



## Board of Zoning Appeals Division I (October 3, 2023) Meeting Agenda

### Meeting Details

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

**Date:** Tuesday, October 03, 2023

**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. 2023-DV1-020 | 4505, 4506, 4509, 4510, 4613, 4617, 4621, 4622 and 4625 West Caven Street**

Wayne Township, Council District #22, Zoned D-5

Project 65 LLC, by David Gilman

Variance of Development Standards of the Consolidated Zoning and Subdivision Ordinance to provide for the construction of single-family dwellings on each lot with front-loaded garages in excess of 30% of the façade at the building line (garages limited to 30% of the width of the front façade when located 0-12 feet behind front building line) and allow for a three-foot corner side yard setback at 4622 West Caven Street (eight-foot corner side setback required), 16-foot front setbacks at 4505, 4613, and 4621 Caven Street, 17-foot front setback at 4510 Caven Street (20 to 50-foot front setback required for neighborhood yard frontages), and a six-foot corner side yard setback at 4625 Caven Street (eight-foot corner side setback required).

**\*\*Continuance requested; additional notice required**

**2. 2023-UV1-019 | 2994 North Arlington Avenue**

Warren Township, Council District #13, Zoned C-3

Roys Towing LLC, by David E. Dearing

Variance of use and development standards of the Consolidated Zoning and Subdivision Ordinance to provide for the operation of an automobile sales and repair business, per the plan of operation (not permitted), and a six-foot tall chain link fence and security gates within the front yard of Arlington Avenue and 30th Street (maximum height of 3.5-feet permitted, chain link fencing not permitted in front yards) and encroaching within the driveway and intersection clear sight triangles along Arlington and 30th Street (encroachment of clear sight triangles not permitted).

**\*\* Automatic Continuance to be acknowledged**

### Petitions for Public Hearing

#### PETITIONS TO BE EXPEDITED:

**3. 2023-DV1-046 | 4602 North Pennsylvania Street**

Washington Township, Council District #7, Zoned D-2 (MSPC)

Scott Gilchrist

Variance of Development Standards of the Consolidated Zoning and Subdivision Ordinance to provide for the construction of a detached garage with two-foot side yard setbacks (seven-foot side yard setbacks required).

**4. 2023-DV1-047 | 775 Braeside Drive South**

Washington Township, Council District #2, Zoned D-S (FW) (FF)  
Clayton & Julie Dilts

Variance of Development Standards of the Consolidated Zoning and Subdivision Ordinance to provide for the construction of a detached garage with a five-foot southern side yard setback (15-foot side yard setback required).

**5. 2023-DV1-049 | 614 East Terrace Avenue**

Center Township, Council District #21, Zoned D-5  
Mark Y Baker & Lynda L Baker, Trustees of Mark & Lynda Baker Trust, by Mark & Kim Crouch

Variance of Development Standards of the Consolidated Zoning and Subdivision Ordinance to provide for the construction of a detached garage with three-foot east side yard setback and to legally establish an existing two-foot west side yard setback for a portion of the existing primary dwelling (five-foot side yard setback required).

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

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

**6. 2023-UV1-017 | 2352 Burke Street**

Wayne Township, Council District #22, Zoned C-3  
David & Valerie Ferguson

Variance of use and development standards of the Consolidated Zoning and Subdivision Ordinance to provide for the operation of an automobile towing business, including the outdoor storage of inoperable vehicles and commercial vehicles (not permitted) with:

- a) A parking area without hard surfacing, durable painted lines and an ADA parking space (hard surfacing of parking areas, painted parking stalls and one ADA parking space required);
- b) An unenclosed trash dumpster (dumpster enclosure required); and
- c) A six-foot tall chain link, without required vinyl coating or equivalent treatment, perimeter fence with barbed wire (fence height limited to 3.5-foot tall within front yards, chain link must be vinyl coated, barbed wire fencing prohibited).

**7. 2023-UV1-018 | 5524 Georgetown Road**

Pike Township, Council District #8, Zoned C-3  
GAT LLC, by David Kingen & Emily Duncan

Variance of use of the Consolidated Zoning and Subdivision Ordinance to provide for the operation of a liquor store (not permitted).

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

**8. 2023-DV1-045 | 2236 Manhattan Avenue**

Wayne Township, Council District #22, Zoned I-2  
KHH Enterprises LLC, by John Cross

Variance of Development Standards of the Consolidated Zoning and Subdivision Ordinance to provide for the erection of a six-foot tall perimeter fence (maximum height of 3.5 feet in front yards, no primary building on site).

**9. 2023-DV1-048 | 1305 South Biltmore Avenue**

Wayne Township, Council District #22, Zoned D-3  
Virinia Morfin

Variance of Development Standards of the Consolidated Zoning and Subdivision Ordinance to provide for the location of a masonry fence with a height varying between 32 inches and 6.2 feet tall, with 6.5-foot tall columns within the front yards of Biltmore Avenue and Chelsea Road (maximum height of 3.5 feet permitted, fence posts may only be one-foot taller than maximum permitted height of the fence), encroaching within the clear sight

triangle and encroaching in the right-of-way of Biltmore Avenue and Chelsea Road (encroachment of clear sight triangles not permitted, encroachment of right-of-way not permitted).

**10. 2023-DV1-050 | 5240 and 5310 East Southport Road**

Franklin Township, Council District #25, Zoned C-S  
Chick-fil-A, by Todd Richards

Variance of Development Standards of the Consolidated Zoning and Subdivision Ordinance to provide for the construction of an accessory parking lot on a parcel that doesn't contain the primary building (not permitted), resulting in a total of 108 parking spaces provided (maximum of 48 parking spaces permitted).

**11. 2023-DV1-051 (Amended) | 2355 and 2001 South Tibbs Avenue**

Wayne Township, Council District #16, Zoned I-4  
Rolls Royce Corporation, by Joseph D. Calderon

Variance of Development Standards of the Consolidated Zoning and Subdivision Ordinance to provide for eight new 12-foot tall, 102-square foot freestanding incidental signs (maximum eight-foot tall, 32 square-foot incidental signs permitted).

**12. 2023-DV1-052 | 2251 Sloan Avenue**

Center Township, Council District #21, Zoned SU-2  
Indianapolis Public Schools, by Russell McClure

Variance of Development Standards of the Consolidated Zoning and Subdivision Ordinance to provide for the location of a six-foot tall chain link fence within the front yards of Sloan Avenue and Raymond Street (chain link fencing not permitted within front yards, maximum height of 3.5 feet permitted).

## 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.

**STAFF REPORT****Department of Metropolitan Development  
Division of Planning  
Current Planning Section**

**Case Number:** 2023-DV1-020  
**Address:** 4505, 4506, 4509, 4510, 4613, 4617, 4621, 4622 and 4625 West Caven Street (approximate addresses)  
**Location:** Wayne Township, Council District #22  
**Zoning:** D-5  
**Petitioner:** Project 65 LLC, by David Gilman  
**Request:** Variance of Development Standards of the Consolidated Zoning and Subdivision Ordinance to provide for the construction of single-family dwellings on each lot with front-loaded garages in excess of 30% of the façade at the building line (garages limited to 30% of the width of the front façade when located 0-12 feet behind front building line) and allow for a three-foot corner side yard setback at 4622 West Caven Street (eight-foot corner side setback required), 16-foot front setbacks at 4505, 4613, and 4621 Caven Street, 17-foot front setback at 4510 Caven Street (20 to 50-foot front setback required for neighborhood yard frontages), and a six-foot corner side yard setback at 4625 Caven Street (eight-foot corner side setback required).

The petitioner notified staff that they would be requesting a **continuance for cause from the October 3, 2023 hearing to the November 14, 2023 hearing** to amend the request. Staff has no objection to the continuance request.

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**STAFF REPORT****Department of Metropolitan Development  
Division of Planning  
Current Planning Section**

**Case Number:** 2023-UV1-019  
**Address:** 2994 North Arlington Avenue (approximate address)  
**Location:** Warren Township, Council District #13  
**Zoning:** C-3  
**Petitioner:** Roys Towing LLC, by David E. Dearing  
**Request:** Variance of use and development standards of the Consolidated Zoning and Subdivision Ordinance to provide for the operation of an automobile sales and repair business, per the plan of operation (not permitted), and a six-foot tall chain link fence and security gates within the front yard of Arlington Avenue and 30<sup>th</sup> Street (maximum height of 3.5-feet permitted, chain link fencing not permitted in front yards) and encroaching within the driveway and intersection clear sight triangles along Arlington and 30<sup>th</sup> Street (encroachment of clear sight triangles not permitted).

A Registered Neighborhood Organization has filed an automatic continuance, continuing this petition to the November 14, 2023, hearing of Division I.

EDH

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Department of Metropolitan Development  
Division of Planning  
Current Planning

## BOARD OF ZONING APPEALS DIVISION I

October 03, 2023

**Case Number:** 2023-DV1-046

**Property Address:** 4602 North Pennsylvania Street (approximate address)

**Location:** Washington Township, Council District #7

**Petitioner:** Scott Gilchrist

**Current Zoning:** D-2 (MSPC)

**Request:** Variance of Development Standards of the Consolidated Zoning and Subdivision Ordinance to provide for the construction of a detached garage with two-foot side yard setbacks (seven-foot side yard setbacks required).

**Current Land Use:** Residential

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

**Recommended Motion:** Motion to approved petition 2023DV1046

**Staff Reviewer:** Noah Stern, Associate 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 detached garage with two-foot site yard setbacks (seven-foot side yard setbacks required).
- The proposal calls for replacing the existing detached garage (20.5 feet x 22.3 feet) that has 2-foot side yard setbacks, with a new detached garage that will have the same setbacks but a slightly larger footprint (24 feet x 24 feet).
- Detached garages are common occurrence in the surrounding area. Likewise, with this subject site being slightly smaller than the minimum lot area requirement of 15,00 square feet in D-2 zoning districts, the decreased buildable space on the lot represents a practical difficulty for the owner. Furthermore, with the proposed detached garage comprising roughly the same footprint and maintaining the current setbacks, Staff is not opposed to granting the variance of reduced setbacks to allow for a new detached garage.



Department of Metropolitan Development  
Division of Planning  
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## GENERAL INFORMATION

<b>Existing Zoning</b>	D-2 (MSPC)	
<b>Existing Land Use</b>	Residential	
<b>Comprehensive Plan</b>	Traditional Neighborhood	
<b>Surrounding Context</b>	<b>Zoning</b>	<b>Surrounding Context</b>
North:	D-2 (MSPC)	North: Single-family residential
South:	D-2 (MSPC)	South: Single-family residential
East:	D-4 (MSPC)	East: Single-family residential
West:	D-2 (MSPC)	West: Single-family residential
<b>Thoroughfare Plan</b>		
Pennsylvania Street	Local Street Proposed ROW: 48 feet Existing ROW: 60 feet	
<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>	8/11/23	
<b>Site Plan (Amended)</b>	N/A	
<b>Elevations</b>	8/11/23	
<b>Elevations (Amended)</b>	N/A	
<b>Landscape Plan</b>	N/A	
<b>Findings of Fact</b>	8/11/23	
<b>Findings of Fact (Amended)</b>	N/A	

## COMPREHENSIVE PLAN ANALYSIS

### Comprehensive Plan

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

### Pattern Book / Land Use Plan

- The Marion County Land Use Plan Pattern Book recommends the Traditional Neighborhood living typology for this site.
- In this typology, the Pattern Book recommends loading garages from alleys or side streets, when possible, and that garages be detached if located on the side of the house.



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

- The proposal is in accordance with these recommendations.

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

- Not Applicable to the Site

**Neighborhood / Area Specific Plan**

- Not Applicable to the Site

**Infill Housing Guidelines**

- The Infill Housing Guidelines (IHG) document is used to promote good practice with regards to form, massing, aesthetics, landscaping, etc. of new infill housing projects of all scales and types.
- With regards to detached garages, the Infill Housing Guidelines document recommends:
  - Locate accessory structures behind primary building
  - Access accessory buildings from alleys, when possible
    - With the site not containing alley access, the detached garage will be access from the driveway on the west side of the primary structure
  - Don't overshadow primary building
- The proposal is in accordance with these recommendations.

**Indy Moves**

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

- Not Applicable to the Site



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## ZONING HISTORY

### ZONING HISTORY – SITE

N/A

### ZONING HISTORY – VICINITY

**83-UV2-100; 4601 N Illinois Street (west of site)**, Variance of development standards of the Dwelling Districts Zoning Ordinance to all for a convenience and food store in conjunction with the existing gasoline sales, **dismissed**.

**91-Z-54; 4610 N Illinois Street (west of site)**, Rezoning from the D-5 zoning district to the SU-1 classification to allow for a church, **approved**.

**91-Z-71; 4609 N Capitol Avenue (west of site)**; Rezoning from the D-5 zoning district to the SU-1 classification to allow for a church, **approved**.

**2003UV3036; 4601 and 4611 N Illinois Street (west of site)**; Variance of use and a variance of development standards of the Dwelling Districts Zoning Ordinance to provide for a parking lot for the Governor's Mansion (not permitted) with a 20.38-foot front yard setback from the existing right-of-way of W 46<sup>th</sup> Street (minimum 30-feet setback required), **approved**.

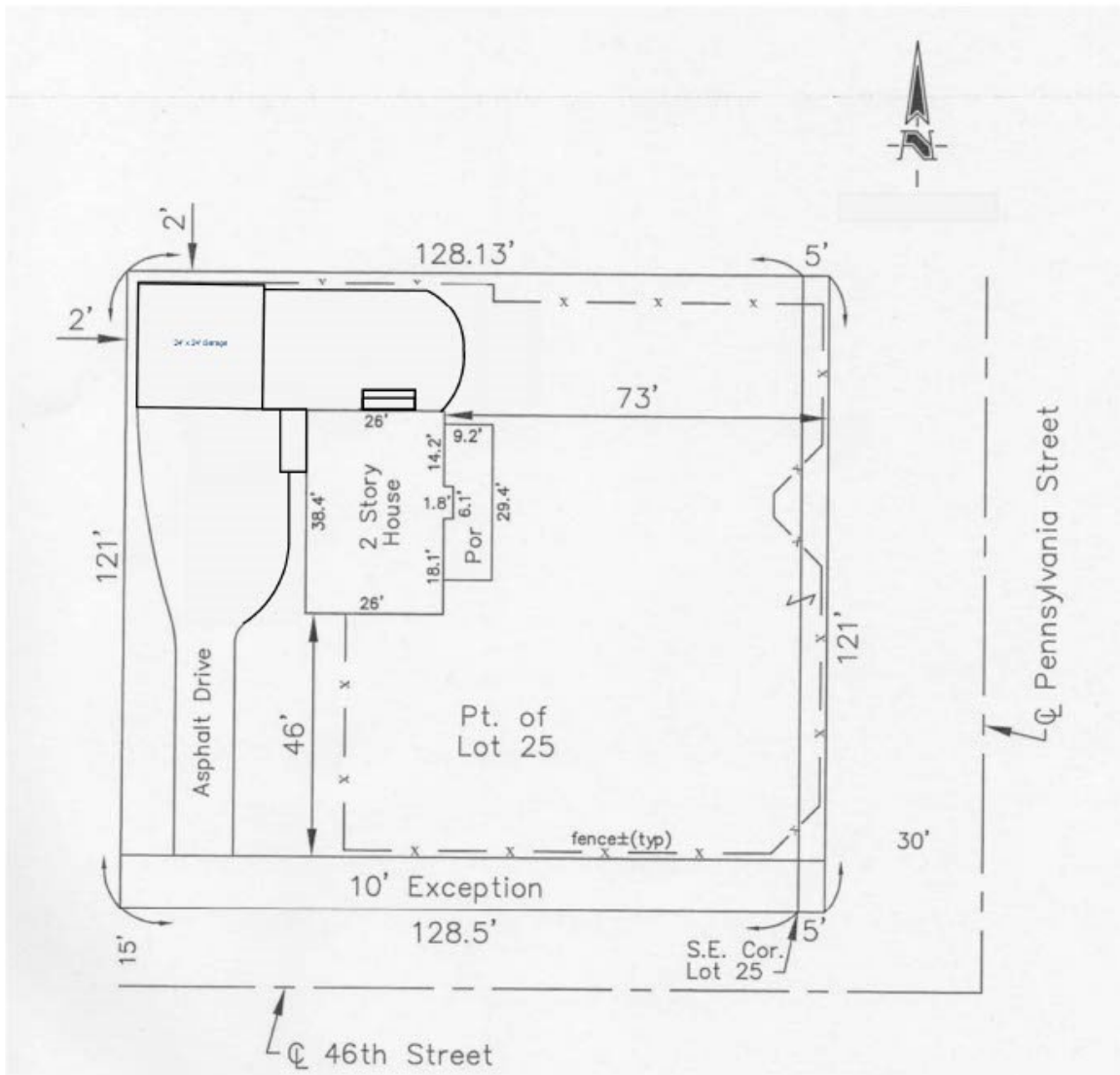
**2007ZON033; 4550 N Illinois Street (west of site)**, Rezoning of 2.18 acres, being in the D-5 District, to the SU-1 classification to provide for religious use, **approved**.

**2013DV2012; 4545 N Delaware Street (east of site)**, Variance of development standards of the Dwelling Districts Zoning Ordinance to provide for the construction of an attached garage, with a 3.33-foot north side setback (minimum five-foot setback required), creating a 9.5-foot aggregate setback (13-foot aggregate setback required), and a 15-foot rear setback (minimum 20-foot rear setback required), **approved**.

**2016DV3014; 4736 Washington Blvd (east of site)**, Variance of development standards of the Consolidated Zoning and Subdivision Ordinance, to provide for a 23.5-foot tall detached garage, with a 1.67-foot south side setback (minimum five-foot side setback required), **approved**.

EXHIBITS

Site Map for Proposed Construction  
 4602 N. Pennsylvania St.







Department of Metropolitan Development  
Division of Planning  
Current Planning



### MERIDIAN STREET PRESERVATION COMMISSION

In the matter of an application filed by  
Scott Gilchrist  
for a Prior Approval of a Variance for the property located at 4602  
N. Pennsylvania Street

### FINAL ORDER GRANTING PRIOR APPROVAL OF A VARIANCE #V-MSPC 23-08

The Meridian Street Preservation Commission, at a meeting held at 4:00 p.m. on July 18, 2023, in the second floor conference room of the Meridian Street United Methodist Church at 5500 N. Meridian Street, and heard evidence and considered an application for a Prior Approval of a Variance filed by Scott Gilchrist, for improvements to be made at the property located at 4602 N. Pennsylvania Street.

*Being duly advised in the premises, the Commission, by a vote of 9-0 of its nine (9) members present and voting AYE: (Norman, Fujawa, Roth, Colby, Bennett, Hess, Welling, Madden, Vanderstel), NAY: (None), 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:
  - Construction of a new two-car garage with the reduction of side setback (7ft. to 2ft.) required in D-2 zoning.
3. Such improvements shall be per plans 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): None.

*It is, therefore, ORDERED AND DECREED by the Meridian Street Preservation Commission that the Prior Approval of a Variance 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 hearing date of the Meridian Street Preservation Commission and all aspects must be completed in whole.*

Shannon Norman  
Shannon Norman, Chair

July 24, 2023  
Date













## STAFF REPORT

### Department of Metropolitan Development Division of Planning Current Planning Section

**Case Number:** 2023-DV1-047  
**Address:** 775 Braeside Drive South (approximate address)  
**Location:** Washington Township, Council District #2  
**Zoning:** D-S (FW) (FF)  
**Petitioner:** Clayton & Julie Dilts  
**Request:** Variance of Development Standards of the Consolidated Zoning and Subdivision Ordinance to provide for the construction of a detached garage with a five-foot southern side yard setback (15-foot side yard setback required).

### RECOMMENDATIONS

Staff **recommends approval** of the request.

### SUMMARY OF ISSUES

The following issues were considered in formulating the recommendation:

#### LAND USE

##### EXISTING ZONING AND LAND USE

D-S	Metro	Single-Family residential
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##### SURROUNDING ZONING AND LAND USE

North	D-S	Single-Family residential
South	D-S	Single-Family residential
East	D-S	Single-Family residential
West	D-S	Single-Family residential

COMPREHENSIVE PLAN	The Comprehensive Plan recommends Rural or Estate Neighborhood/Floodway development.
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- ◇ The subject site is around 3.9 acres and developed with a single-family dwelling. This site is in the Spring Mill Woods subdivision in the Nora/Far Northside neighborhood. Williams Creek runs along the rear of the property, which has many existing trees. The rear yard slopes down to the creek and is within a floodplain. A tributary of Williams Creek runs diagonally through the property.

### VARIANCE OF DEVELOPMENT STANDARDS

- ◇ This request would provide for the construction of a detached garage with a five-foot side setback where a fifteen-foot setback is required.

(Continued)

**STAFF REPORT 2023-DV1-047 (Continued)**

- ◇ As shown on the topographic map, the proposed location of the garage is one of the few relatively flat locations that is not in the front yard. Staff would not be opposed to a reduction of setbacks due to a practical difficulty related to site topography.

**GENERAL INFORMATION****THOROUGHFARE PLAN**

Braeside Drive South is classified in the Official Thoroughfare Plan for Marion County, Indiana as a local street, with a 50-foot existing and proposed right-of-way.

**SITE PLAN**

File-dated August 9, 2023

**FINDINGS OF FACT**

File-dated August 9, 2023

**ZONING HISTORY – SITE**

None

**ZONING HISTORY – VICINITY**

**88-AP-189, 902 West 91<sup>st</sup> Street**, a modification of the site plan approved as part of the rezoning petition 79-Z-145 to permit relocation of a recreation area, **approved**.

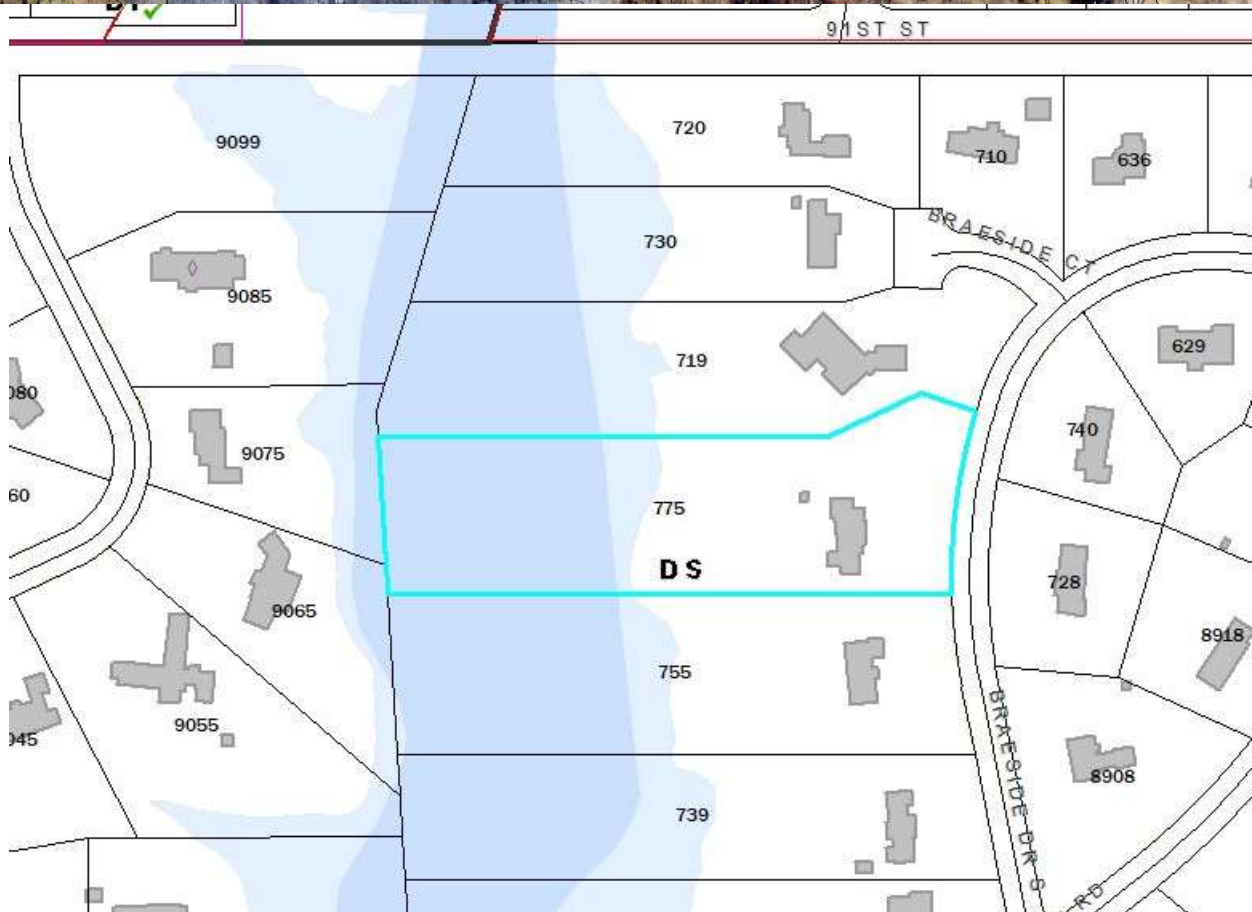
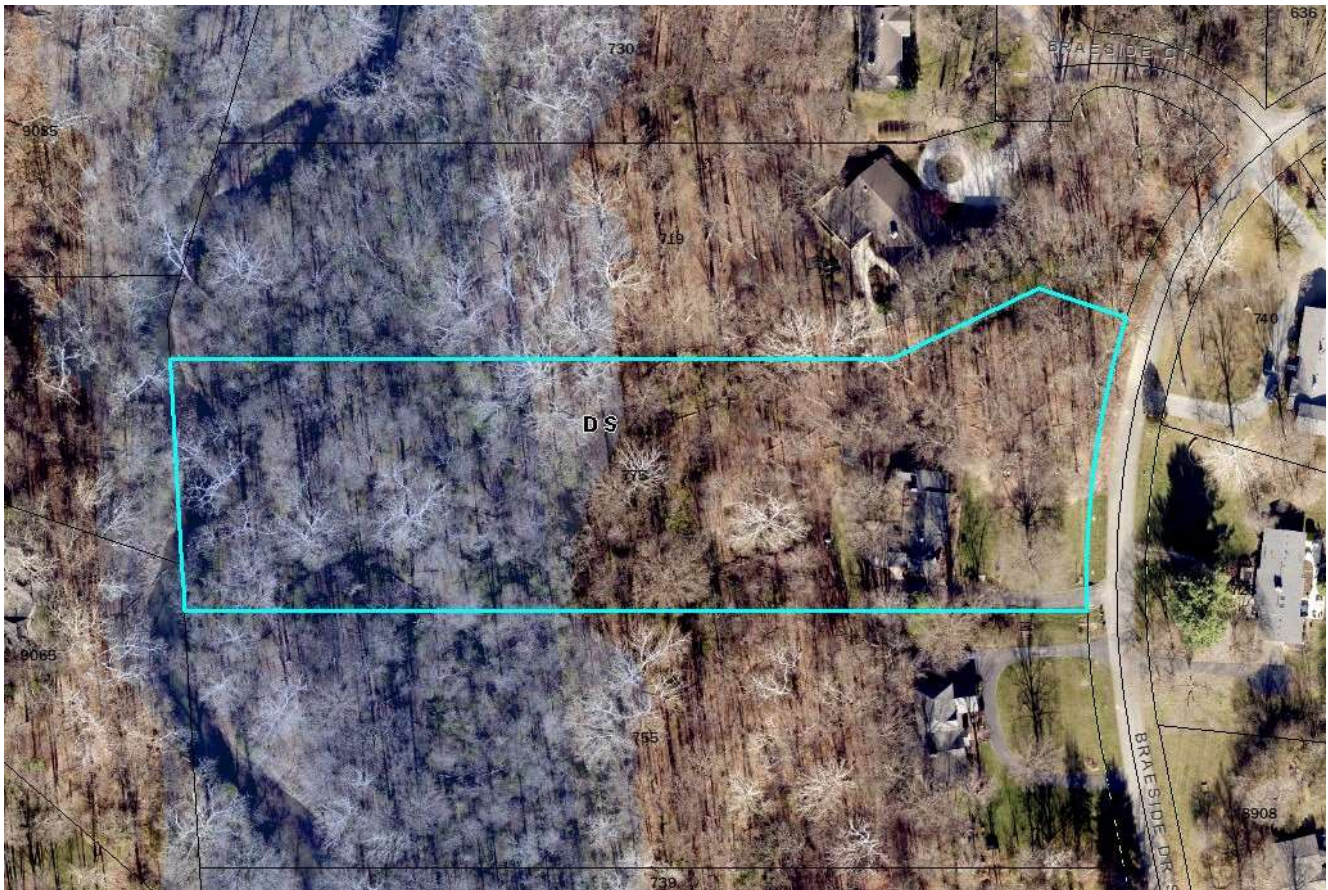
**86-AP-23, 902 West 91<sup>st</sup> Street**, a modification of commitments of the rezoning petition 79-Z-145 to state that the development is governed by the Indiana Horizontal Property Regime Act or any ordinance, laws and regulations governing planned unit developments, **approved**.

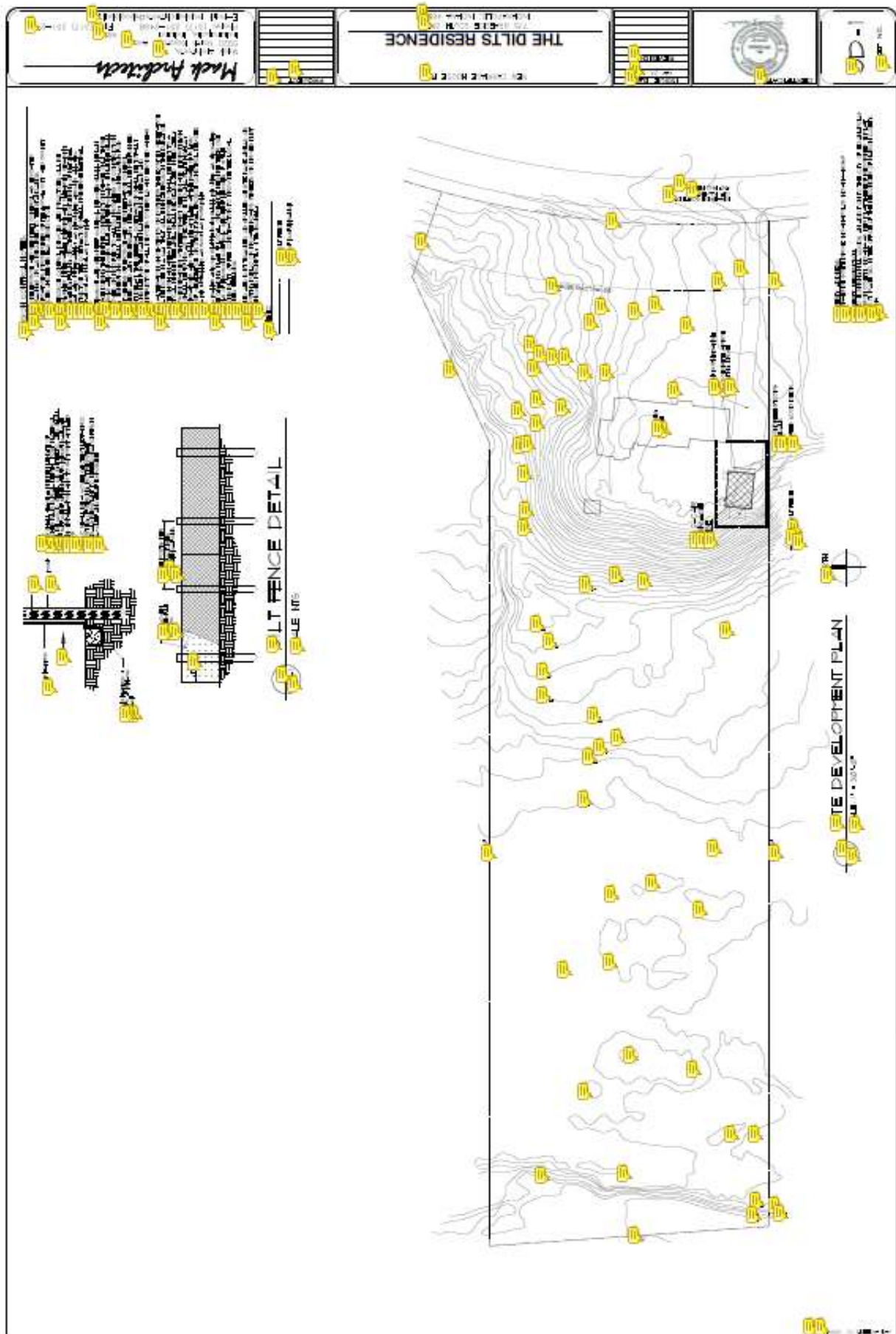
**79-Z-145, 902 West 91<sup>st</sup> Street**, rezoning of 58.3 acres from the A-2 district to the D-P district, **approved**.

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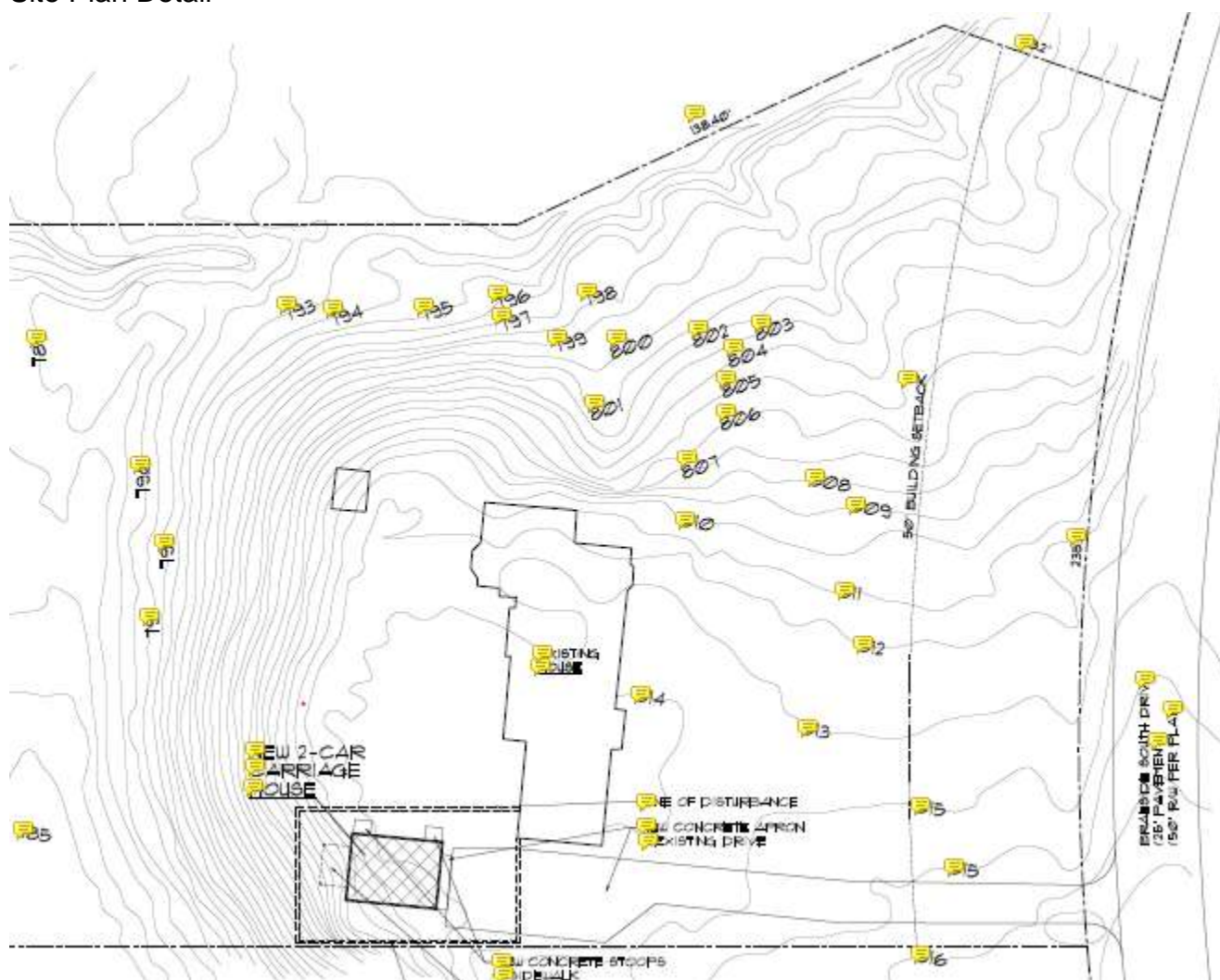
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**2023-DV1-047; Findings of Fact**

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

**PETITION FOR VARIANCE OF DEVELOPMENT STANDARDS****FINDINGS OF FACT**

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

The proposed structure will be entirely in the back yard of the residence, over 150' from the road. The use is for garage and personal work shop.

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 structure does not affect the views or use of adjacent property. The area of the adjacent property along the south property line closest to the proposed structure is not buildable due to slope. The proposed structure should increase the value of the property and therefore benefit any adjacent property.

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

There is not an alternate location for a garage other than in front of the house, which would not be beneficial to property values. With a 4/5 bedroom house and large lot to maintain, additional garage space is needed for parking, equipment and tools.



Subject site viewed from Braeside Drive South, looking west. Proposed garage location at the end of the driveway



Proposed garage location, looking west



View of rear yard, looking west

## STAFF REPORT

### Department of Metropolitan Development Division of Planning Current Planning Section

**Case Number:** 2023-DV1-049  
**Address:** 614 East Terrace Avenue (approximate address)  
**Location:** Center Township, Council District #21  
**Zoning:** D-5  
**Petitioner:** Mark Y Baker & Lynda L Baker, Trustees of Mark & Lynda Baker Trust, by Mark & Kim Crouch  
**Request:** Variance of Development Standards of the Consolidated Zoning and Subdivision Ordinance to provide for the construction of a detached garage with three-foot east side yard setback and to legally establish an existing two-foot west side yard setback for a portion of the existing primary dwelling (five-foot side yard setback required).

### RECOMMENDATIONS

Staff **recommends approval** of this request.

### SUMMARY OF ISSUES

#### LAND USE

##### EXISTING ZONING AND LAND USE

D-5	Single-family dwelling
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##### SURROUNDING ZONING AND LAND USE

North - D-5	Single-family dwelling
South - D-5	Single-family dwelling
East - D-5	Single-family dwelling
West - D-5	Single-family dwelling

##### COMPREHENSIVE PLAN

The Comprehensive Plan recommends traditional neighborhood uses for the site.

### VARIANCE OF DEVELOPMENT STANDARDS

- ◇ The D-5 district is intended for areas of medium-intensity single-family residential development. This district is designed for urban, built-up areas of the community, and two-family dwellings are permitted on any lot in this district. The district has a typical density of 4.5 units per acre.
- ◇ Development Standards of the Consolidated Zoning and Subdivision Ordinance, specifically those relating to setbacks are intended to provide adequate space between structures for maintenance and sufficient buffering to prevent the lateral expansion of fires, as well as the operation of emergency equipment in such situations.

(Continued)

**STAFF REPORT 2023-DV1-049 (Continued)**

- ◇ The request for a two-foot west side yard setback for a portion of the existing primary dwelling would legally establish the setback that was part of the original 1906 construction of the dwelling and has existed since then. Staff believes that this reduced setback would have no impact on the streetscape or the surrounding property owners and would represent a minor deviation from the Ordinance.
- ◇ The proposed three-foot side setback would roughly match the side setbacks of other rear accessory structures in the area. In addition, a driveway on the neighbor's property would be adjacent to the proposed garage, providing adequate separation from other structures. Therefore, Staff believes that the reduced setback would have no impact on the surrounding property owners and 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****THOROUGHFARE PLAN**

This portion of Terrace Avenue is classified in the Official Thoroughfare Plan for Marion County, Indiana as a local street, with a 48-foot existing and proposed right-of-way.

**SITE PLANS**

File-dated August 28, 2023.

**FINDINGS OF FACT**

File-dated August 28, 2023.

**ZONING HISTORY**

**2021-DV1-065; 630 Terrace Avenue (east of site)**, requested a variance of development standards of the Consolidated Zoning and Subdivision Ordinance to provide for a 480 square-foot detached garage resulting in a lot open space of 50%, **granted**.

**2020-DV1-038; 714 Terrace Avenue (east of site)**, requested a variance of development standards of the Consolidated Zoning and Subdivision Ordinance to provide for a garage and the extension of a second-floor deck with an open space of 44 percent and a rear setback of five feet, **granted**.

**2020-HOV-011, 622 East Terrace Avenue (east of site)**, requested a variance to provide for the construction of a single-family dwelling and detached garage with 53 percent open space, **approved**.

**2018-DV2-014; 602 Terrace Avenue (west of site)**, requested a variance of development standards of the Consolidated Zoning and Subdivision Ordinance to legally establish a single-family dwelling, with a seven-foot front setback and a three-foot separation from the dwelling to the east, to provide for an attached garage and upper-level deck, with a nine-foot rear setback and 47% open space, **granted**.

(Continued)

**STAFF REPORT 2023-DV1-049 (Continued)**

**2017-DV3-038; 514 Terrace Avenue (west of site)**, requested a variance of development standards of the Consolidated Zoning and Subdivision Ordinance to provide for a single-family dwelling, with a breezeway and garage, with an eight-foot front setback, three feet between primary buildings, a three-foot rear setback and 49% open space, **granted**.

**2017-ZON-016; 1401 South East Street (west of site)**, requested the rezoning of several parcels including subject site, totaling 1.95 acres, from the C-1, C-3, C-5 and I-4 districts, to the D-5 classification, **approved**.

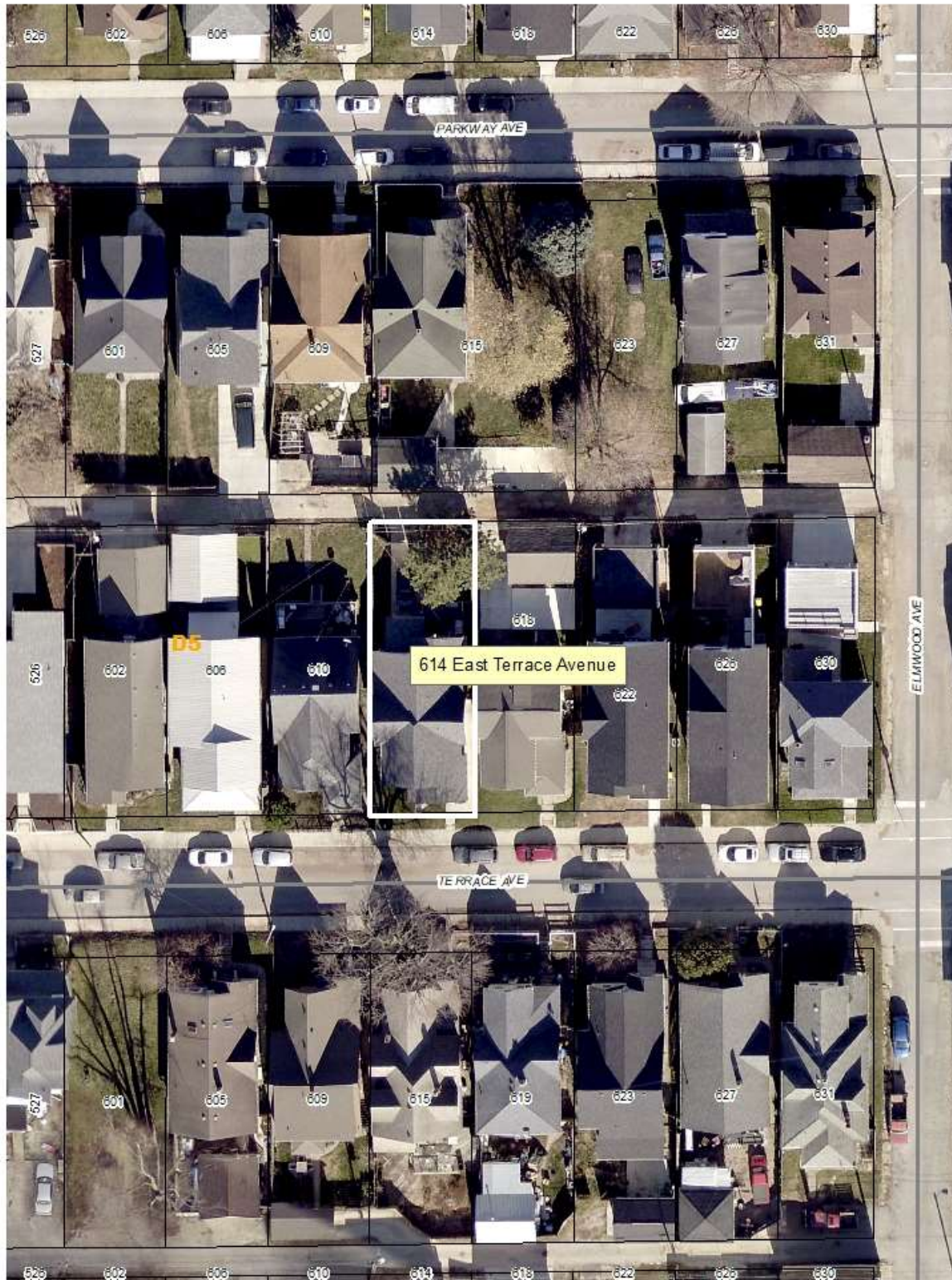
**2016-HOV-046; 606 Terrace Avenue (west of site)**, requested a variance of development standards of the Consolidated Zoning and Subdivision Ordinance to provide for an open space of 40%, **granted**.

**2001-HOV-054; 527 Parkway Avenue (north of site)**, requested a variance of development standards of the Dwelling Districts Zoning Ordinance to provide for the construction of a 14 by 20-foot addition to an existing 300 square foot detached garage with a 6-foot aggregate side-setback and a 3-foot rear setback, **granted**.

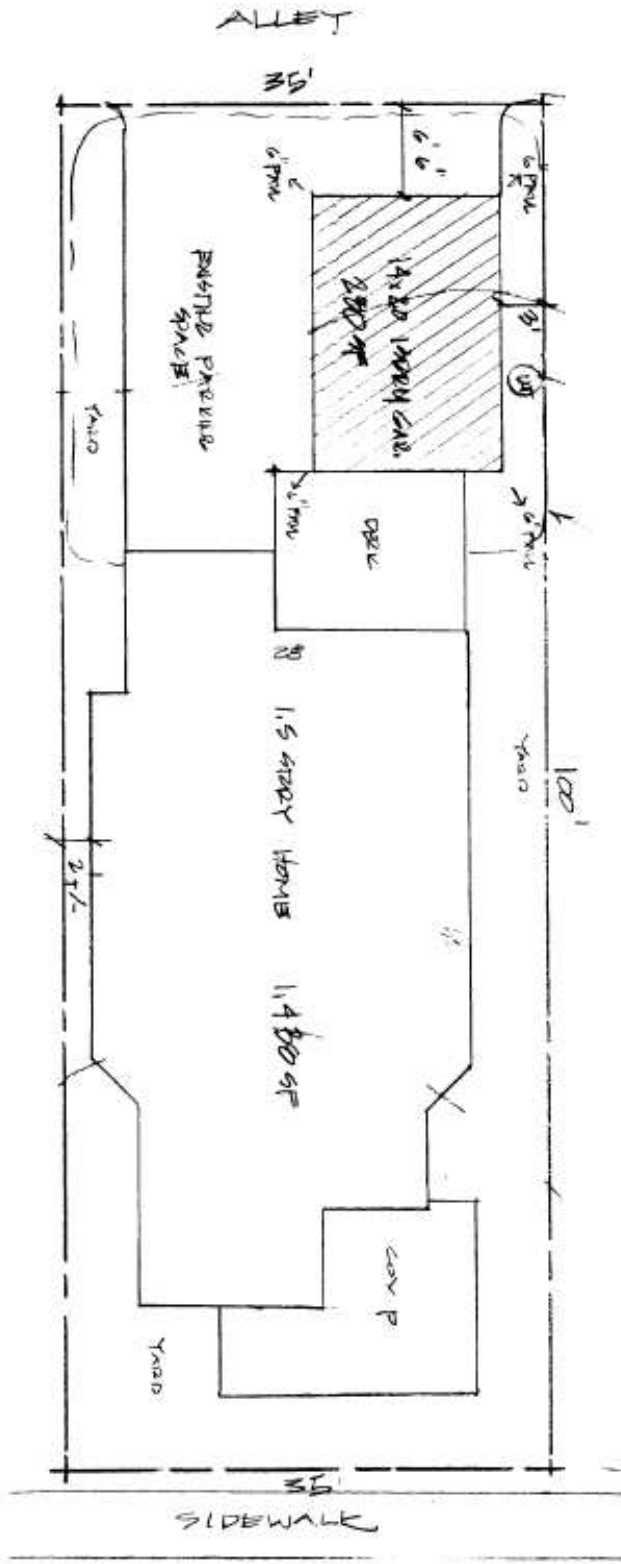
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2023-DV1-049; Site Plan







Subject site, looking north.



Subject site rear yard within fence, looking east.





Subject site proposed garage location with three-foot east side setback, looking south.



Subject site existing primary dwelling with two-foot west side setback, looking north.



Adjacent properties to the east, looking north.



Adjacent properties to the west, looking north.

## STAFF REPORT

### Department of Metropolitan Development Division of Planning Current Planning Section

**Case Number:** 2023-UV1-017  
**Address:** 2352 Burke Street (approximate address)  
**Location:** Wayne Township, Council District #22  
**Zoning:** C-3  
**Petitioner:** David & Valerie Ferguson  
**Request:** Variance of use and development standards of the Consolidated Zoning and Subdivision Ordinance to provide for the operation of an automobile towing business, including the outdoor storage of inoperable vehicles and commercial vehicles (not permitted) with:
 

- a) A parking area without hard surfacing, durable painted lines and an ADA parking space (hard surfacing of parking areas, painted parking stalls and one ADA parking space required);
- b) An unenclosed trash dumpster (dumpster enclosure required); and
- c) A six-foot tall chain link, without required vinyl coating or equivalent treatment, perimeter fence with barbed wire (fence height limited to 3.5-foot tall within front yards, chain link must be vinyl coated, barbed wire fencing prohibited).

### RECOMMENDATIONS

Staff **recommends denial** of the request.

### SUMMARY OF ISSUES

The following issues were considered in formulating the recommendation:

#### LAND USE

##### EXISTING ZONING AND LAND USE

C-3	Compact	Towing Operation
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##### SURROUNDING ZONING AND LAND USE

North	C-3	Single-family dwellings
South	C-3	Unknown Commercial Uses
East	C-3	Single-family dwellings
West	C-3	Single-family Dwellings

##### COMPREHENSIVE PLAN

The Comprehensive Plan recommends Traditional Neighborhood development.

- ◇ This 0.36-acre lot, zoned C-3, is currently improved with an automobile garage and outdoor storage and parking area.

(Continued)

## **STAFF REPORT 2023-UV1-017 (Continued)**

- ◇ To the west, north and east are single-family dwellings, all within the C-3 Districts. To the South are unknown commercial uses within the C-3 District. Due to a lack of signage and online presence, their uses are unknown.
- ◇ The property was granted a variance in 1962 that allowed for truck and automobile repair and storage.
- ◇ The site is currently subject to violation VIO-21-004031 by the Department of Business and Neighborhood Services, regarding non-permitted uses, unenclosed dumpsters, barbed wire fencing, lack of hard surfaced and painted parking areas.
- ◇ The C-3 District is the Neighborhood Commercial District of the Ordinance. It is intended to provide an extensive range of retail sales and personal and professional services for the immediate vicinity of a residential area. This zoning classification aligns with the comprehensive plan recommendation of Traditional Neighborhood. However, automotive uses are expressly discouraged from being located in areas recommended for Traditional Neighborhood Development.

### **VARIANCE OF USE**

- ◇ The request would allow for the operation of a towing operation. This use would be classified as an Automobile and Vehicle Storage or Auction use within the Ordinance, and is permitted within the C-7, I-2, I-3 and I-4 Districts. These uses are typically characterized by large enclosed heavy outdoor storage areas and 24/7 operations given the unpredictability of the need for dispatch services. Because of these characteristics, this use is only permitted in the most intense districts afforded by the Ordinance, to help ensure that they are located with adequate separation from residential areas.
- ◇ According to the Plan of Operation, file-dated September 25, 2023, the operator of the business has recently purchased a new property located at 5312 Massachusetts Avenue where the business will be primarily operated from. The Plan of Operation also states:
  - The building located at 2352 Burke Street would only be used for the maintenance of tow trucks within the fleet and the repair of the business owner's personal vehicles. All maintenance related work would be done indoors.
  - The lot would be used for the parking of four tow trucks operated by employees who live closer to this location, their personal vehicles, and a two-car trailer used for the business. As proposed, there would never be more than 12 vehicles on the property. The tow trucks would only be dispatched between 8am and 8pm.
  - No towed or impounded vehicles would be stored at this location.
- ◇ While Staff acknowledges the history has a long history of automobile-oriented uses, Staff has concerns regarding the introduction of a more intense automobile use within an established residential neighborhood. In addition to the 1962 variance grant, the sites zoning allows for a wide range of commercial uses that would implement the vision of the Comprehensive Plan.

(Continued)

## **STAFF REPORT 2023-UV1-017 (Continued)**

- ◇ For that reason, Staff does not believe there to be a hardship warranting a favorable recommendation and that the request would negatively impact the viability of implementing the comprehensive plan.

### **VARIANCE OF DEVELOPMENT STANDARDS**

- ◇ The request would also allow for an unpaved and unstriped parking area that lacks an ADA compliant parking space. All commercial and industrial uses are required to have a hard surfaced parking area with striped parking spaces in order to promote orderly operation and to prevent dust and other particulate from negatively impacting air quality of adjacent properties.
- ◇ The request would also allow an existing trash dumpster to remain unenclosed. Enclosures are required in order to promote an enhanced aesthetic for commercial properties.
- ◇ The request would also allow for a six-foot chain link fence within the front yard, that does not incorporate vinyl coating, and is topped with barbed wire. Chain link fencing is not permitted within the front yard of commercial districts of the Ordinance. In side and rear yards, where they are permitted, they must be coated in black, brown, or dark green vinyl or an equivalent. This is intended to promote an enhanced aesthetic and prevent premature rusting of bare metal. The use of barbed or razor wire is prohibited throughout Marion County except for penal institutions or in association with public safety facilities.
- ◇ Staff believes these development standards to be self-imposed and that such a long standing commercial site should be brought into conformity

### **GENERAL INFORMATION**

#### **THOROUGHFARE PLAN**

This portion of Burke Street is classified as a Local Street in the Official Thoroughfare Plan for Marion County, Indiana with an existing 40-foot right-of-way and proposed right-of-way of 50 feet.

This portion of Washington Street is classified as a Primary Arterial in the Official Thoroughfare Plan for Marion County, Indiana with an existing and proposed right-of-way of 102 feet.

#### **SITE PLAN**

File-dated June 29, 2023.

#### **PLAN OF OPERATION**

File-dated September 25, 2023

#### **FINDINGS OF FACT**

File-dated June 29, 2023.

### **ZONING HISTORY – SITE**

**62-V-141; 2352 Burke Street;** variance of use to allow for repair of trucks and automobiles; **granted.**

(Continued)

**ZONING HISTORY – VICINITY**

**2006-UV2-034; 8704 West Washington Street;** requests variance of use and development standards of the Commercial Zoning Ordinance to legally establish a single-family dwelling, with a 3.4-foot front setback, and having a 2.6-foot east transitional side setback, and to legally establish a 415.4-square foot detached garage with a two-foot east transitional side setback; **granted.**

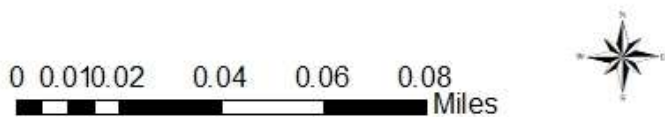
**99-HOV-29; 2329 Burke Street;** requests variance of use of the Commercial Zoning Ordinance to provide for the construction of a 24 by 36 foot detached garage; **granted.**

**87-UV1-76; 8734 West Washington Street;** requests variance of use of the Commercial Zoning Ordinance to provide for an addition to an existing church; **granted.**

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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 USE**

**FINDINGS OF FACT**

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

On The Fly Towing (OTF) has been operating in this location for four years. The same general type of businesses have been located at this location 2352 South Burke Street for nearly 50 years.

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

The basic use of the property has not changed in nearly 50 years. The businesses that have operated at 2352 South Burke St. include auto repair shops, utility contractor, airline equipment storage, church bus garage, landscape company, and a towing company.

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

The building at 2352 South Burke Street does not have main thoroughfare access. The building is not designed for retail business. It was designed for heavier use than what is currently allowed in C3 zoning. OTF, the current renter, desires a towing license from the City of Indianapolis that would require storage.

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

C3 does not allow outside storage. The majority of the property's square footage has always been a storage lot. The building construction consists of a small office with a single bathroom with a large open maintenance area. Large overhead doors are located at each end of the building. The retail emphasis of C3 does not lend itself easily to this property.

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

As a traditional neighborhood, a variety of uses/businesses have been in place for the area of Bridgeport for many years. Bridgeport has consistently been composed of mixed uses of development throughout the community.

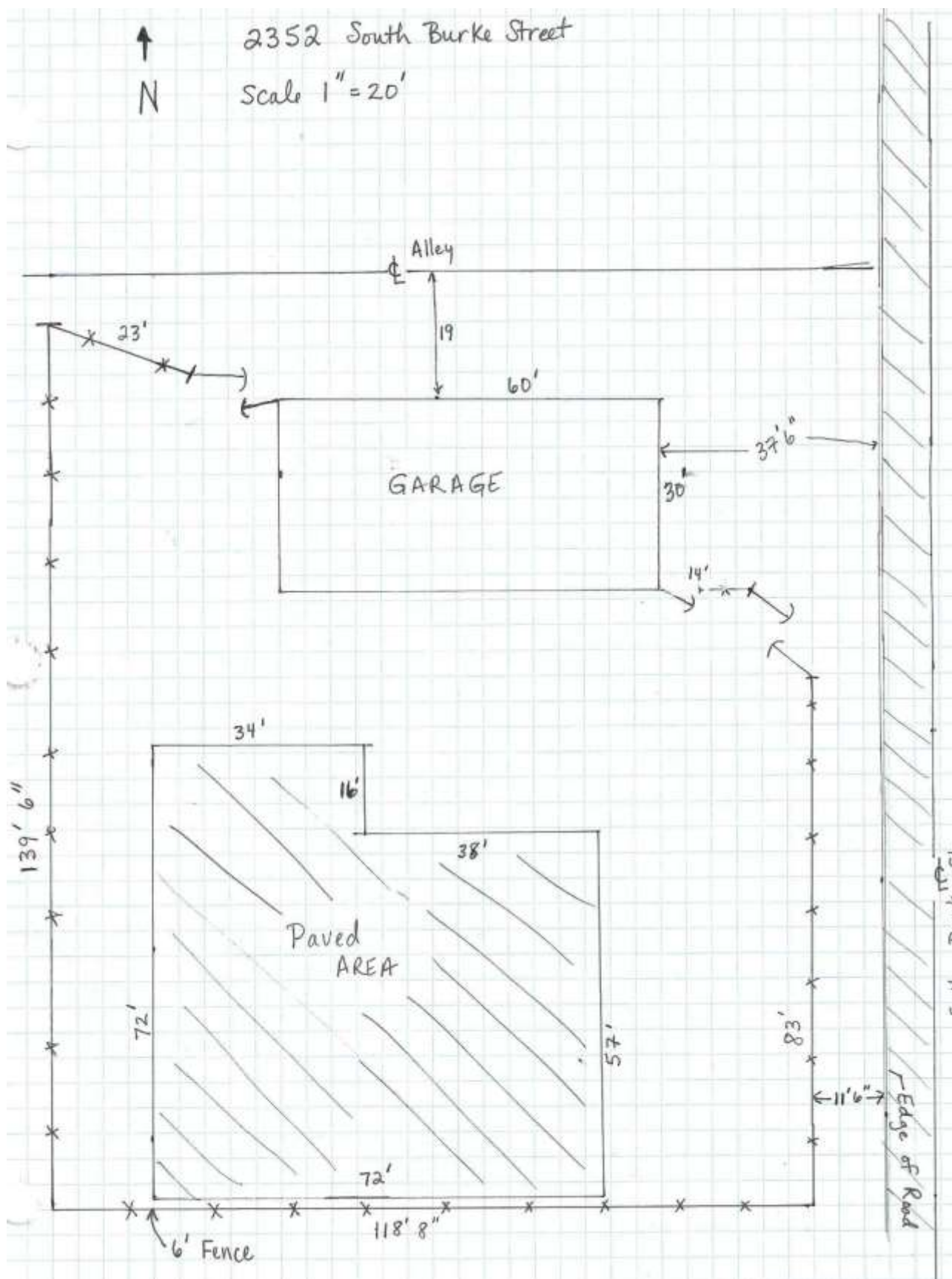
**DECISION**

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

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

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





## **Plan of Operation**

2352 South Burke Street

Hello, my name is Andy Lozano, I currently lease the property at 2352 S Burke St, Indianapolis, IN 46231 and was running my business, On The Fly Towing & Transport, from there. I bought a new facility for my towing business at 5312 Massachusetts Ave when it was brought to our attention that this property was not zoned for my business.

Continued operations at 2352 Burke Street, Indianapolis, Indiana would include:

- The building that is on the property would be used for any maintenance needing done on any tow truck in my fleet and to work on my hobby cars. Any and all maintenance would only be done inside the building.
  - The lot on the property would be used for parking for four of my tow trucks for the employees that live closer to this address, the employees' vehicles, and the parking of a 2-car trailer that we use for the business. We will never exceed twelve (12) vehicles on the lot. The tow trucks would leave no later than 8 am and be back no later than 8 pm. The gate will also remain closed unless a truck is leaving or entering the property.
  - Any cars towed or impounded will never come to the 2352 S Burke St, Indianapolis, IN 46231 being as our main operation is at the 5312 Massachusetts Ave address.
  - My future plans for 2352 S Burke St would be to improve the looks of the property. I would like to add a fence around the property that is approved by the city, add some landscaping that would be more presentable and welcoming for the neighborhood.
-



Photo One: Looking South Along Burke Street



Photo Two: Looking North Along Burke Street





Photo Three: Facing East Across Burke Street



Photo Four: Chain Link Fence In Front Yard



Photo Five: Garage Located On Site



Photo Six: Outdoor Storage Area of Subject Site



## STAFF REPORT

Item 7.

### Department of Metropolitan Development Division of Planning Current Planning Section

**Case Number:** 2023-UV1-018  
**Address:** 5524 Georgetown Road (approximate address)  
**Location:** Pike Township, Council District #8  
**Zoning:** C-3  
**Petitioner:** GAT LLC, by David Kingen & Emily Duncan  
**Request:** Variance of use of the Consolidated Zoning and Subdivision Ordinance to provide for the operation of a liquor store (not permitted).

### RECOMMENDATIONS

Staff **recommends** approval of the request for the variance of use to provide for the operation of a liquor store; however, staff does not support the proposed site plan or any site plan which fails to comply with C-3 district development standards.

### SUMMARY OF ISSUES

The following issues were considered in formulating the recommendation:

#### LAND USE

##### EXISTING ZONING AND LAND USE

C-3	Metro	Commercial
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##### SURROUNDING ZONING AND LAND USE

North	C-3	Neighborhood commercial (auto parts/drug store)
South	C-3	Neighborhood commercial (restaurant)
East	C-3	Neighborhood commercial (vacant bank)
West	C-3	Neighborhood commercial (light commercial mix / religious)

COMPREHENSIVE PLAN	The Comprehensive Plan recommends village mixed-use development.
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- ◇ The 1-acre subject site consists of a single parcel wholly within an integrated center developed in the mid-1990's with a single commercial structure. The site was originally used as a restaurant with an accessory drive-thru. The site was converted to a liquor store in or about 2011. The use was permitted at the time the current business was established and Staff supports continuation of the legal nonconforming use.
- ◇ The subject property is abutted by commercial on all sides.

(Continued)

- ◇ It is now subject to three zoning violations related to an unpermitted addition of two shipping containers to the site in the area of the existing drive-thru. Each container is approximately 40' (L) x 8' (W) x 8'6" (H). The containers have been fitted with lighting and air conditioning and are accessed via a pre-existing emergency exit on the south wall of the building.

**VARIANCE OF USE**

- ◇ The grant of the request would provide for the operation of a liquor store in the C-3 district.
- ◇ The purpose of the C-3 district is for the development of an extensive range of retail sales and personal, professional, and business services required to meet the demands of a fully developed residential neighborhood, regardless of its size. Examples of such types of uses include neighborhood shopping centers, sales of retail convenience or durable goods, shopping establishments, retail, and personal and professional service establishments. At this neighborhood scale of retail, a fine grain of accessibility requisite for all modes of travel must be provided and maintained. It does not make provision, however, for those businesses that draw customers in significant numbers from well beyond a neighborhood boundary and are, therefore, unusually heavy traffic generators, such as theaters. It does not allow those businesses that require the outdoor display, sale, or storage of merchandise; or require outdoor operations. In general, to achieve maximum flexibility of permitted land use, the C-3 District makes possible a highly varied grouping of indoor retail and business functions.
- ◇ Liquor Stores are only permitted in the C-4/5/7, MU-2/3/4, and CBD-1/2/3 districts per Table 743-1: Use Table.
- ◇ Liquor Stores shall not be located within 100' of a protected district nor within 500' of any indoor recreation & entertainment establishment that caters to, or markets itself predominately to, persons under 21-years of age. The site is located more than the minimum distance from the said protected district or use.

**VARIANCE OF USE FINDINGS OF FACT**

- ◇ Staff determined that the grant would not be injurious to the general welfare of the community. The current use has been in place since about 2011.
- ◇ The use and value of the area adjacent to the property included in the variance would not be adversely affected by the use as it is surrounded by similar light commercial uses.

**GENERAL INFORMATION****THOROUGHFARE PLAN**

56th St is classified in the Official Thoroughfare Plan for Marion County, Indiana as a primary arterial, with a 110-foot existing right-of-way and a 102-foot proposed right-of-way. Georgetown Rd is classified in the Official Thoroughfare Plan for Marion County, Indiana as a primary arterial, with a 125-foot existing right-of-way and a 102-foot proposed right-of-way.

(Continued)

SITE PLAN

File-dated August 7, 2023.

FINDINGS OF FACT

File-dated August 7, 2023.

**ZONING HISTORY – SITE**

**EXISTING VIOLATIONS**

1. VIO23-002884. (April 26, 2023) Indianapolis Building Standards and Procedures 2016: Section(s) 536-201; 536-609; 536-705; 536-709. A Stop Work-Order has been issued for failure to obtain an electrical permit prior to installing new electrical wiring in an addition (2 steel storage containers 16'x40') attached to the back (SOUTH SIDE) of a one-story commercial building.
2. VIO23-002888. (April 26, 2023) Indianapolis Building Standards and Procedures 2016: Section(s) 536-201; 536-609; 536-705; 536-709. A Stop Work-Order has been issued for failure to obtain an HVAC permit prior to installing new AC unit system for refrigeration in an addition (2 steel storage containers 16'x40') as a cooler attached to the back (SOUTH SIDE) of a one-story commercial building.
3. VIO23-002890. (April 26, 2023) Indianapolis Building Standards and Procedures 2016: Section(s) 536-201; 536-609; 536-705; 536-709. A Stop Work-Order has been issued for failure to obtain an HVAC permit prior to installing new AC unit system for refrigeration in an addition (2 steel storage containers 16'x40') as a cooler attached to the back (SOUTH SIDE) of a one-story commercial building.

**PREVIOUS CASES**

**83-Z-152; 4859 West 59<sup>th</sup> St** (includes subject site), Rezoning of 15.7 acres from the D-P district to the C-3 district, **granted**.

**ZONING HISTORY – VICINITY**

**2013-UV1-004; 4853 West 56<sup>th</sup> St** (north of site), Variance of use of the Commercial Zoning Ordinance to provide for an automobile parts store, **granted**.

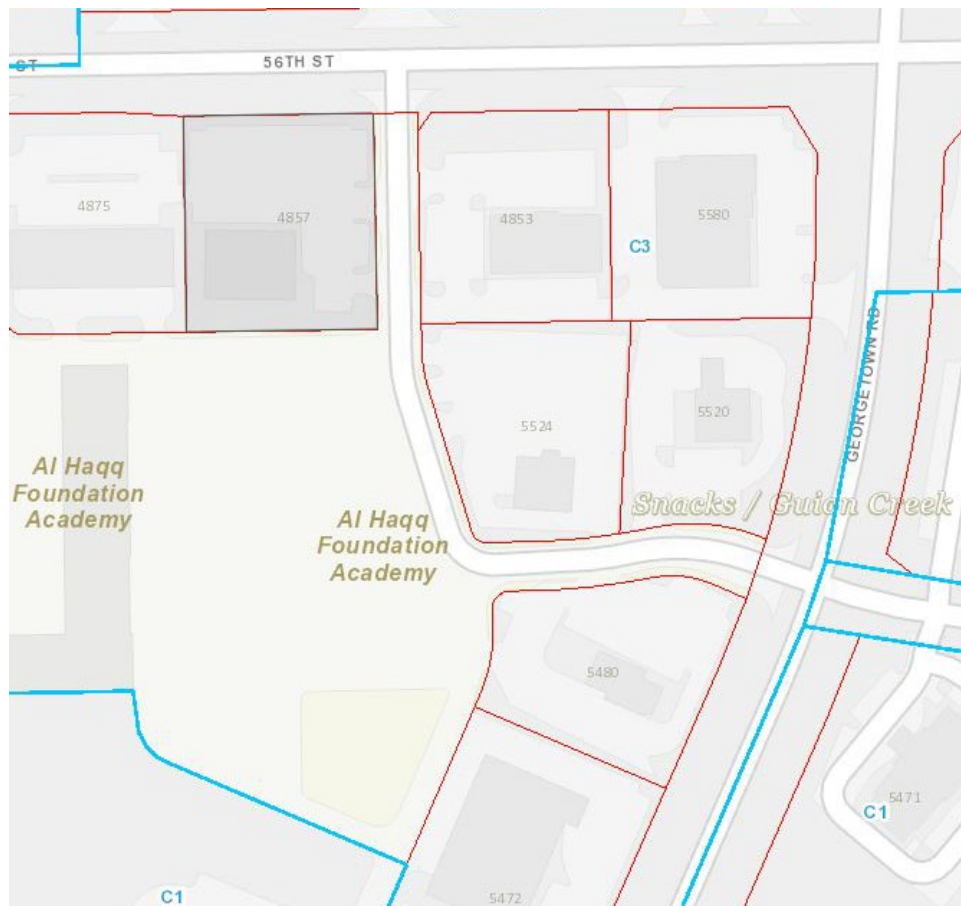
**2008-UV2-005; 4857 West 56<sup>th</sup> Street** (northwest of site), Variance of use of the Commercial Zoning Ordinance to provide for an automobile parts store, **granted**.

BB

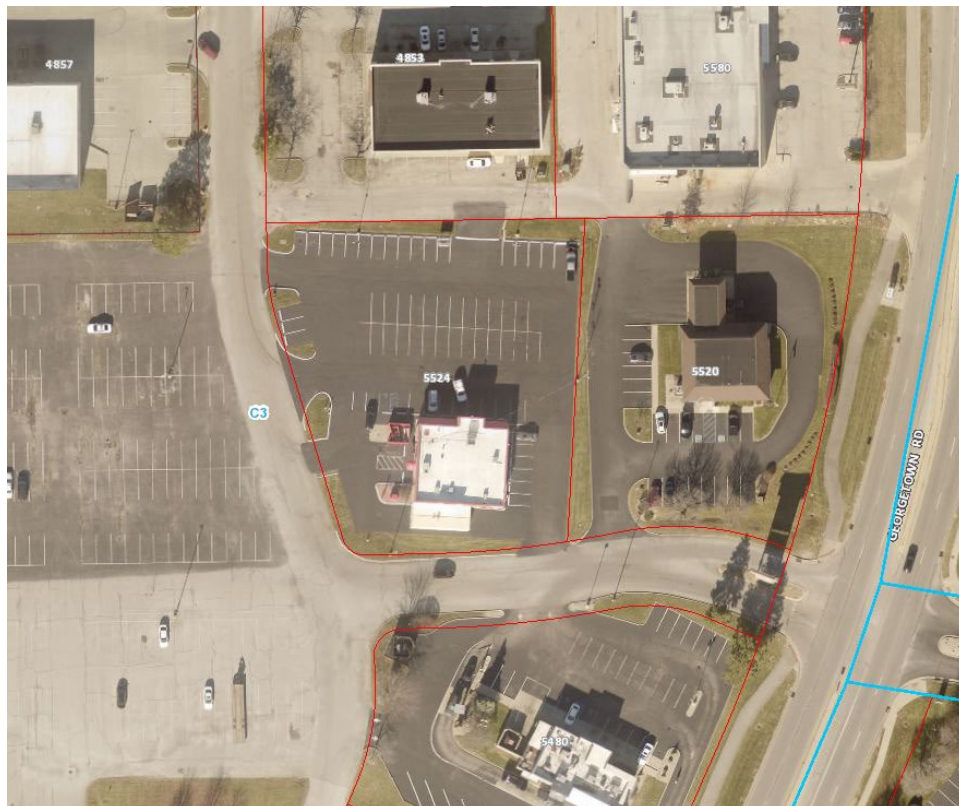
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**2023-UV1-018; Location Map**

Item 7.



**2023-UV1-018; Aerial Map**



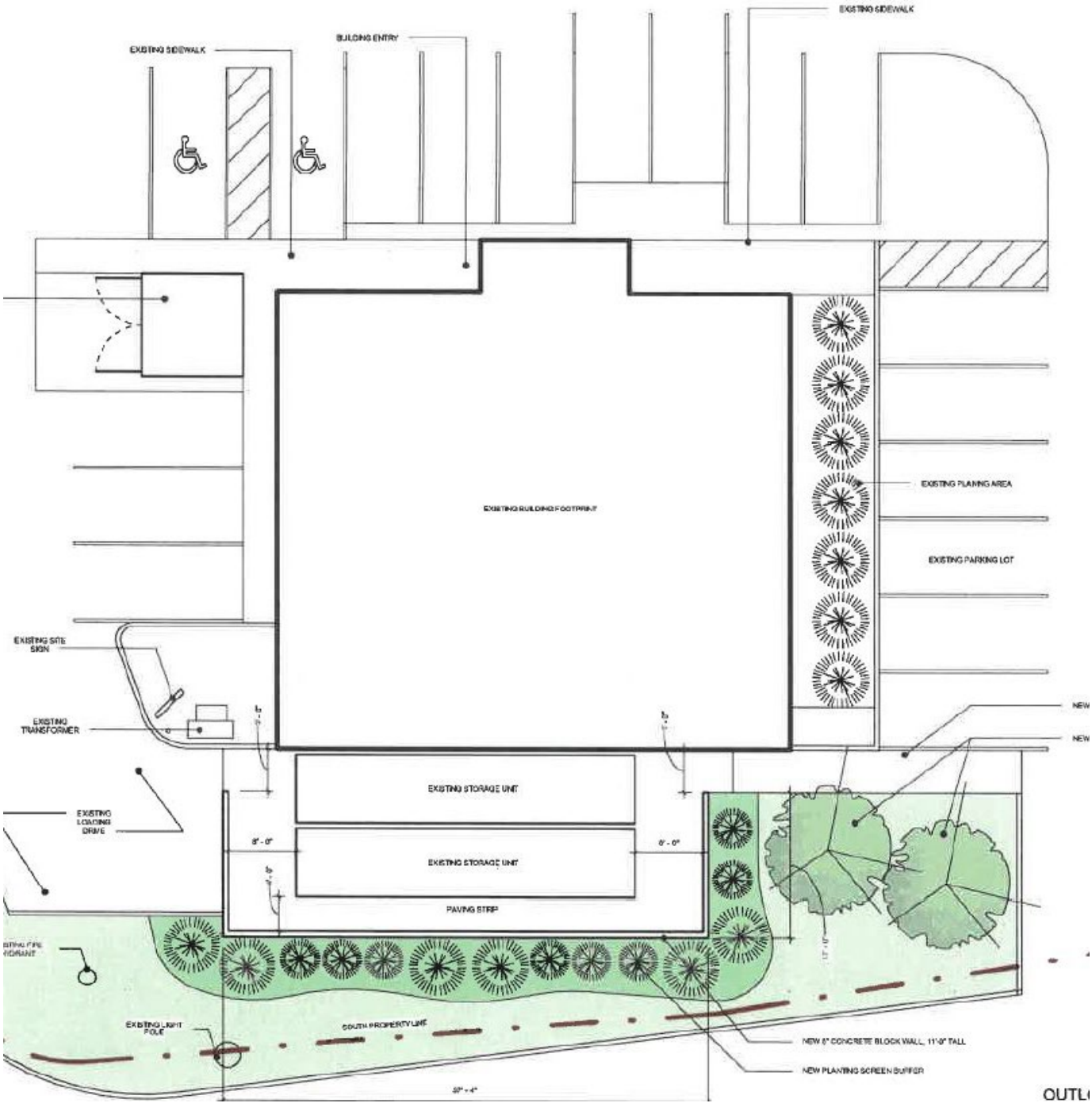






Photo of the Subject Property, southwest view



Photo of the Subject Property, southeast view



Department of Metropolitan Development  
Division of Planning  
Current Planning

## BOARD OF ZONING APPEALS DIVISION I

October 03, 2023

**Case Number:** 2023-DV1-045

**Property Address:** 2236 Manhattan Avenue (approximate address)

**Location:** Wayne Township, Council District #22

**Petitioner:** KHH Enterprises LLC, by John Cross

**Current Zoning:** I-2

**Request:** Variance of Development Standards of the Consolidated Zoning and Subdivision Ordinance to provide for the erection of a six-foot tall perimeter fence (maximum height of 3.5 feet in front yards, no primary building on site).

**Current Land Use:** Vacant

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

**Recommended Motion:** Motion to approve petition 2023-DV1-045

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

## PETITION HISTORY

This is the first public hearing for this petition.

## STAFF RECOMMENDATION

Staff **recommends denial** of this petition

## PETITION OVERVIEW

- This request would allow for the erection of a six-foot tall perimeter fence (maximum height of 3.5 feet in front yards, no primary building on site).
- Fence height regulations are in place to maintain open space and visibility, while allowing for a reasonable amount of privacy. Moving beyond the regulations has the potential to present safety issues to the surrounding area by limiting visibility into a site. Additionally, perimeter privacy fences surrounding a vacant site can promote illegal and unsafe outdoor storage and/or dumping. Finally, Staff does not see any practical difficulty associated with this site for the owner to not comply with the Ordinance. Therefore, Staff is opposed to a variance allowing a perimeter fence taller than the allowable height.

## GENERAL INFORMATION

Existing Zoning	I-2	
Existing Land Use	Vacant	
Comprehensive Plan	Office/Industrial Mixed-Use	
Surrounding Context	<b><u>Zoning</u></b>	<b>Surrounding Context</b>
	North: I-2	North: Single-family residential
	South: I-2	South: Single-family residential
	East: I-2	East: Single-family residential
	West: I-2	West: Single-family residential
Thoroughfare Plan		
Manhattan Avenue	Local Street Existing ROW: 50 feet Proposed ROW: 48 feet	
Context Area	Compact	
Floodway / Floodway Fringe	No	
Overlay	No	
Wellfield Protection Area	No	
Site Plan	8/4/23	
Site Plan (Amended)	N/A	
Elevations	N/A	
Elevations (Amended)	N/A	
Landscape Plan	N/A	
Findings of Fact	8/4/23	
Findings of Fact (Amended)	N/A	

## COMPREHENSIVE PLAN ANALYSIS

### Comprehensive Plan

- Marion County Land Use Plan Pattern Book

### Pattern Book / Land Use Plan

- The Marion County Land Use Plan Pattern Book recommends the Office/Industrial Mixed-Use working typology for this site.

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

- Not Applicable to the Site





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

**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.





Department of Metropolitan Development  
Division of Planning  
Current Planning

## ZONING HISTORY

### ZONING HISTORY - SITE

N/A

### ZONING HISTORY – VICINITY

**65-Z-105; 5200 W Raymond Street (north of site)**, rezoning of 0.50 acres, being in I-3-S district, to Special Uses (42) classification to permit a jet mixing station by Citizens Gas & Coke Utility, **approved**.

**85-UV3-24; 2249 S Biltmore Avenue (south of site)**, variance of use of Section 2.02(A) of the Industrial Zoning Ordinance to permit an existing auto repair garage, **approved**.

**86-Z-230; 2202 S Lynhurst Drive (east of site)**, request to rezone 0.61 acres to the C-3 district to provide for the construction of a convenience store with gasoline sales, **denied**.

**87-UV1-145; 2338 S Lynhurst Drive (south of site)**, requests a variance of use of the Dwelling Districts Zoning Ordinance to provide for the conversion of a single-family residence into an office, **approved**.

**89-UV3-55; 5347 W Raymond Street (north of site)**, variance of use and development standards of the Industrial Zoning Ordinance to provide for a sandwich shop with a drive-up window and a fifteen-foot side setback (thirty feet required), **approved**.

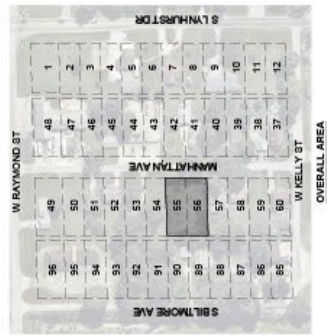
**2001UV3002; 5350 W Raymond Street (north of site)**, variance of use of the Special Districts Zoning Ordinance to provide for the construction of a 7,700 square foot warehouse for industrial uses (not permitted) and a variance of development standards to provide for the construction of 7,700 square foot warehouse, with a ten-foot side yard setback (minimum 30-foot side yard setback required), **approved**.

**2002ZON017; 2250 & 2252 S Lynhurst Drive (east of site)**, rezone of 0.278 acres from I-2-S to D-5, **denied**.

**2005UV1012; 2201 S Lynhurst Drive (east of site)**, variance of use of the Dwelling Districts Zoning Ordinance to provide for a bed and breakfast (not permitted) in an existing two-story, 2,520-square foot single-family dwelling, and a Variance of Development Standards of the Sign Regulations to provide for an eight-foot tall, sixteen-square foot pylon sign (not permitted) located zero feet from the right-of-way of Lynhurst Drive (minimum fifteen-foot setback required), **approved**.

EXHIBITS

VARIANCE SITE PLAN  
KHH ENTERPRISES, LLC  
2236 MANHATTAN AVENUE





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:

a 6-foot fence will not impose any harm. This height is permitted in I-3 zoning districts and the subject property is zoned I-2.

The purpose of the fence is to provide safety to the property to protect from trespassers and theft at the property.

I-2 permits 10-foot high fences in side and rear yards and the front fence height is much less than this limit.

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 surrounding properties are all zoned I-2 and some are used for residential purposes though. The comprehensive plan recommends

the property be used for office or mixed-use. A 6-foot fence would not negatively impact an industrial zoned area but would instead

provide screening from potential intensive uses.

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

the property has been subject to trespassers, squatters, and burglary. The 6-foot fence will provide sufficient safety measures to

protect the property from such activities. A 42 inch fence in the front yard would not be adequate to prevent such activities.

DECISION

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

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

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

















## STAFF REPORT

### Department of Metropolitan Development Division of Planning Current Planning Section

**Case Number:** 2023-DV1-048  
**Address:** 1305 South Biltmore Avenue (approximate address)  
**Location:** Wayne Township, Council District #22  
**Zoning:** D-3  
**Petitioner:** Virinia Morfin  
**Request:** Variance of Development Standards of the Consolidated Zoning and Subdivision Ordinance to provide for the location of a masonry fence with a height varying between 32 inches and 6.2 feet tall, with 6.5-foot tall columns within the front yards of Biltmore Avenue and Chelsea Road (maximum height of 3.5 feet permitted, fence posts may only be one-foot taller than maximum permitted height of the fence), encroaching within the clear sight triangle and encroaching in the right-of-way of Biltmore Avenue and Chelsea Road (encroachment of clear sight triangles not permitted, encroachment of right-of-way not permitted).

### RECOMMENDATIONS

Staff **recommends denial** of the request.

### SUMMARY OF ISSUES

The following issues were considered in formulating the recommendation:

### LAND USE

#### EXISTING ZONING AND LAND USE

D-3	Compact	Single-Family residential
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#### SURROUNDING ZONING AND LAND USE

North	D-5	Single-Family residential
South	D-3	Single-Family residential
East	D-3	Single-Family residential
West	D-3	Single-Family residential

COMPREHENSIVE PLAN	The Comprehensive Plan recommends Traditional Neighborhood development
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- ◇ The subject site is a corner lot containing approximately 14,600 square feet and developed with a single-family dwelling and an accessory structure. The site is within McConnal and Clark's Chelsea Heights Subdivision, located southeast of the interchange at Interstate-465 and Washington Street, just south of the Transit Oriented Development Overlay for the IndyGo Blue Line.

(Continued)



**STAFF REPORT 2023-DV1-048 (Continued)****VARIANCE OF DEVELOPMENT STANDARDS**

- ◇ This request would provide for a masonry fence in the front yards of Biltmore Avenue and Chelsea Road with a height varying between 32 inches and 6.2 feet tall where a maximum of 3.5 feet is permitted; with 6.5-foot-tall columns where fence posts may only be one-foot taller than maximum permitted height of the fence; and encroaching within the clear sight triangle and encroaching in the right-of-way of Biltmore Avenue and Chelsea Road where encroachment is not permitted.
- ◇ This site is a corner lot in the Compact Context Area, so the front yard would be Biltmore Avenue. The maximum height of a fence in a front yard is 3.5 feet. Posts in a front yard may be up to 4.5 feet per the provision in Section 744-510.C.3. Staff would recommend that the existing fence and posts could be modified to meet the maximum permitted heights and would not support the request for increased height.
- ◇ Chelsea Road is a considered a side yard and may have six-foot fence. Staff would suggest that the fence can be lowered from 6.2 feet to meet this requirement and would not support this request.
- ◇ The fence is currently encroaching in the right-of-way of Biltmore Avenue and Chelsea Road. The property line on the northeast portion of the site is curved, but the fence meets in a corner that is outside the property line. Staff would not support any encroachment into the right-of-way. The fence should be moved to be entirely within the property lines.
- ◇ The fence is currently encroaching approximately 28 feet into the clear sight triangle of Biltmore Avenue and Chelsea Road. Fences over 2.5 feet tall are prohibited in the clear sight triangle. This provision is intended for the safety of motorists and pedestrians so that oncoming traffic can be seen when approaching an intersection. The existing fence could be shortened to 2.5 feet to be outside the clear sight triangle, or the fence could be moved outside the clear sight triangle and be permitted the maximum height for residential fences.
- ◇ All the requests in this variance could be resolved by modifying the height or location of the fence—therefore staff is recommending denial of the request.

**GENERAL INFORMATION****THOROUGHFARE PLAN**

Biltmore Avenue is classified in the Official Thoroughfare Plan for Marion County, Indiana as a local street, with a 50-foot existing and proposed right-of-way.  
Chelsea Road is classified in the Official Thoroughfare Plan for Marion County, Indiana as a local street, with a 50-foot existing and proposed right-of-way.

**SITE PLAN**

File-dated August 9, 2023

**FINDINGS OF FACT**

File-dated August 9, 2023

**ZONING HISTORY—SITE**

None

(Continued)

**STAFF REPORT 2023-DV1-048 (Continued)****ZONING HISTORY – VICINITY**

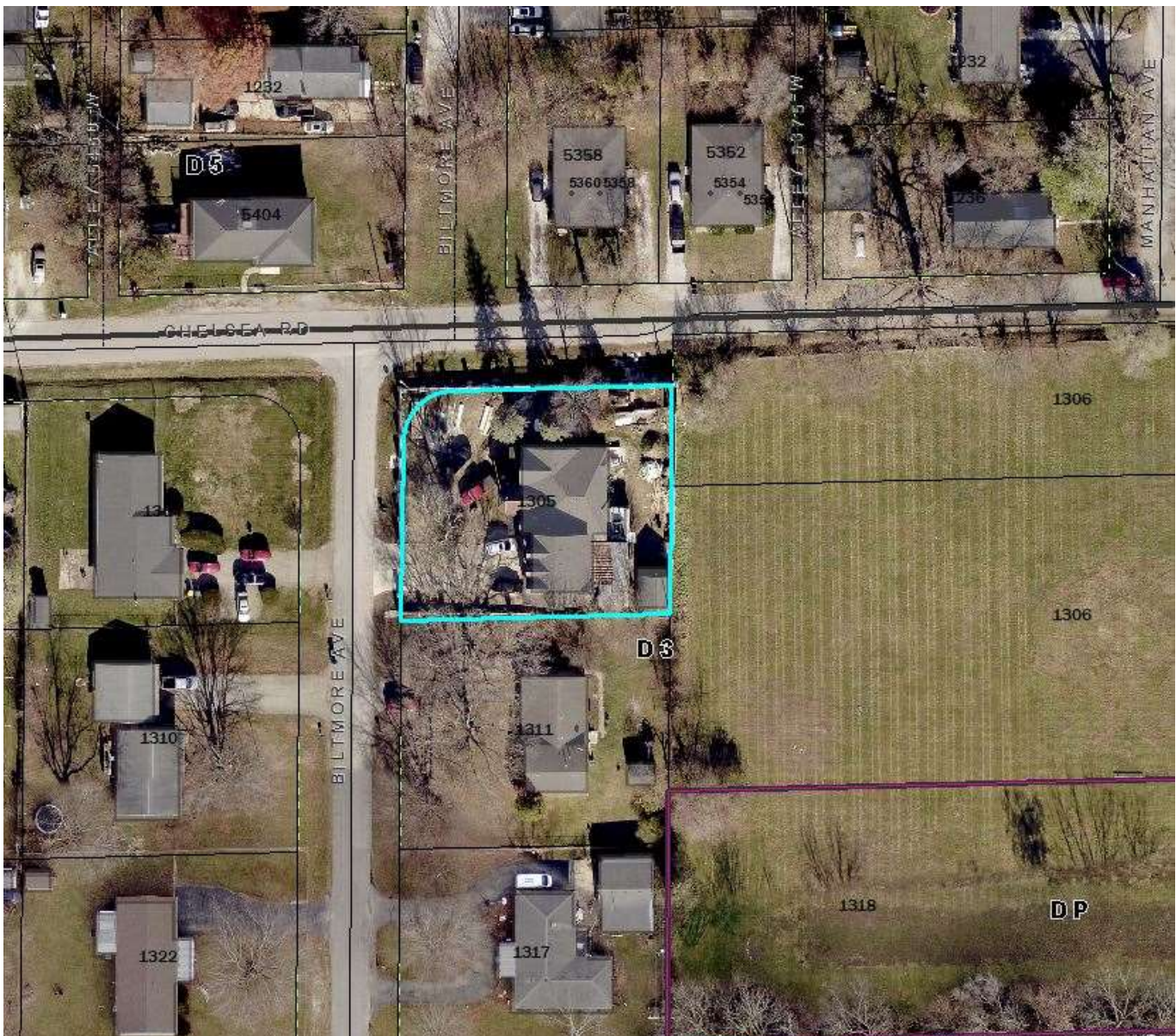
**2020-ZON-083, 1318 South Lynhurst Drive**, rezoning of 1.65 acres from the D-3 district to the D-P district to provide for 18, 312-square-foot single-family dwellings at a density of 11 units per acre, **approved**.

**2009-UV1-033, 1318 South Lynhurst Drive**, variance to provide for a homeless drop-in center for young adults, **approved**.

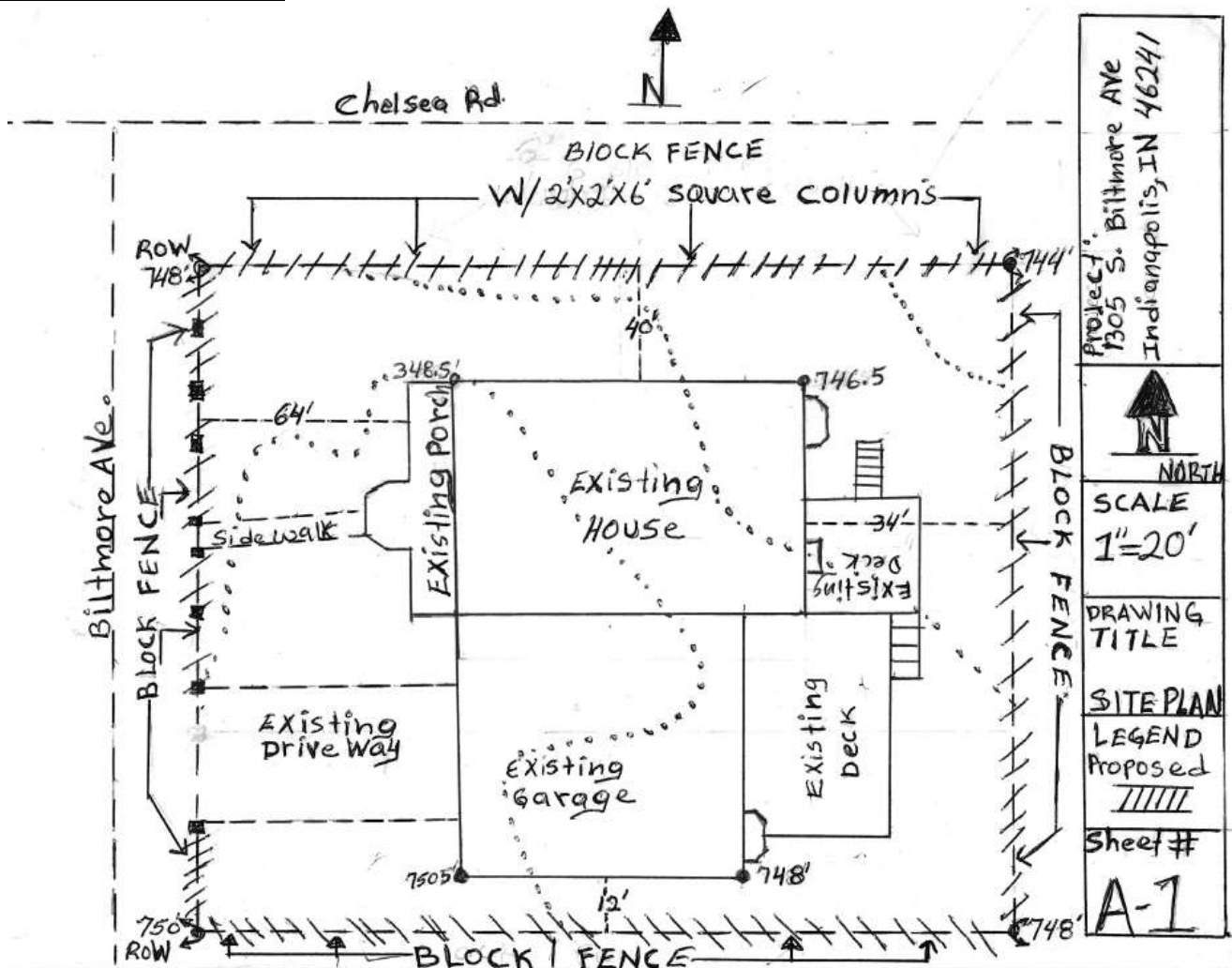
**91-V3-98, 1229 South Biltmore Avenue**, variance to permit construction of an attached garage with a zero-foot side yard setback and a six-foot aggregate setback, **approved**.

AR

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**2023-DV1-048; Aerial Map**





2023-DV1-048; Staff Exhibit—Clear Site Triangle



**2023-DV1-048; Findings of Fact**

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

**PETITION FOR VARIANCE OF DEVELOPMENT STANDARDS**

**FINDINGS OF FACT**

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

The view of the road is not obstructed due to the fence. Both sides of the road are still visible at the stop sign by the fence, oncoming traffic is still visible.

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 fence is not interfering with the area adjacent to the property, it can still be used without any disturbance.

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

It would cause monetary difficulties to to property owner due to expenses, if approval was not granted.





Subject site front and side yard fence viewed from Biltmore Avenue, looking north



View of fence in the front yard, looking east



View of fence in the front yard, looking east





View of fence in the right-of-way and clear sight triangle at the intersection of Biltmore Avenue and Chelsea Road, looking east



View of fence in the right-of-way and clear sight triangle at the intersection of Biltmore Avenue and Chelsea Road, looking south





View of fence along Chelsea Road, looking east



View of fence along Chelsea Road, looking south



View of fence along Chelsea Road, looking southwest

## STAFF REPORT

### Department of Metropolitan Development Division of Planning Current Planning Section

**Case Number:** 2023-DV1-050  
**Address:** 5240 and 5310 East Southport Road (approximate address)  
**Location:** Franklin Township, Council District #25  
**Zoning:** C-S  
**Petitioner:** Chick-fil-a, by Todd Richards  
**Request:** Variance of development standards of the Consolidated Zoning and Subdivision Ordinance to provide for the construction of an accessory parking lot on a parcel that doesn't contain the primary building (not permitted), resulting in a total of 108 parking spaces provided (maximum of 48 parking spaces permitted).

### **RECOMMENDATIONS**

Staff **recommends denial** of this request.

### **SUMMARY OF ISSUES**

The following issues were considered in formulating the recommendation:

#### **LAND USE**

##### EXISTING ZONING AND LAND USE

C-S	Metro	Restaurant
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##### SURROUNDING ZONING AND LAND USE

North	C-S	Residential (multi-family)
South	C-S	Restaurant
East	C-S	Light retail (furniture store)
West	C-S	Light retail mix

##### LAND USE PLAN

The Comprehensive Plan recommends community commercial development.

- ◇ The 1.1-acre site of the proposed parking lot is undeveloped.
- ◇ The site is bounded by multi-family dwellings to the north and light commercial to the east, south, and west.

### **VARIANCE OF DEVELOPMENT STANDARDS**

- ◇ The request would allow for the construction of an accessory parking lot on a parcel that doesn't contain the primary building, resulting in a total of 108 parking spaces where a maximum of 48 is permitted.

(Continued)



**DEVELOPMENT STANDARDS FINDINGS OF FACT**

- ◇ Criterion 3 states “THE STRICT APPLICATION OF THE TERMS OF THE ZONING ORDINANCE WILL RESULT IN PRACTICAL DIFFICULTIES IN THE USE OF THE PROPERTY BECAUSE.” The petitioner’s response is “The proposed modifications to the existing 5240 E. Southport Road site will reduce the number of parking stalls down to 37 and there is no additional space available to expand the parking lot to create additional parking stalls on site. Chick-fil-A has identified that the demand of the current business operation demonstrates a need for more parking stalls in order to function properly, promote the safety for both the team members and customer and allow for the business to continue to grow. The proposed parking lot at 5310 E. Southport Road will provide a substantial benefit to the existing restaurant operation. During peak shift, there are approximately 35 employees which would utilize the majority of the available parking stalls on site.”
- The existing restaurant site at 5240 E Southport Rd was built in 2003 with 54 parking stalls and has been altered more than once since. The expansion of the drive-thru in recent years has eliminated 17 parking spaces resulting in the current need for more parking. Staff finds the current difficulty to be self-imposed.

**GENERAL INFORMATION****THOROUGHFARE PLAN**

Southport Road is classified in the Official Thoroughfare Plan for Marion County, Indiana as a Primary Arterial, with a 145-foot existing right-of-way and a 102-foot proposed right-of-way.

**SITE PLAN**

File-dated August 7, 2023.

**FINDINGS OF FACT**

File-dated August 7, 2023.

**ZONING HISTORY – SITE**

EXISTING VIOLATIONS: None.

**PREVIOUS CASES:**

**2023-ADM-069; 5240 East Southport Road**, approval of a modified site plan expanding the drive-thru and adding a canopy at the drive-thru order points.

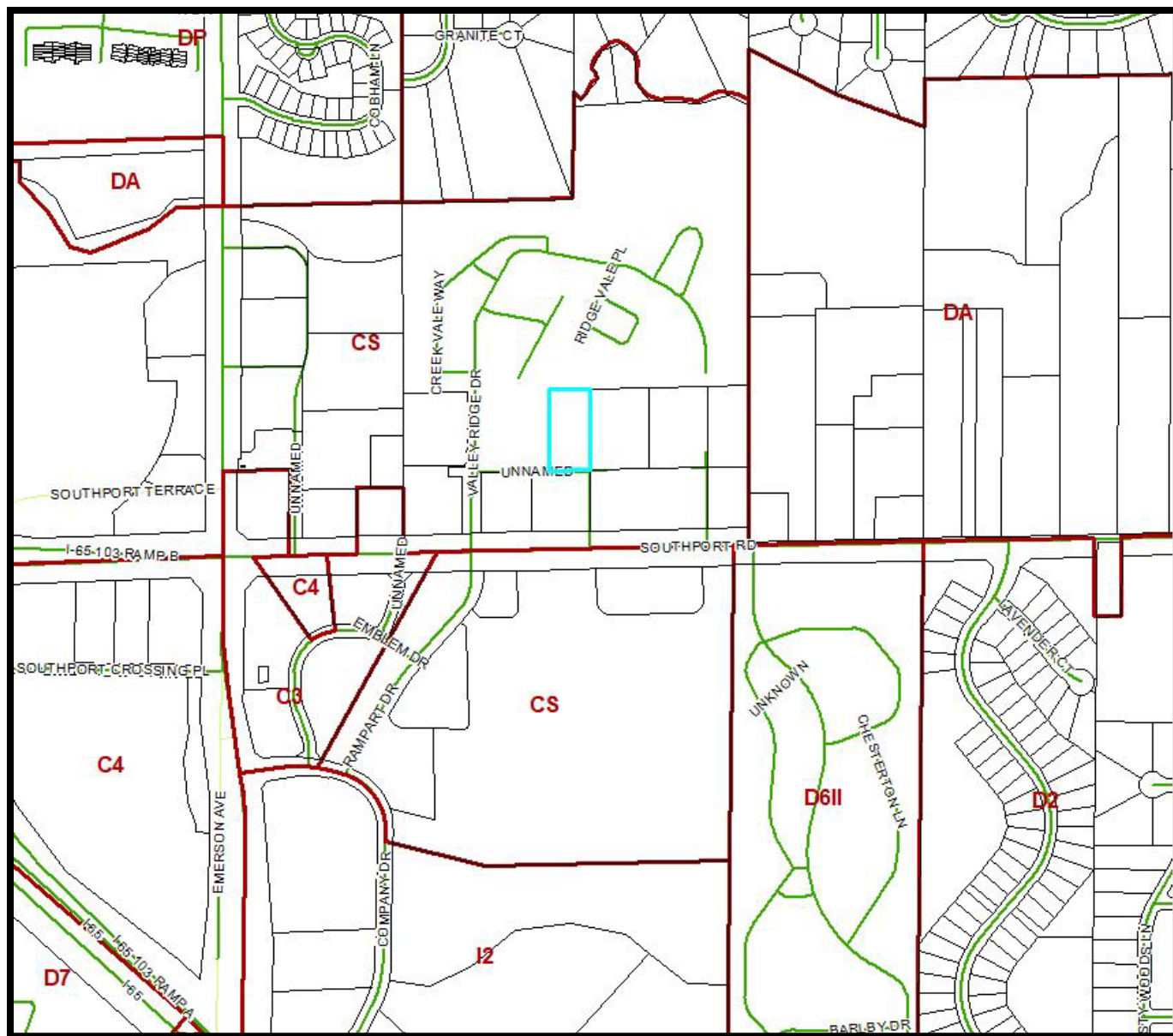
**2001-ZON-070; 5210, 5260, and 5360 East Southport Road**, rezoning of 45 acres from the D-A district to the C-S district, **approved**.

**ZONING HISTORY – VICINITY:** None.

BB

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(Continued)

2023-DV1-050; Location Map



Location map

(Continued)

**2023-DV1-050; Aerial Maps**

Aerial of location of proposed parking lot (primary site in green)



Aerial view of primary site with 37 parking stalls (ca. 2022)



(Continued)

**2023-DV1-050; Aerial Maps (continued)**

Aerial view of primary site with 36 parking stalls (ca. 2017)

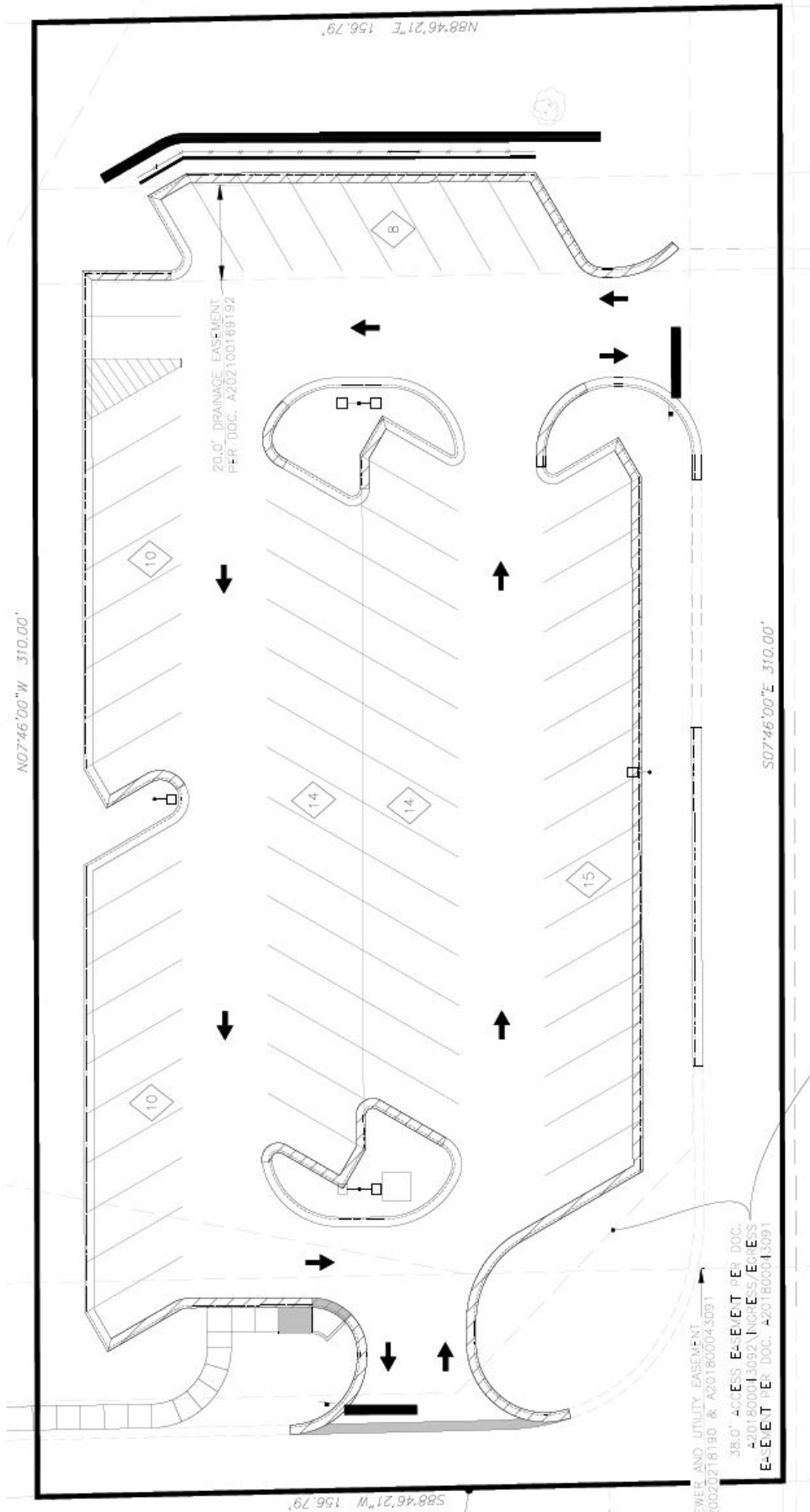


Aerial view of primary site with 54 parking stalls (ca. 2010)

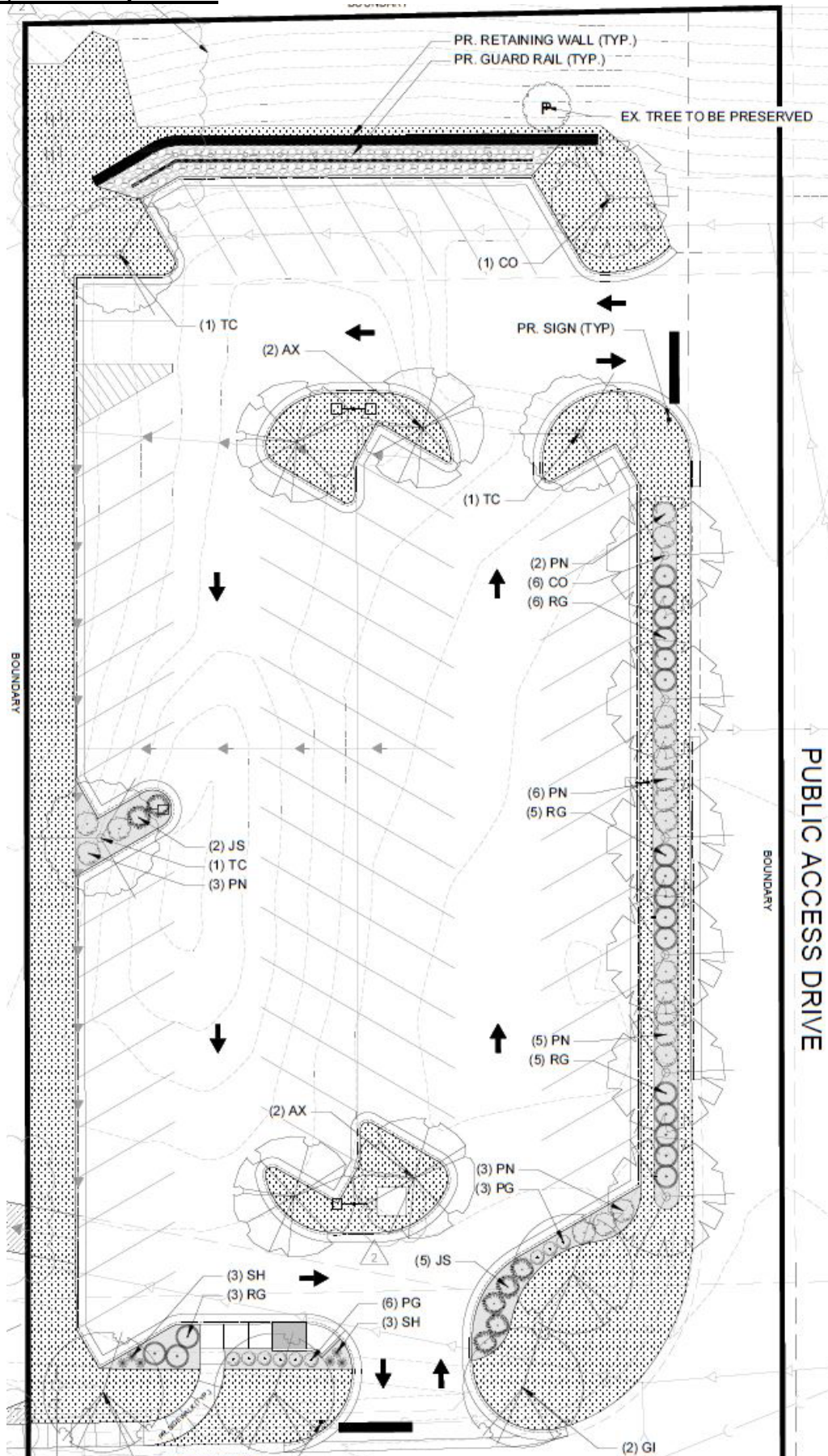


(Continued)

**2023-DV1-050; Site Plan**



2023-DV1-050; Landscape Plan



**2023-DV1-050; Findings of Fact**

**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:**

Chick-fil-A believes that the proposed increase in parking stalls above the maximum listed in the City Code will provide safe parking facilities for the store employees and customers and will not be injurious to the general welfare of the community. The proposed parking lot at 5310 E. Southport Road will conform to the City regulations as it relates to stormwater and parking lot design.

**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 parking lot at 5310 E. Southport Road is consistent with the commercial land uses within the subdivision and will provide needed parking spaces for employees and customers at the existing restaurant at 5240 E. Southport Road. Chick-fil-A believes that the proposed parking lot will not adversely affect the area adjacent to the property as the project will conform to the City regulations with the exception of the requested parking space variance.

**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 modifications to the existing 5240 E. Southport Road site will reduce the number of parking stalls down to 37 and there is no additional space available to expand the parking lot to create additional parking stalls on site. Chick-fil-A has identified that the demand of the current business operation demonstrates a need for more parking stalls in order to function properly, promote the safety for both the team members and customers and allow for the business to continue to grow.

The proposed parking lot at 5310 E. Southport Road will provide a substantial benefit to the existing restaurant operation. During the peak shift, there are approximately 35 employees which would utilize the majority of the available parking stalls on site.



**2023-DV1-050; Photographs**



View of primary site from Southport Road



Area of proposed parking lot



(Continued)

**2023-DV1-050; Photographs (Continued)**



East side of restaurant with drive-thru and canopy



North of primary site, McFarland Ave



**2023-DV1-050; Photographs (Continued)**



View west along McFarland Ave



East neighbor excess parking area with 'No Parking' sign



## STAFF REPORT

Item 11.

### Department of Metropolitan Development Division of Planning Current Planning Section

**Case Number:** 2023-DV1-051 (Amended)  
**Address:** 2355 and 2001 South Tibbs Avenue (approximate address)  
**Location:** Wayne Township, Council District #16  
**Zoning:** I-4  
**Petitioner:** Rolls Royce Corporation, by Joseph D. Calderon  
**Request:** Variance of Development Standards of the Consolidated Zoning and Subdivision Ordinance to provide for eight new 12-foot tall freestanding incidental signs (maximum eight-foot tall incidental signs permitted).

### RECOMMENDATIONS

Staff **recommends denial** of the request.

**Amended Petition:** The original petition included the request to provide for eight new 12-foot tall, 102-square foot freestanding incidental signs. The calculation of the 102-square foot sign face was incorrect, with each actual sign face at 26.68-square feet. With the 26.88-square feet being less than the 32-square feet maximum permitted, that variance request was withdrawn and the petition was amended. Additional notice would not be needed, as the request would now deviate less from the Ordinance than the original notice.

### SUMMARY OF ISSUES

#### LAND USE

##### EXISTING ZONING AND LAND USE

Metro	I-4	Heavy manufacturing
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##### SURROUNDING ZONING AND LAND USE

North -	D-5, I-2, I-4	Single-family dwellings, Truck or heavy vehicle sales, repair or parking.
South -	D-5	Single-family dwellings
East -	I-4, SU-13	Commercial Contractor, Landfill operations
West -	C-7, C-S, 1-3, 1-4	Commercial Contractor, Warehousing, Office, and Solar farm

COMPREHENSIVE PLAN	Recommends Heavy Industrial and Light Industrial uses.
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(Continued)

VARIANCE OF DEVELOPMENT STANDARDS

- ◇ 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.
- ◇ The maximum eight-foot height limit per incidental sign 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 heights would inhibit the ability of motorists to properly read and react to sign messages in a safe and efficient manner.
- ◇ The strict application of the Sign Regulations does not prohibit the use of the property for its intended use or limit the site's ability to provide adequate signage.
- ◇ Staff does not believe that a practical difficulty is being demonstrated with this request, as an eight-foot tall sign in each location would provide for adequate sign visibility.

GENERAL INFORMATION

THOROUGHFARE PLAN	<p>This section of South Tibbs Avenue is classified on the Official Thoroughfare Plan as a secondary arterial, with an 87-foot existing right-of-way and a 102-foot proposed right-of-way.</p> <p>This section of Raymond Street is classified on the Official Thoroughfare Plan as an expressway, with an 180-foot existing right-of-way.</p> <p>This section of Kentucky Avenue is classified on the Official Thoroughfare Plan as a primary arterial, with a 150-foot existing and proposed right-of-way.</p>
SITE PLAN	File-dated August 28, 2023
SIGN ELEVATION PLAN	File-dated August 28, 2023
FINDINGS OF FACT	File-dated August 28, 2023

ZONING HISTORY

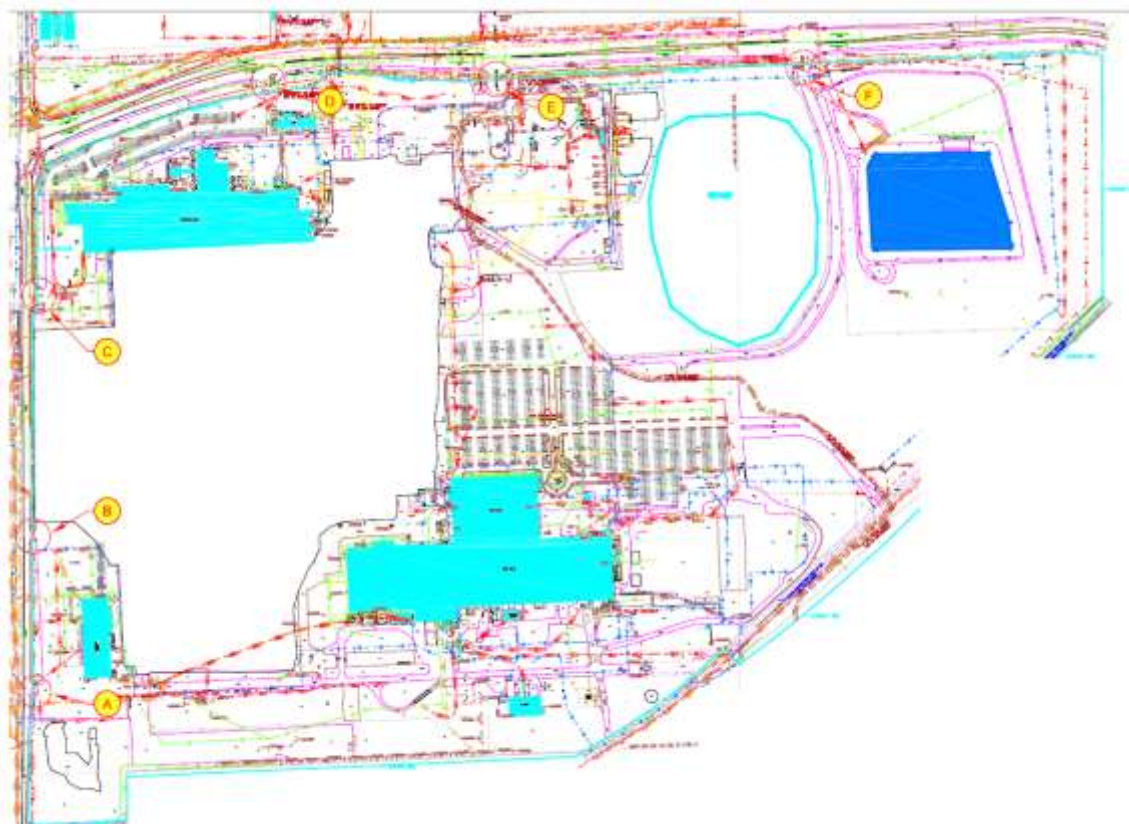
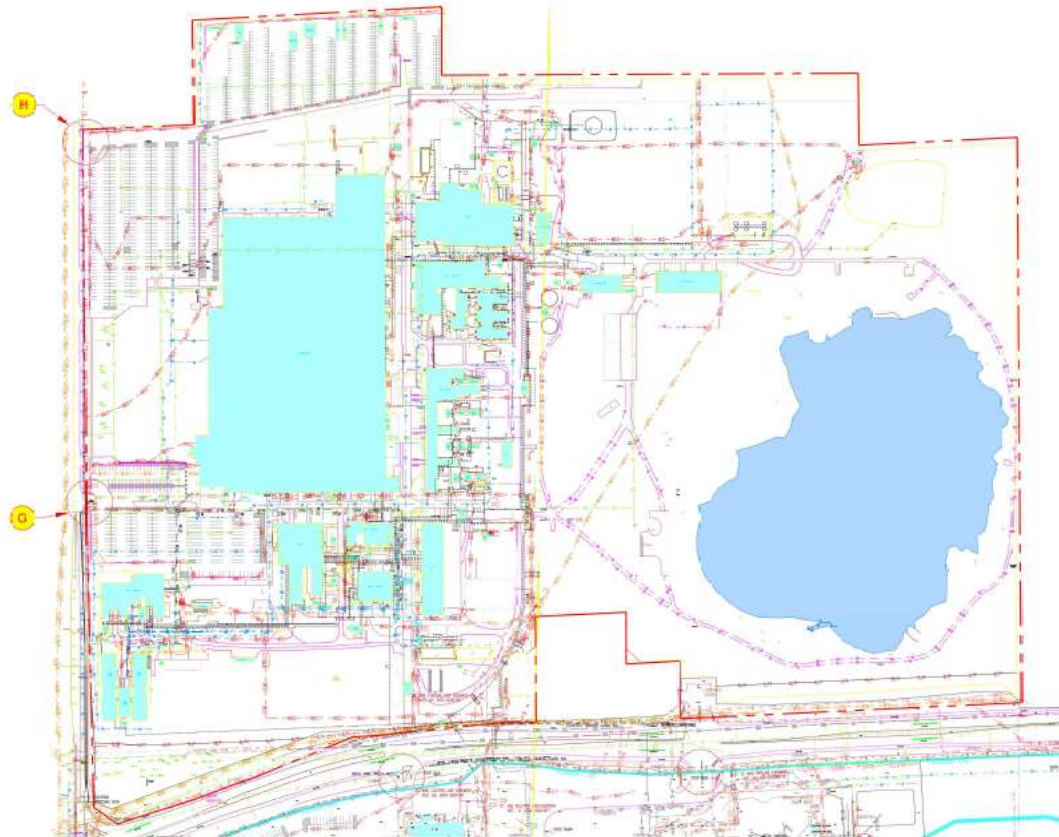
None

RU \* \* \* \* \*

**2023-DV1-051: Location Map**

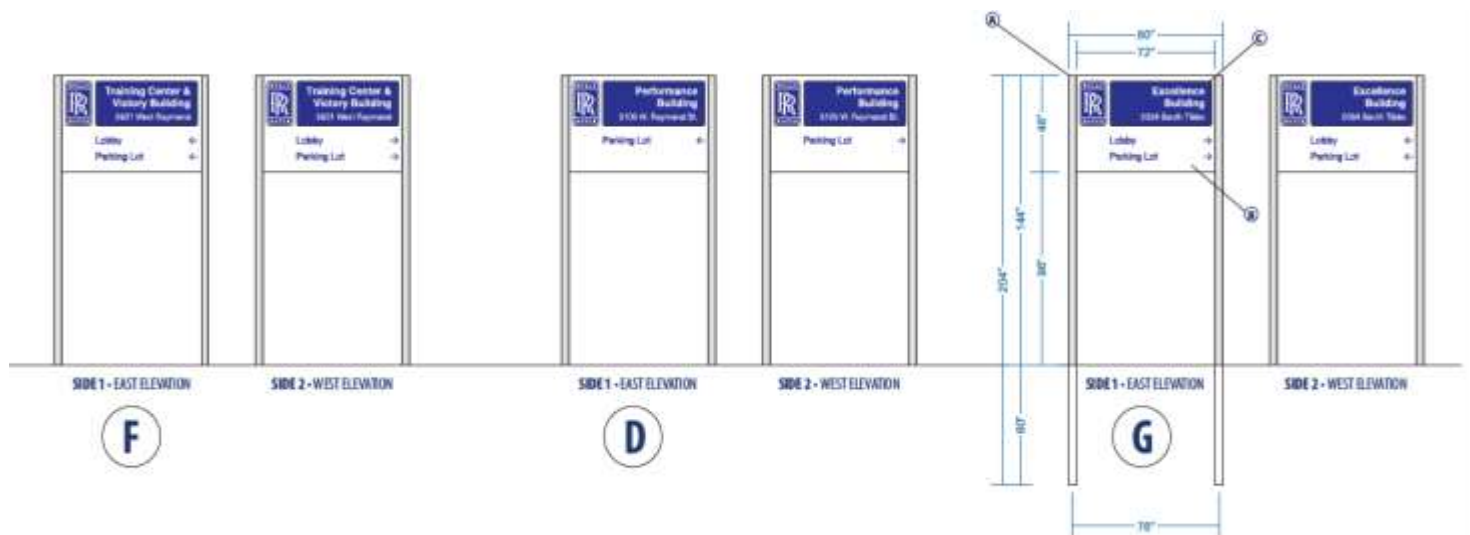
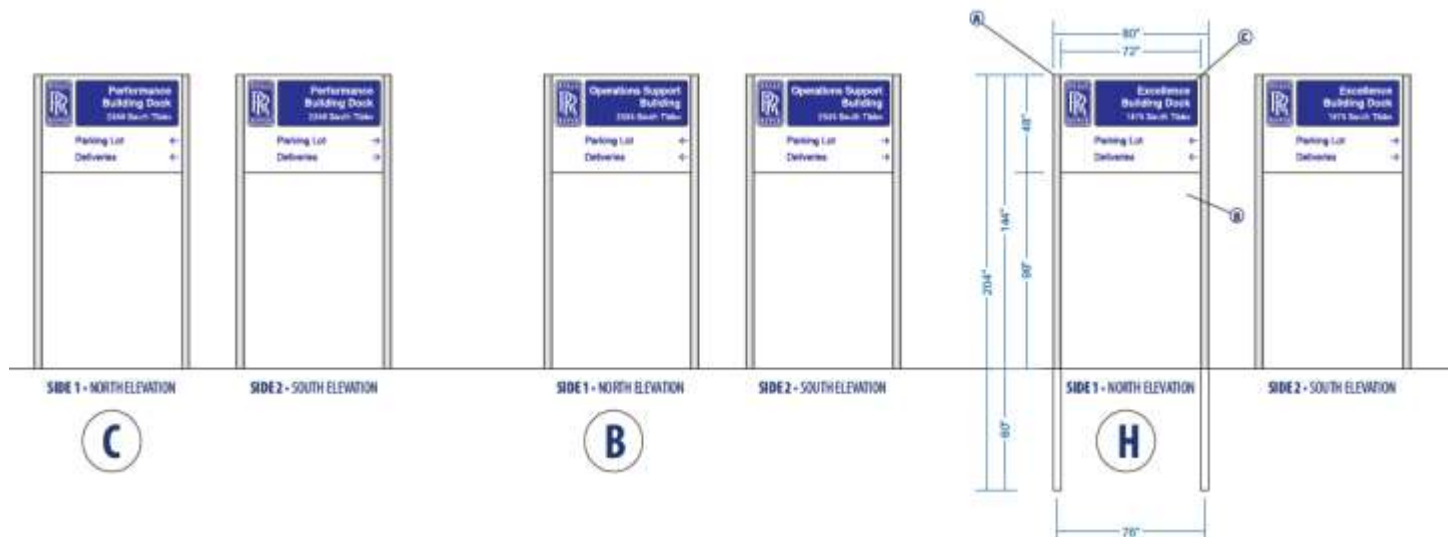
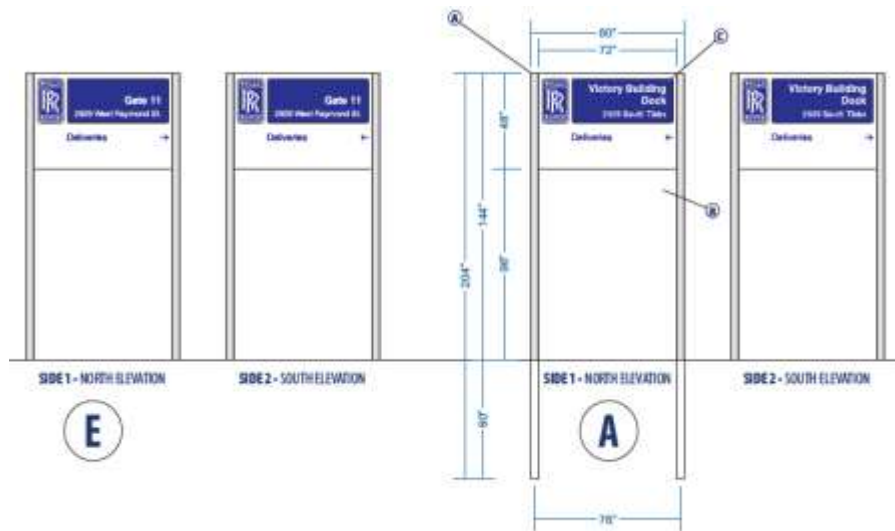






## 2023-DV1-051: Sign Elevations

Item 11.





View of subject site main building at 2335 South Tibbs Avenue, looking south.



View of subject site main building at 2001 South Tibbs Avenue, looking east.





View of sign location A, looking north.



View of sign location B, looking north.



View of sign location C, looking north.



View of sign location D, looking west.



View of sign location E, looking east.



View of sign location F, looking west.





View of sign location G, looking south.



View of sign location H, looking south.

## STAFF REPORT

### Department of Metropolitan Development Division of Planning Current Planning Section

**Case Number:** 2023-DV1-052  
**Address:** 2251 Sloan Avenue (approximate address)  
**Location:** Center Township, Council District #21  
**Zoning:** SU-2  
**Petitioner:** Indianapolis Public Schools, by Russell McClure  
**Request:** Variance of Development Standards of the Consolidated Zoning and Subdivision Ordinance to provide for the location of a six-foot tall chain link fence within the front yards of Sloan Avenue and Raymond Street (chain link fencing not permitted within front yards, maximum height of 3.5 feet permitted).

### **RECOMMENDATIONS**

Staff **recommends denial** of the request.

### **SUMMARY OF ISSUES**

The following issues were considered in formulating the recommendation:

#### **LAND USE**

##### **EXISTING ZONING AND LAND USE**

SU-2	Compact	School
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##### **SURROUNDING ZONING AND LAND USE**

North	D-4	Single-family Dwellings
South	I-3	Railroad Tracks
East	D6-II	Undeveloped
West	D-2	Single-family dwellings

<b>COMPREHENSIVE PLAN</b>	The Comprehensive Plan recommends Suburban Neighborhood development.
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- ◇ This 17.01-acre lot, zoned SU-2, is currently improved with an elementary school and associated playground equipment and surface parking. The property was rezoned from the D-2 District to the SU-2 District in 1972.
- ◇ North of the subject site, across Raymond Street, are single-family dwellings within the D-4 District. To the west are single-family dwellings, within the D-2 District. South of the subject site is a railroad track within the I-3 District. To the east is an undeveloped lot within the D6-II District

(Continued)

**STAFF REPORT 2023-DV1-052 (Continued)****VARIANCE**

- ◇ As proposed, the request would allow for the installation of a six-foot tall chain link fence and gates within the front yards of Sloan Avenue and Raymond Street. These improvements would restrict access to the schools parking area, with the intent of securing equipment and vehicles stored on-site.
- ◇ Chain link fences are not permitted within the front yards of most districts of the Ordinance to promote an enhanced aesthetic. Schools tend to be located within neighborhoods or along primary arterials. Given that this site is located within a residential neighborhood, Staff's opinion is that the proposed chain link fence and associated height would introduce an industrial aesthetic where inappropriate. Staff would note that the only Districts that provide for six-foot tall fences within the front yards are the I-3 and I-4 Districts.
- ◇ Staff's position is that the fence should be decorative in design and could incorporate design elements that would deter scaling or improper access. In addition, other security measures including video surveillance, security lighting, contracted security personnel and landscaping would provide sufficient security without the grant of a variance.
- ◇ Should the request be granted, Staff would request that a landscape plan incorporating ornamental grasses and shrubs be provided for Administrator's Approval in order to soften the visual impact of the proposed fence.

**GENERAL INFORMATION****THOROUGHFARE PLAN**

This portion of Sloan Avenue is classified as a Local Street in the Official Thoroughfare Plan for Marion County, Indiana with an existing right-of-way of 40 feet and proposed right-of-way of 50 feet.

This portion of Raymond Street is classified as a Primary Arterial in the Official Thoroughfare Plan for Marion County, Indiana with an existing and proposed right-of-way of 164 feet.

**SITE PLAN**

File-dated August 21, 2023.

**FINDINGS OF FACT**

File-dated August 21, 2023.

**ZONING HISTORY – SITE**

**71-Z-206; 4851 East Raymond Street;** requests rezoning of 18.42 acres from the D-2 District to the SU-2 classification to provide for a grade school; **approved.**

(Continued)



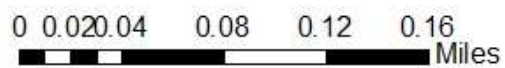
**STAFF REPORT 2023-DV1-052 (Continued)****ZONING HISTORY – VICINITY**

**2007-UV1-016; 2400 Sloan Avenue;** requests variance of use and development standards of the Dwelling Districts Zoning Ordinance to provide for the construction of a 2,800 square foot accessory building for commercial storage, resulting in an accessory building area of 3,520 or 266.26 percent of the main floor area of the primary structure, and also resulting in an accessory use area of 3,827 square feet or 144.74 percent of the total living area of the primary structure; **granted.****2003-DV1-053; 4823 East Raymond Street;** requests variance of development standards of the Dwelling Districts Zoning Ordinance to legally establish a single-family dwelling with a five-foot south side setback, a carport with a 37-foot front setback, located within the established front yard, with a total accessory use area of 1,880 square feet, comprising 147.92 percent of the usable floor area of the primary structure; **granted.**

**84-UV2-80; 4813 East Raymond Street;** requests variance of use to provide for a truck maintenance, repair and storage business within a detached garage; **withdrawn.**

EDH

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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 fence height will not have an adverse effect on the adjoining property owners since the variance is only for fence height, which will not affect neighboring land uses. The fence will also allow for a measure of security that is not possible with a fence height that would be compliant with the ordinance.

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

This fence will not interfere with any surrounding property uses or value. The fence will be installed as far from the public right of way as possible and still meet the security needs of the district.

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

The ordinance allows for a 4 foot tall fence, which is not sufficient for security of the site. There will be vehicles and equipment stored on this site where security is critical. This security is necessary for the security of IPS property but is also necessary for the protection of anyone who may wander onto the property. In addition, this building is on a corner lot, which has two front yards. If the building was not on a corner lot, then the bulk of the fence would be in a side yard and would meet the standards of the ordinance.

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**DECISION**

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

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

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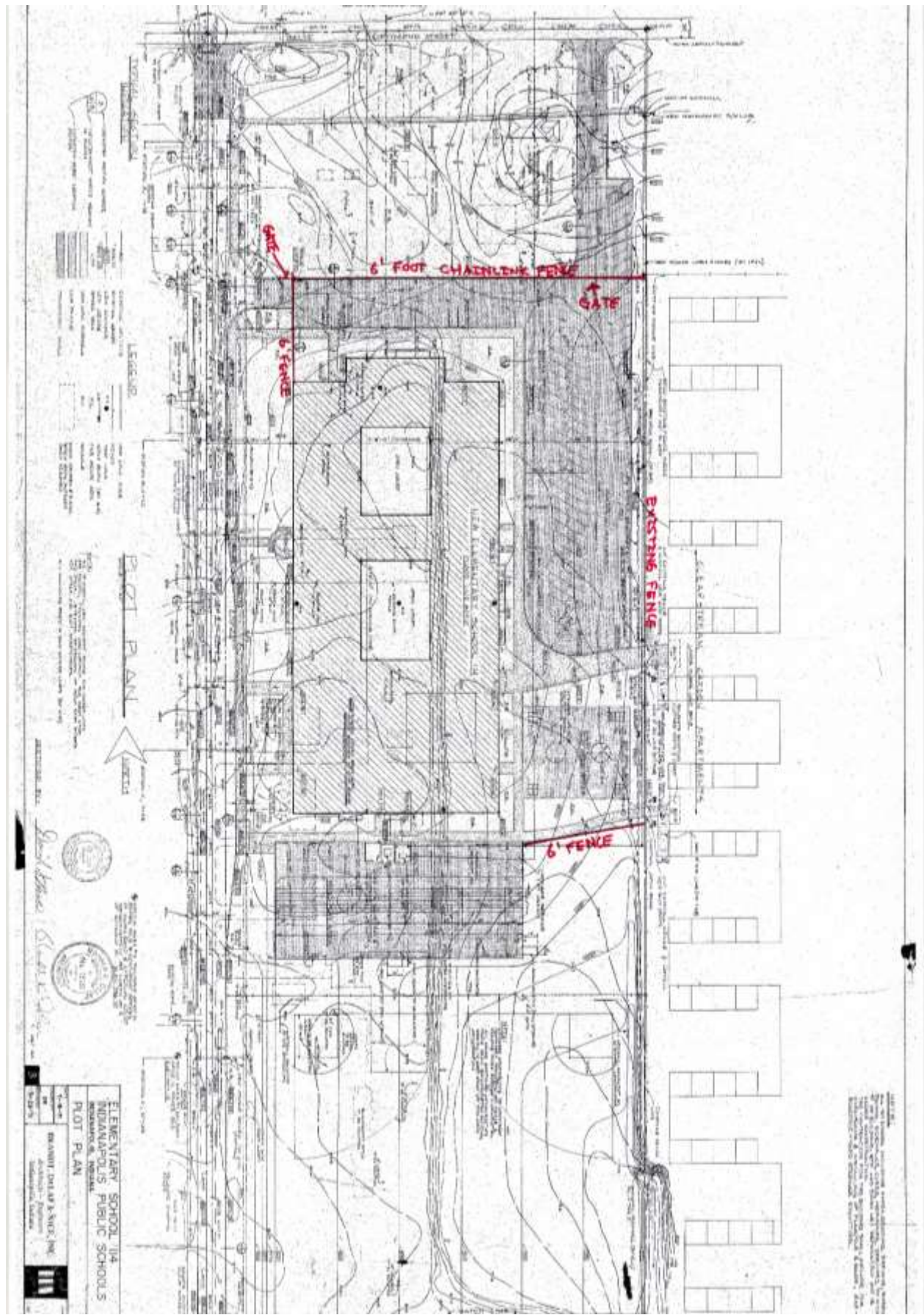




Photo One: Looking North Along Sloan Avenue



Photo Two: Looking South along Sloan Avenue





Photo Three: Portion of Proposed Enclosed Parking Area, Facing East



Photo Four: Portion of Proposed Enclosed Parking Area / Proposed Gate, Facing Northeast





Photo Five: Single-family Dwelling Adjacent to Proposed Fencing, Across Sloan Avenue