



Board of Zoning Appeals
Board of Zoning Appeals Division I (April
7, 2026)
Meeting Agenda

Meeting Details

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

Date: Tuesday, April 07, 2026

Time: 1:00 PM

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

Business:

Adoption of Meeting Minutes

Special Requests

2026-DV1-008 | 5102 West Bradbury Avenue

Wayne Township, Council District #17, zoned D-4
Darin Jackson

Variance of Development Standards of the Consolidated Zoning and Subdivision Ordinance to provide for 35-foot width of parking area created by two driveways within the front yard (parking areas limited to 30-foot width in front yards).

****This petition will be withdrawn.**

PETITIONS REQUESTING TO BE CONTINUED:

1. 2026-DV1-003 | 602 Prospect Street

Center Township, Council District #18, zoned D-8
NP Financial Services LLC, by David Gilman

Variance of Development Standards of the Consolidated Zoning and Subdivision Ordinance to provide for the construction of a two-family dwelling with a 10-foot rear setback (20-foot rear setback required), and to permit an off-street parking pad within the front yard with a zero-foot west side setback (parking pad not permitted, five-foot side setback required).

****Petitioner to request continuance to May 12, 2026.**

2. 2026-DV1-010 | 2606 Northview Avenue

Washington Township, Council District #3, zoned D-5
Sandra Palombi

Variance of Development Standards of the Consolidated Subdivision and Zoning Ordinance to provide for a 4-foot fence with greater than 30% opacity (maximum of 30% opacity permitted).

****Staff requests to continue this petition to the May 12, 2026, with notice.**

3. 2026-UV1-006 (Amended) | 8798 Moore Road

Pike Township, Council District #1, zoned D-A / D-1
J E Land, LLC, by S. Gregory Zubek

Variance of use and development standards of the Consolidated Zoning and Subdivision Ordinance to provide for a wellness center (not permitted) with gravel parking areas in the front yard of Moore Road exceeding 30 feet in width (hard surfacing required, parking in front of buildings limited to 30 feet).

****Staff to request continuance to May 12, 2026.**

Petitions for Public Hearing

PETITIONS TO BE EXPEDITED:

4. 2026-DV1-006 | 7575 Central Avenue, Town of Meridian Hills

Washington Township, Council District #2, zoned D-S
Rebecca Boyle, by Todd Williams

Variance of Development Standards of the Consolidated Zoning and Subdivision Ordinance to permit the construction of a single-family dwelling with a rear yard setback of 15 feet (minimum of 30 feet required).

5. 2026-DV1-009 (Amended) | 44 East 54th Street

Washington Township, Council District #7, zoned D-2
Charles and Julie Revard

Variance of Development Standards of the Consolidated Zoning and Subdivision Ordinance to provide for the construction of a detached garage with a 5-foot west side yard setback (7-foot side yard setback required), and an open space of 65% (75% open space required).

PETITIONS FOR PUBLIC HEARING (Transferred Petitions):

PETITIONS FOR PUBLIC HEARING (Continued Petitions):

6. 2025-DV1-059 | 5217 Broadway Street

Washington Township, Council District #7, zoned D-5 (TOD) (W-5)
John Rising-Moore

Variance of development standards of the Consolidated Zoning and Subdivision Ordinance to provide for the addition to a single-family dwelling with a four-foot north side setback and a 3.5-foot south side setback (five-foot side setbacks required).

7. 2025-DV1-065 | 2929 Eagledale Drive

Wayne Township, Council District #11, zoned D-5
Grise Home & Property Group LLC, by Martin Jimenez

Variance of development standards of the Consolidated Zoning and Subdivision Ordinance to provide for a carport with a 0-foot side yard setback (5-foot setback required).

8. 2026-DV1-001 | 445 Sanders Street (Amended)

Center Township, Council District #18, zoned D-8
NP Financial Services LLC, by Josh Smith

Variance of Development Standards of the Consolidated Zoning and Subdivision Ordinance to provide for the construction of a two-family dwelling encroaching within the clear sight triangle of Sanders Street and South East Street (not permitted).

9. 2026-DV1-004 | 6535 North Olney Street

Washington Township, Council District #3, zoned D-2
Chris Schmidt

Variance of Development Standards of the Consolidated Zoning and Subdivision Ordinance to provide for the installation of a privacy fence not to exceed twelve (12) feet in height in the rear yard (maximum height six-feet permitted in rear yards).

10. 2026-UV1-002 | 5301 West 56th Street

Pike Township, Council District #6, zoned D-A (FF) (FW)
Mirza W. A. Baig, by David Kingen and Justin Kingen

Variance of Use of the Consolidated Zoning and Subdivision Ordinance to legally establish a four-unit apartment building as a second primary structure on a lot (not permitted).

PETITIONS FOR PUBLIC HEARING (New Petitions):

11. 2026-DV1-007 | 4137 North Sherman Drive

Washington Township, Council District #8, zoned D-2
DeAndre Smith

Variance of Development Standards of the Consolidated Zoning and Subdivision Ordinance to provide for the installation of a 6-foot fence within the front yard (maximum 3.5-foot tall fence permitted within front yards).

12. 2026-DV1-011 | 2562 North Bancroft Street

Center Township, Council District #8, zoned D-4/I-3
Edward Hansen, by John Cross

Variance of Development Standards of the Consolidated Zoning and Subdivision Ordinance to allow for a 1,344-square foot barn with a primary dwelling totaling 1,335-square feet (detached accessory structure larger than primary dwelling are not permitted).

13. 2026-DV1-012 | 3675 West 11th Street

Wayne Township, Council District #12, zoned D-5
Manuel Alonso Marrufo Villa & Maria Elena Marrufo, by Epifanio Carbajal

Variance of Development Standards of the Consolidated Zoning and Subdivision Ordinance to provide for the construction of a detached garage with a 3-foot side setback (7-foot required), a 3-foot rear setback (5-foot required), and within an easement (encroachment into easements prohibited), accessed by a driveway resulting in a 69-foot width of parking area in the front yard (parking areas limited to 30-foot width in front yards) and a landscape area of 47.3% along the frontage (minimum 65% required).

14. 2026-UV1-004 | 4902 West Washington Street

Washington Township, Council District #17, zoned C-5 (TOD)
QH W Washington Street LLC, by Joseph D. Calderon

Variance of use of the Consolidated Zoning and Subdivision Ordinance to provide for a check cashing and validation service use within 50 feet of a protected district (500-foot separation 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 planneroncall@indy.gov, before the hearing and such objections will be considered. At the hearing, all interested persons will be given an opportunity to be heard in reference to the matters contained in said proposals. The hearing may be continued from time to time as may be found necessary. For accommodations needed by persons with disabilities planning to attend this public hearing, please call the Office of Disability Affairs at (317) 327-7093, at least 48 hours prior to the meeting. - Department of Metropolitan Development - Current Planning Division.

This meeting can be viewed live at <https://www.indy.gov/activity/channel-16-live-web-stream>. The recording of this meeting will also be archived (along with recordings of other City/County entities) at <https://www.indy.gov/activity/watch-previously-recorded-programs>.

Member	Appointed By	Term
Peter Nelson, Chair	Mayor's Office	January 1, 2025 – December 21, 2025
David Duncan, Secretary	Mayor's Office	January 1, 2025 – December 21, 2025
Jennifer Whitt	City-County Council	January 1, 2025 – December 21, 2025
Andrew Katona	Metropolitan Development Commissions	January 1, 2025 – December 21, 2025
VACANT	City-County Council	N/A

BOARD OF ZONING APPEALS DIVISION II

April 7, 2026

Case Number: 2026-DV1-008
Property Address: 5102 West Bradbury Avenue (approximate address)
Location: Wayne Township, Council District #17
Petitioner: Darin Jackson
Current Zoning: D-4
Request: Variance of Development Standards of the Consolidated Zoning and Subdivision Ordinance to provide for 35-foot width of parking area created by two driveways within the front yard (parking areas limited to 30-foot width in front yards).
Current Land Use: Residential
Staff Reviewer: Michael Weigel, Principal Planner I

PETITION HISTORY

The petitioner indicated via email that they would amend the site plan to comply with Ordinance standards for front-yard parking area width and to comply with DPW requirements for number of vehicle access points for a residential property. Per that email, this petition will be withdrawn from consideration.



BOARD OF ZONING APPEALS DIVISION I

April 7, 2026

Case Number: 2026-DV1-003
Address: 602 Prospect Street (approximate address)
Location: Center Township, Council District #18
Zoning: D-8
Petitioner: NP Financial Services LLC, by David Gilman
Request: Variance of Development Standards of the Consolidated Zoning and Subdivision Ordinance to provide for the construction of a two-family dwelling with a 10-foot rear setback (20-foot rear setback required), and to permit an off-street parking pad within the front yard with a zero-foot west side setback (parking pad not permitted, five-foot side setback required).

Current Land Use: Undeveloped

Staff Reviewer: Robert Uhlenhake, Senior Planner

PETITION HISTORY

This petition was previously automatically continued by a Registered Neighborhood Organization from the March 3, 2026, hearing, to the April 7, 2026, hearing.

The Petitioner has indicated they will request a continuance for cause, to the May 12, 2026, hearing, to allow staff time to discuss a newly submitted site plan.



BOARD OF ZONING APPEALS DIVISION I

April 7, 2026

Case Number: 2026-DV1-010

Property Address: 2606 Northview Avenue (approximate address)

Location: Washington Township, Council District #3

Petitioner: Sandra Palombi

Current Zoning: D-5

Request: Variance of Development Standards of the Consolidated Subdivision and Zoning Ordinance to provide for a 4-foot fence with greater than 30% opacity (maximum of 30% opacity permitted).

Current Land Use: Residential

Staff Reviewer: Josh Levesque, Senior Planner

PETITION OVERVIEW

Staff requests a continuance from the April 7th, 2026, BZA I hearing to the May 12th, 2026, BZA I hearing to provide the petitioners time to amend consent forms. This will require new legal notice.



BOARD OF ZONING APPEALS DIVISION I **April 7, 2026**

Case Number: 2926-UV1-006 (Amended)
Property Address: 8798 Moore Road (*approximate address*)
Location: Pike Township, Council District #1
Petitioner: J E Land, LLC, by S. Gregory Zubek
Current Zoning: D-A / D-1
Request: Variance of use and development standards of the Consolidated Zoning and Subdivision Ordinance to provide for a wellness center (not permitted) with gravel parking areas in the front yard of Moore Road exceeding 30 feet in width (hard surfacing required, parking in front of buildings limited to 30 feet).
Current Land Use: Agricultural
Staff Reviewer: Michael Weigel, Senior Planner

PETITION HISTORY

To allow additional time for discussion of the requested variances and for provision of a site plan showing the full scope of proposed improvements, staff will request that this petition be continued to the May 12th hearing date of Division I. A full staff report will be made available in advance of that hearing date.



BOARD OF ZONING APPEALS DIVISION I

April 7, 2026

Case Number: 2026-DV1-006

Property Address: 7575 Central Avenue (approximate address), Town of Meridian Hills

Location: Washington Township, Council District #2

Petitioner: Rebecca Boyle, by Todd Carrington

Current Zoning: D-S

Request: Variance of Development Standards of the Consolidated Zoning and Subdivision Ordinance to permit the construction of a single-family dwelling with a rear yard setback of 15 feet (minimum of 30 feet required)

Current Land Use: Residential

Staff Recommendations: Staff recommends **approval** of the variance.

Staff Reviewer: Josh Levesque, Senior Planner

PETITION HISTORY

03/03/2026: This petition was continued for cause at the request of staff.

STAFF RECOMMENDATION

Staff recommends **approval** of the variance.

PETITION OVERVIEW

- 7575 Central Avenue is a residential property that is currently undeveloped. According to property card records, a single-family dwelling was first built on this lot in 1954, a property that was only recently demolished to accommodate a new single-family home on this lot. This property is surrounded by single-family homes in both the D-S and D-1 districts.
- A variance for the previous home was approved in 1985 to provide for an in-ground swimming pool to be located 7 feet from the rear property line (minimum of 25 feet required). The two most immediate southern properties have also received variances in the past 25 years to allow for reduced setbacks.
- The property is zoned D-S. This district “is intended for suburban areas of extreme topography, areas conducive to estate development, or areas where it is desirable to permit only low-density development [...] The D-S district provides for single-family residential lots consisting of at least one acre. A typical density for the D-S district is 0.4 units per gross acre. This district fulfills the lowest density residential classification of the Comprehensive General Land Use Plan.” Similarly, the Comprehensive Plan assigns this property the Rural or Estate Neighborhood living typology.



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

This “typology applies to both rural or agricultural areas and historic, urban areas with estate-style homes on large lots. In both forms, this typology prioritizes the exceptional natural features – such as rolling hills, high quality woodlands, and wetlands – that make these areas unique. Development in this typology should work with the existing topography as much as possible. Typically, this typology has a residential density of less than one dwelling unit per acre unless housing is clustered to preserve open space.”

- Findings of fact indicate that strict application of the rear yard setback requirements would significantly limit the reasonable placement of a single-family residence due to the lot’s irregular configuration.
- Staff agrees with this assertion and finds that the property poses several site-specific practical difficulties limiting the placement of a home. First, the lot area is roughly .665 acres, which is smaller than the minimum 1 acre required for D-S lots. Second, much of the southwestern part of the lot has a stream running through it, limiting buildable area. Third, the majority of the lot has a width of roughly 100 feet when D-S standards require a 150-foot lot width. At its widest point, the lot is roughly 130 feet wide. The widest point is at the rear of the property where the proposed structure would be built. Staff agrees that the current setback requirements would prevent the home from being positioned in a functional manner that accommodates the planned building width. For this reason, staff recommends approval of this variance request.

GENERAL INFORMATION

Existing Zoning	D-S	
Existing Land Use	Residential	
Comprehensive Plan	Rural or Estate Neighborhood	
Surrounding Context	Zoning	Surrounding Context
	North:	D-S North: Residential
	South:	D-S South: Residential
	East:	D-S East: Residential
	West:	D-1 West: Residential
Thoroughfare Plan		
Cardigan Road	Local Street	55-foot existing right-of-way and 50-foot proposed right-of-way
Context Area	Metro	
Floodway / Floodway Fringe	No	
Overlay	No	
Wellfield Protection Area	No	
Site Plan	02/06/2026	
Site Plan (Amended)	N/A	
Elevations	N/A	
Elevations (Amended)	N/A	
Landscape Plan	N/A	
Findings of Fact	02/06/2026	



**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 assigns this property the Rural or Estate Neighborhood living typology. This “typology applies to both rural or agricultural areas and historic, urban areas with estate-style homes on large lots. In both forms, this typology prioritizes the exceptional natural features – such as rolling hills, high quality woodlands, and wetlands – that make these areas unique. Development in this typology should work with the existing topography as much as possible. Typically, this typology has a residential density of less than one dwelling unit per acre unless housing is clustered to preserve open space.”

Red Line / Blue Line / Purple Line TOD Strategic Plan

- Not Applicable to the Site.

Neighborhood / Area Specific Plan

- Not Applicable to the Site.

Infill Housing Guidelines

- Not Applicable to the Site.

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

- Not Applicable to the Site.



ZONING HISTORY

ZONING HISTORY – SITE

85-V3-86; Variance of development standards of the Dwelling Districts Zoning Ordinance to provide for an in-ground swimming pool to be located 7 feet from the rear property line (25 feet required), **approved.**

ZONING HISTORY – VICINITY

2001-DV2-002; 7555 Central Avenue (directly south of site), Variance of development standards of the Dwelling Districts Zoning Ordinance to provide for a 161 square foot addition to an attached garage creating a 10-foot side yard setback (minimum 12-foot side yard setback required) and a 25.1 aggregate side yard (minimum 30-foot aggregate side yard required), **approved.**

2014-HOV-048; 7505 Central Avenue (south of site), Variance of development standards of the Dwelling Districts Zoning Ordinance to provide for a single-family dwelling with a 73.5-foot front setback (average setback of 84.258-foot front setback required), **approved.**

EXHIBITS

2026DV1006; Aerial Map (Present)

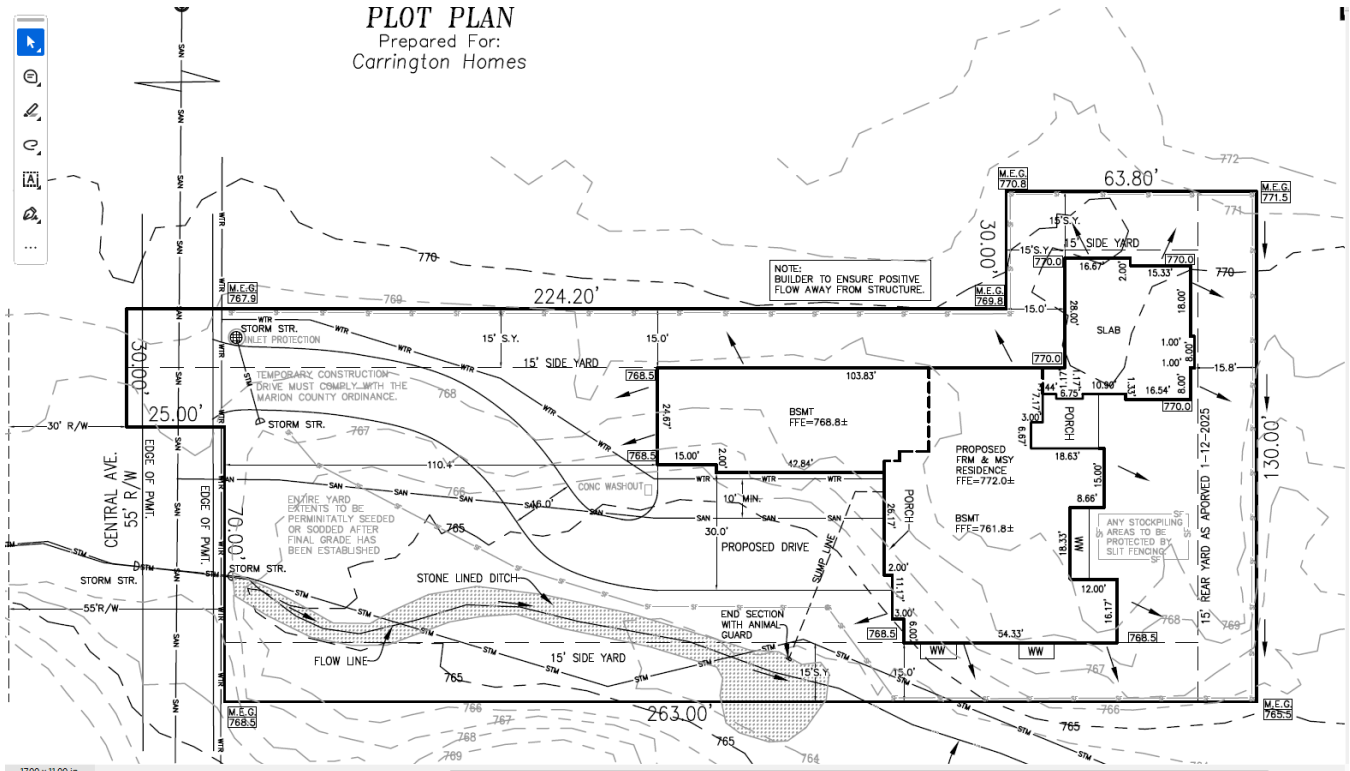




Department of Metropolitan Development
 Division of Planning
 Current Planning

2026DV1006; Site Plan

PLOT PLAN
 Prepared For:
 Carrington Homes





2026DV1006; Findings of Fact

FINDINGS OF FACT

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

The proposed variance will allow for the construction of a single-family residence that is consistent with the established single-family residential use of the surrounding neighborhood. The reduced rear yard setback will not create unsafe conditions, negatively impact public infrastructure, or impair access, light, or air to adjacent properties.

The Town of Meridian Hills has reviewed the request and will provide a letter of no objection, while neighboring property owners have submitted letters of support or no objection, demonstrating that the proposal will not be injurious to the community.

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

The proposed home will be similar in scale, use, and quality to surrounding residences, and the reduced rear setback will not alter the residential use pattern of the area. The placement of the home respects existing development on adjacent properties, and no neighboring property owners have objected to the request. As a result, the variance will not negatively affect the use or value of nearby properties

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

Strict application of the required rear yard setback would significantly limit the reasonable placement of a single-family residence on the lot due to its irregular configuration. Without the requested variance, the home cannot be positioned in a functional manner that accommodates the required building width, resulting in an unnecessary hardship.

2026DV1006; Photographs



Photo 1: Subject property viewed from driveway looking East

2026DV1006; Photographs (continued)



Photo 2: Subject property looking E/SE with stream limiting buildable land

2026DV1006; Photographs (continued)



Photo 3: Neighboring property to the North

2026DV1006; Photographs (continued)



Photo 4: Neighboring properties to the South

2026DV1006; Photographs (continued)



Photo 5: Neighboring property to the West



BOARD OF ZONING APPEALS DIVISION I **April 7, 2025**

Case Number: 2026-DV1-009 (Amended)
Address: 44 East 54th Street (approximate address)
Location: Washington Township, Council District #7
Zoning: D-2
Petitioner: Charles and Julie Revard
Request: Variance of Development Standards of the Consolidated Zoning and Subdivision Ordinance to provide for the construction of a detached garage with a 5-foot west side yard setback (7-foot side yard setback required), and an open space of 65% (75% open space 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 hearing for this petition.

STAFF RECOMMENDATION

Staff recommends **approval** of this petition.

PETITION OVERVIEW

- ◇ Development Standards of the Consolidated Zoning and Subdivision Ordinance, specifically those relating to setbacks, are intended to ensure orderly development and protect surrounding property values by providing for open buffer areas along lot lines, and to ensure adequate access around buildings.
- ◇ The requested side setback reductions are largely a result of the deficient size and width of the lot. The lot, at 8,678 square feet, is a D-4 sized lot, and the width, at 50 feet wide, is a D-5 sized lot in width. However, this site is within the D-2 district, which includes standards that would be difficult to meet, particularly when proposing development consistent with the neighborhood. Therefore, there is a practical difficulty in complying with development standards for the side setback.
- ◇ The requested open space reduction is also largely a result of the deficient lot size. The lot, at 8,678 square feet, is a D-4 sized lot which allows for 65% open space. However, this site is within the D-2 district, which requires a 75% open space for a typical 15,000sf lot, which would be difficult to meet, particularly when proposing development consistent with the neighborhood. Therefore, there is a practical difficulty in complying with development standards for the open space requirement.



- ◇ Generally, staff supports legally establishing 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; additionally, no public safety or health risks would come from the grant of this variance.

GENERAL INFORMATION

Existing Zoning	D-2		
Existing Land Use	Single Family Dwelling		
Comprehensive Plan	Traditional Neighborhood Uses		
Surrounding Context	Zoning	Surrounding Context	
	North:	D-2	Single-Family Dwelling
	South:	D-2	Single-Family Dwelling
	East:	D-2	Single-Family Dwellings
	West:	D-2	Single-Family Dwelling
Thoroughfare Plan			
	East 54 th Street	Local Street	48-foot existing and proposed right-of-way.
Context Area	Compact area		
Floodway / Floodway Fringe	No		
Overlay	No		
Wellfield Protection Area	No		
Site Plan	November 17, 2025		
Elevations	N/A		
Landscape Plan	N/A		
Findings of Fact	November 17, 2025		

COMPREHENSIVE PLAN ANALYSIS

Comprehensive Plan

- Marion County Land Use Plan Pattern Book (2019)

Pattern Book / Land Use Plan

- The Marion County Land Use Plan Pattern Book (2019) 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

- 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

2024-DV1-002; 5449 North Pennsylvania Street (north of site), requested a Variance of Development Standards of the Consolidated Zoning and Subdivision Ordinance to provide for building additions resulting in a nine-foot rear yard setback, **approved**.

2020DV2007; 5456 N New Jersey Street (east of site), Variance of Development Standards of the Consolidated Zoning and Subdivision Ordinance to provide for a detached garage with three-foot side and rear setbacks, **approved**.

2011-DV1-027; 5344 North Pennsylvania Street (east of site), requested a variance of development standards of the Dwelling Districts Zoning Ordinance to provide for the construction of a 64-square foot hot tub with a 3.5-foot north side setback and a four-foot rear setback, and a 300-square foot stone deck with a two-foot north side setback, resulting in a six-foot aggregate side setback, and a zero-foot rear setback, **granted**.

2006-DV2-004; 35 East 54th Street (south of site), requested a variance of development standards of the Dwelling Districts Zoning Ordinance to legally establish a one-story, 432-square foot addition to an existing single-family dwelling with a linear distance of 26 feet along a nonconforming four-foot west side yard setback, and to legally establish a 726-square foot detached garage resulting in a lot open space of 67.89 percent, **granted**.

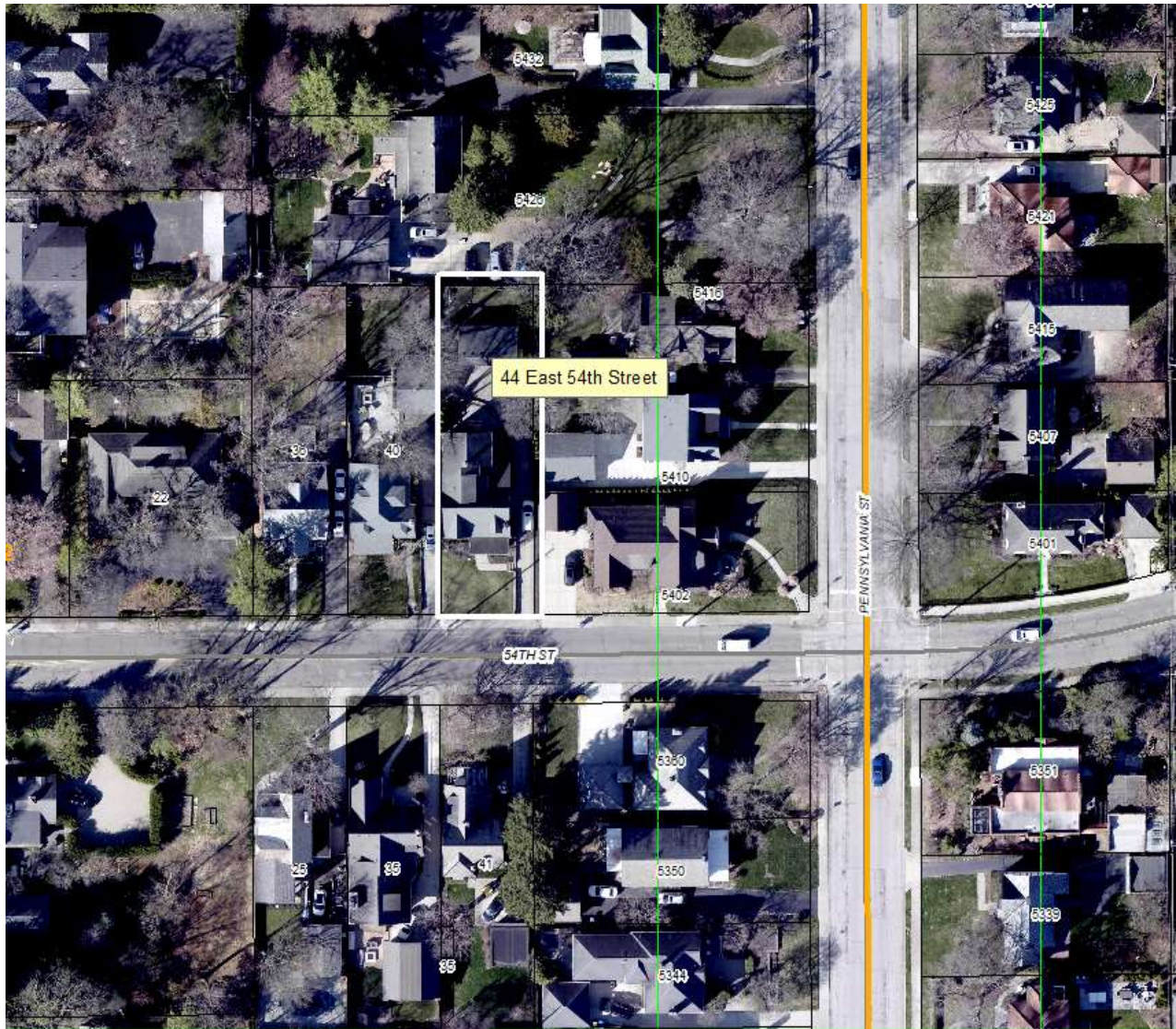
2002-HOV-042; 33 East 56th Street (north of site), requested a variance of development standards of the Dwelling Districts Zoning Ordinance to provide for a 684.25-two story detached garage, with a four-foot rear and side yard setback, with a height of 22 feet, **granted**.

2002-DV1-030; 5344 North Pennsylvania Street (south of site), requested a variance of development standards of the Dwelling Districts Zoning Ordinance to provide for the construction of a 440-square foot detached garage located two and half-feet from the south property line, **granted**.

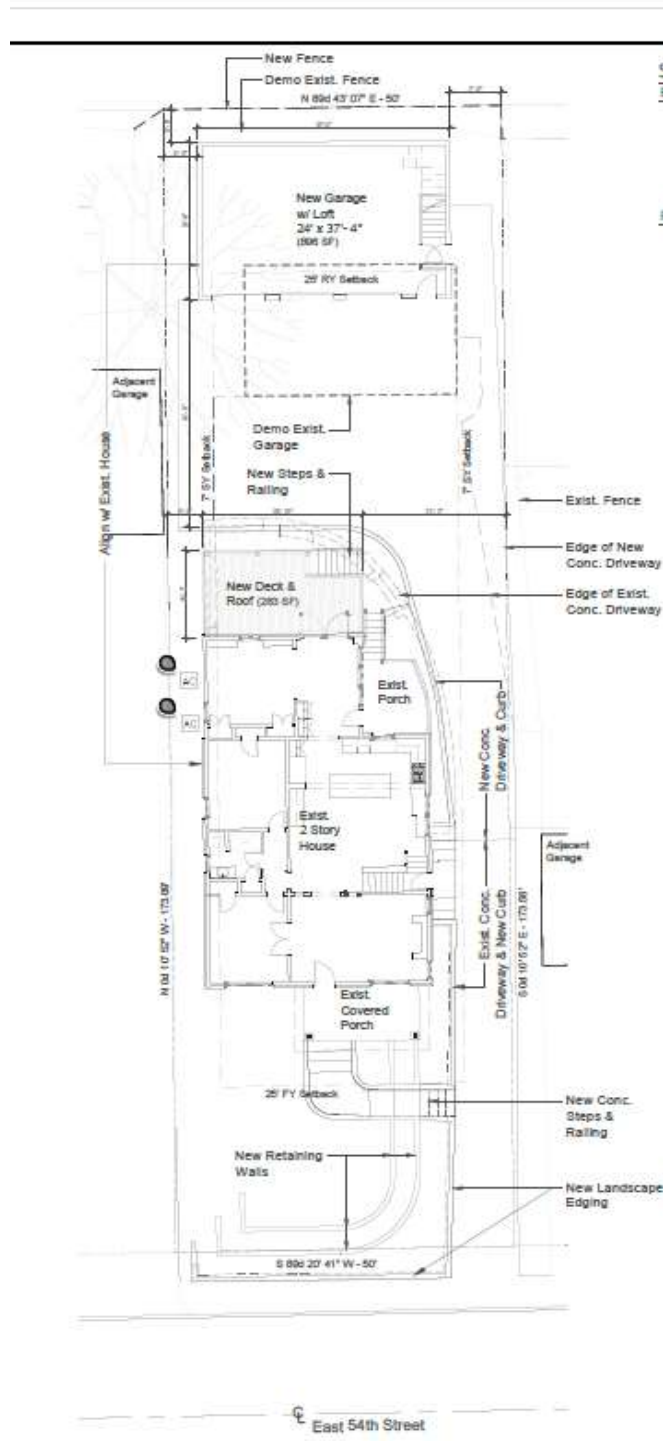
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EXHIBITS

Location Map



Site Plan





Meridian Street Preservation Commission Certificate of Appropriateness:



MERIDIAN STREET PRESERVATION COMMISSION

In the matter of an application filed by **Charles J. and Julie A. Revard** for the **Prior Approval of a Variance** for the property located at **44 E. 54th Street**

**FINAL ORDER GRANTING THE PRIOR
APPROVAL OF A VARIANCE
#V-MSPC 25-10**

The Meridian Street Preservation Commission, at a meeting held at 4:00 p.m. on December 16, 2025 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 Charles J. and Julie A. Revard for improvements to be made at the property located at 44 E. 54th Street.

Being duly advised in the premises, the Commission, by a vote of 6-1 of its seven (7) members present and voting AYE: (Norman, Vanderstel, Colby, Wolfe, Madden, Welling), NAY: (Fujawa), 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 required Open Space in a D-2 district (75% to 66%).
 - Reduction in side yard setback in D-2 for a new detached garage (7 ft. to 5ft.)
3. Such improvements shall be per plans submitted on 12.3.25 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): **NONE**.

*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 hearing date of the Meridian Street Preservation Commission and all aspects must be completed in whole.*

Shannon Norman
Shannon Norman, Chair

December 22, 2025
Date



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 use complies with all applicable zoning regulations, incorporates appropriate safeguards to mitigate potential impacts and aligns with the communities comprehensive plan. It will not generate excessive noise, traffic or pollution and will contribute positively to the neighborhood's character and economic vitality.

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 land use maintains appropriate setback and buffering, the design will respect the character of the neighborhood and will not diminish property values.

3. The strict application of the terms of the zoning ordinance will result in practical difficulties in the use of the property because:
The requested variance is the minimum necessary to park larger modern automobiles required by a larger family. Our intent is the improve the property and bring it to a more modern standard and remain in the character of the neighborhood without undermining the intent of the zoning ordinance

DECISION

Photographs



Subject site, existing dwelling, looking north.



Subject site, proposed garage location with 5-foot west side setback, looking north.



Adjancet dwellign to the west, looking north.



Adjacent dwelling to the east, with similar garage setback, looking north.



BOARD OF ZONING APPEALS DIVISION I

April 7, 2026

Case Number: 2025-DV1-059
Address: 5217 Broadway Street (approximate address)
Location: Washington Township, Council District #7
Zoning: D-5 (TOD) (W-5)
Petitioner: John Rising-Moore
Request: Variance of Development Standards of the Consolidated Zoning and Subdivision Ordinance to provide for the addition to a single-family dwelling with a four-foot north side setback and a 3.5-foot south side setback (five-foot side setbacks required).

Current Land Use: Single-Family Dwelling

Staff Reviewer: Robert Uhlenhake, Senior Planner

PETITION HISTORY

This petition was previously automatically continued at the request of a Registered Neighborhood Organization, from the January 6, 2026, hearing, to the February 3, 2026, hearing.

The petition was continued from the February 3, 2026, hearing, to the March 3, 2026, hearing, at the request of the petitioner.

This petition was heard at the March 3, 2026, hearing, resulting in a 1-2 indecisive vote. Therefore, it was continued to the April 7, 2026, hearing.

STAFF RECOMMENDATION

Staff recommends **denial** of this petition.

PETITION OVERVIEW

VARIANCE OF DEVELOPMENT STANDARDS

- ◇ The request would also provide for an addition to an existing single-family dwelling, with a four-foot north side setback and a 3.5-foot south side setback.
- ◇ The petitioner was granted a permit (ILP25-01021) on September 11, 2025, from the Department of Business and Neighborhood Services (DBNS), to allow for a rear and second story addition to the primary dwelling with the proposed side setbacks being a one-time 12-foot expansion of the existing legally nonconforming side setbacks.
- ◇ Per 744-202-E.1, in the D-S, D-1, D-2, D-3, D-4, D-5, D-5II, and D-8 zoning districts, the minimum side and rear yard setback requirements for a lot containing a single-family detached dwelling or a two-family dwelling shall be subject to the following:



a. *The primary building may be enlarged or extended along a legally established nonconforming side yard between the established front setback line and the established rear yard setback line of the primary building provided that the linear footage of such enlargement or extension:*

1. *Does not exceed 50% of the linear footage of the primary building along that side yard setback line, and*
2. *Is a one-time only expansion along the legally established setback line.*

- ◇ On November 11, 2025, revised site plans, indicating a revision to the rear addition and expansion were submitted to DBNA for an updated ILP permit (ILP25-3006). Those plans were not zoning compliant as they now exceeded the one-time 50% expansion rule. Therefore, that ILP permit was placed on hold as the applicant was informed by DBNS on November 12, 2025, that they would now need a zoning variance for the deficient side setbacks.
- ◇ On December 1, 2025, this petition for a Variance of Development Standards was submitted.
- ◇ On December 12, 2025, a Stop Work order (VIO25-011117) was issued due to apparent ongoing work, and the failure to amend the existing structural permit prior to the construction of a covered deck at the back of a new addition.
- ◇ By all appearances, work continued on the revised non-permitted addition after notification was given, and after the variance petition was filed. This resulted in the Stop Work order issued on December 12, 2025.
- ◇ The proposed two story 26-foot addition with reduced side setbacks would be too intense for the subject site, would block additional sunlight and cast shadows on the adjacent residential structure to the north. The larger addition area with reduced side setback, would also make it difficult for public safety emergency responders to access between the adjacent dwellings.
- ◇ The need for the reduction in the required side setbacks beyond the onetime 50% expansion is a self-imposed hardship and not a result of the Ordinance requirements. Staff believes that the lot is deep enough to accommodate any further rear expansion and therefore meeting the 20-foot rear setback. Any existing work completed with that non-compliant expansion is believed to be non-permitted, per DBNS.

GENERAL INFORMATION

Existing Zoning	D-5	
Existing Land Use	Single-Family Dwelling	
Comprehensive Plan	Traditional Neighborhood	
Overlay	TOD, W-5	
Surrounding Context	Zoning	Surrounding Context
	North:	D-5 Single-family dwelling
	South:	D-5 Single-family dwelling
	East:	D-5 Commercial accessory parking lot
	West:	D-4 Single-family dwelling



Thoroughfare Plan		
Broadway Street	Local Street	50-foot existing and proposed right-of-way.
Context Area	Compact	
Floodway / Floodway Fringe	N/A	
Wellfield Protection Area	5-year	
Site Plan	December 1, 2025	
Elevations	N/A	
Plan of Operation	N/A	
Commitments	N/A	
Landscape Plan	N/A	
Findings of Fact	December 10, 2025	

COMPREHENSIVE PLAN ANALYSIS

Comprehensive Plan

- The Comprehensive Plan has recommended Traditional Neighborhood uses for this site.

Pattern Book / Land Use Plan

- The Marion County Land Use Plan Pattern Book 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

- Red Line Transit-Oriented Development Strategic Plan (2021)
 - The subject site is located approximately 775 feet from the 52nd and College Red Line transit station.
 - The 52nd and College transit station has been categorized as the walkable neighborhood typology, which is characterized as primarily residential, but may have a commercial node of one to two city blocks, with a Mix of uses at station with stabilized residential beyond, and off-street parking is discouraged and should be limited to garages.

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-DV2-034; 5210 Broadway Avenue (west of site), requested a Variance of Development Standards to provide for the construction of a detached garage and secondary dwelling with a height of 23.75 feet, which is taller than the primary dwelling, **granted**.

2015-DV2-033; 5140 Broadway Street (south of site), requested a Variance of Development Standards to legally establish a two-story dwelling with a 3.8-foot north side setback, to provide for a 576-square foot detached garage with a three-foot north side setback, and a 3.6-foot rear setback, and to provide for a 1,260-square foot, two-story building addition with a five-foot south side setback resulting in an eight-foot aggregate side setback, **granted**.

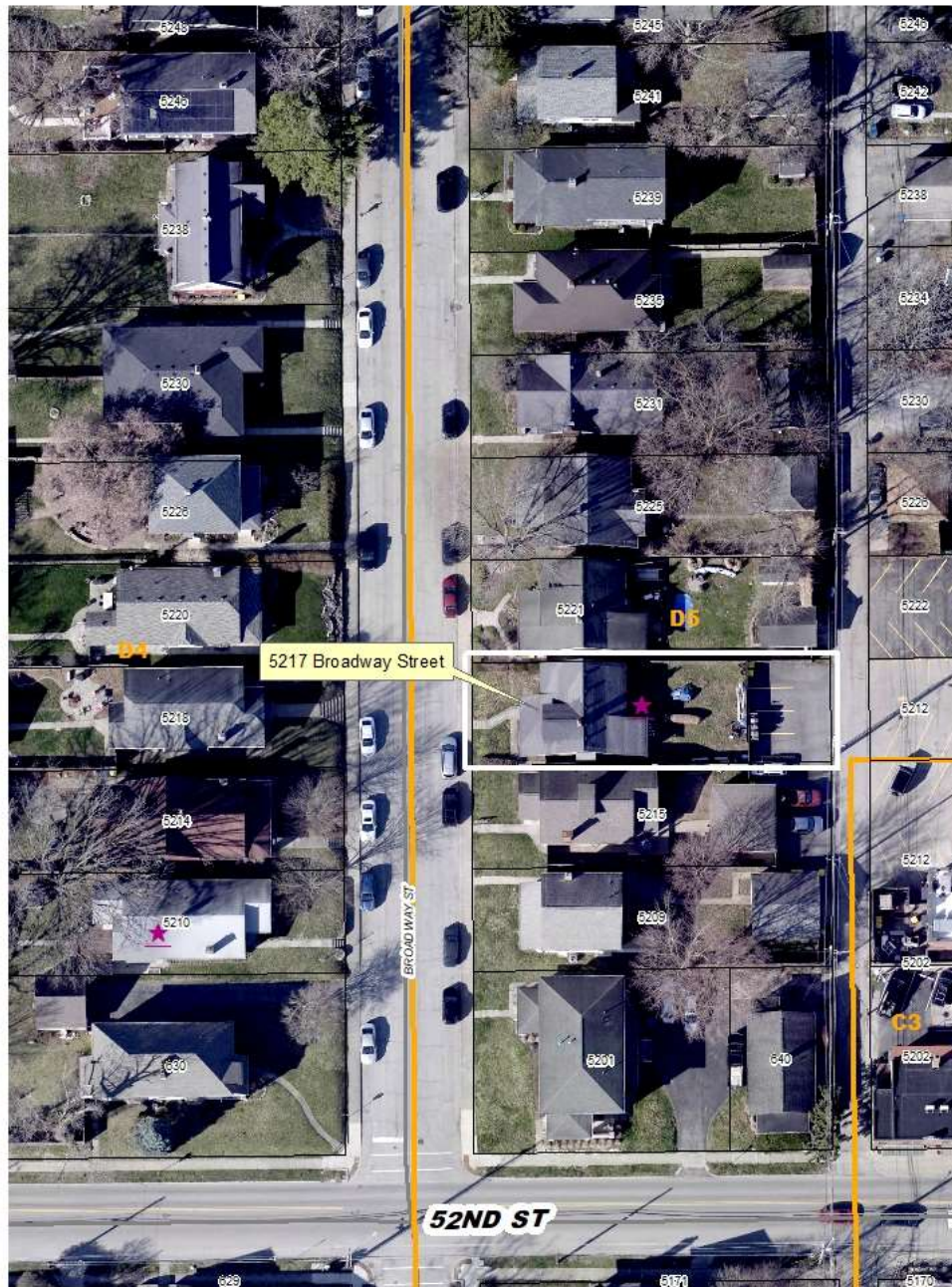
2012-HOV-035; 5108 Broadway Street (south of site), requested a Variance of Use and Development Standards of the Dwelling Districts Zoning Ordinance to legally establish a two-family dwelling on a 9,314.75-square foot lot, with 53 feet of lot width, **granted**.

2001-HOV-049; 614 East 52nd Street (west of site), requested a Variance of Development Standards to provide for the construction of an 18.5 by 18-foot attached garage on an existing foundation with a rear setback of 2 feet, **granted**.

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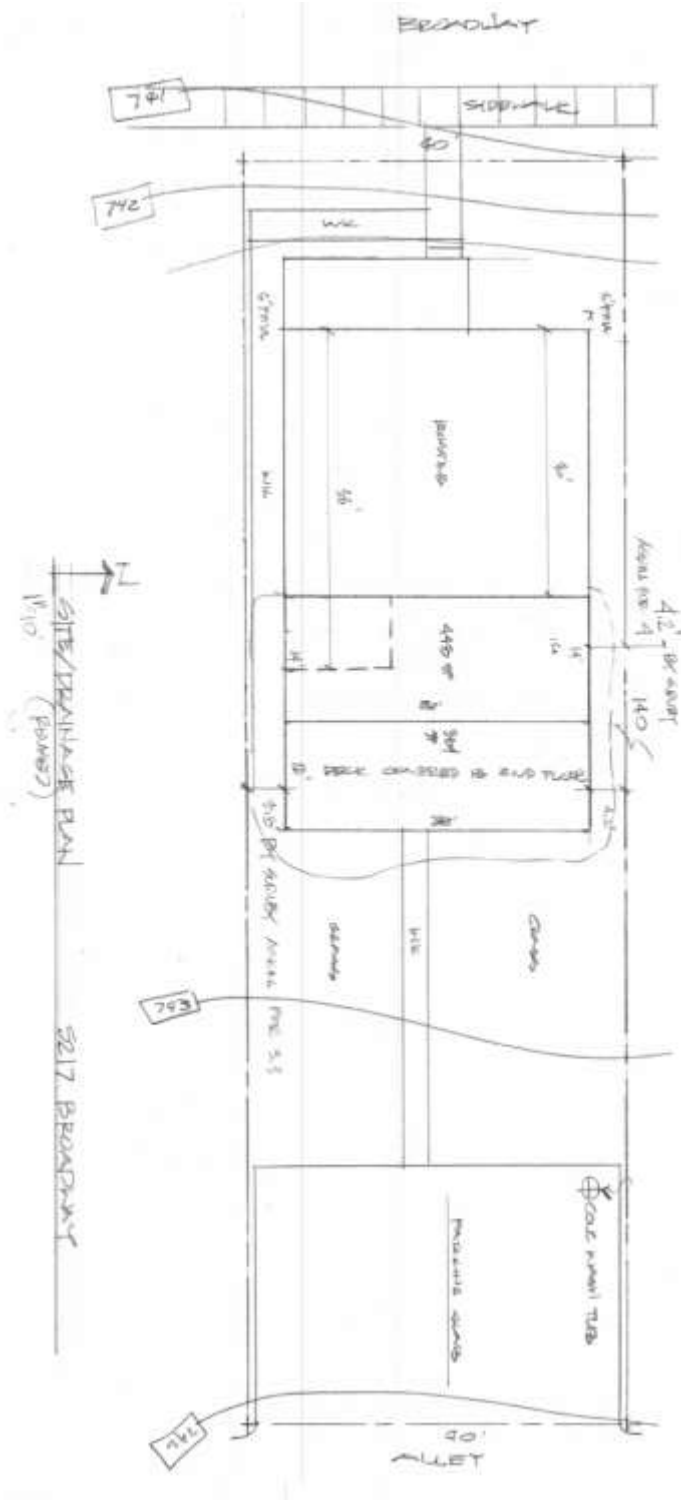
EXHIBITS

Location Map





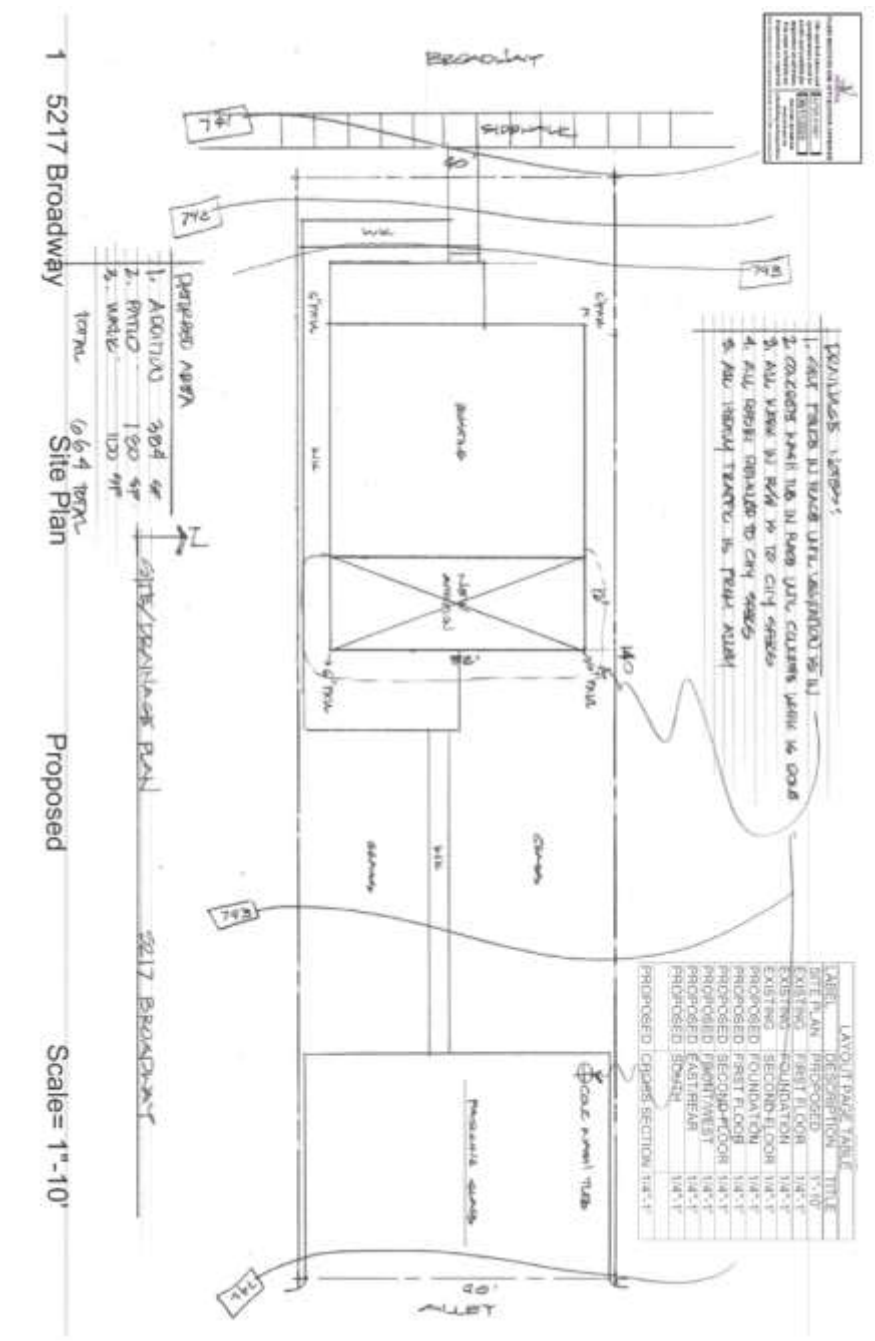
Site Plan





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Current Planning

Site Plan approved for permit ILP25-01021





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 grant will allow for the extension of an approved addition for private residential use.

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

the proposed addition will be consistent with development in the area and adjacent area.

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

existing residence was built prior to building code and extending along the existing side is not allowed past 50% resulting in a need for a reduction of required north side setback to 4' and south side setback to 3.5'.

Photographs



Subject site front, looking east from Broadway Street.



Subject site rear, looking west from adjacent rear alley.



Subject site proposed north side setback under construction, looking west.



Subject site proposed south side setback under construction, looking west.



Adjacent dwellings to the north, looking northeast



Adjacent dwellings to the south, looking southeast



BOARD OF ZONING APPEALS DIVISION I

April 7, 2026

Case Number: 2025-DV1-065

Property Address: 2929 Eagledale Drive (approximate address)

Location: Wayne Township, Council District #11

Petitioner: Grise Home & Property Group LLC, by Martin Jimenez

Current Zoning: D-5

Request: Variance of Development Standards of the Consolidated Zoning and Subdivision Ordinance to provide for a carport with a 0-foot side yard setback (5-foot setback required).

Current Land Use: Residential

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

Staff Reviewer: Michael Weigel, Senior Planner

PETITION HISTORY

3/3/26: During the period between hearings, staff became aware that legal notice requirements had not fully been met. To allow for 23 days between posting of the legal notice sign and the hearing, staff requested a continuance on the petitioner’s behalf to the April 7th, 2026 hearing date of Division I.

2/3/26: The petition was continued by the Board to the March 3rd, 2026 hearing date to allow for staff to make arrangements for a live translator to be present.

STAFF RECOMMENDATION

Staff recommends **denial** of this petition.

PETITION OVERVIEW

- 2929 Eagledale Drive is a residential property currently improved with a single-family residence originally constructed in 1956 per the Assessor’s property card. The site is midblock, along a curvilinear street, and is around 4973 square feet in size. Surrounding properties are also residential in nature, and the closest road of a non-local classification is 30th Street to the north. Per aerial photography, a carport with a width of 16 feet, supported by three (3) posts and with open walls was added onto the southeastern portion of the property in 2024.
- The violation case VIO24-005040 was opened June 2024 based on an anonymous complaint filed with the Mayor’s Action Center related to the parking of unlicensed cars. The Notice of Violation (within Exhibits below) cites the property for those vehicles, as well as for both a lack of



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distinct edging for gravel parking and areas and the lack of a zoning permit for the carport addition. Grant of this variance would not allow for relief from those Ordinance standards, and the site would need to be brought into compliance regardless of the disposition of this petition.

- Approval of this variance would relate to the setback encroachment that has resulted from placement of the carport without having permits in place. Although neither the notice of violation nor documentation provided by the applicant specified the precise setback of this improvement, aerial photography and staff’s visit seem to indicate that the carport would be directly adjacent to the border fence comprising the property boundary (resulting in a 0-foot setback where a 5-foot setback would be required).
- Staff would note that it doesn’t appear that the carport improvement is utilized for the parking of vehicles; instead, vehicles park on the driveway within the site’s front yard and the portion of the carport nearest the front property line is blocked by an opaque fence that appears to have been installed between 2019 and 2022. This fence and outdoor patio area predate the carport, and although the height of the fence was not cited within the violation staff notes that the maximum allowable height for this fence within a side yard would be 6 feet in height and that a fence exceeding that height could be citable.
- The property is zoned D-5 to allow for medium and large-lot housing formats, primarily for detached houses within either suburban neighborhoods or infill of established urban areas. Similarly, the Comprehensive Plan recommends the site to the Suburban Neighborhood typology to allow for development of predominantly single-family housing. Infill Housing Guidelines indicate that side setbacks and building spacing should reinforce spacing on the existing block, and that minimum spacing is needed to allow for maintenance and reduce the risk of fire spreading.
- Findings of Fact provided by the applicant indicate that grant of the variance would be justified since the carport covering the patio would be placed on their private property, and that the additional covered area wouldn’t result in difficulties related to rainfall runoff or site drainage. Staff would note that the Findings fail to identify any site-specific practical difficulty requiring placement of a carport with this width and proximity to the property line: the fact that the structure was placed without permits to verify ordinance compliance is a self-imposed difficulty, and staff would want to avoid the precedent of ‘asking for forgiveness instead of permission’.
- It also is unclear that placement of the roofed structure wouldn’t have a drainage impact on the adjacent property to the south, and the setback being reduced to 0 feet would fail to conform with relevant Infill Housing Guidelines. For these reasons, staff recommends denial of the variance.

GENERAL INFORMATION

Existing Zoning	D-5
Existing Land Use	Residential
Comprehensive Plan	Suburban Neighborhood
Surrounding Context	Zoning Surrounding Context



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North:	D-5	North: Residential
South:	D-5	South: Residential
East:	D-5	East: Residential
West:	D-5	West: Residential
Thoroughfare Plan		
Eagledale Drive	Local Street	70-foot existing right-of-way and 50-foot proposed right-of-way
Context Area	Metro	
Floodway / Floodway Fringe	No	
Overlay	No	
Wellfield Protection Area	No	
Site Plan	12/10/2025	
Site Plan (Amended)	N/A	
Elevations	12/20/2025	
Elevations (Amended)	N/A	
Landscape Plan	N/A	
Findings of Fact	12/20/2025	
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 Suburban Neighborhood typology is predominantly made up of single-family housing but is interspersed with attached and multifamily housing where appropriate. This typology should be supported by a variety of neighborhood-serving businesses, institutions, and amenities.

Red Line / Blue Line / Purple Line TOD Strategic Plan

- Not Applicable to the Site.

Neighborhood / Area Specific Plan

- Not Applicable to the Site.



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

Infill Housing Guidelines

- Infill Housing Guidelines indicate that the spacing between buildings should reinforce spacing on the existing block, and that insufficient spacing can create maintenance problems and increase the risk of fire spreading across 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

2008UV1033 ; 3901 W 30th Street (northwest of site), Variance of Use of the Dwelling Districts Zoning Ordinance to provide for a preschool (not permitted), **approved.**

83-V1-52 ; 2919 Corvallis Crescent (west of site), Variance of development standards to permit construction of an attached garage to within seventeen feet of the corner front building line, **approved.**

EXHIBITS

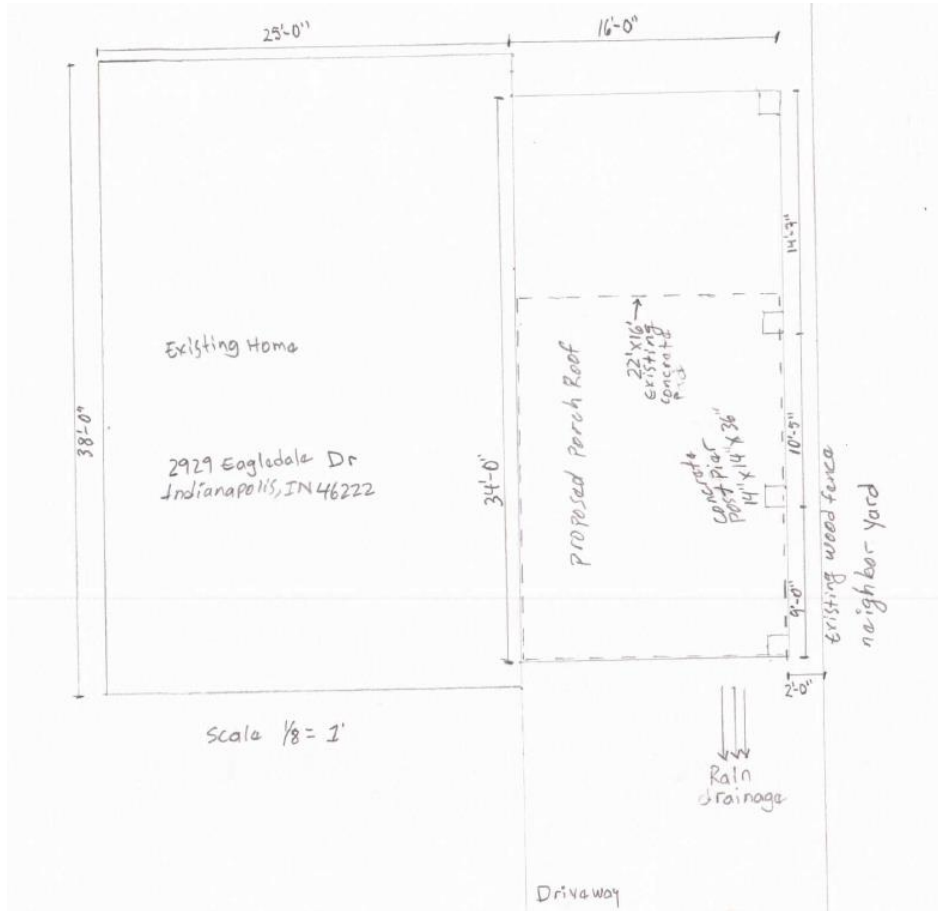
2025DV1065 ; Aerial Map



2025DV1065 ; Aerial Map (zoomed, prior to carport placement)



2025DV1065 ; Site Plan



2025DV1065 ; Elevation





2025DV1065 ; Findings of Fact

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

IT IS NOT FOR THE PUBLIC AT ALL, ITS SOMETHING PERSONAL

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:

NO, BECAUSE IT IS NOT CLOSE TO THE PROPERTY AND IT WAS CHECKED BEFORE WATER SLIDING OFF
WONT TOUCH OR BOTHER IT

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

THERE WILL BE NO DIFICULTIES IT IS A SIMPLE ROOF FOR SHADE

2025DV1065 ; Notice of Violation (VIO24-005040)

Section 740 -1005.A.2. Civil Zoning Violation

Specific Violation: The failure to obtain an Improvement Location Permit when one is required by the terms and provisions of the Zoning Ordinance; (740-801.A.2. - Failure to obtain an Improvement Location Permit (ILP) for a change in the roofline configuration of the structure...carport addition).

Section 740 -1005.A.2. Civil Zoning Violation

Specific Violation: The failure to obtain an Improvement Location Permit when one is required by the terms and provisions of the Zoning Ordinance; (740-801.A.2. - Failure to obtain an Improvement Location Permit (ILP) for increasing the height, size or lateral bulk of the structure...carport addition).

Section 740 -1005.A.4. Civil Zoning Violation

Specific Violation: The outdoor storage of inoperable vehicles in any zoning district, the provisions of which do not specifically permit such a use; (Any motor vehicle, racing vehicle, recreational vehicle, trailer, camper, boat, airplane, bus, truck, or similar vehicle, that cannot be driven, towed or hauled on a city street without being subject to the issuance of a traffic citation by reason of its operating condition or the lack of a valid license plate, or flat tires; or that is otherwise partially dismantled or mechanically inoperable...unlicensed Honda Pilot and Chevy Cruze).

Section 740 -1005.A.8. Civil Zoning Violation

Specific Violation: Failure to comply with use-specific standards and zoning district development standards for the D-5 district; (744-404.D.6.a. - Parking areas in front yards shall be paved with bricks, concrete, asphalt, permeable pavers or pavement, or a gravel surface with a distinct edge boundary to retain the gravel; the parking of vehicles on grass in the front yard is prohibited).

Section 740 -1005.A.8. Civil Zoning Violation

Specific Violation: Failure to comply with use-specific standards and zoning district development standards for the D-5 district; (Table 744-201-1: - Carport located in the 5ft. side yard setback).

2025DV1065 ; Photographs



Photo 1: Subject Site Viewed from Southwest



Photo 2: Subject Site Viewed from Southwest (October 2022)

2025DV1065 ; Photographs (continued)



Photo 3: Carport Viewed from Southwest



Photo 4: Carport Viewed from South

2025DV1065 ; Photographs (continued)



Photo 5: Adjacent Property to West



Photo 6: Adjacent Property to North (October 2024)



BOARD OF ZONING APPEALS DIVISION I

April 7, 2026

Case Number: 2026-DV1-001 (Amended)
Address: 445 Sanders Street (approximate address)
Location: Center Township, Council District #18
Zoning: D-8
Petitioner: NP Financial Services LLC, by Josh Smith
Request: Variance of Development Standards of the Consolidated Zoning and Subdivision Ordinance to provide for the construction of a two-family dwelling, encroaching within the clear sight triangle of Sanders Street and South East Street (not permitted).

Current Land Use: Undeveloped

Staff Recommendation: Staff recommends denial of this petition.

Staff Reviewer: Robert Uhlenhake, Senior Planner

PETITION HISTORY

This petition was previously automatically continued at the request of a Registered Neighborhood Organization from the March 3, 2026, to the April 7, 2026, hearing.

Amended Petition: The petition originally requested a variance of development standards to provide for the construction of a two-family dwelling with a 29-foot front setback, where a 19.9-foot maximum front setback is required. That request was withdrawn after the site plan was revised to provide for a 10-foot front setback. No new notice would be required as the request would be less intense than the published request.

STAFF RECOMMENDATION

Staff recommends **denial** of this petition.

PETITION OVERVIEW

- ◇ The request would allow for the construction of a two-family dwelling on the parcel, with a 10-foot front setback, located within the Clear Sight Triangle.
- ◇ The original request placed the dwelling with a 29-foot front setback. This required an additional variance for exceeding the 19.9-foot maximum setback in the Terrace frontage. However, Staff would point out that it would have moved the dwelling further south outside of the Clear Site Triangle, providing for a wider visibility area for vehicles approaching the intersection of Sanders and East Street.



- ◇ As amended, with the 10-foot front setback, the dwelling would be placed farther into the Clear Sight Triangle and provide for more obstructions of the turning radius visibility area, than what was previously proposed.

GENERAL INFORMATION

Existing Zoning	D-8	
Existing Land Use	Undeveloped	
Comprehensive Plan	Recommends Village Mixed-Use	
Surrounding Context	Zoning	Surrounding Context
	North:	D-8 Fourplex
	South:	C-3 Commercial Building
	East:	C-5 / D-P Single-Family dwellings
	West:	C-3 Single-family dwelling
Thoroughfare Plan		
Sanders Street	Local Street	50-foot existing and proposed right-of-way.
East Street	Primary Arterial	46-foot existing right-of-way, and 56-foot proposed right-of-way.
Context Area	Compact area	
Floodway / Floodway Fringe	No	
Overlay	N/A	
Wellfield Protection Area	N/A	
Site Plan - Amended	March 19, 2026	
Elevations	March 19, 2026	
Landscape Plan	N/A	
Findings of Fact- amended	March 19, 2026	

COMPREHENSIVE PLAN ANALYSIS

Comprehensive Plan

- The Comprehensive Plan recommends Village Mixed-Use typology.

Pattern Book / Land Use Plan

- The Pattern Book recommends the Village Mixed-Use typology, which creates neighborhood gathering places with a wide range of small businesses, housing types, and public facilities. This typology is intended to strengthen existing, historically small-town centers as well as to promote new neighborhood centers. Businesses found in this typology serve adjacent neighborhoods, rather than the wider community. This typology is compact and walkable, with parking at the rear of buildings. Buildings are one to four stories in height and have entrances and large windows facing the street. Pedestrian-scale amenities such as lighting, landscaping, and sidewalk furniture also contributes to a walkable environment in this typology. Uses may be mixed vertically in the same building or horizontally along a corridor. Public spaces in this typology are small and intimate, such as pocket parks and sidewalk cafes. This typology has a residential density of 6 to 25 dwelling units per acre.



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 were updated and approved in May 2021, with a stated goal “to help preserve neighborhood pattern and character by providing guiding principles for new construction to coexist within the context of adjacent homes, blocks, and existing neighborhoods. These guidelines provide insight into basic design concepts that shape neighborhoods, including reasons why design elements are important, recommendations for best practices, and references to plans and ordinance regulations that reinforce the importance of these concepts.”

These guidelines apply to infill development in residential areas within the Compact Context Area and include the following features:

Site Configuration

- Front Setbacks
- Building Orientation
- Building Spacing
- Open Space
- Trees, Landscaping, and the Outdoors

Aesthetic Considerations

- Building Massing
- Building Height
- Building Elevations and Architectural Elements

Additional Topics

- Secondary Dwelling Units, Garages, and Accessory Structures
- Adapting to the Future

“As established neighborhoods experience new development, infill residential construction will provide housing options for new and existing residents. Increased population contributes positively to the local tax base, economic development, lively neighborhoods, and an interesting city. As infill construction occurs, it is important to guide development in a way that complements current neighborhoods. Each home in a neighborhood not only contributes to the existing context of adjoining houses and the block, but to the sense of place of the entire neighborhood.

Indy Moves

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

- Not Applicable to the Site.



ZONING HISTORY

2025-ZON-035; 445 Sanders Street (subject site), requested the rezoning 0.12-acre from the C-3 to the D-8 district to provide for residential uses, **approved.**

2024-CZN-846 / 2024-CVR-846; 1267 and 1271 South East Street (south of site), requested rezoning of 0.214 acre from the D-P district to the MU-2 district to provide for a mixed-use development and a variance of development standards of the Consolidated Zoning and Subdivision Ordinance to provide for a building encroaching into the clear-sight triangle of South East Street and Orange Street and reduced parking, **approved and granted.**

2023-CZN-812 / 2023-CVR-812; 1257 South East Street (south of site), requested rezoning of 0.13 acre from the C-1 district to the D-5 district and variance of Development Standards of the Consolidated Zoning and Subdivision Ordinance to provide an 810-square foot secondary dwelling unit without an entrance visible from the public right-of-way, **approved and granted.**

2017-CZN-837; 1306 South East Street (south of site), requested rezoning of 0.8 acre from the C-3 district to the D-5 classification, **approved.**

2016-ZON-015; 1263 South East Street (south of site), requested rezoning of 0.11 acre, from the D-P District to the D-5 classification, **approved.**

2015-UV3-033; 1324 South East Street (south of site), requested variances of development standards of the Commercial Zoning Ordinance and Sign regulations to provide for expansion of an existing commercial building for a restaurant, with outdoor seating, reduced parking, carryout without the required separation from a protected district, zero-foot setbacks for the outdoor seating and parking lot, maneuvering within the right-of-way, and a pick-up window awning extending into the right-of-way, **granted.**

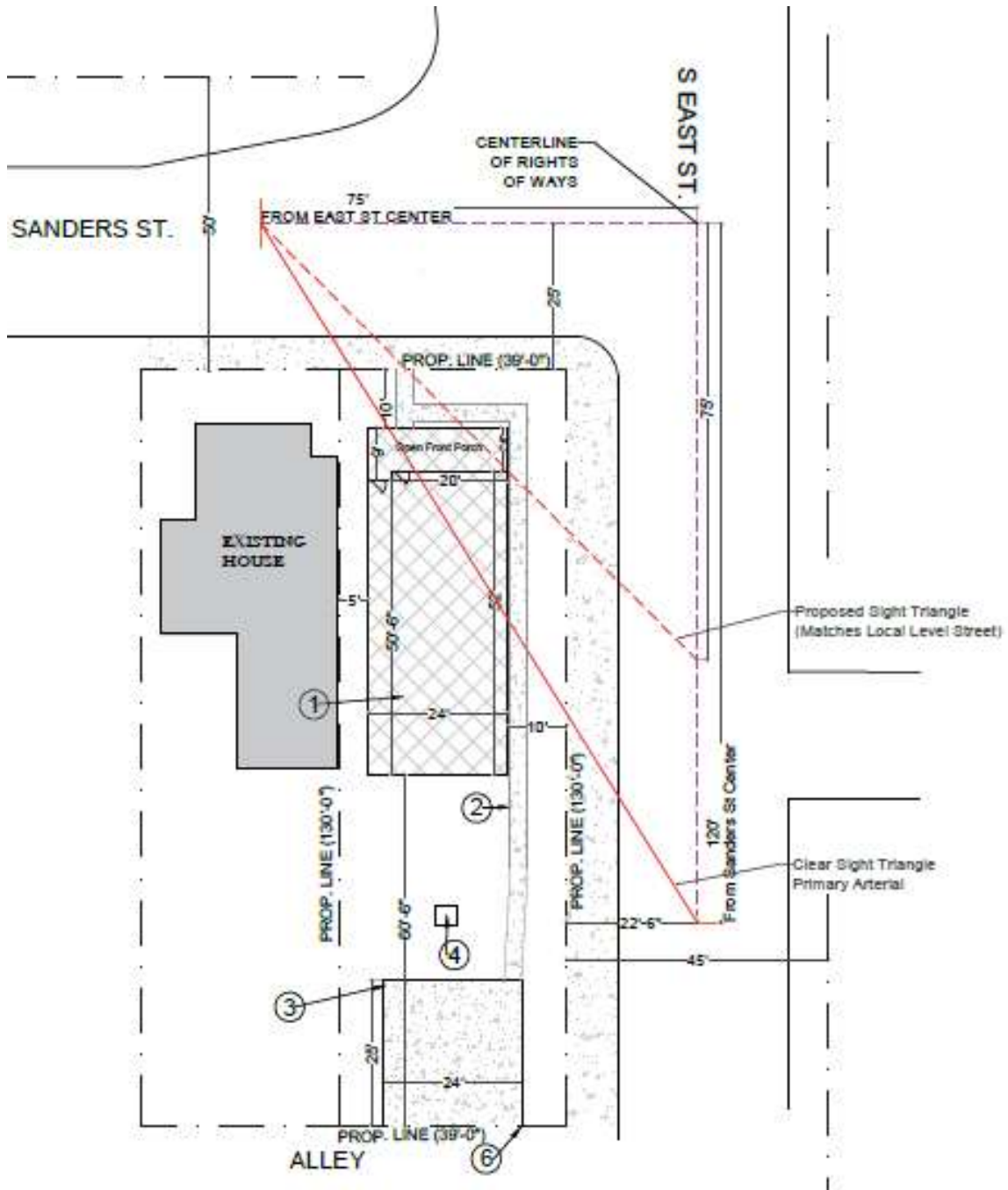
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EXHIBITS

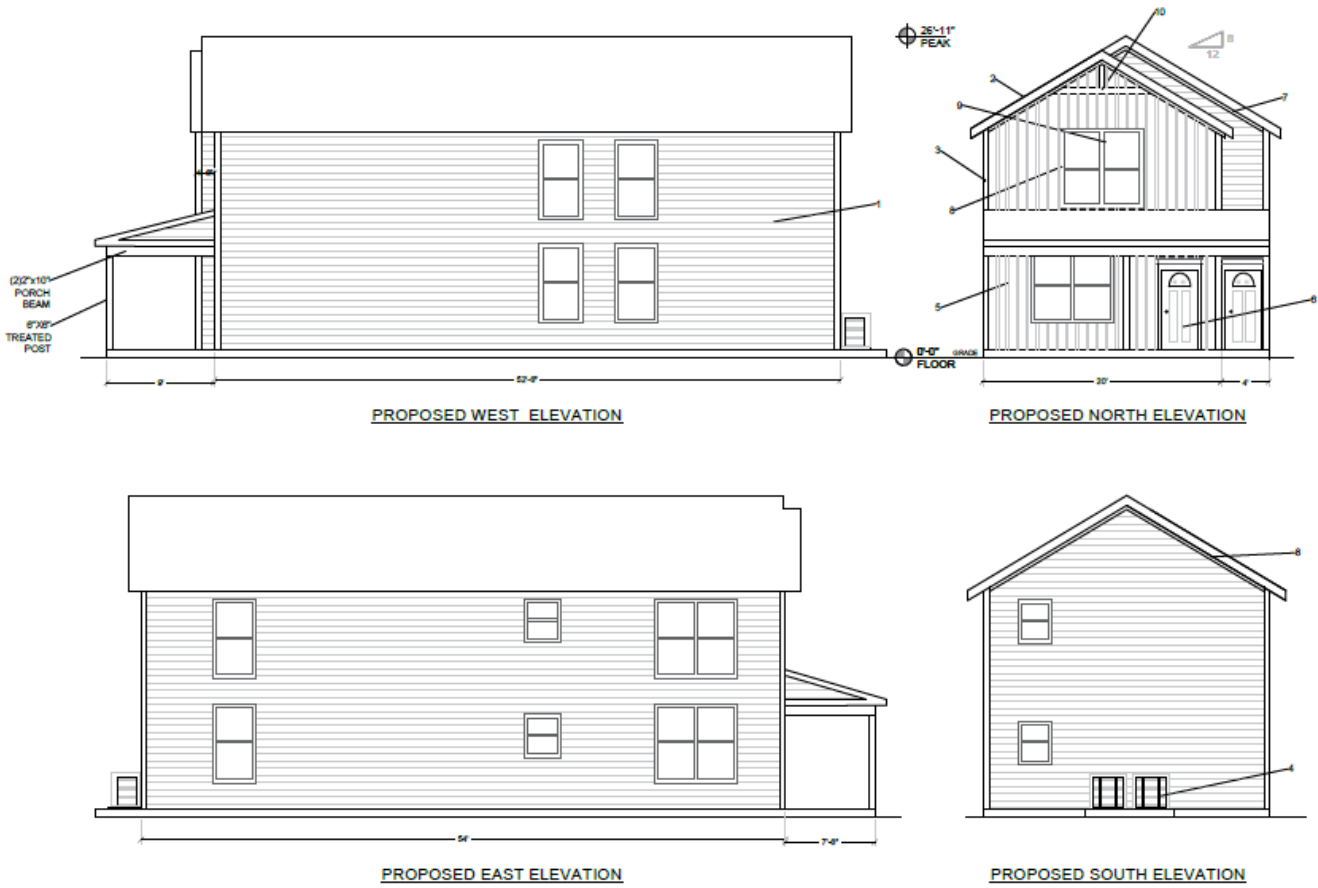
Location Map



Site Plan



Elevations





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:

This proposal will allow building a new 2-family home on a vacant lot within the proposed and recommended uses of the D8 zoning district. By maintaining the same block front building line, this will promote engagement between neighbors with the front porches aligned. The variance of sight triangle, while smaller than the ordinance standard, will still be maintained at a smaller level similar to what is required for a local-level -street. With the prohibition of the street parking on the west side of S East street, this variance still provides for an intersection with better visibility than the others within 500feet on S East st.

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

By granting this variance, a new home will be built on a vacant lot increasing the value of the surrounding area by increasing the investment in the area and eliminating one more vacant lot.

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

This lot imposes a hardship by nature of its location and the current ordinance standards. Without a variance is not possible to build a home while meeting the maximum front setback and while keeping the primary arterial clear sight triangle empty. This variance allows a compromise of the clear sight triangle standard with a reduced triangle and while maintaining the historic placement of the past home on this lot and keeping the consistent line and rhythm of the block's historic front building line.

Photographs



Photo 1 - Subject property looking south.



Photo 2 - Adjacent property to the west, looking south.



BOARD OF ZONING APPEALS DIVISION I

April 7, 2026

Case Number: 2026-DV1-004
Address: 6535 North Olney Street (approximate address)
Location: Washington Township, Council District #3
Zoning: D-2
Petitioner: Chris Schmidt
Request: Variance of Development Standards of the Consolidated Zoning and Subdivision Ordinance to provide for the installation of a privacy fence not to exceed twelve (12) feet in height in the rear yard (maximum height six feet permitted in rear yards).

Current Land Use: Single-Family Dwelling

Staff Recommendation: Staff recommends denial of this petition.

Staff Reviewer: Robert Uhlenhake, Senior Planner

PETITION HISTORY

This petition was previously continued from the March 3, 2026, hearing, to the April 7, 2026, hearing, in order to meet the legal notice requirements.

STAFF RECOMMENDATION

Staff recommends **denial** of this petition.

PETITION OVERVIEW

- ◇ Development Standards of the Consolidated Zoning and Subdivision Ordinance permits a maximum fence height of six (6) feet in the rear yard. The purpose of the height limitation is to create an open appearance among dwellings, prevent blocking views, limit the negative visual impacts on adjacent properties, and prevent a canyonized effect when multiple tall fences are permitted in the same area.
- ◇ 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 be built as proposed in the rear yard with a height of 6 feet. In addition, supplemental plantings with no height restriction could be added to increase any needed additional height, barrier, or security.



GENERAL INFORMATION

Existing Zoning	D-2	
Existing Land Use	Single-Family Dwelling	
Comprehensive Plan	Suburban Neighborhood	
Surrounding Context	Zoning	Surrounding Context
	North:	D-2 Single-Family dwelling
	South:	D-2 Single-Family dwelling
	East:	D-2 Single-Family dwelling
	West:	D-2 Single-Family dwelling
Thoroughfare Plan		
North Olney Street	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	January 5, 2026	
Elevations - Fence	January 5, 2026	
Landscape Plan	N/A	
Findings of Fact	January 5, 2026	

COMPREHENSIVE PLAN ANALYSIS

Comprehensive Plan

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

Pattern Book / Land Use Plan

- The Pattern Book recommends the Suburban Neighborhood typology which is predominantly made up of single-family housing but is interspersed with attached and multifamily housing where appropriate. This typology should be supported by a variety of neighborhood-serving businesses, institutions, and amenities. Natural Corridors and natural features such as stream corridors, wetlands, and woodlands should be treated as focal points or organizing systems for development. Streets should be well-connected, and 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

N/A

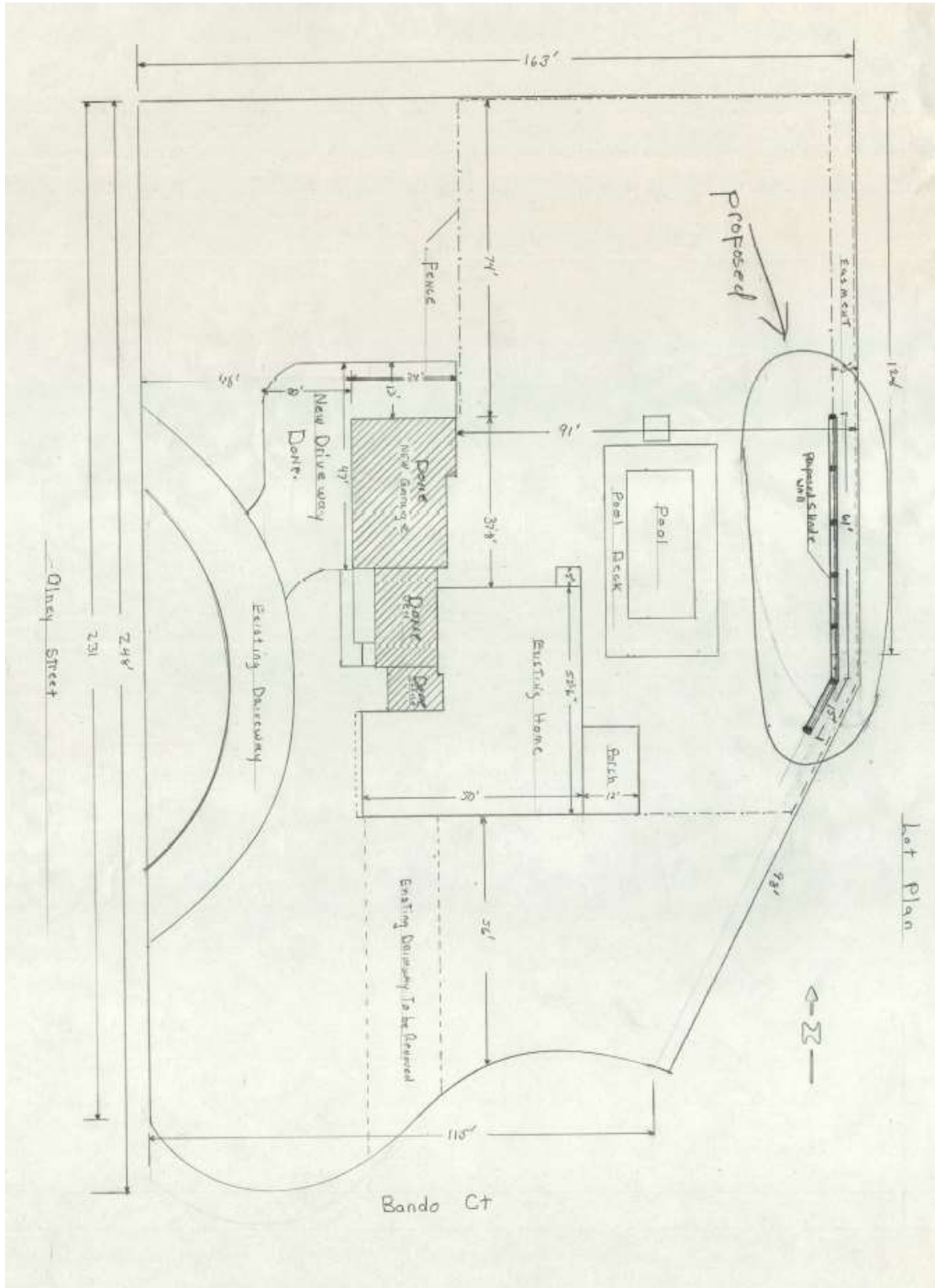
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EXHIBITS

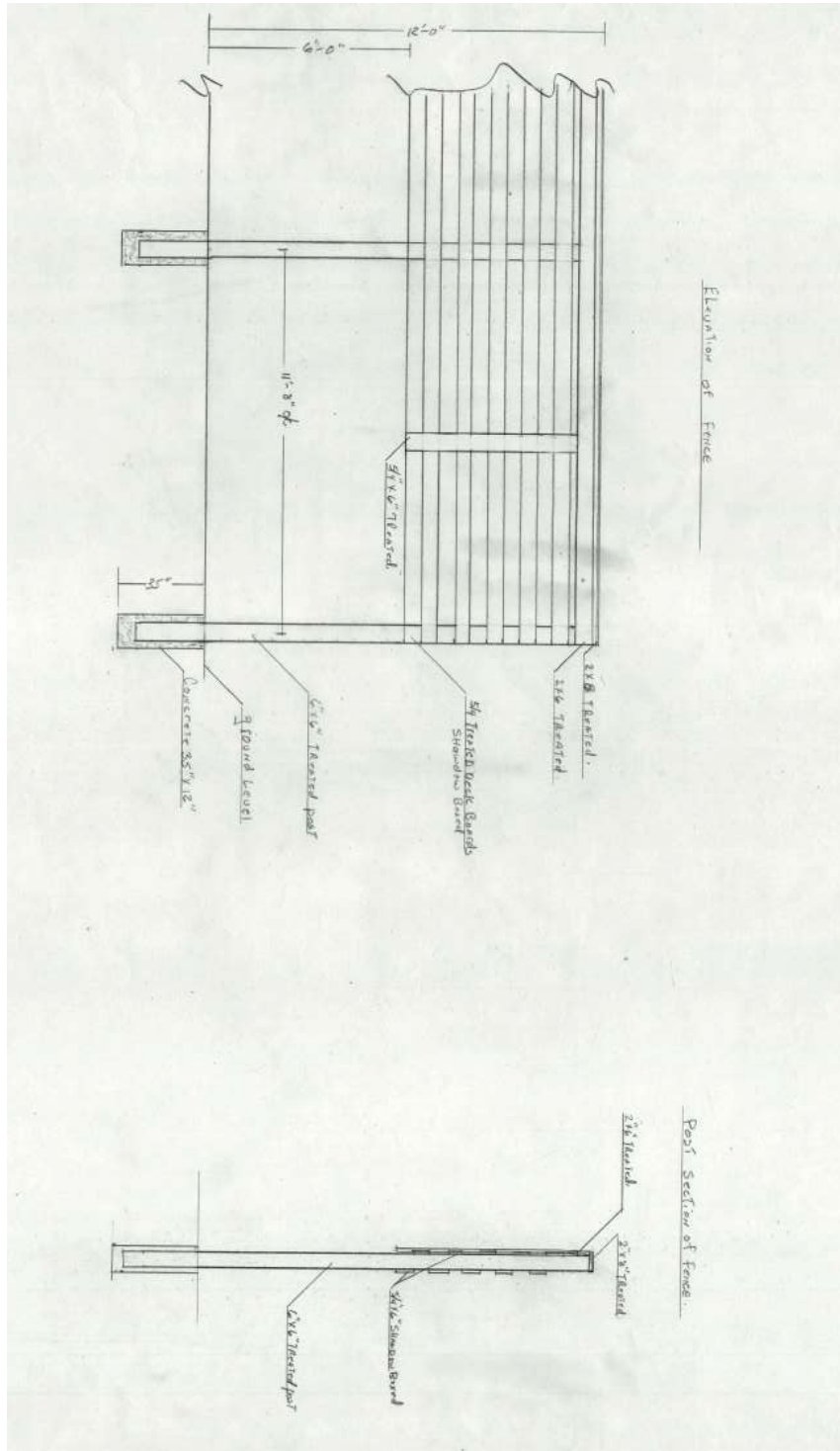
Location Map



Submitted Site Plan



Submitted Fence Elevations





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:

Proposed Fencing wall will be 5 feet
from property line and visible by 3 Highways.

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:

Being a decorative wall and adding privacy
for neighbor

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

Inground pool neighbor built 2 story deck
overlooking our pool area.

DECISION

Photographs



Subject property looking northeast.



Subject property looking east from Olney Street.



Subject property proposed fence looking northeast.



Subject property proposed fence looking north.



BOARD OF ZONING APPEALS DIVISION II **April 7, 2026**

Case Number: 2026-UV1-002

Property Address: 5301 West 56th Street (approximate address)

Location: Pike Township, Council District #6

Petitioner: Mirza W.A. Baig, by David Kingen and Justin Kingen

Current Zoning: D-A (FF) (FW)

Request: Variance of Use of the Consolidated Zoning and Subdivision Ordinance to legally establish a four-unit apartment building as a second primary structure on a lot (not permitted).

Current Land Use: Residential

Staff Reviewer: Michael Weigel, Senior Planner

PETITION HISTORY

4/7/26: The petitioner indicated that they would seek a continuance to the May 12, 2026 hearing date in order to allow time for a fire inspection of the unpermitted multifamily dwelling on the property. A full staff report will be made available in advance of the May 12th hearing date.

3/3/26: A timely automatic continuance request was filed by a registered neighborhood organization. This petition will be automatically continued to the April 7, 2026 hearing date of Division I.



BOARD OF ZONING APPEALS DIVISION I **April 7, 2026**

Case Number: 2026-DV1-007
Address: 4137 North Sherman Drive (approximate address)
Location: Washington Township, Council District #8
Zoning: D-2
Petitioner: DeAndre Smith
Request: Variance of Development Standards of the Consolidated Zoning and Subdivision Ordinance to provide for the installation of a 6-foot fence within the front yard (maximum 3.5-foot tall fence permitted within front yards).

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 hearing for this petition.

STAFF RECOMMENDATION

Staff recommends **denial** of this petition.

PETITION OVERVIEW

- ◇ Development Standards of the Consolidated Zoning and Subdivision Ordinance permits a maximum fence height of 42 inches within the front yard, and six (6) 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 be built as proposed in the front yard with a height of 3.5 feet, and then increasing to six (6) feet behind the adjacent dwelling. In addition, supplemental plantings could be added to increase any needed barrier or security.

GENERAL INFORMATION

Existing Zoning	D-2	
Existing Land Use	Single-Family Dwelling	
Comprehensive Plan	Suburban Neighborhood	
Surrounding Context	Zoning	Surrounding Context
	North:	D-2 Single-Family dwelling
	South:	D-2 Single-Family dwelling
	East:	D-2 Single-Family dwelling
	West:	D-2 Single-Family dwelling
Thoroughfare Plan		
Sherman Drive	Primary Arterial	90-foot existing and proposed right-of-way.
Context Area	Compact area	
Floodway / Floodway Fringe	No	
Overlay	N/A	
Wellfield Protection Area	No	
Site Plan	January 16, 2026	
Elevations	N/A	
Landscape Plan	N/A	
Findings of Fact	January 16, 2026	

COMPREHENSIVE PLAN ANALYSIS

Comprehensive Plan

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

Pattern Book / Land Use Plan

- The Pattern Book recommends the Suburban Neighborhood typology which is predominantly made up of single-family housing but is interspersed with attached and multifamily housing where appropriate. This typology should be supported by a variety of neighborhood-serving businesses, institutions, and amenities. Natural Corridors and natural features such as stream corridors, wetlands, and woodlands should be treated as focal points or organizing systems for development. Streets should be well-connected, and 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

2007-DV3-045; 3831 East 42nd Street (north of site), requested a Variance of Development Standards of the Dwelling Districts Zoning Ordinance to provide for the construction of a 613.8-square foot attached garage addition with a zero-foot west side setback, resulting in an accessory use area of 3,905.4 square feet or 145.4 percent of the total living area of the primary structure, granted.

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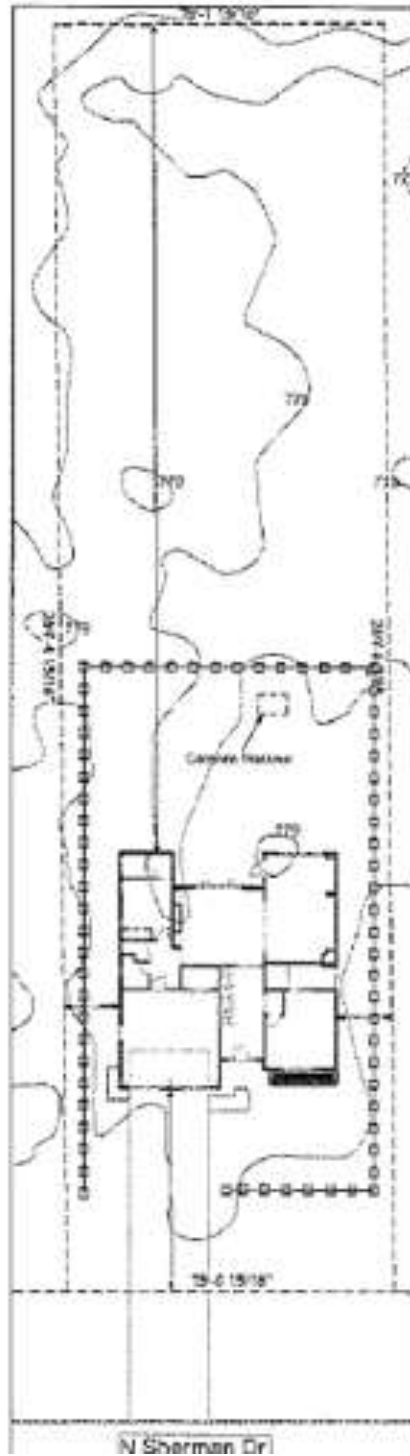
EXHIBITS

Location Map



Submitted Site Plan

Terrain Plan View
1/16 in = 1 ft





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 height of the fence has never been altered from when the home was oppurchased.
The builder built the home next door with the same fence height several years ago.

The final inspection by the petitioner before closing a year ago was never aware of any code violations.

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 does not obstruct any view of the home.

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

The removal of the fence would cause a financial hardship for the petitioner.

Photographs



Subject property looking northeast.



Subject property looking southeast.



Adjacent Single Family Dwelling to the south of subject site, looking east.



Adjacent Single Family Dwelling to the west of subject site.



BOARD OF ZONING APPEALS DIVISION I **April 7, 2026**

Case Number: 2026-DV1-011

Property Address: 2562 North Bancroft Street (approximate address)

Location: Center Township, Council District #8

Petitioner: Edward Hansen, by John Cross

Current Zoning: I-3/D-4

Request: Variance of Development Standards of the Consolidated Subdivision and Zoning Ordinance to allow for a 1,344 square foot barn with a primary dwelling totaling 1,335 square feet (detached accessory structure larger than primary dwelling are not permitted).

Current Land Use: Residential

Staff Recommendations: Staff recommends **denial** of the variance.

Staff Reviewer: Josh Levesque, Senior Planner

PETITION HISTORY

There is no previous history for this petition.

STAFF RECOMMENDATION

Staff recommends **denial** of the variance.

PETITION OVERVIEW

This petition would legally establish a barn with greater square footage (1,344 square feet) than its primary structure (1,335 square feet). As indicated in VIO24-001564, this barn was constructed without the necessary Improvement Location Permit (ILP), a process intended to ensure developments are constructed to the proper standards.

The violation also cited the barn (a detached accessory structure) for being taller than the primary structure. Chapter 443-306-A2c indicates that “the height of any accessory building or minor residential structure shall be less than the height of the primary building.” The petitioner has indicated, and ILP records (ILP25-01135) show, that they intend to remedy this matter by increasing the height of the roof on the house. While this will solve the height violation, the issue of square footage remains. Chapter 743-306-A2b indicates that “the horizontal land area of any one accessory building or minor residential structure must be less than the horizontal land areas covered by the primary building.”



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

This matter has previously come before the board in 2024UV1019 when the petitioner requested a use variance (after the barn had been built without the necessary permits) to permit 1) the construction of the barn in the floodway fringe and 2) to allow for it to be taller and larger than the primary structure. The Board denied both variances. In staff’s analysis, no site-specific practical difficulties have emerged since the previous denial and any difficulties are self-imposed. Construction in the floodway is a serious matter and requires approval; the 2024 denial of the variance established the insufficiency of the plan to construct at that time and this is a clear violation of the Board’s order. As such, staff recommends denial of this petition.

GENERAL INFORMATION

Existing Zoning	I-3/D-4	
Existing Land Use	Residential	
Comprehensive Plan	Suburban Neighborhood	
Surrounding Context	Zoning	Surrounding Context
	North:	I-3 North: Industrial
	South:	D-4 South: Residential/Undeveloped
	East:	D-4 East: Residential
	West:	I-4 West: Industrial
Thoroughfare Plan		
Bancroft Street	Local Street	50-foot existing right-of-way and 48-foot proposed right-of-way
Context Area	Compact	
Floodway / Floodway Fringe	Yes; Floodway (FW), Floodway Fringe (100), & Floodway Fringe (500)	
Overlay	No	
Wellfield Protection Area	No	
Site Plan	1/28/2026	
Site Plan (Amended)	N/A	
Elevations	N/A	
Elevations (Amended)	N/A	
Landscape Plan	N/A	
Findings of Fact	1/28/2026	
Findings of Fact (Amended)	N/A	

COMPREHENSIVE PLAN ANALYSIS

Comprehensive Plan

- Marion County Land Use Plan Pattern Book



Department of Metropolitan Development
Division of Planning
Current Planning

Pattern Book / Land Use Plan

- The Marion County Land Use Plan Pattern Book assigns this property the “Suburban Neighborhood” living typology. This typology “is predominantly made up of single-family housing, but is interspersed with attached and multifamily housing where appropriate. This typology should be supported by a variety of neighborhood-serving businesses, institutions, and amenities. Natural Corridors [sic] and natural features such as stream corridors, wetlands, and woodlands should be treated as focal points or organizing systems for development. Streets should be well-connected and 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

ZONING HISTORY – SITE

58-Z-116; Requesting Rezoning of 7.234 acres from an R-4 district to an I-3 district; **approved**.

2024-UV1-019; Variance of Use and Development Standards of the Consolidated Zoning and Subdivision Ordinance to provide for the construction of a non-permitted minor residential structure within the floodway fringe, being larger and taller than the primary building, **denied**.

ZONING HISTORY – VICINITY

68-Z-103; **4715 Massachusetts Avenue**, Requesting Rezoning of 19.3 acres from I4U to SU18, **approved**.



Department of Metropolitan Development
Division of Planning
Current Planning

83-Z-48; 2619 Emerson Avenue, Requesting Rezoning of 0.75 acres from D4 to C3, **approved**.

90-Z-212; 2828 N Emerson Avenue, Requesting Rezoning of 5.9 acres from D4/I3U to I3U, **approved**.

2001ZON021; 2556 N Emerson Avenue, Requesting Rezoning of 1.110 acres from D4 to C3, **approved**.

86-UV1-57; 2554 N Emerson Avenue, Variance of Use of the Dwelling Districts Zoning Ordinance and a variance of the development standards of the Sign Regulations to provide for the addition of a pricing panel to an existing pole sign, **approved**.

88-V3-55; 6717 Massachusetts Avenue, Variance of Development Standards of the Industrial Zoning Ordinance to provide for no street frontage, for a four-foot side yard, and for additional outside storage, **approved**.

90-HOV-35; 2554 N Emerson Avenue, Variance of Development Standards of the Commercial Zoning Ordinance to permit the placement of gasoline pricing panels on an existing pole sign, **approved**.

94-HOV-72; 2554 N Emerson Avenue, Variance of Development Standards of the Sign Regulations to provide for the placement of a 179.42 square foot illuminated pole sign and to be placed 15 feet from Emerson Avenue and Emerson Court North Drive, for an existing gasoline station and convenience store, **approved**.

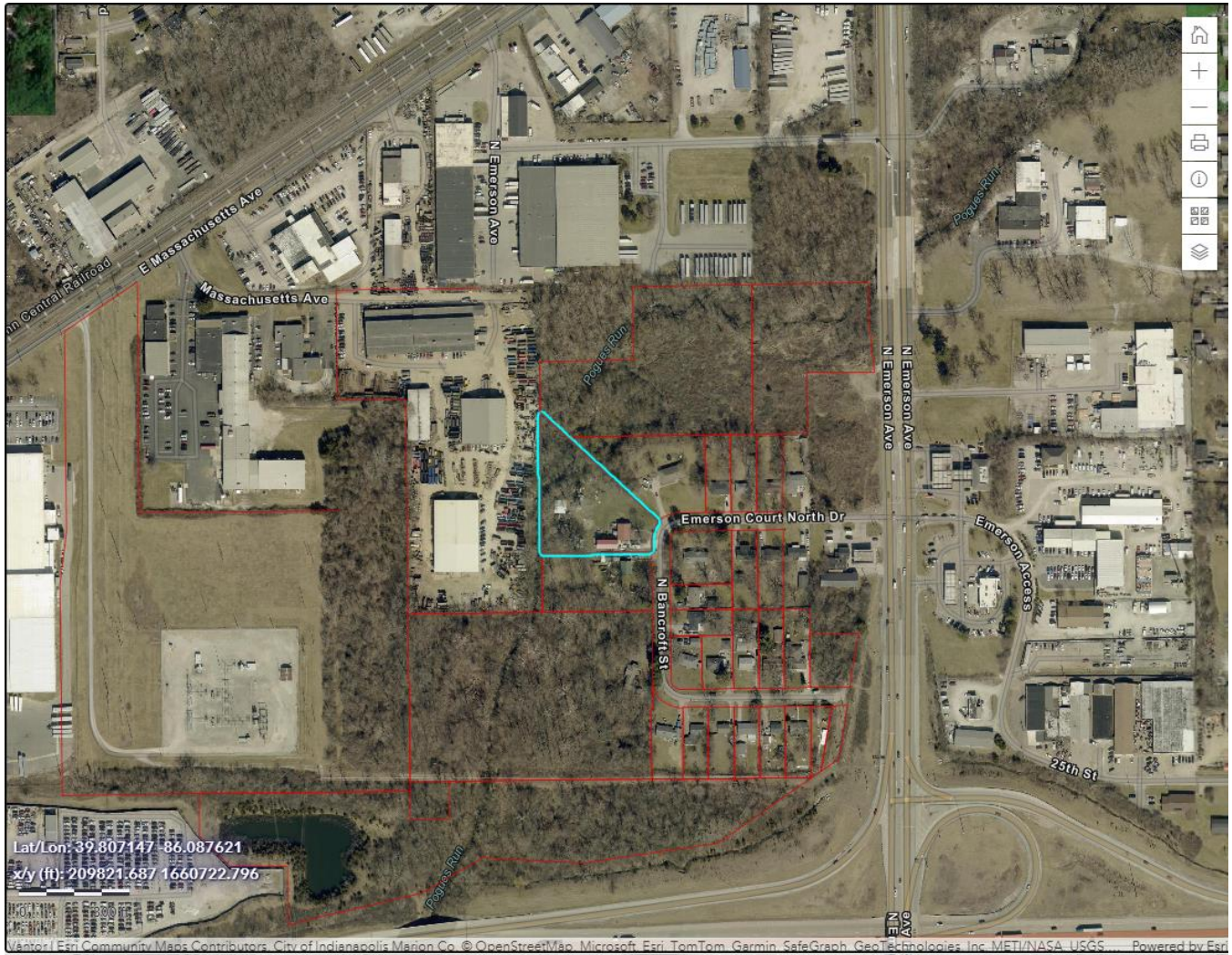
95-HOV-8; 2554 N Emerson Avenue, Variance of Development Standards of the Sign Regulations Zoning Ordinance to provide for the placement of an illuminated canopy sign located 13 feet from Emerson Avenue and a 41 square foot wall sign and reader board, for an existing gasoline station and convenience store, **approved**.

2012UV3002; 2554 N Emerson Avenue, Variance of Use and Development Standards of the Commercial Zoning Ordinance and the Sign Regulations to legally establish a retail tire shop and various other sign and development standards, **approved**.

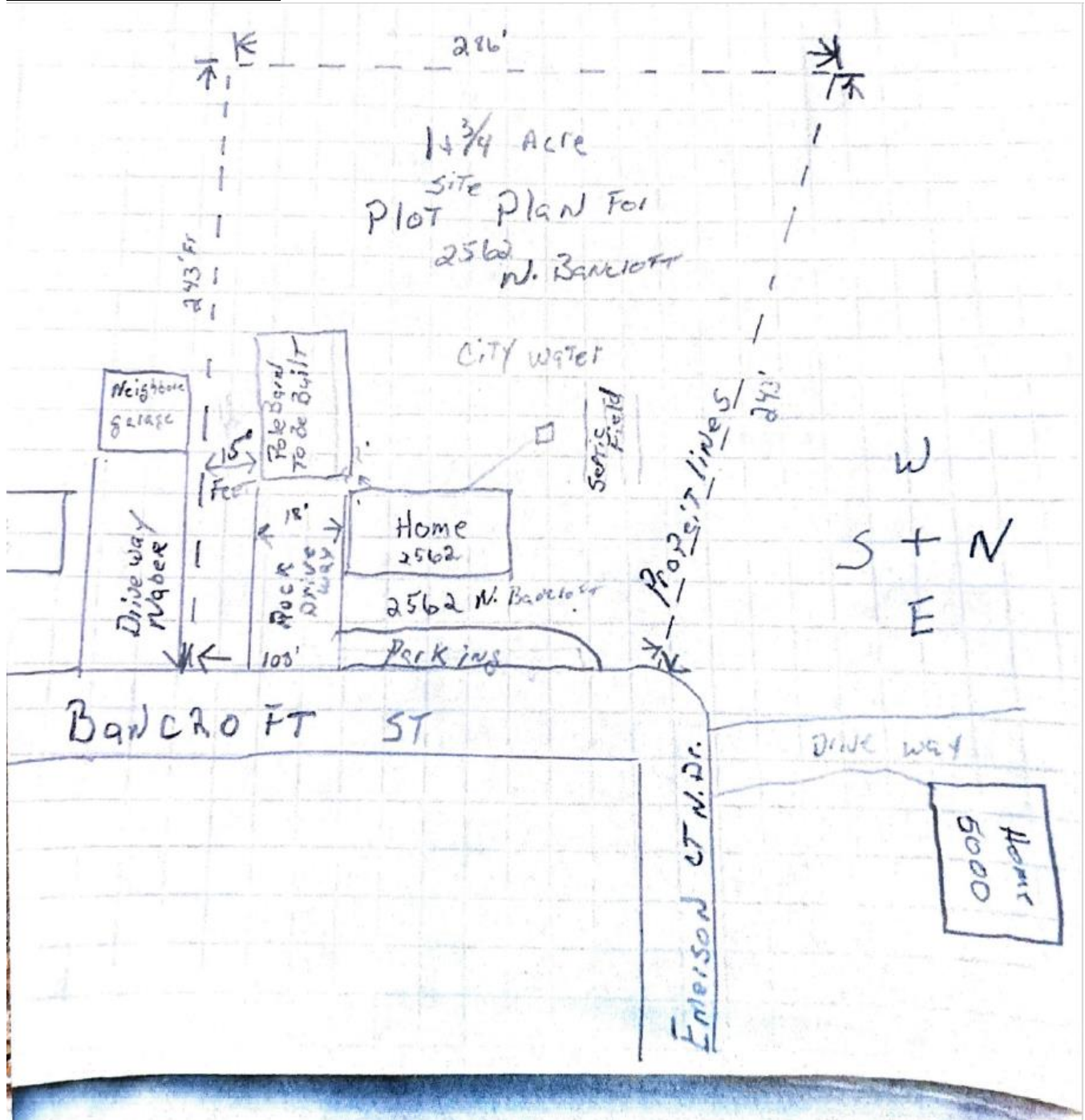


Department of Metropolitan Development
Division of Planning
Current Planning

EXHIBITS
2026DV1011; Aerial Map (Present)



2026DV1011; Site Plan





2026DV1011; Findings of Fact

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

the barn has existed without negative impact to flooding issues on the property or surrounding areas. The property is large and the primary structure and barn square footage are small compared to the lot size. A larger primary structure could be constructed that would support the size of the existing barn. The barn meets all other standards for being in a floodplain. Newly installed retention ponds southwest of the property and just north of I-70 have alleviated flooding issues on the property.

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 property's structures and sizes are comparable to the abutting southern property. The lot is larger than surrounding lots to the east and the structures are not much larger in comparison to surrounding properties. The barn does not impede the use or value of any surrounding properties.

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

The barn is slightly within the floodplain and less so than structures on the southern property. The barn connects to the existing drive which is on the south of the primary structure making it the ideal location for the barn compared to areas outside the floodplain. The newly installed retention pond north of I-70, southwest of the property, has lessened the

2026DV1011; Photographs



Photo 1: Subject property primary dwelling

2026DV1011; Photographs (cont'd)



Photo 2: Subject property barn (taller than primary dwelling)

2026DV1011; Photographs (cont'd)



Photo 3: Highlighting that barn is detached accessory structure from primary dwelling

2026DV1011; Photographs (cont'd)



Photo 4: Highlighting the footprint of the barn

2026DV1011; Photographs (cont'd)



Photo 5: Surrounding homes for context



BOARD OF ZONING APPEALS DIVISION I

April 7, 2026

Case Number:	2026-DV1-012
Property Address:	3675 West 11 th Street (<i>approximate address</i>)
Location:	Wayne Township, Council District #12
Petitioner:	Manuel Alonso Marrufo Villa & Maria Elena Marrufo, by Epifanio Carbajal
Current Zoning:	D-5
Request:	Variance of Development Standards of the Consolidated Zoning and Subdivision Ordinance to provide for the construction of a detached garage with a 3-foot side setback (7-foot required), a 3-foot rear setback (5-foot required), and within an easement (encroachment into easements prohibited), accessed by a driveway resulting in a 60-foot width of parking area in the front yard (parking areas limited to 30-foot width in front yards) and a landscape area of 54.2% along the frontage (minimum 65% required).
Current Land Use:	Residential
Staff Recommendations:	Staff recommends denial of the requests.
Staff Reviewer:	Michael Weigel, Principal Planner I

PETITION HISTORY

This is the first public hearing for this petition.

STAFF RECOMMENDATION

Staff recommends **denial** of the requests.

PETITION OVERVIEW

- 3675 West 11th Street is a triangularly-shaped residential parcel with a size of approximately 0.25 acres. As of 2023, the property was developed with a single-family residence and detached front-loaded garage to the west of the home. Adjacent land uses include other residences to the north and east, and a rail line to the southwest. Overhead power lines exist roughly parallel with the property's eastern boundary line, and the site is only accessible via multiple local streets.
- In 2024, the property was improved with an additional gravel driveway and parking area along the eastern portion of the site. It does not appear that a driveway permit was obtained to allow for the vehicle access. Similarly, construction began on a detached garage in 2025 for which no permits were sought from or approved by the Department of Business and Neighborhood Services.



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

- The violation case VIO25-010512 was opened in November of 2025 in response to a complaint filed with the Mayor’s Action Center. The full text of the 15 violations cited at the property is within the Exhibits below. Non-conformities noted by that inspection included the need for permits for the partially built structure as well as an addition onto the primary residence, the encroachment of that new building into required setbacks, outdoor storage of miscellaneous debris and vehicle parts, the parking of commercial and recreational vehicles and a trailer, the width of front-yard driveways, and the unpermitted operation of a construction contractor use in a residential zone.
- Approval of this petition would allow for the property owner to keep and complete construction of the second, partially built detached garage in its current location. They would also reduce the width of the new gravel driveway on the east of the site from the 19 feet shown within aerial photography (see Exhibits) to 10 feet for a total of 60 feet of driveway area in the front yard. Per correspondence from the applicant received in February of 2026, “the homeowner has acquired a warehouse, and that is where he has been and will continue to store his construction and recreational vehicles”. Approval of this variance would not allow for any commercial activity or operation at the site.
- Based on the contents of VIO25-010512, discussion with the petitioner, and staff’s own review of applicable dimensional standards, the following variances would be required:
 - The partially built detached garage has a side setback of three (3) feet from the eastern property line where seven (7) feet would be the applicable minimum.
 - The partially built detached garage has a rear setback of three (3) feet from the southwestern property line where five (5) feet would be the applicable minimum.
 - Due to the existence of overhead power lines along the eastern property line, there is a 4-foot easement that runs parallel to the eastern property line. The partially built detached garage is partially within this easement (which is not permitted).
 - The width of front-yard driveway and parking areas would total 60 feet: 10 feet for the gravel driveway and 50 feet in front of the existing house and detached garage. This would be double the applicable maximum of 30 feet.
 - The driveway addition would also result in only 54.2% of the front yard area being comprised of grass or other landscaped materials. This zoning district and frontage type would require a front yard with at least 65% landscaped materials.
- Staff’s review also concluded that variances related to the size and height of the garage as compared to the existing residence would not be required (the primary building would have a height of 15.5 feet and an area of 1210 square feet, while the garage would have a height of 14.5 feet and an area of 1188 square feet). Additionally, the open space ratio would be compliant, and no alley access would exist for this property unlike neighboring parcels to the east. However, staff would note that approval of this petition would not exempt the property owner from the need for a driveway permit, and that the Department of Public Works has a separate set of rules distinct from the Zoning Ordinance that would disallow two driveways on a single residential property. Even if variances are approved, it is unlikely that a driveway permit would be issued for a second access point for the same property where a 50-foot access already exists.



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

- The subject site is zoned D-5 (Dwelling District Five) to allow for medium- and large-lot housing formats, primarily for detached houses in either new, walkable suburban neighborhoods or for infill situations in established urban areas. Similarly, the Near West Neighborhood Land Use Plan recommends residential development with a density of 5-8 dwelling units per acre for this area. Finally, Infill Housing Guidelines indicate that setbacks should reflect existing spacing on the block while allowing room for maintenance, and that front-yard areas should utilize trees and landscape areas to create aesthetically pleasing and sustainable residential communities.
- Findings of Fact provided by the applicant in support of this filing are minimal, and mention that grant of these variances would allow for on-site vehicle parking as opposed to the utilization of on-street parking. Staff would note that no site-specific practical difficulty was identified by these Findings, and that if permits had been sought prior to the placement of improvements on the property these dimensional standards issues could have been identified and plans could have been altered prior to construction. Additionally, compliance with applicable residential building standards, Fire Code, and drainage requirements could be verified during the permitting process. This would be a self-imposed hardship, and staff would want to avoid the negative precedent of granting relief by variance for instances of “asking forgiveness, not permission”.
- Regulations on setbacks exist to ensure adequate separation between structures on adjoining lots for reasons related to public safety, maintenance, aesthetics, and privacy. Although the odd triangular shape of the lot does reduce feasible options for rear yard development, staff would note that an exemption exists for the rear setbacks of detached accessory structures that would allow for five (5) feet instead of 20 feet (a reduction of 75%). The proposed structure with a size of 1188 square feet would be comparable to the size of the house and would be the second detached garage placed on the property (Ordinance only requires 1 parking space per dwelling unit). Staff feels that even given the triangle lot, the proposed size of the structure and the fact that construction began without permits would be a self-imposed difficulty. A smaller version of the garage might be more contextually appropriate (especially since commercial use of the site has been abated, per the petitioner) and could allow for compliance with setback standards. For these reasons, staff recommends denial of the setback variances.
- With regards to variances related to the driveway width and front-yard landscaped areas, staff would note that a potential pathways to compliance might be to either (a) remove the new gravel driveway on the eastern portion of the property or (b) reduce front-yard parking areas in front of the existing house (most recently used for housing of commercial vehicles, per photographs within Exhibits) to allow for placement of a new driveway while remaining under the 30-foot requirement. Adjacent property owner appear able to meet the standard for front-yard landscaped area despite having narrower lots, and staff feels that utilization of either of the above options could allow for compliant site development that would more closely align with Ordinance and Plan goals. For these reasons, staff also recommends denial of the variances related to the width of front-yard parking areas and landscaped areas along the frontage.



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

- Finally, staff would also note the placement of the detached garage within the easement related to overhead power lines (see Photo 4 of Exhibits). No practical difficulty exists that would require encroachment of a structure into the required easement area, and placement of a building here could create complications for any future maintenance that might be required either for the power line or for the structure on this property. At the time of publication, it is unclear if AES has granted or if AES would grant permission for construction within their easement. For these reasons, staff recommends denial of the variance for encroachment into the easement.

GENERAL INFORMATION

Existing Zoning	D-5	
Existing Land Use	Residential	
Comprehensive Plan	5 – 8 Residential Units per Acre	
Surrounding Context	Zoning	Surrounding Context
North:	D-5	North: Residential
South:	D-5	South: Railroad
East:	D-5	East: Residential
West:	D-5	West: Residential
Thoroughfare Plan		
11 th Street	Local Street	50-foot existing right-of-way and 48-foot proposed right-of-way
Context Area	Compact	
Floodway / Floodway Fringe	No	
Overlay	No	
Wellfield Protection Area	No	
Site Plan	02/17/2026	
Site Plan (Amended)	02/24/2026	
Elevations	02/23/2026 (from STR25-05866)	
Elevations (Amended)	N/A	
Landscape Plan	N/A	
Findings of Fact	02/17/2026	
Findings of Fact (Amended)	02/26/2026	



COMPREHENSIVE PLAN ANALYSIS

Comprehensive Plan

- Near West Neighborhood Land Use Plan (2014)
- Infill Housing Guidelines

Pattern Book / Land Use Plan

- Not Applicable to the Site. Please see Neighborhood / Area Specific Plan below.

Red Line / Blue Line / Purple Line TOD Strategic Plan

- Not Applicable to the Site.

Neighborhood / Area Specific Plan

- The Near West Neighborhood Land Use Plan recommends this site for the development of 5-8 residential units per acre and also recommends the current D-5 zoning. In urban areas, 5-8 dwelling units per acre is common for both single-family and multi-family development.

Infill Housing Guidelines

- Infill Housing Guidelines indicate that setbacks should reflect and reinforce spacing on the existing block while also allowing room for maintenance of homes. Additionally, trees and well designed landscaping areas within front yards are recommended to foster aesthetically pleasing, environmentally beneficial, and sustainable residential development and streetscapes.

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

2007DV1070 ; 1102 North Rochester Avenue (northeast of site), Variance of Development Standards of the Dwelling Districts Zoning Ordinance to legally establish the parking of a commercial vehicle (not permitted), **denied**.

EXHIBITS

2026DV1012 ; Aerial Map

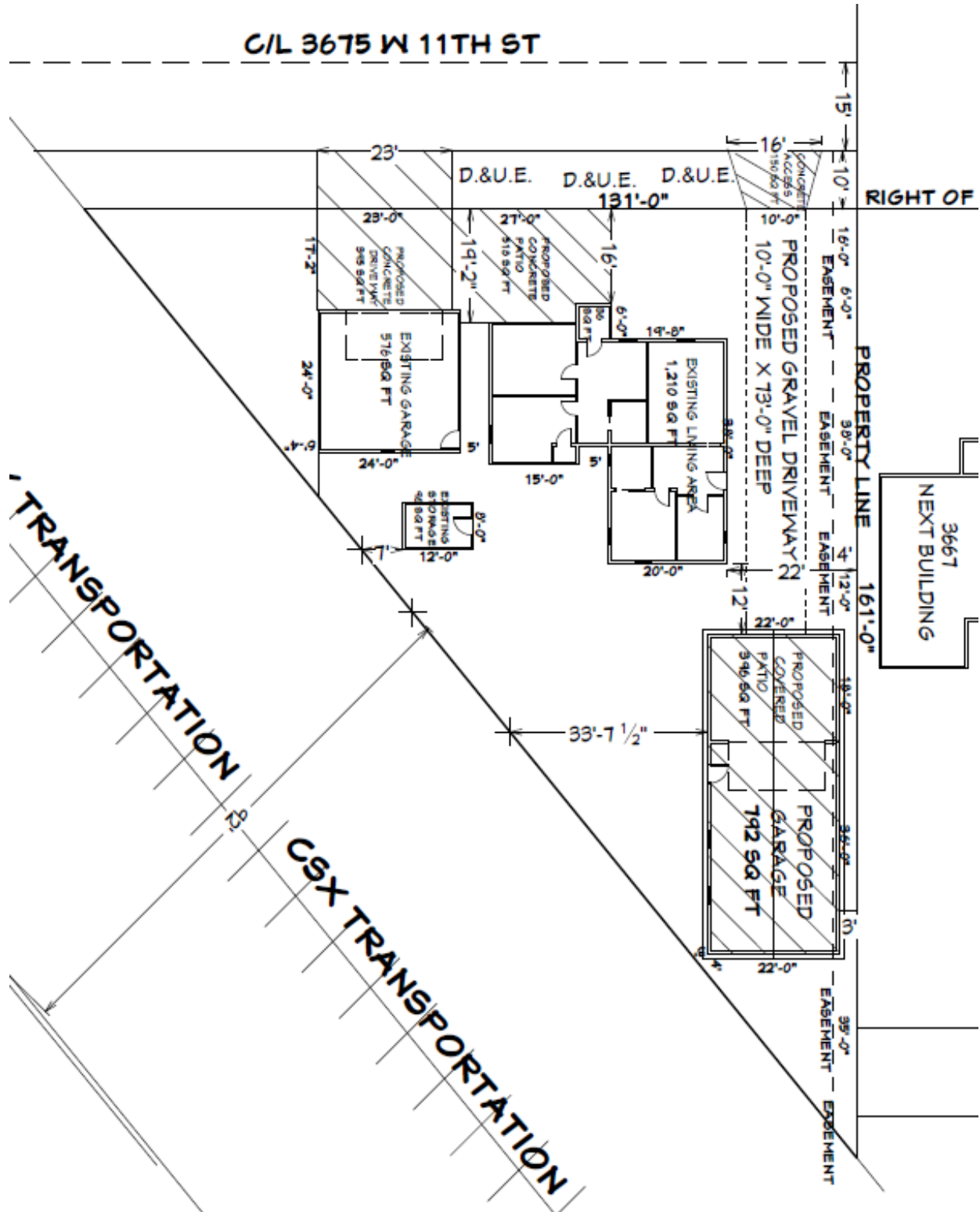


Note: aerial photograph taken before partial construction of new garage 3 feet from property line to E



Department of Metropolitan Development
 Division of Planning
 Current Planning

2026DV1012 ; Site Plan

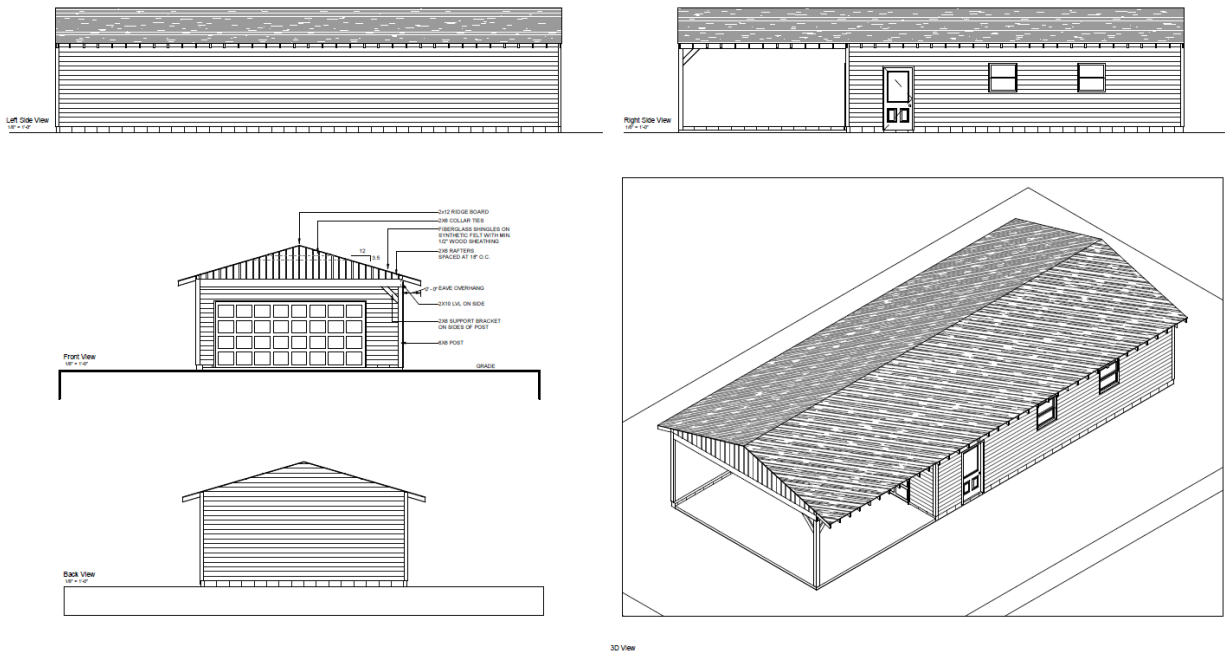


2026DV1012 ; Aerial View of Northern Portion of Parcel + Easement (2023)



Note: easement boundary represented by dashed yellow line

2026DV1012 ; Elevations (STR25-05866)



2026DV1012 ; Driveway Width Diagram



2026DV1012 ; 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 addition will be an accessory structure in the rear yard and the driveways will be used to access the garages.

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 accessory structure, concrete patio and driveways will all increase the value of the adjacent property and will remain for personal use by the petitioner.

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 requested variances the desired addition, driveway, and concrete patio would not be possible and lead to vehicles parking in the street.



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2026DV1012 ; Notice of Violation (VIO25-010512)

Section 740 -1004.A.1. Stop Work Order

Specific Violation: FAILURE TO OBTAIN THE REQUIRED IMPROVEMENT LOCATION PERMIT (ILP) FOR AN ACCESSORY STRUCTURE EXCEEDING 200SQ FEET.

Section 740 -1004.A.1. Stop Work Order

Specific Violation: FAILURE TO OBTAIN THE REQUIRED IMPROVEMENT LOCATION PERMIT (ILP) FOR AN ADDITION TO THE PRIMARY STRUCTURE.

Section 740 -1005.A.2. Civil Zoning Violation

Specific Violation: The failure to obtain an Improvement Location Permit when one is required by the terms and provisions of the Zoning Ordinance; (740-801.A.2. - Failure to obtain an Improvement Location Permit (ILP) for a change in the roofline configuration of the structure...rear addition to primary structure).

Section 740 -1005.A.2. Civil Zoning Violation

Specific Violation: The failure to obtain an Improvement Location Permit when one is required by the terms and provisions of the Zoning Ordinance; (740-801.A.2. - Failure to obtain an Improvement Location Permit (ILP) for increasing the height, size or lateral bulk of the structure...rear addition to primary structure).

Section 740 -1005.A.3. Civil Zoning Violation

Specific Violation: The outdoor storage of junk, trash, or debris in any zoning district, the provisions of which do not specifically permit such a use; (Litter, scrap metal, wood, clothing, buckets, trash bags, plywood, tarps, and other miscellaneous items throughout the property).

Section 740 -1005.A.4. Civil Zoning Violation

Specific Violation: The outdoor storage of vehicle parts in any zoning district, the provisions of which do not specifically permit such a use; (Vehicle tires, tractor attachments, truck bed, and other miscellaneous vehicle parts throughout the property).

Section 740 -1005.A.5. Civil Zoning Violation

Specific Violation: The parking or storage of a commercial vehicle in any zoning district, when the provisions of which do not specifically permit such a use; (Trailer, open or enclosed, with a cargo holder exceeding 12ft. in length...14ft. and 21ft. trailers).

Section 740 -1005.A.5. Civil Zoning Violation

Specific Violation: The parking or storage of a commercial vehicle in any zoning district, when the provisions of which do not specifically permit such a use; (Vehicle, regardless of weight, used or designed to be used as Marrufos Concrete fleet vehicles and excavator).

Section 740 -1005.A.7. Civil Zoning Violation

Specific Violation: The conduct of any activity in a zoning district, not specifically enumerated as a permitted primary or accessory use in that zoning district; (Table 743-1: - A construction contractor is not a permitted use in a D-5 zoning district..."Marrufos Concrete LLC").

Section 740 -1005.A.7. Civil Zoning Violation

Specific Violation: The conduct of any activity in a zoning district, not specifically enumerated as a permitted primary or accessory use in that zoning district; (Table 743-1: - Outdoor storage and operations is not a permitted accessory use in a D-5 zoning district...septic tank, concrete mixer, lumber, concrete, construction materials, wheelbarrow, etc.).

Section 740 -1005.A.8. Civil Zoning Violation

Specific Violation: Failure to comply with use-specific standards and zoning district development standards for the D-5 district; (743-306.AA.1.c. - No recreational vehicle shall be parked outside in a side yard unless parked on a durable and dust-free surface area improved with bricks, concrete, asphaltic pavement, or gravel).

Section 740 -1005.A.8. Civil Zoning Violation

Specific Violation: Failure to comply with use-specific standards and zoning district development standards for the D-5 district; (Table 744-201-1: - Mini-barn/shed located in the 5ft. rear yard setback).

Section 740 -1005.A.8. Civil Zoning Violation

Specific Violation: Failure to comply with use-specific standards and zoning district development standards for the D-5 district; (Table 744-201-1: - Mini-barn/shed located in the 7 ft. side yard setback).

Section 740 -1005.A.8. Civil Zoning Violation

Specific Violation: Failure to comply with use-specific standards and zoning district development standards for the D-5 district; (Table 744-404-1 - The parking area in front yards shall not exceed 30 feet in width or 50% of the lot width, whichever is lesser).

Section 740 -1005.A.2. Civil Zoning Violation

Specific Violation: The failure to obtain an Improvement Location Permit when one is required by the terms and provisions of the Zoning Ordinance; (740-801.A.2. - Failure to obtain an Improvement Location Permit (ILP) for mini-barns or sheds exceeding 200sq. feet...1188 sq. ft.).

2026DV1012 ; Photographs



Photo 1: Subject Residence Viewed from North



Photo 2: Unpermitted Driveway and Accessory Structure Viewed from North

2026DV1012 ; Photographs (continued)



Photo 3: Subject Site Front Yard Viewed from East



Photo 4: Overhead Power Lines/Easement Intersecting Property

2026DV1012 ; Photographs (continued)



Photo 5: Adjacent Property to East of Subject Site



Photo 6: Adjacent Property to North

2026DV1012 ; Photographs (continued)



Photo 7: Unpermitted Garage Viewed from East (November 2025)



Photo 8: Separation Between Unpermitted Garage and Fence to East (November 2025)

2026DV1012 ; Photographs (continued)



Photo 9: Commercial Vehicles within Front Yard Viewed from North (November 2025)



Photo 10: Commercial Vehicles within Front Yard Viewed from East (November 2025)



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BOARD OF ZONING APPEALS DIVISION I

April 7, 2026

Case Number:	2026-UV1-004
Property Address:	4902 West Washington Street (<i>approximate address</i>)
Location:	Washington Township, Council District #17
Petitioner:	QH W Washington Street LLC, by Joseph D. Calderon
Current Zoning:	C-5 (TOD)
Request:	Variance of Use of the Consolidated Zoning and Subdivision Ordinance to provide for a check cashing and validation service use within 50 feet of a Protected District (500-foot separation required).
Current Land Use:	Commercial
Staff Recommendations:	Staff recommends denial of this variance.
Staff Reviewer:	Michael Weigel, Principal Planner I

PETITION HISTORY

Enter Petition History

STAFF RECOMMENDATION

Staff recommends **denial** of this variance.

PETITION OVERVIEW

- 4902 West Washington Street is a commercial parcel with a size of 0.43-acre at the northwest corner of Washington Street and Laclede Street. The property is currently improved with a commercial structure and accessory drive-thru for which the most recent user was a pizza restaurant. Surrounding land use includes residences to the north and commercial development to the east, west, and south along the West Washington Street corridor. A Blue Line BRT stop is proposed to the west of the site, at the intersection of Washington and Auburn Street.
- The petitioner is seeking to operate a check cashing and validation service use (PLS Financial Services per the Plan of Operation) from the existing building at the property. Ordinance would require that all check cashing and validation service uses have at least 500 feet of separation from Protected Districts (including, but not limited to, residential zoning districts). Since the currently existing building is located approximately 50 feet from a residential zoning district to the north, a Variance of Use would be required for legal operation of the use.



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- Approval of this petition would not exempt the property from any additional use-specific standards that would be applicable for check cashing and validation service uses, such as the requirement to have the primary cash register area located so there is an unobstructed view between an area along the property frontage and any attendant at the cash register area. Additionally, the change in use would require the placement of bicycle parking per Table 744-402-1, which does not appear to be shown on the site plan submitted to Staff for review.
- This property is zoned C-5 (General Commercial District) to provide areas for those retail sales and service functions whose operations are typically characterized by automobiles, outdoor display, or sales of merchandise; by major repair of motor vehicles; by outdoor commercial amusement and recreational activities; or by activities and operations conducted in buildings and structures not completely enclosed. The Comprehensive Plan recommends it for Community Commercial Uses per the West Washington Corridor Plan, and to the Community Center TOD typology given the property's proximity to a proposed Blue Line stop (additional information within the Comprehensive Plan Analysis below).
- The Plan of Operation provided by the applicant indicates that the business will offer a variety of financial and related services to its customers in addition to check cashing and validation, and that it would employ 15-20 workers with approximately eight (8) employees at the facility at any given time. The full Plan is within Exhibits below.
- In 2016, the Indianapolis Zoning Ordinance was updated to create a separate and distinct use category for check cashing and validation service businesses. This was done to both (a) reflect distinctions in the ways in which this business might differ from other financial services uses (greater emphasis on provision of the check cashing services as a *primary* use, as compared to standard bank/office operations where check cashing might be of a more accessory nature); and (b) to allow for the implementation of separation requirements for check cashing and validation uses in a manner similar to separation regulations for other uses, such as liquor stores.
- One of the burdens of proof required by State statute to allow for the approval of a Variance of Use would be the presence of an undue hardship that would prevent alternate, compliant use of the site for other uses contemplated by the zoning district. In this instance, the C-5 zoning district would allow for dozens of other primary uses without the need for relief via a Variance of Use, and provided Findings fail to identify a difficulty that would prevent installation of one of those use types. Given this lack of undue hardship and the reduction of the required separation from 500 feet to only 50 feet (10% of the standard), staff recommends denial.

GENERAL INFORMATION

Existing Zoning	C-5 (TOD)	
Existing Land Use	Commercial	
Comprehensive Plan	Community Commercial Uses	
Surrounding Context	Zoning	Surrounding Context
	North:	D-5 North: Residential
	South:	C-3 / C-4 South: Commercial
	East:	C-5 East: Commercial
	West:	C-5 West: Commercial
Thoroughfare Plan		
Washington Street	Primary Arterial	96-foot existing right-of-way and 88-foot proposed right-of-way
Laclede Street	Local Street	50-foot existing right-of-way and 48-foot proposed right-of-way
Context Area	Compact	
Floodway / Floodway Fringe	No	
Overlay	No	
Wellfield Protection Area	No	
Site Plan	01/27/2026	
Site Plan (Amended)	N/A	
Elevations	N/A	
Elevations (Amended)	N/A	
Landscape Plan	N/A	
Findings of Fact	01/27/2026	
Findings of Fact (Amended)	N/A	

COMPREHENSIVE PLAN ANALYSIS

Comprehensive Plan

- Blue Line Transit-Oriented Development Strategic Plan
- West Washington Street Corridor Plan (2012)

Pattern Book / Land Use Plan

- Not Applicable to the Site. Please see Neighborhood / Area Specific Plan (etc.) below.



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Red Line / Blue Line / Purple Line TOD Strategic Plan

- Given its proximity to the proposed Auburn Street stop, this property falls within the Community Center TOD typology. This typology is designed to allow for walkable commercial centers with a range of commercial types (new strip commercial, office, shopping malls, big box). A mix of retail, entertainment, office, and residential use is desired. Surface parking should be consolidated and placed behind buildings to allow a pedestrian orientation at the street while still supporting drive-to businesses. Buildings heights would vary widely in this typology.

Neighborhood / Area Specific Plan

- The West Washington Street Corridor Plan recommends this site for Community Commercial uses, which would include low-intensity retail, commercial, and office uses which serve a predominantly residential market adjacent to or very near the use. Contemplated uses include a broad range of retail, personal, professional, and business services and are either freestanding or part of a small integrated center typically anchored by a grocery store. The site is not within a Critical Area as defined by the Plan.

Infill Housing Guidelines

- Not Applicable to the Site.

Indy Moves

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

- Not Applicable to the Site.



ZONING HISTORY

ZONING HISTORY – SITE

91-V3-49, variance of development standards of the Sign Regulations of Marion County to permit the placement of illuminated awnings, **approved**.

ZONING HISTORY – VICINITY

2024ZON072 ; 4903 W Washington Street (south of site), Rezoning of 0.9 acre from the C-3 and C-4 districts to the C-5 district to provide for a restaurant, automobile repair and automobile sales, **withdrawn**.

2017ZON088 ; 4903 W Washington Street (south of site), Rezoning of 3.78 acres from the C-S district to the C-3 classification, **approved**.

2012ZON039 ; 5050 W Washington Street (west of site), Rezoning of 1.38 acres, from the C-5 District, to the C-4 classification to provide for commercial uses, **approved**.

2011DV3046 ; 5036 W Washington Street (west of site), Variance of development standards of the Commercial Zoning Ordinance to provide for a 7,200-square foot addition to an existing building, with 52 parking spaces (65 parking spaces required), **approved**.

2011DV3037 ; 4863 W Washington Street (southeast of site), Variance of development standards of the Commercial Zoning Ordinance to provide for a carryout restaurant within 65 feet of a D-4 zoned District (100-foot separation from protected required), **approved**.

2010UV2015 ; 4815 W Washington Street (southeast of site), Variance of use of the Commercial Zoning Ordinance to legally establish a child care home and a dwelling unit (not permitted), **approved**.

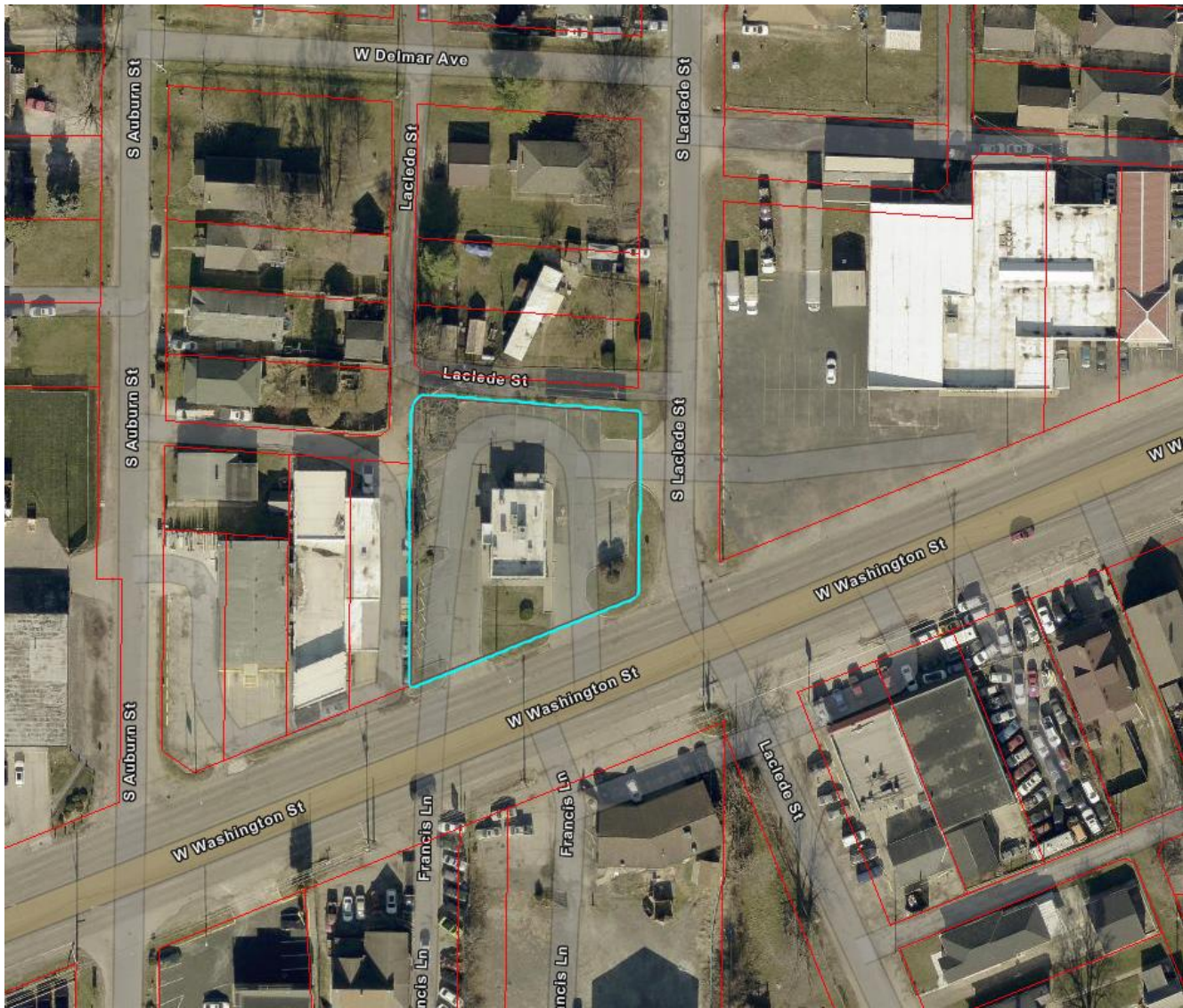
2009UV3020 ; 4955 W Washington Street (southwest of site), Variance of use of the Commercial Zoning Ordinance to legally establish a tattoo parlor within 40 feet of a protected district without the grant of a special exception (not permitted without the grant of special exception, required to be 500 feet from a protected district), **approved**.

2006UV2006A ; 4726 E Washington Street (east of site), Variance of use of the Commercial Zoning Ordinance to legally establish two, one-story, single-family dwellings on site (not permitted), **denied**.

2006UV2006B ; 4726 E Washington Street (east of site), Variance of use of the Commercial Zoning Ordinance to legally establish 3,092 square-foot tavern with sale of alcohol 90 feet from a protected district (100-foot separation required) with a 2.8-foot front setback from South Cole Street (minimum ten-foot setback required), with eighteen parking spaces (minimum 45 parking spaces required), with six parking spaces within the right-of-way of South Cole Street and six parking spaces in the right-of-way of West Washington Street (parking spaces not permitted in the right-of-way), and to legally establish a sixteen-foot tall, 35 square-foot pole sign with a two-foot front setback from the existing right-of-way of West Washington Street (minimum fifteen-foot front setback required), **approved**.

EXHIBITS

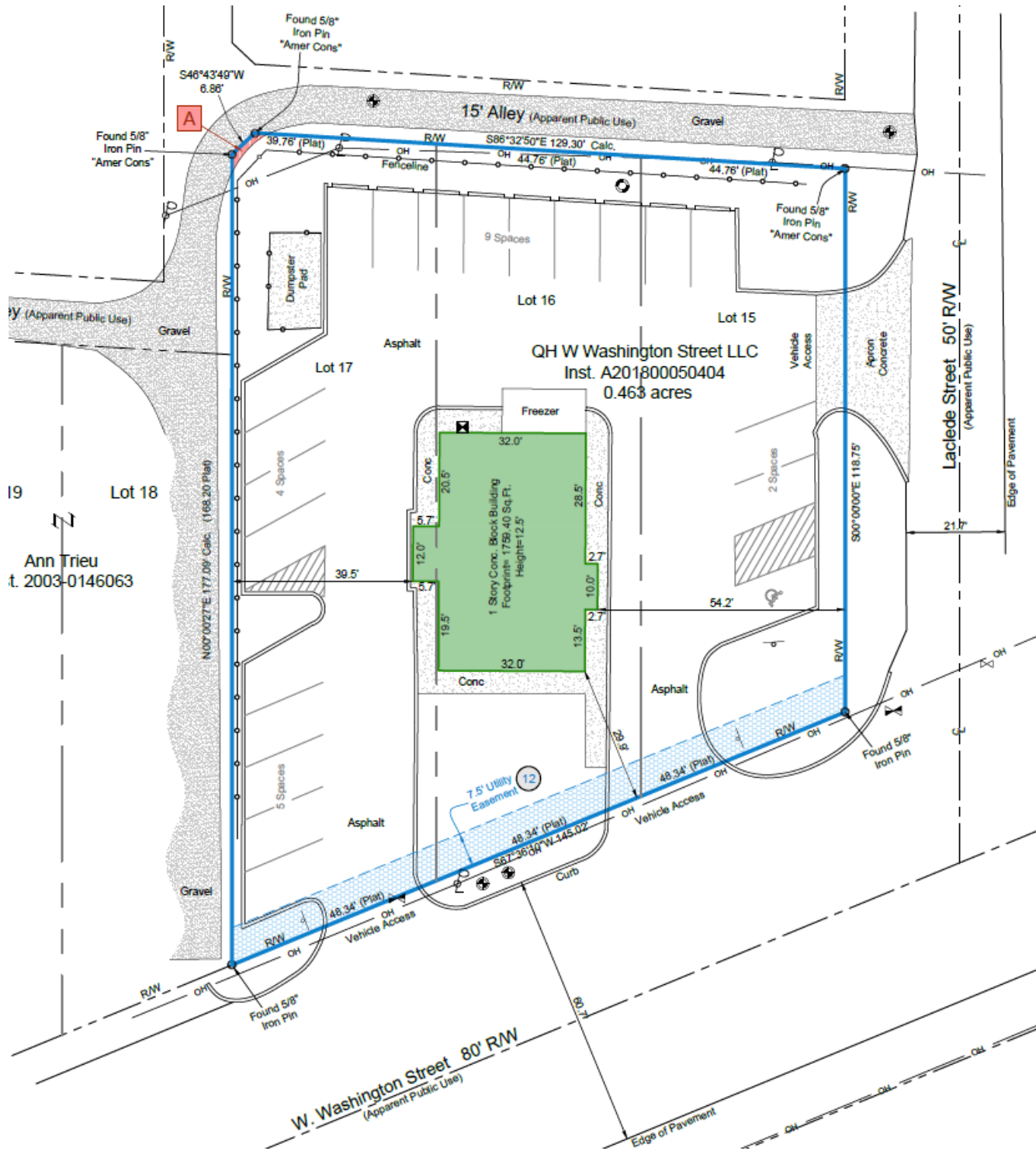
2026UV1004 ; Aerial Map





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2026UV1004 ; Site Plan





2026UV1004 ; Findings of Fact

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

the use will be self-contained and will not be more intense than the site can handle from a parking/access perspective, and will be less intense than some permitted C-5 uses.

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 use will be conducted entirely indoors and there is adequate screening/separation from the residential property to the north. The other adjoining properties are zoned and operated for commercial use.

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

the subject property is located along a long established commercial strip that was originally developed when commercial/industrial uses were located adjacent to residential districts, in many instances, before the adoption of zoning controls.

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

the separation requirement will apply to a use that has many aspects of a business that is permitted (without restriction).

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

the use is consistent with the comprehensive plan designation of community commercial.

2026UV1004 ; Plan of Operation

THE BUSINESS

PLS Property Management of Indiana, LLC is under contract to purchase property commonly known as 4902 West Washington Street (the "Subject Property"), where it intends to occupy the existing building which contains approximately 1766 square feet in which it will operate a typical PLS Financial Services store. PLS Financial Services offers a variety of financial and related services to its customers in addition to check cashing, including ATMs, facilitation of bill payments, money transfer services, money orders, cash for coins, income tax preparation, personal insurance sales (auto, home, life), pre-paid debit card sales/services, sale of public transportation passes, sale of cell phones/accessories, pre-paid phone cards, motor vehicle department services, gift card exchanges, domestic and foreign currency exchanges and other future related services/offering.

ZONING

The Subject Property is zoned C-5, which contemplates a wide variety of commercial uses, and allows for businesses providing financial services, including check cashing services; however, check cashing or validation service is required to have 500 feet of separation from a protected district. There is an existing residential area located to the north of the Subject Property.

NUMBER OF EMPLOYEES

15-20 new jobs are expected to be created, with approximately 8 employees working at the facility on the Subject Property at any given time.

2026UV1004 ; Photographs



Photo 1: Subject Building Viewed from Southeast



Photo 2: Subject Site Viewed from Northeast

2026UV1004 ; Photographs (continued)



Photo 3: Existing Drive-Thru for Restaurant Use



Photo 4: Adjacent Property to West

2026UV1004 ; Photographs (continued)



Photo 5: Adjacent Property to North (October 2024)



Photo 6: Adjacent Property to Northeast

2026UV1004 ; Photographs (continued)



Photo 7: Adjacent Property to South



Photo 8: Adjacent Property to Southeast