV2035; Photographs (continued)



Photo 2: Another view of parcels from Davidson Street

2026UV2035; Photographs (continued)



Photo 3: View of southern parcel from Davidson Street

2026DV2035; Photographs (continued)



Photo 4: Looking south down Davidson Street

2026DV2035; Photographs (continued)



Photo 5: View of multi-unit development across Davidson Street

2026UV2035; Photographs (continued)



Photo 5: Looking north on Davidson Street



Item 11.

**Department of Metropolitan Development
Division of Planning
Current Planning**

BOARD OF ZONING APPEALS DIVISION II

October 13, 2026

Case Number:	2026-UV2-011
Property Address:	8450 Georgetown Rd.
Location:	Pike Township, Council District #1
Petitioner:	Kyle Davis, J.B. Hunt
Current Zoning:	I-2
Request:	Variance of Use of the Consolidated Zoning and Subdivision Ordinance to provide for the operation of a maintenance shop with associated office space and secure parking, supporting internal company operations with truck and trailing equipment (not permitted).
Current Land Use:	Industrial
Staff Recommendations:	Staff recommends approval of this petition
Staff Reviewer:	Jasmine Dillard Nikolich, Senior Planner

PETITION HISTORY

9/8/2026: A timely automatic continuance request was filed by a registered neighborhood organization, continuing this petition from the September 8, 2026, BZA II hearing to the October 13, 2026, BZA II hearing. This request was approved.

8/11/2026: Staff requested a continuance from the August 11, 2026, BZA II hearing to the September 8, 2026, BZA II hearing to allow the petitioner adequate time for mailing and positing of the required legal notice. This request was approved.

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 Use for the mechanic shop shall substantially comply with the site plan filed-dated June 24, 2026.
2. Additions or expansions would require a rezone or another variance of use petition.

PETITION OVERVIEW

8450 Georgetown Road is an industrial parcel at the intersection of Georgetown Road and W. 84th Street. The Property Card shows that the facility was originally constructed in 1900. The property is currently zoned I-2 and is surrounded by parcels I-2 to the north and east, I-4 to the south, and CS to the west.

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Approval of this petition would allow for the operation of a maintenance shop with office space and secure parking to support internal company operations. Staff would note that the facility will not be open to the public and will serve operation and maintenance functions only. Also, the site will not function as a customer service or retail location. Access will be limited to authorized employees and permitted personnel only. Hazardous materials on site will be limited to vehicle and equipment maintenance operations. No explosives will be stored or used on the property. All materials shall comply with federal, state, and local regulations. The property will include on-site parking for company vehicles and employees. The yard will be gated with security cameras installed throughout the facility and yard. Cameras and gates will be monitored by J&H as part of the company's security protocols. The full plan of operation is within the report.

A previous variance of use was granted in 1995 for this property to provide for the construction and operation of a motor vehicle and truck leasing and rental business. Staff would note that operation of the proposed mechanic shop would mirror the 1995 approved variance. In staff's analysis, a maintenance shop with truck and trailing equipment today would fit in the C-7 Commercial District or I-3 and I-4 heavier Industrial Districts. Although the request is not fully consistent with the recommendation of the Comprehensive Plan for light industrial use, many aspects of the proposed shop are compatible with light industrial use. The maintenance shop would meet the development standards of the applicable industrial zoning ordinance, relating to the building setbacks, surface, and landscape. The Variance of Use would be restricted to the current square footage (10,217 sq ft.) of the existing facility. 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 recommends **approval** of this petition with the proposed commitment.

GENERAL INFORMATION

Existing Zoning	I-2	
Existing Land Use	Industrial	
Comprehensive Plan	Light Industrial	
Surrounding Context	<u>Zoning</u>	Surrounding Context
North:	I-2	North: Industrial
South:	I-4	South: Industrial
East:	I-2	East: Industrial
West:	CS	West: Commercial
Thoroughfare Plan		
Georgetown Road and 84 th Street	Primary Arterial	50-foot existing right-of-way and a 70-right-of-way proposed
Context Area	Metro	
Floodway / Floodway Fringe	No	
Overlay	No	

Wellfield Protection Area	No
Site Plan	6/24/2026
Site Plan (Amended)	N/A
Elevations	N/A
Elevations (Amended)	N/A
Landscape Plan	N/A
Findings of Fact	6/24/2026
Findings of Fact (Amended)	N/A

COMPREHENSIVE PLAN ANALYSIS

Comprehensive Plan

- Marion County Land Use Plan Pattern Book (October 2, 2019)

Pattern Book / Land Use Plan

The Light-Industrial typology provides for industrial, production, distribution, and repair use conducted within enclosed structures and unlikely to create emissions of light, odor, noise, or vibrations. This typology is characterized by freestanding buildings or groups of buildings, often within industrial parks. Typical uses include warehousing, self-storage, assembly of parts, laboratories, wholesaling, and printing. Industrial or truck traffic should be separated from local/residential traffic (pg. 95).

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

2026-LNU-003; 8450 Georgetown Rd., Legal Non-Conforming Use, **void.**

2008-HOV-017; Variance of Development standards of the Consolidated Zoning and Subdivision Ordinance to legally establish a two-family dwelling in zone D-3, **approved.**

98-HOV-86; 8450 Georgetown Rd. (previously listed as 8400 Georgetown Rd.), Variance of Development standards of the Consolidated Zoning and Subdivision Ordinance to place two 12 by 30 feet fiber optic equip DLDGS, **approved.**

95-UV2-109; 8450 Georgetown Rd. (previously listed as 8400 Georgetown Rd.), Variance of Use and Development standards of the Consolidated Zoning and Subdivision Ordinance to construct and operate a motor vehicle and truck leasing, **approved.**

ZONING HISTORY – VICINITY

2013-DV2-009; 5149 W. 84th Street, Variance of Development Standards of the Industrial Zoning Ordinance to provide for the expansion of a parking lot encompassing approximately 39% of the required front yard (parking permitted within a maximum of 10% of the front yard), **approved.**

94-UV2-81 and 94-AP2-3; 8278 Georgetown Rd., Variance of Use and Development Standards of the Consolidated Zoning and Subdivision Ordinance to store newspaper materials, **approved.**

90-SE3-3; 4570 W. 86th St., for an industrial park, park, and offices, **approved.**

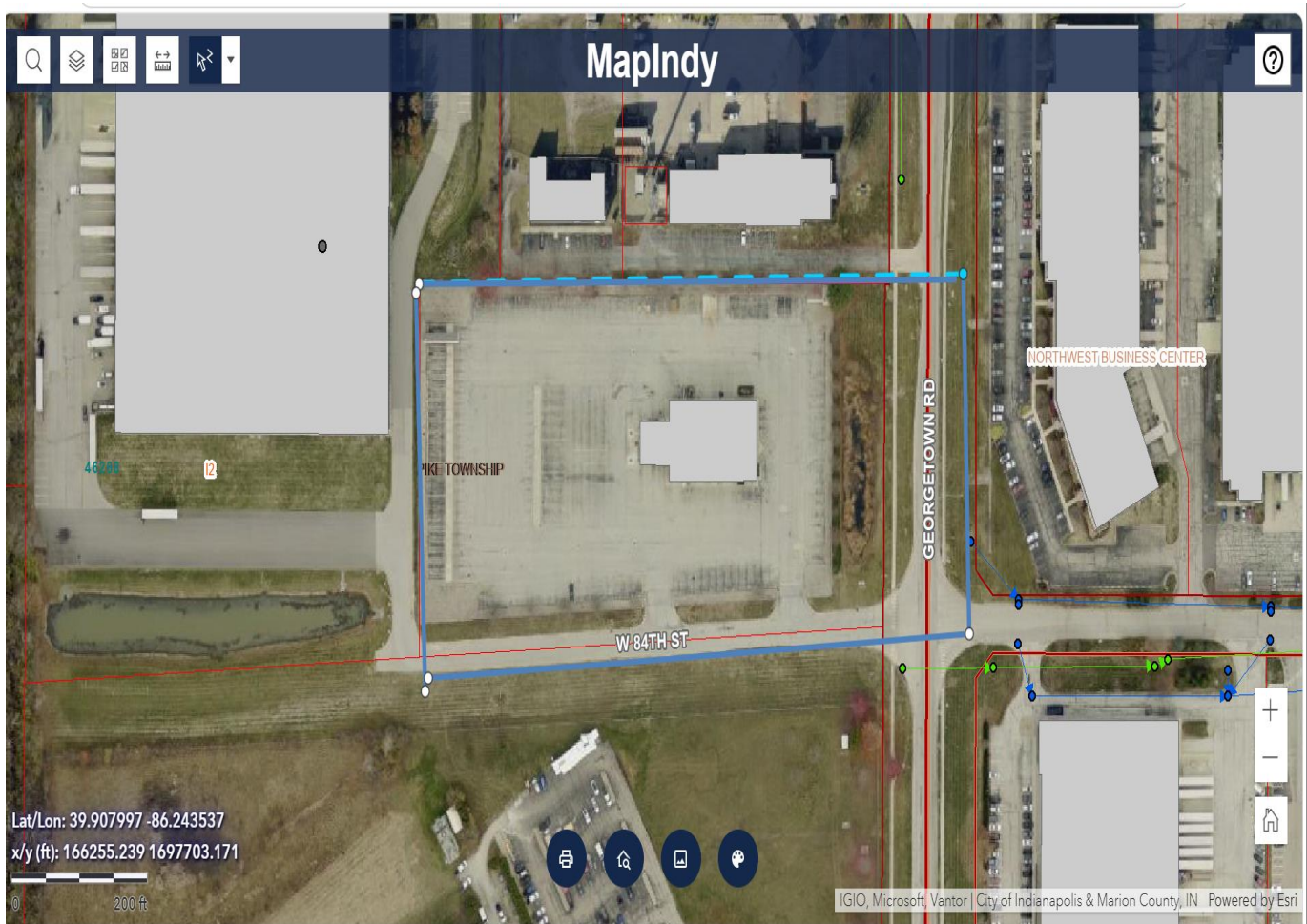
88-UV1-154; 8950 Georgetown Rd., Variance of Use and Development Standards of the Consolidated Zoning and Subdivision Ordinance for an advertisement sign, **approved.**

84-Z-33; 8431 Georgetown Rd., (address previously listed as 8400 Georgetown Rd.) Rezone to provide for light industrial, to I-2 District, **approved.**

81-Z-17; 8520 Georgetown Rd., (previously listed as 8590 Georgetown Rd. and 8345 Georgetown Rd.), Rezone of 5.74 acres, being the I-2-S District, to the C-S classification to provide for mixed commercial uses, including offices, staging areas for fuel transport, service station, **approved.**

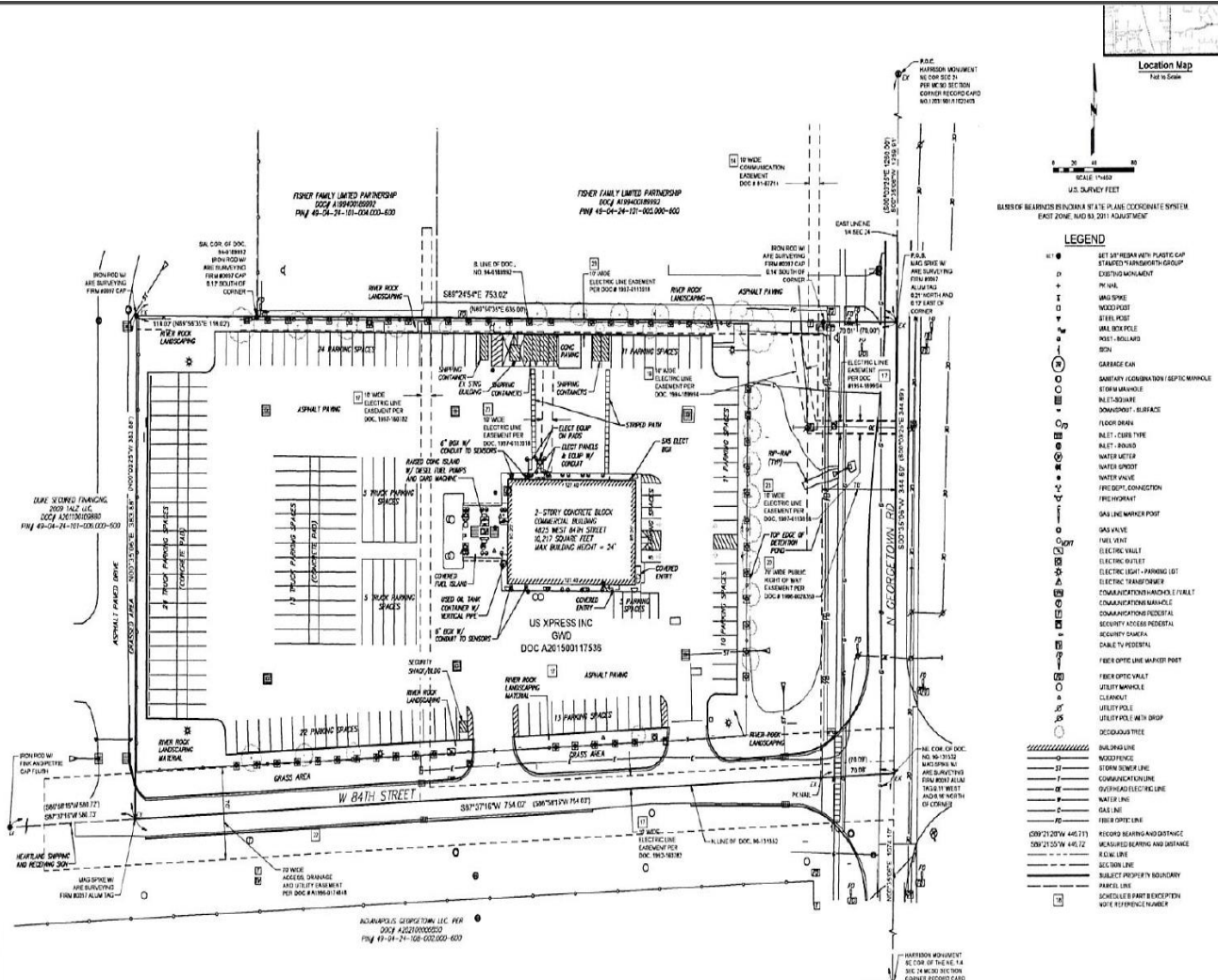
EXHIBITS

2026-UV2-011 ; Aerial Map



**Department of Metropolitan Development
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Current Planning**

2026-UV2-011 ; Site Plan



2026-UV2-011 ; Findings of Fact

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

PETITION FOR VARIANCE OF USE

FINDINGS OF FACT

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

The subject property is utilized as a fleet maintenance and transportation support facility, including vehicle servicing, parking, and related operational functions. These activities are conducted within an established industrial corridor and are consistent with the historical use of the site. Operations are supported by existing infrastructure, including access, utilities, and site improvements, and are conducted in compliance with applicable safety and environmental regulations. The continued use does not introduce new or more intensive impacts than those historically associated with the property.

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 surrounding area is characterized by a mix of industrial, commercial, and logistics-related uses. The subject property is compatible in scale and function with neighboring properties. The variance will not alter the external appearance, traffic generation, or intensity of use in a manner that would negatively impact surrounding property values. Instead, continued use supports economic activity and maintains consistency with the established character of the corridor.

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

The property was developed with site improvements specifically designed to support truck-related maintenance and transportation functions, including paved yard areas, access points suitable for commercial vehicles, and an existing maintenance building. These characteristics make the property uniquely suited for use as a fleet maintenance and transportation support facility and limit its practical adaptability for other permitted uses under current zoning.

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 current zoning classification would prevent the continued use of the property as a fleet maintenance and transportation support facility, despite its design and longstanding function. This would require substantial redevelopment or conversion to a conforming use that is not aligned with the physical configuration of the site. Such a requirement would impose an unnecessary economic hardship without a corresponding public benefit and would disrupt an established operational use.

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

The comprehensive plan supports employment-generating uses in established industrial and commercial corridors, particularly along major transportation routes such as Georgetown Road. The continued use of the property as a fleet maintenance and transportation support facility aligns with these objectives by supporting logistics infrastructure, maintaining jobs, and utilizing an appropriately located site with direct access to major roadways. The variance allows for continued use consistent with the broader land use patterns in the area.

2026-UV2-011 ; Plan of Operation

Plan of Operation – Non-Residential Use Variance

Proposed Use

The subject property will be used as a **maintenance shop with associated office space and secured parking**, supporting internal company operations. The facility will not be open to the general public and will serve operational and maintenance functions only.

Description of Facilities

- Maintenance shop for vehicle and equipment servicing
- Administrative office space supporting maintenance and operations
- On-site parking for company vehicles and employees
- Outdoor yard area associated with maintenance and parking functions

Employees

The facility will be staffed by **maintenance and operations personnel** only. No public-facing services will be provided, and the site will not function as a customer service or retail location. Employee counts will be commensurate with routine maintenance and operational needs.

Security Provisions

- The property will include a **gated yard**
- **Security cameras** installed throughout the facility and yard
- Camera and gate systems will be **monitored by JBH** as part of the company's security protocols

Hazardous Materials

Any hazardous materials present on site will be **limited to those customarily used in vehicle and equipment maintenance operations**, such as automotive fluids and maintenance supplies.

No explosives will be stored or used on the property. All materials will be handled, stored, and disposed of in compliance with applicable federal, state, and local regulations.

Hours of Operation

- **7:00 AM to 5:30 PM**
- **Seven (7) days per week**

Public Assembly

The property will **not** be used for public assembly, events, or gatherings. Access will be limited to authorized employees and permitted personnel only.

2026-UV2-011 ; Photo 1: Front Side



2026-UV2-011 ; Photo 2: Rear Side



2026-UV2-011 ; Photo 3: East Side View Along 84th Street



2026-UV2-011 ; Photo 4: West Side View



2026-UV2-011 ; Photo 5: Office Space



2026-UV2-011 ; Photo 6: On Site Parking for Company Vehicles/Trucks & Employees



BOARD OF ZONING APPEALS DIVISION II

October 13, 2026

Case Number: 2026-UV2-014

Property Address: 4201 Boulevard Place

Location: Washington Township, Council District #7

Petitioner: Steven Savoie

Current Zoning: D-5

Request: Variance of use of the Consolidated Zoning and Subdivision Ordinance to provide for the use of an existing single-family residence to create a small-scale mixed-use development that serves a coffee shop on the ground floor while occupying a single-family residential rental unit on the upper level (mixed-use development not permitted).

Current Land Use: Residential

Staff Recommendations: Staff recommend **approval** of this petition.

Staff Reviewer: Jasmine Dillard Nikolich, Senior Planner

PETITION HISTORY

There is no history of this petition.

STAFF RECOMMENDATION

Staff recommend **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 Use for the mixed-use development shall substantially comply with the site plan filed-dated July 27, 2026.
2. Additions or expansions would require a rezone or another variance of use petition.

PETITION OVERVIEW

4201 Boulevard Place is a residential corner lot within the Bossons Senate Avenue Subdivision near the intersection of 42nd Street and Boulevard Place. The parcel is currently improved with a single-family residential structure originally constructed in 1930 per Assessor's property card. The property is accessed by driveway from 42nd Street to the west with a nearby public alley to the south. There is no direct accessibility from the parcel to the public alley due to the blockage of an existing residential structure on the parcel directly to the southwest. Surrounding land uses include community commercial to the north and west and residential to the south and east.

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Approval of this petition would allow for the existing single-family residence to create a small-scale mixed-use development that serves a coffee shop on the ground floor while occupying a single-family residential rental unit on the upper level (mixed-use development not permitted).

This property is zoned D-5 to allow for a medium and large-lot housing format, primarily for detached houses, that can be used for new walkable suburban neighborhoods for infill situations in urban areas, including low density and medium density residential recommendations for the Comprehensive Plan and Traditional Neighborhood Typologies of the Land Use Pattern Book.

The Comprehensive Plan recommends that this property be developed for Traditional Neighborhood uses (additional information within the Comprehensive Plan Analysis section below). Also, Infill Housing Guidelines indicate that when determining whether a new use or building type is appropriate, look at existing plans for the neighborhood.

Staff would note that a mixed-use development would not be out of context with the neighborhood as the property directly to the west is of mixed-use development per aerial imagery (4144 Boulevard Place). Additionally, the district is characterized by commercial buildings adjoining the pedestrian walkway and vehicular traffic.

Findings of Fact provided by the applicant indicate that the mixed-use development would stabilize and enhance the surrounding property values. The mixed-use concept also creates activity throughout the day while maintaining residential occupancy, contributing to neighborhood viability without altering the residential character of adjacent properties. Additionally, the parcel is placed on the highly visible corner at the intersection of Boulevard Place and 42nd Street that experiences substantially greater traffic volumes than a typical residential street. The coffee shop will enhance public safety while creating a neighborhood amenity that encourages walkability and investment. The coffee shop will operate during daytime hours while serving neighborhood residents, cyclists, pedestrians, and nearby employees. No late-night operations will be offered. The plan of operation is displayed under the Exhibit section which provides additional details about the mixed-use development.

Staff would note that this request would legally establish commercial and residential use without any required off-street parking. The proposed mixed-use district is intended to be within walking distance of residential districts and have uses that do not generate an increase in traffic. There will be limited on-site parking for visitors without any drive-thru accessibility. Additionally, the proposed mixed-use development tends to be located within an older urban neighborhood, which typically have limited areas for off-street parking. Walking and cycling will be highly encouraged. For these reasons, the deviation from the required amount of parking would be acceptable.

The Variance of Use would be restricted to the current square foot of 1,888 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	D-5	
Existing Land Use	Residential	
Comprehensive Plan	Traditional Neighborhood	
Surrounding Context	Zoning	Surrounding Context
North:	SU-7	North: Community Commercial
South:	Enter D-5	South: Residential
East:	Enter D-5	East: Residential
West:	Enter MU-2	West: Community Commercial
Thoroughfare Plan		
Boulevard Place	Primary Arterial Street	56-foot proposed right-of-way and 56-foot existing right-of-way
42 nd Street	Secondary Arterial Street	56-foot proposed right-of-way and 56-foot existing right-of-way
Context Area	Compact	
Floodway / Floodway Fringe	No	
Overlay	No	
Wellfield Protection Area	No	
Site Plan	7/27/2026	
Site Plan (Amended)	N/A	
Elevations	7/27/2026	
Elevations (Amended)	N/A	
Landscape Plan	N/A	
Findings of Fact	7/28/2026	
Findings of Fact (Amended)	N/A	

COMPREHENSIVE PLAN ANALYSIS

Comprehensive Plan

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

Pattern Book / Land Use Plan

- **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

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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. 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 (Page 33).

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

- When determining whether a new use or building type is appropriate for a mature neighborhood, look at existing plans for the neighborhood. This includes elements of the Comprehensive Plan, neighborhood plans, and certified plans. For example, the Marion County Land Use Map and Pattern Book provide recommendations on uses and basic forms that fit into different types of neighborhoods (Page, 29).

Indy Moves

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

- Although the car is the most common mode of transportation in Indy today, many people said that they also walk, bike, and take transit. There was strong support for making non-driving modes more comfortable and attractive (Page, 16).
- Transportation Demand Management (TDM) programs encourage and incentivize people to travel by walking, bicycling, taking transit, or using shared mobility services rather than by driving alone. The city should work with partners, such as employment centers, shopping districts, and stadiums or large event venues, to establish targets for mode share and new education and encouragement about alternative ways to travel (Page, 35).

ZONING HISTORY

ZONING HISTORY – SITE

N/A

ZONING HISTORY – VICINITY

2023-APP-023; 314 West 42nd Street (north of subject site), 2019-CZN-848; Park District One Approval to provide a new spray ground, **approved**.

2019-CZN-848; 227 West 42nd Street (southwest of subject site), Rezoning of 0.105 acre from the D-5 district to the D-8 classification, **approved**.

2019-CVR-848; 227 West 42nd Street (southwest of subject site), Variance of development standards of the Consolidated Zoning and Subdivision Ordinance to provide for four dwelling units and to legally establish the existing front, side and rear yards and deficient primary dwelling separation, to legally establish encroachment into the clear sight triangle of the abutting streets and alleys, to legally establish zero parking spaces and to legally establish an open space of 32% (minimum 18-foot front setback or average, four-foot side setbacks, 15-foot rear setback, 10 feet between buildings, structures not permitted within the clear sight triangle, three parking spaces and 55% open space), **approved**.

2019-ADM-168; 4202 Boulevard Place (north of subject site), Expansion of food pantry in SU7 district, **approved**.

2012-ZON-004; 4202 Boulevard Place (north of subject site), Rezoning of 0.29 acre, from the D-5 District to the SU-7 class; 41ification to provide for a food pantry, **approved**.

2011-ADM-007; 314 West 42nd Street (north of subject site), Administrative approval for a restroom (comfort station), **approved**.

2003-VAR-808; 4149-4153 Boulevard Place (northwest of subject site), Variance of Development Standards of the Commercial Zoning Ordinance to legally establish a zero-foot transitional yard along 42nd Street (20-foot transitional yard required), a south side transitional setback of four feet and an east side yard setback of eleven feet (minimum side transitional setback of 15 feet required), and zero off street parking spaces (20 parking spaces required), **approved**.

81-UV2-31; 4202 Boulevard Place (north of subject site), Variance of Use to permit an office in existing building, along with automobile washing and cleaning services, with sign painted on window, **approved**.

72-Z-275; 314 West 42nd Street, formally known as 7833 Traders Cove Lane (north of subject site), rezone to PK1, **approved**.

64-V-367; 4140 Boulevard Place (northwest of subject site), Historical case, **approved**.



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48-V-332; 4147 Boulevard Place (west of subject site), Historical case, temporary.

EXHIBITS

2026-UV2-014; Aerial Map



2026-UV2-014; Site Plan



EXISTING SITE PLAN EXHIBIT



- REMAINS RENTAL UNIT
- PROPOSED COMMERCIAL TENANT SPACE



EXISTING UPPER LEVEL



EXISTING MAIN LEVEL

**RE-ZONING APPLICATION
 07.27.26**

**4201 Boulevard Place
 Indianapolis, IN 46208**



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2026-UV2-014; 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 proposed use represents a low-intensity, pedestrian-oriented neighborhood business designed to serve nearby residents rather than function as a regional commercial destination. The coffee shop will operate primarily during daytime hours and is expected to generate minimal traffic, noise, and outdoor activity compared to many permitted commercial uses.

The redevelopment will replace an underutilized property with a professionally designed mixed-use building meeting all applicable requirements of the Indiana Building Code, Marion County Health Department, Indianapolis Fire Department, ADA accessibility standards, stormwater regulations, and applicable site development requirements.

The project will include:

- improved landscaping
- upgraded lighting
- enhanced pedestrian accessibility
- modern life-safety systems
- quality architectural materials
- professionally designed site circulation

These improvements will enhance public safety while creating a neighborhood amenity that encourages walkability and investment.

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 has been intentionally designed to complement the surrounding neighborhood through architecture, scale, landscaping, and building materials consistent with nearby development.

Unlike higher-intensity commercial uses, the proposed coffee shop will primarily serve neighborhood residents, cyclists, pedestrians, and nearby employees.

The project introduces:

- façade improvements
- streetscape enhancements
- landscaping
- additional lighting
- long-term investment
- improved property maintenance

These improvements are expected to stabilize and enhance surrounding property values. The mixed-use concept also creates activity throughout the day while maintaining residential occupancy, contributing to neighborhood vitality without altering the residential character of adjacent properties.

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

The subject property occupies a highly visible corner at the intersection of Boulevard Place and 42nd Street, an arterial corridor that experiences substantially greater traffic volumes than a typical residential street. Its unique corner location, visibility, accessibility, and relationship to surrounding commercial and institutional development distinguish it from interior residential parcels. The property's physical characteristics make it particularly well suited for a small neighborhood commercial use while remaining compatible with nearby residences.

Because of these unique site conditions, the property presents redevelopment opportunities not shared by surrounding residential lots.

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

Limiting this uniquely situated corner property exclusively to residential use significantly restricts its reasonable economic use and prevents redevelopment consistent with its physical context.

The property is influenced by adjacent traffic volumes, visibility, and surrounding commercial activity that diminish its desirability as a traditional single-family residence while simultaneously making it ideally suited for neighborhood-scale mixed-use redevelopment.

Without the requested variance:

- reinvestment becomes significantly more difficult
- adaptive reuse opportunities are limited
- the property remains underutilized
- an important neighborhood corner cannot realize its highest and best use

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Granting the variance allows productive reinvestment while preserving neighborhood compatibility.

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

The proposed project advances numerous planning objectives promoted by the City of Indianapolis, including:

- adaptive reuse of existing buildings
- neighborhood reinvestment
- walkable commercial services
- context-sensitive infill development
- mixed-use development
- reduction of automobile dependency
- enhancement of neighborhood identity
- economic revitalization

Rather than introducing an incompatible commercial use, the proposal creates a small-scale neighborhood destination integrated with residential occupancy. The development strengthens the surrounding community while maintaining the architectural scale and character expected along the Boulevard Place corridor. Accordingly, the requested variance is consistent with the long-term planning objectives of the City of Indianapolis.

2026-UV2-014; Plan of Operation



PLAN OF OPERATION

Variance of Use

4201 Boulevard Place

Indianapolis, Indiana

Applicant

Tarkington House LLC

1. Project Description

The applicant proposes the adaptive reuse and redevelopment of the existing property located at 4201 Boulevard Place into a neighborhood-oriented mixed-use development consisting of:

- A small artisan coffee shop located on the ground floor.
- Flexible community gathering and co-working space available to neighborhood residents and patrons.
- One residential apartment located on the upper level.
- Outdoor landscaping and streetscape improvements.
- Off-street parking for customers and residents.
- Enhanced pedestrian accessibility.

The vision is to create a welcoming neighborhood gathering place that serves the surrounding Butler-Tarkington and Meridian-Kessler communities while preserving the residential character of the property.

The coffee shop is intended to function as a neighborhood amenity rather than a destination retail establishment.

2. Proposed Operations

The primary business will provide:

- Specialty coffee
- Espresso beverages
- Tea



- Pastries
- Light breakfast items
- Light lunch offerings
- Grab-and-go food items

No drive-through service is proposed.

No outdoor amplified music is proposed.

No late-night operations are proposed.

No alcohol sales are proposed without separate governmental approvals.

3. Building Occupancy

Ground Floor

Approximately 1,500–2,000 square feet consisting of:

- Coffee service counter
- Indoor seating
- Small community meeting area
- Flexible co-working space
- ADA restroom
- Storage
- Employee support area

Second Floor

One residential apartment occupied by a long-term tenant or owner.

4. Employees

Typical Staffing:

- 2–4 employees during normal operating hours
- Maximum of 6 employees during peak periods



Management will generally be present during business hours.

5. Hours of Operation

Coffee Shop

Monday – Friday

6:30 AM – 6:00 PM

Saturday

7:00 AM – 6:00 PM

Sunday

7:00 AM – 4:00 PM

Residential occupancy will occur twenty-four (24) hours per day.

These hours are intentionally limited to maintain compatibility with the surrounding residential neighborhood.

6. Parking

Parking will be provided on-site in accordance with approved development plans.

The project encourages:

- Walking
- Cycling
- Neighborhood access
- Limited-duration customer visits

Parking areas will be professionally landscaped and appropriately illuminated.

7. Security

Security measures will include:

- Exterior LED building lighting
-

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- Security cameras covering entrances and parking areas
- Alarm monitoring system
- Automatic door locking after business hours
- Well-lit pedestrian entrances
- Clear visibility throughout the site
- Regular employee supervision

The residential apartment provides additional after-hours occupancy, contributing to natural surveillance of the property.

8. Hazardous Materials

No hazardous, explosive, flammable, toxic, or industrial materials will be stored or utilized on-site beyond ordinary commercial cleaning supplies and small quantities of food preparation products customarily associated with a neighborhood coffee shop.

No manufacturing or industrial processes are proposed.

9. Deliveries

Deliveries will generally occur:

Monday through Friday

Between 8:00 AM and 3:00 PM

Delivery vehicles will consist primarily of standard commercial vans or small box trucks.

No semi-trailer loading facilities are proposed.

10. Waste Management

Refuse and recycling will be stored within screened enclosures or designated service areas.

Trash collection will occur during normal business hours.

Grease disposal is not anticipated due to the limited food service operation.



11. Outdoor Areas

Outdoor improvements may include:

- Decorative landscaping
- Native plantings
- Outdoor seating
- Bicycle parking
- Sidewalk enhancements
- Decorative lighting
- Seasonal planters

Outdoor seating will remain accessory to the coffee shop and will not be used for organized entertainment or amplified events.

12. Community Compatibility

The project has been intentionally designed to respect the surrounding neighborhood by:

- Maintaining residential-scale architecture
- Utilizing high-quality building materials
- Providing extensive landscaping
- Limiting operating hours
- Eliminating drive-through traffic
- Providing pedestrian-oriented design
- Minimizing lighting impacts
- Maintaining low noise levels

The goal is to create a neighborhood gathering place that complements the existing character of Boulevard Place while encouraging reinvestment and walkability.

13. Public Assembly

The proposed use is **not** considered a public assembly occupancy.



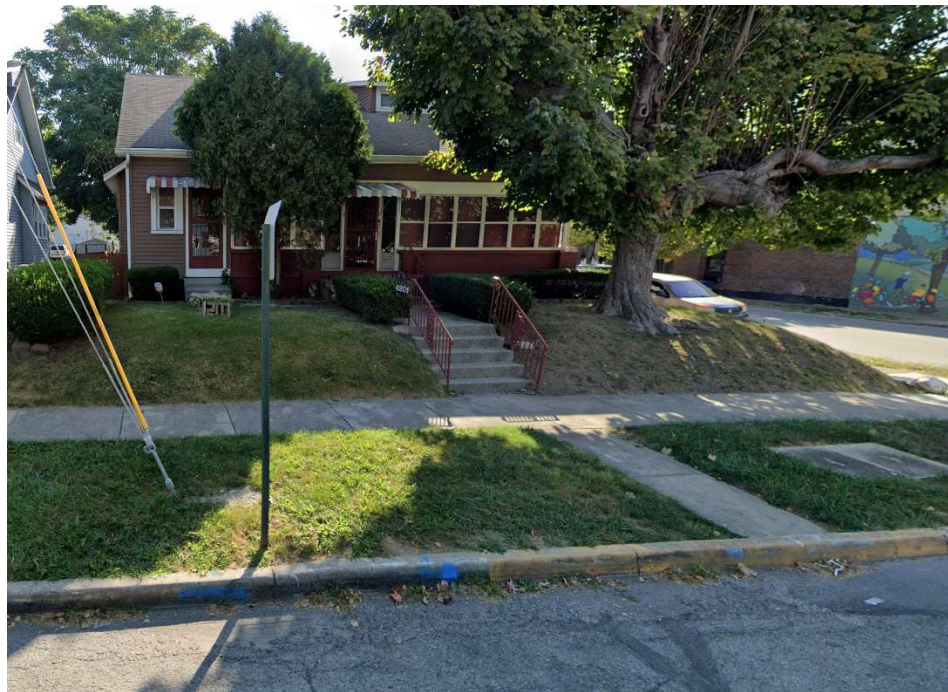
The coffee shop will provide approximately **20–30 indoor seats** and **8–12 seasonal outdoor seats** for customers. Seating is intended for normal café use and informal meetings only.

No worship services, organized assemblies, banquet facilities, or entertainment venues are proposed.

No ticketed events or large public gatherings are anticipated.

2026-UV2-014; Photographs

Photograph 1: Subject Site to the North



Photograph 2: Subject Site to the East



Photograph 3: Subject Site to the South



Photograph 4: Subject Site to the West



Photograph 5: Intersection of 42nd Street and Boulevard Place

