



# Board of Zoning Appeals Board of Zoning Appeals Division II (October 8, 2024) Meeting Agenda

## Meeting Details

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

**Date:** Tuesday, October 08, 2024

**Time:** 1:00 PM

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

## Business:

### Adoption of Meeting Minutes

### Special Requests

#### 2024-HOV-005 | 5100 Knollton Road

Washington Township, Council District #2, zoned D-S  
John & Jane Murphy, by David Kingen

Variance of Development Standards of the Consolidated Zoning and Subdivision Ordinance to legally establish a 50-foot street frontage (75 feet required).

## PETITIONS REQUESTING TO BE CONTINUED:

#### 1. 2024-UV2-022A | 6701 Zionsville Road

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

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

#### 2. 2024-UV2-022B | 7001 Zionsville Road

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

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

#### 3. 2024-UV2-022C | 2811 Barnard Street

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

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

#### 4. 2024-UV2-026 (Amended) | 2355 North Meridian Street

Center Township, Council District #12, zoned C-4 (TOD) (RC)  
Zaremba Group, by Joseph D. Calderon

Variance of use and development standards of the Consolidated Zoning and Subdivision Ordinance to provide for the construction of an automobile service or repair facility (not permitted) with a front building line of 61.7

percent (80 percent required) with parking located 15 feet from Meridian Street and 26 feet from 24th Street with portion not located to the rear of the building (50-foot setback, location behind building required), 24-foot and 25-foot driveway widths accessing Meridian Street and 24th Street (16 feet permitted, curb cut for accessory parking access not exclusively from an improved alley), one primary entry (two required), and deficient landscaping.

## Petitions for Public Hearing

### PETITIONS TO BE EXPEDITED:

- 5. 2024-DV2-016 (Amended) | 921 East 24th Street**  
Center Township, Council District #8, zoned D-8  
Angela Davis, by Sharmin Frye

Variance of Development Standards of the Consolidated Zoning and Subdivision Ordinance to provide for the construction of a 34-foot tall, three-story single-family dwelling with a 14-foot rear yard setback (15-foot rear year setback required).

- 6. 2024-DV2-033 | 751 East McCarty Street**  
Center Township, Council District #18, zoned D-8 (TOD) (RC)  
Miatta Kargbo, by Mark and Kim Crouch

Variance of Development Standards of the Consolidated Zoning and Subdivision Ordinance to provide for the construction of a single-family dwelling with a five-foot front yard setback (10 feet required) and a four-foot knee wall in association with a height of 2.5-stories, without exclusive access from an improved alley (required).

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

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

- 7. 2024-DV2-025 | 1670 Columbia Avenue**  
Center Township, Council District #13, zoned D-8 / SU-1  
Karissa Grove, by Justin Kingen

Variance of Development Standards of the Consolidated Zoning and Subdivision Ordinance to provide for vertical addition and conversion of a single-family dwelling into a three-unit apartment resulting in a three-foot corner side yard setback (ten feet required) and a four-foot south side yard setback (five feet required).

- 8. 2024-DV2-031 | 2701 North College Avenue**  
Center Township, Council District #8, zoned MU-2  
JBCC Holdings LLC, by David Gilman

Variance of Development Standards of the Consolidated Zoning and Subdivision Ordinance to provide for a surface parking lot with four spaces (11 required) and a zero-foot front yard setback from 27th Street (50-foot setback, location behind building required).

- 9. 2024-UV2-013 | 5455 West 56th Street**  
Pike Township, Council District #6, zoned SU-2 / SU-38  
Metropolitan School District of Pike Township, by Joseph D. Calderon

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

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



**BOARD OF ZONING APPEALS DIVISION II**

**October 8, 2024**

**Case Number:** 2024-HOV-005  
**Property Address:** 500 Knollton Road (approximate address)  
**Location:** Washington Township, Council District #2  
**Petitioner:** John & Jane Murphy., by David Kingen  
**Current Zoning:** D-S  
**Request:** Variance of Development Standards of the Consolidated Zoning and Subdivision Ordinance to legally establish a 50-foot street frontage (75 feet required).  
**Current Land Use:** Residential  
**Staff Recommendations:** Staff has no recommendation for this petition  
**Staff Reviewer:** Noah Stern, Senior Planner

**PETITION HISTORY**

**ADDENDUM FOR OCTOBER 8, 2024 BZA DIVISION II HEARING**

- This petition was continued and transferred from the Hearing Officer hearing on September 17, 2024 to the full BZA II hearing on October 8, 2024 due to known remonstrations against the petition
- The petitioner has requested to formally withdraw this petition





**BOARD OF ZONING APPEALS DIVISION II** **October 8, 2024**

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

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

**PETITION HISTORY**

This petition was automatically continued at the request of a registered neighborhood organization, from the August 13, 2024, hearing, to the September 10, 2024, hearing, and at the request of Staff from the September 10, 2024, hearing, to the October 8, 2024, hearing.

The petitioner has indicated they will be asking for a continuance for cause, from the October 8, 2024, hearing, to the November 12, 2024, hearing.

Staff has no objection to this continuance request.



**BOARD OF ZONING APPEALS DIVISION II** **October 8, 2024**

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

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

**PETITION HISTORY**

This petition was automatically continued at the request of a registered neighborhood organization, from the August 13, 2024, hearing, to the September 10, 2024, hearing, and at the request of Staff from the September 10, 2024, hearing, to the October 8, 2024, hearing.

The petitioner has indicated they will be asking for a continuance for cause, from the October 8, 2024, hearing, to the November 12, 2024, hearing.

Staff has no objection to this continuance request.



**BOARD OF ZONING APPEALS DIVISION II** **October 8, 2024**

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

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

**PETITION HISTORY**

This petition was automatically continued at the request of a registered neighborhood organization, from the August 13, 2024, hearing, to the September 10, 2024, hearing, and at the request of Staff from the September 10, 2024, hearing, to the October 8, 2024, hearing.

The petitioner has indicated they will be asking for a **continuance for cause, from the October 8, 2024, hearing, to the November 12, 2024, hearing.**

Staff has no objection to this continuance request.



**BOARD OF ZONING APPEALS DIVISION II** **October 8, 2024**

**Case Number:** 2024-UV2-026 (Amended)  
**Property Address:** 2355 North Meridian Street (approximate address)  
**Location:** Center Township, Council District #12  
**Petitioner:** Zaremba Group, by Joseph D. Calderon  
**Current Zoning:** C-4 (TOD) (RC)

**Request:** Variance of use and development standards of the Consolidated Zoning and Subdivision Ordinance to provide for the construction of an automobile service or repair facility (not allowed) with a front building line of 61.7 percent (80 percent required) with parking located 15 feet from Meridian Street and 26 feet from 24th Street with portion not located to the rear of the building (50-foot setback, location behind building required), 24-foot and 25-foot driveway widths accessing Meridian Street and 24<sup>th</sup> Street (16 feet permitted), one primary entry (two required), and deficient landscaping.

**Current Land Use:** Vacant

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

**PETITION HISTORY**

**October 8, 2024:** Between the time of the previous continuance and this hearing date, the interpretive decision was made by the Interim Current Planning Administrator that the proposed use would be more accurately considered an automobile service or repair facility as opposed to a retail sales facility. Staff is requesting a continuance to the November 12<sup>th</sup> hearing date to allow for amended notice to be sent by the applicant reflecting the use variance request. A full staff report will be made available in advance of that date.

**September 10, 2024:** An additional zoning non-conformity was noted by staff during the review process for this petition that would need to be mentioned within the variance request. This will require a continuance to the October 8<sup>th</sup> hearing per petitioner request. A full staff report will be made available in advance of that date.



**BOARD OF ZONING APPEALS DIVISION II**

**October 8, 2024**

**Case Number:** 2024-DV2-016 (Amended)

**Property Address:** 921 East 24<sup>th</sup> Street (approximate address)

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

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

**Current Zoning:** D-8

**Request:** Variance of Development Standards of the Consolidated Zoning and Subdivision Ordinance to provide for the construction of a single-family dwelling with a 14-foot rear yard setback (15-foot rear year setback required).

**Current Land Use:** Vacant

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

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

**PETITION HISTORY**

**ADDENDUM FOR SEPTEMBER 10, 2024 BZA DIVISION II HEARING**

- This petition was continued to the July 9, 2024 BZA Division II hearing and then to the August 13, 2024 hearing to allow for additional review.
- The petition was continued to the September 10, 2024 BZA Division II hearing to amend the proposed site plan and elevations.
- The petition was continued to the October 8, 2024 BZA Division II hearing due to deficient mailed notice.

**STAFF RECOMMENDATION**

- Staff recommends approval of this petition

**PETITION OVERVIEW**

- This petition would provide for the construction of a single-family dwelling with a 14-foot rear yard setback (15-foot rear year setback required).
- The proposed elevations and site plan were revised to remove the front-loaded garage and adjust the location of the house on the property, as well as alter the designs of the facades per Staff's requests.



Department of Metropolitan Development  
 Division of Planning  
 Current Planning

- The subject property is zoned D-8, contains a lot width of approximately 40 feet, and a lot area of approximately 2480 feet. The square footage of the lot is deficient from the typical standard of 2500 square feet for the Detached House – Compact Lot residential building type outlined in table 742.103.03 of the Consolidated Zoning and Subdivision Ordinance. Staff finds this to represent a degree of practical difficulty for meeting development standards such as setbacks. Additionally, given that the proposal would meet all other development standards requirements, Staff does not find this proposal to be overdevelopment of the site. Therefore, finds the variance request for a 1-foot reduction from the rear yard setback standard of 15 feet to be reasonable and is unopposed to the petition.

**GENERAL INFORMATION**

<b>Existing Zoning</b>	D-8	
<b>Existing Land Use</b>	Vacant	
<b>Comprehensive Plan</b>	Traditional Neighborhood	
<b>Surrounding Context</b>	<b>Zoning</b>	<b>Surrounding Context</b>
North:	D-8	North: Vacant
South:	D-8	South: Vacant
East:	D-8	East: Single-family residential
West:	I-2	West: Vacant
<b>Thoroughfare Plan</b>		
East 24 <sup>th</sup> Street	Local Street	48 feet of right-of-way existing and 48 feet proposed
<b>Context Area</b>	Compact	
<b>Floodway / Floodway Fringe</b>	No	
<b>Overlay</b>	No	
<b>Wellfield Protection Area</b>	No	
<b>Site Plan</b>	3/29/24	
<b>Site Plan (Amended)</b>	9/5/24	
<b>Elevations</b>	3/29/24	
<b>Elevations (Amended)</b>	9/5/24	
<b>Landscape Plan</b>	N/A	
<b>Findings of Fact</b>	3/29/24	
<b>Findings of Fact (Amended)</b>	8/27/24	

**COMPREHENSIVE PLAN ANALYSIS**  
 Comprehensive Plan

- Marion County Land Use Plan Pattern Book



- Infill Housing Guidelines
- Indy Moves

**Pattern Book / Land Use Plan**

- The Marion County Land Use Plan pattern Book recommends the Traditional Neighborhood living typology for this site.

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

- Not Applicable to the Site.

**Neighborhood / Area Specific Plan**

- Not Applicable to the Site.

**Infill Housing Guidelines**

- With regards to building spacing, the Infill Housing Guidelines document recommends:
  - Reinforce spacing on the block
  - Leave room for maintenance

**Indy Moves**

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

- The subject site is located approximately 250 feet from the Monon Trail and under ¼ mile from the 22<sup>nd</sup> Street cycle track



## ZONING HISTORY

### ZONING HISTORY – SITE

**2021ZON031**, Rezoning of 0.22 acre from the I-2 district to the D-8 district, **approved**.

### ZONING HISTORY – VICINITY

**2023ZON015; 2444 Winthrop Avenue (north of site)**, Rezoning of 1.35 acres from the I-2 district to the D-8 district, **approved**.

**2023DV3038; 2434 Winthrop Avenue (north of site)**, Variance of Development Standards of the Consolidated Zoning and Subdivision Ordinance to provide for the construction of a townhome community development with six-foot rear yard setbacks and a livability space ratio of 0.21 (15-foot rear yard setback, livability space ratio of 0.66 required), **approved**.

**2021CZN/CVR808; 2352 Winthrop Avenue (south of site)**, Rezoning of 0.09 acre from the I-2 district to the D-8 district and Variance of use of the Consolidated Zoning and Subdivision Ordinance to provide for a secondary-dwelling unit, **approved**.

**2020ZON048; 1123 E 25<sup>th</sup> Street (north of site)**, Rezoning of 1.435 acres from the I-4 district to the D-8 district, **approved**.

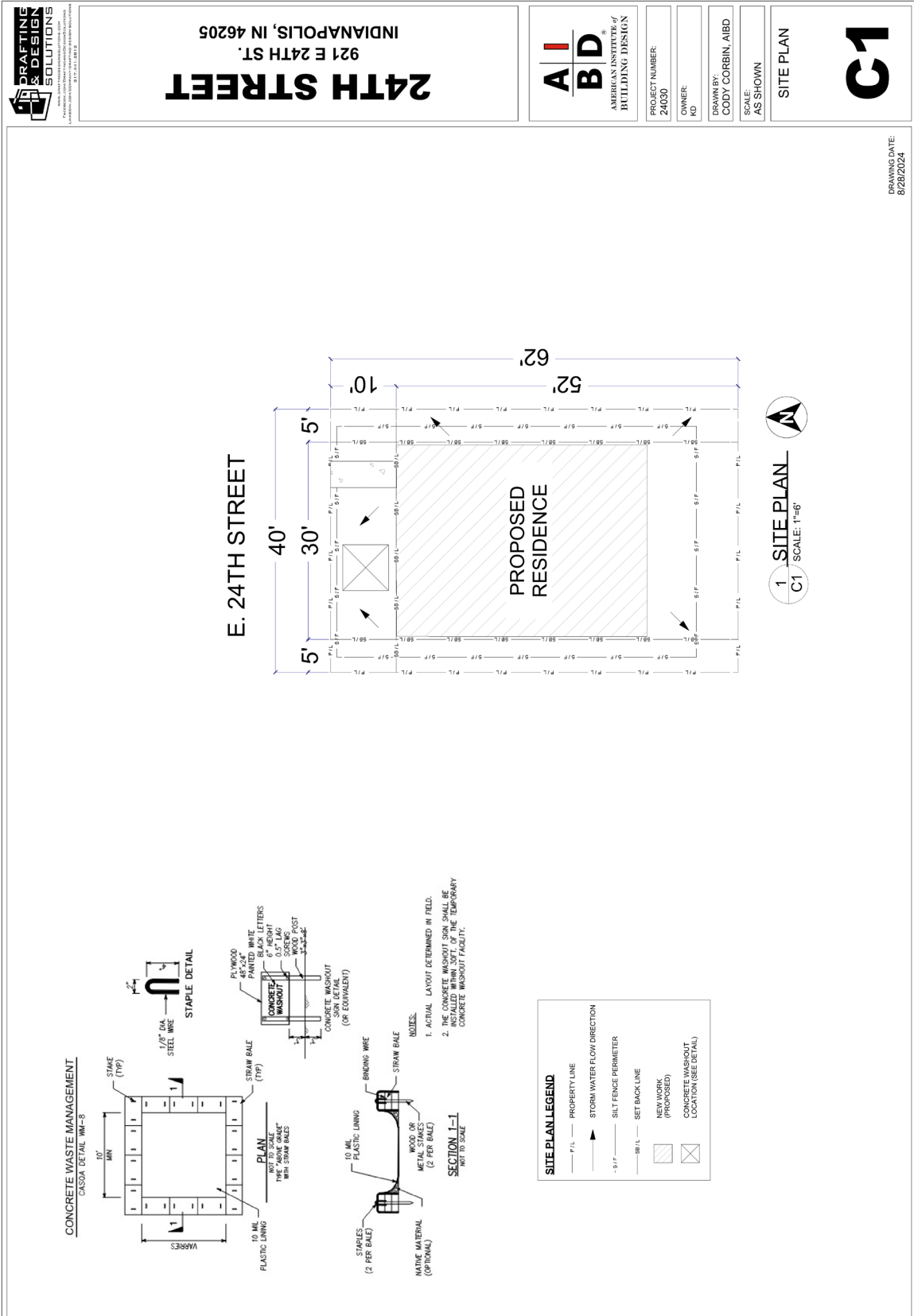
**2018ZON002; 2401 Winthrop Avenue (north of site)**, Rezoning of 2.04 acres from the I-4 district to the D-8 classification, **approved**.

**2000UV1008; 2401 Winthrop Avenue (north of site)**, MULTI-FAMILY DWELLINGS, CLUBHOUSE, PLAYGROUND IN I-4-U, **approved**.



**EXHIBITS**







**24TH STREET**  
921 E 24TH ST.  
INDIANAPOLIS, IN 46205

**A | B | D**  
AMERICAN INSTITUTE of BUILDING DESIGN

PROJECT NUMBER: 24030  
OWNER: KD  
DRAWN BY: CODY CORBIN, AIBD  
SCALE: AS SHOWN  
FLOOR PLANS

**A3**

**FLOOR PLAN NOTES:**

1. PERMANENT WINDOW SILL FINISHER MUST BE WITHIN 1/4" OF THE FLOOR AND PROVIDE MINIMUM CLEAR OPENINGS OF 5.7 SQ. FEET WITH HEIGHT DIMENSION NOT LESS THAN 24" AND WIDTH DIMENSION NOT LESS THAN 20" - HRC R310.1-R310.1.4
2. CONTRACTOR SHALL VERIFY ALL DIMENSIONS AND IS RESPONSIBLE FOR ALL DIMENSIONS (INCLUDING ROUGH OPENINGS).

**DOOR & WINDOW NOTES:**

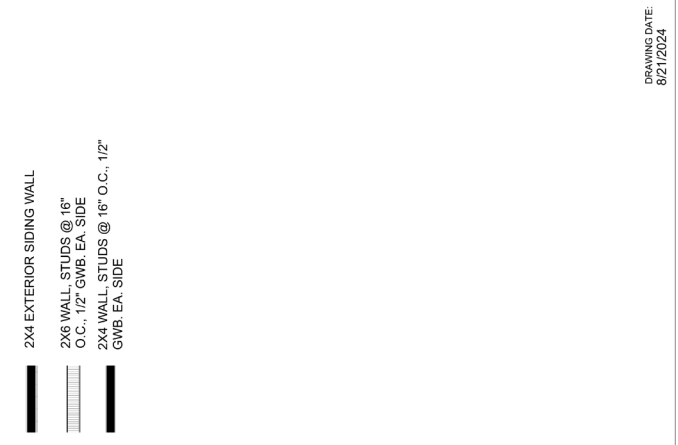
1. PERMANENT WINDOW SILL FINISHER MUST BE WITHIN 1/4" OF THE FLOOR AND PROVIDE MINIMUM CLEAR OPENINGS OF 5.7 SQ. FEET WITH HEIGHT DIMENSION NOT LESS THAN 24" AND WIDTH DIMENSION NOT LESS THAN 20" - HRC R310.1-R310.1.4
2. CONTRACTOR SHALL VERIFY ALL DIMENSIONS AND IS RESPONSIBLE FOR ALL DIMENSIONS (INCLUDING ROUGH OPENINGS).
3. EXTERIOR EXIT DOORS SHALL BE 36" MIN. NET CLEAR DOOR WAY SHALL BE 32" MIN.
4. ALL EXTERIOR WINDOWS ARE TO BE DOUBLE GLAZED AND ALL EXTERIOR DOORS SHALL BE 36" MIN. NET CLEAR DOOR WAY SHALL BE 32" MIN.
5. ALL TUB AND SHOWER ENCLOSURES ARE TO BE GLAZED WITH SAFETY GLASS.
6. WINDOWS TO BE PELLA OR EQ. REFER TO SCHEDULE FOR SIZING & HEADERS.

**SCHEDULES**

NUMBER	CITY	FLOOR	WIDTH	HEIGHT	DESCRIPTION	HEADER	THICKNESS	FIN
001	01	01	36"	80"	EXTERIOR DOOR	2X6	1 1/2"	01
002	01	01	36"	80"	EXTERIOR DOOR	2X6	1 1/2"	01
003	01	01	36"	80"	EXTERIOR DOOR	2X6	1 1/2"	01
004	01	01	36"	80"	EXTERIOR DOOR	2X6	1 1/2"	01
005	01	01	36"	80"	EXTERIOR DOOR	2X6	1 1/2"	01
006	01	01	36"	80"	EXTERIOR DOOR	2X6	1 1/2"	01
007	01	01	36"	80"	EXTERIOR DOOR	2X6	1 1/2"	01
008	01	01	36"	80"	EXTERIOR DOOR	2X6	1 1/2"	01
009	01	01	36"	80"	EXTERIOR DOOR	2X6	1 1/2"	01
010	01	01	36"	80"	EXTERIOR DOOR	2X6	1 1/2"	01

**WALL TYPE LEGEND**

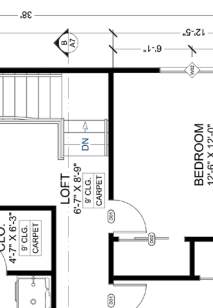
- 2X4 EXTERIOR SIDING WALL
- 2X6 WALL, STUDS @ 16" O.C., 1/2" GWB, EA. SIDE
- 2X4 WALL, STUDS @ 16" O.C., 1/2" GWB, EA. SIDE



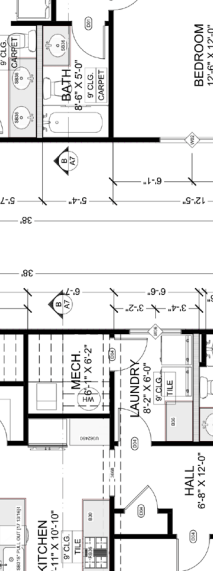
**STAIR NOTES:**

WIDTH: 42"  
RISERS: 18 @ 6-11/16"  
TREADS: 16 @ 11"


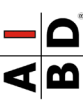
**A - STAIR DETAIL**  
SCALE: NTS



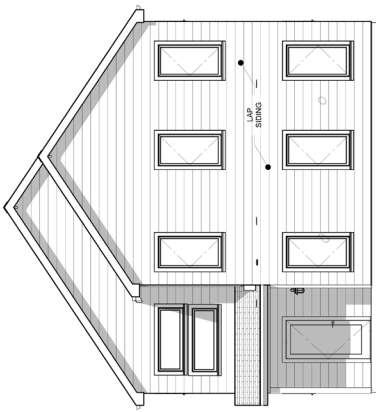
**1 MAIN FLOOR PLAN**  
A3 SCALE: 1/4"=1'



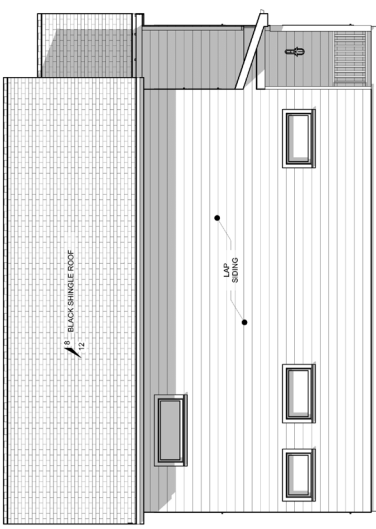
**2 UPPER FLOOR PLAN**  
A3 SCALE: 1/4"=1'

	<p><b>24TH STREET</b>        921 E 24TH ST.        INDIANAPOLIS, IN 46205</p>	 <p>AMERICAN INSTITUTE of        BUILDING DESIGN</p>	<p>PROJECT NUMBER: 24030</p>	<p>OWNER: KD</p>	<p>DRAWN BY: CODY CORBIN, AIBD</p>	<p>SCALE: AS SHOWN</p>	<p>EXTERIOR        ELEVATIONS</p>	<p><b>A4</b></p>
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**1 FRONT ELEVATION**  
 A4 SCALE: 1/4"=1"

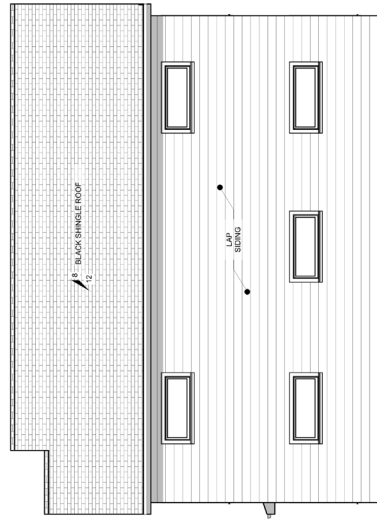


**2 RIGHT ELEVATION**  
 A4 SCALE: 1/4"=1"



**3 REAR ELEVATION**  
 A4 SCALE: 1/4"=1"



**4 LEFT ELEVATION**  
 A4 SCALE: 1/4"=1"

DRAWING DATE:  
8/21/2024











**BOARD OF ZONING APPEALS DIVISION II**

**October 8, 2024**

**Case Number:** 2024-DV2-033

**Property Address:** 751 East McCarty Street (approximate address)

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

**Petitioner:** Miatta Kargbo, by Mark and Kim Crouch

**Current Zoning:** D-8 (TOD) (RC)

**Request:** Variance of Development Standards of the Consolidated Zoning and Subdivision Ordinance to provide for the construction of a single-family dwelling with a five-foot front yard setback (10 feet required) and a four-foot knee wall in association with a height of 2.5-stories, without exclusive access from an improved alley (required).

**Current Land Use:** Vacant

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

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

**PETITION HISTORY**

- This is the first public hearing for this petition.

**STAFF RECOMMENDATION**

- Staff recommends approval of this petition

**PETITION OVERVIEW**

- This petition would provide for the construction of a single-family dwelling with a five-foot front yard setback (10 feet required) and a four-foot knee wall in association with a height of 2.5-stories, without exclusive access from an improved alley (required).
- The subject site was partially cut off when the interstate was constructed in the late 1960s and early 1970s. This has resulted in the lot area being reduced from approximately 5220 square feet to approximately 4068 square feet. Likewise, with this cut off, the lot shape changed from a standard rectangular D-8 lot to a triangular lot without a large portion of the original rear yard. Staff sees this a substantial practical difficulty in being able to meet development standards such as setbacks. Likewise, the change in the lot size and shape also resulted in the lot having no direct access from the alley in the rear, which Staff sees as a substantial practical difficulty.
- Additionally, the reduced lot size puts added pressure and difficulty with regards to providing a quality amount of living space within the proposed residence. Therefore, Staff sees the request for 4-foot



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 Division of Planning  
 Current Planning

high knee wall to allow for additional living space on the third floor to be reasonable. Staff also sees this request as a better solution than requesting a height variance, which would put extra strain on the house directly to the west from receiving natural light.

- Further, with this property being located within the TOD overlay and in immediate proximity to the Virginia Avenue commercial corridor as well as the Cultural Trail, Staff sees this proposal as an important addition in the effort to provide more housing along transit and commercial corridors. Staff believes this to be furthering the Livability Principles outlined in the Zoning Ordinance including, promoting equitable and affordable housing, enhancing economic competitiveness, and supporting existing communities. Therefore, Staff is unopposed to the requested variances.

**GENERAL INFORMATION**

<b>Existing Zoning</b>	D-8 (TOD) (RC)	
<b>Existing Land Use</b>	Vacant	
<b>Comprehensive Plan</b>	Traditional Neighborhood	
<b>Surrounding Context</b>	<b>Zoning</b>	<b>Surrounding Context</b>
North:	I-3	North: Vacant
South:	D-8	South: Single-family residential
East:	D-8	East: Single-family residential
West:	D-8	West: Single-family residential
<b>Thoroughfare Plan</b>		
East McCarty Street	Local Street	48feet of right-of-way existing and 48 feet proposed
<b>Context Area</b>	Compact	
<b>Floodway / Floodway Fringe</b>	No	
<b>Overlay</b>	No	
<b>Wellfield Protection Area</b>	No	
<b>Site Plan</b>	8/11/24	
<b>Site Plan (Amended)</b>	10/3/24	
<b>Elevations</b>	8/11/24	
<b>Elevations (Amended)</b>	N/A	
<b>Landscape Plan</b>	N/A	
<b>Findings of Fact</b>	8/11/224	
<b>Findings of Fact (Amended)</b>	N/A	



## COMPREHENSIVE PLAN ANALYSIS

### Comprehensive Plan

- Marion County Land Use Plan Pattern Book
- Infill Housing Guidelines
- 2020 Red Line TOD Strategic Plan
- Indy Moves

### Pattern Book / Land Use Plan

- The Marion County Land Use Plan pattern Book recommends the Traditional Neighborhood living typology for this site.

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

- The subject site is within the Red Line TOD overlay district and is under ¼ mile from the Virginia Avenue Red Line transit station.

### Neighborhood / Area Specific Plan

- Not Applicable to the Site.

### Infill Housing Guidelines

- With regards to new infill housing, the Infill Housing Guidelines recommends:
  - Reinforce spacing on the existing block
  - Leave room for maintenance
  - Build within the setback range

### Indy Moves

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

- The subject site is approximately 275 feet from the Cultural Trail



## ZONING HISTORY

### ZONING HISTORY – SITE

**2021DV1073**, Variance of development standards of the Consolidated Zoning and Subdivision Ordinance to provide for construction of a detached single-family dwelling with an eight-foot front setback, six-feet of building separation to the east and four feet to the west, deficient 508 square foot main floor area, and a sidewalk and stoop with a zero-foot side setback (18-foot front setback, 10-foot building separation, 660 square foot main floor area, two-foot side yard setback for minor residential features required), **approved**.

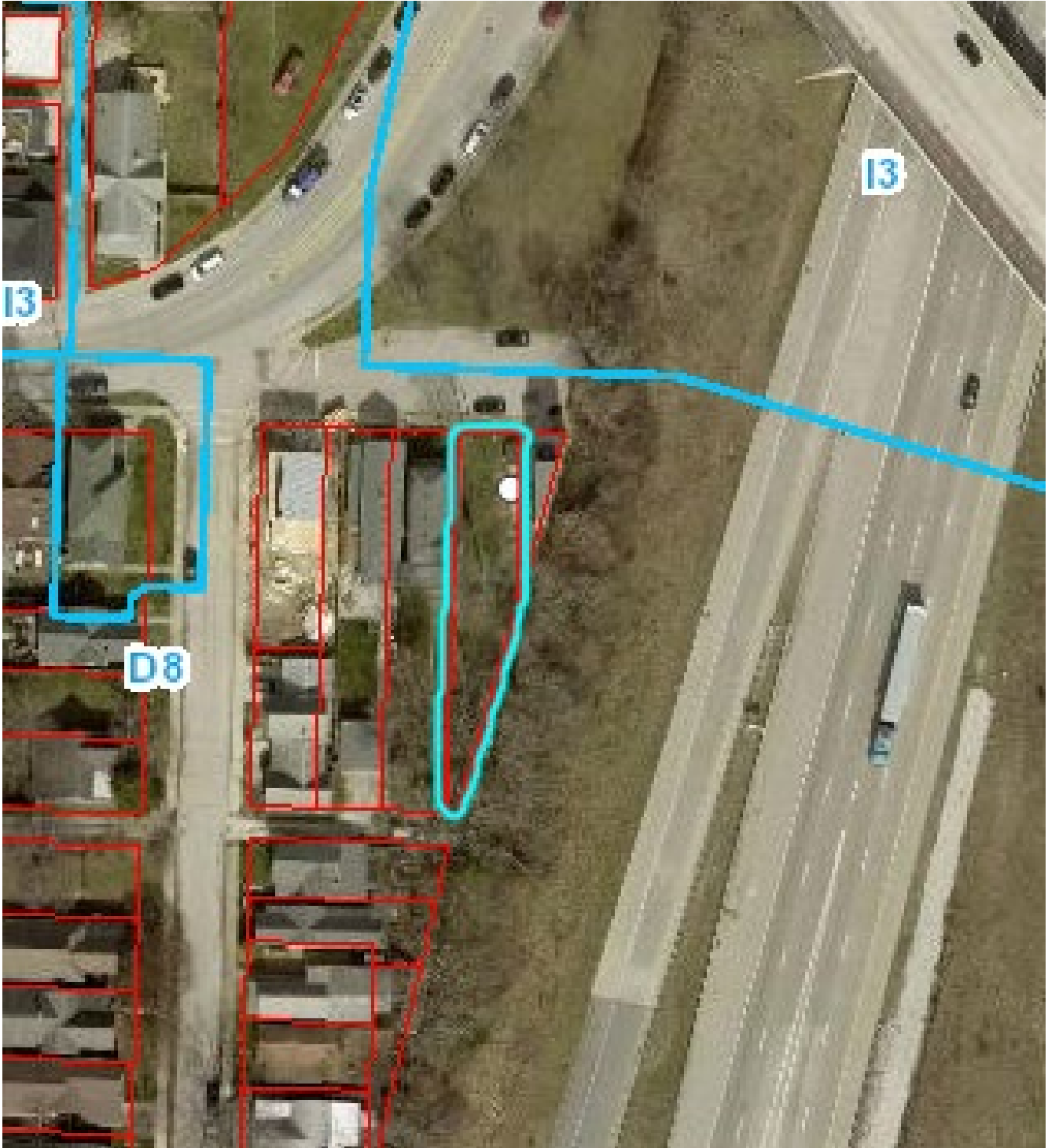
### ZONING HISTORY – VICINITY

**2020DV2017; 753 E McCarty Street (east of site)**, Variance of development standards of the Consolidated Zoning and Subdivision Ordinance to provide for a 38-foot tall single-family dwelling with a zero-foot front yard, a main floor area of 340 square feet, three-foot side yards and 50% open space (18-foot front yard or average, maximum 35-foot height, 660-square foot main floor area, four-foot side yards and 55% open space), **approved**.

**2020DV2029; 737 E McCarty Street) west of site)**, Variance of development standards of the Consolidated Zoning and Subdivision Ordinance to provide for the construction of an attached garage addition with a two-foot side setback, one-foot rear setback and 37% open space (four-foot side setbacks, 15-foot rear setback and 55% open space required), **approved**.

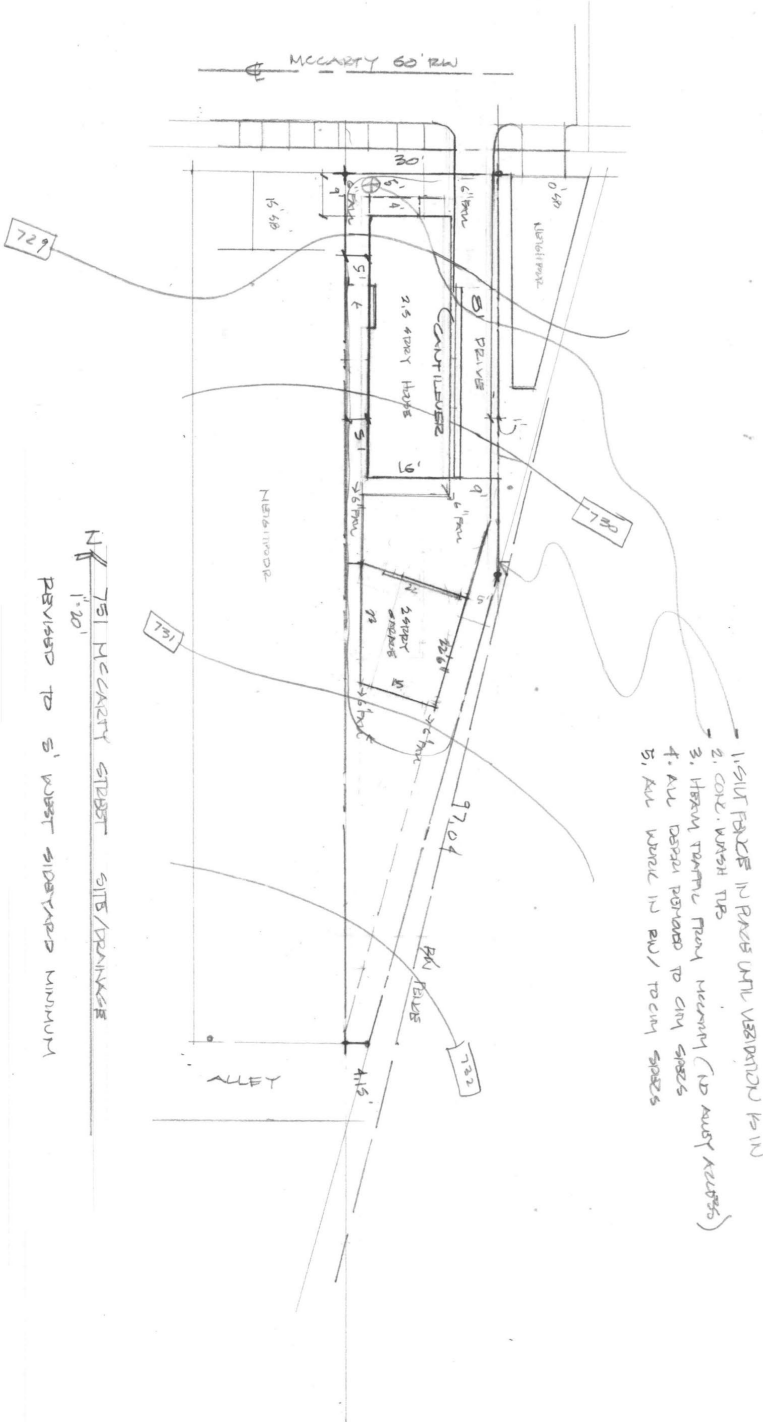
**2001ZON122; Multiple addresses along Merrill, Warsaw, Noble, East McCarty, Norwood, and Stevens Streets(west of site)**, rezone of 3.7 acres, being in the I-3-U ( RC) District, to the D-9 (RC) classification to legally establish residential uses, **approved**.

EXHIBITS





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Division of Planning  
Current Planning

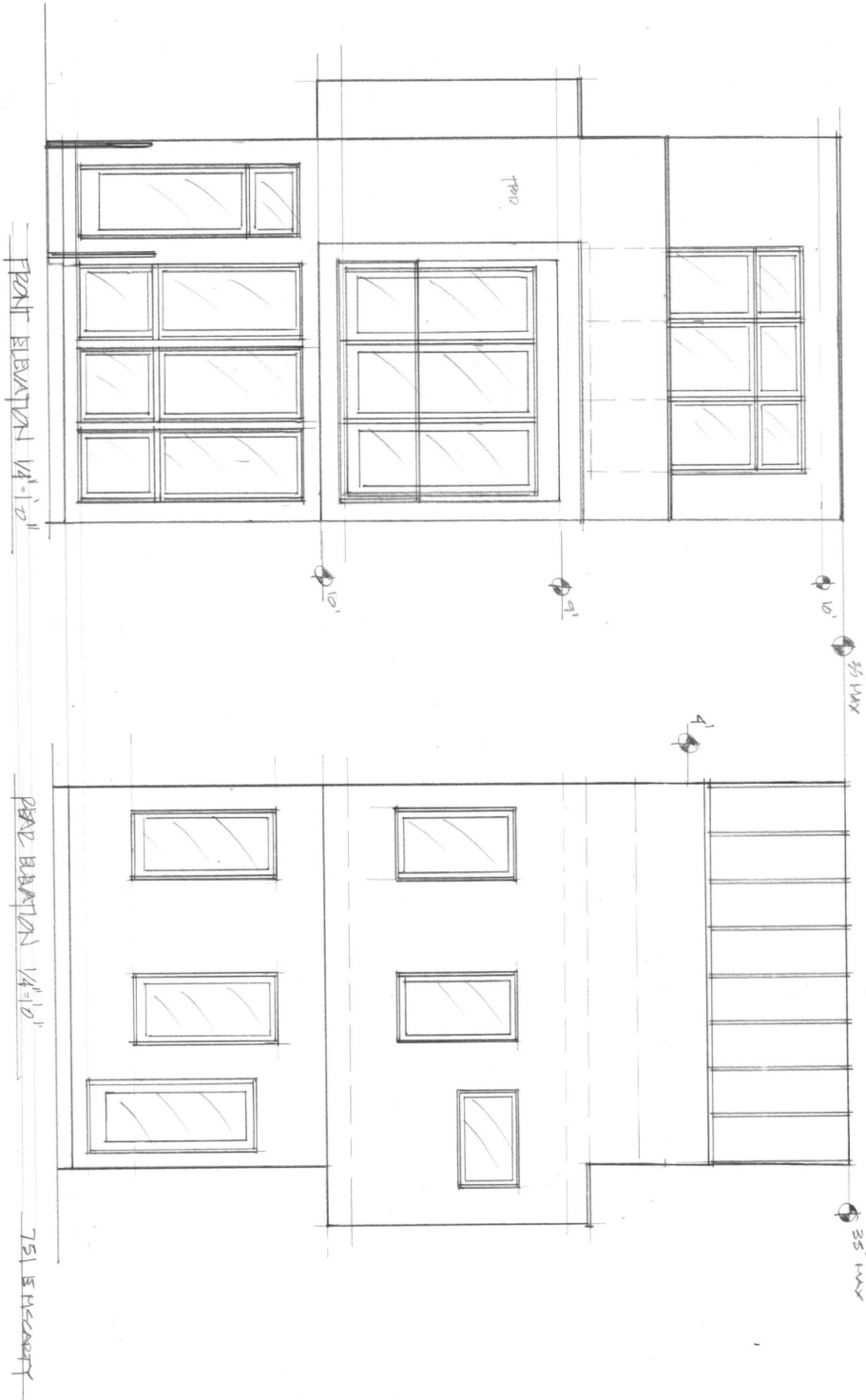


D-8 PL 3,977 sq (CONVERT)

VARIANCE 5' FRONT YARD - 4' PARK WIDE WALK @ 2.5 STRIP

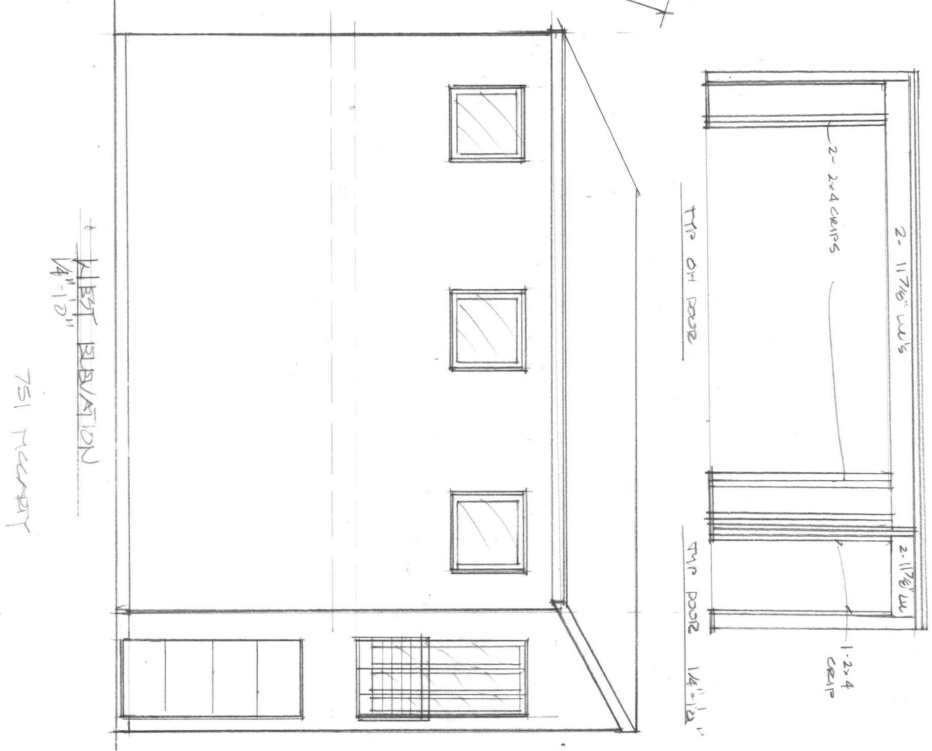
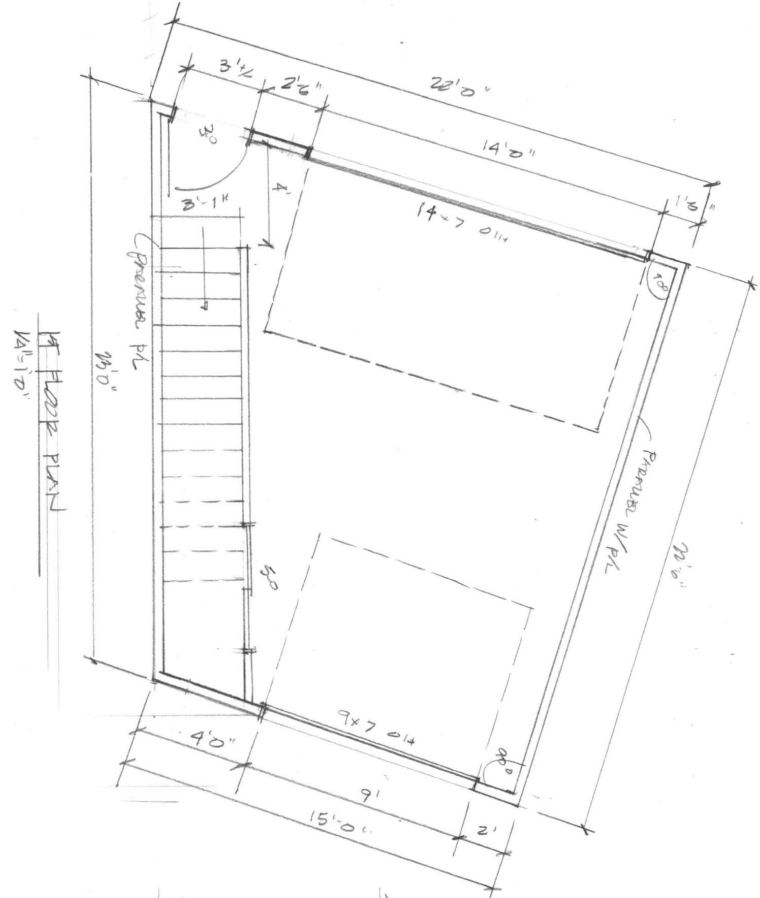
DISTRICT		ANR	
HOURS	SF	1,002 SF	5.5% (PST)
GAZONS	SF	407 SF	
		1,409	
VARIANCE/INCOME		600 SF	

N 75' McCauley STREET SITE/BREAKERS  
1"=20'  
REVISED TO 5' WALK SIDEWALK MINIMUM



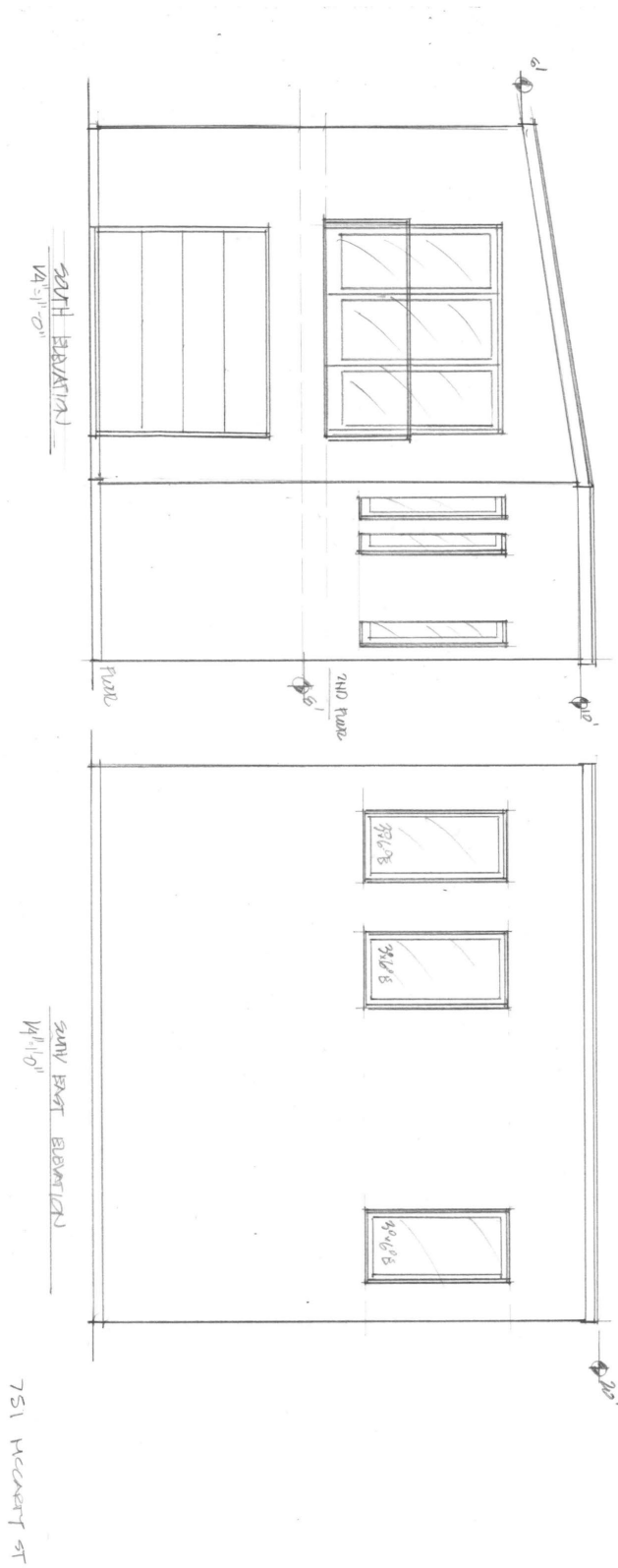














Department of Metropolitan Development  
Division of Planning  
Current Planning

Petition Number \_\_\_\_\_

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

PETITION FOR VARIANCE OF DEVELOPMENT STANDARDS

FINDINGS OF FACT

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

the grant will allow for the construction of a new home and detached garage for private residential use on a lot zoned for residential use.  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

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

the proposed home and detached garage will be consistent with development in the area and adjacent area.  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

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

lot is irregular in shape and has deficient alley access resulting in a need to reduce front setback to allow for maneuverable vehicle area behind residence. Also, an increase of the 2' required knee wall height to 4' is needed due to the need of extra height required for the staircase to the top floor. Without variance approval, the proposed residence and detached garage will not be built.  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

DECISION

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

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

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











**BOARD OF ZONING APPEALS DIVISION II**

**October 8, 2024**

**Case Number:** 2024-DV2-025 (Amended)

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

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

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

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

**Request:** Variance of Development Standards of the Consolidated Zoning and Subdivision Ordinance to provide for vertical addition and conversion of a single-family dwelling into a three-unit apartment resulting in a three-foot corner side yard setback (ten feet required) and a four-foot south side yard setback (five feet required).

**Current Land Use:** Residential

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

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

**PETITION HISTORY**

**ADDENDUM FOR OCTOBER 8, 2024 BZA DIVISION II HEARING**

- This petition was continued to the August 13, 2024 and again to the September 10, 2024 BZA Division II hearing to allow for changes to the request.
- The petition was continued to the October 8, 2024 BZA Division II hearing to finalize the site plan.

**STAFF RECOMMENDATION**

- Staff recommends approval of this petition

**PETITION OVERVIEW**

- This petition would provide for vertical addition and conversion of a single-family dwelling into a three-unit apartment resulting in a three-foot corner side yard setback (ten feet required) and a four-foot south side yard setback (five feet required). The petition was amended and renoticed after the proposal was determined to be a 3-unit apartment building and that a height variance was not needed.
- The subject site is improved with a single-story, single-family residence that was built in approximately 1940. The setbacks for the structure predate the Ordinance and are legally non-conforming. The south side yard setback is the only setback that would receive any change as a result of the proposal, which calls for demolishing an existing bump-out with a side setback of 3-feet, and then constructing



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 Division of Planning  
 Current Planning

a new elevator shaft to match the existing 3-foot setback. This petition would legally establish those setbacks.

- With the proposal calling for three residential units completely separate from each other, with different entrances, and with the form and design resembling an apartment building typology, Staff has classified the proposed structure as a three-unit apartment building which allows for a height of up to 50 feet / 4 stories, meaning the proposed height of approximately 35 feet would not require a height variance.
- Staff finds the request to be reasonable in nature, given the legally non-conforming status of the setbacks, and that the south side yard setback would ultimately be unchanged as a result of the elevator addition. Likewise, with the proposal meeting the requirements for open space, height, lot width, and lot area, Staff does not view this proposal as overdevelopment. Staff also finds the proposal to be in accordance with the Infill Housing Guidelines standards regarding building spacing and open space, which include meeting open space requirements when the lot is of sufficient sizing, limiting uncharacteristically large gaps between houses, and leaving room for maintenance. Therefore, Staff is unopposed to the variance request.

**GENERAL INFORMATION**

<b>Existing Zoning</b>	D-8	
<b>Existing Land Use</b>	Residential	
<b>Comprehensive Plan</b>	Traditional Neighborhood	
<b>Surrounding Context</b>	<b>Zoning</b>	<b>Surrounding Context</b>
	North: PK-1	North: Parks and Recreation
	South: SU-1	South: Religious Uses
	East: SU-1	East: Religious Uses
	West: D-8	West: Single-family residential
<b>Thoroughfare Plan</b>		
17 <sup>th</sup> Street	Local Street	49 feet of right-of-way existing and 48 feet proposed
Columbia Avenue	Local Street	60 feet of right-of-way existing and 48 feet proposed
<b>Context Area</b>	Compact	
<b>Floodway / Floodway Fringe</b>	No	
<b>Overlay</b>	No	
<b>Wellfield Protection Area</b>	No	
<b>Site Plan</b>	6/7/24	
<b>Site Plan (Amended)</b>	9/11/24	
<b>Elevations</b>	6/7/24	
<b>Elevations (Amended)</b>	9/11/24	
<b>Landscape Plan</b>	N/A	
<b>Findings of Fact</b>	6/7/24	





**Findings of Fact  
(Amended)**

8/14/24

**COMPREHENSIVE PLAN ANALYSIS**

**Comprehensive Plan**

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

**Pattern Book / Land Use Plan**

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

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

- Not Applicable to the Site.

**Neighborhood / Area Specific Plan**

- Not Applicable to the Site.

**Infill Housing Guidelines**

- With regards to setbacks and building spacing, the Infill Housing Guidelines recommends:
  - Reinforce spacing on the existing block
  - Limit uncharacteristically large gaps between houses
  - Leave room for maintenance
  - For lots that meet current size requirements, meet the open space standards
  - Consider both how additions and improvements meet Comprehensive Plan goals and ways to mitigate impacts

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

- Not Applicable to the Site.





## ZONING HISTORY

### ZONING HISTORY – SITE

**2005UV2002**, variance of use of the Dwelling Districts Zoning Ordinance to provide for an art studio, with infrequent gallery use, in an existing 1820-square foot building (not permitted),

### ZONING HISTORY – VICINITY

**2021DV1039A; 1709 Alvord Street (west of site)**, (Amended) Variance of development standards of the Consolidated Zoning and Subdivision Ordinance to provide for a detached four-car garage with two-foot side setbacks (four-foot side setbacks required), **denied**.

**2021DV1039B; 1709 Alvord Street (west of site)**, (Amended) Variance of development standards of the Consolidated Zoning and Subdivision Ordinance to provide for a two-family dwelling with a 16-foot front setback, 3.5-foot side setbacks, 4.5 feet between dwellings and 52% open space (18-foot front setback or average, four-foot side setbacks, 10 feet between dwellings and 55% open space required), **approved**.

**2021UV1016; 1607 Yandes Street (south of site)**, Variance of use and development standards of the Consolidated Zoning and Subdivision Ordinance to provide for a second floor addition to an existing two-family dwelling (not permitted) with 7.5-foot front setback, a 2.5-foot side setback, a four-foot north transitional side setback and an eleven-foot rear setback (10-foot front, side and rear setbacks and 15-foot side transitional setback required), **approved**.

**2020DV2023; 1628 Columbia Avenue (south of site)**, Variance of development standards of the Consolidated Zoning and Subdivision Ordinance to provide for the construction of a single-family dwelling, located 8.5 feet from an adjacent dwelling (10-foot separation required), and a detached garage, **granted**.

**2018DV3058; 1127 E 17<sup>th</sup> Street (west of site)**, Variance of development standards of the Consolidated Zoning and Subdivision Ordinance to provide for a 35.5-foot tall, single-family dwelling, with garage access from 17<sup>th</sup> Street, with a 3.5-foot west side setback, and with 290 square feet of main floor living area (maximum 35-foot height, access to an improved alley, four-foot side setback and 660 square feet of main floor area required), **approved**.

**2018UV1001; 1653 Alvord Street (west of site)**, Variance of use and development standards of the Consolidated Zoning and Subdivision Ordinance to provide for an automobile repair garage on a lot without public street frontage and without direct access to a public street, **approved**.

**2017DV2032A; 1324 E 16<sup>th</sup> Street (south of site)**, Variance of development standards of the Consolidated Zoning and Subdivision Ordinance to provide for a building, with less transparency than required on the east, south and north elevations (40% required for any façade within 50 feet of a local, collector or arterial street), **approved**.



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Division of Planning  
Current Planning

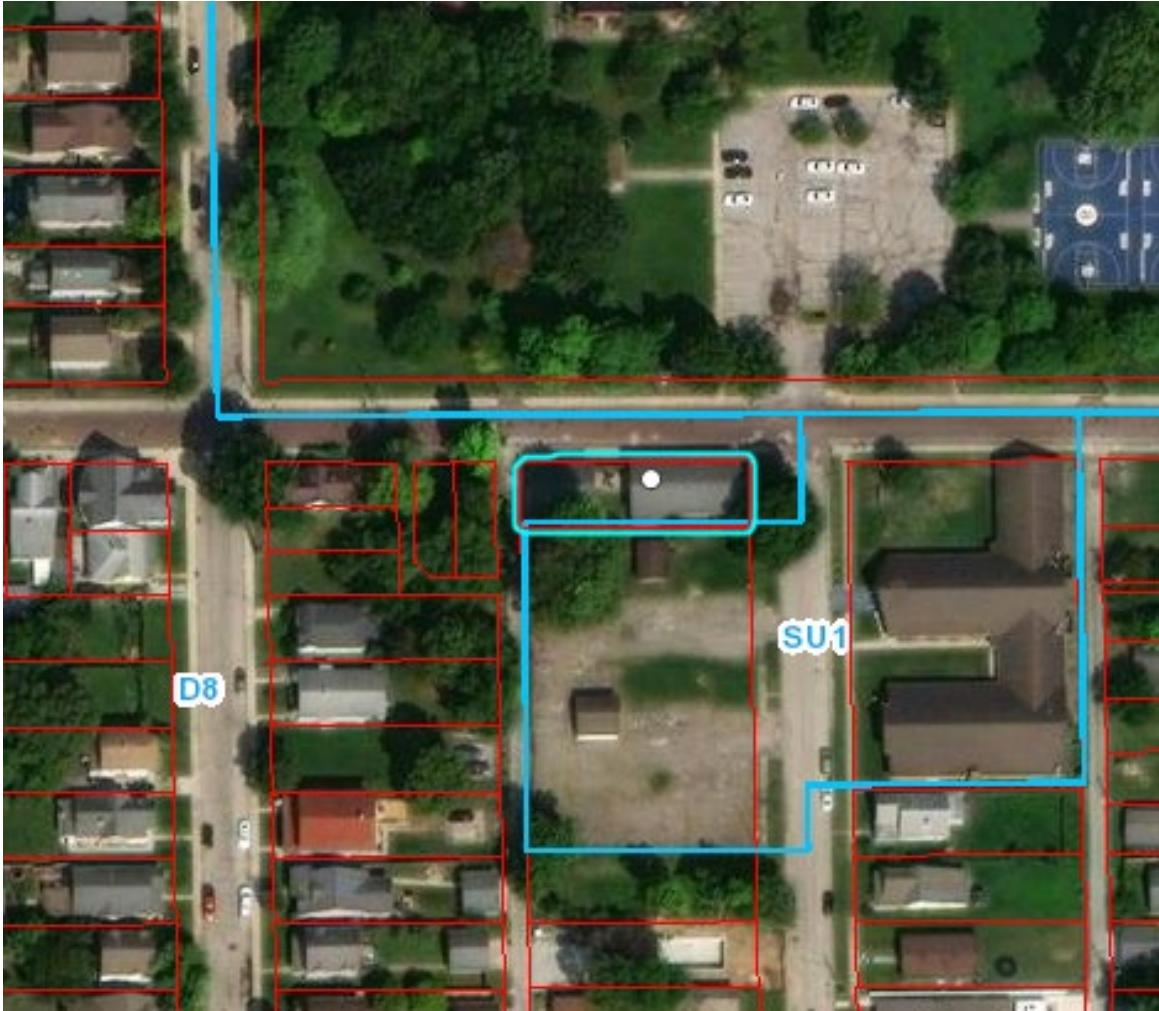
**2017DV2032B; 1324 E 16<sup>th</sup> Street (south of site)**, Variance of development standards of the Consolidated Zoning and Subdivision Ordinance to provide for a building, with less transparency than required on the east elevation (40% required for any façade within 50 feet of a local, collector or arterial street), **denied**.

**2006ZON084; 1608 Columbia Avenue (south of site)**, Rezoning of 0.123-acre, from C-5 District, to the D-8 classification to provide for the construction of a single-family dwelling, **approved**.

**99-Z-83; 1648-1664 Columbia Avenue (south of site)**, rezone of 0.65 acres from D-8 to SU01 to provide for a church parking lot, **approved**.

**98-UV3-13; 1607-1617 Columbia Avenue (south of site)**, variance of use of the Dwelling Districts Zoning Ordinance to provide for the construction of a commercial building for the retail sale of flowers, being 47 by 96 feet in size (not permitted), **approved**.

EXHIBITS











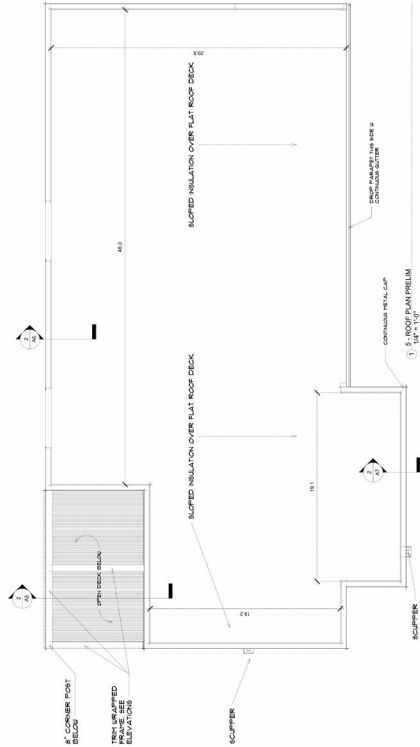
SPACE CRAFT ARCHITECTURE | DESIGN | PLANNING

1670 COLUMBIA AVE

KARISSA GROVE

FLOORPLANS

9/30/2024 1:03:42 PM



Window Schedule					Exterior Door Schedule					
Type	Count	Level	Family and Type	Width	Height	Type	Count	Level	Width	Height
200101	1	1	Window, 10'0\"/>							

SPACE CRAFT  
 ARCHITECTURE | DESIGN | PLANNING

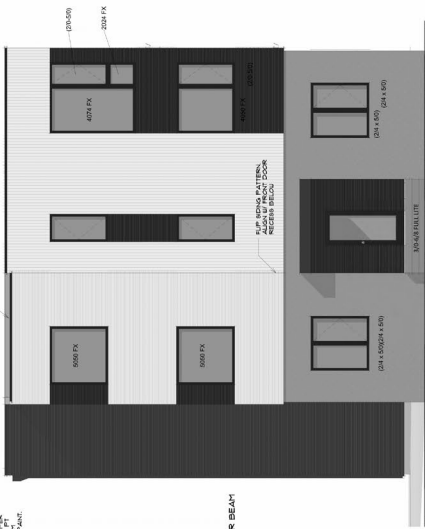
1670 COLUMBIA AVE

KARISSA GROVE ELEVATIONS

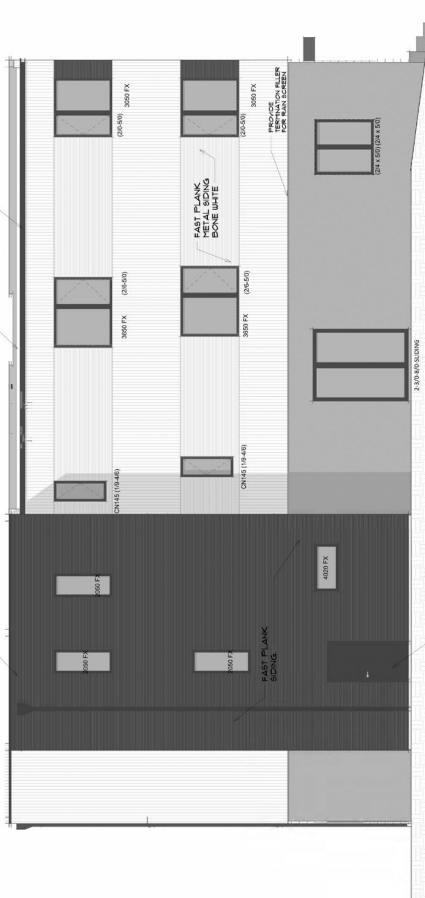
9/30/2024 1:03:52 PM



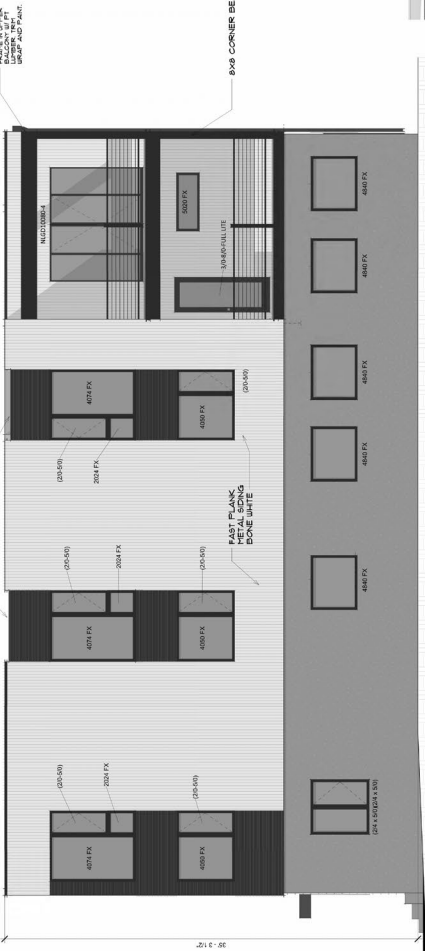
5 REAR ELEVATION  
1/4" = 1'-0"



3 FRONT ELEVATION  
1/4" = 1'-0"

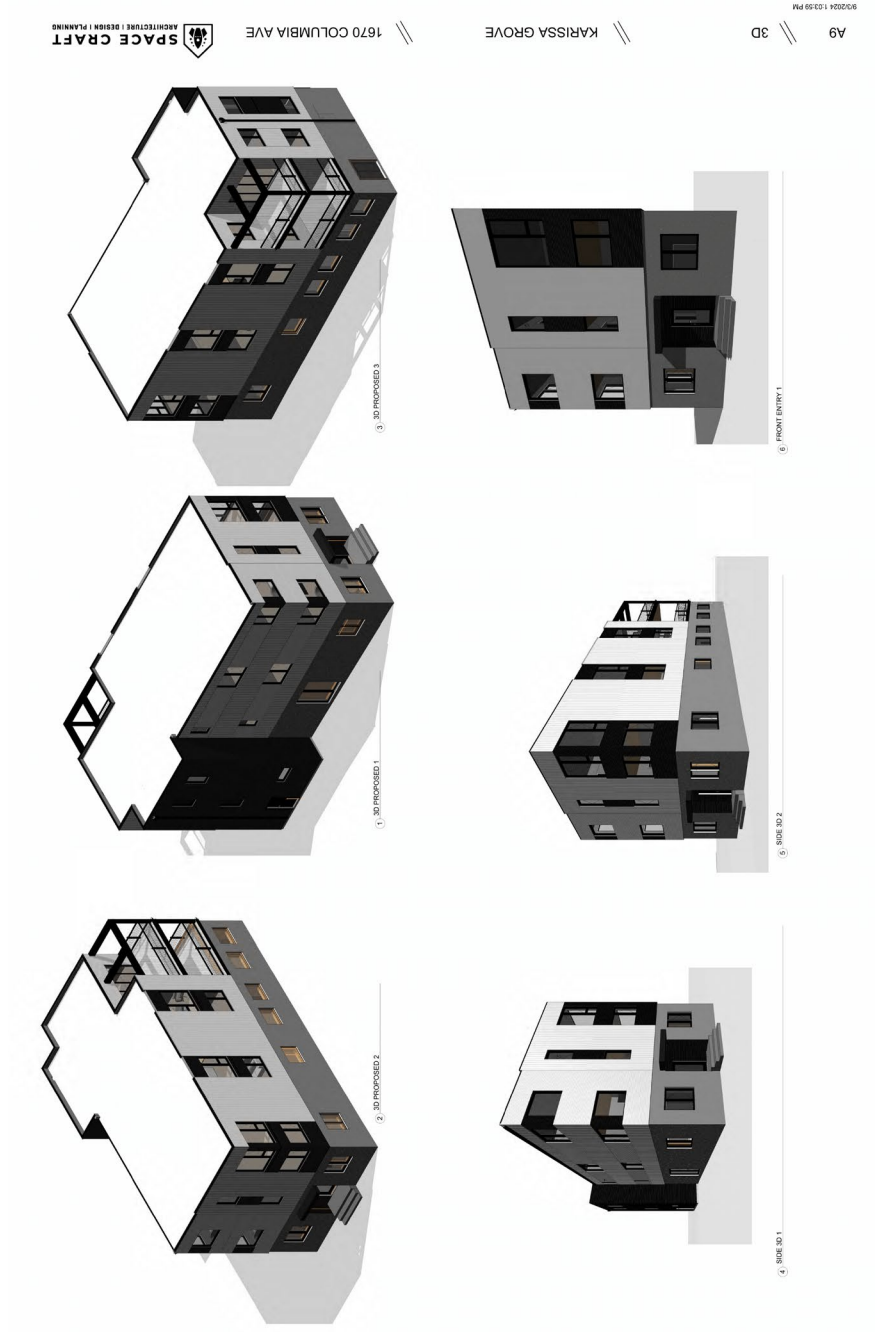


2 COURTYARD ELEVATION  
1/4" = 1'-0"



1 STREET ELEVATION  
1/4" = 1'-0"







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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 vertical construction of the two additional stories, which is permitted by code, will contain the same setbacks as to what is currently on the site and will be similar in nature to many other residential properties in the Martindale Brightwood neighborhood.

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

The use and value of the area will be increased due to the new addition to an existing single-family structure. The use of the subject property will remain as-is.

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 redevelopment of this property is a small apartment building, which is permitted by code. It will contain the same setbacks as the existing structure that is currently on the property.

**DECISION**

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

Adopted this \_\_\_\_\_ Day of \_\_\_\_\_, 20 \_\_\_\_

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













**BOARD OF ZONING APPEALS DIVISION II** **October 8<sup>th</sup>, 2024**

**Case Number:** 2024-DV2-031

**Property Address:** 2701 N College Ave

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

**Petitioner:** JBCC Holdings LLC, By David Gilman

**Current Zoning:** MU-2

**Request:** Variance of Development Standards of the Consolidated Zoning and Subdivision Ordinance to provide for a surface parking lot with four spaces (11 required) and a zero-foot front yard setback from 27th Street (50-foot setback, location behind building required).

**Current Land Use:** Commercial

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

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

**PETITION HISTORY**

This is the second public hearing for this petition.

**STAFF RECOMMENDATION**

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

**PETITION OVERVIEW**

- This request would allow for a parking reduction by seven spaces, on a surface lot with a zero-foot transitional front yard along 27<sup>th</sup> Street.
- The 6,260 sqft building is to be converted to have two apartments on the second floor while the first floor will have two office spaces totaling 1,550 sqft of leasable area each.
- The site plan includes three parking spaces onsite (one being an ADA parking location), with four on-street parking spaces parallel to the site along East 27<sup>th</sup> Street, and two along North College Avenue.
- Specifically, Staff is concerned about the feasible maneuverability of the proposed on-site surface lot and the proximity to a residential structure directly east of the site. While Staff acknowledges that this residential use is within the C-3 District, if the abutting site were zoned appropriately, a 15-foot landscaped transitional yard would be required.





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- Staff would note that Section 744-401.H allows for any legal on-street parking spaces parallel to a properties front lot line may count towards the sites minimum required parking. Given the linear length of these lot lines, at least seven parking spaces may be provided under this provision. Given the low intensity of the proposed use, Staff believes these spaces would be sufficient while affording a reasonable buffer between the commercial use of the site and the residential use to the east.
- Such a parking layout would also allow the area where the proposed parking would be located to be used as amenity space for both the office and dwelling units while preserving the buffer space between the subject site and the abutting site to the east.

**GENERAL INFORMATION**

<b>Existing Zoning</b>	MU-2	
<b>Existing Land Use</b>	Commercial	
<b>Comprehensive Plan</b>	Village Mixed-Use	
<b>Surrounding Context</b>	<b>Zoning</b>	<b>Surrounding Context</b>
North:	C-3	North: Two-Family Dwelling
South:	C-1	South: Multi-Family Residential
East:	C-3	East: Two-Family Dwelling
West:	D-8	West: Exempt/Religious Uses
<b>Thoroughfare Plan</b>		
College Ave	Primary Arterial	62 foot right-of-way existing and 78 foot right-of-way proposed
27 <sup>th</sup> Street	Local Street	41 foot right-of-way existing and 48 foot right of way proposed
<b>Context Area</b>	Compact	
<b>Floodway / Floodway Fringe</b>	No	
<b>Overlay</b>	No	
<b>Wellfield Protection Area</b>	Yes	
<b>Site Plan</b>	08/11/2024	
<b>Site Plan (Amended)</b>	08/21/2024	
<b>Elevations</b>	N/A	
<b>Elevations (Amended)</b>	N/A	
<b>Landscape Plan</b>	N/A	
<b>Findings of Fact</b>	08/11/2024	
<b>Findings of Fact (Amended)</b>	N/A	

**COMPREHENSIVE PLAN ANALYSIS**



Department of Metropolitan Development  
Division of Planning  
Current Planning

### Comprehensive Plan

- City of Indianapolis Consolidated Zoning / Subdivision Ordinance
- Red Line TOD Strategic Plan
- Indy Moves

### Pattern Book / Land Use Plan

- According to the Consolidated Zoning Plan personal or commercial services including consumer services or repair of consumer goods, hair and body care salon or service, financial and insurance services (banks and check cashing or validation services), laundromats, printing services and tattoo parlors need to have a minimum off-street vehicle parking space count of five spaces or one per 350 sqft, whichever is greater (pg 515).
- As required by the Consolidated Zoning Plan off street ADA parking spaces shall be provided, in the cause of a location with 0-25 parking spaces the location will need to have at minimum of one ADA reserved space (pg 518)
- Setback requirements in the Consolidated Zoning plan for a MU-2 zoning, includes: (pg 477)
  - Front Yard Setback
    - 5ft-20ft
  - Front Transitional Yard
    - 20 ft
  - Side Transitional Yard/Abutting Alley
    - 15/10ft
  - Rear Transitional Yard/Abutting Alley
    - 15/10ft

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

- The study area for the Red Line corridor centered around the Central Business District, Meridian and College Avenue corrido, Shelby Street corridor and the Marion County/Johnson County line. The study assessed land use and market characteristics of the region and the proposed corridors in relation to each other using methodology based on research and approaches developed by the Center for Transit Oriented Development (CTOD) (pg 5).
- According to the Red Line plan north of downtown Indianapolis, the strongest stations were located along the College Avenue corridor. Stations in the CBD had the strongest market strength scores while station at Virginia and New Jersey and Meridian and 34<sup>th</sup> and 28<sup>th</sup> Street had high TOD readiness scores (pg. 6).

### 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)

- Indy Moves plans state that it is needed to adjust parking regulations and management of vehicle storage. The parking requirements incorporated in zoning codes are one of the most important determinants of which buildings get built, how they get built, and the transportation choices of those who inhabit them. Zoning ordinances dictate how many parking spaces a certain type of development must have, thereby inducing travel demand (by making it easier to drive) or reducing travel demand (by making it more difficult and encouraging walking, biking, and transit use as alternatives). Zoning codes can also encourage development patterns that are compact and walkable or spread out and difficult to connect without a car. Indy's recent zoning code update re-evaluated parking requirements and introduced parking maximums in some places, and the City should continue to consider further changes to avoid over parking in an era in which parking demand could drop dramatically (pg .



## ZONING HISTORY

### ZONING HISTORY – SITE

- 2023-ZON-092
  - Rezoning of 0.15 acre from the C-3 district to the MU-2 district to provide for mixed-use development. **Approved.**

### ZONING HISTORY – SURROUNDING

- 2017-CZN-840: 717 E 27<sup>th</sup> St (Southeast of Site)
  - Rezoning of 0.06 acre from the C-1 district to the D-8 classification. **Scheduled for CCC.**
- 2019-ZON-032: 2637 N College Ave (South of Site)
  - Rezoning of 0.32 acre from the C-1 district to the D-8 classification. **Approved.**
- 2019-ZON-100: 725 E 27<sup>th</sup> St (East of Site)
  - Rezoning of 0.5 acre from the SU-1 district to the D-8 district. **Approved.**
- 2019-CPL-845: 2636 N College Ave (Southwest of Site)
  - Approval of a Subdivision Plat to be known as Re-plat of Lots Six and Seven in Losey's College Avenue Addition, dividing 0.32 acre into seven lots. **Approved.**
- 2019-CVR-845: 2636 N College Ave (Southwest of Site)
  - Variance of development standards of the Consolidated Zoning and Subdivision Ordinance to provide for four lots with 48% open space (55% required) and to provide for a three-foot south side setback on Lot Seven for the single-family attached dwelling, attached garage and trash container area (four-foot side setback required). **Approved.**
- 2021-CVR-813: 721 E 27<sup>th</sup> St (Southeast of Site)
  - Variance of use and development standards of the Consolidated Zoning and Subdivision Ordinance to provide for the conversion of a building into a two-family dwelling (only originally constructed two-family dwellings permitted) and to legally establish and provide for 3.25-foot, four-foot, 6.5-foot and 10-foot rear setbacks for the two-family dwellings and proposed garages (15-foot rear setbacks required). **Approved.**

**EXHIBITS**

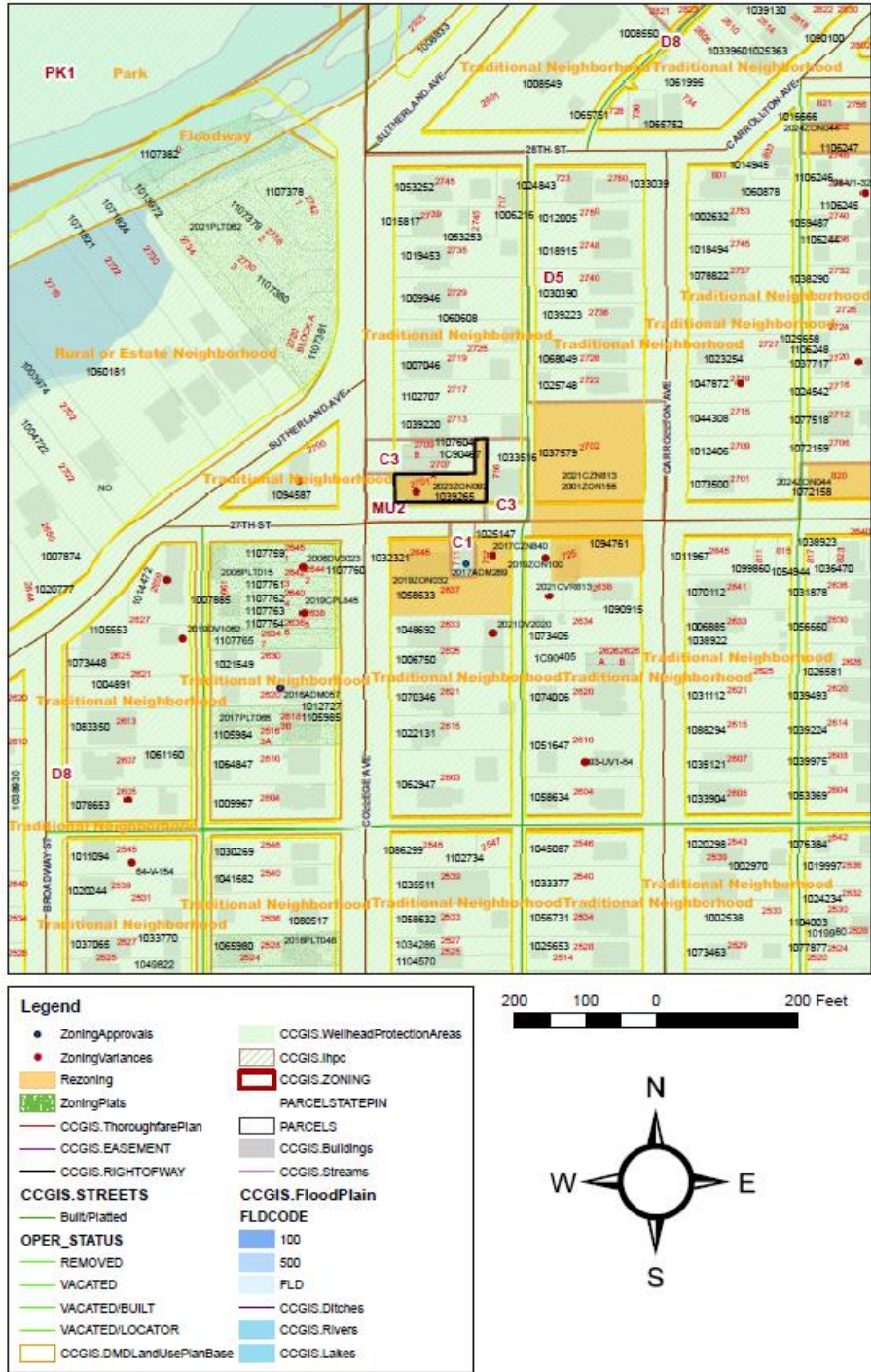


Exhibit 1: Area map around 2701 N College Ave



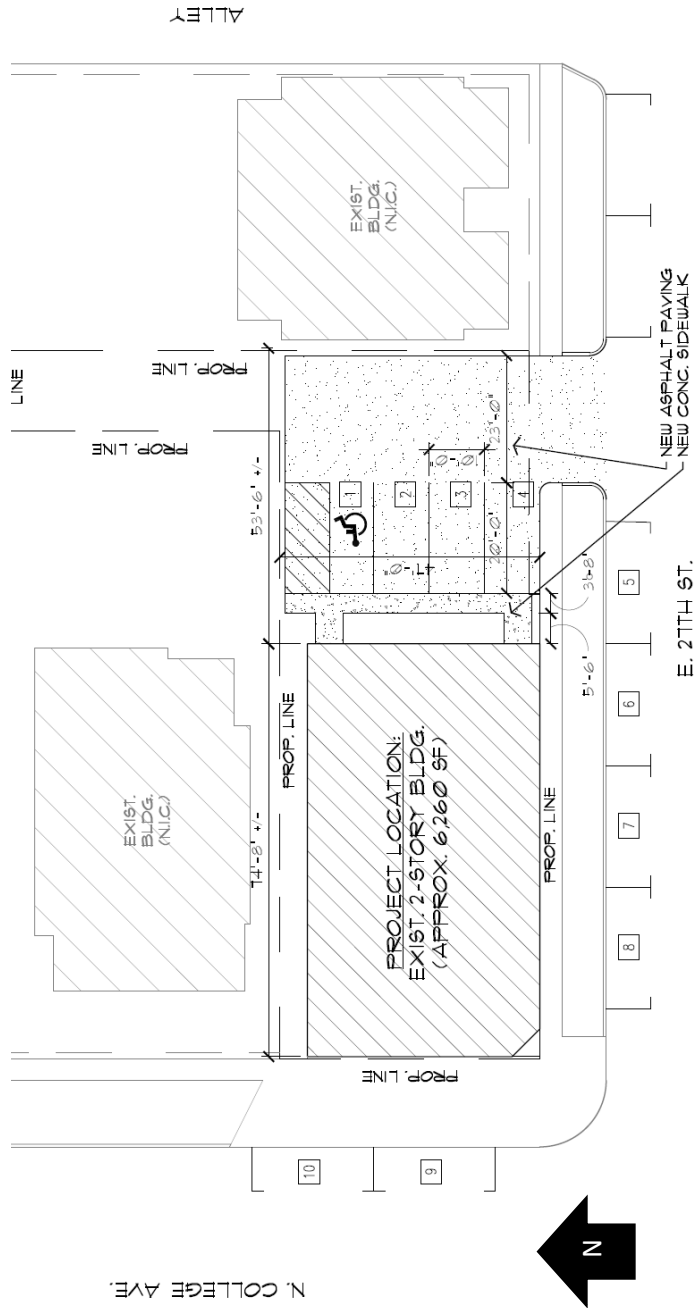


Exhibit 2: Site Plan of 2701 N College Ave



**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 site has available parking along the street as well as off-street parking. The parking spaces will meet the required dimensional standards as required by the ordinance. The existing building is constructed on the property line and the proposed parking lot will be align with the established building setback line

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 uses utilize both street and off-street parking. Many of the existing buildings are constructed to the sidewalk or property line. The surface parking lot will be aligned with the established front setback line along the same block.

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

The required parking will not allow the amount of available space in the existing building that has historically depended on street parking.  
The required front setback for a surface parking lot will significantly reduce or eliminate any opportunity for any off-street parking.

Exhibit 3: Findings of Fact submitted by the petitioner for 2701 N College Ave



Exhibit 4: Front of 2701 N College Ave.





Exhibit 5: Back of 2701 N College Ave, where planned parking lot will be built if approved by the BZA.





Exhibit 6: Back of 2701 N College Ave, where planned parking lot will be built if approved by the BZA looking towards neighboring building.





**BOARD OF ZONING APPEALS DIVISION II** **October 8, 2024**

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

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

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

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

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

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

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

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

**PETITION HISTORY**

**October 8<sup>th</sup> 2024:** The petitioner will make a for-cause continuance request to move this hearing to the November 12<sup>th</sup> date in order for additional time to discuss with school board members and others within the community. A full staff report will be made available in advance of that hearing date.

**September 10<sup>th</sup> 2024:** This petition was continued from the September 10<sup>th</sup> hearing date to the October 8<sup>th</sup> hearing to allow for the petition to be heard concurrently with other variance requests related to digital signage for Pike Township schools. A favorable recommendation was given to the petition by the PTRAs on the condition of various limiting commitments. Staff's recommendation is unchanged, but the commitments do reduce some of the negative externalities mentioned within the body of the report.

**August 13<sup>th</sup> 2024:** A timely automatic continuance was filed in advance of the August 13<sup>th</sup>, 2024 hearing date and this petition was subsequently continued to today's hearing (September 10<sup>th</sup>).