



Board of Zoning Appeals
Board of Zoning Appeals Division III (June
18, 2024)
Meeting Agenda

Meeting Details

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

Date: Tuesday, June 18, 2024

Time: 1:00 PM

Location: Room 1808, 18th Floor, City-County Building, 200 E. Washington Street

Business:

Adoption of Meeting Minutes:

Special Requests

PETITIONS REQUESTING TO BE CONTINUED:

Petitions for Public Hearing

PETITIONS TO BE EXPEDITED:

- 1. 2024-DV3-017 | 2863 Sutherland Ave.**
Center Township, Council District #8, Zoned D-5
David E. Miller

Variance of Development Standards of the Consolidated Zoning and Subdivision Ordinance to provide for the construction of a driveway providing vehicle access from Sutherland Avenue (exclusive access from an improved alley required).

PETITIONS FOR PUBLIC HEARING (Transferred Petitions):

- 2. 2024-UV1-008 | 5120 Senour Road**
Franklin Township, Council District #25, Zoned SU-2/D-4
Franklin Township Multi School Building Corporation, by Craig Flandermeyer

Variance of use and development standards of the Consolidated Zoning and Subdivision Ordinance to provide for the location of a 7.583-foot tall monument sign (five-foot sign permitted) with a 36.432 square foot digital display (not permitted).

- 3. 2023-SE2-002A (Amended) | 3210 Chief Lane**
Decatur Township, Council District #22, zoned I-3
Reagan Outdoor Advertising, by Jon Campbell

Special Exception of the Consolidated Zoning and Subdivision Control Ordinance to provide for the relocation of a legally established Outdoor Advertising Sign due to a highway widening and improvement of I-69 by a state agency, along a freeway within I-465 (not permitted).

PETITIONS FOR PUBLIC HEARING (Continued Petitions):

PETITIONS FOR PUBLIC HEARING (New Petitions):

4. 2024-DV3-015 | 2522 S. Pennsylvania St.
Center Township, Council District #18, Zoned D-5
Juan Guardado, by Joseph D. Calderon

Variance of Development Standards of the Consolidated Zoning and Subdivision Ordinance to provide for the construction of a detached carriage house and deck with a one-foot south side yard setback (five feet required).

**** Staff to request continuance on petitioners behalf, to the July 16, 2024 hearing of Division III, in order to allow for sufficient notice**

5. 2024-DV3-018 | 3805 S. East St.
Perry Township, Council District #23, Zoned C-5
S & L Properties Indianapolis East LLC, by Lora Trent

Variance of Development Standards of the Consolidated Zoning and Subdivision Ordinance to provide for the location of a 30-foot tall pylon sign (maximum 25-foot height permitted) within 222 feet of another freestanding sign (300-foot separation required) with a 36.44 square foot digital display within 270 feet of a protected district (600-foot separation required).

****Petitioner requests continuance to the July 16, 2024 BZA Div III Hearing with Notice.**

Additional Business:

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



BOARD OF ZONING APPEALS DIVISION III

June 18, 2024

Case Number: 2024-DV3-017
Address: 2863 Sutherland Avenue (approximate address)
Location: Center Township, Council District #8
Zoning: D-5
Petitioner: David E. Miller
Request: Variance of Development Standards of the Consolidated Zoning and Subdivision Ordinance to provide for the construction of a driveway providing vehicle access from Sutherland Avenue (exclusive access from an improved alley required).

Current Land Use: Single-family dwelling

Staff Recommendation: Staff recommends approval of this petition.

Staff Reviewer: Robert Uhlenhake, Senior Planner

PETITION HISTORY

This is the first public hearing for this petition.

STAFF RECOMMENDATION

Staff recommends **approval** of this petition.

PETITION OVERVIEW

- ◇ The request would provide for the construction of a driveway providing vehicle access from Sutherland Avenue where exclusive access from an improved alley is required.
- ◇ The Ordinance was amended in April of 2016, to regulate access and connectivity for the zoning districts. With the removal of the existing driveway, this property is now required to gain exclusive access from the existing improved alley, per Section 744-301 of the Ordinance. The “Access to accessory parking areas” provision states that “... if a lot abuts an improved alley and the street frontage is less than 200 feet, vehicle access to that lot shall be exclusively from that alley.” In addition, per Section 744-401 of the Ordinance. The “Access to and from parking lots and garages” provision states that “... no curb cut for street access to an accessory parking area in the Compact Context area, shall be approved if the property has an improved alley along the side or rear lot line.”
- ◇ Alley access where available, helps the pedestrian environment by reducing the number of new curb cuts across sidewalks and preserves valuable curbside parking, along with reducing the amount of pavement needed for driveways, which causes significant storm water runoff into city drainage systems.



- ◇ For the proposed driveway, the petitioner has removed a larger existing driveway approximately 85 feet in length and is requesting to replace it with a shorter driveway approximately 35 feet in length, using the existing curb cut. The new driveway will not require a new curb cut or reduce sidewalk access or create additional pedestrian conflict opportunities; it will preserve the existing curbside parking; and will eliminate approximately 50 feet of existing pavement, replacing it with grass and landscaping to help reduce storm water runoff.
- ◇ Staff believes that this request would have no impact on the streetscape or the surrounding property owners.

GENERAL INFORMATION

Existing Zoning	D-5	
Existing Land Use	Single-Family Dwelling	
Comprehensive Plan	Traditional Neighborhood uses	
Surrounding Context	Zoning	Surrounding Context
	North:	Undeveloped
	South:	Single-Family dwelling
	East:	Single-Family dwellings
	West:	Neighborhood Park

Thoroughfare Plan		
Sutherland Avenue	Local Street	60-foot existing and proposed right-of-way.
Context Area	Compact area	
Floodway / Floodway Fringe	No	
Overlay	N/A	
Wellfield Protection Area	No	
Elevations	N/A	
Landscape Plan	N/A	
Site Plan	May 9, 2024	
Findings of Fact	May 9, 2024	

COMPREHENSIVE PLAN ANALYSIS

Comprehensive Plan

- The Comprehensive Plan recommends Traditional Neighborhood uses for the 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

- 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

2016-HOV-0440; 2828 Carrolton Avenue (east of site), requested a variance of development standards to provide for the construction of a detached garage, creating an open space of 45%, and a north side setback of zero feet, **granted**.

2014-UV2-028; 2845 North Guilford Avenue (east of site), requested a variance of use to legally establish a four-unit, multi-family dwelling, per plans filed, **granted**.

2011-HOV-030; 2838 Carrolton Avenue (east of site), requested a variance of development standards of the Dwelling Districts Zoning Ordinance to provide for a 440-square foot detached garage, with a 2.5-foot side setback and a 6.5-foot aggregate side setback, **granted**.

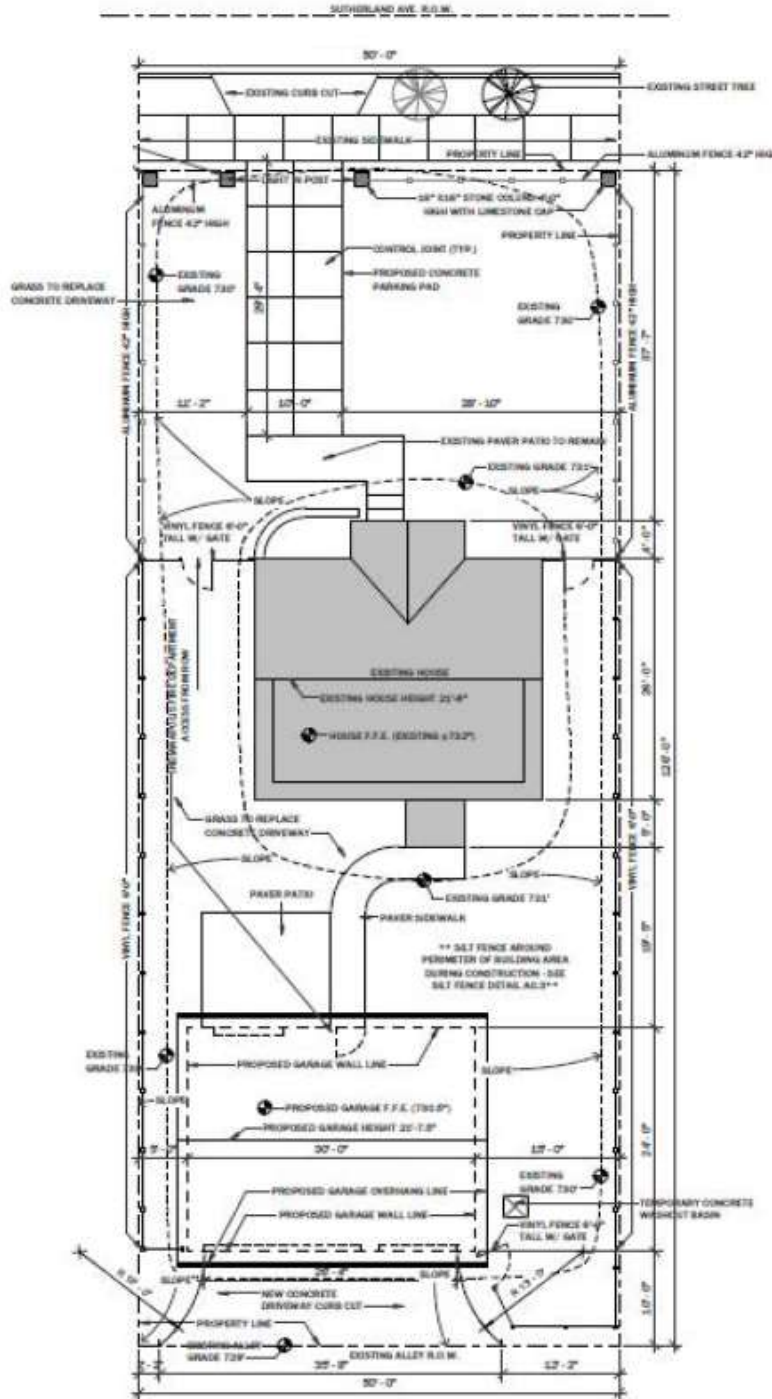
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EXHIBITS

Location Map



Site Plan





Findings of Fact

Petition Number _____

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

PETITION FOR VARIANCE OF DEVELOPMENT STANDARDS

FINDINGS OF FACT

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

Petitioner is seeking a variance for the purpose of creating access for ADA purposes. The Petitioner's family member is in a wheelchair and access through the frontage is necessary for him to access the home. There is no change occurring to the street frontage as a driveway was there previously before Petitioner's carriage house was constructed. The property will remain in the same general condition as it was prior to the garage replacement.

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

There will be no impact to the property on either side of the Petitioner's property as it will be in the same condition as it was prior to the variance.

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

The petitioner's father will lose access to the property should this variance not be allowed.

DECISION

Photographs



Photo of previous existing driveway removed, and existing curb cut entrance from Sutherland Avenue, looking east.



Photo of proposed garage / carriage house location with access from alley, and previous driveway area to be replaced with grass and landscaping. Looking west.



Photo of adjacent dwelling to the south, with existing curb cut and driveway access from Sutherland Avenue, looking east.



Photo of adjacent Fall Creek and 30th Street Park under construction for combined sewer project, looking west.



BOARD OF ZONING APPEALS DIVISION III **June 18, 2024**

Case Number: 2024-UV1-008
Property Address: 5120 Senour Road
Location: Franklin Township, Council District #25
Petitioner: Franklin Township Multi School Building Corporation, by Craig Flandermeyer
Current Zoning: SU-2 / D-4
Request: Variance of use and development standards of the Consolidated Zoning and Subdivision Ordinance to provide for the location of a 7.583-foot tall monument sign (five-foot sign permitted) with a 36.432 square foot digital display (not permitted).
Current Land Use: School, Under Construction
Staff Recommendations: Staff recommends denial
Staff Reviewer: Eddie Honea, Principal Planner II

PETITION HISTORY

This case was initially scheduled for hearing on June 4, 2024. However, due to a publication error, this petition was continued and transferred to the June 18, 2024 hearing of Division II, in order to allow for sufficient notice.

STAFF RECOMMENDATION

Staff recommends denial of the request.

PETITION OVERVIEW

- The subject site is zoned SU-2, which permits educational uses and customarily associated accessory uses such as playgrounds and competitive fields and game courts. A small portion of the southwest corner of the site is zoned D-4.
- The proposal would allow for a taller than permitted monument sign that incorporates a prohibited digital display.
- Specifically, the request would allow for the erection of a 7.583 foot tall monument, with digital display within 80 feet of a protected district. The digital display (EVMS) is not permitted within an SU District. In Districts that permit digital display, 600 feet of separation is required. There is an



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exception that allows for a minimum separation of 400 feet, provided the digital display is visibly obstructed from the protected district. Staff would note that the proposed display would not be visibly obstructed.

- The Ordinance has been purposefully written to limit these signs near protected districts, due to the impacts of their scrolling display, brightness and aesthetic impact on protected districts. Staff would note that these signs tend to be in use 24 hours per day.
- The Sign Regulations “facilitate an easy and agreeable communication between people...and serve an important function.” The purpose of the Sign Regulations is to “eliminate potential hazards to motorists, and pedestrians; to encourage signs which, by their good design, are integrated with and harmonious to the buildings and site which they occupy; and which eliminate excessive and confusing sign displays.” Proliferation of signs causes those signs that are permitted and legal to become less effective and reduces their value. Additionally, the Sign Regulations preserve and improve the appearance of the City as a place in which to live and work.
- As indicated above, there are no buildings or landscaping that would obscure the proposed digital display from impacted dwelling districts. This sign, therefore, would clearly impact the dwellings to the east.
- Staff would note that the current Sign Regulations were adopted with the input from rigorous Sign Committee Taskforce meetings, held between 2018 and 2019. Protecting against sign proliferation and the location of digital displays near residential areas were two of the most frequent concerns cited by participants. Absent the presence of a practical difficulty, Staff strongly recommends that all development comply with the Zoning Ordinance.
- The findings of fact propose the following practical difficulty:

“The allowable height of a monument sign (5’) with the proposed variable electronic message center provides for minimal ground clearance hindering visibility and allowing for potential damage from mowing. The variable electronic message center will allow for multiple messages to be displayed and provides for efficient use of manpower versus attempting this level of communication with a manually changed static message board”

- Staff does not find this to represent a practical difficulty. Filed elevations indicate that the bottom of the messaging center is one foot and four inches above grade, which is well above the average mowing deck of a lawn mower. In addition, Staff would state that other forms of lawn care equipment could be used around the area of sensitive structures to prevent damage, such as a string trimmer. The remainder of the indicated practical difficulty appear to be a general disagreement with the standard itself.



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- In addition, Staff would note that the proposed sign would be located 203 feet from the nearest residential lot line, and about 235 feet from the nearest dwelling. Therefore, even in districts which permit digital display, the proposed sign would fall well short of the intent of the separation standard. Staff believes this to be a substantial deviation from the Ordinance, and strongly recommends denial of the request.

GENERAL INFORMATION

Existing Zoning	SU-2 / D-4	
Existing Land Use	School is currently under construction	
Comprehensive Plan	Rural or Estate Neighborhood	
Surrounding Context	Zoning	Surrounding Context
	North: D-A / D-P	North: Single-family dwellings
	South: D-4	South: Single-family dwellings
	East: D-P	East: Single-family dwellings
	West: D-4	West: Undeveloped
Thoroughfare Plan		
	Senour Road	Primary Arterial, Proposed 80-foot right-of-way, with an existing 130-foot right-of-way
Context Area	Metro	
Floodway / Floodway Fringe	No	
Overlay	No	
Wellfield Protection Area	No	
Site Plan	May 16, 2024	
Site Plan (Amended)	N/A	
Elevations	May 16, 2024	
Elevations (Amended)	N/A	
Landscape Plan	N/A	
Findings of Fact	May 16, 2024	
Findings of Fact (Amended)	N/A	

COMPREHENSIVE PLAN ANALYSIS

Comprehensive Plan

- Land Use Pattern Book

Pattern Book / Land Use Plan



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- The Comprehensive Plan recommendation for the subject site is Rural or Estate Neighborhood. This classification is intended for application in areas characterized by rural or agricultural areas and historic, urban areas with estate-style home on large lots.
- This typology prioritizes the preservation of exceptional natural features such as rolling hills, high quality woodlands and wetlands. Proposed development should refrain from substantial alteration of existing topography as much as possible.
- This typology typically has a residential density of less than one dwelling unit per acre.
- Schools and other institutions are typically classified within the Comprehensive Plan based on existence at the time of the plan’s adoption. Schools are seen as generally compatible with residential development, however, the subject site is already zoned SU-2, which permits schools by-right. |

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)

- The Marion County Thoroughfare Plan recommends an 80-foot right-of-way for Senour Road. Currently there is a 130-foot right-of-way along this portion of Senour Road. |



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ZONING HISTORY

91-Z-63; 10551 East Thompson Road; requests the rezoning of 30 acres, being in the D-A District, to the SU-2 classification to provide for the construction of an elementary school; **approved.** |

EXHIBITS

Exhibit A: Location Area Map

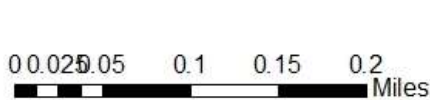
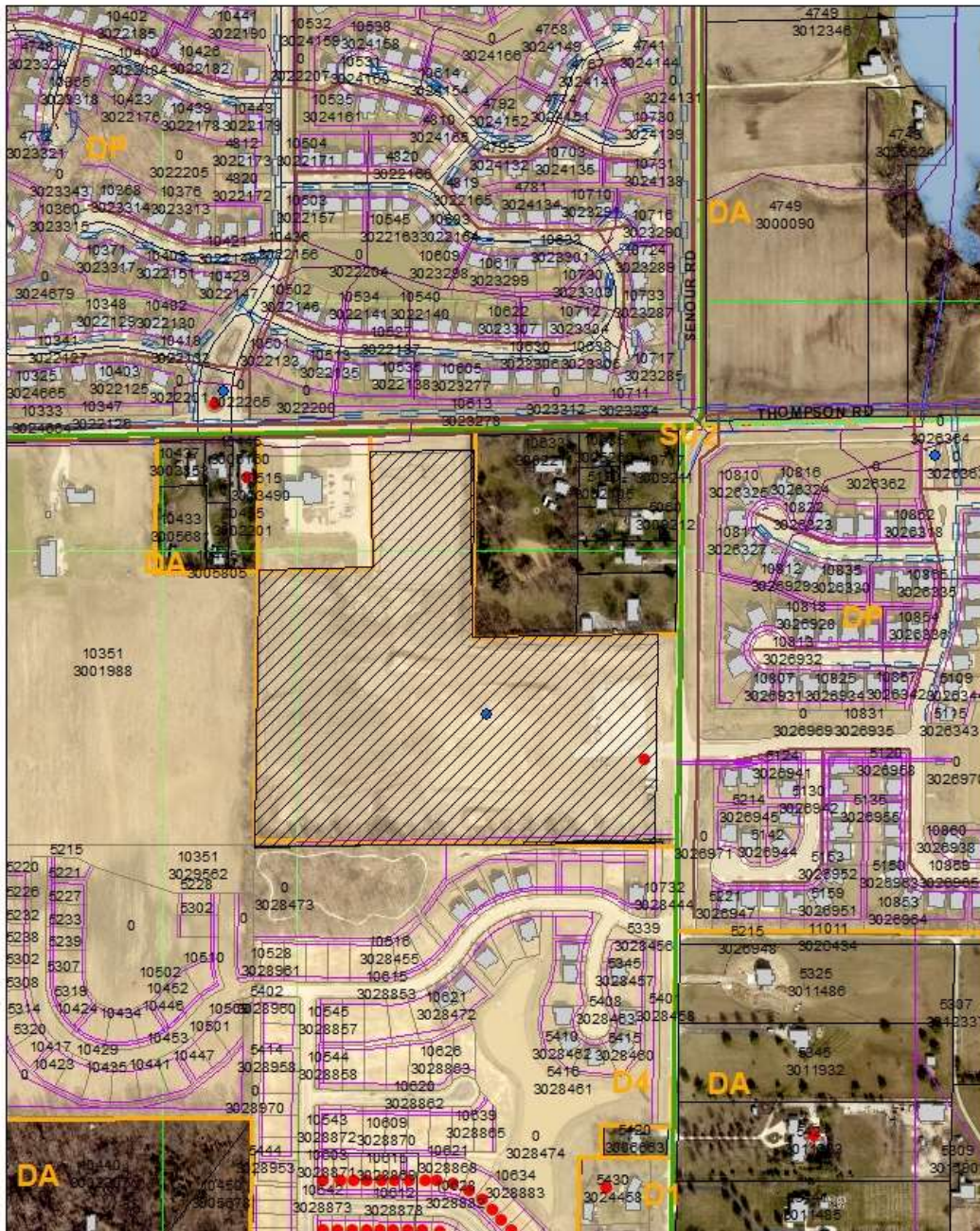




Exhibit B: Site Plan

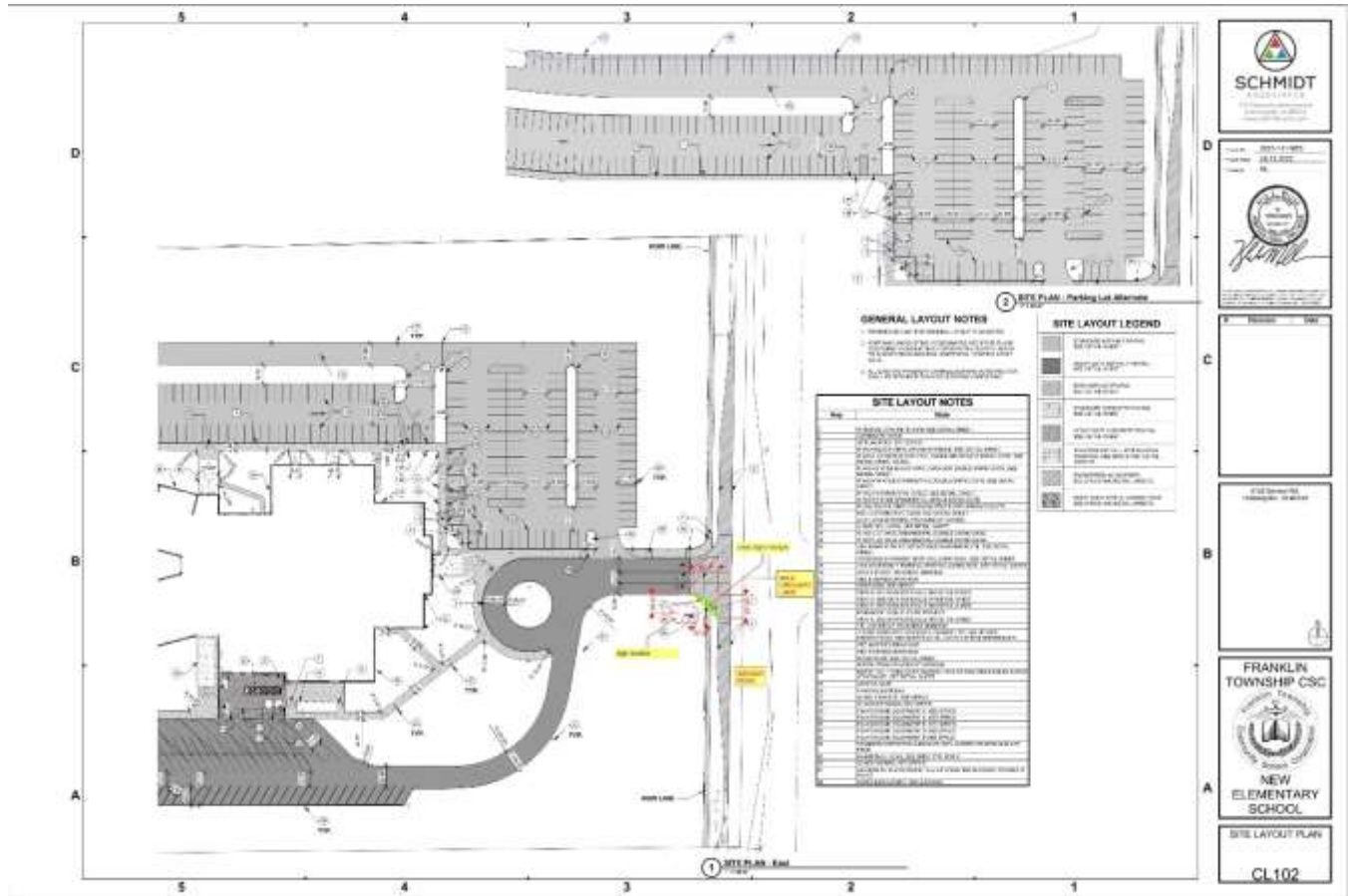
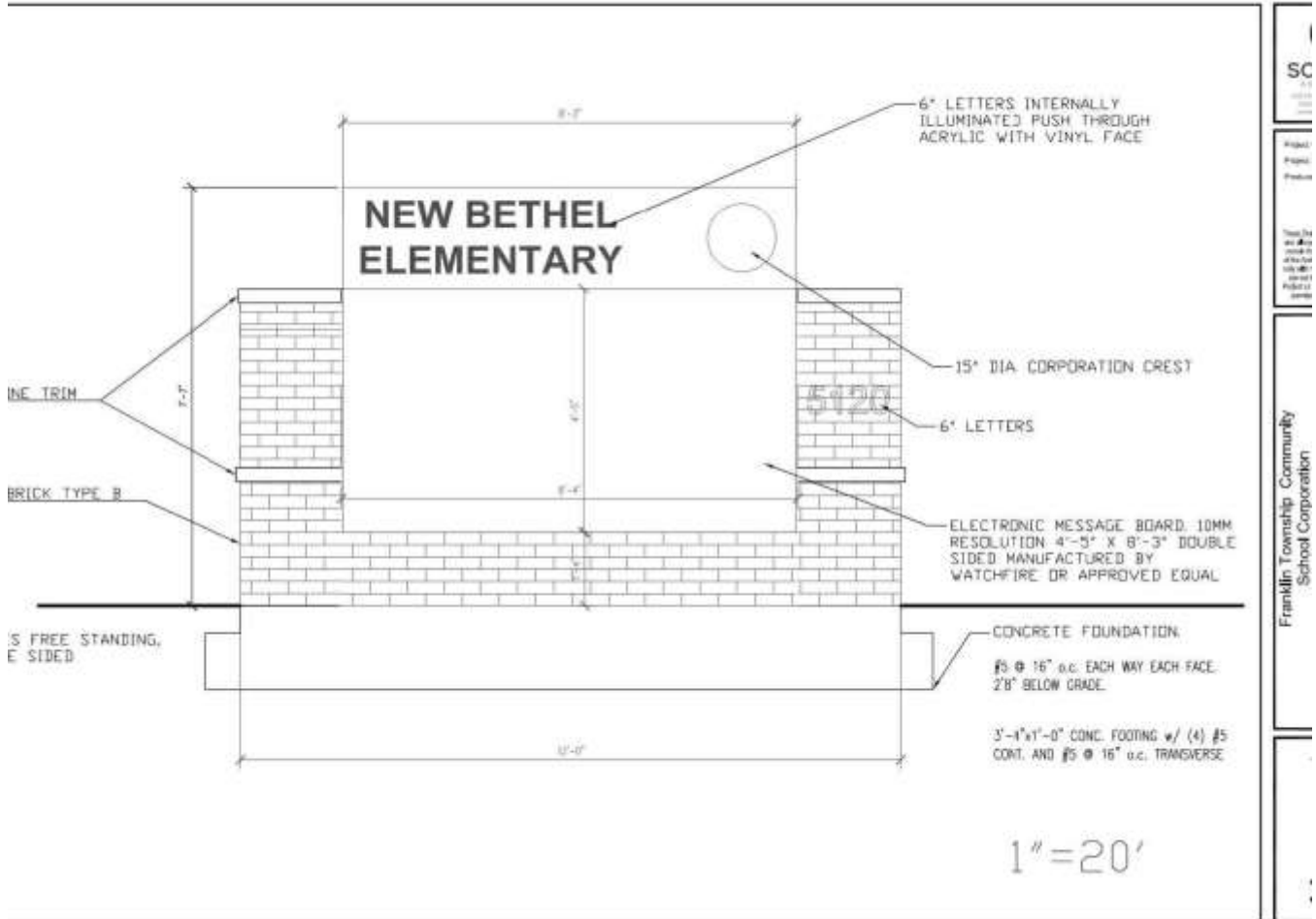


Exhibit C: Elevation





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Exhibit D: 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 sign location does not interfere with sight triangles nor is adjacent to a signalized intersection.
The variable electronic message center will allow for multiple messages to be conveyed to the public, staff, students, and parents limiting the need for static signs at this property.
The petitioner has proposed commitments for the operational aspects of the variable electronic message center.

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 closest residential property line is approximately 200' away, east of Senour Road a primary arterial street.
The front of the closest residential property and all surrounding residential properties do not face the proposed sign location.
The petitioner has proposed commitments for the operational aspects of the variable electronic message center.

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

The allowable height of a monument sign (8') with the proposed variable electronic message center provides for minimal ground clearance hindering visibility and allowing for potential damage from mowing.
The variable electronic message center will allow for multiple messages to be displayed and provides for efficient use of manpower versus attempting this level of communication with a manually changed static message board.

DECISION

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

Adopted this _____ day of _____, 20____



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Exhibit E: Photographs



Photo One: Building under construction on subject site, facing West



Photo Two: Looking North along Senour Road



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Photo Three: Looking South along Senour Road. General area of proposed sign



Photo Four: Unobstructed dwellings East of subject site



Photo Five: Unobstructed dwellings east of subject site



Photo Six: Unobstructed dwelling southeast of subject site

STAFF REPORT

Department of Metropolitan Development Division of Planning Current Planning Section

Case Number: 2023-SE2-002A (Amended)
Address: 3210 Chief Lane (approximate address)
Location: Decatur Township, Council District #22
Zoning: I-3
Petitioner: Reagan Outdoor Advertising, by Jon Campbell
Request: Special Exception of the Consolidated Zoning and Subdivision Control Ordinance to provide for the relocation of a legally established Outdoor Advertising Sign due to a highway widening and improvement of I-69 by a state agency, along a freeway within I-465 (not permitted).

ADDENDUM JUNE 18, 2024

This petition was automatically continued and transferred from the June 11, 2024, BZAII hearing, to the June 18, 2024, BZAIII hearing, as a result of a second indecisive vote.

ADDENDUM JUNE 11, 2024

This petition was continued due to a lack of Board quorum from the May 21, 2024, hearing, to the June 11, 2024, hearing.

ADDENDUM MAY 21, 2024

At the March 12, 2024, hearing, the petition was split into Part A for the Special Exception, and Part B for the Variance of Development Standards.

The Part A request for a Special Exception of the Consolidated Zoning and Subdivision Control Ordinance to provide for the relocation of a legally established Outdoor Advertising Sign due to a highway widening and improvement of I-69 by a state agency, along a freeway within I-465, resulted in an indecisive vote of 2-2, which automatically continued the Part A portion of the petition. Due to a conflict, Part A was continued for two months to the May 21, 2024, hearing.

ADDENDUM MARCH 12, 2024

This petition was continued from the February 13, 2024, hearing, to the March 12, 2024 hearing, at the request of the Board President.

February 13, 2024

This petition was automatically continued from the December 12, 2023, hearing, to the January 9, 2024, hearing, at the request of a registered neighborhood organization. This petition was automatically continued from the January 9, 2024, hearing, to the February 13, 2024, hearing, at the request of the petitioner.

(Continued)

STAFF REPORT 2023-SE2-002A (Continued)

RECOMMENDATIONS

Staff **recommends approval** of the Special Exception request.

SUMMARY OF ISSUES

LAND USE

EXISTING ZONING AND LAND USE

Metro I-3 Trade Association office building

SURROUNDING ZONING AND LAND USE

North I-3 Manufacturing facility
South I-3 Interstate I-70 / Undeveloped
East D-A Interstate I-70 / Undeveloped
West I-3 Single-family dwelling / Manufacturing facility

COMPREHENSIVE PLAN The Comprehensive Plan recommends office / industrial mixed-uses for the site.

SPEICAL EXCEPTION

- ◇ An outdoor advertising off-premise sign is defined in the Ordinance as “A sign that directs attention to any business, profession, product, activity, commodity, or service that is offered, sold, or manufactured on property or premises other than that upon which the sign is located. This limitation does not apply to the content of commercial messages.”
- ◇ The need for the special exception arises from a condition peculiar to the property involved because a road expansion project included South State Road 37, and the expansion of SR-37/I-69 by INDOT would eliminate the sign’s existing location at 8900 South SR 37 on private property causing the relocation of the sign.
- ◇ Indiana Code 8-23-20-25.6 reads as follows:

Sec. 25.6.

(a) As used in this section, “market area” means a point within the same county as the prior location of an outdoor advertising sign.

(b) This section applies only to an outdoor advertising sign located along the interstate and primary system, as defined in 23 U.S.C. 131(t) on June 1, 1991, or any other highway where control of outdoor advertising signs is required under 23 U.S.C. 131.

(c) If an outdoor advertising sign is no longer visible or becomes obstructed, or must be moved or removed, due to a noise abatement or safety measure, grade changes, construction, directional sign, highway widening, or aesthetic improvement made by any agency of the state along the interstate and primary system or any other highway, the owner or operator of the outdoor advertising sign, to the extent allowed by federal or state law, may:

(Continued)

- (1) elevate a conforming outdoor advertising sign; or*
- (2) relocate a conforming or nonconforming outdoor advertising sign to a point within the market area, if the new location of the outdoor advertising sign complies with the applicable spacing requirements and is located in land zoned for commercial or industrial purposes or unzoned areas used for commercial or industrial purposes.*

(d) If within one (1) year of an action being filed under IC 32-34, an owner can demonstrate that the owner has made good faith efforts to relocate a conforming or nonconforming outdoor advertising sign to a conforming location within the market area, but the owner has not obtained a new conforming location, the outdoor advertising sign will be treated as if it cannot be relocated within the market area. Notwithstanding subsection (e) and IC 8-23-20.5, if an outdoor advertising sign cannot be elevated or relocated to a conforming location and elevation within the market area, the removal or relocation of the outdoor advertising sign constitutes a taking of a property interest and the owner must be compensated under section 27 of this chapter. Notwithstanding subsections (d) and (g), if a conforming outdoor advertising sign cannot be elevated or relocated within the market area, the removal or relocation of the conforming outdoor advertising sign constitutes a total taking of a real property interest, including the sign structure, and the owner must be compensated under section 27 of this chapter.

(e) The county or municipality, under IC 36-7-4, may, if necessary, provide for the elevation or relocation by ordinance for a special exception to the zoning ordinance of the county or municipality.

(f) The elevated outdoor advertising sign or outdoor advertising sign to be relocated, to the extent allowed by federal or state law, may be modified:

- (1) to elevate the sign to make the entire advertising content of the sign visible; and*
- (2) to an angle to make the entire advertising content of the sign visible; and*
- (3) in size or material type, at the expense of:
 - (A) the owner, if the modification in size or material type of the outdoor advertising sign is by choice of the owner; or*
 - (B) the department, if the modification in size or material type of the outdoor advertising sign is required for the outdoor advertising sign to comply with IC 22-13.**

(g) This section does not exempt an owner or operator of a sign from submitting to the department any application or fee required by law.

(h) At least twelve (12) months before the filing of an eminent domain action to acquire an outdoor advertising sign under IC 32-34, the department must provide written notice to the representative of the sign owner identified on the outdoor advertising sign permit that is on file with the Indiana Department of transportation that a project has been planned that may impact the outdoor advertising sign.

(i) If the agency fails to provide notice required by subsection (h) within (12) twelve months of an action being filed against an owner under IC 32-24, the owner may receive reasonable compensation for losses associated with the failure to receive timely notice. However, failure to send notice required by subsection (h) is not a basis of an objection to a proceeding under IC 32-23-1-8.

(Continued)

STAFF REPORT 2023-SE2-002A (Continued)

- ◇ The current Zoning and Subdivision Ordinance does align with state code, which provides for a special exception to the zoning ordinance to allow for either an elevation increase or relocation of the outdoor advertising sign if the sign must be moved or removed due to construction or highway widening.

GENERAL INFORMATION

THOROUGHFARE PLAN

This portion of Chief Lane is a private drive and is not classified in the Official Thoroughfare Plan for Marion County, Indiana.

This portion of Rand Road is classified in the Official Thoroughfare Plan for Marion County, Indiana as a local street, with an approximate 56-foot existing right-of-way.

SITE PLAN

File-dated October 25, 2023.

FINDINGS OF FACT

File-dated October 25, 2023.

ZONING HISTORY

2014-UV2-006; 5925 Stockberger Place (north of site), requested a variance of use of the Industrial Zoning Ordinance to provide for a Compressed Natural Gas (CNG) Fueling Station as a primary public use, **granted**.

99-V1-84, 5925 Stockberger Place (east of site); Requesting a variance of use and development standards of the Industrial Zoning Ordinance to provide for an equipment rental facility with outdoor storage, **granted**.

88-HOV-43; 3150 Rand Road (north of site), requested a variance of development standards to provide for the development of a warehouse without frontage on a public street, **granted**.

RU







Photo of subject site, proposed sign location, looking northwest.



Adjacent manufacturing facility to the north of the site.



Adjacent manufacturing facility to the west of the site.



Adjacent I-70 interstate and undeveloped protected district to the east.



BOARD OF ZONING APPEALS DIVISION III **July 16, 2024**

Case Number: 2024DV3015
Property Address: 2522 South Pennsylvania Street (approximate address)
Location: Center Township, Council District #18
Petitioner: Juan Guardado, by Joseph D. Calderon
Current Zoning: D-5
Request: Variance of Development Standards of the Consolidated Zoning and Subdivision Ordinance to provide for the construction of a detached carriage house and deck with a one-foot south side yard setback (five feet required).
Current Land Use: Residential
Staff Reviewer: Michael Weigel, Senior Planner

PETITION HISTORY

Staff will request a continuance on the petitioner’s behalf to the July 16, 2024 hearing in order to allow time for required notice to be sent and posted. A full staff report will be available in advance of that hearing.



BOARD OF ZONING APPEALS DIVISION III **June 18, 2024**

Case Number: 2024-DV3-018

Property Address: 3805 South East Street (approximate address)

Location: Perry Township, Council District #23

Petitioner: S & L Properties Indianapolis East LLC, by Lora Trent

Current Zoning: C-5

Request: Variance of Development Standards of the Consolidated Zoning and Subdivision Ordinance to provide for the location of a 30-foot tall pylon sign (maximum 25-foot height permitted) within 222 feet of another freestanding sign (300-foot separation required) with a 36.44 square foot digital display within 270 feet of a protected district (600-foot separation required).

Current Land Use: Commercial

Staff Recommendations: Staff has no recommendation for this petition

Staff Reviewer: Noah Stern, Senior Planner

PETITION HISTORY

- The petitioner is requesting a continuance to the July 16, 2024 BZA Division III hearing to allow for changes to the site plan, which will require new mailed notice.