



**Board of Zoning Appeals
Board of Zoning Appeals Division I
(August 6, 2024)
Meeting Agenda**

Meeting Details

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

Date: Tuesday, August 06, 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

PETITIONS REQUESTING TO BE CONTINUED:

- 1. 2024-DV1-027 | 5101 East Thompson Road**
Franklin Township, Council District #24, zoned C-4
BET Investments Inc., by Matthew Maple

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

**** Automatic Continuance filed by Petitioner, to the September 3, 2024 hearing of Division I**

- 2. 2024-UV1-009 | 1307 South High School Road**
Wayne Township, Council District #17, zoned C-4 (TOD)
Sohum Hotels Indy West LLC, by Russell Brown

Variance of Use and Development Standards of the Consolidated Zoning and Subdivision Ordinance to provide for the construction of a 122-unit hotel (not permitted), with a 70-foot front building line from Washington Street (maximum 10-foot building line permitted), one primary entry (four required), and parking within the front yard (prohibited) and with zero-foot landscape strip along the frontage and deficient landscaping (six-foot landscape strip required), and a chain link fence within the front yard of Washington Street (not permitted).

**** Petitioner to request a continuance, for cause, to the September 3, 2024 hearing of Division I**

- 3. 2024-UV1-011 | 5151 South Franklin Road**
Franklin Township, Council District #25, zoned I-2
Zahn Real Estate LLC, by Joseph D. Calderon

Variance of use and development standards of the Consolidated Zoning and Subdivision Ordinance to provide for warehousing with outdoor storage within zero-feet of a protected district (not permitted within 500 feet of protected districts) and 247% the size of the gross floor area of enclosed buildings (25% maximum allowed) with deficient transitional yard landscaping and 33 parking spaces (59 spaces required), and the construction of several buildings with a minimum of an eight-foot transitional side yard and 20-foot rear transitional yard (50 feet required) and a 30-foot front transitional yard (100 feet required).

**** Petitioner to request continuance to discuss with registered neighborhood organization**

Petitions for Public Hearing

PETITIONS TO BE EXPEDITED:

- 4. 2024-DV1-026 | 2008 East Maryland Street**
Center Township, Council District #18, zoned D-5
Janessa Luster, by Epifanio Carbajal

Variance of Development Standards of the Consolidated Zoning and Subdivision Ordinance to provide for the construction of a single-family dwelling with a two-foot east side yard setback (five feet required).

PETITIONS FOR PUBLIC HEARING (Transferred Petitions):

PETITIONS FOR PUBLIC HEARING (Continued Petitions):

- 5. 2024-DV1-017 | 2719 Madison Avenue**
Center Township, Council District #18, zoned C-5
TGA SC Global Indy I LP, by Jay Ingrassia

Variance of Development Standards of the Consolidated Zoning and Subdivision Ordinance to provide for the location of a six-foot tall wooden privacy fence and a six-foot tall chain link privacy fence within the front yards of Madison Avenue and East Street (maximum fence height of five feet permitted) with the chain link fence being topped with barbed wire (prohibited, chain link fences not permitted within the front yard) and encroaching within the clear sight triangle of the driveways along East Street (not permitted).

PETITIONS FOR PUBLIC HEARING (New Petitions):

- 6. 2024-DV1-024 | 3815 & 3925 River Crossing Parkway**
Washington Township, Council District #4, zoned C-S (FF)
IND SLC Lake Pointe Equities LLC, by Stephanie J. Truchan

Variance of Development Standards of the Consolidated Zoning and Subdivision Ordinance to provide for two skyline signs per elevation of the office building and parking garage (one skyline sign per elevation permitted).

- 7. 2024-DV1-025 | 6438 Marble Lane**
Franklin Township, Council District #24, zoned D-2
Patricia Moore

Variance of Development Standards of the Consolidated Zoning and Subdivision Ordinance to provide for the location of a fence with a maximum height of eight feet within the side yards and front yard of Marble Lane (maximum height of six feet in side yards, 3.5 feet in front yards permitted).

- 8. 2024-DV1-028 | 5151 North Pennsylvania Street**
Washington Township, Council District #7, zoned D-4 (MSPC)
Eric & Kimberly Dollin, by Patrick Shirmeyer

Variance of Development Standards of the Consolidated Zoning and Subdivision Ordinance to provide for a building addition resulting in a six-foot rear yard setback (20 feet required).

Additional Business:

**The addresses of the proposals listed above are approximate and should be confirmed with the Division of Planning. Copies of the proposals are available for examination prior to the hearing by emailing planneroncall@indy.gov. Written objections to a proposal are encouraged to be filed via email at dmdpubliccomments@indy.gov, before the hearing and such objections will be considered. At the hearing, all interested persons will be given an opportunity to be heard in reference to the matters contained in said proposals. The hearing may be continued from time to time as may be found necessary. For accommodations needed by persons with disabilities planning to attend this public hearing, please call the Office

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 I **August 6, 2024**

Case Number: 2024-DV1-027

Property Address: 5101 East Thompson Road (approximate address)

Location: Franklin Township, Council District #24

Petitioner: BET Investments Inc., by Matthew Maple

Current Zoning: C-4

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

Current Land Use: Vacant Commercial

Staff Reviewer: Michael Weigel, Senior Planner

PETITION HISTORY

A timely automatic continuance request was filed by the petitioner to allow additional time for discussion of the project with staff. A full staff report will be made available in advance of the September 3, 2024 hearing date.



BOARD OF ZONING APPEALS DIVISION I **July 2, 2024**

Case Number: 2024-UV1-009
Address: 1307 South High School Road (approximate address)
Location: Wayne Township, Council District #17
Zoning: C-4 (TOD)
Petitioner: Sohum Hotels Indy West LLC, by Russell Brown
Request: Variance of Use and Development Standards of the Consolidated Zoning and Subdivision Ordinance to provide for the construction of a 122-unit hotel (not permitted), with a 70-foot front building line from Washington Street (maximum 10-foot building line permitted), one primary entry (four required), and parking within the front yard (prohibited) and with zero-foot landscape strip along the frontage and deficient landscaping (six-foot landscape strip required), and a chain link fence within the front yard of Washington Street (not permitted).

Staff Reviewer: Robert Uhlenhake, Senior Planner

PETITION HISTORY

This petition was previously automatically continued at the request of the petitioner, from the July 2, 2024, hearing, to the August 6, 2024, hearing.

The petitioner has indicated they are still in discussion with the City County Councilor to make possible changes, and will be **requesting a continuance for cause from the August 6, 2024 hearing, to the September 3, 2024 hearing** without notice unless required. Staff has no objection to this second continuance.

RU *****



BOARD OF ZONING APPEALS DIVISION I **August 6, 2024**

Case Number: 2024-UV1-011
Property Address: 5151 South Franklin Road (approximate address)
Location: Franklin Township, Council District #25
Petitioner: Zahn Real Estate LLC, by Joseph D. Calderon
Current Zoning: I-2

Request: Variance of use and development standards of the Consolidated Zoning and Subdivision Ordinance to provide for warehousing with outdoor storage within zero-feet of a protected district (not permitted within 500 feet of protected districts) and 247% the size of the gross floor area of enclosed buildings (25% maximum allowed) with deficient transitional yard landscaping and 33 parking spaces (59 spaces required), and the construction of several buildings with a minimum of an eight-foot transitional side yard and 20-foot rear transitional yard (50 feet required) and a 30-foot front transitional yard (100 feet required).

Current Land Use: Industrial
Staff Reviewer: Michael Weigel, Senior Planner

PETITION HISTORY

A request will be made by the petitioner to continue this petition to the September 3, 2024 meeting to allow time for additional discussion with staff and neighborhood groups that will likely result in amendments to the scope and plans. A full staff report will be available in advance of the September hearing date.



BOARD OF ZONING APPEALS DIVISION I

August 6, 2024

Case Number: 2024-DV1-026
Address: 2008 East Maryland Street (approximate address)
Location: Center Township, Council District #18
Zoning: D-5
Petitioner: Janessa Luster, by Epifanio Carbajal
Request: Variance of Development Standards of the Consolidated Zoning and Subdivision Ordinance to provide for the construction of a single-family dwelling with a two-foot east side yard setback (five feet required).

Current Land Use: Single-family dwelling

Staff Recommendation: Staff recommends approval of this petition.

Staff Reviewer: Robert Uhlenhake, Senior Planner

PETITION HISTORY

This is the first public hearing for this petition.

STAFF RECOMMENDATION

Staff recommends **approval** of this petition.

PETITION OVERVIEW

- ◇ The request would provide for the construction of a single-family dwelling with a two-foot east side yard setback.
- ◇ A previous dwelling on site had a similar reduced side setback. The adjacent dwelling to the east has a twelve-foot driveway separating it from the reduced setback. The driveway would provide adequate separation from any primary dwelling or other accessory structure.
- ◇ Development in this area predates current zoning requirements. Residential uses with similar reduced setbacks on one side of the parcel are common in this area. This allows for additional width to place a driveway in the other side setback, and a rear garage where no developed alley access exists. Requiring that the site adhere to development standards for the proposed improvements, particularly given that the site was platted prior to current zoning requirements, would constitute a practical difficulty.
- ◇ The proposed setback would still provide adequate space to mitigate any adverse impacts and provide the minimum area necessary for maintenance setbacks similar to or greater than adjacent parcel accessory structures. The request would represent a minor deviation from the Ordinance.



- ◇ Generally, staff supports property improvements if their location and characteristics do not negatively impact adjoining residential areas by causing a nuisance to the surrounding neighborhood. Staff believes that this would be true for this particular variance request, and additionally that no public safety or health risks would come from the grant of this variance.

GENERAL INFORMATION

Existing Zoning	D-5	
Existing Land Use	Single-Family Dwelling	
Comprehensive Plan	Recommends Traditional Neighborhood uses	
Surrounding Context	Zoning	Surrounding Context
	North:	I-3 North: Railroad yard
	South:	D-5 South: Single-Family dwelling
	East:	D-5 East: Single-Family dwellings
	West:	D-5 West: Single-Family dwelling
Thoroughfare Plan		
Maryland Street	Local Street	70-foot existing and proposed right-of-way.
Context Area	Compact area	
Floodway / Floodway Fringe	No	
Overlay	Blue Line TOD	
Wellfield Protection Area	No	
Elevations	N/A	
Landscape Plan	N/A	
Site Plan	July 5, 2024	
Findings of Fact	July 5, 2024	

COMPREHENSIVE PLAN ANALYSIS

Comprehensive Plan

- The Comprehensive Plan recommends traditional neighborhood uses for the site.

Pattern Book / Land Use Plan

- The Comprehensive Land Use Plan recommends the Traditional Neighborhood typology which 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.



Red Line / Blue Line / Purple Line TOD Strategic Plan

- The Blue Line Transit-Oriented Development (TOD) overlay is intended for areas within walking distance of a transit station. The purpose of this overlay is to promote pedestrian connectivity and a higher density than the surrounding area.

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

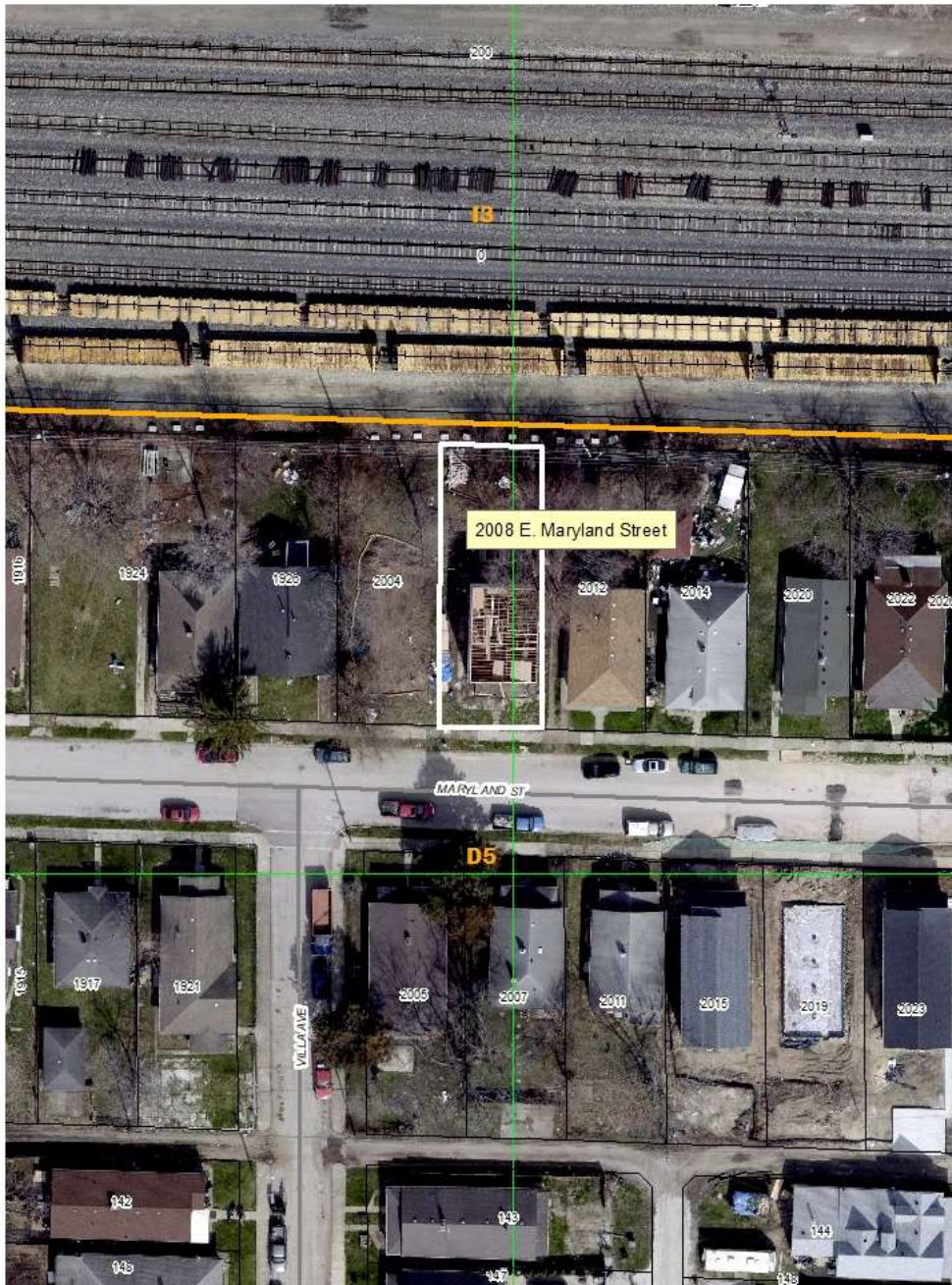
2018-HOV-095; 1824 East Maryland Street (west of site), requested a variance of development standards of the Consolidated Zoning and Subdivision Ordinance to provide for a single-family dwelling and attached garage, with a 10- foot front setback, **granted.**

2014-DV1-044; 235 Walcott Street (south of site), requested a variance of development standards to legally establish a single-family dwelling, with a one-foot north side setback and to provide for the construction of a garage addition with a two-foot north side setback and a zero-foot east rear setback, and to provide for an open space of 58.7%, **granted.**

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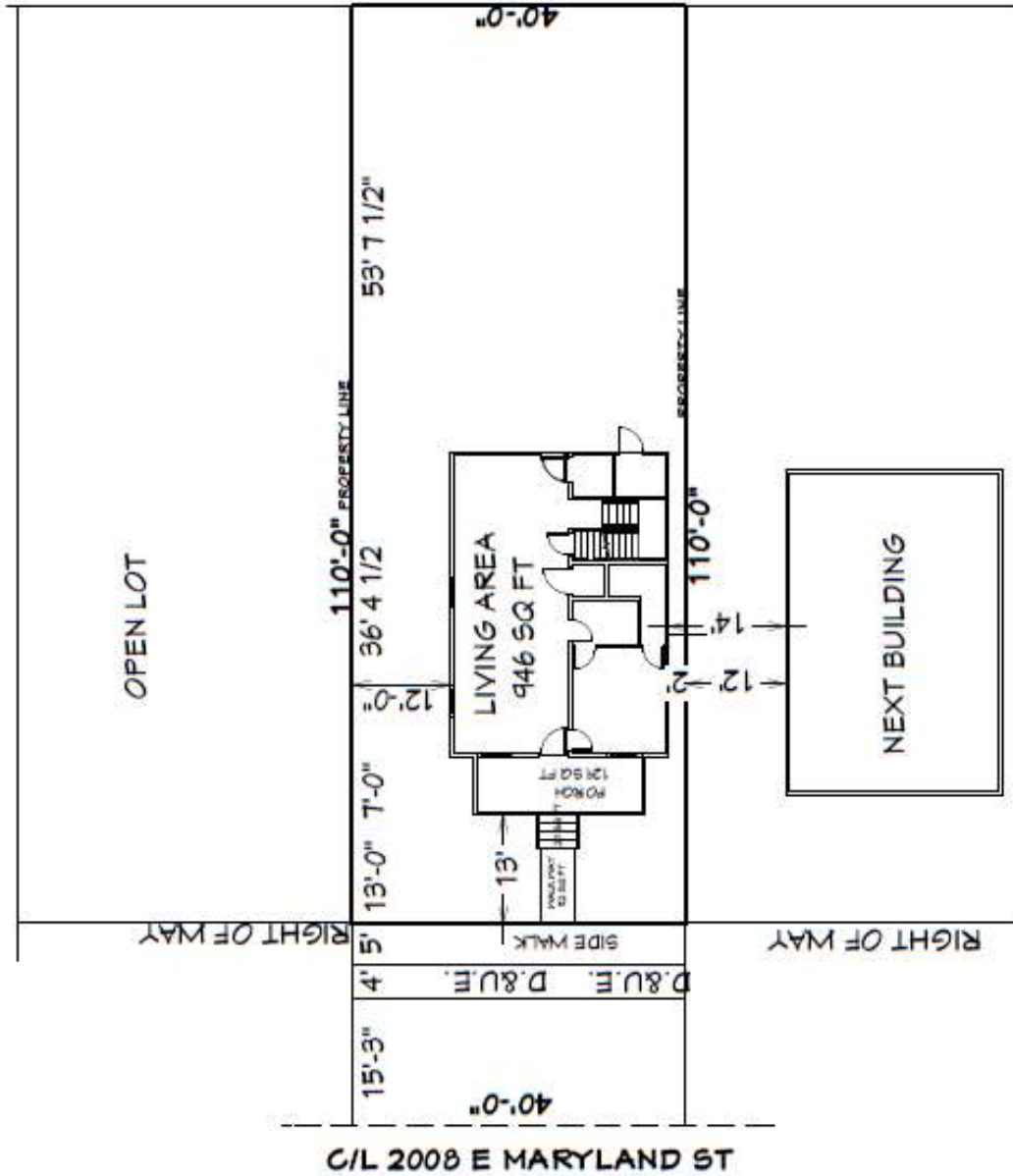
EXHIBITS

Location Map



Site Plan

SITE PLAN:
SCALE: 1" = 20'-0"





Findings of Fact

Petition Number _____

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

PETITION FOR VARIANCE OF DEVELOPMENT STANDARDS

FINDINGS OF FACT

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

THE SUBJECT DWELLING IS EXISTING AND HAS 13'-0" FRONT SETBACK, 12'-0" WEST SIDE SETBACK
2'-0" EAST SIDE SETBACK AND 53' 7 1/2" REAR SETBACK

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 RECONSTRUCTION OF THE SUBJECT DWELLING WILL INCREASE ITS VALUE AND CURB APPEAL.

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

WITHOUT THE GRANT OF THE REQUEST, THE ENTIRE TWO STORY HOUSE THAT HAS BEEN RECONSTRUCTED OVER
THE EXISTING FOOTING WILL HAVE TO BE DEMOLISHED.

DECISION

Photographs



Subject property looking north.



Subject property side setback, looking north.



Adjacent property to the east, looking north.



Adjacent property to the west, looking north.



BOARD OF ZONING APPEALS DIVISION | August 6, 2024

Case Number: 2024-DV1-017
Property Address: 2719 Madison Avenue
Location: Center Township, Council District #18
Petitioner: TGA SC Global Indy I LP, by Jay Ingrassia
Current Zoning: C-5

Request: Variance of Development Standards of the Consolidated Zoning and Subdivision Ordinance to provide for the location of a six-foot tall wooden privacy fence and a six-foot tall chain link privacy fence within the front yards of Madison Avenue and East Street (maximum fence height of five feet permitted) with the chain link fence being topped with barbed wire (prohibited, chain link fences not permitted within the front yard) and encroaching within the clear sight triangle of the driveways along East Street (not permitted).

Current Land Use: Self-Storage Facility
Staff Recommendations: Denial
Staff Reviewer: Eddie Honea, Principal Planner II

PETITION HISTORY

This case was initially scheduled for hearing on July 2, 2024. It was continued, for cause, by agreement between Staff and the petitioner, in order to further discuss specifics of the filing.

STAFF RECOMMENDATION

Staff recommends denial of the request.

PETITION OVERVIEW

- This petition would allow for the installation of a six-foot tall decorative fence along the frontage of Madison Avenue, and a six-foot tall chain link fence along the East Street frontage. It would also legally establish an existing six-foot tall chain link fences along the side lot lines, but within the front yard of the subject site.
- At the time of filing, the fence along East Street was improved with barbed wire. The petitioner has verbally indicated this may be removed. Should this still be the intent, the petitioner should verbally withdraw this portion of the request.



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Division of Planning
Current Planning**

- Chain link fencing is not permitted within the front yards of Commercial, Industrial or Mixed-Use Districts in order to promote an enhanced streetscape. In addition, non-chain link fencing tends to be more difficult to scale, remove or otherwise breach which has the effect of enhancing site security.
- The C-5 District, due to the intensity of uses permitted and typical application in areas with significant separation from protected districts and less intense land uses, allows for five-foot tall fencing within front yards. Fence height limitations within front yards are intended to promote aesthetic streetscapes and prevent their “canyonization”
- The clear sight triangle is an area along rights-of-way intersections or driveways where structures or landscaping between 2.5-feet and eight-feet tall are not permitted to be located. This clearance is intended to preserve lines of sight in order to reduce the potential for vehicle, pedestrian and cyclists collisions.
- Barbed or Razor wire is prohibited in all districts and applications with the exception of: enclosing livestock or agricultural uses; public safety facilities; or correctional or penal institutions. This prohibition is intended to enhance streetscapes and the injury or maiming of the public.
- The fence along East Street is comprised of a six-foot tall chain link fence and an electric sliding access gate. Staff believes that this fence can be modified or replaced with a compliant five-foot tall decorative fence that would comply with Ordinance standards. Staff would note that the properties directly across East Street include a High School (Providence Cristo Rey High School) and a public park (Columbia Park). In Staff's opinion, the location of a non-compliant fence, particularly one improved with barbed wire, in close proximity to these land uses is wholly inappropriate.
- Existing six-foot tall chain link fences are located along the northern and southern lot lines, but forward of the primary building, therefore are located within the front yard of the property. The subject site contains two out lots, being 2711 and 2719 Madison Avenues. If these were developed, this portion of the fence request would become compliant. These fences also abut other C-5 zoned properties. While Staff is not opposed to this portion of the request, for these reasons, given the scope of the petition in its entirety, Staff recommends denial.
- As proposed, the mid to southern portion of the subject site along Madison Avenue would be improved with a six-foot tall decorative fence. In Staff's opinion, a five-foot-tall fence would provide the same degree of site security and that an appropriate practical difficulty is not present warranting a favorable Staff recommendation.
- The subject site was originally improved as a large format retail building (K-Mart) and automobile fueling station. The automobile fueling station has since been demolished and remediated for redevelopment. In 2016 a use variance was filed to allow for an indoor self-storage facility for personal property, including recreational vehicles. It was expressly conveyed to Staff in that filing that outdoor storage and operations would not be provided. Staff recommended approval of that



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request largely due to this exclusion. The request was approved by the Board of Zoning Appeals on January 17, 2017.

- In 2022 another use variance was filed to allow for the existing self-storage facility in addition to the outdoor covered storage of recreational vehicles. Staff strongly opposed the request given the reasoning of support for the 2016 filing. While outdoor operations are permitted in the C-5 District, outdoor storage is only permitted for vehicles awaiting repair. General outdoor storage, which includes the type of storage permitted by the grant of 2022-UV1-036, is only permitted within the C-7 and Industrial District. Staff would note that these are the same districts that permit self-storage facilities by-right.
- Six-foot tall fences are only permitted by-right within the front yards of C-7, I-3 and I-4 Districts. This is due to the generally enhanced intensity and significant separation from less intense land uses. Staff is concerned about the growing intensity and development pattern of the subject site, particularly by variance grant, and that the site effectively operates at an intensity that is comparable to C-7, I-3 and I-4 uses. In addition, Staff would note that the site is recommended for Community Commercial, which is indicative of C-3 and C-4 zoning. Therefore, Staff believes the property to be over zoned in comparison to its comprehensive plan recommendation.

GENERAL INFORMATION

Existing Zoning	C-5		
Existing Land Use	Self-Storage Facility		
Comprehensive Plan	Community Commercial		
Surrounding Context	Zoning	Surrounding Context	
	North:	C-5 /D-8	North: Office Building and Single-family dwellings
	South:	C-5	South: Automotive Repair
	East:	SU-2	East: School
	West:	C-5	West: Retail & Non-profit
Thoroughfare Plan			
	Madison Avenue East Street	Local Street Local Street	
Context Area	Compact		
Floodway / Floodway Fringe	No		
Overlay	No		
Wellfield Protection Area	No		
Site Plan	April 23, 2024		
Site Plan (Amended)	N/A		
Elevations	N/A		



Elevations (Amended)	N/A
Landscape Plan	N/A
Findings of Fact	April 23, 2024
Findings of Fact (Amended)	N/A

COMPREHENSIVE PLAN ANALYSIS

Comprehensive Plan

- Land Use Pattern Book

Pattern Book / Land Use Plan

- The Community Commercial typology provides for low-intensity commercial and office uses that serve nearby neighborhoods. These uses are usually in freestanding buildings or small integrated centers. Examples include small-scale shops, personal services, professional and business services, grocery stores, drug stores, restaurants, and public gathering spaces.
- While the request is a development standard and the Land Use Pattern book generally provides guidance on land use, Staff would note that one of the conditions for Large-Scale retailing and Services is that outdoor display should be limited. Given that, in Staffs opinion, the request is primarily driven by the non-permitted outdoor storage, that the request is in direct conflict with the plan recommendation.

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

Subject Site:

2022-UV1-036; 2711, 2715 and 2719 Madison Avenue; requested Variance of use of the Consolidated Zoning and Subdivision Ordinance to provide for the operation of a self-storage facility in an existing retail building (not permitted) with the outdoor covered storage of recreational vehicles, boats, and other vehicles (only storage of inoperable vehicles awaiting repair permitted); **approved**

2019-MO3-002; 2711 Madison Avenue (subject site), requested a Modification of Commitments of 2016-UV3-017 to extend the time limitation for Commitment Two until April 1, 2020, **denied.**

2016-UV3-017; 2715 Madison Avenue (subject site), requested a Variance of use of the Consolidated Zoning and Subdivision Ordinance to provide for the conversion of the existing retail building into an indoor self-storage facility, including indoor boat/RV storage, **approved (subject to Plan of Operation).**

2001-ZON-059; 2715 Madison Avenue, requested a rezoning of 10.337 from D-8 and C-5 district, **approved (with commitments).**

2001-UV1-005; 2715 Madison Avenue, requested a Variance of use of the Dwelling Districts Zoning Ordinance to provide for a 7,396 square foot addition and a 28,804 square foot addition to an existing commercial building, **approved (with conditions).**

70-V3-32; 2715 Madison Avenue, requested a Variance of use and setback requirements of the Dwelling Districts Ordinance to permit the erection and operation of a K-mort department store, with patio shop, outside sales, pole sign and signs on the building, **approved.**

Vicinity:

2021-UV1-033, 2726 Madison Avenue, requested a Variance of use and development standards of the Consolidated Zoning and Subdivision Ordinance to provide for a collection center/warehouse and to provide for a 3,840-square-foot building with zero percent transparency on the west facade, without west and south transitional yards, without landscaping and without sidewalks, **approved.**

2018-DV1-044; 2729 Madison Avenue, requested a Variance of development standards of the Consolidated Zoning and Subdivision Ordinance to provide for an automobile repair shop, with storage of operable vehicles and equipment equal to 48% of the gross floor area and to



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Division of Planning
Current Planning

legally establish zero-foot side and rear setbacks, with a handicapped space with deficient width and a three-foot front setback, **approved**.

2017-ZON-010; 2829 Madison Avenue, requested the rezoning of 4.8 acres from the D-10 district to the C-4 classification to provide for commercial uses, **approved**.

2016-UV3-017; 2715 Madison Avenue, requested a variance of use of the Consolidated Zoning and Subdivision Ordinance to provide for the conversion of the existing retail building into an indoor self-storage facility, including indoor boat/RV storage, **granted**.

2014-CZN-828 / 2014-CVR-828; 2829 Madison Avenue, requested the rezoning of 4.48 acres from the C-5 District to the D-10 classification to provide for four, three-story multi-family buildings, with 144 units and a variance of development standards of the Dwelling Districts Zoning Ordinance to provide for a multi-family development, with a floor area ratio of 0.7036 and an open space ratio of 1.067; **approved and granted**.

2002-HOV-026; 2640 Madison Avenue, requested a variance of development standards of the Commercial Zoning Ordinance to provide for a trash dumpster located within the required front yard, **granted**.

2001-UV1-005; 2715 Madison Avenue, requested a variance of use of the Dwelling Districts Zoning Ordinance to provide for a 7,396-square foot addition and a 28,804-square foot addition to an existing commercial building, **granted**.

2001-ZON-059; 2715 Madison Avenue, requested the rezoning of 10.337 acres from C-5 and D-8 to C-5, **approved**.

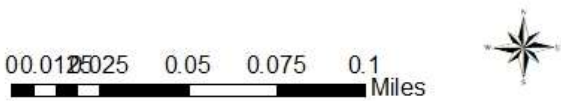
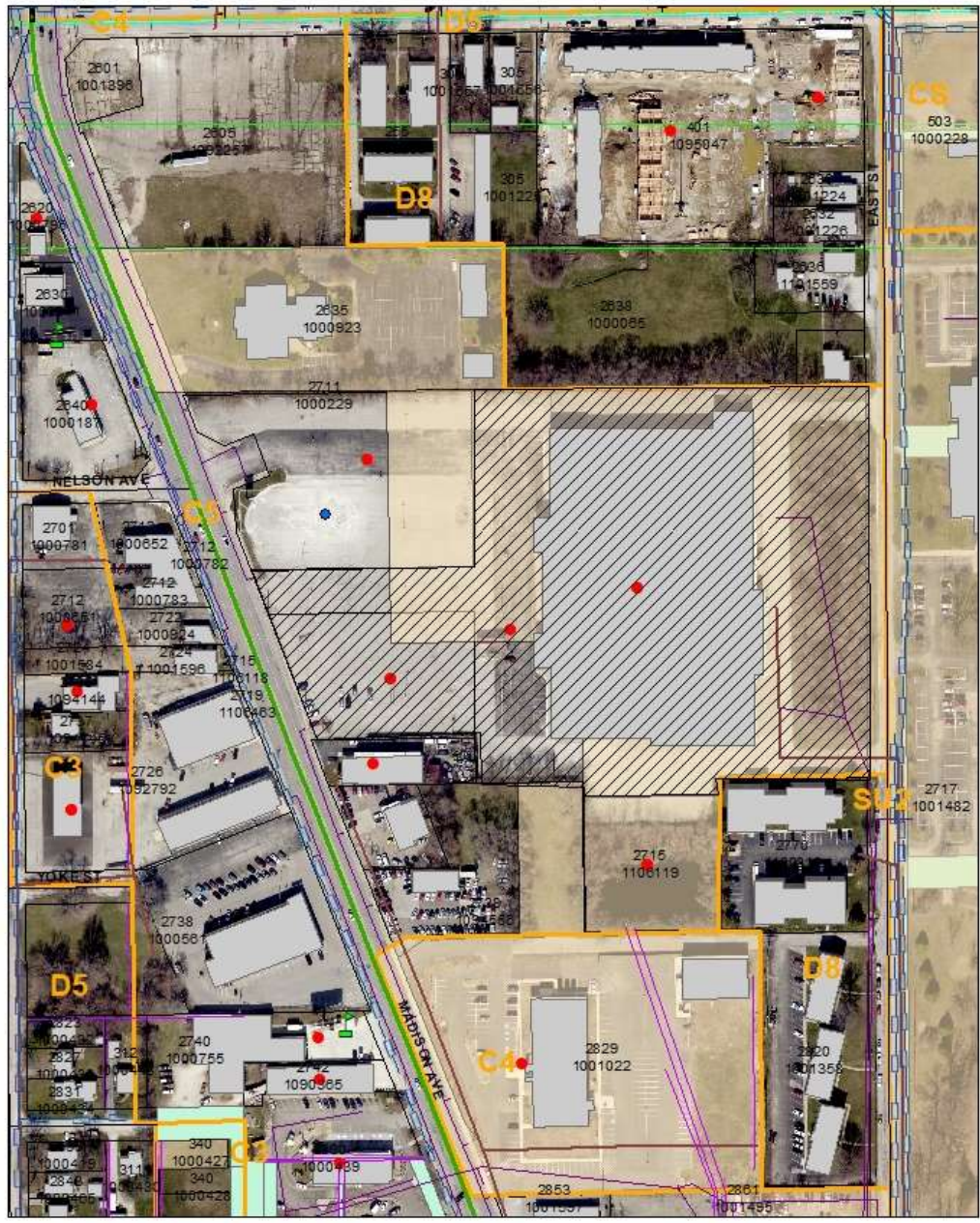
94-UV1-17; 2715 Brill Road, requested a variance of use to expand a parking lot for an adult entertainment business, **granted**.

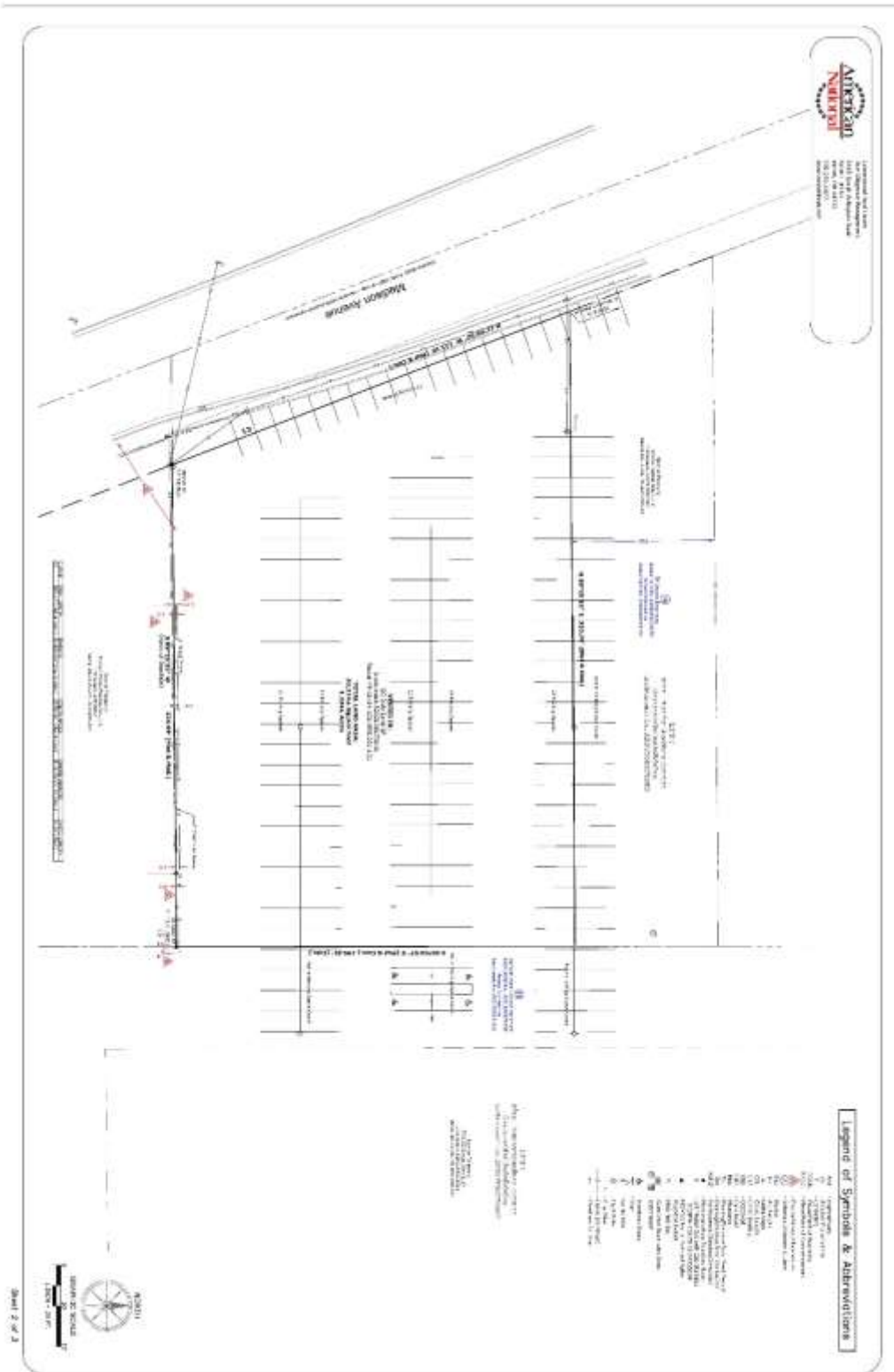
85-UV2-32; 2735 Brill Road, requested a variance of use and development standards of the Commercial Zoning Ordinance to provide for the removal of an existing residence and construction of a 1,256-square foot addition to an existing garage to be used for the storage of commercial vehicles both inside and outside; **granted**.

83-UV1-107; 2740 Madison Avenue, requested a variance of use of the Commercial Zoning Ordinance and of the Dwelling Districts Zoning Ordinance to allow the outside display of merchandise in the required front yard of an existing retail furniture store and off-street parking on a portion of the subject property; **granted**.

79-UV1-105; 2652 Brill Road, requested a variance of use to provide for an automobile machine shop; **granted**.

EXHIBITS







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 gate and fence will be within the property limits and will not interfere with regular public operations.

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:

Use will be self-contained and has pre-existed for multiple years without any issues.

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

The gate and fence proposed to be approved in the variance were installed prior to the current management. Having to modify them to comply with code would represent a significant detriment to operations of the facility.

DECISION

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

Adopted this _____ day of _____, 20 ____



Photo One: Looking South Along Madison Avenue



Photo Two: Area of Proposed Fencing Within Front Yard of Madison Avenue



Photo Three: Primary Building, Facing East



Photo Four: Facing North Along Madison Avenue



Photo Five: Existing Fencing Within North Side Yard



Photo Six: Existing Fence Within Front Yard of East Street in Background



BOARD OF ZONING APPEALS DIVISION I

August 6, 2024

Case Number: 2024-DV1-024
Address: 3815 & 3925 River Crossing Parkway (approximate address)
Location: Washington Township, Council District #4
Zoning: C-S (FF)
Petitioner: IND SLC Lake Pointe Equities LLC, by Stephanie J. Truchan
Request: Variance of Development Standards of the Consolidated Zoning and Subdivision Ordinance to provide for two skyline signs per elevation of the office building and parking garage (one skyline sign per elevation permitted).

Current Land Use: Two office buildings and a parking garage

Staff Recommendation: Staff recommends denial of this petition as proposed.

Staff Reviewer: Robert Uhlenhake, Senior Planner

PETITION HISTORY

This is the first public hearing for this petition.

STAFF RECOMMENDATION

Staff recommends **denial** of this petition as proposed.

PETITION OVERVIEW

- ◇ Standards of the Sign Regulations are intended to promote quality sign displays that are integrated with developments and reduce potential hazards to pedestrians and motorists. These standards include limits on the number of signs, lighting, size, and setback limitations.
- ◇ A Skyline Sign is defined as “a building sign, located in its entirety, on a building façade above 26 feet in height, measured from grade level”.
- ◇ The strict application of the Sign Regulations would not prohibit the use of the property for its intended office use or limit the site’s ability to provide signage within the 26-foot building elevation from grade. Instead, the approval of more than the allotted number of signs would only create a precedent for other tenants to request the same allowance rendering the regulation futile.
- ◇ A previous variance (222-DV2-048) was granted to allow a second skyline sign on the north façade only of 3815 River Crossing Parkway. This variance, if granted, would allow for two skyline signs on all four facades of the 3813 River Crossing Parkway building, the 3925 River Crossing Parkway building, and the parking garage located in between the two buildings, for a total of twelve skyline signs on the 3 structures.



- ◇ The maximum one skyline sign per elevation is designed to mitigate the proliferation of signage and the visual conflicts and negative aesthetics associated with multiple signs on a single building elevation. Increasing sign proliferation along the west building elevation inhibits the ability of motorists to properly read and react to sign messages in a safe and efficient manner.
- ◇ The petitioner noted that the success of any business at this location relies heavily on the provision of adequate business identification signage, and without more visible signage, tenants will be unable to provide optimal visibility of their location to passing traffic and achieve their maximum potential for success. The petitioner fails to address that the site does have a freestanding monument sign where signage for the tenants already exists and is visible to motorists from River Crossing Parkway, where the skyline signage is not due to its height. Additionally, the business or tenant locations are easily accessed via addresses on the tenant’s websites, and electronic GPS and mapping systems are widely available that provide directions to the business locations. Therefore, the additional signs are not needed for the locating of the tenants, but more for advertising purposes in an area that has a high level of interstate traffic that could easily be distracted by the additional signage.
- ◇ In addition, there are other buildings in the area that are able to comply with the Ordinance by only providing one skyline sign, even while having multiple tenants as well.

GENERAL INFORMATION

Existing Zoning	C-S	
Existing Land Use	Office Commercial, parking garage	
Comprehensive Plan	Office Commercial uses	
Surrounding Context	Zoning	Surrounding Context
	North: C-S	Office Commercial
	South: C-S	Multi-Family dwellings
	East: SU-16	Outdoor recreation / conservation area
	West: C-S	Hotel
Thoroughfare Plan		
River Crossing Parkway	Local Street	50-foot existing and proposed right-of-way.
Context Area	Metro area	
Floodway / Floodway Fringe	100 year and 500-year floodplain	
Overlay	N/A	
Wellfield Protection Area	No	
Elevations	July 10, 2024	
Landscape Plan	N/A	
Site Plan	June 9, 2024	
Findings of Fact	July 10, 2024	



COMPREHENSIVE PLAN ANALYSIS

Comprehensive Plan

- The Comprehensive Plan recommends Office Commercial uses for the site.

Pattern Book / Land Use Plan

- The Marion County Land Use Plan Pattern Book recommends the Office Commercial typology which provides for single and multi-tenant office buildings. It is often a buffer between higher intensity land uses and lower intensity land uses. Office commercial development can range from a small freestanding office to a major employment center. This typology is intended to facilitate establishments such as medical and dental facilities, education services, insurance, real estate, financial institutions, design firms, legal services, and hair and body care salons.

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

2022-DV2-048; 3815 River Crossing Parkway (subject site), Variance of development standards of the Consolidated Zoning and Subdivision Ordinance to provide for a second skyline sign on the northern elevation, **granted**.

93-Z-151; 8701 River Road (subject site), Rezoning of 85 acres, being in the D-A and SU-23 (GSB) District, to the C-S classification to provide for a mixed-use development to consist of an integrated retail commercial center, offices, a hotel, and a free-standing restaurant and 675 residential apartments, **approved**.



93-CV-14; 8701 River Road (subject site), Variance of development standards of the Commercial Zoning Ordinance to permit the development of residential apartment buildings with a setback of twenty feet from the existing right-of-way of River Road (minimum 70 feet from the centerline or ten feet from proposed right-of-way required), **granted.**

2014-CVR-802; 8711 and 8805 River Crossing Boulevard and 3520 Commerce Crossing (southwest of site), Variance of development standards of the Commercial Zoning Ordinance to provide for: a) up to a 30 percent reduction in the amount of parking (up to ten percent reduction permitted for parking lots with 400 spaces or more if public transportation is available), b) and a maximum height of 65 feet at the setback line, with a three-foot height increase for everyone additional foot of setback to a maximum setback of 30 feet, with a maximum height beyond 30 feet of 150 feet at the Commerce Crossing site and unlimited at the River Crossing sites (maximum 35 feet height, with 3:1 height/setback ratio to a maximum setback of 30 feet; thereafter the height is unlimited), **granted.**

2004-HOV-052; 3520 Commerce Crossing (west of site), Variance of development standards of the Commercial Zoning Ordinance to provide for a fourteen-story, 258-foot tall, 240,000-square foot office building, **granted.**

83-UV1-23; 8837 River Road (southeast of site), Variance of use of the Flood Control District’s Zoning Ordinance and a variance of the Sign Regulations to permit a double face advertising pole sign to be erected on the premises adjacent to I-465, **granted.**

83-UV1-22; 8835 River Road (southeast of site), Variance of Sign Regulations to permit a double face advertising pole sign to be erected on the premises adjacent to I-465, **granted.**

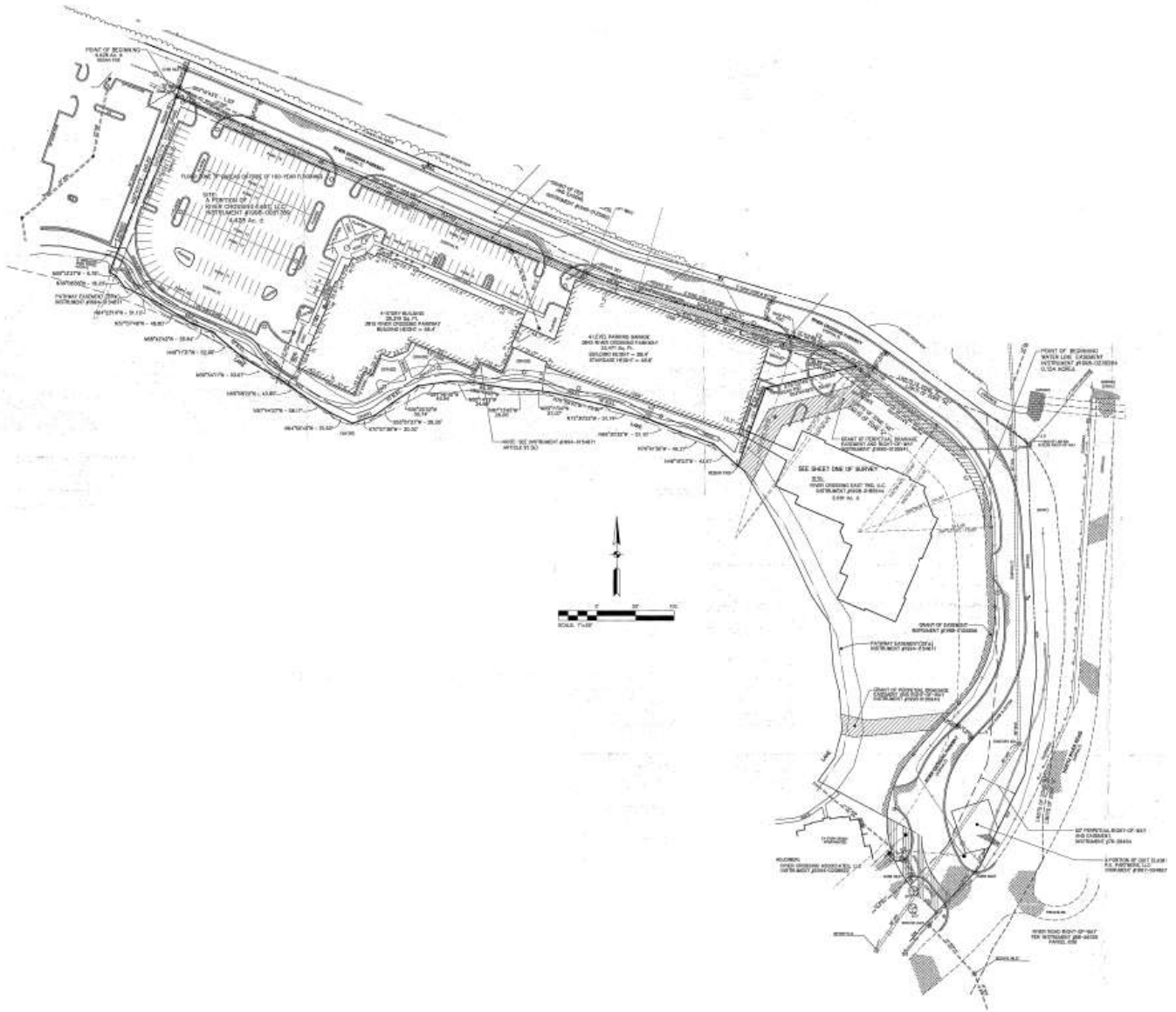
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EXHIBITS

Location Map



Site Plan





Findings of Fact

Petition Number _____

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

PETITION FOR VARIANCE OF DEVELOPMENT STANDARDS

FINDINGS OF FACT

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

the proposed signage does not create additional visual clutter and will not obstruct drivers' vision when passing by the buildings. The signage will add positively to the general welfare of the community by enhancing the identification of the businesses located in these buildings for new and existing clients and patrons by providing adequate signage.

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 signage will enhance the buildings' opportunities for attracting and retaining high-quality tenants, which in turn will positively impact the use and value of the subject property and commercial property immediately adjacent to the subject property. The impact to the adjacent multi-family areas to the south of the subject property will be nonexistent, as signage is not currently located on facades facing these locations.

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

the success of any business at this location relies heavily on the provision of adequate business identification signage, and without more visible signage, tenants will be unable to provide optimal visibility of their location to passing traffic and achieve their maximum potential for success.

Placing skyline signage on the south- and west-facing facades of 3815 River Crossing, and on the south- and east-facing facades of 3025 River Crossing would eliminate the economic value of such signage, as those facades face away from all major thoroughfares. Placing future tenant signage lower on the buildings would significantly obscure and obstruct visibility, thus eliminating the economic value of the signage position.

The layout of these buildings makes it impractical to place signage on certain facades. Losing exterior signage with I-465 visibility will cripple the Owner's ability to attract and retain large office tenants, especially as office space vacancy in the Indianapolis market continues to increase.

DECISION

Photographs



3815 River Crossing west façade, looking east



3815 River Crossing north façade, looking southeast



3925 River Crossing north façade, looking southeast



3925 River Crossing east façade, looking west



3815 River Crossign parkign garage north façade looking southeast



BOARD OF ZONING APPEALS DIVISION I

August 6, 2024

Case Number: 2024-DV1-025
Address: 6438 Marble Lane (approximate address)
Location: Franklin Township, Council District #24
Zoning: D-2
Petitioner: Patricia Moore
Request: Variance of Development Standards of the Consolidated Zoning and Subdivision Ordinance to provide for the location of a fence with a maximum height of eight feet within the side yards and front yard of Marble Lane (maximum height of six feet inside yards, 3.5 feet in front yards permitted).

Current Land Use: Single-family dwelling

Staff Recommendation: Staff recommends denial of this petition.

Staff Reviewer: Robert Uhlenhake, Senior Planner

PETITION HISTORY

This is the first public hearing for this petition.

STAFF RECOMMENDATION

Staff recommends **denial** of this petition.

PETITION OVERVIEW

- ◇ The request would legally establish the location of a fence with a maximum height of eight feet within the side yards and front yard of Marble Lane.
- ◇ Development Standards of the Consolidated Zoning and Subdivision Ordinance permits a maximum fence height of 42 inches within the front yard, and six feet in the rear yard. The purpose of the height limitation is to create an open appearance along public rights-of-way, prevent blocking views at intersections, limit the negative visual impacts on adjacent properties, and prevent a canyonized effect of the streetscape.
- ◇ The height requirements are in place to limit bulk, create a consistent density and intensity, and keep the environment at a human-scale. This regulation limits the number of “walls” or abnormally tall structures that can be built to ensure neighborhood compatibility and to prevent unreasonable blockage of sunlight.
- ◇ The fence could remain in its current location if reduced to six feet behind the dwelling, and 42 inches where in front of the dwelling. In addition, supplemental plantings could be added to increase any needed privacy.



- ◇ Staff acknowledges there is a grade change on site, but the property, and adjoining neighboring properties have been able to operate without a hardship prior to the current fence being installed
- ◇ There is no practical difficulty associated with the subject site that would warrant the grant of this variance. The subject site has no natural or manmade physical obstacles that would prohibit compliance with the required fence height requirements of the Ordinance. Similar nearby properties on adjacent and nearby corners are able to comply with the Ordinance.

GENERAL INFORMATION

Existing Zoning	D-2		
Existing Land Use	Single-Family Dwelling		
Comprehensive Plan	Recommends Suburban Neighborhood uses		
Surrounding Context	Zoning		Surrounding Context
	North:	D-2	North: Single-Family dwelling
	South:	D-2	South: Single-Family dwelling
	East:	D-2	East: Single-Family dwelling
	West:	D-2	West: Single-Family dwelling
Thoroughfare Plan			
	Marble Lane	Local Street	50-foot existing and proposed right-of-way.
Context Area	Metro area		
Floodway / Floodway Fringe	No		
Overlay	N/A		
Wellfield Protection Area	No		
Site Plan	June 24, 2024		
Elevations	N/A		
Landscape Plan	N/A		
Findings of Fact	June 24, 2024		

COMPREHENSIVE PLAN ANALYSIS

Comprehensive Plan

- The Comprehensive Plan recommends Suburban Neighborhood uses for the site.

Pattern Book / Land Use Plan

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



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

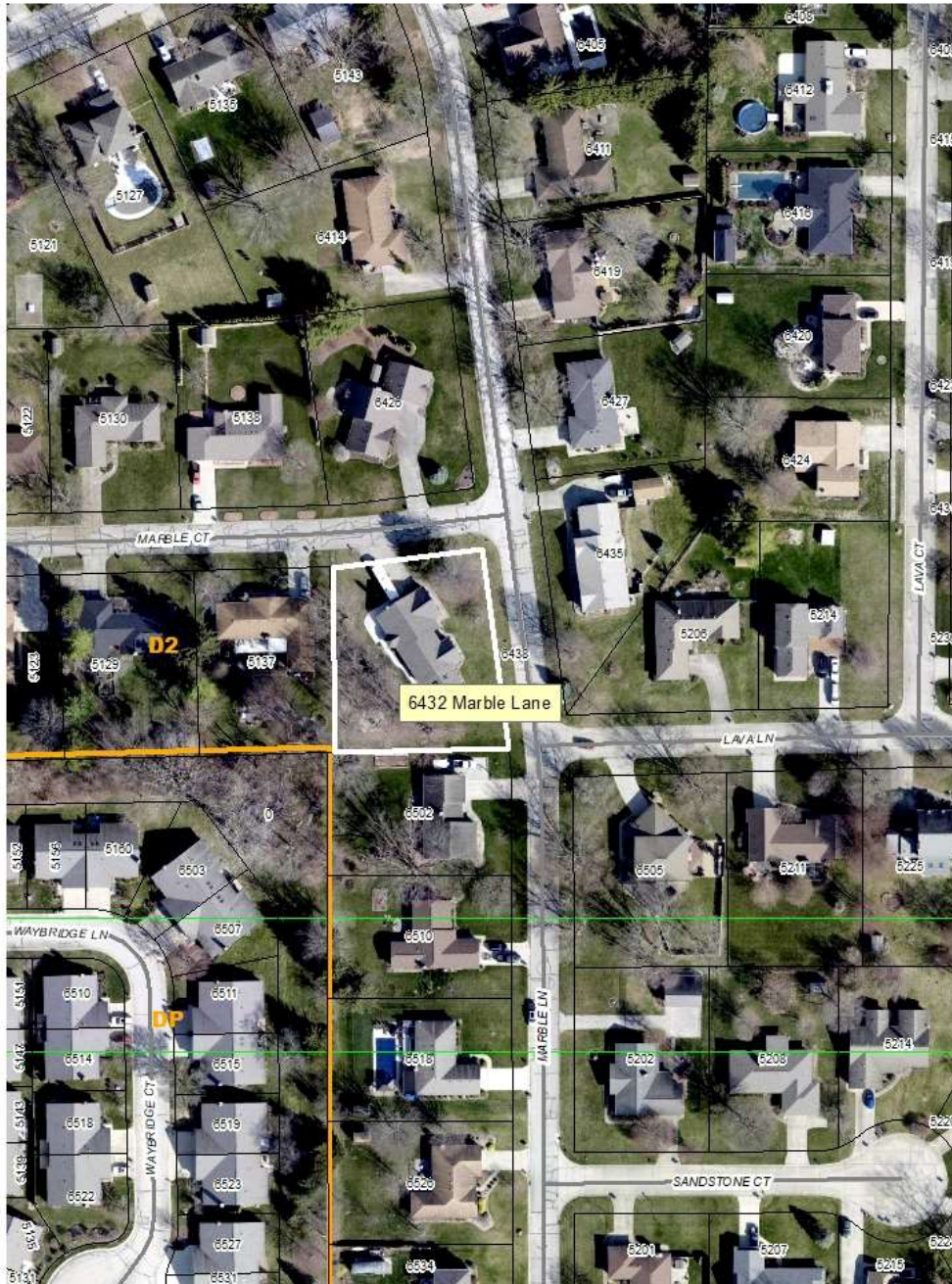
97-HOV-46; 5221 Sandstone Court (south of site), requested a variance of development standards to legally establish a 12 by 17-foot screened porch with a rear yard setback of 18 feet, for an existing single-family dwelling, **granted**.

83-HOV-103; 6419 Lava Court (northeast of site), requested a variance of development standards to allow the construction of an attached garage at 9.75 feet from a side property line making the aggregate side setbacks of the lot 20.75 feet, **granted**.

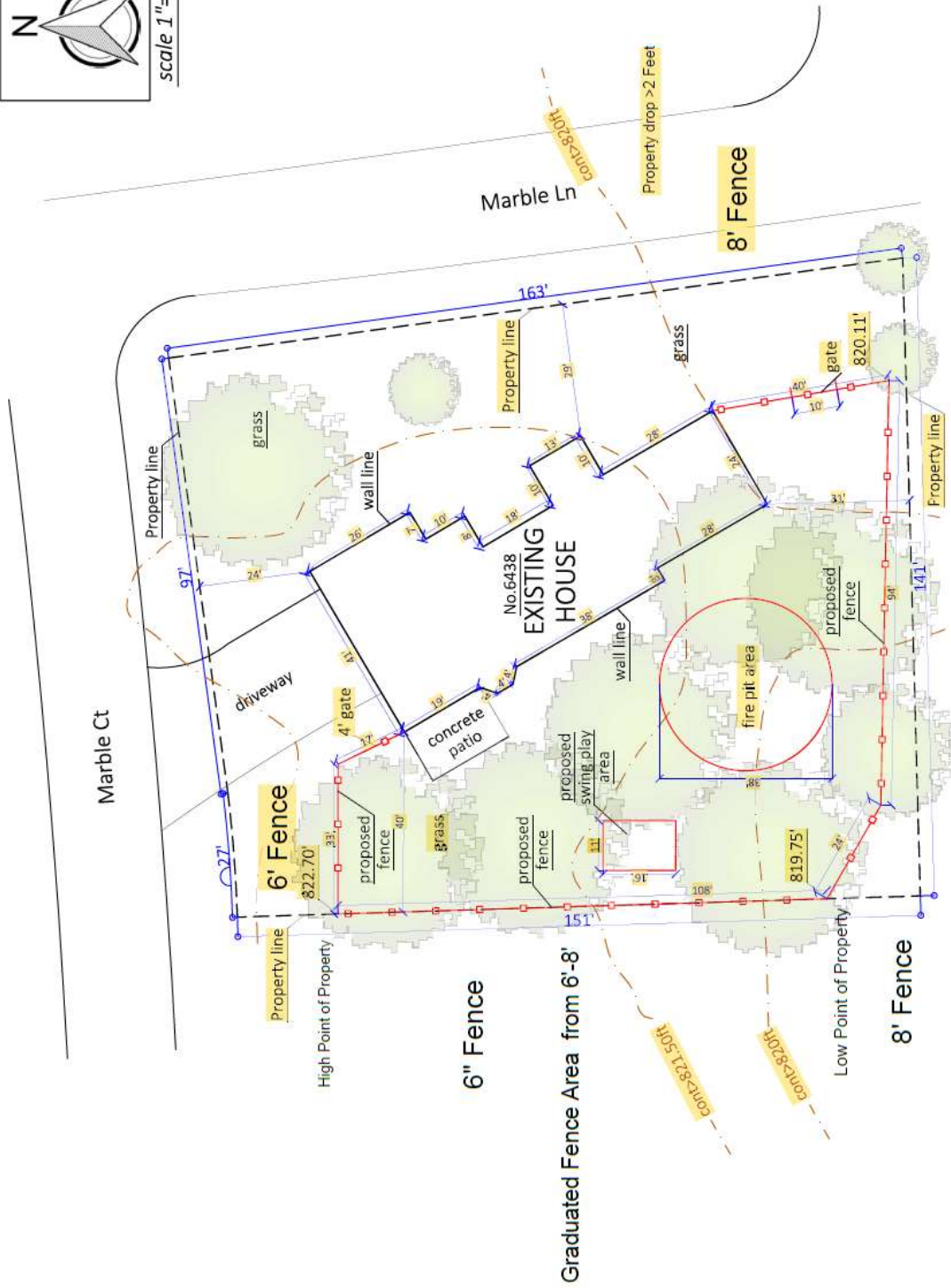
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EXHIBITS

Location Map



Site Plan





Findings of Fact

Petition Number _____

**METROPOLITAN DEVELOPMENT COMMISSION
HEARING EXAMINER
METROPOLITAN BOARD OF ZONING APPEALS, Division I
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:

This request concerns the height of a fence and will have no impact

on the public health, safety, morals, and general welfare of 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:

There is no impact to the nearby use of residential properties because the location of

the fence does not impede their use in any way. This is a tasteful fence which should

not detract from the values of the neighbors' properties but add to them.

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

Section 744-510 provides for a maximum height of residential fences of 6 feet in the

rear of the house. However, Subsection C, (Exceptions to fence heights) 4, Terrain

Change Allows for a fence to exceed this 6 feet maximum by an amount equal to the

drop in topography up to a maximum of 2 feet. The terrain here drops by more than 2

feet, and the fence is 8' feet tall in those areas and 6' tall in areas with no slope.

Therefore, the fence meets this exception, and the variance is approved.

DECISION

Photographs



Subject property looking southwest.



Subject property looking west.



Subject property looking south.



Subject property looking south.



Subject property looking west.



BOARD OF ZONING APPEALS DIVISION I

August 6, 2024

Case Number: 2024-DV1-028

Property Address: 5151 Pennsylvania Street (approximate address)

Location: Washington Township, Council District #7

Petitioner: Eric & Kimberly Dollin, by Patrick Shirmeyer

Current Zoning: D-4 (MSPC)

Request: Variance of Development Standards of the Consolidated Zoning and Subdivision Ordinance to provide for a building addition resulting in a six-foot rear yard setback (20 feet required).

Current Land Use: Residential

Staff Recommendations: Staff recommends approval of this petition

Staff Reviewer: Noah Stern, Senior Planner

PETITION HISTORY

- This is the first public hearing for this petition.

STAFF RECOMMENDATION

- Staff recommends approval of this petition

PETITION OVERVIEW

- This petition would provide for a building addition resulting in a six-foot rear yard setback (20 feet required).
- The property is improved with a primary residence and a detached garage. The detached garage currently contains a side yard setback of 3 feet 4 inches and a rear yard setback of 6 feet. The side yard setback is legally non-conforming, and the rear yard setback is compliant. The proposal calls for attaching the detached garage with the primary residence via an enclosed, air-conditioned space that would result in one primary structure on site. This alteration requires a variance for a reduced rear yard setback since the garage would be considered part of the primary structure, which are required to be at least 20 feet from rear lot lines. This variance would legally establish the 3-foot 4 inch side yard setback as well as the 6 foot rear yard setback for the future primary structure.
- Staff finds the request to be reasonable in nature, given that the location of the garage and its setbacks would not change as a part of this addition. Likewise, the addition proposal is moderate in nature with regards to height and bulk, and would match the design and style of the existing



Department of Metropolitan Development
 Division of Planning
 Current Planning

structures. Further, various other residences in the surrounding area having reduced rear setbacks or garages attached to the primary structure. Therefore, Staff does not see the proposal as overdevelopment nor out of character with the surrounding context. For these reasons, Staff is opposed of the variance request. |

GENERAL INFORMATION

Existing Zoning	D-4 (MSPC)	
Existing Land Use	Residential	
Comprehensive Plan	Traditional Neighborhood	
Surrounding Context	Zoning	Surrounding Context
North:	D-4 (MSPC)	North: Single-family residential
South:	D-4 (MSPC)	South: Single-family residential
East:	D-4 (MSPC)	East: Single-family residential
West:	D-2 (MSPC)	West: Single-family residential
Thoroughfare Plan		
52 nd Street	Primary Collector	50 feet of right-of-way existing and 56 feet proposed
North Pennsylvania Street	Local Street	59 feet of right-of-way existing and 48 feet proposed
Context Area	Compact	
Floodway / Floodway Fringe	No	
Overlay	No	
Wellfield Protection Area	No	
Site Plan	5/30/24	
Site Plan (Amended)	N/A	
Elevations	5/27/24	
Elevations (Amended)	N/A	
Landscape Plan	N/A	
Findings of Fact	7/25/24	
Findings of Fact (Amended)	N/A	

COMPREHENSIVE PLAN ANALYSIS

Comprehensive Plan

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

Pattern Book / Land Use Plan



- The 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 garages, the Infill Housing Guidelines recommends:
 - Don't overshadow primary structures
 - Coordinate primary and accessory structures
 - Locate accessory structure behind primary buildings |

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

94-V3-52; 5125 North Pennsylvania Street (south of site), variance of development standards of the dwelling districts zoning ordinance to provide for the installation of a 6 foot fence (amended to 5 foot fence) in the front yard (maximum 42 inches in height permitted) for an existing corner lot single-family residence, **approved subject to conditions**.

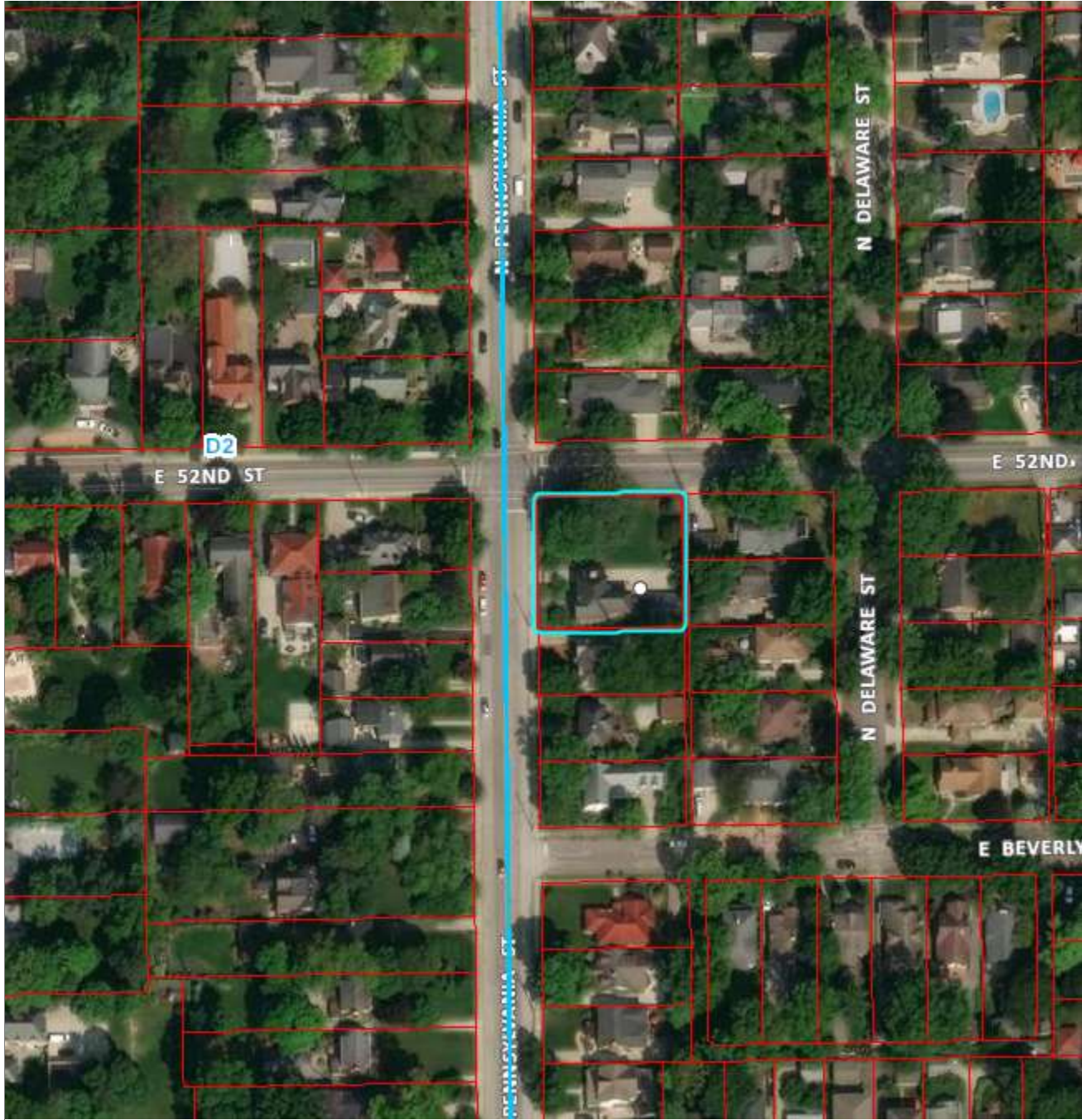
2007DV2024; 5140 Washington Boulevard (east of site), VARIANCE OF DEVELOPMENT STANDARDS of the Dwelling Districts Zoning Ordinance to provide for the construction of a 1,084.75 square foot living area and garage addition to a single-family dwelling, with a zero-foot rear setback (minimum twenty-foot rear setback required), **approved**.

2012DV1045; 5144 N Delaware Street (south of site), Variance of development standards of the Dwelling Districts Zoning Ordinance to provide for a 24-foot tall (maximum 20 feet height permitted), two-story detached garage, **withdrawn**.

2012DV2033; 5208 N Delaware Street (north of site), Variance of development standards of the Dwelling Districts Zoning Ordinance to provide for additions to an existing dwelling and detached garage, creating a primary structure, with a one-foot north side setback and 5.5-foot rear yard setback (minimum five-foot side yard setback and 20-foot rear yard setback required), **approved**.


2022DV1060; 5224 N Pennsylvania Street (north of site); Variance of development standards of the Consolidated Zoning and Subdivision Ordinance to provide for a building addition, resulting in a four-foot northern side yard setback and to legally establish a six-foot south side yard setback for the existing house (seven-foot side yard setbacks required), **approved**.

EXHIBITS



ALLEGORY
DESIGN STUDIO

OWNER
ERIC & KIMBERLY DOLLIN

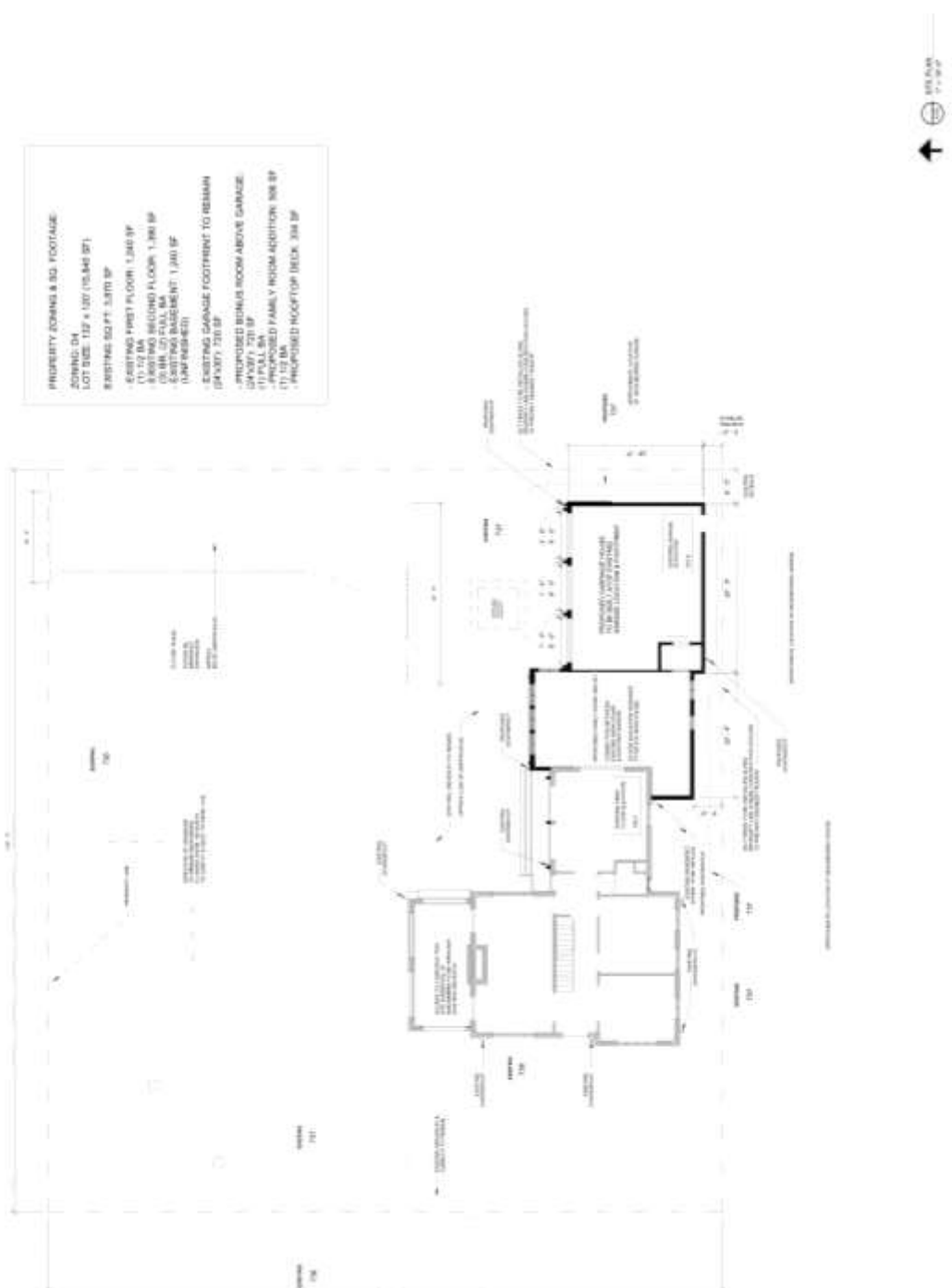


ERIC & KIMBERLY DOLLIN
5151 N PENNSYLVANIA AVE
INDIANAPOLIS, IN 46205
PERMIT SET

No.	Description	Date

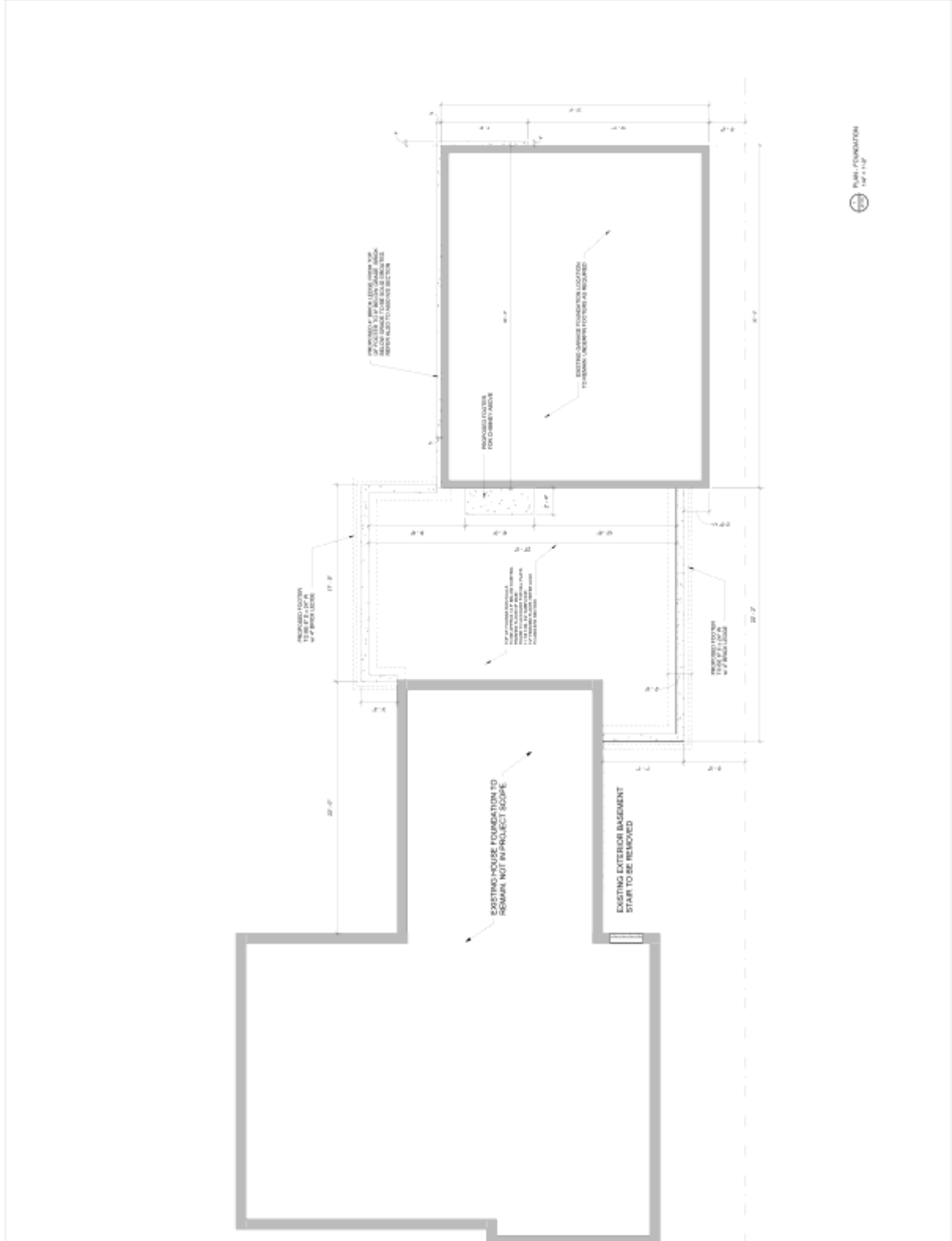
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PROPERTY JOHNS & SO. FOOTAGE:
ZONING: OH
LOT SIZE: 122' x 120' (14,640 SF)
EXISTING: 50,771 SQ FT, 3,170 SF
EXISTING FIRST FLOOR: 1,340 SF
(17) 1/2 BA
EXISTING SECOND FLOOR: 1,367 SF
(2) BR, 17 KITCHEN, 11 BATH, 11 CLO, 11 HALL, 11 LAM (NOT RECORDED)
EXISTING GARAGE FOOTPRINT TO REMAIN: 14,307 SQ FT
PROPOSED BONUS ROOM ABOVE GARAGE: 24,707 SQ FT
PROPOSED FAMILY ROOM ADDITION: 508 SF
(17) 1/2 BA
PROPOSED ROOFTOP DECK: 334 SF



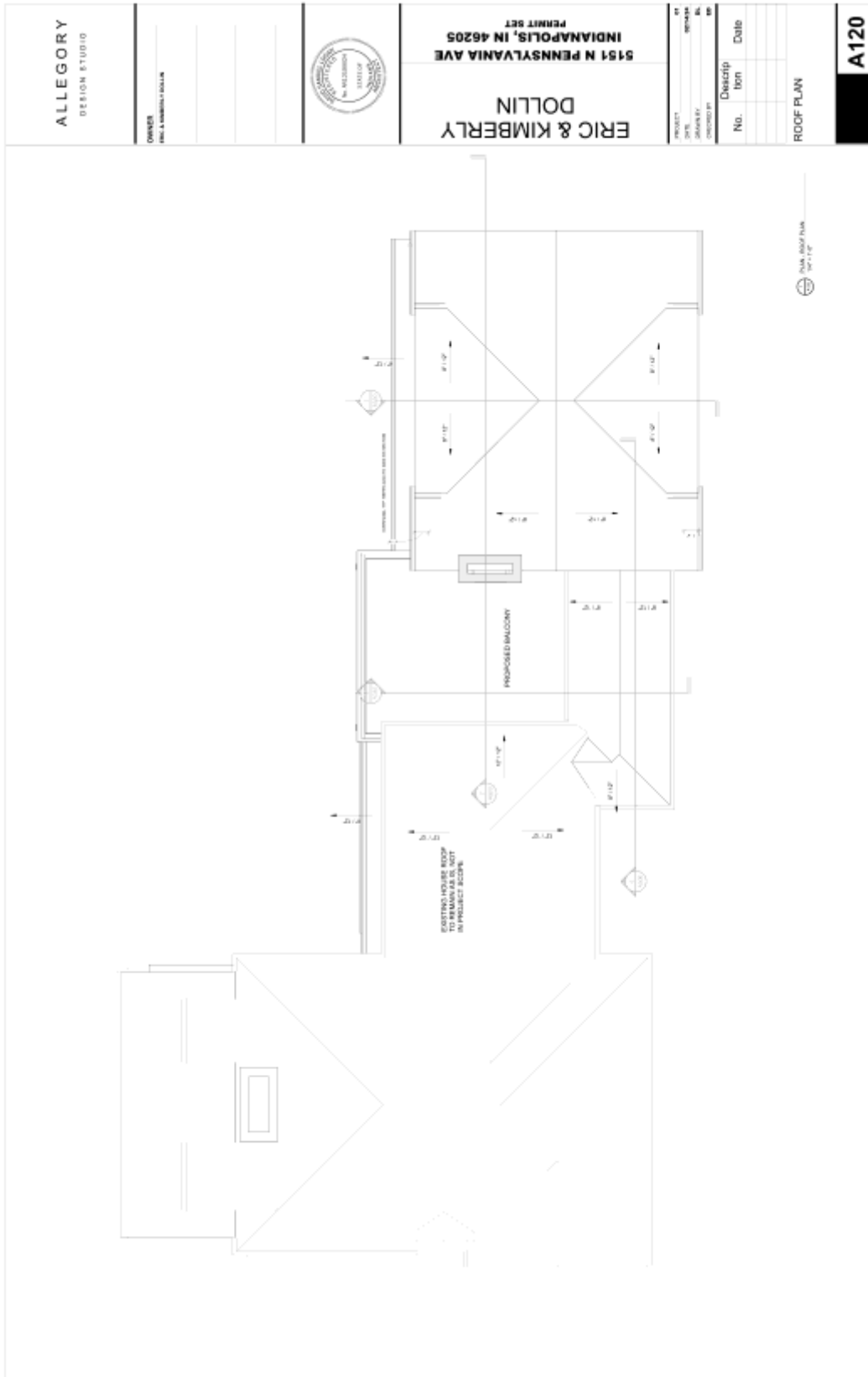
1/8" = 1'-0"
1" = 12'-0"

ALLEGORY DESIGN STUDIO	OWNER ERIC & KIMBERLY FOLLIN		ERIC & KIMBERLY FOLLIN 5151 N PENNSYLVANIA AVE INDIANAPOLIS, IN 46205 PERMIT SET	PROJECT NO. DATE DRAWN BY CHECKED BY	DESIGN NO. DATE DESCRIPTION
	FOUNDATION		A110		





Department of Metropolitan Development
 Division of Planning
 Current Planning



ALLEGORY
 DESIGN STUDIO

OWNER
 ERIC & KIMBERLY DOLLIN



ERIC & KIMBERLY
 DOLLIN
 5151 N PENNSYLVANIA AVE
 INDIANAPOLIS, IN 46205
 PERMIT SET

PROJECT: _____
 DATE: _____
 DRAWN BY: _____
 CHECKED BY: _____

No. _____
 Description _____
 Date _____

ROOF PLAN

A120

DATE: 11/17/17
 SCALE: 1/8" = 1'-0"



Department of Metropolitan Development
Division of Planning
Current Planning



MERIDIAN STREET PRESERVATION COMMISSION

In the matter of an application filed by
Patrick Shirmeyer on behalf of Eric and Kimberly Dollin for
a Certificate of Appropriateness for the property located at
5151 North Pennsylvania Street

**FINAL ORDER GRANTING CERTIFICATE OF
APPROPRIATENESS
#V-MSPC 24-05**

The Meridian Street Preservation Commission, at a meeting held at 4:00 p.m. on June 18, 2024 in the Fellowship Hall of the Meridian Street United Methodist Church at 5500 N. Meridian Street, heard evidence and considered an application for a Certificate of Appropriateness filed by Patrick Shirmeyer on behalf of Eric and Kimberly Dollin for improvements to be made at the property located at 5151 N. Pennsylvania Street.

Being duly advised in the premises, the Commission, by a vote of 7-2 of its nine (9) members present and voting AYE: (Norman, Vanderstel, Colby, Fujawa, Welling, Bennett, Robt), NAY: (Hess, Madden), ABSTAIN: (None) finds that:

1. The Commission has jurisdiction of this matter under Indiana Code 36-7-11.2-61.
2. The Certificate of Appropriateness requested approval for the:
 - Reduction of rear yard setback in a D4 zoning district (20 ft. to 6 ft. provided).
3. Such improvements shall be per plans submitted on 6.18.24 and on file with the Commission, except as amended below.
4. Said improvement is appropriate to the preservation of the area comprised of Meridian Street and bordering properties and complies with the architectural and construction standards in said area.
5. The Certificate of Appropriateness requested by the applicant should be **GRANTED**, with the following commitment(s):
 - Approval is conditioned on the port cochere remaining unenclosed.

*It is, therefore, ORDERED AND DECREED by the Meridian Street Preservation Commission that the Certificate of Appropriateness for the aforesaid construction is hereby **GRANTED**, to be evidenced solely by this Final Order. This Final Order must be acted upon within 2 years of the bearing date of the Meridian Street Preservation Commission and all aspects must be completed in whole.*

Shannon Norman
Shannon Norman, Chair

June 24, 2024
Date



