



**Board of Zoning Appeals
Board of Zoning Appeals Division II
(November 18, 2025)
Meeting Agenda**

Meeting Details

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

Date: Tuesday, November 18, 2025 **Time:** 1:00 PM

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

Business:

Adoption of Meeting Minutes

Special Requests

PETITIONS REQUESTING TO BE CONTINUED:

- 1. 2025-SE2-004 (Amended) | 6358 North College Avenue**
Washington Township, Council District #2, zoned D-7 (TOD) (FF)
Nalja Osman Inc., by Nicole Anderson

Special Exception of the Consolidated Zoning and Subdivision Ordinance to provide for the operation of a daycare center, subject to the filed plan of operation.

Variance of Use to provide for a daycare center within the Floodway Fringe (not permitted).

Variance of Development Standards of the Consolidated Zoning and Subdivision Ordinance to provide for a five-space parking area (minimum nine spaces required).

****Petitioner and Staff to request a mutual continuance to the December 9, 2025 hearing of Division II**

- 2. 2025-SE2-005 | 5167 North College Avenue**
Washington Township, Council District #7, zoned C-3 (TOD)
52 College LLC, by Samuel Lewis

Special Exception of the Consolidated Zoning and Subdivision Ordinance to provide for a tattoo parlor (special exception required).

Variance of development standards of the Consolidated Zoning and Subdivision Ordinance to provide for a tattoo parlor within 40 feet of a protected district (500 feet required).

****Automatic Continuance filed by registered neighborhood organization, continuing this to the December 9, 2025 hearing of Division II**

- 3. 2025-DV2-035 | 5100 Knollton Road**
Washington Township, Council District #2, zoned D-S (FW) (FF)
John & Jane Murphy, by Justin and David Kingen

Variance of Development Standards of the Consolidated Zoning and Subdivision Ordinance to provide for the construction of a single-family dwelling on a lot with 50 feet of street frontage (75 feet required) and a driveway with a front yard setback of 12 feet from Roland Drive, with an accessory structure within the front yard of Roland Drive (accessory structures may not be within front yards).

****Petitioner to request a continuance to the December 9, 2025 hearing of Division II**

4. 2025-DV2-043 | 4360 Kessler Boulevard North Drive (Amended)

Washington Township, Council District #6, zoned D-2
Tomas Torres and Minerva Gomez, by Arnoldo Gonzales

Variance of Development Standards of the Consolidated Zoning and Subdivision Ordinance to provide for a six-foot tall fence and wall within the front yards of Sylvan Road and Kessler Boulevard, encroaching within the right-of-way of Sylvan Road and the clear sight triangle of each driveway along Sylvan Road (maximum 3.5-foot tall fence permitted, encroachment of rights-of-way and clear sight triangles prohibited).

****Petitioner to request a continuance to the December 9, 2025 hearing of Division II**

5. 2025-UV2-013 | 148 West 38th Street

Washington Township, Council District #7, zoned C-4
Martin Petroleum Inc., by Jamilah Mintze

Variance of use and development standards of the Consolidated Zoning and Subdivision Ordinance to provide for the operation of an automobile fueling station within 1,555 feet of a transit station (1/2-mile separation required) and a convenience store with a one and a half-foot eastern transitional yard and a service area with a zero-foot eastern transitional yard (eight-foot transitional yard required) with deficient frontage and transitional yard landscaping.

****Automatic Continuance filed by petitioner, continuing this to the December 9, 2025 hearing of Division II**

6. 2025-UV2-014 | 15 & 19 Iowa Street

Center Township, Council District #18, zoned D-5
Shannon Moody, by David E. Dearing

Variance of use of the Consolidated Zoning and Subdivision Ordinance to provide for the use of a shipping container as a detached garage (commercial vehicles not permitted).

****Petitioner to request a continuance to the December 9, 2025 hearing of Division II**

7. 2025-UV2-016 | 2201 East 30th Street

Center Township, Council District #8, zoned D-5
Hector Esparza, by Arnoldo Gonzales

Variance of use of the Consolidated Zoning and Subdivision Ordinance to provide for the operation of automobile repair facility, with outdoor storage of vehicles awaiting repair (not permitted).

****Petitioner to request a continuance to the December 9, 2025 hearing of Division II**

Petitions for Public Hearing

PETITIONS TO BE EXPEDITED:

8. 2025-DV2-042 | 10 South West Street

Center Township, Council District #18, zoned CBD-2 (TOD) (RC)
Convention Headquarters Hotels LLC, by Linas Yurkus

Variance of Development Standards of the Consolidated Zoning and Subdivision Ordinance to provide for the installation of an 11-foot tall, 121-square-foot pylon sign, with a five-foot setback from West Street (maximum height of eight-feet tall, 36 square feet permitted and 10 foot setback required).

9. 2025-DV2-044 | 170 East 71st Street, Town of Meridian Hills

Washington Township, Council District #2, zoned D-1
Jay & Karen Wirts, by Adam Mears

Variance of development standards of the Consolidated Zoning and Subdivision Ordinance to provide for the construction of an attached garage with a 1.5-foot west side yard setback (15 feet required).

10. 2025-UV2-015 (Amended) | 2049 East Michigan Street

Center Township, Council District #13, zoned MU-1

Francisco Nanez Jr and Romina Gabriela Belez, by Arnoldo Gonzales

Variance of use and development standards of the Consolidated Zoning and Subdivision Ordinance to provide for an existing duplex (not permitted), including a front porch and building addition with a 2.7-foot front yard setback (12 feet required).

PETITIONS FOR PUBLIC HEARING (Transferred Petitions):

11. 2025-DV1-051 | 5345 West 81st Street

Pike Township, Council District #1, zoned I-3

KR 100 LP, by Joseph D. Calderon

Variance of Development Standards of the Consolidated Zoning and Subdivision Ordinance to provide for a parking and building expansion resulting in two double-loaded rows of parking in front of a building (only one double-loaded row of parking permitted in industrial districts) and a non-compliant green factor score (compliance required).

PETITIONS FOR PUBLIC HEARING (Continued Petitions):

12. 2025-DV2-039 (Amended) | 854 North Gladstone Avenue

Center Township, Council District #13, zoned D-5

Yuri Guzman, by Josh Smith

Variance of Development Standards of the Consolidated Zoning and Subdivision Ordinance to provide for a building addition with a 3.5-foot north side yard setback and a 4.5-foot south side setback, (five feet side setbacks required).

PETITIONS FOR PUBLIC HEARING (New Petitions):

13. 2025-DV2-041 | 1867 Singleton Street

Center Township, Council District #18, zoned D-5

AJAMAGIR LLC, by Elliot Gibson

Variance of Development Standards of the Consolidated Zoning and Subdivision Ordinance to provide for enclosure of an existing front porch, resulting in the lack of a primary entry feature along the front façade (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
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Craig Von Deylen, Chair	City-County Council	January 1, 2025 – December 21, 2025
James Duke, Vice-Chair	Mayor's Office	January 1, 2025 – December 21, 2025
Patrice Duckett-Brown, Secretary	City-County Council	January 1, 2025 – December 21, 2025
Beth Brandon	Mayor's Office	January 1, 2025 – December 21, 2025
Tom Barnes	Metropolitan Development Commission	January 1, 2025 – December 21, 2025



Department of Metropolitan Development
Division of Planning
Current Planning

BOARD OF ZONING APPEALS DIVISION II

November 18, 2025

Case Number: 2025-SE2-004 (Amended)

Property Address: 6358 North College Avenue (approximate address)

Location: Washington Township, Council District #2

Petitioner: Nalja Osman Inc., by Nicole Anderson

Current Zoning: D-7 (TOD)

Request: Special Exception of the Consolidated Zoning and Subdivision Ordinance to provide for the operation of a daycare center, subject to the filed plan of operation.

Variance of Use to provide for a daycare center within the Floodway Fringe (not permitted).

Variance of development standards of the Consolidated Zoning and Subdivision Ordinance to provide for a five-space parking area (minimum nine spaces required).

Current Land Use: Vacant Commercial

Staff Recommendations: N/A

Staff Reviewer: Noah Stern, Senior Planner

PETITION HISTORY

- The petition was automatically continued by the petitioner from the October 14, 2025 hearing to the November 18, 2025 Division II hearing.
- The petitioner and Staff have agreed to an additional continuance to allow for further review.



Department of Metropolitan Development
Division of Planning
Current Planning

BOARD OF ZONING APPEALS DIVISION II

November 18, 2025

Case Number: 2025-SE2-005

Property Address: 5167 North College Avenue (approximate address)

Location: Washington Township, Council District #7

Petitioner: 52 College LLC, by Samuel Lewis

Current Zoning: C-3 (TOD) (W-5)
Special Exception of the Consolidated Zoning and Subdivision Ordinance to provide for a tattoo parlor (Special Exception required).

Request: Variance of Development Standards of the Consolidated Zoning and Subdivision Ordinance to provide for a tattoo parlor within 40 feet of a protected district (500 feet required).

Current Land Use: Commercial

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

Staff Reviewer: Michael Weigel, Senior Planner

PETITION HISTORY

A timely automatic continuance request was filed by a registered neighborhood organization, continuing this petition to the December 8th hearing date of Division II. A full staff report will be made available in advance of that hearing date.



Department of Metropolitan Development
Division of Planning
Current Planning

BOARD OF ZONING APPEALS DIVISION II

November 18, 2025

Case Number: 2025-DV2-035

Property Address: 5100 Knollton Road (approximate address)

Location: Washington Township, Council District #2

Petitioner: John & Jane Murphy, by Justin and David Kingen

Current Zoning: D-2 (FW) (FF)

Request: Variance of Development Standards of the Consolidated Zoning and Subdivision Ordinance to provide for the construction of a single-family dwelling on a lot with 50 feet of street frontage (75 feet required) and a driveway with a front yard setback of 12 feet from Roland Drive, with an accessory structure within the front yard of Roland Drive (accessory structures may not be within front yards).

Current Land Use: Vacant

Staff Recommendations: N/A

Staff Reviewer: Noah Stern, Senior Planner

PETITION HISTORY

- The petition was continued from the October 14th, 2025 hearing to the November 18, 2025 BZA Division II hearing.
- The petitioner is requesting an additional continuance to allow for further review to be completed.



Department of Metropolitan Development
Division of Planning
Current Planning

BOARD OF ZONING APPEALS DIVISION II

November 18, 2025

Case Number: 2025-DV2-043

Property Address: 4360 Kessler Boulevard North Drive (approximate address)

Location: Washington Township, Council District #6

Petitioner: Tomasa Torres and Minerva Gomez, by Arnoldo Gonzales

Current Zoning: D-2

Request: Variance of Development Standards of the Consolidated Zoning and Subdivision Ordinance to provide for a six-foot tall fence and wall within the front yards of Sylvan Road and Kessler Boulevard, encroaching within the right-of-way of Sylvan Road and the clear sight triangle of each driveway along Sylvan Road (maximum 3.5-foot tall fence permitted, encroachment of rights-of-way and clear sight triangles prohibited).

Current Land Use: Residential

Staff Reviewer: Michael Weigel, Senior Planner

PETITION HISTORY

The petitioner indicated their intent to request a continuance of the petition to the December 9, 2025 hearing date in order to allow time to retain a zoning attorney and for additional communication with neighbors. A full staff report will be made available in advance of that hearing date.



Department of Metropolitan Development
Division of Planning
Current Planning

BOARD OF ZONING APPEALS DIVISION II

November 18, 2025

Case Number: 2025-UV2-013

Property Address: 148 West 38th Street (*approximate address*)

Location: Washington Township, Council District #7

Petitioner: Martin Petroleum Inc., by Jamilah Mintze

Current Zoning: C-4

Request: Variance of use and development standards of the Consolidated Zoning and Subdivision Ordinance to provide for the operation of an automobile fueling station within 1,555 feet of a transit station (1/2-mile separation required) and a convenience store with a one and a half-foot eastern transitional yard and a service area with a zero-foot eastern transitional yard (eight-foot transitional yard required) with deficient frontage and transitional yard landscaping.

Current Land Use: Commercial

Staff Reviewer: Michael Weigel, Senior Planner

PETITION HISTORY

11/18/25: A timely automatic continuance request was filed by the petitioner, automatically continuing this petition to the December 9th hearing of Division II.

10/14/25: A timely automatic continuance request was filed by a registered neighborhood organization, automatically continuing this petition to the November 18th hearing of Division II.



Department of Metropolitan Development
Division of Planning
Current Planning

BOARD OF ZONING APPEALS DIVISION II

November 18, 2025

Case Number: 2025-UV2-014
 Address: 15 and 19 Iowa Street (approximate address)
 Location: Center Township, Council District #18
 Zoning: D-5
 Petitioner: Shannon Moody, by David E. Dearing
 Request: Variance of use of the Consolidated Zoning and Subdivision Ordinance to provide for the use of a shipping container as a detached garage (commercial vehicles not permitted).

Current Land Use: Single Family Dwelling

Staff Reviewer: Robert Uhlenhake, Senior Planner

PETITION HISTORY

This is the first public hearing for this petition.

The petitioner has requested this petition be **continued to the December 9, 2025**, hearing, to allow time to amend the petition and provide new notice. Staff has no objection to this request.



Department of Metropolitan Development
Division of Planning
Current Planning

BOARD OF ZONING APPEALS DIVISION II

November 18, 2025

Case Number: 2025-UV2-016
Address: 2201 East 30th Street (approximate address)
Location: Center Township, Council District #8
Zoning: D-5
Petitioner: Hector Esparza, by Arnoldo Gonzales
Request: Variance of use of the Consolidated Zoning and Subdivision Ordinance to provide for the operation of automobile repair facility, with outdoor storage of vehicles awaiting repair (not permitted).

Current Land Use: Commercial Automobile Repair

Staff Reviewer: Robert Uhlenhake, Senior Planner

PETITION HISTORY

This is the first public hearing for this petition.

The petitioner has requested this petition be **continued 2 months, to the January 13, 2026**, hearing, to allow time to amend the petition and provide new notice. Staff has no objection to this request.



Department of Metropolitan Development
Division of Planning
Current Planning

BOARD OF ZONING APPEALS DIVISION II

November 18, 2025

Case Number: 2025-DV2-042
Address: 10 South West Street (approximate address)
Location: Center Township, Council District #18
Zoning: CBD-2 (TOD) (RC)
Petitioner: Convention Headquarters Hotels LLC, by Linas Yurkus
Request: Variance of Development Standards of the Consolidated Zoning and Subdivision Ordinance to provide for the installation of an 11-foot tall, 121-square foot pylon sign, with a five-foot setback from West Street (maximum height of eight-feet tall, 36 square feet per sign face permitted and ten-foot setback required).

Current Land Use: Hotel and restaurant

Staff Reviewer: Robert Uhlenhake, Senior Planner

PETITION HISTORY

This is the first time this petition has been heard.

STAFF RECOMMENDATION

Staff recommends **approval of the request**.

PETITION OVERVIEW

- ◇ 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.
- ◇ The subject sign is an existing sign that is legally established and legally non-conforming that was compliant under the previous zoning Ordinance before the current Consolidated Zoning / Subdivision Ordinance sign regulations (2025).
- ◇ The request proposes to keep the existing sign height, size, and setback in order to replace the sign cabinet to allow for two (2) tenants to be indicated on the sign, when previously only one (1) tenant was indicated.



Department of Metropolitan Development
Division of Planning
Current Planning

- Due to the large street frontage and setback of the building, relocating the sign would be difficult as the sign would need to be placed within an existing driveway for an already developed site. A smaller sign would not be as visible and would cause difficulty for motorists trying to locate the property. The granting of this amended request would be a minor deviation in Staff's opinion and would not have any negative impact on surrounding properties.

GENERAL INFORMATION

Existing Zoning		CBD-2	
Existing Land Use		Hotel / Restaurant	
Comprehensive Plan Overlay		Core Mixed Uses	
Surrounding Context		Transit Oriented Development	
		<u>Zoning</u>	Surrounding Context
		North: CBD-S	Museum
		South: CBD-S	Baseball Stadium
		East: CBD-2	Convention Center
West: CBD S	State Park		
Thoroughfare Plan			
West Street		Primary Arterial	119-foot existing and proposed right-of-way.
Context Area		Compact	
Floodway / Floodway Fringe		No	
Wellfield Protection Area		No	
Site Plan		October 16, 2025	
Elevations		October 27, 2025	
Commitments		N/A	
Landscape Plan		N/A	
Findings of Fact		October 15, 2025	

COMPREHENSIVE PLAN ANALYSIS

Comprehensive Plan

- Marion County Land Use Plan (2019)
- Blue Line Transit-Oriented Development Strategic Plan (2022)

Pattern Book / Land Use Plan

- The Comprehensive Plan consists of two components that include The Marion County Land Use Pattern Book (2019) and the land use map. The Pattern Book provides a land use classification system that guides the orderly development of the county and protects the character of neighborhoods while also being flexible and adaptable to allow neighborhoods to grow and change over time. The Pattern Book serves as a policy guide as development occurs. Below are the relevant policies related to this request:



Department of Metropolitan Development
Division of Planning
Current Planning

- The Marion County Land Use Plan Pattern Book recommends the **Core Mixed Use** typology for the site. This typology is intended for the core of the City's Central Business District and along logical extensions from the core (such as the North Meridian Street corridor). It is characterized by dense, compact, and tall building patterns and a substantial degree of activity. Businesses, services, and institutions in this typology serve the entire region as well as residents and tourists. There is a wide range of public spaces, with some designed to accommodate events and festivals. Buildings are at least six stories in height and all off-street parking should be in garages. While buildings in this typology are larger than in other mixed-use typologies, they should still be designed with the pedestrian in mind, with entrances and large windows facing the street. Ideally, this typology has a tight street grid with frequent intersections and small blocks. In areas where small blocks are not practical due to existing development, public pedestrian paths should be provided as cut-throughs. This typology has a residential density in excess of 50 units per acre.

Red Line / Blue Line / Purple Line TOD Strategic Plan

Blue Line Transit-Oriented Development Strategic Plan (2022)

- The subject site is located approximately 300 feet from the West/Washington Blue Line transit station.
- The West/Washington transit station has been categorized as the Central Business District typology, which is characterized as a dense, mixed-use infill development throughout.

The Blue Line Transit-Oriented Development Strategic Plan TOD recommends Central Business District Typology Characteristics

- Tall structures encouraged throughout station areas in densest business district.
- Mix of office, entertainment, civic, retail, active public space and residential is desired.
- Off-street parking should be avoided.

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

2008-ZON-823 / 2008-VAR-823 / 2008-VAC-823; 501 West Washington Street (subject site), requested the Rezoning of 1.07 acres, from the CBD-S (RC) District to the CBD-2 (RC) classification to provide for central business district uses, **approved**, and a Variance of Development Standards of the Central Business Districts Zoning Ordinance to provide for:

- a) an approximately 376-foot tall building, with portions of fifteen floors penetrating the sky exposure plane two along West Street (not permitted),
- b) an approximately 147-foot tall building, with portions of four floors penetrating the sky exposure plane two along Washington Street (not permitted),
- c) a parking entrance along West Street within five feet of the intersection of Washington Street and West Street (minimum 25-foot separation required),
- d) a building with a total adjusted net floor area of 2,048,443 square feet providing 942 off-street parking spaces (minimum 2,561 parking spaces required),
- e) 930 parking spaces with a usable parking area of 162 square feet and for twelve parking spaces with a usable parking area of 148.5 square feet (minimum usable parking area or 180 square feet per space required). **Granted.**

2008-DV2-018; 501 West Maryland Street (across Maryland Street to the south), requests a Variance of Development Standards of the Sign Regulations to provide for two signs with electronic messaging, **granted.**

2006-APP-181; 501 West Maryland Street (subject site), requests Regional Center approval for exterior modifications, including new awnings and a wall sign, **approved.**

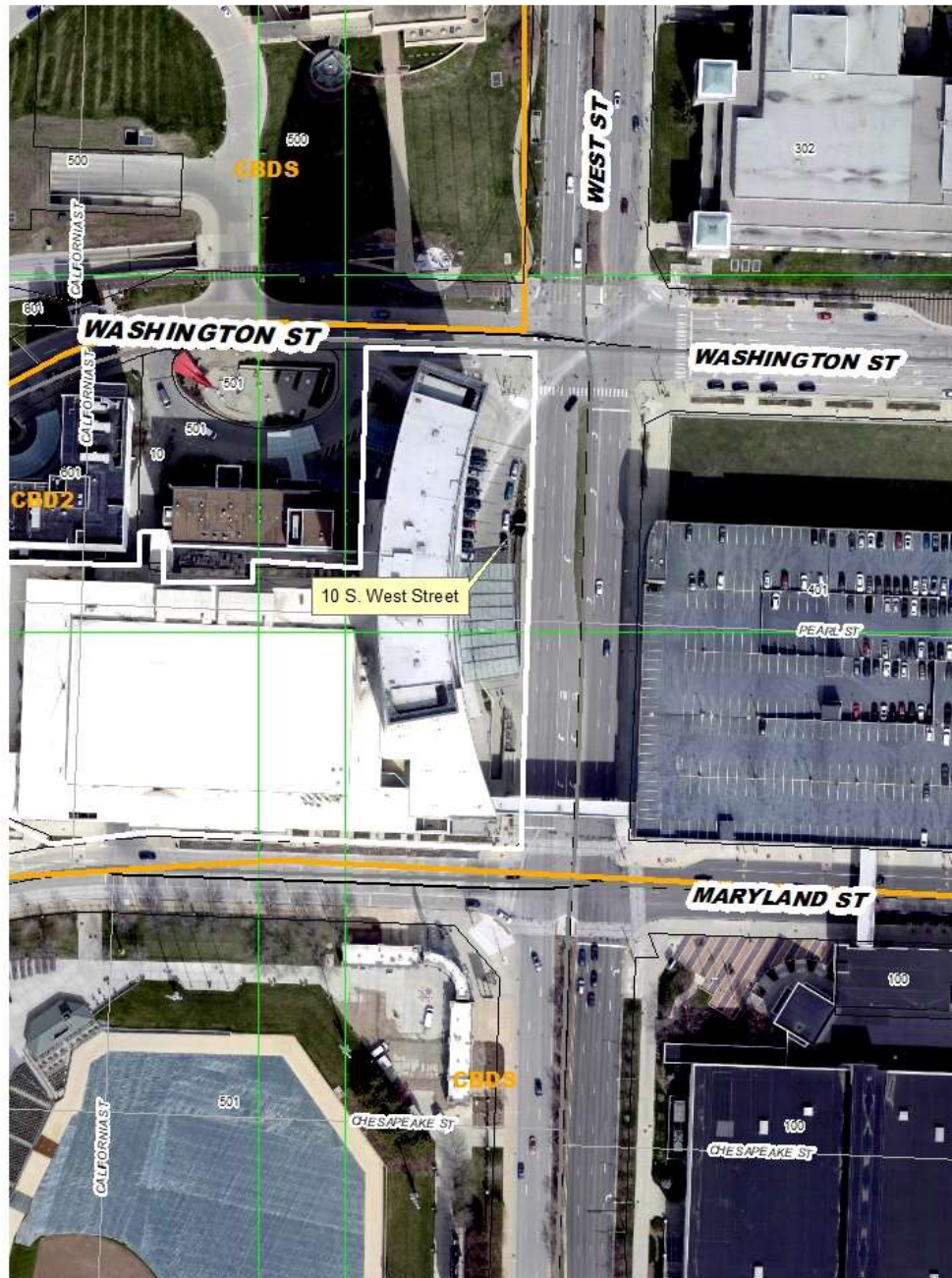
2005-APP-025; 501 West Maryland Street (subject site), requests Regional Center approval for nine wall signs and a cabinet for an existing pylon sign, **approved.**

94-AP-151; 501 West Maryland Street (across Maryland Street to the south), requests Regional Center approval for a baseball facility for the Indianapolis Indians, **approved.**

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EXHIBITS

Location Map



Site Plan



Sign Elevations





Department of Metropolitan Development
Division of Planning
Current Planning

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 is for a sign that will replace an existing sign of the same dimensions and set-back. The current sign has been in place for many years and must be replaced because it is in disrepair. The existing sign had been previously approved for a variance, and since its installation has proven to not be injurious to the public health, safety, morals or general welfare of the community. The new sign will maintain the same set-back and dimensions as the sign it is replacing and will help to assist motorists to locate the property more efficiently.

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 substantial changes are being made by replacing a sign of the same size and set back as the current one.

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

The abnormally large street frontage, set-back of the building, and traffic configuration render a smaller sign that is further set back nearly useless and causes difficulty for motorists trying to locate the property.

Photographs



Subject site, looking south.



Subject site, existing sign, looking south



Subject site, existing sign, looking north



Department of Metropolitan Development
Division of Planning
Current Planning

BOARD OF ZONING APPEALS DIVISION II

November 18, 2025

Case Number: 2025-DV2-044

Property Address: 170 East 71st Street, Town of Meridian Hills (*approximate address*)

Location: Washington Township, Council District #2

Petitioner: Jay & Karen Wirts, by Adam Mears

Current Zoning: D-1

Request: Variance of development standards of the Consolidated Zoning and Subdivision Ordinance to provide for the construction of an attached garage with a 1.5-foot west side yard setback (15 feet required).

Current Land Use: Residential

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

Staff Reviewer: Michael Weigel, Senior Planner

PETITION HISTORY

This is the first public hearing for this petition.

STAFF RECOMMENDATION

Staff recommends **approval** of this petition.

PETITION OVERVIEW

- 170 East 71st Street is a residential parcel within the Town of Meridian Hills currently improved with a single-family residence originally constructed around 1930 and with a carport addition that appears to have been built in the late 1970s or early 1980s from aerial photography. The property is accessed by driveway from 71st Street to the south, and surrounding land uses are single-family residential in nature.
- Approval of this petition would allow for the replacement of the existing carport (which has a western side yard setback of 1.5 feet) with an attached garage in a similar location that would also have a deficient 1.5 foot setback. The garage would not expand past the carport's footprint to the south, but would add 7.5 feet of new building area to the north of the carport footprint. Since the carport would be demolished and then rebuilt, the side setback would not be considered legally non-conforming and would not be eligible for the side setback exception found within 744-202.E of the Indianapolis Zoning Ordinance.



Department of Metropolitan Development
Division of Planning
Current Planning

- The required side yard setback for this property would be 15 feet given its placement within Meridian Hills, which has additional zoning requirements (744-203.A) beyond the standard setbacks applicable for the D-1 zoning district. The proposed garage addition would also not meet the standard D-1 setback requirement of eight (8) feet but would comply with the aggregate side yard requirement of 22 feet.
- This property is zoned D-1 (Dwelling District One) to allow for low-density estate-style residential development in suburban areas characterized by generous front yards for trees and a bucolic atmosphere appropriately served by gently curving roadways. D-1 development plans should incorporate and promote environmental and aesthetic considerations from existing vegetation, topography, drainage, and wildlife. Similarly, the Comprehensive Plan Pattern Book recommends it to the Suburban Neighborhood typology to allow for predominantly single-family housing and places it within an Environmentally Sensitive overlay which indicates that development should prevent or mitigate damage to natural features and should preserve at least 30% of the site as tree canopy or naturalized area. The site is one of two adjoining lots owned by the petitioner, and in combination the lots are longer than they are wide.
- Staff would note that (a) if the scope of work proposed by the applicant were to solely involve enclosing of the carport (a similar scope of work) then no variance relief would be required; (b) the residence on the parcel to the west of the subject site is well-screened and has 30 feet of separation from the property line which would limit negative impacts of the project; and (c) placement of an attached garage in alternate locations to the east or south of the property would likely result in the removal of trees or green spaces on the site (counter to ordinance and guidance from the Pattern Book and). For these reasons, staff recommends approval of the variance.

GENERAL INFORMATION

Existing Zoning	D-1	
Existing Land Use	Residential	
Comprehensive Plan	Suburban Neighborhood	
Surrounding Context	<u>Zoning</u>	Surrounding Context
North:	D-1	North: Residential
South:	D-1	South: Residential
East:	D-1	East: Residential
West:	D-1	West: Residential
Thoroughfare Plan		
71 st Street	Primary Arterial	75-foot existing right-of-way and 90-foot proposed right-of-way
Context Area	Metro	
Floodway / Floodway Fringe	No	
Overlay	Yes	
Wellfield Protection Area	No	



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

Site Plan	10/14/2025
Site Plan (Amended)	N/A
Elevations	10/14/2025
Elevations (Amended)	N/A
Landscape Plan	N/A
Findings of Fact	10/14/2025
Findings of Fact (Amended)	N/A

COMPREHENSIVE PLAN ANALYSIS

Comprehensive Plan

- Marion County Land Use Plan Pattern Book

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. Natural corridors and features such as streams, wetlands, and woodlands should be treated as focal points or organizing systems for development.
- The Environmentally Sensitive (ES) overlay is intended for areas containing high quality woodlands, wetlands, or other natural resources that should be protected. The purpose of this overlay is to prevent or mitigate potential damage to natural resources. The development of detached housing should preserve or add at least 30% of the entire parcel as tree canopy or naturalized area.

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.



Department of Metropolitan Development
Division of Planning
Current Planning

ZONING HISTORY

ZONING HISTORY – SITE

N/A

ZONING HISTORY – VICINITY

2016HOV018 ; 212 E 71st Street (east of site), Variance of development standards of the Consolidated Zoning and Subdivision Ordinance to provide for a fireplace and pergola, with an eight-foot east side setback, on a patio, with a six-foot side setback (15-foot side setback required), **approved**.

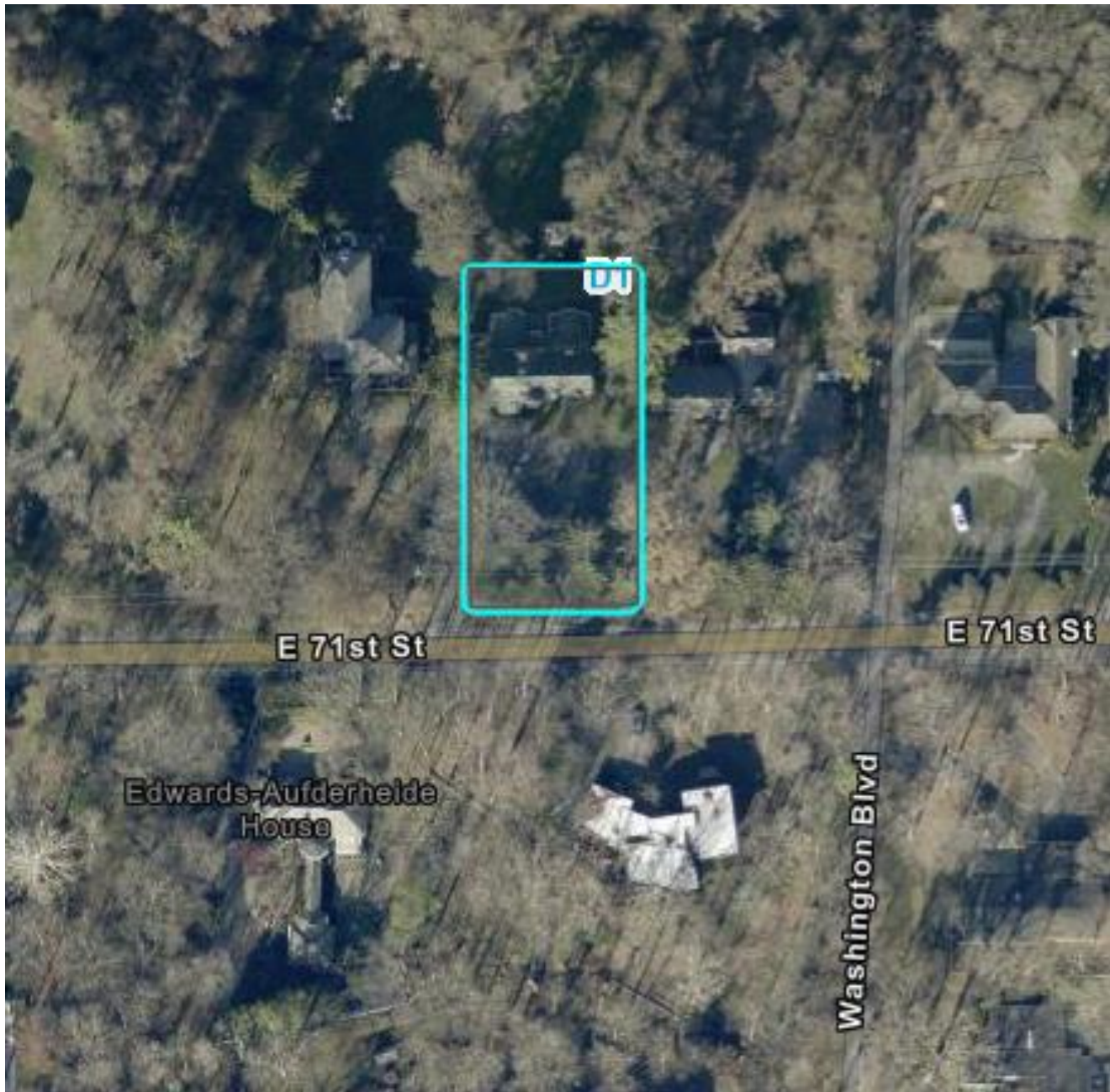
2011HOV031 ; 7070 N Pennsylvania Street (southwest of site), Variance of development standards of the Dwelling Districts Zoning Ordinance to provide for a 330-square foot addition, with a four-foot north side setback (15-foot minimum setback required), **approved**.

2009DV1038 ; 7090 N Pennsylvania Street (west of site), Variance of Development Standards of the Dwelling Districts Zoning Ordinance to provide for 127.2-square foot building addition with a 73-foot front setback from Pennsylvania Street (minimum 95-foot front setback required), **approved**.

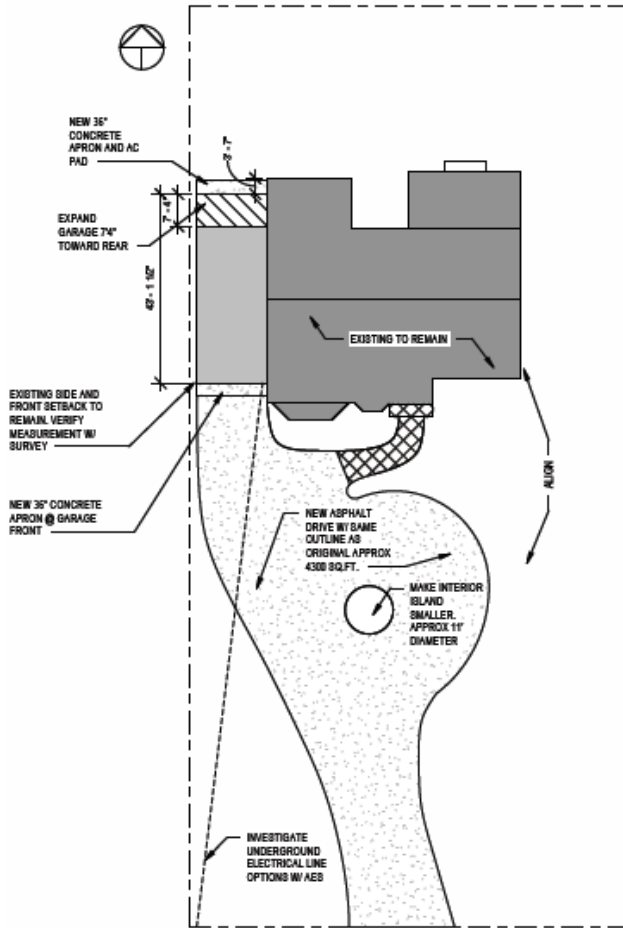
2007DV2031 ; 7162 Pennsylvania Street (northwest of site), VARIANCE OF DEVELOPMENT STANDARDS of the Dwelling Districts Zoning Ordinance to provide for the construction of a 492-square foot deck with a zero-foot north side setback (minimum eight-foot side setback required), and to legally establish a 500-square foot attached garage, a 120-square foot porch, a 200-square foot patio, a 384-square foot accessory building, a 440-square foot parking pad, a 1,050-square foot patio, and a 2,223.75-square foot pool, resulting in an accessory use area of 5,409.75 square feet or 216.39 percent of the total living area of the primary dwelling (maximum 2,500 square feet or 99.99 percent of the total living area of the primary dwelling permitted), **approved**.

EXHIBITS

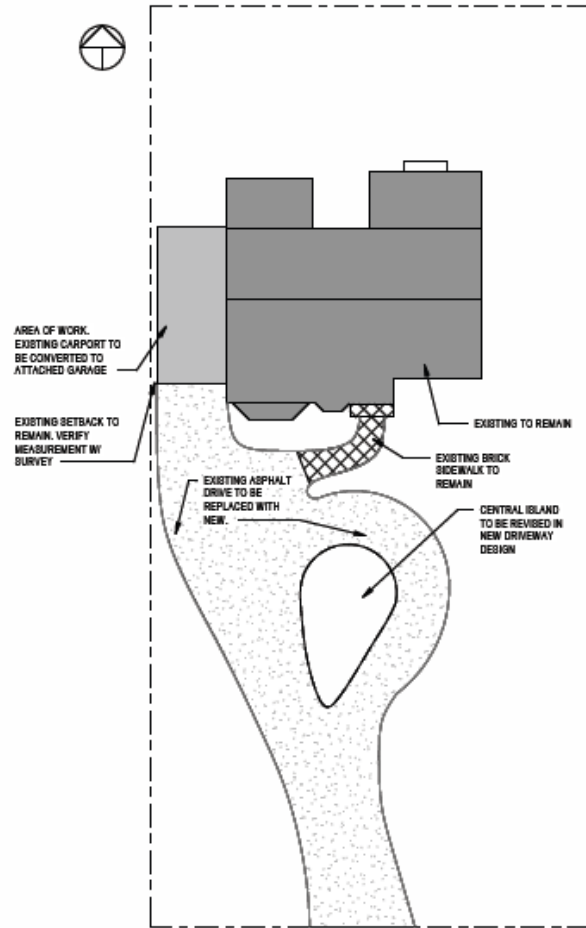
2025DV2044 ; Aerial Map



2025DV2044 ; Site Plan

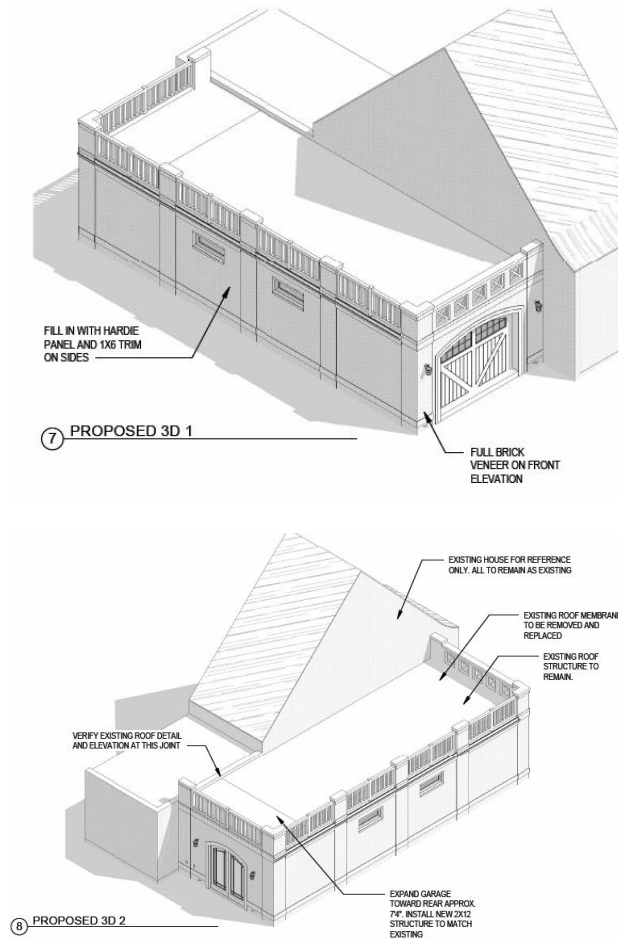


② SITE PLAN PROPOSED
 1" = 20'-0"



① SITE PLAN EXISTING
 1" = 20'-0"

2025DV2044 ; Elevations (3D Render)



2025DV2044 ; 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 garage will not cause pollution, unsanitary conditions, traffic congestion or impair drainage.

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 garage will enhance the appearance and value of the property. Furthermore, the most impacted neighbors do not object.

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

Due to the location of the current car port, without relief, the owners will be unable to enhance the appearance and value of the property for themselves and their neighbors.

2025DV2044 ; Photographs



Photo 1: Subject Site Viewed from South



Photo 2: Current Carport (provided by applicant)

2025DV2044 ; Photographs (continued)



Photo 3: Eastern Portion of Subject Site



Photo 4: Screening Along Western Property Line

BOARD OF ZONING APPEALS DIVISION II

November 18, 2025

Case Number: 2025-UV2-015 (Amended)
Property Address: 2049 East Michigan Street (approximate address)
Location: Center Township, Council District #13
Petitioner: Francisco Nanex Jr and Romina Gabriela Belez, by Arnoldo Gonzales
Current Zoning: MU-1
Request: Variance of use and development standards of the Consolidated Zoning and Subdivision Ordinance to provide for an existing duplex (not permitted), including a front porch and building addition with a 2.7-foot front yard setback (12 feet required).
Current Land Use: Residential
Staff Recommendations: Staff recommends **approval** of this petition.
Staff Reviewer: Michael Weigel, Senior Planner

PETITION HISTORY

This is the first public hearing for this petition.

STAFF RECOMMENDATION

Staff recommends **approval** of this petition.

PETITION OVERVIEW

- 2049 East Michigan Street is a parcel that is currently improved with a duplex structure that has been at the site since approximately 1900. The property appears to have been vacant since at least 2017 and appears to have sustained fire damage between 2024 and 2025. Adjacent parcels to the west and east are undeveloped (formerly residential), and surrounding land uses include residences to the north, a mixed-use building containing a pet shop to the east, a former women's prison to the west, and a residential structure in disrepair to the south.
- As part of the proposed rebuild of the residential structure at the site, demolition of the front porch occurred. The applicant is seeking to use the footprint of the previous porch for construction of the new front porches, balconies, and building area (no change in the building height is contemplated; see Exhibits below).

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

- This partial demolition and rebuilding of the prior front porch area would result in the need for a Variance of Use since duplexes are not a permitted primary use within the MU-1 zoning district. This is as a result of the structure losing its Legal Non-Conforming status.
- In addition to the required Use Variance, a Variance of Development Standards would also be required to demolish and rebuild within the footprint of the original front porch. The MU-1 zoning district would require a front setback of 12 feet, and the site plan provided by the applicant indicates a 2.7-foot front setback (see Exhibits). The expansion of the eastern side setback would be eligible for the exception found within 744-202.E.2 of the Indianapolis Zoning Ordinance and would not require a variance. Additionally, the duplex could utilize existing on-street parking on the southern portion of Michigan Street to meet the required minimum parking standard.
- This site is zoned MU-1 (Mixed-Use One District) to allow for the development of high-rise office uses and apartments grouped in varying combinations or provided in the same building. Additionally, the Comprehensive Plan recommends it to the Traditional Neighborhood living typology to allow for a full spectrum of housing types within compact development patterns. Finally, Infill Housing Guidelines indicate that for contexts in which neighboring front setbacks are similar, the separation from streets and sidewalks should reflect the block context.
- Findings of Fact provided by the applicant indicate the site's historic use as a duplex, nearby residential development within MU-1 zoning, and conformity with Plan guidance as supporting evidence for approval of the variances. Staff would note the existing duplex and lot size would complicate efforts to develop the site with a use allowed within the MU-1 district, and that the proposed setback that would result from the demolition and rebuilding of the front porch area would not result in any additional encroachment into the required front setback (no expansion of the footprint past its historic location). For these reasons, staff recommends approval of the requested variances.

GENERAL INFORMATION

Existing Zoning	MU-1	
Existing Land Use	Residential	
Comprehensive Plan	Traditional Neighborhood	
Surrounding Context	<u>Zoning</u>	Surrounding Context
North:	MU-1	North: Residential
South:	MU-1	South: Residential - Damaged
East:	MU-1	East: Undeveloped
West:	MU-1	West: Undeveloped
Thoroughfare Plan		
Michigan Street	Primary Arterial	60-foot existing right-of-way and 78-foot proposed right-of-way
Context Area	Compact	
Floodway / Floodway Fringe	No	

Overlay	No
Wellfield Protection Area	No
Site Plan	10/01/2025
Site Plan (Amended)	10/29/2025
Elevations	10/01/2025
Elevations (Amended)	N/A
Landscape Plan	N/A
Findings of Fact	10/01/2025
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 Traditional Neighborhood typology 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 building forms that promote the social connectivity of the neighborhood and provide clearly defined public, semi-public, and private spaces. Infill development should continue the existing visual pattern, rhythm, and orientation of surrounding buildings when possible.

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

- Front setbacks establish the distance from streets and sidewalks to houses and the perceived size of streets. Building setbacks should match the existing context along frontages where setbacks are similar and should build in the 'setback range' when setbacks are varied.

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

2020UV1022 ; 2126 E Michigan Street (northeast of site), Variance of use and development standards of the Consolidated Zoning and Subdivision Ordinance to provide for a two-family dwelling (not permitted) with a four-foot west side transitional yard (10-foot side transitional yard required), **approved**.

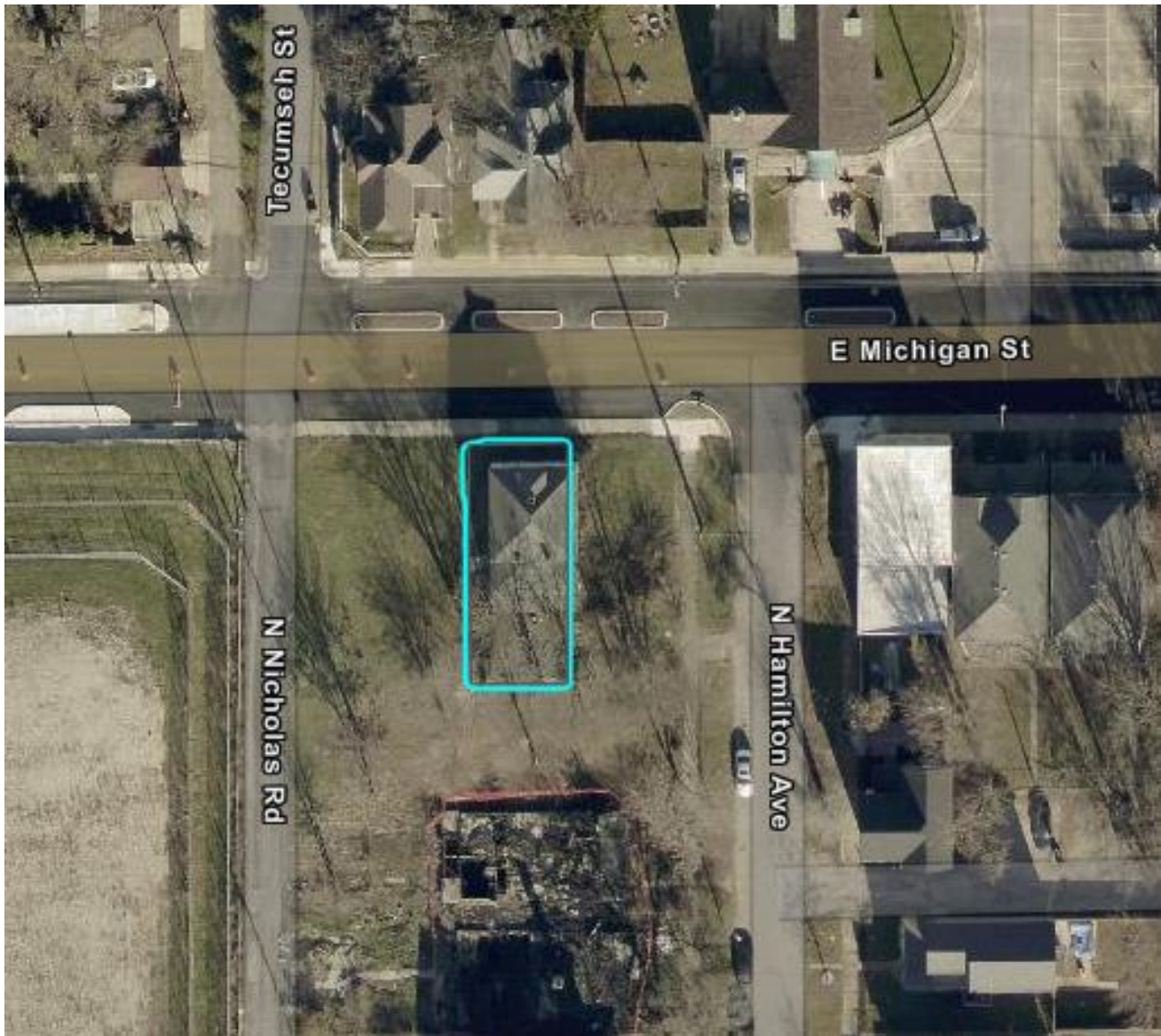
2006HOV005 ; 2040 E Michigan Street (north of site), variance of use of the Commercial Zoning Ordinance to legally establish a single-family dwelling (not permitted) and to provide for the addition of a 149.5 square-foot porch to the existing dwelling, **approved**.

2005ZON020 ; 2050 E Michigan Street (northeast of site), rezoning of 0.4916 acre, being in the C-2 District, to the C-3-C classification to provide for a private club/banquet facility, **approved**.

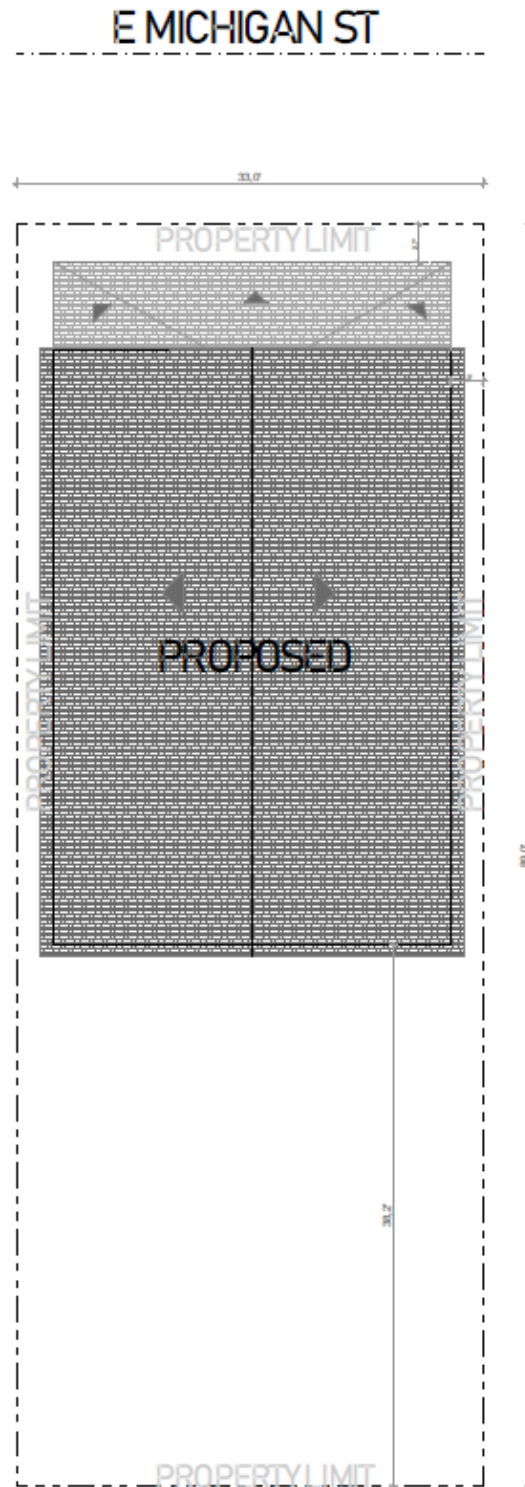
2003LNU030 ; 2101 E Michigan Street (east of site), legally establish (a) retail sale of pet supplies (pet shop) within the first floor of the existing two-story structure, approximately 2048 square feet; and (b) storage of goods and materials related to the retail sales of pet supplies (pet shop), in the existing ½ basement, approximately 1280 square feet, **approved**.

EXHIBITS

2025UV2015 ; Aerial Map



2025UV2015 ; Site Plan



2025UV2015 ; Elevations



NORTH ELEVATION, FRONT VIEW
 PROPOSED

WEST ELEVATION, LEFT VIEW
 PROPOSED

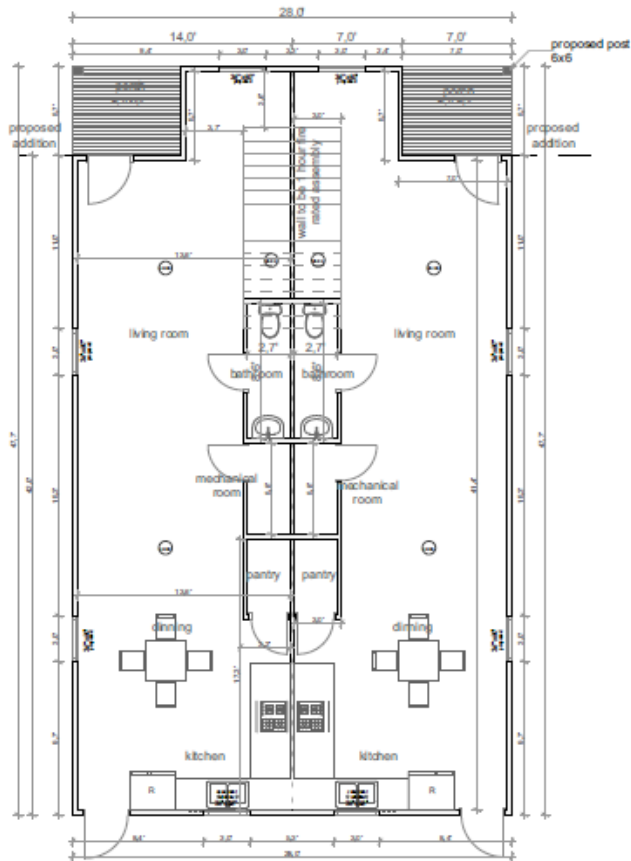


EAST ELEVATION, RIGHT VIEW
 PROPOSED

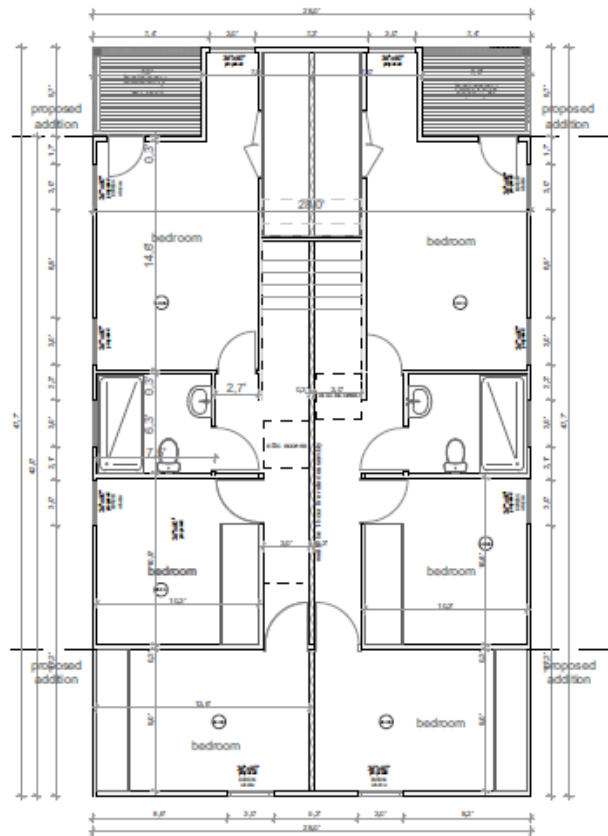
SOUTH ELEVATION, REAR VIEW
 PROPOSED

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

2025UV2015 ; Floorplans



PROPOSED FIRST FLOOR
ADDITION



PROPOSED SECOND FLOOR
ADDITION

2025UV2015 ; 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 addition to the existing two history duplex and already existing addition on the first floor, will not affect the public health, safety and morals and general welfare of the community because been placed on a MU1 district where single family and duplex buildings still exist located all around the property. In this case the proposed addition will not significantly detract from the overall appearance or character of the neighborhood.

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 construction of the property is in a parcel lot which has effective frontage of 33 feet, and effective deep of 80 feet, the same amount of the surrounding lots, where it could be impossible to build a high-rise office use, and apartments intermixed in each one of those, therefore will not affect in any substantially manner.

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

The duplex building construction has a long data prior to the Zoning Ordinance effective on November 1st., 2021. Therefore allowing the renovation and restoration of the building will improve the sight vision, security and will modernize the place according with the new standard buildings on Indianapolis.

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

Granting the renovation and addition variance provides fair treatment like other buildings and enables the petitioner to meet community standards; otherwise, denying the variance would lead to the unnecessary demolition of the building, leading to economic hardship for the petitioner.

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

The addition and renovation of the property goes with the community's vision and goals for its future, providing the foundation for land use growth, and development. Granting this variance will serve the community's needs effectively.

2025UV2015 ; Photographs



Photo 1: Subject Site Viewed from North



Photo 2: Subject Site Viewed from Northeast

2025UV2015 ; Photographs



Photo 3: Michigan Frontage Viewed from West



Photo 4: Subject Site Viewed from East

2025UV2015 ; Photographs



Photo 5: Adjacent Property to East

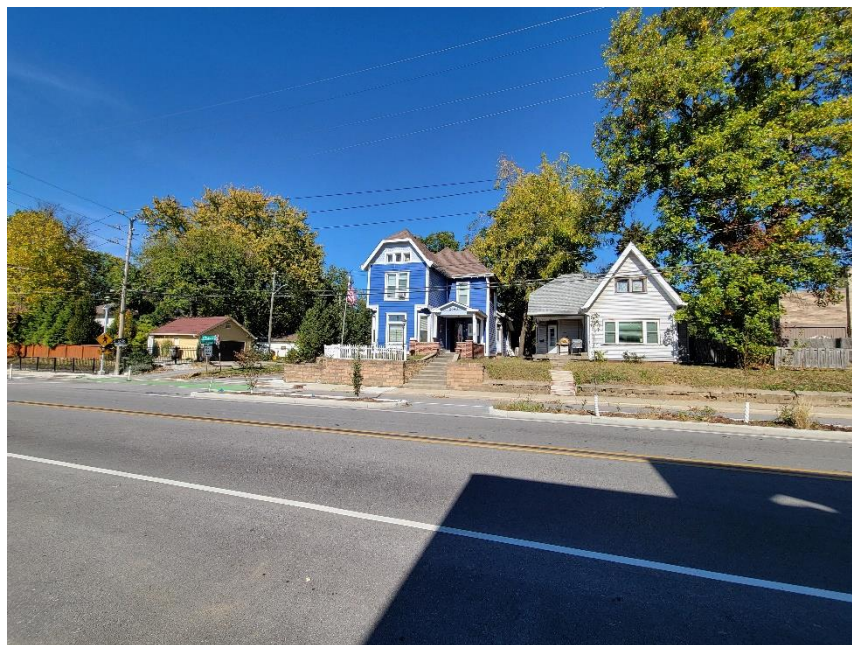


Photo 6: Adjacent Property to North

2025UV2015 ; Photographs



Photo 7: Adjacent Property to South



Photo 8: Subject Site Viewed from North (December 2022)

BOARD OF ZONING APPEALS DIVISION I

November 18, 2025

Case Number: 2025-DV1-051

Property Address: 5345 West 81st Street (approximate address)

Location: Pike Township, Council District #1

Petitioner: KR 100 LLP, by Joseph D. Calderon

Current Zoning: I-3

Request: Variance of Development Standards of the Consolidated Zoning and Subdivision Ordinance to provide for a parking and building expansion resulting in two double-loaded rows of parking in front of a building (only one double-loaded row of parking permitted in industrial districts) and a non-compliant green factor score (compliance required).

Current Land Use: Industrial

Staff Recommendations: Staff recommends **approval** of the parking request and **denial** of the landscape request.

Staff Reviewer: Michael Weigel, Senior Planner

PETITION HISTORY

This petition was continued and transferred from the November 4, 2025 hearing date of Division I of the BZA by the petitioner to allow them time to correspond with a Registered Neighborhood Organization about the request.

STAFF RECOMMENDATION

Staff recommends **approval** of the parking request and **denial** of the landscape request.

PETITION OVERVIEW

- 5345 West 81st street is an industrial parcel located within the Park 100 area that is currently improved with a building for the wholesale distribution and warehousing of electrical products and supplies, with a limited retail counter to serve customers. Surrounding land uses are also industrial in nature, with warehousing and distribution operations to the north and east and truck parking/outdoor storage uses to the west and south. The building is currently serviced by accessory parking and loading areas to the east and west. The variance petition 2022-DV2-004 was approved in 2022 to allow for an expansion of vehicle areas within the front yard of the subject site, but it does not appear that this work was ever completed. However, many trees were cleared from the front yard area around this point in time (see 2023 aerial photograph and Photos 11-12 within the Exhibits for the previous amount of tree coverage).

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

- The property owners are seeking to expand operations at the subject site in two (2) phases. The first would solely involve the addition of a temporary parking area at the northeastern edge of the existing building and a permanent parking addition to the north along the existing rows to the west of the structure. The second phase would involve a building addition with a size of around 54,400 square feet as well as the placement of new parking areas to the north of the expanded structure.
- Two Variances of Development Standards are being sought in conjunction with this variance application. The first would be to allow for the two (2) separate double-loaded rows of front yard parking proposed within Phase 1 (the western stalls parallel to the 81st Street frontage and the smaller temporary area to the northeast of the current building). The second variance would be to allow for a landscaping plan with a deficient Green Factor score: the minimum requirement for redevelopment is 0.22, and submitted plans indicate a score of 0.1490.
- The subject site is zoned I-3 (Medium Industrial District) to allow for industries that present moderate risks to the public and therefore should be separated from protected districts and buffered by intervening lighter industrial districts when practical. The Comprehensive Plan Pattern Book recommends it to the Light Industrial typology to allow for industrial production, distribution, and repair uses that are often within industrial parks and are conducted within enclosed structures unlikely to create emissions of light, odor, noise, or vibrations. The Pattern Book also places it within an Industrial Reserve overlay intended for areas that are prime for industrial development.
- The Zoning Ordinance places limitations on the number of rows of parking within front yards for commercial and industrial areas to avoid the appearance of large and expansive parking areas between buildings and roadways. The two (2) proposed double-loaded rows of parking shown on Phase I of plans aren't adjoining or contiguous in nature, but would be separated by 310 feet and would not create the appearance of two (2) consecutive double-loaded rows of parking. Additionally, the southeastern portion of the parking shown would only be temporary in nature. Therefore, staff finds the request to be minor and would recommend approval of this variance.
- Findings of Fact provided by the applicant in support of the Green Factor variance indicate that the future addition would limit the ability to place landscaping on the front half of the lot, and that most neighbors have minimal landscaping in place compared to their proposal. Staff would note that (a) the site had previously contained a large number of trees that were recently removed which would constitute a substantial *reduction* in site landscaping compared to the new proposal and (b) the size of the building addition is fully within the applicant's control, and a smaller addition might allow for a Green Factor score that more closely approximates the Ordinance standard.
- Staff would note that the proposed clustering of trees shown along the northern property line would likely result in conditions that would be suboptimal for those trees to survive and grow, and that trees spaced in a healthier fashion would likely result in a Green Factor score less than the 0.1490 shown within Exhibits. Additionally, the required score of 0.22 is already an allowance written into the Ordinance given that new development would be required to provide a score of at least 0.30 (a score of 0.22 would be permissible for instances of redevelopment or building additions).

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

- The proposed deficiency of the Green Factor is directly correlated with the size and scale of the proposed building addition, which is factor fully within the applicant's control. Given these reasons, the level of deviation from the standard, and the lack of identifiable site-specific practical difficulty, staff recommends denial of the Green Factor variance.

GENERAL INFORMATION

Existing Zoning	I-3	
Existing Land Use	Industrial	
Comprehensive Plan	Light Industrial	
Surrounding Context	<u>Zoning</u>	Surrounding Context
North:	I-3	North: Industrial
South:	I-3	South: Industrial
East:	I-3	East: Industrial
West:	I-3	West: Industrial
Thoroughfare Plan		
81 st Street	Private Street	72-foot right-of-way
Context Area	Metro	
Floodway / Floodway Fringe	No	
Overlay	Yes	
Wellfield Protection Area	No	
Site Plan	09/09/2025	
Site Plan (Amended)	11/06/2025	
Elevations	N/A	
Elevations (Amended)	N/A	
Landscape Plan	11/06/2025	
Findings of Fact	09/09/2025	
Findings of Fact (Amended)	10/14/2025	

COMPREHENSIVE PLAN ANALYSIS

Comprehensive Plan

- Marion County Land Use Plan Pattern Book

Pattern Book / Land Use Plan

- The Pattern Book recommends this site to the Light Industrial working typology to allow for industrial production, distribution, and repair uses that are often within industrial parks and are conducted within enclosed structures unlikely to create emissions of light, odor, noise, or vibrations.
- The Plan also includes it within an Industrial Reserve overlay intended for areas that are prime for industrial development due to factors such as large parcel size, proximity to compatible uses, and/or interstate access.

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

2022DV2004, Variance of development standards of the Consolidated Zoning and Subdivision Ordinance to allow for the development of an off-site parking and storage area, with a double-loaded and single-loaded row of parking in front of a building within 40.75% of front setback area, with a 27-foot setback and 46-foot east side setback (all parking area required to be on-site, only one-double-loaded row of parking limited to 10% of front setback permitted in industrial districts, 60-foot front and 30-foot side setbacks required), **approved subject to site plan**.

79-Z-32, rezoning of 49.63 acres from I-1-S to the I-3-S zoning designation, **approved**.

ZONING HISTORY – VICINITY

2018UV1043 ; 5314 W 79th Street (south of site), Variance of use of the Consolidated Zoning and Subdivision Ordinance to provide for artisan food and beverage, a restaurant, with alcohol sales and outdoor seating (not permitted), **approved**.

2017UV2023 ; 5214 W 79th Street (southeast of site), Variance of use of the Consolidated Zoning and Subdivision Ordinance to provide for indoor commercial recreational uses (not permitted), **approved**.

2016DV2032 ; 5430 W 81st Street (northwest of site), Variance of development standards of the Consolidated Zoning and Subdivision Ordinance to provide for indoor and outdoor, off-site (not permitted) parking lots, **approved**.

2014UV2014 ; 5328 W 79th Street (south of site), Variance of use of the Industrial Zoning Ordinance to provide for the production and sale of craft beer (not permitted), **approved**.

2006ZON140 ; 7911 Zionsville Road (southwest of site), rezoning of 11.388 acres, from the I-1-S District to the I-2-S classification to provide for light industrial uses, **approved**.

EXHIBITS

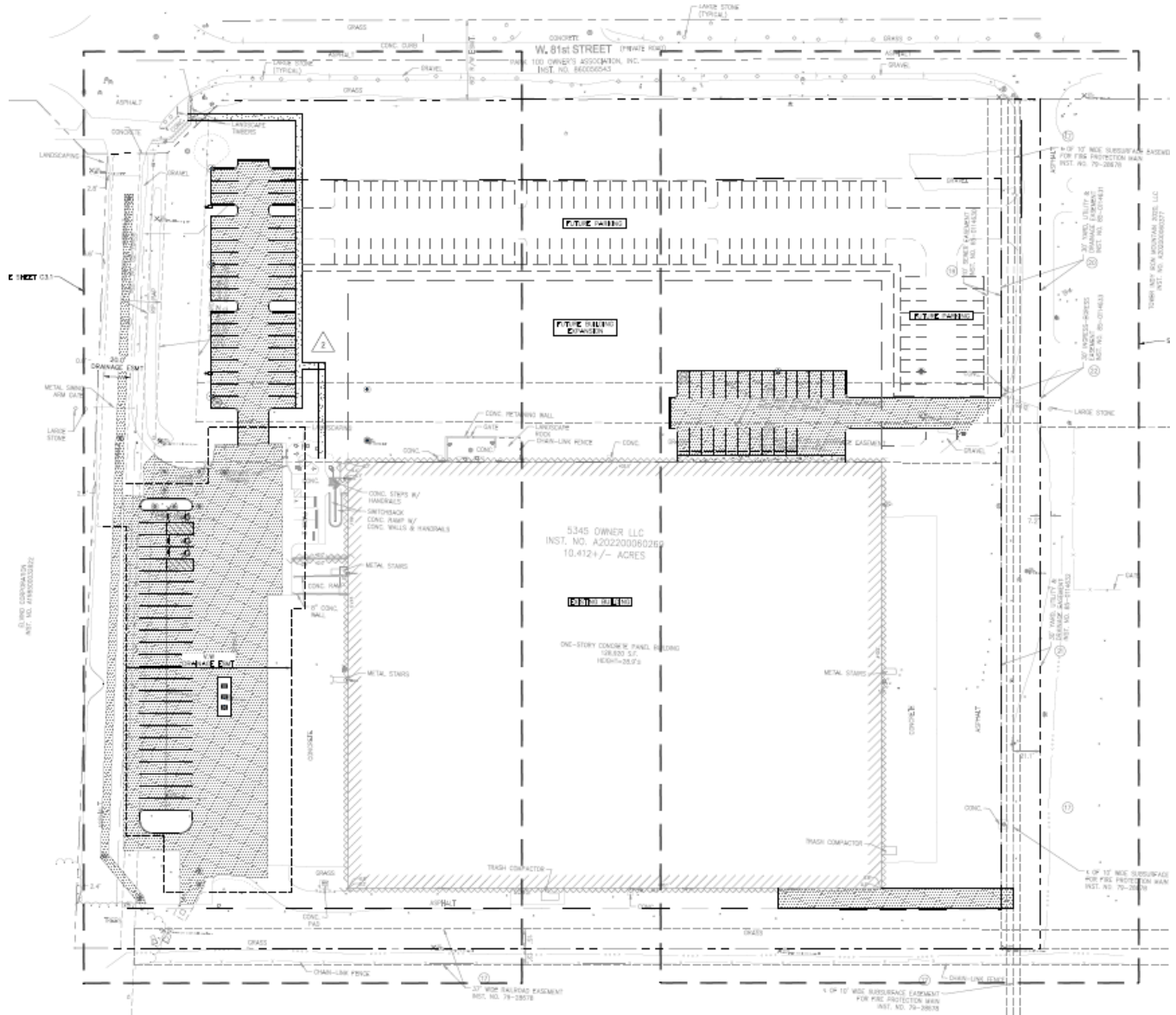
2025DV1051 ; Aerial Map (current)



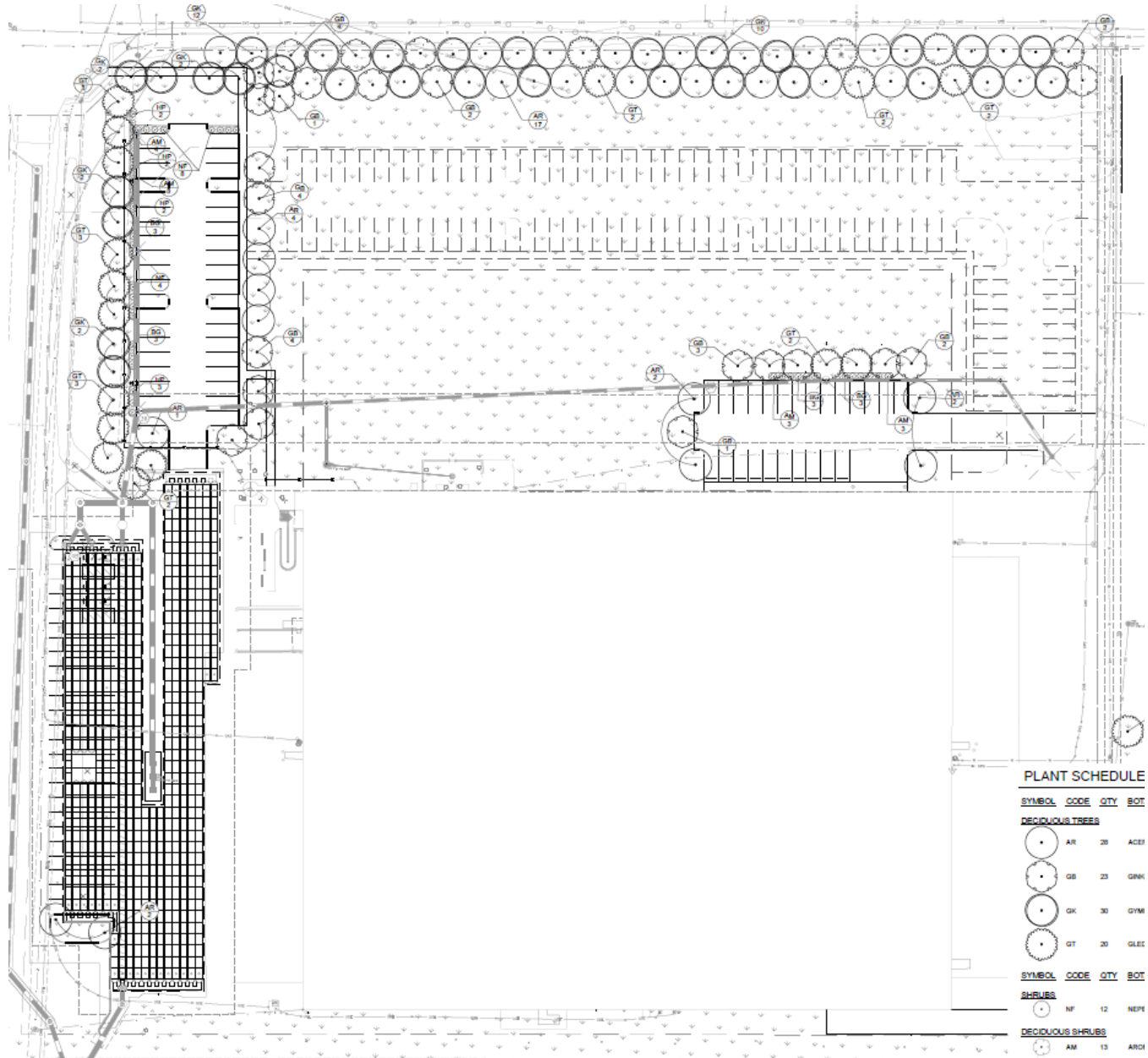
2025DV1051 ; Aerial Map (2023, zoomed)



2025DV1051 ; Site Plan



2025DV1051 ; Landscape Plan



Department of Metropolitan Development
Division of Planning
Current Planning

2025DV1051 ; Green Factor Checklist

Table 744-509-1: Green Factor Calculation				
Project Name or Address:				
Column A	Column B	Column C	Column D	Column E
Type of Area or Element	Number of Plants	Measured Area or Area Equivalent in Sq. Ft.	Multiplier	Score
Parcel Size		453,694		
Landscaped areas with uncompacted soil depth less than 24 inches				
Area of lawn, grass pavers, ground covers, or other plants typically less than 3 ft tall at maturity			0.2	-
Large shrubs or ornamental grasses [1]		16 sq. ft. per	0.3	-
Landscaped areas with uncompacted soil depth of 24 in. or more				
Required Yards with mulch, ground covers, grass pavers, or other plants typically less than 3 ft tall at maturity		32,744	1.0	32,744
Areas other than required yards with mulch, ground covers, grass pavers, or other plants typically less than 3 ft tall at maturity			0.7	-
Large shrubs or ornamental grasses [1]	45	16 sq. ft. per	0.3	216
Small trees [2]		50 sq. ft. per	0.3	-
Medium trees [3]	101	100 sq. ft. per	0.4	4,040
Large trees [4]		200 sq. ft. per	0.4	-
Undisturbed Areas [5]				
Undisturbed areas less than 10,000 sf			0.8	-
Undisturbed contiguous areas 10,000 sf or more		20,392	1.5	30,588
Significant Trees over 10 in. DBH preserved		250 sq. ft. per	0.5	-
Heritage Tree over 8 in. DBH preserved		250 sq. ft. per	0.5	-
Tree Preservation Credits as per Sec. 503.L for preserved Significant or Heritage Trees		250 sq. ft. per	0.5	-
Building or Structural Features				
Permeable paving for walkways, parking lots, etc			1.2	-
Photocatalytic pavement or building exterior			1.5	-
White roof area			0.1	-
Vegetated walls - area of wall covered			0.7	-
Infiltration areas, underground chambers or surface, such as sand filters			1.5	-
Green roofs				
Area of green roof with less than 2 in. but not more than 4 in. growing depth			1.2	-
Area of green roof with over 4 in. growing depth			1.4	-
Off-site improvements				
Tree credit to the Tree Fund [6]		100 sq. ft. per	0.4	-
Bonuses applied to factors above				
Bioretention areas such as rain gardens, stormwater planters, and bioretention swales			1.5	-
Landscaping that consists entirely of drought-tolerant or native species, as defined by the Administrator			0.4	-
Landscaped areas where at least 50% of annual irrigation needs are met through the use of harvested rainwater or grey water			0.2	-
Landscaping visible to passersby (adjoining & up to 85 ft depth)			0.1	-
Landscaping to be maintained in food cultivation			0.2	-
Landscape area utilizing structural soil			0.4	-
Total Green Factor Score				0.1490

2025DV1051 ; Findings of Fact

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

The green factor variance, if granted, will allow for substantial plantings on the portion of the site that has not yet been developed, which enhance the environment and will not interfere with traffic on West 81st Street. Furthermore, none of the proposed parking will encroach into the clear sign triangle, thus not interfering with traffic.

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:

This is a rare, undeveloped portion of a parcel within a industrial park which began developing at least 30 years prior to the implementation of the green factor requirements in the zoning ordinance and, as such, the proposed plantings will actually enhance the adjacent properties. The proposed parking will be located in a fashion such that it will not interfere with access to or from any adjacent property.

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

Only a portion of the Subject Property is being developed and there simply is not enough space to make the plantings necessary to meet the green factor requirement, which is based on the entire parcel owned by the Petitioner. The subject property is already improved with a significantly large building, and if there is expansion in the future, the only practical location for parking is in front of the building.

2025DV1051 ; Photographs



Photo 1: Subject Site Viewed from North



Photo 2: Existing Building & Parking Area Viewed from West

2025DV1051 ; Photographs



Photo 3: Proposed Western Parking Expansion Area Viewed from North



Photo 4: Proposed Phase I Parking Area to East

2025DV1051 ; Photographs



Photo 5: 81st Street Frontage Looking East



Photo 6: 81st Street Frontage Looking West

2025DV1051 ; Photographs



Photo 7: Adjacent Property to Northwest



Photo 8: Adjacent Property to North

2025DV1051 ; Photographs



Photo 9: Adjacent Property to Northeast



Photo 10: Adjacent Property to East

2025DV1051 ; Photographs



Photo 11: Subject Site Viewed from Northeast (September 2022)

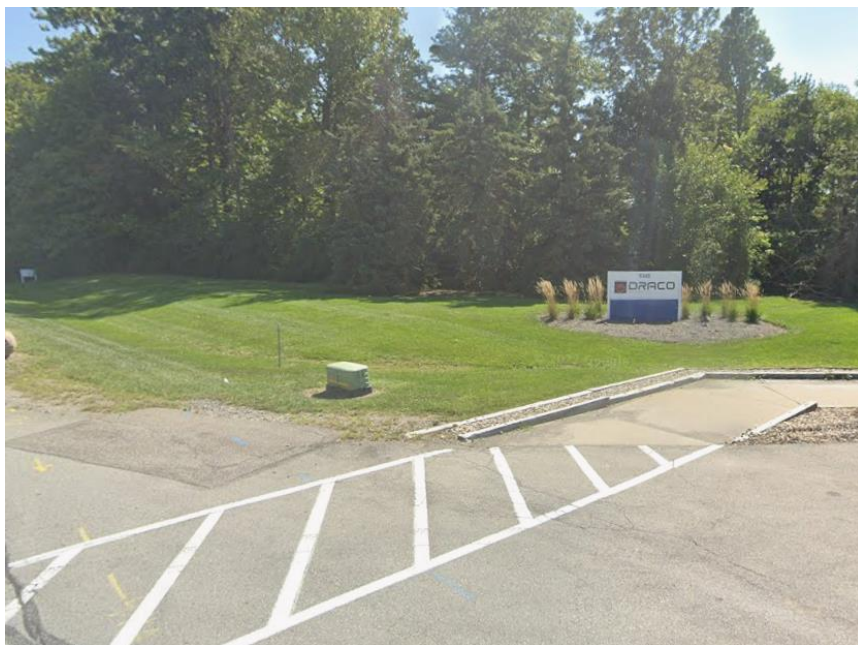


Photo 12: Subject Site Viewed from Northwest (September 2022)

BOARD OF ZONING APPEALS DIVISION II

November 18, 2024

Case Number: 2025-DV2-039 (Amended)
Address: 854 North Gladstone Avenue (approximate address)
Location: Center Township, Council District #13
Zoning: D-5
Petitioner: Yuri Guzman, Josh Smith
Request: Variance of Development Standards of the Consolidated Zoning and Subdivision Ordinance to provide for a building addition with a 3.5-foot north side yard setback and a 4.5-foot south side setback, (five feet side setbacks required).

Current Land Use: Single-family dwelling

Staff Recommendation: Staff recommends approval of this petition.

Staff Reviewer: Robert Uhlenhake, Senior Planner

PETITION HISTORY

This petition was continued for cause at the request of the petitioner, from the October 14, 2025, hearing, to the November 18, 2025, hearing, to allow for an amended legal notice.

STAFF RECOMMENDATION

Staff recommends **approval** of this petition.

PETITION OVERVIEW

- ◇ The request would provide for an addition to the existing single-family dwelling on the subject site.
- ◇ The site is zoned D-5, which permits single-family dwellings and is intended for medium and large-lot housing formats, primarily for detached houses, but may incorporate small-scale multi-unit building types in strategic locations. This district can be used for new, walkable suburban neighborhoods or for infill situation in established urban areas, including both low density and medium density residential recommendations of the Comprehensive Plan, and the Suburban Neighborhood and Traditional Neighborhood Typologies of the Land Use Pattern Book
- ◇ The proposed side setback reductions would follow the existing rear portion of the dwelling as an addition and would be appropriate for a parcel of this size. There would be minimal impact, because of the separation from adjacent structures.
- ◇ The proposed side setbacks would still provide adequate space to mitigate any adverse impacts and provide the minimum area necessary for maintenance setbacks.

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

GENERAL INFORMATION

Existing Zoning	D-5	
Existing Land Use	Single-Family Dwelling	
Comprehensive Plan	Recommends Traditional Neighborhood uses	
Surrounding Context	Zoning	Surrounding Context
North:	D-5	Undeveloped
South:	D-5	Two-Family dwelling
East:	D-5	Single-family dwelling
West:	D-5	Single-family dwelling
Thoroughfare Plan		
Gladstone Avenue	Local Street	50-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 - Updated	October 6, 2025	
Findings of Fact	August 29, 2025	

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 (2019) recommends Traditional Neighborhood development of the site. The Traditional Neighborhood typology 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

2021-DV3-004; 737 North Linwood Avenue (east of site), requested a variance of development standards of the Consolidated Zoning and Subdivision Ordinance to provide for an addition to single-family dwelling and a detached garage with 48% open space, **granted**.

2019-HOV-024; 621 North Beville Avenue (west of site), requested a variance of development standards of the Consolidated Zoning and Subdivision Ordinance to provide for the construction of a detached garage with 56% open space, **granted**.

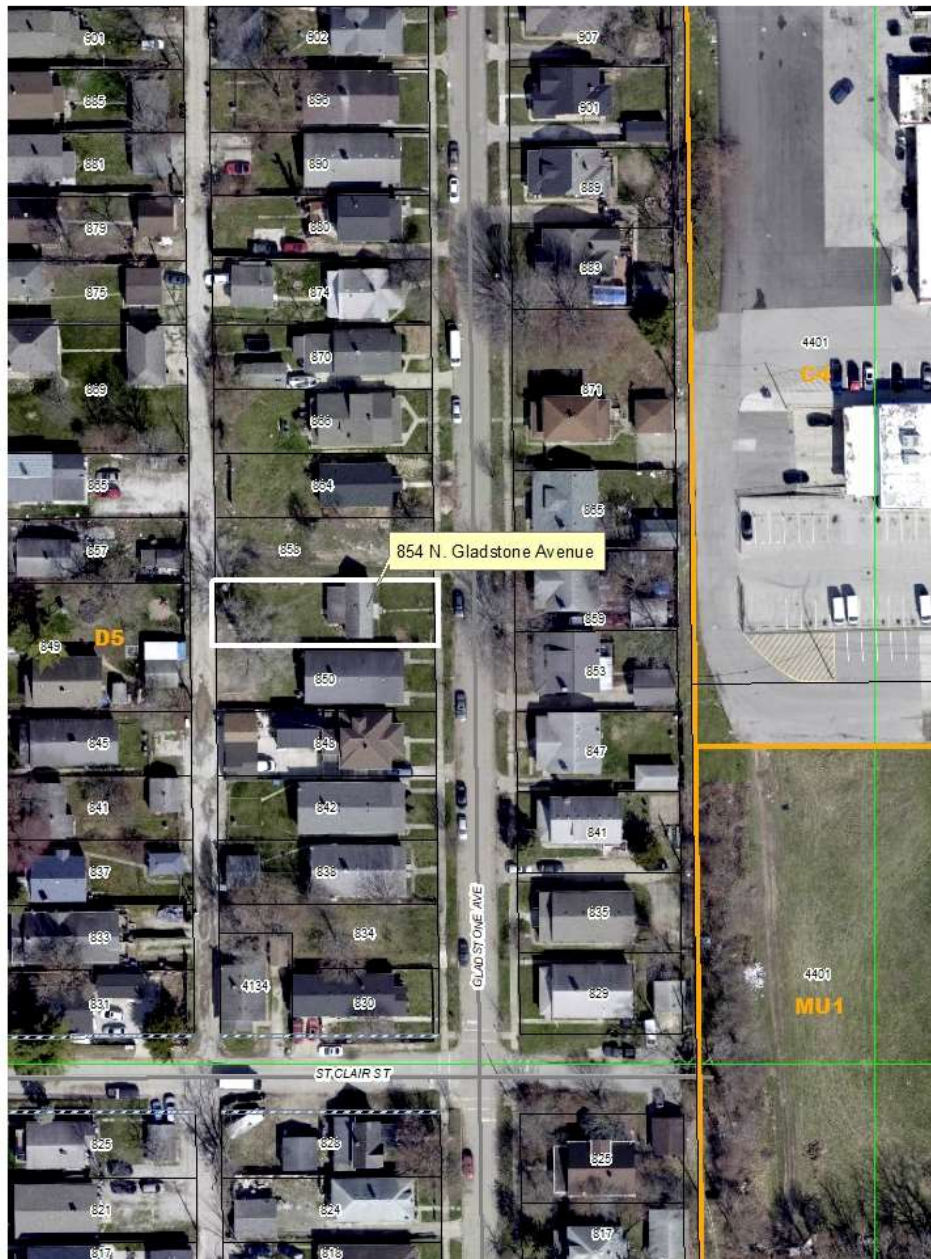
2017-DV3-042; 611 North Keystone Avenue (west of site), requested a variance of development standards of the Consolidated Zoning and Subdivision Ordinance to legally establish a 30-foot tall, detached garage, with a secondary dwelling, creating an open space of 36%, **granted**.

2011-HOV-025, 502 Carlyle Place (southeast of site), requested a variance of Development Standards to provide for a 72-square foot addition to an existing garage located in front of the established building line of Michigan Street, having a zero-foot side setback and creating a five-foot front setback on Michigan Street, and creating an open space of 60%, **granted**.

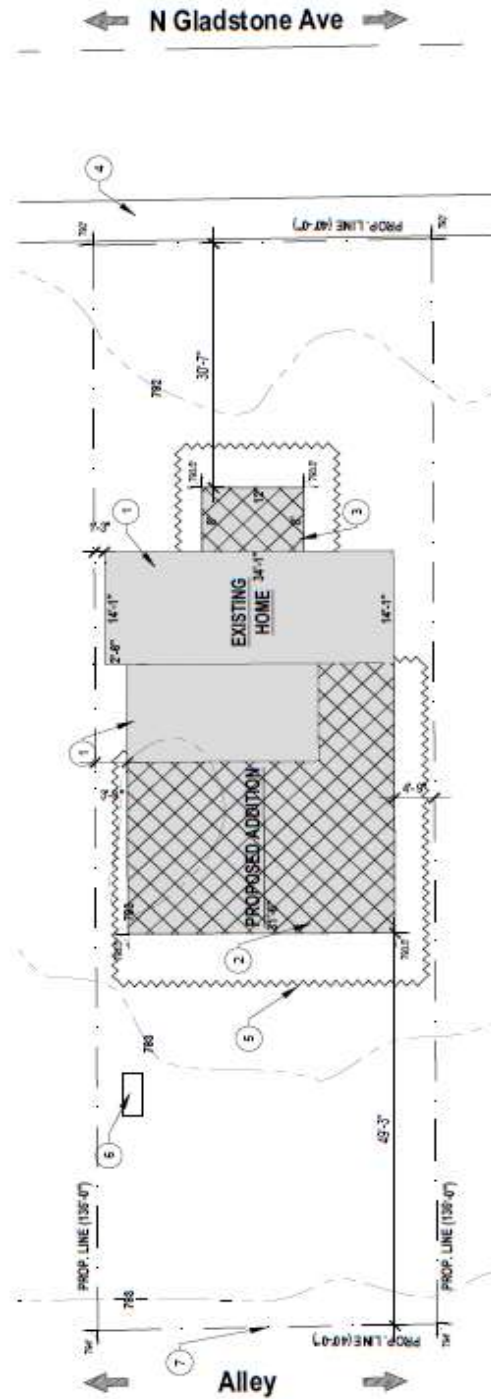
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EXHIBITS

Location Map



Site Plan





Department of Metropolitan Development
Division of Planning
Current Planning

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 smaller than required setback will not change the proposed or allowed uses of the property. The property will remain a single family home in-line with the current use and D5 zoning of the area.

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

The use of the home and property will remain a single family home with a larger footprint. The single family use is consistent with the area. This will take the smallest home on the block and make it a more consistent size with the rest of the block.

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

This home was built prior to 1920 and currently has a 0'ft north setback for the main portion and a 2'-7" setback for the rear section. The proposed addition would be in-line with the south side of the home and one of the existing non-compliant north setbacks. To meet the required 5ft setback would require an additional 'bump-in' of the floor plan and would not allow for the addition to be in-line with the current home.

Photographs



Subject property single-family dwelling under renovation, looking west.



Subject property single-family dwelling rear of lot, looking east



Adjacent property to the north, looking west.



Adjacent property to the south, looking west.

BOARD OF ZONING APPEALS DIVISION II

November 18, 2025

Case Number: 2025-DV2-041
Address: 1867 Singleton Street (approximate address)
Location: Center Township, Council District #18
Zoning: D-5 (TOD)
Petitioner: AJAMAGIR LLC, by Elliott Gibson
Request: Variance of Development Standards of the Consolidated Zoning and Subdivision Ordinance to provide for enclosure of an existing front porch, resulting in the lack of a primary entry feature along the front façade (required).

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

- ◇ The site contains a single-family dwelling that was remodeled in 2025. The remodel work included the enclosure of the front porch and moving the primary entry feature to the side elevation before applying for permits on August 8, 2025. Had permits been applied for first prior to any remodel work, then a variance would have been required at that time before any remodel work could have started.
- ◇ Under Table 744-701-2, the subject site would fall under the Terrace Frontage category for Private Frontage Design Standards. The subject site is in a neighborhood where the context of the block establishes smaller frontages as the predominant pattern (typically 50% or more on the block face or at transitions to adjacent blocks and frontages). Table 744-701-2 describes Front Loaded Garage Placement and Limitations, where it stipulates front entry and entry features for all buildings shall have a primary entrance on the front facade. A single-story entry feature may project up to 10' in front of the front building line, but never more than 5' from the front lot line, provided it meets the scale and design standards in Section 744-701.D
- ◇ The proposed primary entry has been relocated to the side façade, resulting in the need of a variance.

- ◇ The findings submitted by the applicant for this petition indicate the current entry configuration limits functional access and does not provide a suitable orientation for the primary façade.
- ◇ Staff disagrees, as the original primary entry façade had existed for approximately 109 years since the house was built in 1916 according to Assessor's records and did not limit functional access or need to be relocated during that time.
- ◇ Staff concludes the desire not to use the previously existing primary entry on the front façade, is a self-imposed practical difficulty. Given the subject site originally had a front door elevation, which was relocated to the side façade at the request of the petitioner in order to expand interior living space onto the front porch, Staff feels that there is no practical difficulty in meeting the Ordinance, as the subject site was previously compliant prior to the relocation, and that compliance can be restored.
- ◇ Staff does believe this would be a significant deviation from the Ordinance and the Infill Housing Guidelines. As a result, it would negatively impact the character of development within the surrounding area, and would therefore, not be supportable.

GENERAL INFORMATION

Existing Zoning	D-5	
Existing Land Use	Single Family Dwelling	
Comprehensive Plan	Traditional Neighborhood	
Surrounding Context	<u>Zoning</u>	Surrounding Context
North:	D-5	Single-family dwelling
South:	I-4	Single-family dwellings
East:	D-5	Single-family dwelling
West:	D-5	Neighborhood Park
Thoroughfare Plan		
Singleton Street	Local Street	50-foot existing and proposed right-of-way.
Context Area	Compact area	
Floodway / Floodway Fringe	No	
Overlay	Red Line Transit Oriented Development	
Wellfield Protection Area	No	
Site Plan	September 30, 2025	
Elevations	N/A	
Landscape Plan	N/A	
Findings of Fact	September 30, 2025	

COMPREHENSIVE PLAN ANALYSIS

Comprehensive Plan

- Marion County Land Use Plan Pattern Book (2019)
- Infill Housing Guidelines (2021)

Pattern Book / Land Use Plan

- The Marion County Land Use Plan Pattern Book (2019) recommends traditional neighborhood development of the site.
- The Traditional Neighborhood typology 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, but a higher density is recommended if the development is within a quarter mile of a frequent transit line, greenway, or park.
- **Conditions for All Housing**
 - A mix of housing types is encouraged.
 - Should be within a one-mile distance (using streets, sidewalks, and/or off-street paths) of a school, playground, library, public greenway, or similar publicly accessible recreational or cultural amenity that is available at no cost to the user.
 - Primary structures should be no more than one and a half times the height of other adjacent primary structures.
 - Should be oriented towards the street with a pedestrian connection from the front door(s) to the sidewalk. Driveways/parking areas do not qualify as a pedestrian connection.
 - Developments with densities higher than 15 dwelling units per acre should have design character compatible with adjacent properties. Density intensification should be incremental with higher density housing types located closer to frequent transit lines, greenways, or parks.
- **Detached Housing**
 - The house should extend beyond the front of the garage. Garages should be loaded from an alley or side street when possible and should be detached if located on the side of the house.
 - Secondary units are encouraged.
 - Lots should be no larger than one and a half times the adjacent lots.

- **Attached Housing**

- Duplexes should be located on corner lots, with entrances located on different sides of the lot.
- It is preferred that townhomes should be organized around intersections of neighborhood collector streets, greenways, parks or public squares, or neighborhood- serving retail.
- If the above conditions are not met, individual buildings of attached housing (not part of a complex) may be interspersed with single-family homes but should not make up more than 25% of the primary residential structures on a block.

Red Line / Blue Line / Purple Line TOD Strategic Plan

- The subject site is within the Red Line Transit Oriented Development Secondary District.
- The Transit Oriented Development Secondary District is established on all lots, wholly or partially, within 1,000' from centerline of a Bus Rapid Transit (BRT) Line. The intent of the Transit Oriented Development (TOD) Secondary District is to coordinate more compact, walkable, and urban development patterns with public investment in the transit system. These development patterns ensure that walking and biking are viable options for short trips and transit is a priority for longer trips. Development patterns and site designs that prioritize automobile travel undermine these public and private investments. This district follows the policies and principles of the comprehensive plan, the transit-oriented development strategic plans, and the Livability Principles in this code, and has the following specific design objectives:
 - Place a wide range of housing types within walking distance of commercial centers and transit stops or stations, and at a critical mass that supports these places.
 - Create connections through many different modes of transportation between neighborhoods and places for commercial services and employment.
 - Provide a concentration of many different and small-scale uses with a fine-grained pattern that integrates and transitions well with the neighborhoods they support.
 - Ensure human-scale design that prioritizes relationships of sites and buildings to the streetscapes.

Neighborhood / Area Specific Plan

- Not Applicable to the Site.

Infill Housing Guidelines

- **BUILDING ELEVATIONS AND ARCHITECTURAL ELEMENTS**
 - **1. Utilize Foundation Styles and Heights that are Consistent with Nearby Houses:** The height of the foundation affects where doors, porches, and windows are located. Unless there are special circumstances that require additional height, such as the location is in or near a floodplain, the foundation height for new construction should be consistent with nearby buildings.
 - **2. Be Consistent with Surrounding Entry Locations:** Main entries should be visible from the street. Entries should not be hidden, obscured, or missing from the main street elevation (front). The entry should reflect a similar characteristic to those that surround it, such as formal or casual, recessed, or flush, narrow, or wide.
 - **3. Where Appropriate, Include Porches or Stoops:** Use context to determine if front porches are consistent elements used in the neighborhood. If so, add porches or stoops to new construction.
 - **4. Coordinate the Location and Door Style of Balconies with the Surrounding Neighborhood:** Balconies are common architectural elements in some neighborhoods, but uncommon in others. Balconies along the street should be used when appropriate. When a balcony is used, consider the appropriate door access for the type of balcony. For example, Juliet balconies, which are intended to bring the outside in, make the most sense when French doors are used.
 - **5. Consider Nearby Roof Styles:** The basic outline of a new building should reflect building outlines typical of the area. Roof selection and overall height contribute to the building outline. Select roof shapes that are frequently used in the neighborhood.
 - **6. Fenestration Should Relate to the Surrounding Context:** Windows and doors should be arranged on buildings so as not to conflict with the basic fenestration patterns in the neighborhood. The proportion of glass (windows) to solid materials (wood, bricks, and other materials) which is found within the surrounding context should be reflected in new construction. Every elevation (sides and rear) should have windows on each story to help break up the monotony of the façade.
 - **7. Materials Used Should Reflect the Context of the Neighborhood:** Introducing new materials that are not used in the existing context should be done in a way where those materials are not the dominant material and make up less than 30% of the overall façade design.
 - **8. Consider Unique Neighborhood Features:** In addition to the architectural features mentioned above, consider other common features like chimneys, dormers, gables, and overhanging eaves that shape the character of a neighborhood. When possible, include these features into new construction.

Indy Moves

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

- Not Applicable to the Site.

ZONING HISTORY

2021-DV1-005; 1844 and 1848 Singleton Street (north of site), Variance of Development Standards to provide for a detached garage without access from an improved alley, **granted**.

2021-DV2-001; 1823 Singleton Street (north of site), Variance of Development Standards of the Consolidated Zoning and Subdivision Ordinance to provide for a single-family dwelling and detached garage with a 10-foot front setback and six feet between dwellings, **approved**.

2019-ZON-024; 430 Beecher Street (west of site), Rezoning of 0.456 acre from the I-4 district to the D-8 classification, **approved**.

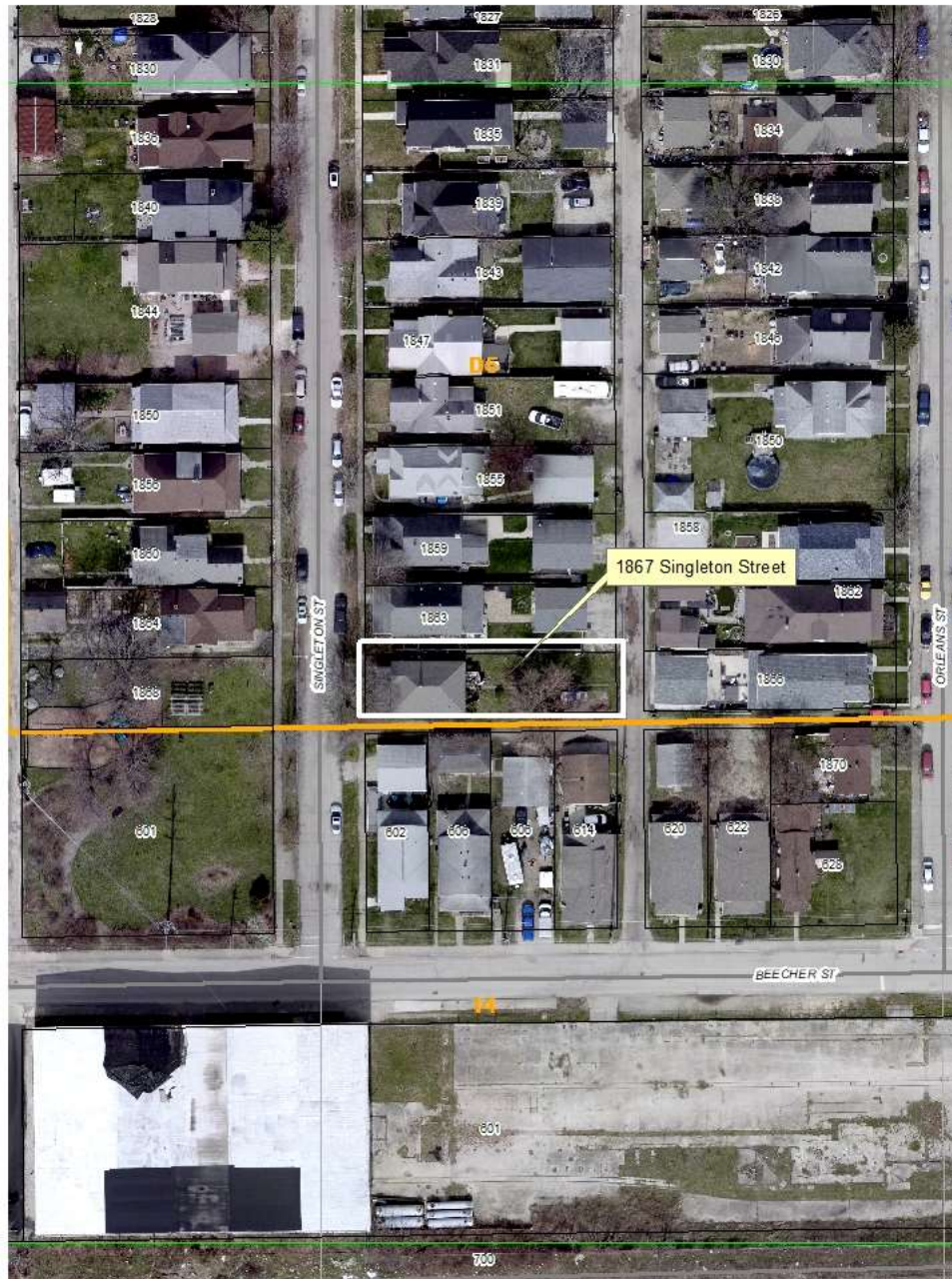
2017-ZON-016; 1401, 1425, 1441, 1460, 1462, 1464, 1502, 1816 and 1827 South East Street; 828 Beecher Street; 306 310, 318, 322, 329, 353, and 401 Lincoln Street; 510 East Morris Street; 1538, 1542, 1551 and 1555 South New Jersey Street; 438 Orange Street; 445 and 446 Parkway Avenue (northwest of site), Rezoning of 1.95 acres, from the C-1, C-3, C-5 and I-4 districts, to the D-5 classification, **approved**.

2015-DV1-028; 1862 Orleans Street (east of site), Variance of Development Standards of the Dwelling Districts Zoning Ordinance to legally establish multiple accessory structures, with zero-foot side, aggregate side, and rear yards, and to provide for an open space of approximately 39%, **granted**.

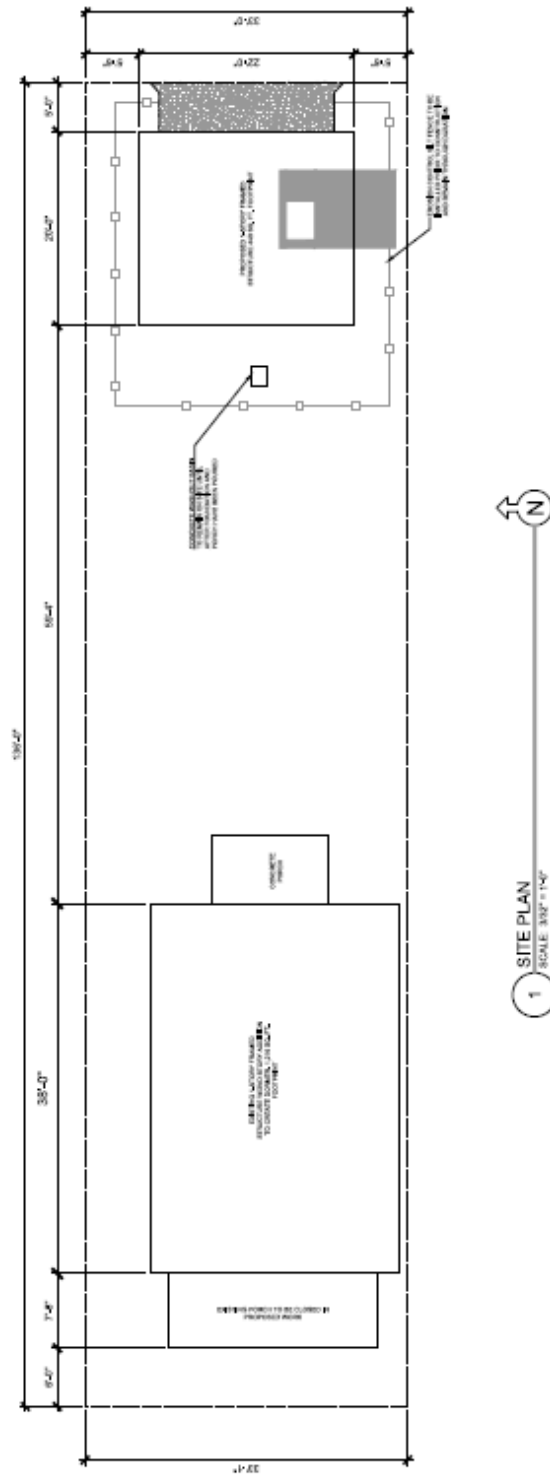
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EXHIBITS

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:

Relocating the front door to the front-facing side of the house will not change the residential use of the property, will not create safety hazards, and will provide improved entry orientation and accessibility without altering traffic flow or emergency access. residential character and is not anticipated to diminish nearby property values.

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 modification is limited to the placement of an entry door and does not expand the building he primary façade. Allowing relocation of the door to the front side will enhance safe access, usability

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

The current entry configuration limits functional access and does not provide a suitable orientation for the primary façade. Allowing relocation of the door to the front side will enhance safe access, usability, and curb appeal, which cannot be reasonably achieved under the strict ordinance.

Photographs



Photo of subject site front facade, looking east.



Photo of relocated primary entry feature to subject site north side façade, looking southeast.



Adjacent single family dwelling with primary entry feature on the front façade, located to the north of subject site, looking east.



Adjacent single family dwelling with primary entry feature on the front façade, located to the west of subject site.