



**Board of Zoning Appeals
Board of Zoning Appeals Division I
(October 1, 2024)
Meeting Agenda**

Meeting Details

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

Date: Tuesday, October 01, 2024 **Time:** 1:00 PM

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

Business:

Adoption of Meeting Minutes

Special Requests

PETITIONS REQUESTING TO BE CONTINUED:

- 1. 2024-DV1-030 | 7848 Melbourne Road**
Pike Township, Council District #1, zoned D-3
Jose & Maria Arroyo, by James P. Mack

Variance of Development Standards of the Consolidated Zoning and Subdivision Ordinance to provide for the construction of a detached garage, being two-foot taller than the primary building (not permitted).

****Staff to request continuance to November 7, 2024 hearing of Division I, due to insufficient notice**

- 2. 2024-UV1-014 | 6301 Lafayette Road**
Pike Township, Council District #1, zoned D-4
Robinson Rental Solutions LLC

Variance of use and development standards of the Consolidated Zoning and Subdivision Ordinance to provide for the operation of a childcare facility (not permitted) with 27 parking spaces located within the right-of-way, including maneuverability (not permitted) and 34 spaces provided (maximum 22 spaces permitted).

****Petitioner requesting continuance to the November 7, 2024 hearing of Division I**

- 3. 2024-UV1-017 | 1016 Tecumseh Street**
Center Township, Council District #13, zoned D-8
Indy Opportunity Biz LLC, by William A Bentley II

Variance of use of the Consolidated Zoning and Subdivision Ordinance to provide for the location of two three-unit apartment buildings on a lot improved with a two-unit multi-unit home (one primary building per lot permitted).

****Petitioner to request a continuance to the November 7, 2024 hearing of Division I**

- 4. 2024-UV1-021 | 6740 Acton Road**
Franklin Township, Council District #25, zoned D-A
Yadwinder and Didarbir Singh, by David Gilman

Variance of use of the Consolidated Zoning and Subdivision Ordinance to provide for the storage of three semi-trucks and tractor trailers, as part of a goods transportation business (not permitted).

****Automatic continuance filed by petitioner to the November 7, 2024 hearing of Division I**

5. 2024-UV1-022 | 9111 Crawfordsville Road, Town of Clermont

Wayne Township, Council District #11, zoned C-3 / I-2
Rancho Enterprises Inc., by Mark and Kim Crouch

Variance of use of the Consolidated Zoning and Subdivision Ordinance to provide for the operation of a commercial contractor business, per the filed site plan and plan of operation.

****Automatic Continuance filed by registered neighborhood organization to the November 7, 2024 hearing of Division I**

Petitions for Public Hearing

PETITIONS TO BE EXPEDITED:

PETITIONS FOR PUBLIC HEARING (Transferred Petitions):

PETITIONS FOR PUBLIC HEARING (Continued Petitions):

6. 2024-DV1-017 | 2715 & 2719 Madison Avenue

Center Township, Council District #18, zoned C-5
TGA SC Global Indy I LP, by Jay Ingrassia

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

7. 2024-DV1-025 | 6438 Marble Lane

Franklin Township, Council District #24, zoned D-2
Patricia Moore

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

8. 2024-UV1-011 (Amended) | 5151 South Franklin Road

Franklin Township, Council District #25, zoned I-2
Zahn Real Estate LLC, by Joseph D. Calderon

Variance of use and development standards of the Consolidated Zoning and Subdivision Ordinance to provide for warehousing with outdoor storage within 85 feet of a protected district (not permitted within 500 feet of protected districts) with deficient transitional yard landscaping and 24 parking spaces (59 spaces required), and the construction of several buildings with a minimum of an 10-foot transitional side yard and 40-foot rear transitional yard (50 feet required) and a 48-foot front transitional yard (100 feet required).

9. 2024-UV1-013 | 5501 East 71st Street

Washington Township, Council District #3, zoned C-1
Rock Investments LLC, by Tyler Ochs

Variance of use of the Consolidated Zoning and Subdivision Ordinance to provide for the operation of an indoor event center and banquet hall (not permitted).

10. 2024-UV1-015 (Amended) | 3402 Georgetown Road

Wayne Township, Council District #5, zoned C-3 (FF)
Georgetown Parcel I LLC, by Thomas Pottschmidt

Variance of use of the Consolidated Zoning and Subdivision Ordinance to provide for the expansion of an existing liquor store (not permitted) within twenty feet of a protected district (100-foot separation required) with

zero-frontage trees and deficient landscaping (eight trees, landscaping required) and zero bicycle parking spaces provided (three bicycle spaces required).

PETITIONS FOR PUBLIC HEARING (New Petitions):

11. 2024-DV1-029 | 9540 Maze Road

Franklin Township, Council District #25, zoned D-A
Terry Johnson, by David A. Retherford

Variance of Development Standards of the Consolidated Zoning and Subdivision Ordinance to provide for the subdivision of a ten-acre lot, with one lot containing the existing primary building with a 27-foot east side yard setback (30 feet required) and having a lot width between 78 and 196 feet (250-foot lot width required) with the proposed second lot containing a 130-foot lot width.

12. 2024-DV1-031 | 8040 Southport Road

Franklin Township, Council District #25, zoned C-3 / C-S
DRGSF Outlot One LLC, by Elizabeth Bentz Williams

Variance of Development Standards of the Consolidated Zoning and Subdivision Ordinance to provide for the erection of a freestanding pylon sign, being the fifth freestanding sign along Southport Road (maximum of two permitted).

13. 2024-UV1-018 | 2243 Massachusetts Avenue

Center Township, Council District #8, zoned C-7 / D-8
INCERTEC Heat Treating LLC, by John Ferrier

Variance of use and development standards of the Consolidated Zoning and Subdivision Ordinance to provide for the construction of a freestanding surface parking lot (not permitted) with a six-foot tall decorative fence within the front yard of Brookside Avenue (maximum height of 3.5-feet permitted).

14. 2024-UV1-019 | 2562 North Bancroft Street

Center Township, Council District #8, zoned I-3 / D-4 (FF) (FW)
Edward Hansen, by James Pierce

Variance of use and development standards of the Consolidated Zoning and Subdivision Ordinance to provide for the construction of a non-permitted minor residential structure (not permitted) within the floodway fringe (only permitted within Floodway Fringe if less than 70 percent of the primary building), being larger and taller than the primary building (not permitted).

15. 2024-UV1-020 | 3450 Winthrop Avenue

Center Township, Council District #8, zoned D-5
Wehome LLC, by Navneet Kaur

Variance of use and development standards of the Consolidated Zoning and Subdivision Ordinance to provide for operation of a mobile spa (not permitted) within a recreational vehicle parked within the front yard on a non-hard surfaced area (hard surfaced area required).

Additional Business:

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

October 1, 2024

Case Number: 2024-DV1-030

Property Address: 7848 Melbourne Road (approximate address)

Location: Pike Township, Council District #1

Petitioner: Jose & Maria Arroyo, by James P. Mack

Current Zoning: D-3

Request: Variance of Development Standards of the Consolidated Zoning and Subdivision Ordinance to provide for the construction of a detached garage, being two-foot taller than the primary building (not permitted).

Current Land Use: Residential

Staff Recommendations: Staff has no recommendation for this petition

Staff Reviewer: Noah Stern, Senior Planner

PETITION HISTORY

- This petition is to be continued to the November 7, 2024 BZA Division I hearing due to insufficient notice.



BOARD OF ZONING APPEALS DIVISION I

October 1, 2024

Case Number: 2024-UV1-014
Property Address: 6301 Lafayette Road (approximate address)
Location: Pike Township, Council District #1
Petitioner: Robinson Rental Solutions LLC
Current Zoning: D-4

Request: Variance of use and development standards of the Consolidated Zoning and Subdivision Ordinance to provide for the operation of a childcare facility (not permitted) with 27 parking spaces located within the right-of-way, including maneuverability (not permitted) and 34 spaces provided (maximum 22 spaces permitted).

Current Land Use: Commercial

Staff Recommendations: Staff has no recommendation for this petition

Staff Reviewer: Noah Stern, Senior Planner

PETITION HISTORY

ADDENDUM FOR OCTOBER 1, 2024 BZA DIVISION I HEARING

- This petition was continued from the September 3, 2024 hearing to the October 1, 2024 BZA Division I hearing.
- The petitioner is requesting an additional continuance to the November 7, 2024 BZA Division I hearing to allow for further review.



BOARD OF ZONING APPEALS DIVISION I

October 1, 2024

Case Number: 2024-UV1-017

Property Address: 1016 Tecumseh Street (approximate address)

Location: Center Township, Council District #13

Petitioner: Indy Opportunity Biz LLC, by William A Bentley II

Current Zoning: D-8

Request: Variance of use of the Consolidated Zoning and Subdivision Ordinance to provide for the location of two three-unit apartment buildings on a lot improved with a two-unit multi-unit home (one primary building per lot permitted).

Current Land Use: Residential

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 November 7, 2024 BZA Division I hearing to provide more information and to potentially revise the submitted site plan.



STAFF RECOMMENDATION

Enter Staff Recommendation

PETITION OVERVIEW

- This petition would provide for the location of two three-unit apartment buildings on a lot improved with a two-unit multi-unit home (one primary building per lot permitted).
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GENERAL INFORMATION

Existing Zoning	D-8	
Existing Land Use	Residential	
Comprehensive Plan	Traditional Neighborhood	
Surrounding Context	Zoning	Surrounding Context
	North: D-8	North: Residential
	South: C-3	South: Commercial
	East: D-8	East: Residential
	West: C-3	West: Commercial
Thoroughfare Plan		
Tecumseh Street	Local Street	50-foot existing right-of-way and 48-foot proposed right-of-way
Context Area	Compact	
Floodway / Floodway Fringe	No	
Overlay	No	
Wellfield Protection Area	No	
Site Plan	07/22/2024	
Site Plan (Amended)	Enter Date. N/A if not applicable	
Elevations	Enter Date. N/A if not applicable	
Elevations (Amended)	N/A	
Landscape Plan	N/A	
Findings of Fact	07/22/2024	
Findings of Fact (Amended)	Enter Date. N/A if not applicable	

COMPREHENSIVE PLAN ANALYSIS

Comprehensive Plan

- Marion County Land Use Plan Pattern Book



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

- Infill Housing Guidelines

Pattern Book / Land Use Plan

- The Pattern Book recommends this site to the Traditional Neighborhood typology to allow for a full spectrum of housing types, ranging from single family homes to large-scale multifamily housing. Development should be compact and well-connected with access to individual parcels by an alley when practical. Infill development should continue the existing visual pattern, rhythm, and orientation of surrounding buildings when possible. 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.
- The land use type of Small-Scale Multi-Family Housing is contemplated for this typology. It should be organized around intersections of neighborhood collector streets, parks or public squares, or neighborhood-serving retail. If those conditions are not met, individual small apartment buildings may be interspersed with single-family homes but should not make up more than 25% of the residential structures on a block. Parking should be either behind or interior to development.

Red Line / Blue Line / Purple Line TOD Strategic Plan

- Not Applicable to the Site.

Neighborhood / Area Specific Plan

- Not Applicable to the Site.

Infill Housing Guidelines

- With regards to new housing construction, the Infill Housing Guidelines recommends:
 -

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

2019DV1066; 1938 E 11th Street (north of site), Variance of development standards of the Consolidated Zoning and Subdivision Control Ordinance to provide for the rehabilitation of a single-family dwelling with a one-foot side setback, a zero-foot front setback, a one-foot rear setback and within the clear sight triangle of the abutting street and alley (not permitted) and to provide for an attached garage with 15% open space and nine feet between dwellings (four-foot side setback, 18-foot front setback or average, 15-foot rear setback, 55% open space and 10 feet between dwellings required), **approved**.

2019DV1064; 1102 Tecumseh Street (north of site), Variance of development standards of the Consolidated Zoning and Subdivision Control Ordinance to provide for the rehabilitation of a single-family dwelling within the clear sight triangle of the abutting streets (not permitted) with a one-foot side setback, an 11-foot front setback and to provide for a 20-foot by 20-foot attached garage with a 6.9-foot rear setback and 38% open space (four-foot side setback, 18-foot front setback or average, 15-foot rear setback, and 55% open space required), **approved**.

2017DV3013; 1844 E 10th Street (south of site), Variance of development standards of the Consolidated Zoning and Subdivision Ordinance to provide for a building addition, and a one-foot front setback along Tecumseh Street, with deficient landscaping and a three-foot transitional setback, along 10th Street, with deficient landscaping (10-foot front and front transitional setback, with a six-foot landscape strip required), and with 16 parking spaces (22 parking spaces required), **approved**.

2015UV2019; 2014 E 10th Street (southeast of site), Variance of use and development standards of the Commercial Zoning Ordinance to permit primary and accessory residential uses (not permitted), including the legal establishment of an existing dwelling unit and the construction of a 746-square foot detached garage, with a second floor dwelling unit, and with both structures having an approximately one-foot west side setback (10-foot side setback required), **approved**.

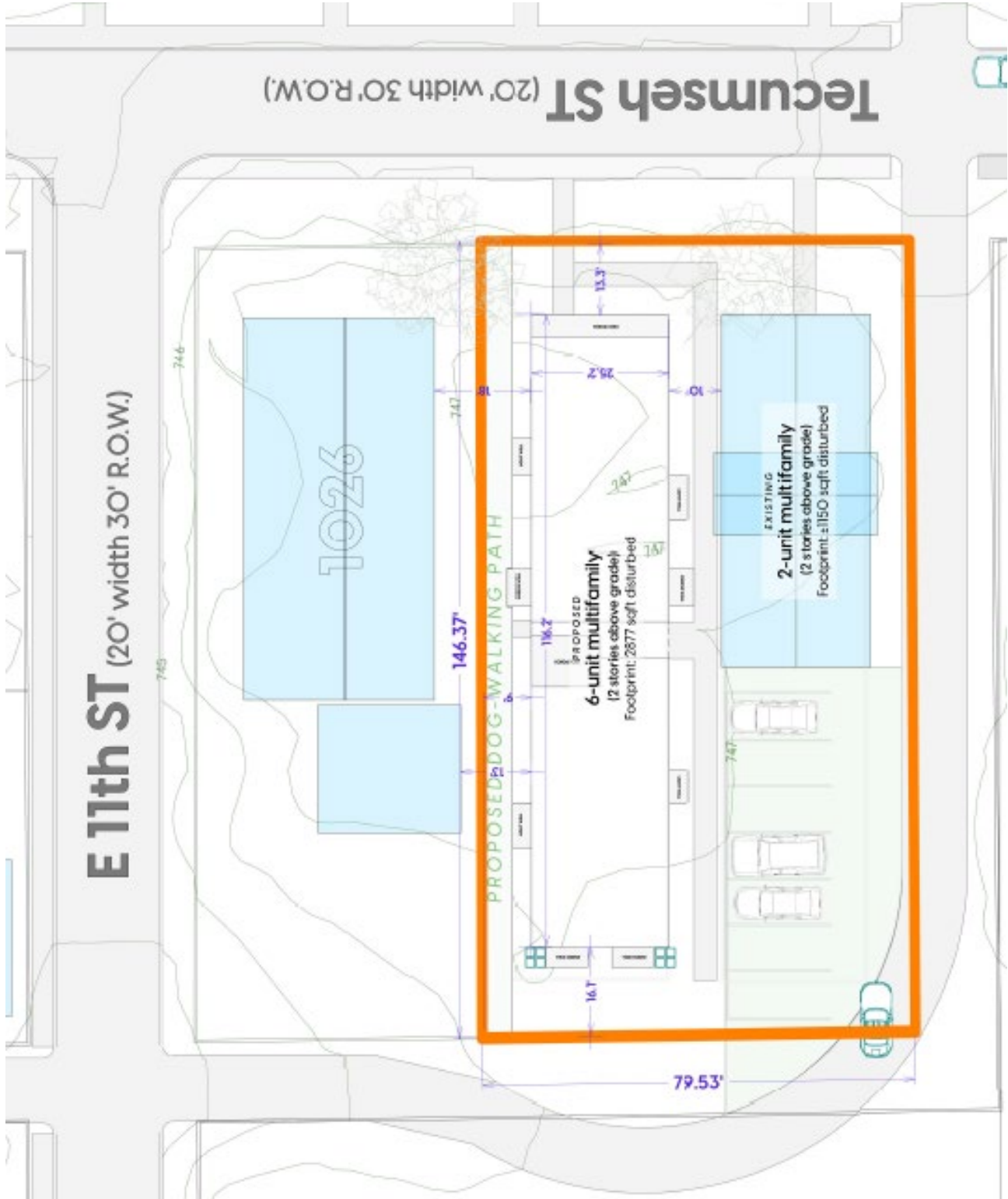
2001DV1001; 1129 Tecumseh Street (northeast of site), development standards of the Dwelling Districts Zoning Ordinance to provide for the conversion of a two-story, 906 square foot garage into a single-family dwelling with a 169 square foot addition and a 5-foot rear yard setback (minimum 15-foot rear yard setback required), **denied**.

EXHIBITS

2024UV1017; Aerial Map



2024UV1017; Site Plan





Department of Metropolitan Development
Division of Planning
Current Planning

2024UV1017; Elevations?

X

2024UV1017; Multiple Dwelling Project Analysis

MULTIPLE DWELLING PROJECT ANALYSIS DEPARTMENT OF METROPOLITAN DEVELOPMENT DIVISION OF PLANNING

Property Address: 1016 Tecumseh Street

Project Name: North Lot Multi-Family Dwelling and Parking Addition Date of Plans: 07/09/2024

Zoning Classification: D-8

	Required Ratios by Ordinance	Computed Ratios
Floor Area Ratio	FAR ≤ 0.60	0.54
Open Space Ratio	OSR ≥ 1.18	1.19
Livability Space Ratio	LSR ≥ 0.66	0.84
Major Livability Space Ratio	MLSR ≥ 0.11	0.13
Total Car Ratio	TCR ≥ 1.0	1.0
What to Determine	How to determine it	Determination
Floor Area – FA	From Plans	FA
Land Area – LA	From Plans in square feet	LA
Floor Area Ratio – FAR	FA / LA	FAR
Building Area – BA	From Plans	BA
Usable Roof Areas – URA	From Plans	URA
Uncovered Open Space – UOS	LA-BA+URA	UOS
Covered Open Space – COS	From Plans	COS
Open Space – OS	UOS + ½ COS	OS
Open Space Ratio – OSR	OS / FA	OSR
Car Area – CA	From Plans	CA
Livability Space – LS	OS – CA	LS
Livability Space Ratio – LSR	LS / FA	LSR
Major Livability Space – MLS	From Plans	MLS
Major Livability Space Ratio – MLSR	MLS / FA	MLSR
Number of Dwelling Units – DU	From Plans	DU
Number of Parking Spaces – PS	From Plans	PS
Total Car Ratio – TCR	PS / DU	TCR
Gross Density – GD	DU / (LA / 43,560)	GD



2024UV1017; Findings of Fact

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

The north lot of this parcel will create additional multi-family housing in a zone (D-8) that promotes "walkable compact neighborhoods" as per 2020 IRC Sec 742-103.H.1. The grant promotes the general welfare of the community by in the desired goal of increasing residents for access to nearby commercial and transit investments as well as providing land for recreation (dog walking zone) for its residents.

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 value of the area adjacent to the property will be affected in a positively due to the increased value of the petitioner's improved lot. The new property will be designed and built in a style similar to a recently-built single-family property located at 1021 Tecumseh Street (modern/urban community) .

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

In order to provide parking for the proposed multi-family structure, we have combined lots and placed parking in the southwest corner of the parcel (south lot). Due to being a combined lot, the proposed north lot dwelling's primary use (multifamily of greater than 4 units) and existing south lot structure's primary use (2 units) are different. It is due to the peculiar circumstance of combining the lots, does the need arise to file an Variance of Use.

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

The strict application of the terms of the zoning ordinance prevents the building of anything more than a 2-family home on the parcel due to the primary use of the dwelling located on the south lot (which is a 2-family dwelling). The proposed dwelling will reside on a separate lot, with only parking (for both structures) being employed on the south lot. This hardship will be alleviated by granting a Variance of Use to Ordinance 742-103.A.

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

The grant does not interfere with the Comprehensive Plan because zone D-8 allows for multi-family dwellings of this type within the Compact Context. In order to comply with the Car Ratio minimum for zone D-8, the proposed plan takes advantage of available open space on the south lot of the parcel.

2024UV1017; Photographs



Photo 1: Subject Site (northern portion) from East



Photo 2: Subject Site from South

2024UV1017; Photographs (continued)



Photo 3: Existing Alleyway from Southeast (1844 E 10th)



Photo 4: Existing Alleyway from Northwest (11th Street)

2024UV1017; Photographs (continued)



Photo 5: Adjacent Property to East



Photo 6: Adjacent Property to West



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



BOARD OF ZONING APPEALS DIVISION I **October 1, 2024**

Case Number: 2024-UV1-021
Address: 6740 Acton Road (approximate address)
Location: Franklin Township, Council District #25
Zoning: D-A
Petitioner: Yadwinder and Didarbir Singh, by David Gilman
Request: Variance of use of the Consolidated Zoning and Subdivision Ordinance to provide for the storage of three semi-trucks and tractor trailers, as part of a goods transportation business (not permitted).

Staff Reviewer: Robert Uhlenhake, Senior Planner

PETITION HISTORY

This is the first public hearing for this petition.

The petitioner has filed an automatic continuance, **continuing this petition from the October 1, 2024, hearing, to the Thursday, November 7, 2024, hearing.** This will require the Board's acknowledgement.



BOARD OF ZONING APPEALS DIVISION I **October 1st, 2024**

Case Number: 2024-UV1-022
Property Address: 9111 Crawfordsville Road
Location: Wayne Township, Council District #11
Petitioner: Rancho Enterprises Inc., by Mark and Kim Crouch
 Variance of use of the Consolidated Zoning and Subdivision Ordinance
Request: to provide for the operation of a commercial contractor business, per the filed site plan and plan of operation.
Staff Reviewer: Kiya Mullins, Associate Planner

CONTINUANCE

The Town of Clermont, a registered neighborhood organization, has filed an Automatic Continuance, continuing this petition from the October 1st, 2024, hearing, to the November 7th, 2024 Division I, hearing. This will require the Board’s acknowledgement.



BOARD OF ZONING APPEALS DIVISION I

October 1, 2024

Case Number: 2024-DV1-017
Property Address: 2715 and 2719 Madison Avenue
Location: Center Township, Council District #18
Petitioner: TGA SC Global Indy I LP, by Jay Ingrassia
Current Zoning: C-5

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

Current Land Use: Self-Storage Facility

Staff

Recommendations: Approval, subject to a commitment

Staff Reviewer: Eddie Honea, Principal Planner II, Interim Administrator

PETITION HISTORY

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

At the August 6, 2024 hearing, Staff requested a continuance in order to make an amendment to the address on the notice. The petitioner subsequently amended the petition to clarify that the barbed wire portion of the fence is only along East Street. Staff continues to recommend denial of the request.

At the September 3, 2024, the petitioner requested a continuance at the recommendation of the Board in order to further engage with Staff and interested parties to reach a resolution.

On September 20th and 24th, the petitioner submitted revised site plans depicted different portions of the site depicting the following changes: a substantial portion of the fencing along Madison Avenue will be five-foot tall aluminum decorative fencing; the fence and gates along East Street will be relocated to the west, behind the established tree line and replaced with vinyl coated chain link fence; the barbed wire will be removed. This would eliminate the need for variances for barbed wire and clear sight triangle encroachment. These plans are available below, within the Exhibits portion of the Staff Report. Staff believes these changes to be a reasonable compromise and represent a substantial improvement to existing site conditions. Therefore, Staff **recommends approval** of the request, subject to the site plans referenced above.



STAFF RECOMMENDATION

Staff recommends denial of the request.

PETITION OVERVIEW

- This petition would allow for the installation of a six-foot tall decorative fence along the frontage of Madison Avenue, and a six-foot tall chain link fence along the East Street frontage. It would also legally establish an existing six-foot tall chain link fences along the side lot lines, but within the front yard of the subject site.
- At the time of filing, the fence along East Street was improved with barbed wire. The petitioner has verbally indicated this may be removed. Should this still be the intent, the petitioner should verbally withdraw this portion of the request.
- Chain link fencing is not permitted within the front yards of Commercial, Industrial or Mixed-Use Districts in order to promote an enhanced streetscape. In addition, non-chain link fencing tends to be more difficult to scale, remove or otherwise breach which has the effect of enhancing site security.
- The C-5 District, due to the intensity of uses permitted and typical application in areas with significant separation from protected districts and less intense land uses, allows for five-foot tall fencing within front yards. Fence height limitations within front yards are intended to promote aesthetic streetscapes and prevent their “canyonization”
- The clear sight triangle is an area along rights-of-way intersections or driveways where structures or landscaping between 2.5-feet and eight-feet tall are not permitted to be located. This clearance is intended to preserve lines of sight in order to reduce the potential for vehicle, pedestrian and cyclists collisions.
- Barbed or Razor where is prohibited in all districts and applications with the exception of: enclosing livestock or agricultural uses; public safety facilities; or correctional or penal institutions. This prohibition is intended to enhance streetscapes and the injury or maiming of the public.
- The fence along East Street is comprised of a six-foot tall chain link fence and an electric sliding access gate. Staff believes that this fence can be modified or replaced with a compliant five-foot tall decorative fence that would comply with Ordinance standards. Staff would note that the properties directly across East Street include a High School (Providence Cristo Rey High School) and a public park (Columbia Park). In Staffs opinion, the location of a non-compliant fence, particularly one improved with barbed wire, in close proximity to these land uses is wholly inappropriate.



Department of Metropolitan Development
Division of Planning
Current Planning

- Existing six-foot tall chain link fences are located along the northern and southern lot lines, but forward of the primary building, therefore are located within the front yard of the property. The subject site contains two out lots, being 2711 and 2719 Madison Avenues. If these were developed, this portion of the fence request would become compliant. These fences also abut other C-5 zoned properties. While Staff is not opposed to this portion of the request, for these reasons, given the scope of the petition in its entirety, Staff recommends denial.
- As proposed, the mid to southern portion of the subject site along Madison Avenue would be improved with a six-foot tall decorative fence. In Staff's opinion, a five-foot-tall fence would provide the same degree of site security and that an appropriate practical difficulty is not present warranting a favorable Staff recommendation.
- The subject site was originally improved as a large format retail building (K-Mart) and automobile fueling station. The automobile fueling station has since be demolished and remediated for redevelopment. In 2016 a use variance was filed to allow for an indoor self-storage facility for personal property, including recreational vehicles. It was expressly conveyed to Staff in that filing that outdoor storage and operations would not be provided. Staff recommended approval of that request largely due to this exclusion. The request was approved by the Board of Zoning Appeals on January 17, 2017.
- In 2022 another use variance was filed to allow for the existing self-storage facility in addition to the outdoor covered storage of recreational vehicles. Staff strongly opposed the request given the reasoning of support for the 2016 filing. While outdoor operations are permitted in the C-5 District, outdoor storage is only permitted for vehicles awaiting repair. General outdoor storage, which includes the type of storage permitted by the grant of 2022-UV1-036, is only permitted within the C-7 and Industrial District. Staff would note that these are the same districts that permit self-storage facilities by-right.
- Six-foot tall fences are only permitted by-right within the front yards of C-7, I-3 and I-4 Districts. This is due to the generally enhanced intensity and significant separation from less intense land uses. Staff is concerned about the growing intensity and development pattern of the subject site, particularly by variance grant, and that the site effectively operates at an intensity that is comparable to C-7, I-3 and I-4 uses. In addition, Staff would note that the site is recommended for Community Commercial, which is indicative of C-3 and C-4 zoning. Therefore, Staff believes the property to be over zoned in comparison to its comprehensive plan recommendation.



GENERAL INFORMATION

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

COMPREHENSIVE PLAN ANALYSIS

Comprehensive Plan

- Land Use Pattern Book

Pattern Book / Land Use Plan

- The Community Commercial typology provides for low-intensity commercial and office uses that serve nearby neighborhoods. These uses are usually in freestanding buildings or small integrated centers. Examples include small-scale shops, personal services, professional and business services, grocery stores, drug stores, restaurants, and public gathering spaces.



- While the request is a development standard and the Land Use Pattern book generally provides guidance on land use, Staff would note that one of the conditions for Large-Scale retailing and Services is that outdoor display should be limited. Given that, in Staffs opinion, the request is primarily driven by the non-permitted outdoor storage, that the request is in direct conflict with the plan recommendation. |

Red Line / Blue Line / Purple Line TOD Strategic Plan

- |Not Applicable to the Site. |

Neighborhood / Area Specific Plan

- |Not Applicable to the Site. |

Infill Housing Guidelines

- |Not Applicable to the Site. |

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

- |Not Applicable to the Site. |

ZONING HISTORY

Subject Site:

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

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

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



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

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

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

Vicinity:

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

2018-DV1-044; 2729 Madison Avenue, requested a Variance of development standards of the Consolidated Zoning and Subdivision Ordinance to provide for an automobile repair shop, with storage of operable vehicles and equipment equal to 48% of the gross floor area and to legally establish zero-foot side and rear setbacks, with a handicapped space with deficient width and a three-foot front setback, **approved**.

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

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

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

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



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

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

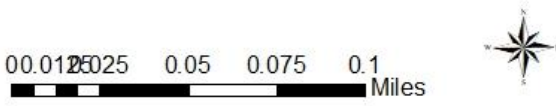
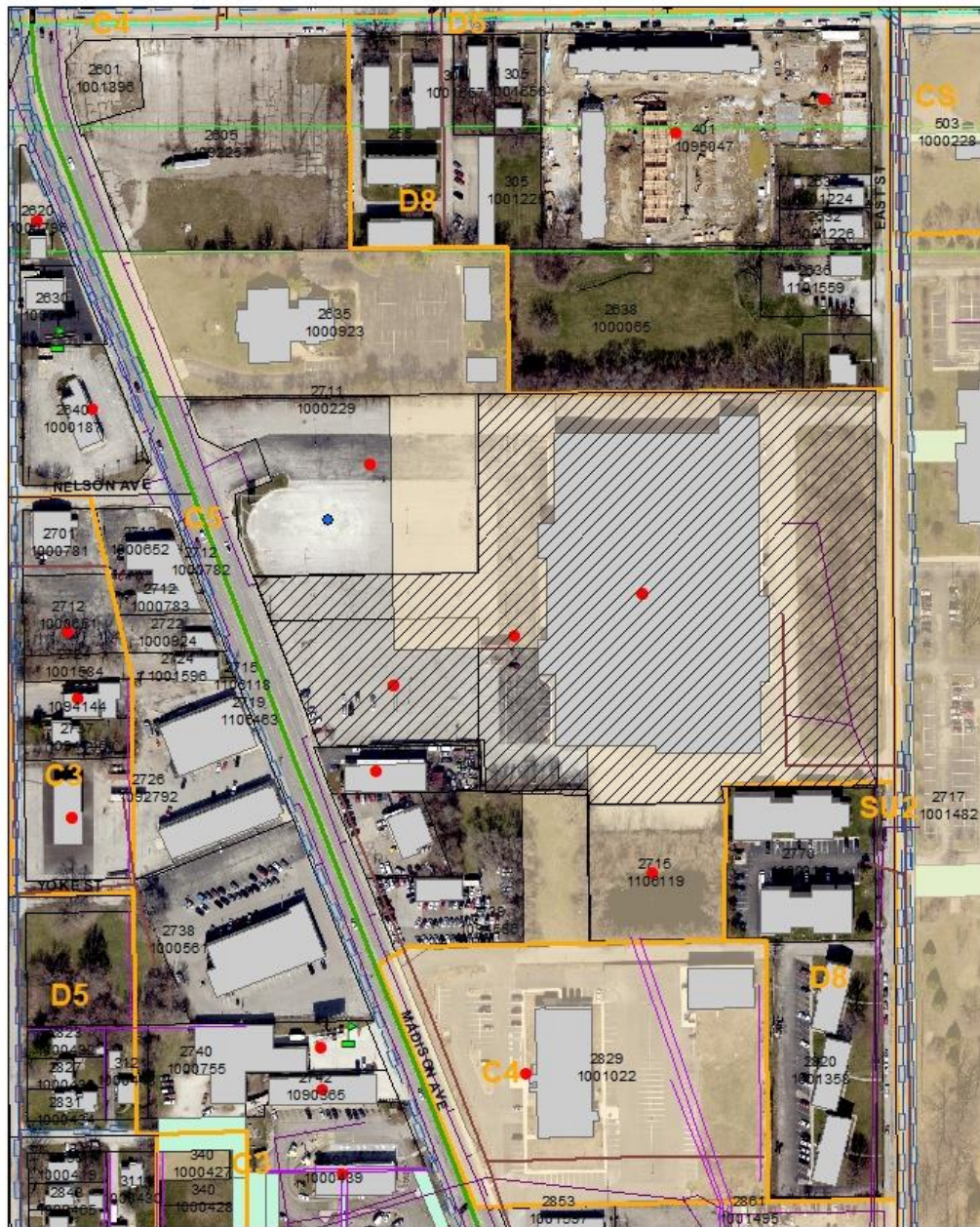
94-UV1-17; 2715 Brill Road, requested a variance of use to expand a parking lot for an adult entertainment business, **granted**.

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

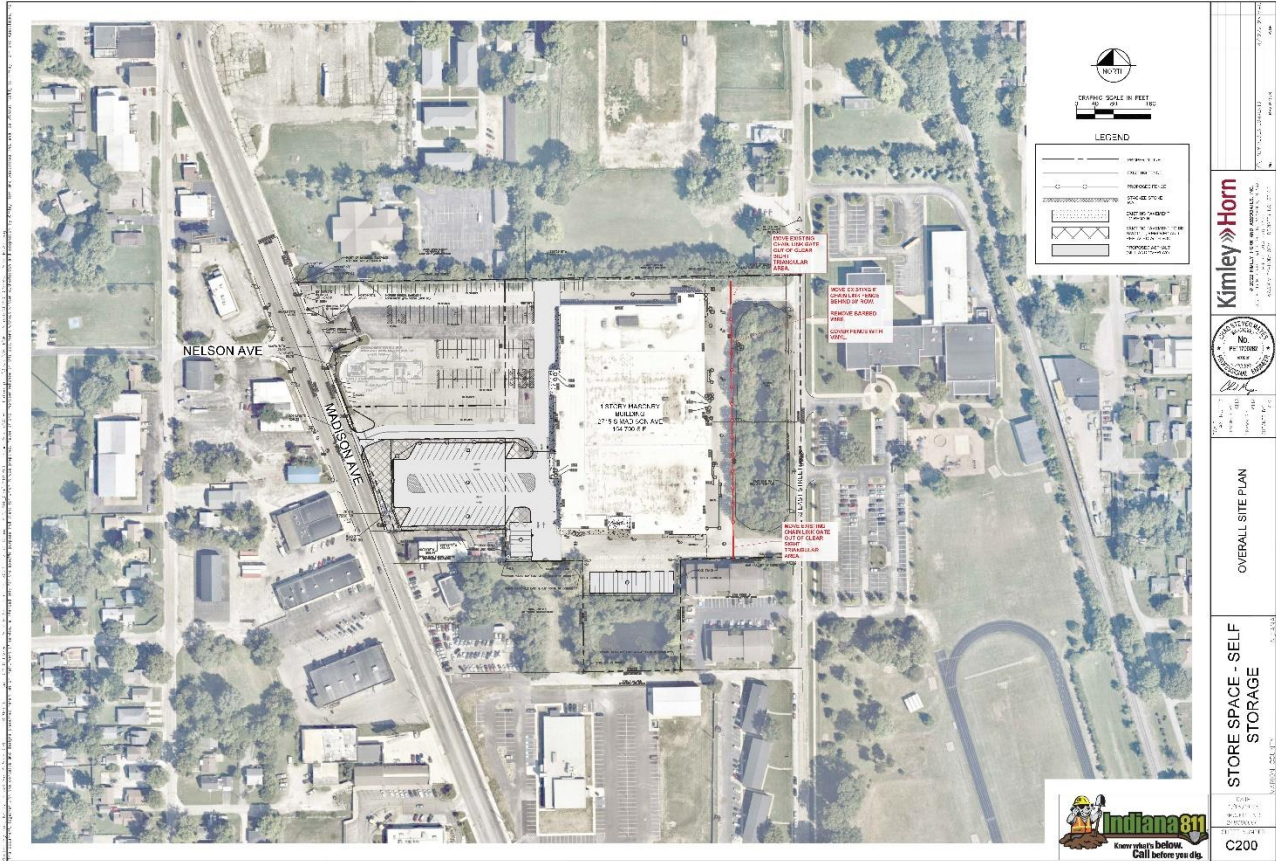
83-UV1-107; 2740 Madison Avenue, requested a variance of use of the Commercial Zoning Ordinance and of the Dwelling Districts Zoning Ordinance to allow the outside display of merchandise in the required front yard of an existing retail furniture store and off-street parking on a portion of the subject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

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

EXHIBITS



Revised Site Plan September 20:





Department of Metropolitan Development
Division of Planning
Current Planning

Petition Number _____

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

PETITION FOR VARIANCE OF DEVELOPMENT STANDARDS

FINDINGS OF FACT

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

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

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

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

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

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

DECISION

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

Adopted this _____ day of _____, 20 ____



Photo One: Looking South Along Madison Avenue



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



Photo Three: Primary Building, Facing East



Photo Four: Facing North Along Madison Avenue



Photo Five: Existing Fencing Within North Side Yard



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



BOARD OF ZONING APPEALS DIVISION I

August 6, 2024

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

Current Land Use: Single-family dwelling

Staff Recommendation: Staff recommends denial of this petition.

Staff Reviewer: Robert Uhlenhake, Senior Planner

PETITION HISTORY

This petition was continued for cause by the petitioner from the August 6, 2024, hearing, to the September 3, 2024, hearing, and from the September 3, 2024, hearing to the October 1, 2024, hearing.

STAFF RECOMMENDATION

Staff recommends **denial** of this petition.

PETITION OVERVIEW

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



- ◇ The fence could remain in its current location if reduced to six feet behind the dwelling, and 42 inches where in front of the dwelling. In addition, supplemental plantings could be added to increase any needed privacy.
- ◇ Staff acknowledges there is a grade change on site, but the property, and adjoining neighboring properties have been able to operate without a hardship prior to the current fence being installed
- ◇ There is no practical difficulty associated with the subject site that would warrant the grant of this variance. The subject site has no natural or manmade physical obstacles that would prohibit compliance with the required fence height requirements of the Ordinance. Similar nearby properties on adjacent and nearby corners are able to comply with the Ordinance.

GENERAL INFORMATION

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

COMPREHENSIVE PLAN ANALYSIS

Comprehensive Plan

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



Pattern Book / Land Use Plan

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

Red Line / Blue Line / Purple Line TOD Strategic Plan

- Not Applicable to the Site.

Neighborhood / Area Specific Plan

- Not Applicable to the Site.

Infill Housing Guidelines

- Not Applicable to the Site.

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

- Not Applicable to the Site.

ZONING HISTORY

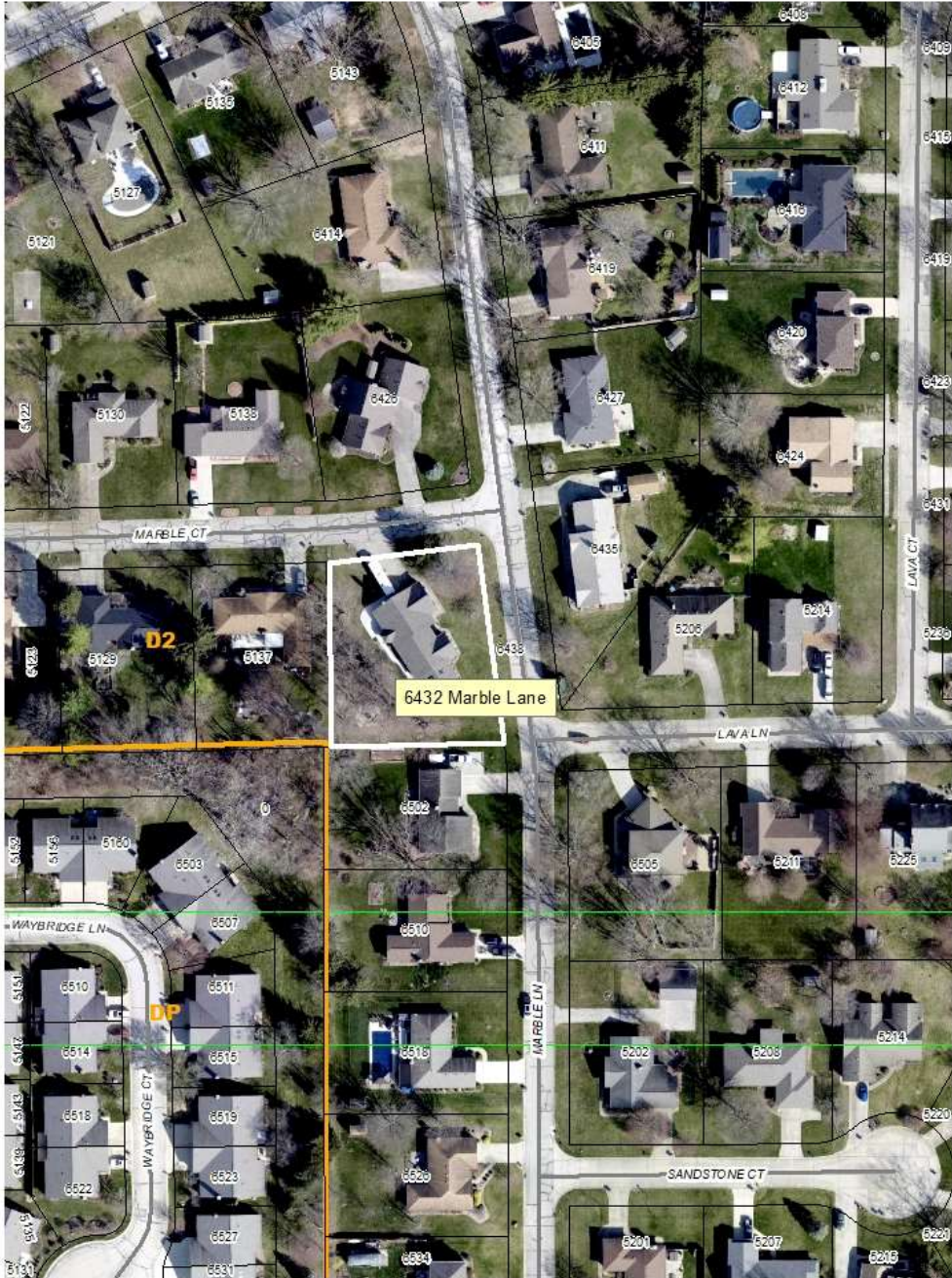
97-HOV-46; 5221 Sandstone Court (south of site), requested a variance of development standards to legally establish a 12 by 17-foot screened porch with a rear yard setback of 18 feet, for an existing single-family dwelling, **granted**.

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

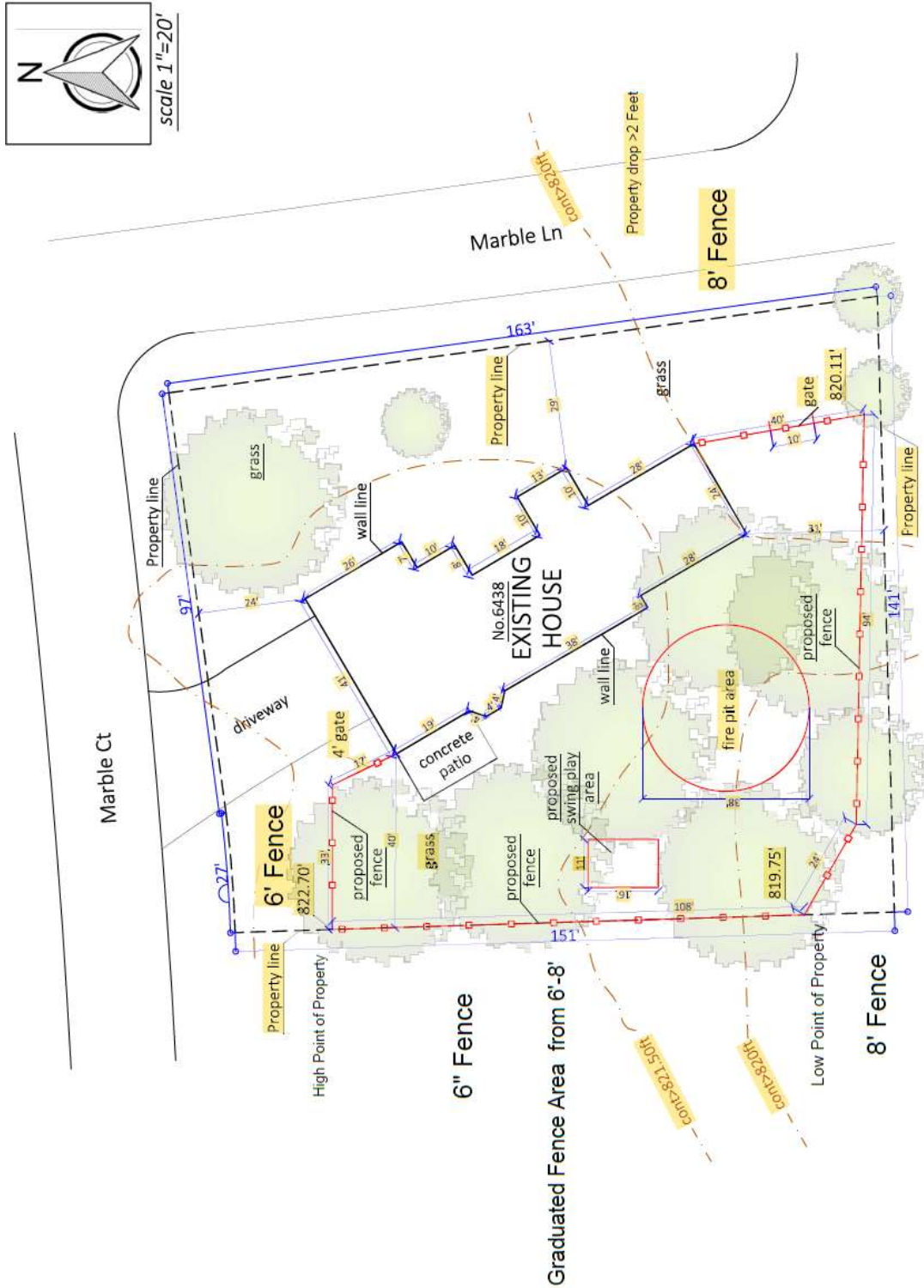
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EXHIBITS

Location Map



Site Plan





Findings of Fact

Petition Number _____

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

PETITION FOR VARIANCE OF DEVELOPMENT STANDARDS

FINDINGS OF FACT

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

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

on the public health, safety, morals, and general welfare of the community.

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

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

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

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

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

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

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

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

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

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

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

DECISION

Photographs



Subject property looking southwest.



Subject property looking west.



Subject property looking south.



Subject property looking south.



Subject property looking west.



BOARD OF ZONING APPEALS DIVISION I **October 1, 2024**

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

Request: Variance of use and development standards of the Consolidated Zoning and Subdivision Ordinance to provide for warehousing with outdoor storage within 68 feet of a protected district (not permitted within 500 feet of protected districts) and 100% the size of the gross floor area of enclosed buildings (25% maximum allowed) with deficient transitional yard landscaping and 53 parking spaces (63 spaces required), and the construction of several buildings with a minimum of a 73-foot front transitional yard (100 feet required).

Current Land Use: Industrial

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

Staff Reviewer: Michael Weigel, Senior Planner

PETITION HISTORY

September 3, 2024: A timely automatic continuance request was filed by a registered neighborhood group in advance of the hearing date to allow additional time for discussion. The request will be amended in advance of the new hearing date of October 1, 2024 without new notice needed. A full staff report will be made available in advance of the October hearing date.

August 6, 2024: An automatic continuance request was filed by the petitioner to continue this petition to the September 3, 2024 meeting to allow time for additional discussion with staff and neighborhood groups that will likely result in amendments to the scope and plans. A full staff report will be available in advance of the September hearing date.

STAFF RECOMMENDATION

Staff **recommends** denial of this petition.

PETITION OVERVIEW

- The subject site is currently developed with a residential structure as well as several accessory buildings and is zoned I-2 for light industrial uses. The site is largely surrounded by property that is either undergoing or scheduled to undergo development of single-family homes: the property to the west was recently rezoned for residential development in 2024, and construction of new homes is underway directly to the south and east of the subject site. The only parcels in the immediate area still zoned for industrial use are the subject site and the vacant parcel to the north.
- The most recent application and plans provided by the applicant indicate development of warehousing structures for multiple contracting businesses at the property: five larger buildings with an area of 36,000 square feet (7200 SF each) would be built along with 27 smaller storage units (majority are 1600 SF) on the eastern portion of the property. All existing buildings except for the home and barn structure would be removed, and the site would incorporate five dedicated areas of outdoor storage (one for each of the five larger buildings). It is unclear if the residential structure would continue as a home or be related to the industrial uses, and it is also unclear what types of contractors would utilize this space or what types of equipment or vehicles they would be storing in either enclosed or unenclosed areas.
- Although both warehousing (primary) and outdoor storage and operations (accessory) are allowed uses within I-2 zoning, the use-specific standards for warehousing contains a proximity requirement of 500 feet that would not allow for outdoor storage areas to be established absent a use variance: warehousing rules would require a separation of 500 feet from protected districts if any warehousing was conducted outside of enclosed buildings as would be the case here.
- Additionally, the zoning ordinance requires that accessory outdoor storage areas be surrounded with a fence of at least 6 feet in height and that they be screened with trees or landscape hedges in accordance with transitional yard landscaping requirements. Although the five outdoor storage areas shown on revised plans show a cumulative area (21,125 SF) that is less than 25% of the total gross floor area of enclosed buildings (the maximum accessory outdoor storage allowed for I-2 zoning), those areas are not fenced or screened, and it appears that the larger fenced areas surrounding the areas delineated as outdoor storage would be approximately 100% of the building area which would be 4 times the ordinance requirement. For the purposes of this review, staff would consider the larger fenced areas to fully comprise outdoor storage due to a lack of explanation on how the 65x65 outdoor storage areas would be delineated or buffered on-site.
- In addition to the use stipulations above, several variances of development standards would also be required to allow for the development as shown. 63 parking spaces would be required, while this layout only shows 53 spaces. Transitional yard landscaping would be required along the entirety of the southern, eastern, and western yards (only partial compliance is shown on most current plans), and while the revised site plan shows compliant side and rear transitional yards, a front transitional yard of 100 feet would be required and Building 1 has a setback of only 73 feet.



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- Building illustrations (not-to-scale) were provided that show a rendering of how the proposed structures might appear: the height of the buildings is unclear, but structures within or bordering required yards would be limited to a height of 22 feet: this could be verified during permitting. Of greater concern to staff is the lack of detail in the operation plan: no information has been provided about the number or type of vehicles at the site, how frequently they might enter or exit, and what types of materials might be stored in accessory outdoor storage areas.
- The subject site is zoned I-2 to allow for light industrial uses that present minimal risk and typically do not create objectionable characteristics (such as dirt, noise, glare, heat, odor etc.) that extend beyond the lot lines. If outdoor operations are present within I-2, they should be completely screened if adjacent to protected districts and limited to a small percentage of the total operation compared to heavier industrial uses such as that proposed by this petition.
- Additionally, the Comprehensive Plan recommends this site to the Office Commercial working typology to allow for single and multi-tenant office buildings (enumerated land uses include medical and dental facilities, education services, insurance, real estate, financial institutions, design firms, legal services, and hair and body care salons) that are often a buffer between higher and lower-intensity land uses. Industrial uses are not suggested for this site by the Plan, and both I-2 zoning districts and the Office Commercial typology are envisioned as being buffer districts between protected districts and more intense areas.
- Staff does not feel that an undue hardship exists at this site that would preclude it from being developed with alternate uses that are compliant with the ordinance. An optimal land use would be a less intense commercial use as described by the Comprehensive Plan, though less intense industrial uses could utilize the site by-right and even develop it further if standards for setbacks, landscaping and parking were met. A use of multitenant contractor warehousing with associated outdoor storage would not be appropriate for a Light Industrial context.
- The findings of fact provided by the applicant indicate that there would be no method to utilize any outdoor storage at the site, that the proposed development would be “substantially similar to development found in an office park”, and that adequate buffering between the proposed use and residential areas has been provided. Staff disagrees on each count: the 500’ proximity rule is only tied to outdoor operations for the primary warehousing use (other I-2 uses could have outdoor storage outside of buffer yards and meeting other use-specific standards), and most office parks wouldn’t contain outdoor storage and operations at such a dramatic scale involving so many commercial vehicles accessing the property. Additionally, the most recent site plan shows encroachment into the front transitional yard and landscaping that wouldn’t meet the ordinance standard of either (a) landscaped areas with 15-foot width & one tree and four large shrubs per 25 feet or (b) an opaque wall, berm, fence, or dense vegetative screen with height of at least 8 feet to fully meet buffering requirements. A commitment indicates they would meet this standard if the variance is approved; that would be verified during the permitting stage if approved.



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 Division of Planning
 Current Planning

- Staff feels that the proposed intensity and scope of this use are inappropriate for the surrounding residential context and would create substantial issues of noise pollution and road damage to the pavement of Franklin Road that would be compounded by the lack of adequate transitional yard separation and landscape buffering. Although the scale of outdoor storage and operations was marginally improved by the updated site plan submitted September 17, the proposed layout still fails to show adequate separation and buffering from residential uses and the lack of information about the proposed uses and storage could easily lead to development that creates an inappropriate amount of heavy vehicle traffic, negative externalities related to noise, light, dust, and road damage, and accessory outdoor storage well above the 25% requirement for accessory outdoor storage within I-2 zoning. Staff find no undue hardship present that would prevent installation of a more appropriate use and recommends denial of the request.

GENERAL INFORMATION

Existing Zoning	I-2	
Existing Land Use	Industrial	
Comprehensive Plan	Office Commercial	
Surrounding Context	Zoning	Surrounding Context
	North:	I-2 North: Vacant
	South:	D-P South: Residential
	East:	D-P East: Residential
	West:	D-4 West: Residential
Thoroughfare Plan		
Franklin Road	Primary Arterial	50-foot right-of-way existing and 119-foot right-of-way proposed
Context Area	Metro	
Floodway / Floodway Fringe	No	
Overlay	No	
Wellfield Protection Area	No	
Site Plan	05/28/2024	
Site Plan (Amended)	09/17/2024	
Elevations	09/17/2024	
Elevations (Amended)	N/A	
Landscape Plan	05/28/2024	
Findings of Fact	05/28/2024	
Findings of Fact (Amended)	09/25/2024	



COMPREHENSIVE PLAN ANALYSIS

Comprehensive Plan

- Marion County Land Use Plan Pattern Book

Pattern Book / Land Use Plan

- The Marion County Land Use Plan Pattern Book recommends this site for the Office Commercial working typology, which is designed for single and multi-tenant office buildings that is often a buffer between higher and lower-intensity land uses. Contemplated uses include medical and dental facilities, education services, insurance, real estate, financial institutions, design firms, legal services, and hair and body care salons. Industrial land uses are not contemplated.

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

N/A

ZONING HISTORY – VICINITY

2024ZON028 ; 5332 S Franklin Road (west of site), Rezoning of 75.3 acres from the D-A district to the D-4 district to provide for single-family residential development, **approved**.

2021ZON013 ; 5151 S Franklin Road (east/south of site), Rezoning of 19.06 acres from the I-2 district to the D-P classification for the development of 61 single-family dwellings at a density of 3.2 units per acre, **approved**.

2019CZN811 ; 5151 S Franklin Road (east/south of site), Rezoning of 19.06 acres from the I-2 and D-P districts to the D-P district to provide for 61 lots at a density of 3.2 units per acre, **withdrawn**.

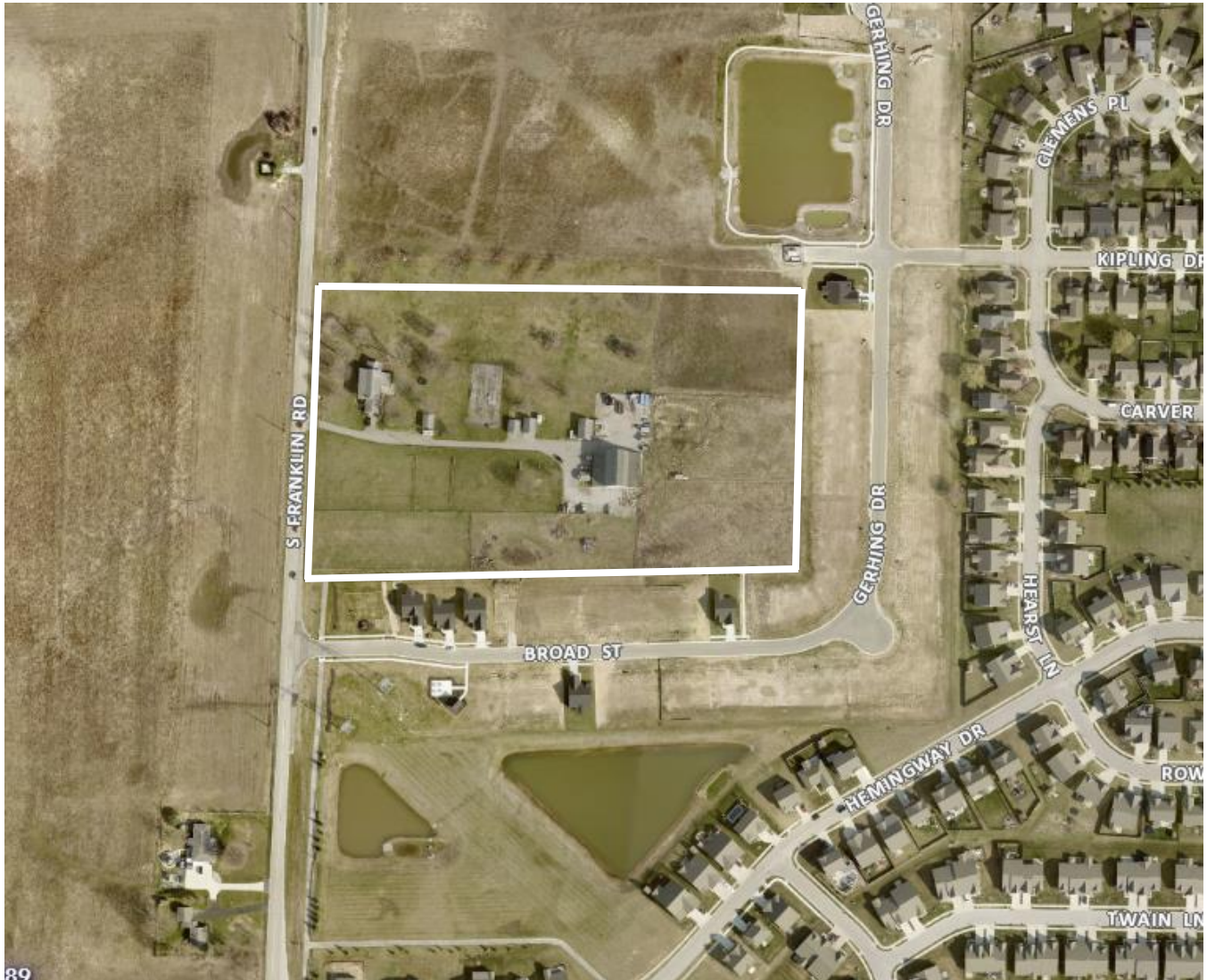
2014ZON020 ; 8701 E Thompson Road (south of site), Rezoning of 126 acres, from the D-P District, to the D-P classification to provide for 61 two-family dwellings (122 dwelling units) and 288 single-family dwellings (previously approved by 2002-ZON-180 (2002-DP-021), as amended by 2007-APP-094 and 2010-MOD-008), creating a density of 3.25 units per acre, **approved**.

2003ZON802 ; 9107 E Thompson Road (east/south of site), rezoning of 168.5 acres from the I-2-S designation to D-P zoning to allow for a planned residential neighborhood with a church, **approved**.

91-UV3-37 ; 5002 N Franklin Road (north of site), variance of use of the Dwelling District Zoning Ordinance to provide for the construction of a two-family residence, **denied**.

EXHIBITS

2024UV1011 ; Aerial Map



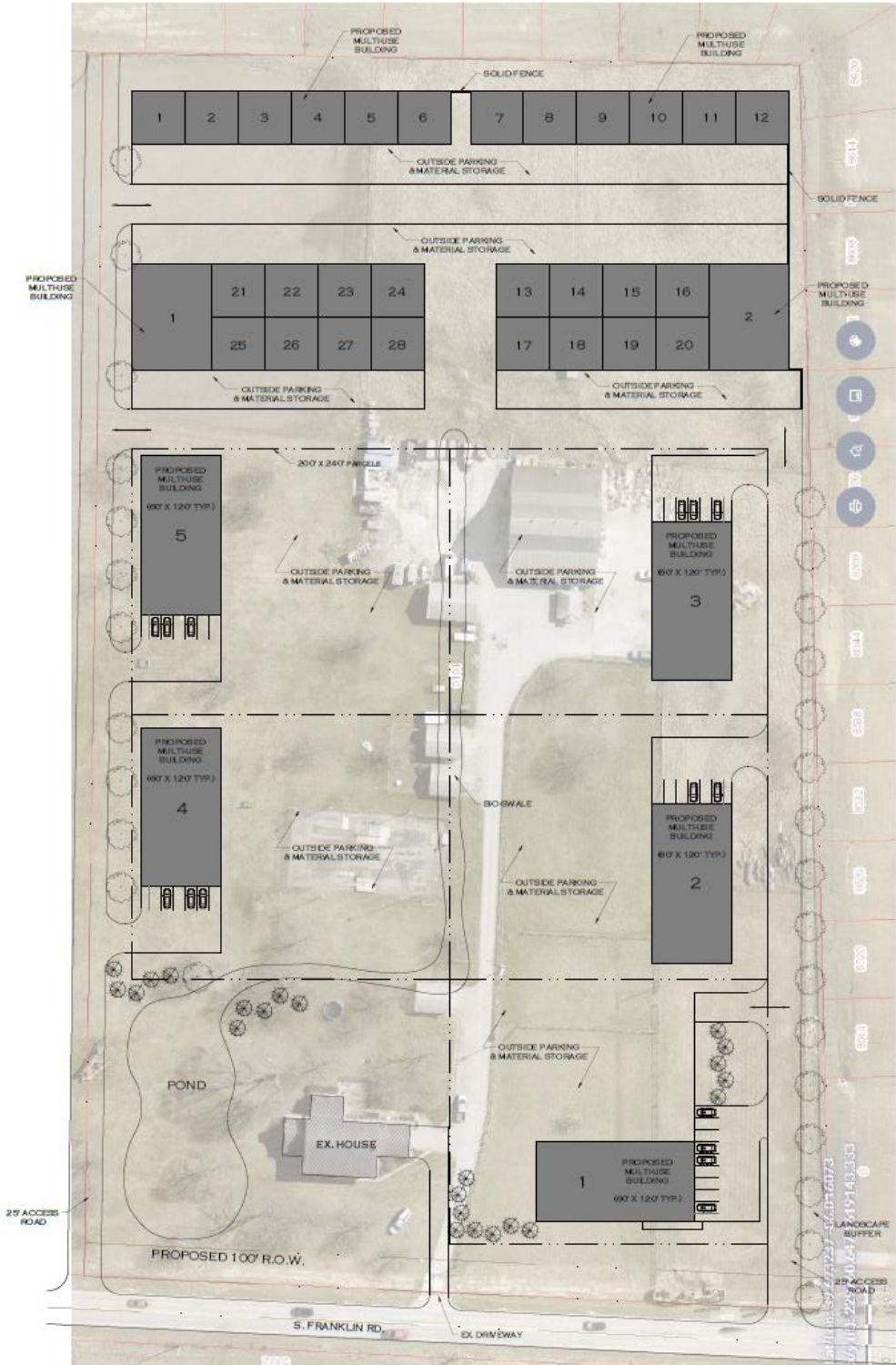


Department of Metropolitan Development
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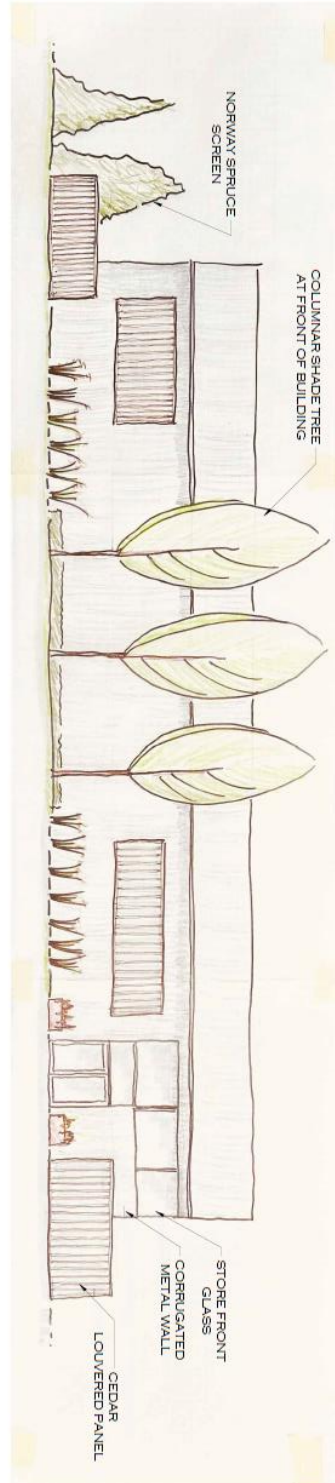
2024UV1011 ; Site Plan (09/17/2024 Submittal)



2024UV1011 ; Site Plan (original submittal)



2024UV1011 ; Warehouse Elevation & Comparison Images



BUILDING #2 SOUTH ELEVATION

• NTS •



EX HORSE FENCE



EX HORSE FENCE



EX BARN



EX BARN

WAREHOUSES AT MILLERSVILLE RD. (SHOWN BELOW)





Department of Metropolitan Development
Division of Planning
Current Planning

2024UV1011 ; Plan of Operation

THE BUSINESS

Zahn Real Estate LLC (“Petitioner”), owns approximately 12 acres of real property commonly known as 5151 South Franklin Road (the “Subject Property”). Petitioner proposes to construct several new buildings on the Subject Property and sell or lease them to small businesses looking to have a smaller freestanding or attached unit.

ZONING

The Subject Property is zoned I-2, and Petitioner has filed a Variance Petition, seeking relief from the front setback requirements off of Franklin Road and for having outside storage within 500 feet of a protected district.

SPECULATIVE | BUILD TO SUIT DEVELOPMENT

Because the proposed development on the Subject Property is going to be a combination of speculative and build to suit construction, there is no accurate measure of employees or hours of operation; however, based on the experience of Petitioner’s co-developer, most businesses will operate Monday through Friday and some will be open on Saturdays. Most businesses will have 1-5 employees and many of those will only be on site part of the time. It will be rare for these businesses to have “customers” on site.

OUTSIDE STORAGE

Outside storage will largely be comprised of materials and equipment used by the individual businesses on the Subject Property and will be subject to Commitments furnished with this Variance.



2024UV1011 ; Findings of Fact (Development Standards)

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

the proposed setback along Franklin Road is only for one building equal to the front yard setback required if there was not a transitional yard, and does not interfere with any clear site triangle, and there will be adequate buffering and a solid fence between the proposed buildings and outside storage from the protected district to the east.

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 adequate buffering between the proposed buildings and the protected districts to the east, west, and south, including a solid fence along the east property line.

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

the proposed use is permitted, and there is no way to locate any outside storage outside of the 500 foot restriction.



2024UV1011 ; Findings of Fact (Use)

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

the proposed outdoor storage will be adequately screened and will not produce any nuisance characteristics which will impact the community.

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

there will be substantial buffering between the adjacent residential uses and the proposed outside storage.

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

the property is zoned I-2, has an existing residence on it, and is surrounded on 3 sides by residential property.

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

there is no place on the subject property which can meet the 500 foot separation requirement for outside storage from a protected district.

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

the type of development proposed by the variance is smaller in scale and will be substantially similar to that found in an office park.



Department of Metropolitan Development
Division of Planning
Current Planning

2024UV1011 ; Commitments Suggested by Petitioner

1. The development shall be in substantial accordance with the site plan attached hereto as Exhibit "A", subject to minor adjustments in the size and final placement of buildings, so long as the requirements of Commitments 3, 4 and 6 are met.
2. The existing residence and barn on the Subject Property shall remain intact so long as this variance remains in effect.
3. There shall be fifty foot (50') minimum building setbacks along the east, west and south property lines of the Subject Property, and the setback areas shall be landscaped to meet transitional yard standards.
4. An earthen berm at least thirty inches (30") in height shall be installed along the south and west property lines as shown on the site plan. The berm shall feature Norway Spruce evergreen trees planted on top of the berm.
5. The Owner shall record a Declaration of Easements, Covenants, and Restrictions which provides for maintenance of the access drives and other common areas, including landscaped areas and establishes standards for business operations, including outdoor storage and operations requirements.
6. All lighting shall meet the minimum and maximum standards set forth in Ch. 744, Art. VI of the City of Indianapolis Consolidated Zoning / Subdivision Ordinance. There shall be no freestanding light fixtures located between any building and the east/south transitional yards.
7. Unless required by the City of Indianapolis Department of Public Works, there shall be no more than one curb cut on the Franklin Road frontage. If a second curb cut is required, it shall not be located to the south of any proposed building labeled on the site plan as 1, 2, 3, 2 and 11 located near the south end of the Subject Property.
8. No single building shall exceed 20,000 square feet. The multi-use / tenant buildings shall not exceed 10,000 square feet.
9. One internally illuminated freestanding sign located on the Subject Property near the entry drive on Franklin Road, not exceeding ten (10) feet in height and six (6) feet in width shall be permitted. The sign shall feature the names/addresses of the occupants/tenants located in the business park on the Subject Property. No digital display sign shall be permitted.
10. All outside storage shall be located in an area screened with appropriate fencing. Any materials capable of blowing off site or producing dust or other particulate shall be suitably covered.

2024UV1011 ; Photographs



Photo 1: Existing House viewed from West



Photo 2: Existing Rear Buildings viewed from West

2024UV1011 ; Photographs (continued)



Photo 3: Existing Buildings viewed from Southwest



Photo 4: Recently Constructed Residences along Southern Property Line

2024UV1011 ; Photographs (continued)



Photo 5: Adjacent Property to West (recently rezoned for residential development)



Photo 6: Adjacent Property to North

2024UV1011 ; Photographs (continued)



Photo 7: Subject Site & Recently Constructed Homes viewed from Southeast



Photo 8: Subject Site & Residential Lots to be Developed (viewed from East)

2024UV1011 ; Photographs (continued)



Photo 9: Adjacent Property Further to East



Photo 10: Adjacent Property to North/Northeast of Subject Site



BOARD OF ZONING APPEALS DIVISION I

October 1, 2024

Case Number: 2024-UV1-013

Property Address: 5501 East 71st Street (approximate address)

Location: Washington Township, Council District #3

Petitioner: C-1

Current Zoning: Rock Investment LLC, by Tyler Ochs

Request: Variance of use of the Consolidated Zoning and Subdivision Ordinance to provide for the operation of an indoor event center and banquet hall (not permitted).

Current Land Use: Commercial

Staff Recommendations: Staff recommends denial of this petition

Staff Reviewer: Noah Stern, Senior Planner

PETITION HISTORY

ADDENDUM FOR OCTOBER 1, 2024 BZA DIVISION I HEARING

- The City-County Councilor for District #3 filed an automatic continuance at the September 3, 2024 hearing to the October 1, 2024 BZA hearing.

STAFF RECOMMENDATION

- Staff recommends denial of this petition

PETITION OVERVIEW

- This petition would provide for the operation of an indoor event center and banquet hall (not permitted).
- The two-parcel subject site is zoned C-1 and is improved with a church building and a small, single-story office building. The proposal would repurpose suite #5 of the small office building for the indoor event center and banquet hall.
- The C-1 District is designed to perform two functions: act as a buffer between uses, and provide for a freestanding area that office uses, compatible office-type uses, such as medical and dental facilities, education services, and certain public and semipublic uses may be developed with the assurance that retail and other heavier commercial uses with incompatible characteristics will not impede or disrupt. The subject site sits directly in between more intense commercial and industrial uses along Binford Avenue to the east and south, and residential uses to the west and north. As it functions



**Department of Metropolitan Development
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currently, Staff believes this site to be achieving the desired buffer between the two areas. Staff sees the proposed indoor event center as a more intense commercial use that would (especially given the lack of public transit in the immediate area) most likely draw substantial amounts of vehicular traffic to the site, and therefore, sees the request as directly incompatible with the goals of the C-1 district. Likewise, Staff sees the proposal as out of scale with the site and believes it does not fit the general typology and character of the property, which was not designed to serve this type of use.

- Finally, Staff does not find there to be any practical difficulty for needing to deviate from the use standards and believes that permitted C-1 uses are available to the petitioner and that the building can be used for something other than an indoor event center. Likewise, Staff does not believe the proposed Findings of Fact state a sufficient hardship being that the need for the variance is entirely self-imposed. Therefore, Staff does recommend denial of this proposal and requests that the petitioner find a site more compatible for the desired use.

GENERAL INFORMATION

Existing Zoning	C-1	
Existing Land Use	Commercial	
Comprehensive Plan	Office Commercial	
Surrounding Context	Zoning	Surrounding Context
	North: D-2	North: Single-family residential
	South: I-2	South: Light industrial
	East: I-2	East: Light industrial
	West: D-P	West: Single-family residential
Thoroughfare Plan		
East 71 st Street	Primary Arterial	95 feet of right-of-way existing and 80 feet proposed
Context Area	Metro	
Floodway / Floodway Fringe	No	
Overlay	No	
Wellfield Protection Area	No	
Site Plan	7/28/24	
Site Plan (Amended)	N/A	
Elevations	N/A	
Elevations (Amended)	N/A	
Landscape Plan	N/A	
Findings of Fact	7/28/24	
Findings of Fact (Amended)	N/A	



COMPREHENSIVE PLAN ANALYSIS

Comprehensive Plan

- Marion County Land Use Plan Pattern Book

Pattern Book / Land Use Plan

- The Marion County Land Use Plan pattern Book recommends the Office Commercial working typology for this site.

Red Line / Blue Line / Purple Line TOD Strategic Plan

- Not Applicable to the Site.

Neighborhood / Area Specific Plan

- Not Applicable to the Site.

Infill Housing Guidelines

- 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

86-Z-45, rezoning from the A-2 district to the C-1 classification, **approved**.

2013UV1021; Variance of use of the Commercial Zoning Ordinance to provide for a beauty and massage service business (not permitted), **approved**.

2017DV1011; Variance of development standards of the Consolidated Zoning and Subdivision Ordinance to provide for a ground sign, encroaching 12 feet into the right-of-way of 71st Street (15-foot setback required), **approved**.

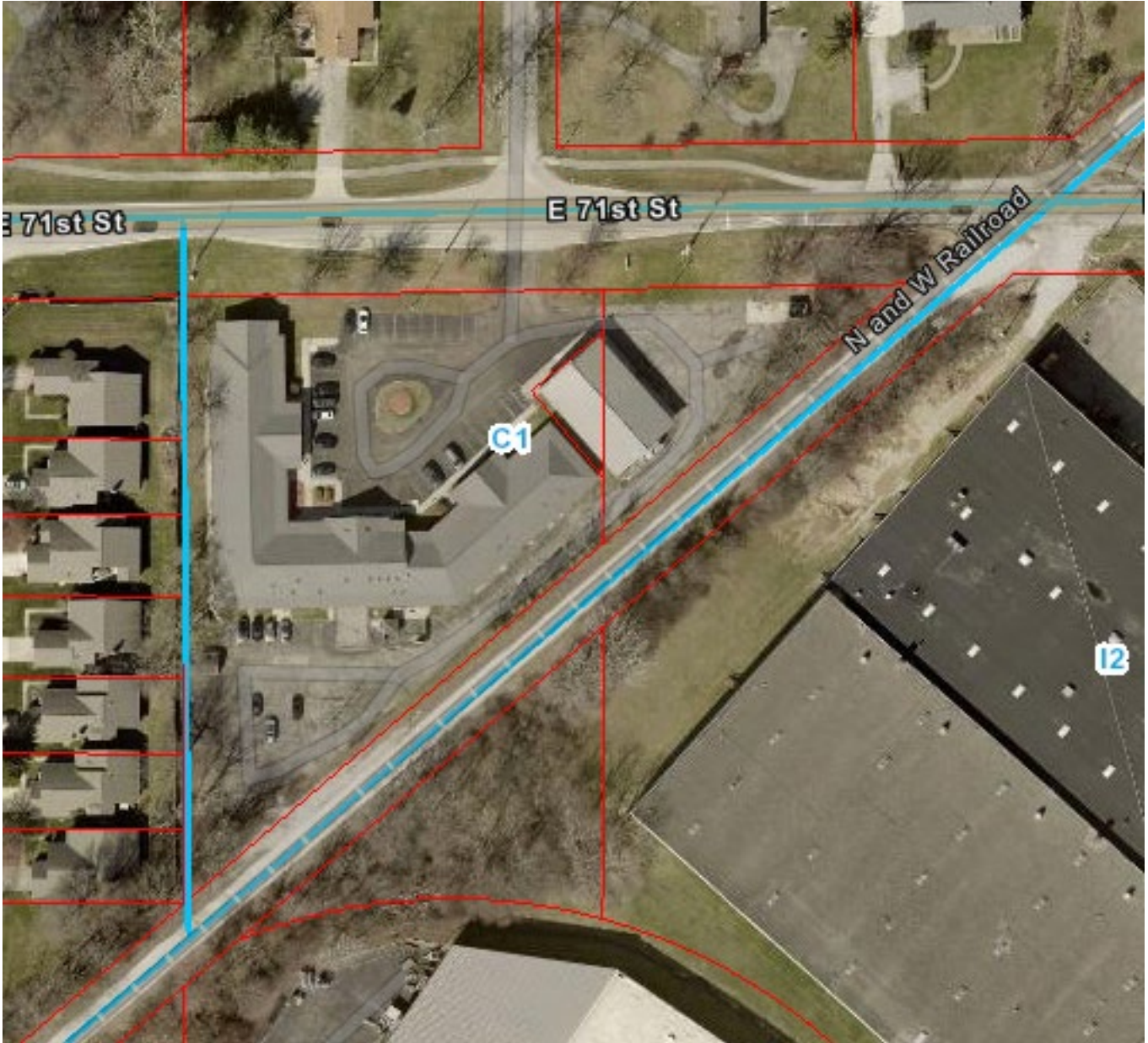
ZONING HISTORY – VICINITY

2008UV2001; 7001 Hawthorn Park Drive (east of site), variance of use of the Industrial Zoning Ordinance to legally establish stone and marble fabrication and to provide for the retail sale of boats, the assembly and repair of boats and custom boat, auto and aircraft paint detailing (not permitted), **approved**.

2006UV2023; 6945 Hawthorn Park Drive (east of site), variance of use and development standards of the Industrial Zoning Ordinance to provide for the retail sale of furniture and home décor items (not permitted), and to legally establish a 1296 square foot parking area within the required 50-foot front yard occupying 17.33 percent of the total area of the required front yard (maximum parking area equal to ten percent of the total area of the required front yard permitted), and to legally establish an enclosed dumpster with a 1.75-foot side setback (minimum 30-foot northeast side yard required), and also with a 26-foot rear setback (minimum 30-foot rear yard required), **approved**.

90-V3-54; 5849 East 71st Street (east of site), requests variance of development standards of the Sign Regulations to permit the placement of signs on an existing canopy in excess of 25% of façade and less than the required 70 feet setback from the centerline of East 71st Street and S.R. 37; pricing panels on a pole sign; directional information signs in excess of one square foot; signs location on the carwash in excess of 6 square feet; signs on pump islands in excess of 12 square feet; and to allow pricing sign to be located on light pole, **granted**

EXHIBITS



The Intimate Space Plan Of Operations

A. Description of Proposed Facilities:

- A privately owned venue catering to small “intimate” gatherings. Our venue is used for a variety of gatherings from corporate events, job fairs, birthday gatherings, baby showers, and weddings.

B. Number Of Employees:

- 10 Employees {4 onsite event host, 3 security officers, 1 Manager, 2 event coordinators}

C. Security Provisions:

- 3 security officers on premises – 2 at the entrance at all times, 1 inside the venue

D. Presence Of Hazardous or explosive Materials:

- No hazardous or explosive materials on premises.

E. Hours Of Operations:

- 9a-12a Events can be booked anytime within this time frame with venue closing at 12a

F. Seating Capacity of the Largest Room:

- Designated Occupant Load 250 per Indianapolis fire department
- Tables/Chairs 120
- Chairs Only 225
- Standing Space 250



Petition Number _____

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

PETITION FOR VARIANCE OF USE

FINDINGS OF FACT

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

The Intimate Space is located within an already commercial zone. Because of the nature of the events held, the space does not interfere with neighboring businesses. Additionally, the Intimate Space provides security guards to ensure safety for attendees, which in turn also benefits neighboring businesses. As the name suggests, the space is small and therefore does not result in large groups. This acts as an additional event space for the neighborhood to use.

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 subject property is located within a retail commercial district. The use requested by the variance is within an existing commercial strip center and this space will be wholly self-contained. The space is typically used on the weekends and at night when many of the neighboring businesses are not operating. The space is buffered to the east and south by businesses. It is bordered by 71st street to the North, and a church to the West. The retail nature of the area ensures no adverse impact.

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

The use itself is not carved out in the UZO. While the use is similar to that of a small community center, it also shares some similarities to indoor recreation & entertainment. The space acts as a somewhat accessory use to the nail salon that is presently operating in the front of the building. However, this use, an event space, is not specifically contemplated in the UZO and therefore the property must obtain a variance for the use.

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

The permitted use requested is not carved out in the UZO. One of the intents of the use variance is to provide for uses that were not contemplated in the UZO. Since the UZO language specifically states that a use must be specifically enumerated as a permitted primary or accessory use in that zonign district, and an event space is not contemplated as a use in the UZO, the strict application results in a hardship for the intended use.

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

This space is located in a retail area. This space furthers the retail characterization of the area. Additionally, the comprehensive plan calls for "office retail" in the area. The Intimate Space, as listed in the plan of operation, holds corporate events that would act as a resource to the businesses in the area.

DECISION

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

DESIGNATED OCCUPANT LOAD IS:

250

**5501 East 71st Street
The Intimate Space
The Intimate Space suite 5 Table &
Chairs 120 Chairs only 225 Standing
space 250**



**2014 Indiana Fire Code
Section 1004.3
(675 IAC 22-2.4)**

**INDIANAPOLIS FIRE DEPARTMENT
FIRE & LIFE SAFETY DIVISION**



By:
Fire Marshal Michael Beard









BOARD OF ZONING APPEALS DIVISION I **October 1, 2024**

Case Number: 2024UV1015 (Amended)
Property Address: 3402 Georgetown Road (approximate address)
Location: Wayne Township, Council District #5
Petitioner: Georgetown Parcel I LLC, by Thomas Pottschmidt
Current Zoning: C-3 (FF)

Request: Variance of use of the Consolidated Zoning and Subdivision Ordinance to provide for the expansion of an existing liquor store (not permitted) within twenty feet of a protected district (100-foot separation required) with zero-frontage trees and deficient landscaping (eight trees, landscaping required) and zero bicycle parking spaces provided (three bicycle spaces required).

Current Land Use: Commercial

Staff

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

Staff Reviewer: Michael Weigel, Senior Planner

PETITION HISTORY

This petition was continued from the September 3, 2024 hearing at the request of the petitioner to allow staff time to evaluate an updated site plan that reduced the size of the proposed addition (3310 SF new total building size) and removed several of the variance requests from their petition (transitional yard setback, number of car parking spaces). The petitioner also proposed a commitment to remove seasonal outdoor sales as a use from the property. Although these changes would result in a layout marginally preferable to what was originally proposed (less parking congestion and more separation from residential uses to the northwest), staff still feels that no practical difficulty exists and that this addition would constitute overdevelopment of the site. Staff continues to recommend denial of the petition. Updated site plan and elevations were also added to the Exhibits below.

STAFF RECOMMENDATION

Staff recommends **denial** of the request.

PETITION OVERVIEW

- The subject site is located at the northwest corner of the intersection of 34th and Georgetown and is currently improved with a liquor store with a building area of 3380 square feet. The property is surrounded by fueling stations to the south and east and multitenant commercial development to the north and west. It is also directly adjacent to D-5 residential zoning to the north and northwest.



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Current Planning**

- In 1988, the property was rezoned from D-4 to C-3 to allow for the package liquor store use (allowed by-right within C-3 at the time but disallowed under current ordinance). Any expansion of the legally non-conforming use would require a variance of use as well as compliance with applicable use-specific standards for liquor stores (proximity to protected districts, placement of cameras, cash registers, and trash receptacles, etc.).
- The proposed site plan provided with this application indicates an expansion of the existing use to a building area of 4965 square feet. In addition to requiring a use variance for the expansion of the non-conformity and its proximity to a protected district, variances of development standards would also be required for the required transitional yard separation as well as deficient existing landscaping and amounts of vehicle and bicycle parking.
- Available aerial and street-level photography and testimony from a concerned neighbor indicate that this site may also house the accessory use of outdoor seasonal produce sales. The area utilized for this potential use would likely be the southeastern portion of the site nearest to the intersection and that a trailer stored on the western portion of the property may also be affiliated. Staff would note that such a use could be cited for a zoning violation if it did not meet the standards of 744-306.S and may have an impact on vehicle maneuverability and availability of parking.
- 3402 Georgetown Road is zoned C-3 (Neighborhood Commercial district) to allow for an extensive range of retail sales and personal, professional, and business services required to meet the demands of a fully developed residential neighborhood, regardless of its size. Similarly, the Comprehensive Plan recommends it to the Community Commercial typology to allow for low-intensity commercial and office uses that serve nearby neighborhoods. Additionally, most of the property is located both within a 100-year floodplain (floodway fringe) as well as being within an Environmentally Sensitive Area overlay as defined by the Comprehensive Plan. The Plan recommends that development of this land use type should either preserve or add at least 20% of the entire parcel as tree canopy or naturalized area.
- The plan of operation provided for this business by the applicant indicates that the business would be open until 2 to 3 am on most nights and that it would be staffed by one cashier and 2 stockers. Sales of both cold and warm package liquor would be conducted typically to one customer at a time, and weekly deliveries would be made by a “mid-sized” truck. No hazardous materials would be on-site, and the existing dumpster to the northwest would be utilized for waste.
- Findings of fact provided by the applicant indicate that the use would beautify and present no harms to surrounding properties while allowing the business to sell additional alcohol within a less cramped space, and that no additional landscaping should be required since the site hasn’t historically been landscaped. Staff disagrees that a proposal with such deficiencies in landscaping would constitute substantial beautification and does not feel that an appropriate remedy for the small lot size would be development in even closer proximity to residential areas and zonings. Staff also disagrees that a lack of landscaping at the site in the past constitutes a substantial site-specific practical difficulty given that the ordinance has specific exemptions for landscaping rules at previously developed sites that would not be applicable here.



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- While the liquor store use was allowed by-right in 1988 at the time of rezoning, approval of this variance would constitute a dramatic expansion of the currently non-conforming use in a manner that would result in the property only being separated from the property line of residential areas to the northwest by 10 feet. While the western side setback of 2 feet would be allowed by-right, ordinance rules require a 20-foot separation from residential zoning and uses to the north and northwest, and staff does not feel that sufficient practical difficulty exists to justify this encroachment into the required transitional yard setback.
- Since the expansion of the building would result in a new square footage more than 125% of the original area, no exemptions to compliance with current landscape requirements would apply. Areas of current non-compliance include the lack of trees and deficient width of landscape strips along both frontages and the lack of landscaping between this property and the D-4 zoning to the north. Staff notes that the proposal doesn't meet comprehensive plan guidance for landscaping within environmentally sensitive areas and would place the building much closer to a protected district without required buffering.
- Similarly, there would be no exemptions to parking minimums for the property since the proposed expansion would increase the number of parking spaces required at a rate higher than 15% of the current requirement. Retail uses with this square footage would require 14 spaces, and the site plan showing 12 spaces is below this requirement while also not showing any required bicycle parking spaces. Staff is concerned that an expansion of this size on a small lot that may already contain outdoor seasonal produce sales would result in higher demand for parking on a parcel with insufficient parking spaces and constitute overdevelopment of the property.
- Overall, staff feels that an expansion of this size would not be appropriate for any retail use within such close proximity to residential areas but would be especially inappropriate given that the business would remain open until 2-3am on most evenings. This, coupled with the lack of transitional yard landscaping to the north and northwest and the reduction in available parking, could create various negative externalities of noise and light pollution and would lead staff to recommend denial of the variance application.



GENERAL INFORMATION

Existing Zoning	C-3 (FF)	
Existing Land Use	Commercial	
Comprehensive Plan	Community Commercial	
Surrounding Context	Zoning	Surrounding Context
	North:	D-4 North: Commercial
	South:	C-3 South: Commercial
	East:	C-3 East: Commercial
	West:	C-3 West: Commercial
Thoroughfare Plan		
Georgetown Road	Secondary Arterial	90-foot existing right-of-way and 80-foot proposed right-of-way
34 th Street	Primary Collector	90-foot existing right-of-way and 102-foot proposed right-of-way
Context Area	Metro	
Floodway / Floodway Fringe	Yes	
Overlay	Yes	
Wellfield Protection Area	No	
Site Plan	06/25/2024	
Site Plan (Amended)	08/30/2024	
Elevations	08/26/2024	
Elevations (Amended)	09/01/2024	
Landscape Plan	N/A	
Findings of Fact	06/25/2024	
Findings of Fact (Amended)	08/26/2024	

COMPREHENSIVE PLAN ANALYSIS

Comprehensive Plan

- Marion County Land Use Plan Pattern Book

Pattern Book / Land Use Plan

- The Marion County Land Use Plan Pattern Book recommends this site for the Community Commercial typology which provides for low-intensity commercial and office uses that serve nearby neighborhoods. Examples of contemplated land uses include small-scale shops, personal services, professional and business services, grocery stores, drug stores, restaurants, and public gathering spaces.



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- The site is predominantly located within an Environmentally Sensitive Area overlay which is intended for areas either containing high quality woodlands, wetlands, or other natural resources that should be protected or that present an opportunity to create a new environmental asset. Development should fully preserve or replace any wetlands or woodlands impacted by development and should preserve or add at least 20% 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.



ZONING HISTORY

ZONING HISTORY – SITE

88-Z-262, rezoning of 0.63 acres from the D-4 zoning classification to the C-3 zoning classification to allow the existing commercial use to continue it legal non-conformity (package liquor store) under the appropriate zoning classification, **approved**.

88-UV1-104, variance of use of the Dwelling Districts Zoning Ordinance to provide for an addition to a package liquor store, **withdrawn**.

ZONING HISTORY – VICINITY

2011DV1040 ; 3401 Georgetown Road (east of site), variance of development standards of the Commercial Zoning Ordinance to provide for a gasoline station / convenience store, with access aisles with five-foot front setbacks along 34th Street and Georgetown Road, (minimum 10-foot front setbacks required), **approved**.

2006DV3021 ; 3350 Georgetown Road (south of site), variance of development standards of the Commercial Zoning Ordinance to provide for the construction of a 2,368 square foot building with a nine-foot rear setback and transitional yard (minimum ten-foot rear setback and transitional yard required), and with a kerosene dispenser and a portion of one parking space in the rear transitional yard (not permitted), and with a phone, air pump and vacuum in the required ten-foot front landscape strip along Georgetown road (not permitted), and with a trash enclosure located between the established front building line and Georgetown Road (not permitted), and to legally establish a five-foot landscape strip along approximately 25 feet of frontage along 34th Street (minimum ten-foot landscape strip required), **approved**.

96-Z-186 ; 3361 Georgetown Road (southeast of site), rezoning of 0.55 acres from D-5 to the C-4 zoning classification to allow for an automobile repair garage, **approved**.

81-Z-131 ; 3350 Georgetown Road (south of site), rezoning of 1.6 acres from D-5 to the C-3 zoning classification to allow for a gasoline filling station, **approved**.

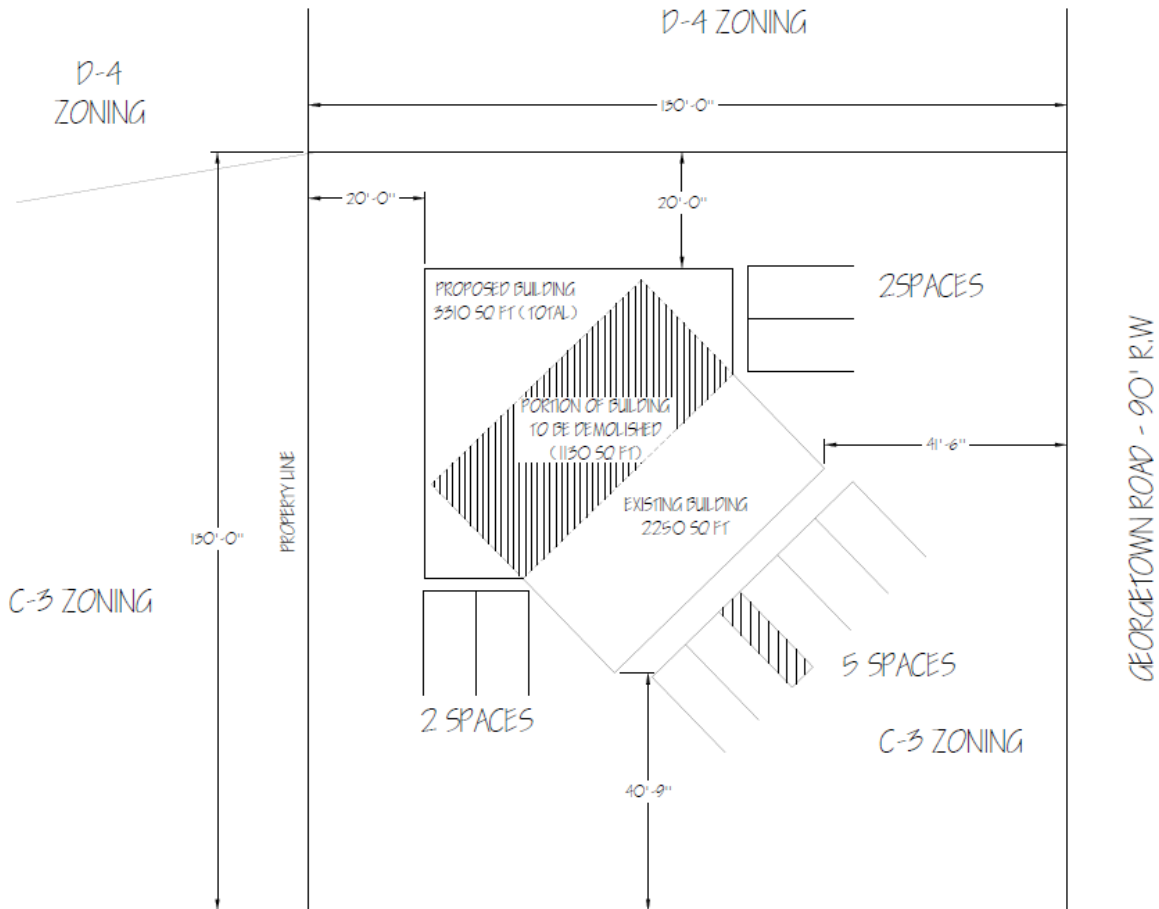
73-UV3-30 ; 3410 Georgetown Road (north of site), variance of use, setback street frontage, side, rear and transitional yard requirements and issuance of an Improvement Location Permit on an easement, to permit erection of a 222 unit motel, with office and pole sign, as per plans filed, **withdrawn**.

EXHIBITS

2024UV1015 ; Aerial Map



2024UV1015 ; Revised Site Plan

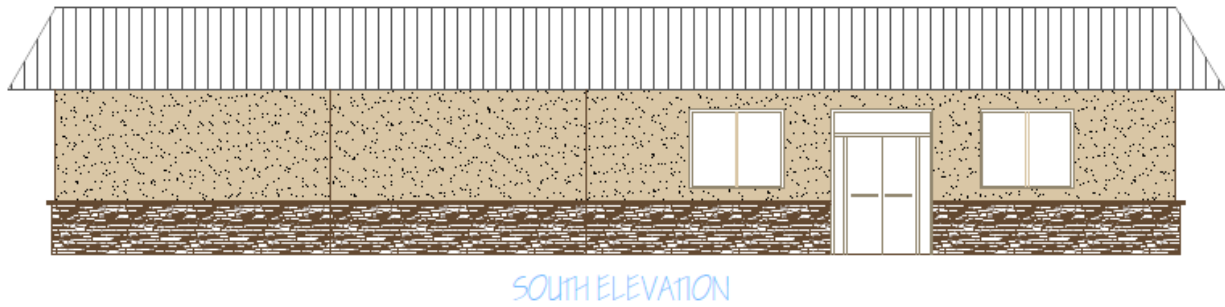
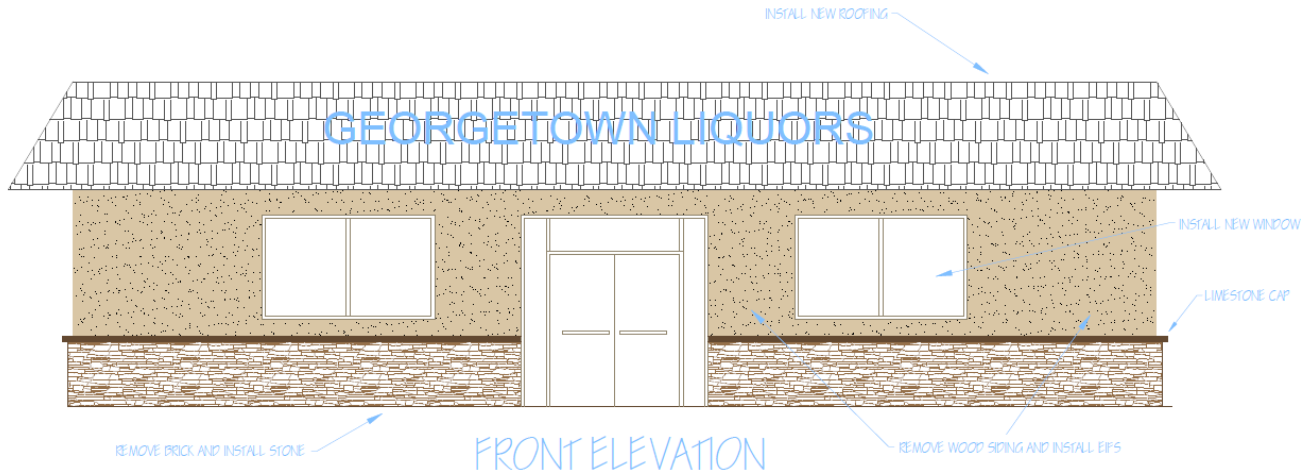


NOTE: DIMENSIONS ARE APPROXIMATE

34TH STREET 40' R/W



2024UV1015 ; Elevations





2024UV1015 ; Plan of Operation

Workforce:

Typically, there is one cashier and at times 2 additional stockmen. The hours of operation are:

M-Th: 7 a.m. to 2 a.m.

Fri-Sat: 7 a.m. to 3 a.m.

Sun: 12 p.m. to 8 p.m.

Clients and Customers:

Customers are from the general population and can be from all different backgrounds. They typically park on site although there are some customers within walking distance. There could be upwards of 3 customers at a time depending on the day and hour. But generally speaking, they come one at a time.

Processes Conducted on Site:

The store requires stocking of all items that we sell. This goes for both refrigerated items and non-refrigerated items. A cashier is required at all hours of operation. There are cameras located by the cashier and bullet-proof glass exists for protection.

Materials Used:

There are no hazardous materials on site.

Shipping and Receiving:

Usually, a mid-sized truck is sent to our store that contains our order of stock. We stock during the day at all hours from 9 a.m. to 5 p.m. Depending on the order it can take an or so to unload an order. We have orders come about once a week.

Waste:

The waste generated from the store is minimal as the cardboard boxes are recycled. Waste is handled with trash bags and taken out to the dumpster by non-cashier employees.



2024UV1015 ; Findings of Fact (Use)

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

there is nothing associated with the addition that any harm could occur to someone and it certainly is not immoral to build an addition. The general welfare of the community will actually improve due to the higher level of aesthetics.

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

Actually, it is our belief that the values of the adjoining properties will increase in value as this building will become a much better looking building. The addition will have no ill effects on the properties adjacent to this one.

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

This liquor store is very tight on interior space. Unfortunately for some reason it is not zoned C-4 or C-5 which would allow an addition to the liquor store.

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

The interior of the building is very tight with tight aiseways. Once this addition is finished it will open up the store significantly. This addition will allow for a larger cooler and for the owner to purchase more in bulk.

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

This building is a liquor store already. Therefore an addition and remodeling will only make the community better. There will be no interference caused to the adjacent properties as this addition will make for a better store.



2024UV1015 ; Findings of Fact (Landscaping/Parking)

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

Historically, there has not been any room for landscaping in the front of the building. If landscaping was planted in this area it would cause vehicular accidents as there would not be enough room for vehicular movement. (see attached satellite view from Google Maps). Landscaping has not been on this property for decades thus not having it in the future will not be a burden to the community in any way - health, safety, morals, and general welfare. Actually, if landscaping was put on this property it would prohibit clear views of traffic at the intersection.

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:

As mentioned, landscaping has not been on this property in decades and thus values of the adjacent properties will be effected by not having landscaping in the future.

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 parcel historically never had any land available for landscaping other than behind the building which is surrounded by a privacy fence. This would make the landscaping irrelevant. The front of the building that is exposed to the public is all asphalt which is required for the movement of vehicles. If landscaping was installed in the front of the building it would render the property useless as there would be no room for the building with parking.

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

The current liquor store currently has ten parking spaces and really no clear handicap parking stall. An addition of two parking spaces will be adequate even with the addition as the retail space will not expand much in relation to the additional storage space. Thus the traffic will not increase much and twelve spaces will be more than adequate. The typical liquor store customer will not spend much time in the store as opposed to like a clothing store. They get what they want, pay for the item, and leave. The 12 spaces will never be used. Probably 6 would suffice.

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 number of parking stalls will not adversely effect the use or the value of the adjacent properties as with this remodeling the parking lot will be changed appropriately unlike its current state (see attached street view). The current parking is in violation with the triangle view of the intersection and it has been like this for decades. If anything, it will increase the value of the adjacent properties and be more safe.

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

When it comes to retail, especially a liquor store, the larger the order of merchandise the better the pricing. If the addition had to be smaller just because of the lack of two parking spaces it would adversely effect the owner's pricing on goods and thus reduce his profits.

2024UV1015 ; Photographs



Photo 1: Subject Site Viewed from Southwest



Photo 2: Subject Site Viewed from Northeast

2024UV1015 ; Photographs (continued)



Photo 3: Subject Site Viewed from West



Photo 4: Existing Dumpster (NW of Property) + Residence Viewed from South

2024UV1015 ; Photographs (continued)



Photo 5: Adjacent Property to West



Photo 6: Adjacent Property to North

2024UV1015 ; Photographs (continued)



Photo 7: Adjacent Property to South



Photo 8: Adjacent Property to East



BOARD OF ZONING APPEALS DIVISION I **October 1st, 2024**

Case Number: 2024-DV1-029

Property Address: 9540 Maze Road

Location: Franklin Township, Council District #25

Petitioner: Terry Johnson, Represented by David A. Retherford

Current Zoning: D-A

Request: Variance of Development Standards of the Consolidated Zoning and Subdivision Ordinance to provide for the subdivision of a ten-acre lot, with one lot containing the existing primary building with a 27-foot east side yard setback (30 feet required) and having a lot width between 78 and 196 feet (250-foot lot width required) with the proposed second lot containing a 130-foot lot width.

Current Land Use: Agricultural

Staff Recommendations: Staff recommends **approval** of this variance request.)

Staff Reviewer: Kiya Mullins, Associate Planner

PETITION HISTORY

This is the first public hearing for this petition.

STAFF RECOMMENDATION

Staff recommends **approval** of this variance request.

PETITION OVERVIEW

- This variance of development standards will allow for the subdivision of the 10-acre parcel at 9540 Maze Road into two lots, with one lot containing 7.146 acres. The second lot, which contains the existing dwelling will constitute the remaining three-acres.
- The proposed lot containing the existing dwelling would remain eligible for exceptions in the Zoning Ordinance to allow for new constructions and expansions to maintain 15-foot side and rear yard setbacks. However, the proposed newly created, undeveloped lot, would not be eligible for this exception and would require minimum 30-foot side yard setbacks, for an aggregate of a 75-foot setback. A 75-foot rear yard setback would also be required.



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

- Finally, this variance would allow the lot with the existing building to have a lot width between 78 and 196ft, when the ordinance requires the lot width to be at least 250ft. While Staff acknowledges that the request represent a significant deviation, Staff would note that the request is intended to address an exception within the Ordinance to bypass the Subdivision Regulations.
- Given that Staff recommended that this property be rezoned to a district that would be reflective of the new lot characteristics, and was rebuffed by the applicant, Staff would consider any potential practical difficulty associated with a variance of development standards from these regulations to be self-imposed and would likely recommend denial.
- Staff recommends **approval** for this variance of development standards, largely in part, based on the expectation that future development of these lots will comply with D-A development standards.

GENERAL INFORMATION

Existing Zoning	D-A	
Existing Land Use	Agricultural	
Comprehensive Plan	Rural or Estate Neighborhood	
Surrounding Context	Zoning	Surrounding Context
North:	D-A	North: Rural or Estate Neighborhood
South:	D-A	South: Rural or Estate Neighborhood
East:	D-A	East: Rural or Estate Neighborhood
West:	D-A	West: Rural or Estate Neighborhood
Thoroughfare Plan		
Maze Road	Secondary Arterial	25 ft right-of-way existing and 80 ft right-of-way proposed.
Context Area	Metro	
Floodway / Floodway Fringe	No	
Overlay	No	
Wellfield Protection Area	Yes	
Site Plan	08/16/2024	
Site Plan (Amended)	N/A	
Elevations	N/A	
Elevations (Amended)	N/A	
Landscape Plan	N/A	
Findings of Fact	08/16/2024	
Findings of Fact (Amended)	N/A	

COMPREHENSIVE PLAN ANALYSIS

Comprehensive Plan

- Marion County Land Use Plan Pattern Book



Department of Metropolitan Development
Division of Planning
Current Planning

- Infill Housing Guidelines

Pattern Book / Land Use Plan

The Rural or Estate Neighborhood typology applies to rural, agricultural, and historic, urban areas with estate-style homes on large lots. This typology prioritizes the exceptional natural features – such as rolling hills, high quality woodlands, and wetlands – that make these areas unique. Development in this typology should work with the existing topography as much as possible. Typically, this typology has a residential density of less than one dwelling unit per acre unless housing is clustered to preserve open space. (pg 17)

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

- New construction should meet open space standards on lots that meet the minimum lot size standards. Development that does not meet these standards may not fit the character of the surrounding neighborhood or the development goals of the neighborhood. (pg 14)

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 – SURROUNDING AREA

- 2004-DV3-035 – 8936 Maze Road
 - Variance of Development Standards of the Dwelling Districts Zoning Ordinance to provide for the addition of a 770-square foot attached garage on to an existing single-family dwelling resulting in a seven-foot east side yard setback and a 23-foot aggregate side yard setback, and to legally establish a 530.66-square foot above ground pool with a deck, with a zero-foot east side yard setback resulting in 2,240.06 square feet of accessory use area or 113 percent of the total floor area of the primary dwelling. **AP**
- 2004-DV3-045 – 9407 Maze Road
 - 2-Ton Commercial vehicle, excessive accessory structure. **AP**
- 2006-UV2-013 – 8401 Kapp Road
 - Variance of Use of the Dwelling Districts Zoning Ordinance to provide for the construction of a 4,000 square foot building and parking for a kennel use (not permitted), with 32 outdoor pens for animals. **AP**.
- 2008-DV1-048 – 9526 Maze Road
 - Variance of development standards of the Dwelling Districts Zoning Ordinance to legally establish a lot with 33 feet of street frontage and lot width at the required front setback (minimum 150 feet of street frontage required, minimum 250 feet of lot width required), and to provide for an 85-foot-tall wind turbine structure (maximum 45-foot height permitted). **AP**.
- 2011-HOV-022 – 8936 Maze Road
 - Variance of development standards of the Dwelling Districts Zoning Ordinance to provide for the construction of an 813-square foot in-ground pool and deck, with a five-foot east side setback (15-foot minimum setback required), creating an accessory use area of 3,641 square feet or 184% of the total floor area of the primary dwelling (maximum 99.9% of the total floor area of the primary dwelling or 1,978 square feet permitted). **Approved**.
- 2014-DV3-020 – 8840 S Mitthoefer Road
 - Variance of development standards of the Dwelling Districts Zoning Ordinance to provide for: a) the construction of 1,728-square foot, 27-foot tall pole barn (maximum 20-foot height permitted, accessory buildings cannot be taller than the primary dwelling), b) with a 13-foot south side setback (30-foot side setback required), c) creating an accessory building area of 2,034 square feet or 124.7% of the main floor area of the primary dwelling and accessory use area of 2,952 square feet or 159.7% of the total floor area of the primary dwelling (maximum accessory building area of 75% of the main floor area or 1,386 square feet permitted, maximum accessory use area of 99.9% of the total floor area of the primary dwelling or 1,846 square feet permitted). **Approved**.
- 2017-DV2-004 – 9343 Maze Road



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- Variance of development standards of the Consolidated Zoning and Subdivision Ordinance to provide for 3.8-acre and 6.2-acre lots with 125 feet and 200 feet of lot width, respectively (minimum 250 feet of lot width required). **Approved.**

EXHIBITS

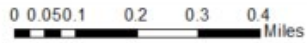
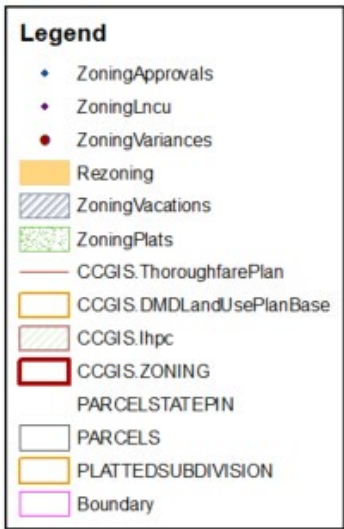
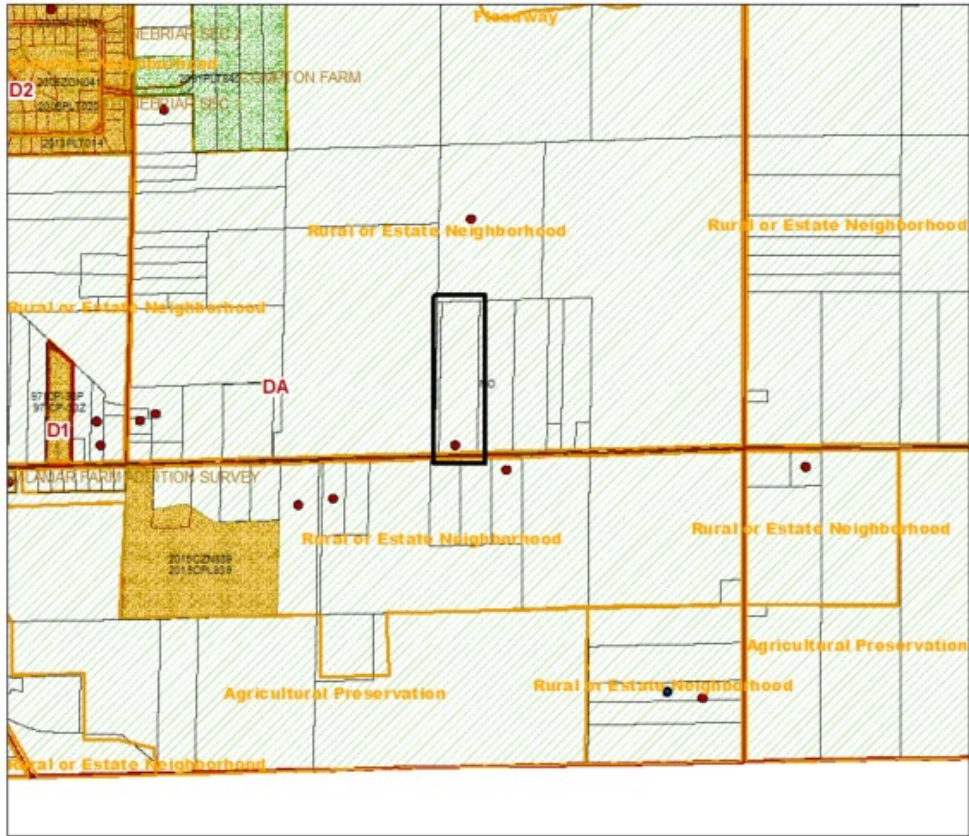


Exhibit 1: Area map surrounding 9540 Maze Road



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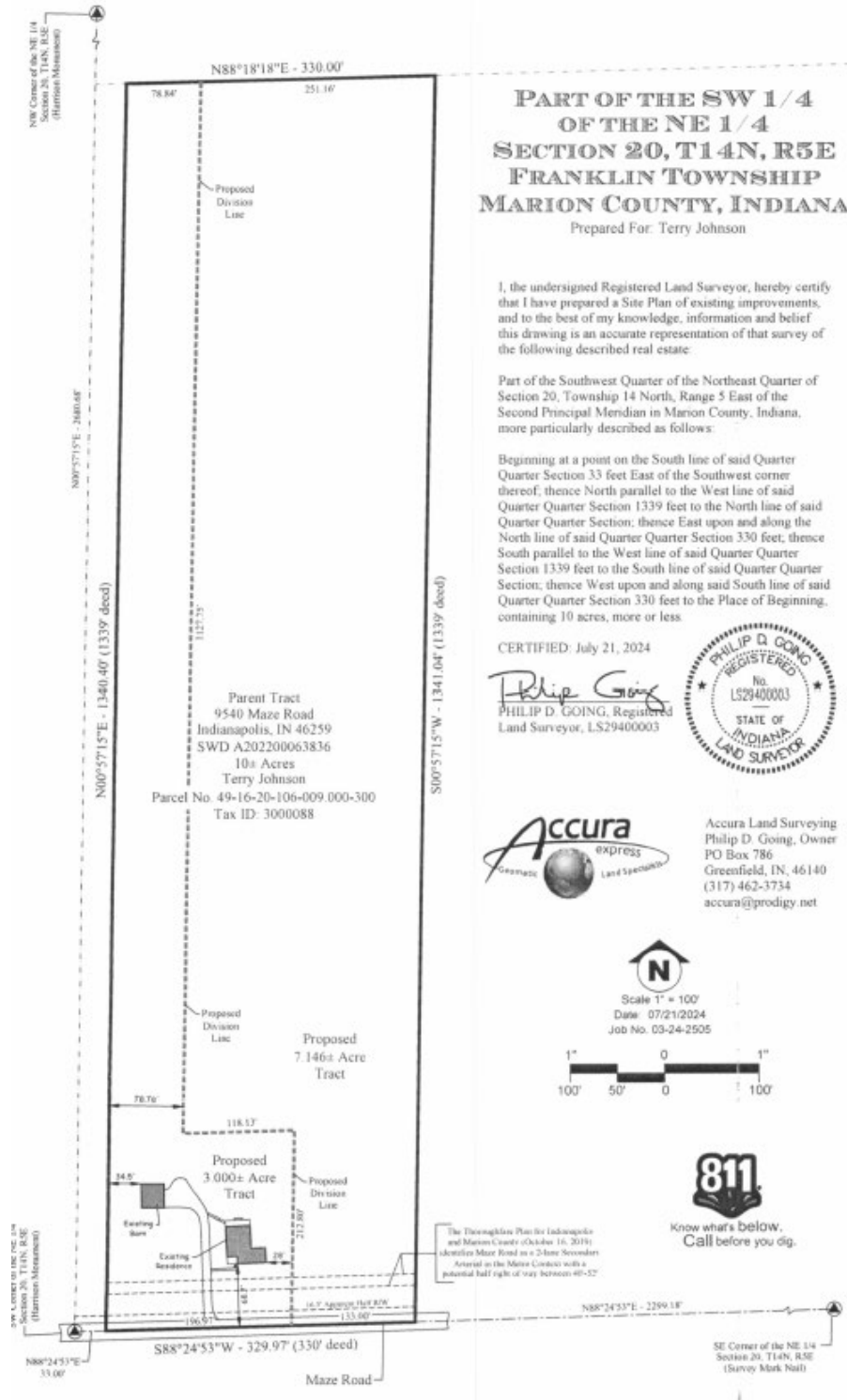


Exhibit 2: Site plan for 9540 Maze Road.



Department of Metropolitan Development
 Division of Planning
 Current Planning

Petition Number _____

METROPOLITAN DEVELOPMENT COMMISSION
 HEARING EXAMINER
 METROPOLITAN BOARD OF ZONING APPEALS, Division _____
 OF MARION COUNTY, INDIANA
 PETITION FOR VARIANCE OF DEVELOPMENT STANDARDS
 FINDINGS OF FACT

1. The grant will not be injurious to the public health, safety, morals, and general welfare of the community because: Legally establishing the existing residence with a front setback and slightly smaller side yard setback, and also permitting a portion of the lot width on each of the two tracts to be slightly reduced while still complying with the minimum 125 foot of street frontage, is not likely to create the risk of any such injury.

2. The use or value of the area adjacent to the property included in the variance will not be affected in a substantially adverse manner because: The surrounding properties in all directions are all zoned D-A, and are either being farmed or have already been developed with homes on similarly sized lots to what is proposed; and the existing home and barn are being preserved.

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 will be unable to create the desired location for a home on the proposed 7 acre parcel without demolishing the existing home, unless the requested variances are approved.

Exhibit 3: Submitted findings of fact for this variance request at 9540 Maze Road.



Exhibit 4: Existing home on 9540 Maze Road.



Exhibit 5: Area behind existing home at 9450 Maze road that will be split for the creation of the new parcel.



Exhibit 6: 9450 Maze Road with existing home, barn and corn fields.



Exhibit 7: Existing home and corn field that will be split apart.



Exhibit 8: Current front setback from Maze Road.



BOARD OF ZONING APPEALS DIVISION I

October 1, 2024

Case Number: 2024-DV1-031
Address: 8040 East Southport Road
Location: Franklin Township, Council District #25
Zoning: C-3 / C-S
Petitioner: DRGSF Outlot One LLC, by Elizabeth Bentz Williams
Request: Variance of Development Standards of the Consolidated Zoning and Subdivision Ordinance to provide for the erection of a freestanding pylon sign, being the fifth freestanding sign along Southport Road (maximum of two permitted).

Current Land Use: Integrated Commercial Center under development

Staff Recommendation: Staff recommends Denial of this petition.

Staff Reviewer: Robert Uhlenhake, Senior Planner

PETITION HISTORY

This is the first public hearing for this petition.

STAFF RECOMMENDATION

Staff recommends **denial** of this petition.

PETITION OVERVIEW

- ◇ Standards of the Sign Regulations are intended to promote quality sign displays that are integrated with developments and reduce potential hazards to pedestrians and motorists. These standards include the number of signs, and separation requirements.
- ◇ The Sign Regulations allow two freestanding signs for an integrated center. This requirement is designed to mitigate the proliferation of freestanding signs and the visual conflicts and negative aesthetics associated with multiple signs in close proximity to one another.
- ◇ This request would provide for the erection of a fifth freestanding sign along this portion of Southport Road, where a maximum of two freestanding signs are permitted as part of an integrated center development.
- ◇ The practical difficulty noted in the findings of fact for the requested fifth freestanding sign is that Harrington Street is not determined to be a public street. If it was a public street, then the proposed sign would not be part of the integrated center and would be permitted.



- ◇ However, Harrington Street, was designed as a private street by the developer and is part of the overall development and rezoning, including the subject site.
- ◇ The requested fifth freestanding sign could be replaced with an appropriate building or façade signs, providing the needed location identification for passing motorists. With the building being an out lot, there is no obstructive buildings or structures in front of the proposed building that would restrict the existing three building and façade signs. This would also reduce the potential hazard of additional freestanding signs and allow for the location of the business to be found safely. A basic tenet of the 2019 Sign Code revision was to allow the use of a variety of sign types in Commercial districts, lessening the need and reliance on free-standing signage. Staff believes that a sign plan that promotes a variety of sign types is particularly helpful in reducing sign proliferation along the right-of-way.
- ◇ Since the site is under development, the requested variance is a result of the specific design and development and not a result of the site. The site has no limiting factors, therefore, the site can be designed to meet the requirements of the Ordinance without the need of the requested variance and provide orderly development as other adjacent developments have been able to do so. Therefore, Staff does recommend denial of the requested variances due to no practical difficulty being imposed by the site.

GENERAL INFORMATION

Existing Zoning	C-3	
Existing Land Use	Retention pond for integrated commercial development	
Comprehensive Plan	Office Commercial uses	
Surrounding Context	Zoning	Surrounding Context
	North: C-S	Undeveloped
	South: D-P	Single-Family dwellings
	East: C-3	Commercial under development
	West: D-A	Undeveloped

Thoroughfare Plan		
East Southport Road	Primary Arterial	140-foot existing and proposed right-of-way.
Context Area	Metro area	
Floodway / Floodway Fringe	No	
Overlay	N/A	
Wellfield Protection Area	No	
Site Plan	September 4, 2024	
Sign Elevations	September 4, 2024	
Landscape Plan	N/A	
Findings of Fact	September 4, 2024	

COMPREHENSIVE PLAN ANALYSIS

Comprehensive Plan

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

Pattern Book / Land Use Plan

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

Red Line / Blue Line / Purple Line TOD Strategic Plan

- Not Applicable to the Site.

Neighborhood / Area Specific Plan

- Not Applicable to the Site.

Infill Housing Guidelines

- Not Applicable to the Site.

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

- Not Applicable to the Site.

ZONING HISTORY

2020-DV2-012; 6740 South Franklin Road (includes subject site), requested a variance of development standards of the Consolidated Zoning and Subdivision Ordinance to provide for a 139-foot setback and a double-loaded and single-loaded row of parking along Southport Road, **granted**.

2023-DV1-027; 8136 East Southport Road (east of site), requested a variance of development standards of the Consolidated Zoning and Subdivision Ordinance to provide for the erection of a monument sign, being the fourth freestanding sign along Southport Road, and located 295 feet from another freestanding sign, **granted**.



2023-DV1-008; 8144 East Southport Road (east of site), requested a variance of development standards of the Consolidated Zoning and Subdivision Ordinance to provide for the development of an out lot, including a) The erection of a third freestanding sign along Southport Road, being 260 feet from an existing freestanding sign to the east; b) Fifty-one parking spaces at 162-square foot each provided; and c) A drive through with stacking spaces within the front yard of Southport Road and no exclusive bypass aisle, **granted**.

2020-DV2-012; 8120 East Southport Road (east of site), requested a variance of development standards of the Consolidated Zoning and Subdivision Ordinance to provide for a 139-foot setback and a double-loaded and single-loaded row of parking along Southport Road, **granted**.

2014-CZN-824A; 8120 East Southport Road (east of site), requested the rezoning of 28.15 acres from the D-A district to the C-4 classification to provide for an approximately 98,500 square foot grocery store, a fueling station and integrated commercial center, **approved**.

2014-CVR-824; 8120 East Southport Road (east of site), requested a variance of development standards of the Commercial Zoning Ordinance to provide for a grocery store, a gasoline station and commercial retail development, with outdoor seating and dining, with 500 square feet of outdoor storage on the fueling station parcel, and with 665 parking spaces, **granted**.

2014-CZN-824B; 8120 East Southport Road (includes subject site), requested the rezoning of 5.9 acres from the D-A district to the C-3 classification to provide for an integrated commercial center, **approved**.

2014-CZN-824C; 8120 East Southport Road (north of site), requested the rezoning of 12.5 acres from the D-A district to the C-S classification to provide for an integrated commercial center, **approved**.

2014-CZN-824D; 8120 East Southport Road (north of site), requested the rezoning of 6.7 acres from the D-A district to the C-S classification to provide for an integrated commercial center, **approved**.

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EXHIBITS

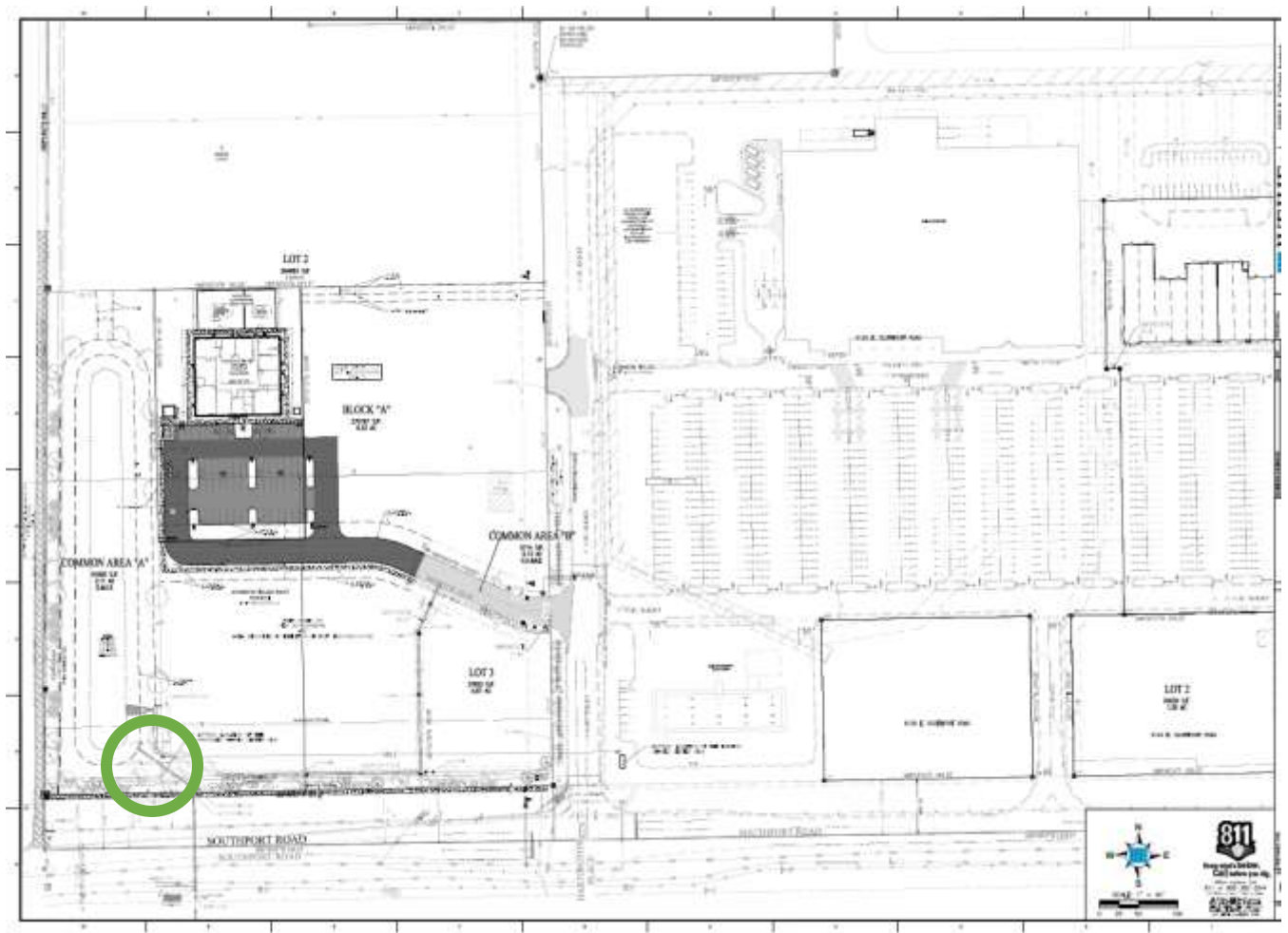
Location Map Subject Site



Location Map Integrated Center

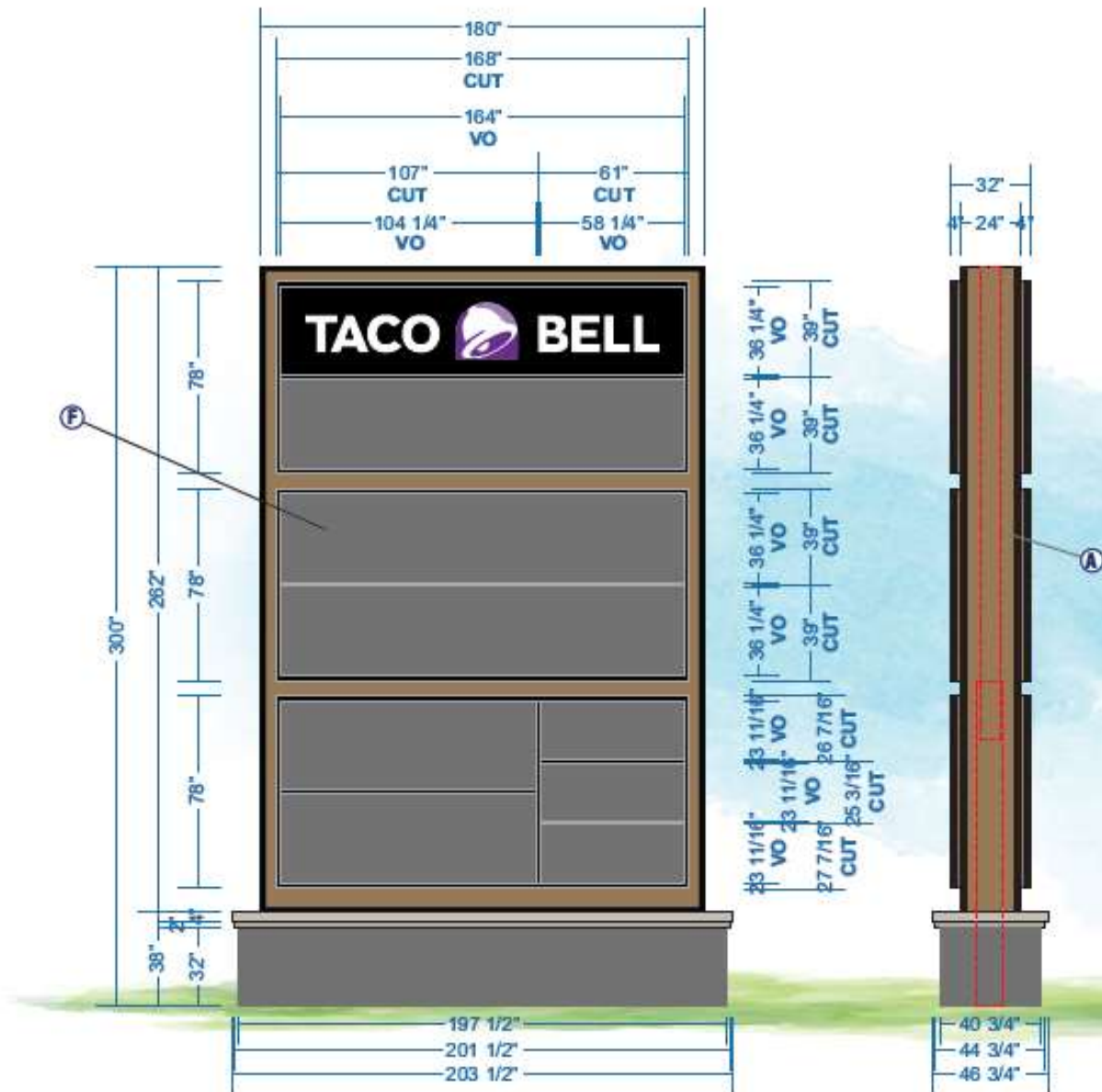


Overall Site Plan



(Sign location inside circle)

Sign Elevation





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 – Number of signs and distance between signs**

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

The subject property is zoned for commercial development. There are three existing free-standing signs to the east, the closest is approximately 586 feet from the proposed sign. There are no issues that would affect the public health, morals or general welfare of the community.

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

The proposed sign is designed as an integrated center sign and will be designated to allow other tenants west of Harrington Place space for identification. The request to add an additional sign with approximately 648 linear feet of site frontage, between Harrington Place and the west property line of the common area, is reasonable and needed. Due to the distance between signs and the fact that the sign will use only halo or external lighting, the grant will not cause any adverse effects, nor will it result in sign clutter. The sign is located on a separate parcel platted as Common Area "A" within a commercially zoned subdivision.

3. THE STRICT APPLICATION OF THE TERMS OF THE ZONING ORDINANCE WILL RESULT IN PRACTICAL DIFFICULTIES IN THE USE OF THE PROPERTY BECAUSE:

Harrington Place is a private street, it is constructed to public street standards, and functions as a public street as well as a signalized-intersection at its intersection with Southport Road. Harrington Place is part of Block A in Johnson Fields Subdivision, as part of the Kroger lot. The ordinance definition of integrated center states:

"...any lot that abuts a lot determined to be an integrated center is also considered a part of the integrated center if the abutting lot shares vehicle access to a public street with that integrated center and does not have its own direct vehicle access to a public street."

If Harrington Place was a public street, this variance would not be required. Because the extreme length of the integrated center frontage along Southport Road, and the situation that only two signs are permitted, a practical difficulty is created for the successful and identification of development on property located west of Harrington Place. The variance would allow for the provision of general information to the patrons (and potential patrons) of the businesses safely identifying the location and accessing businesses within.

Photographs



Approximate proposed sign location, looking north



Approximate proposed sign location, looking northeast



Existing outlot development with two of three wall signs, looking northeast



Existing outlot development with two of three wall signs looking northwest



Adjacent integrated commercial development frontage with three existing signs, and two illegal signs, looking east.



Adjacent DA residential proeprty to the west, looking north.



BOARD OF ZONING APPEALS DIVISION I

October 1, 2024

Case Number: 2024-UV1-018
Address: 2243 Massachusetts Avenue (approximate address)
Location: Center Township, Council District #8
Zoning: C-7 / D-8
Petitioner: INCERTEC Heat Treating LLC, by John Ferrier
Request: Variance of use and development standards of the Consolidated Zoning and Subdivision Ordinance to provide for the construction of a freestanding surface parking lot (not permitted) with a six-foot tall decorative fence within the front yard of Brookside Avenue (maximum height of 3.5-feet permitted).

Current Land Use: Undeveloped

Staff Reviewer: Robert Uhlenhake, Senior Planner

PETITION HISTORY

This is the first public hearing for this petition.

STAFF RECOMMENDATION

Staff recommends **denial** of this petition.

PETITION OVERVIEW

- ◇ The request would provide for the construction of a freestanding surface parking lot on the portion of the size zoned D-8, with a six-foot tall decorative fence within the front yard of Brookside Avenue. The lot is located mid-block within an established single-family residential neighborhood.
- ◇ The Comprehensive Plan recommends traditional neighborhood uses for the subject site which recommends 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.

- ◇ Given the increase in intensity between the existing zoning and the proposed use, approval of this request would facilitate the intrusion of other commercial uses and parking lots into an established residential neighborhood. The request would encourage additional encroachment, in a manner violating the development norms and residential aesthetics of the street, and squarely deviating from the recommendations of the Comprehensive Plan.
- ◇ The strict application of the terms of the zoning ordinance does not constitute a practical difficulty for the property, since the site is zoned D-8 and could be developed as permitted by that zoning without the need for any variances. Any practical difficulty is self-imposed by the desire to use the site for the operation of a freestanding surface parking lot.
- ◇ Development Standards of the Consolidated Zoning and Subdivision Ordinance permits a maximum fence height of 42 inches within the front yard, and six feet in the rear yard. The purpose of the height limitation is to create an open appearance along public rights-of-way, prevent blocking views at intersections, limit the negative visual impacts on adjacent properties, and prevent a canyonized effect of the streetscape.
- ◇ The height requirements are in place to limit bulk, create a consistent density and intensity, and keep the environment at a human-scale. This regulation limits the number of “walls” or abnormally tall structures that can be built to ensure neighborhood compatibility and to prevent unreasonable blockage of sunlight.
- ◇ There appears to be no other fences 6 feet tall in the vicinity that are located in an established front yard. The proposed request would initiate a new pattern of development along Brookside that would be counter to the Comprehensive plan.
- ◇ The subject site is similar in size to other nearby properties, that are able to follow the comprehensive plan and zoning ordinance without the need for the requested variances. Therefore, the Comprehensive Plan recommendation should not be disregarded, nor of the clearly residential nature of the surrounding area. For these reasons, staff recommends its denial.

GENERAL INFORMATION

Existing Zoning	C-7 / D-8	
Existing Land Use	Single Family Dwellings	
Comprehensive Plan	Village Mixed Use / Traditional Neighborhood	
Overlay	No	
Surrounding Context	Zoning	Surrounding Context
North:	I-3	Railroad Tracks / Industrial
South:	D-8	Single-family dwellings / Undeveloped
East:	SU-2	Single-family dwelling
West:	D-A	Single-family dwelling
Thoroughfare Plan		
Massachusetts Avenue	Primary Collector	40-foot existing right-of-way and 56-foot proposed right-of-way.
Brookside Avenue	Local Street	65-foot existing and proposed right-of-way

Context Area	Compact
Floodway / Floodway Fringe	No
Wellfield Protection Area	No
Site Plan	September 9, 2024
Plan of Operation	August 21, 2024
Commitments	N/A
Landscape Plan	N/A
Findings of Fact	August 21, 2024

COMPREHENSIVE PLAN ANALYSIS

Comprehensive Plan

- The Comprehensive Plan recommends Village Mixed Use for the Massachusetts Avenue facing parcels, and Traditional Neighborhood for the Brookside Avenue facing parcels.

Pattern Book / Land Use Plan

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

52-V-191; 2243 Massachusetts Avenue (subject site), requested a variance of use to provide for a heat processing business, **granted**.

56-V-498; 2243 Massachusetts Avenue (subject site), requested a variance of development standards to provide for a building addition, **granted**.

89-UV3-60; 2243 Massachusetts Avenue (subject site), requested a variance of use and development standards to provide for the construction of an addition to a heat processing business location within the required rear transitional yard, **granted**.

2006-HOV-010; 2422 Brookside Avenue (east of site), requested a variance of use to legally establish a single-family dwelling, in a C-2 (MU-1) zoning district, **granted**.

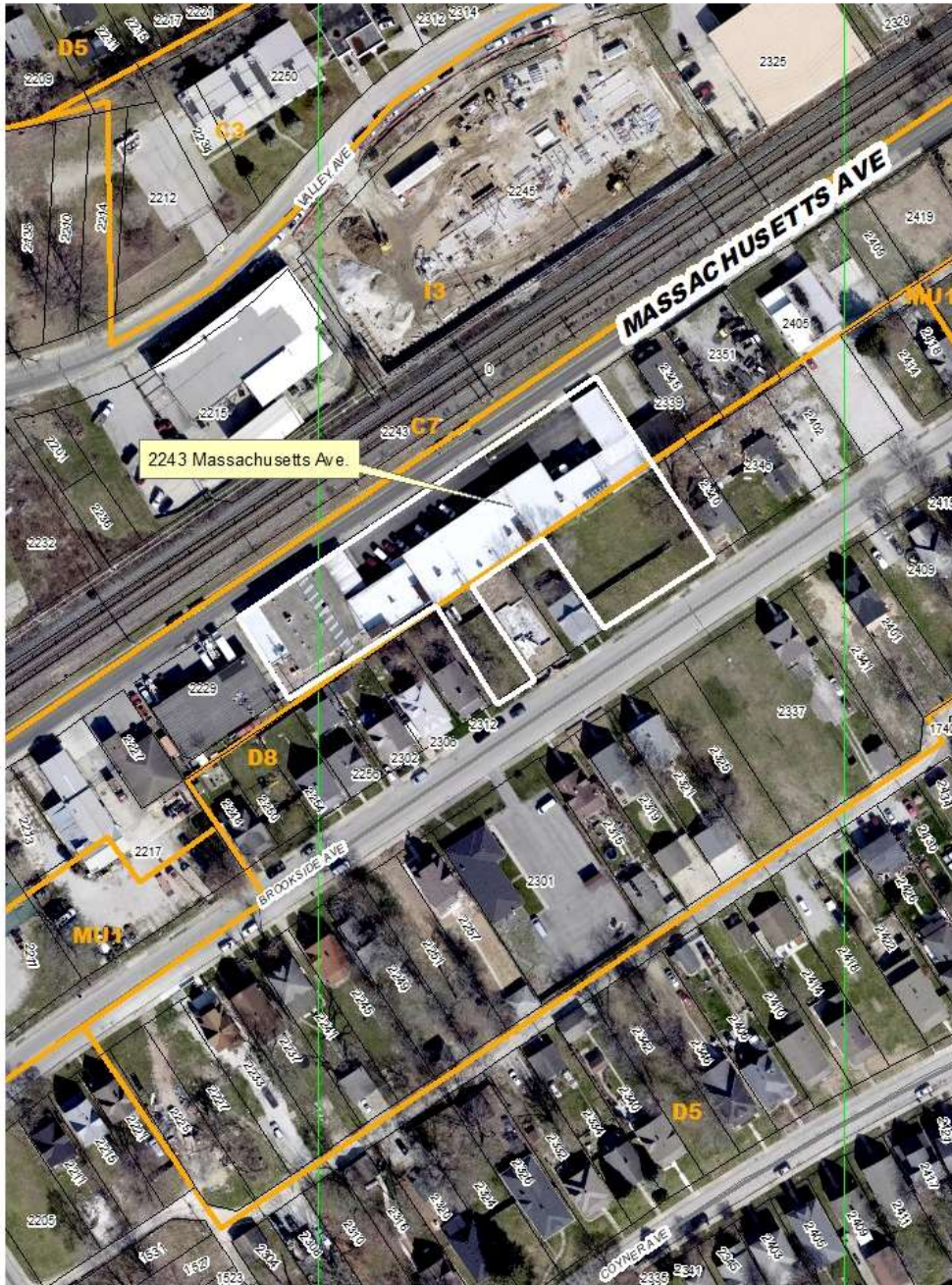
2001-DV3-059; 2346 Brookside Avenue (east of site), requested a variance of development standards of the Dwelling Districts Zoning Ordinance to legally establish a six-foot fence in the established front yard, **dismissed**.

2005-ZON-843 / 2005-VAR-843; 2121, 2129, and 2149 Massachusetts Avenue (west of site), requested the rezoning of 0.687 acre, being in the C-7 District, to the I-1-U classification to legally establish, and provide for the expansion of light-industrial uses, **approved**. Also requested a Variance of Development Standards of the Industrial Zoning Ordinance to provide for the construction of a 4,320-square foot building with a four-foot front yard setback and a Variance of use of the Commercial Zoning Ordinance to provide for a truck staging and maneuvering area and a dumpster enclosure accessory to a light industrial use, **granted**.

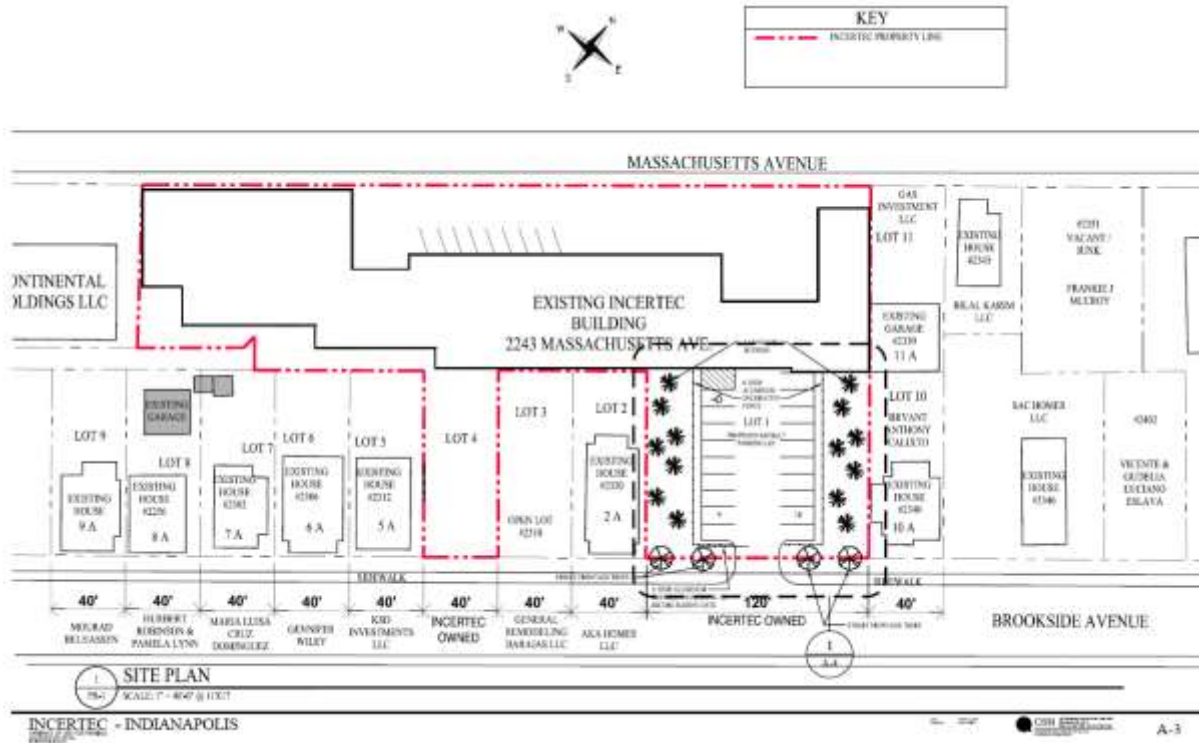
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EXHIBITS

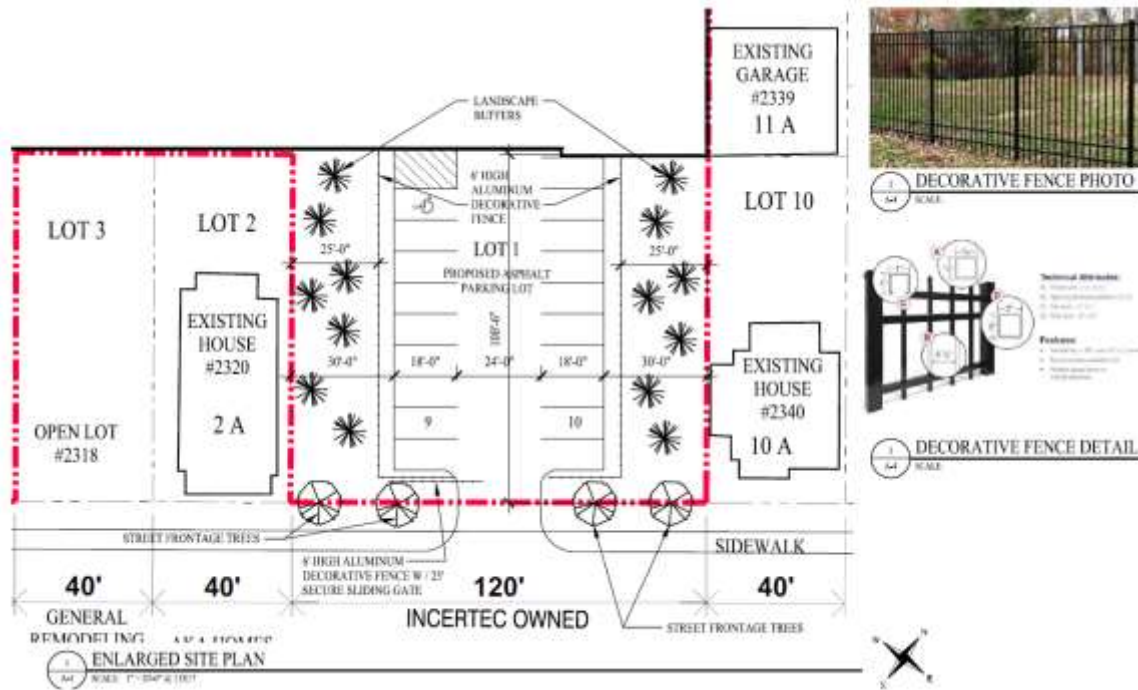
Location Map



Site Plan



Site Plan close up



Plan Of Operation

Incertec Heat Treating - Plan of Operation 7/30/2024

Company Overview:

Incertec Heat Treating was created when Incertec bought Circle City Heat Treating in January 2024. Incertec Heat Treating performs heat treatment of various metal alloys, use cryogenic freezers, and provide black oxide surface treatment.

We service about 125 different companies in the region. 90% are within the state of Indiana. Most of these companies are industrial servicing several different types of industry. However, our goal is to develop aerospace and defense customers locally in Indiana.

We enjoy a low employee turn-over with some people employed over 30 years. We offer competitive wages, and we pay the full premium on health insurance for the employee.

Operational Information:

Employees: 12

Revenue: \$2.7M in 2023

Hours of operation: 7am – 4pm

Size: about 24,000 sqft

No hazardous operations on site with the exception of our black oxide waste. This waste is removed and we are permitted to do so.

Raw Materials: We don't use any raw materials aside from the black oxide treatment.

Security: We have fire alarms and camera systems but no active security on the property.

New Proposed Parking: Parking lot will be well maintained with asphalt surface. The parking will be screened with landscaping and fulling enclosed with security fencing and a sliding secure gate. The proposed parking will be for employees only and no loitering will be allowed. The proposed parking area will be monitored with security cameras.



Findings of Fact

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

PETITION FOR VARIANCE OF USE

FINDINGS OF FACT

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

The proposed use is consistent with the area as the surrounding uses are a mixture of industrial and residential.

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 uses of the surrounding area are a mixture of industrial and residential and our proposed use would support the existing use on the balance of the subject parcel. The proposed parking is on a vacant portion of the parcel that currently has a perimeter chain link fence and wood fencing that are in a state of disrepair. A new perimeter fence and landscape buffer would be installed to screen the parking from neighboring properties. In addition, at the parcels southwest of the subject parcel, the industrial zoning extends to Brookside Avenue, so there is a precedent to having this use extend from Massachusetts to Brookside Avenue. There is also a business to the NE that parks in the D8 portion of their parcel.

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

Currently, part of the property is zoned C-7 and a portion is zoned D-8. This peculiar situation with one parcel having two very different zoning classifications restricts the ability of the business to provide parking for employees.

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

With the parcel having two zoning designations, the existing business has no ability to expand and the residential portion of the lot is essentially non-buildable. This presents a hardship as the existing business does not have adequate parking and the restriction of parking on the D-8 portion of the site will require employees to park off-site as the business grows.

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

The proposed variance of use on the D-8 portion of the site is consistent with adjacent uses and uses identified in the comprehensive plan. Heavy commercial zoning exists on Massachusetts Avenue and the encroachment onto Brookside does not substantially interfere with the plan.



**METROPOLITAN DEVELOPMENT COMMISSION
HEARING EXAMINER
METROPOLITAN BOARD OF ZONING APPEALS, Division [redacted]
OF MARION COUNTY, INDIANA**

PETITION FOR VARIANCE OF DEVELOPMENT STANDARDS

FINDINGS OF FACT

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

The proposed use is consistent with the area as the surrounding uses are a mixture of industrial and residential. The new parking, landscaping, and fencing will improve the look of that portion of the parcel that is adjacent to the residential lots. The parking will actually improve the safety of our employees by providing off-street secure parking with security cameras and a gate with card access.

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 removal of the two existing fences that are in a state of disrepair and the addition of a new, 6 foot high aluminum decorative fence will improve the area. Also, quality landscape buffers will be added to screen the proposed parking. The lot will be secure, paved and well maintained and will reduce the need for our employees to park on the street.

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

Strict application of the fencing height restriction of 3.5 feet would not provide the screening and security that is needed for the employees. We believe that a 6 foot high decorative aluminum fence is reasonable for the function of the off-street parking lot.

Photographs



Subject site 2343 Massachusetts Avenue frontage, looking northeast



Subject site 2343 Massachusetts Avenue existing parkign area, looking northeast



Subject site 2343 Massachusetts Avenue rear of building, looking northeast



Subject site proposed parking lot location on Brookside Avenue, looking southwest



Existing renovated and new construction single-family dwellings adjacent to the proposed parking lot, looking southwest



Existing renovated single-family dwelling adjacent to the proposed parking lot, looking west



Existing renovated and new construction single-family dwellings across the street from proposed parking lot, looking southeast



Undeveloped parcels across the street from proposed parking lot, looking southeast



BOARD OF ZONING APPEALS DIVISION I

October 1, 2024

Case Number: 2024-UV1-019
Property Address: 2562 North Bancroft Street (approximate address)
Location: Center Township, Council District #8
Petitioner: Edward Hansen, by James Pierce
Current Zoning: I-3 / D-4 (FF) (FW)

Request: Variance of use and development standards of the Consolidated Zoning and Subdivision Ordinance to provide for the construction of a non-permitted minor residential structure (not permitted) within the floodway fringe (only permitted within Floodway Fringe if less than 70 percent of the primary building), being larger and taller than the primary building (not permitted).

Current Land Use: Residential
Staff Recommendations: Staff recommends denial of this petition
Staff Reviewer: Noah Stern, Senior Planner

PETITION HISTORY

- This is the first public hearing for this petition.

STAFF RECOMMENDATION

- Staff **recommends** of this petition

PETITION OVERVIEW

- This petition would provide for the construction of a non-permitted minor residential structure (not permitted) within the floodway fringe (only permitted within Floodway Fringe if less than 70 percent of the primary building), being larger and taller than the primary building (not permitted).
- The structure in question was erected without the application and issuance of required permits. In these instances, Staff generally views any related practical difficulty to be self-imposed, and insufficient in obtaining a favorable Staff recommendation. Further, Staff has concerns that recommending approval of such requests may promote similar patterns of substandard building practices.



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

- The Zoning Ordinance does not allow accessory structures to be larger in area nor taller in height than the primary structure. This standard is in place to promote orderly development, maintain residential aesthetics, and to limit the introduction of higher intensity uses into lower intensity areas.
- Additionally, the structure in question is located within the Floodway Fringe of the Pogue's Run Creek. Being an accessory structure, this is not permitted by the Ordinance in effort to limit the number of structures that may be damaged and present a danger in the event of a flood. Staff does not see this as appropriate nor a quality development and therefore recommends denial of the petition.

GENERAL INFORMATION

Existing Zoning	I-3 / D-4 (FF) (FW)	
Existing Land Use	Residential	
Comprehensive Plan	Suburban Neighborhood	
Surrounding Context	Zoning	Surrounding Context
North:	D-4	North: Single-family residential
South:	D-4	South: Single-family residential
East:	D-4	East: Single-family residential
West:	I-3	West: Industrial
Thoroughfare Plan		
North Bancroft Street	Local Street	50 feet of right-of-way existing and 48 feet proposed
Context Area	Compact	
Floodway / Floodway Fringe	Yes	
Overlay	No	
Wellfield Protection Area	No	
Site Plan	8/21/24	
Site Plan (Amended)	N/A	
Elevations	8/21/24	
Elevations (Amended)	N/A	
Landscape Plan	N/A	
Findings of Fact	8/21/24	
Findings of Fact (Amended)	N/A	



COMPREHENSIVE PLAN ANALYSIS

Comprehensive Plan

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

Pattern Book / Land Use Plan

- The Marion County Land Use Plan pattern Book recommends the Suburban Neighborhood living typology for this site.

Red Line / Blue Line / Purple Line TOD Strategic Plan

- Not Applicable to the Site.

Neighborhood / Area Specific Plan

- Not Applicable to the Site.

Infill Housing Guidelines

- With regards to accessory structures, the Infill Housing Guidelines recommends:
 - Don't overshadow primary building

Indy Moves

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

- Not Applicable to the Site.



ZONING HISTORY

ZONING HISTORY – SITE

N/A

ZONING HISTORY – VICINITY

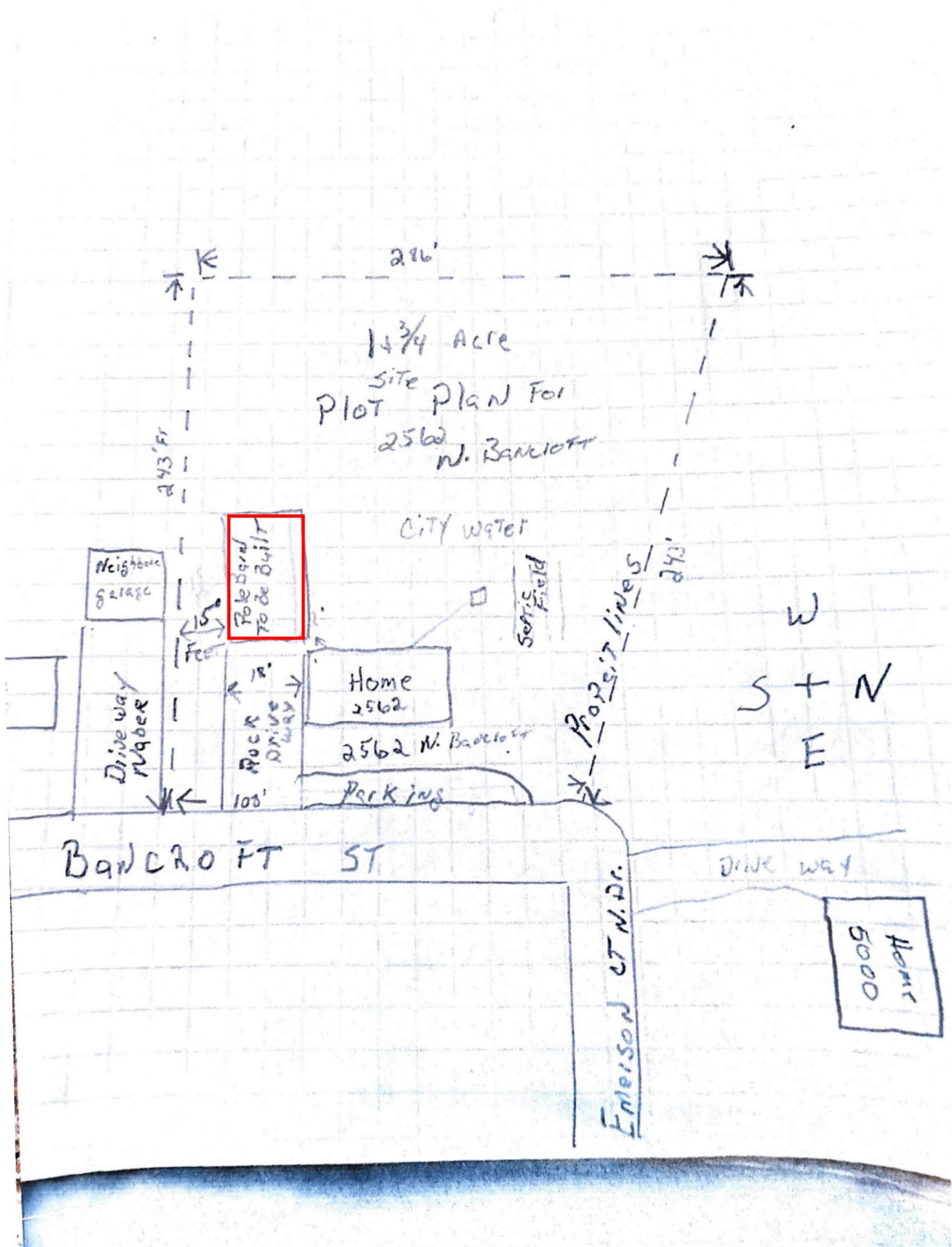
94-UV2-17; 4655 Massachusetts (west of site), variance of use of the Industrial Zoning Ordinance to provide for servicing and warehousing of commercial delivery trucks, unrelated to the primary use, **approved**.

90-Z-212; 2808 N Sherman Road (north of site), requests the rezoning of 8.9 acres, being in the D-4/FF/FW and I-3-U/FF/FW districts, to the I=3-U/FF/FW classification to provide for the development of industrial uses, **approved**.

EXHIBITS









Department of Metropolitan Development
Division of Planning
Current Planning

QTRC0612133 - Qty: 2 Truss: PT1E
 Customer: Walk-in
 Truss Mt: Contact Nick Hollister
 SID: 0000836703
 TID: 116068
 Date: 10/08/20
 Page: 1 of 1

Plates -- Simpson Strong-Tie 20 ga (A520) or 18 ga (A510S, A51855, or A51856) Indicated by '-18'

Code/Design: TNC-2012/TPI-2007 PSF Live Dead: Dur Factors TC 20.0 4.0 Live Wind Snow BC 0.0 1.0 Lum 1.15 1.60 1.15 Total: 25.0 Pit 1.15 1.60 1.15 Spacing: 7'-00-00 o.c. Flies: 1 Repetitive Member Increase: Yes Green Lumber: No Wet Service: No Tab Tolerance: 154 Creep (Kcr) = 1.5	Snow Load Specs- ASCE7-10 Ground Snow(P _g) = 20.0 psf Risk Cat: I Terrain Cat: C Roof Exposure: Fully Exposed Thermal Condition: Unheated(1,2) Unobstructed Slippery Roof: Yes Low-Slope Minimums(P _{min}): No Unbalanced Snow Loads: Yes Rain Surcharge: No Ice Dam Chk: No	Wind Load Specs- ASCE7-10 Wind Speed(V) = 115 mph Risk Cat: I Exposure Cat: C Bldg Dims: L = 0.0 ft B = 0.0 ft H.R.H(h) = 15.0 ft K _{zt} = 1.0 Bldg Enclosure: Enclosed Wind DL(psf): TC = 2.4 BC = 0.6 End Vertical Exposed: L = Yes R = Yes Wind Uplift Reporting: MWFRS C/C End Zone: N/A	Additional Design Checks- 10 psf Non-Concurrent BCLL: Yes 20 psf BC Limited Storage: No 200 lb BC Accessible Ceiling: No 300 lb TC Maintenance Load: No 2000 lb TC Safe Load: No Unbalanced TCLL: Yes
--	---	---	--

Material Summary TC 2x4 SP (ALSC6-2013) #1 BC 2x8 SP (ALSC6-2013) #1 Webs 2x4 SP (ALSC6-2013) #1	Reaction Summary Jnt --X-Loc- React -Up--Width--Reqd --Mat PSI 8 7-06-00 300 169 24-00-00 12 16-06-00 300 169 24-00-00 Reactions not shown: down < 400 and up < 150 Reaction Summary (plf) ---- Jnt-Jnt React -Up--Width-- 1- 5 25 9 24-00-00 (reduced) Max Horiz = -49 / +49 at Joint 1	Deflection Summary TrussSpan Limit Actual(in) Location Vert LL L/240 L/999(-0.00) 6-7 Vert DL L/120 L/999(-0.00) 6-7 Vert TL L/180 L/999(-0.00) 6-7 Horiz LL 0.75in (0.00) RJT 3 Horiz TL 1.25in (0.00) RJT 5
--	---	--

Member Forces Summary Mem Ten Comp .CSI. TC 1- 2 62 279 0.24 2- 3 123 278 0.24 3- 4 123 278 0.24 4- 5 62 279 0.24 BC 1- 6 221 18 0.03 5-14 221 18 0.03 6- 7 221 18 0.02 7- 8 221 18 0.02 8- 9 221 18 0.02 9-10 221 18 0.02 10-11 221 18 0.02 11-12 221 18 0.02 12-13 221 18 0.02 13-14 221 18 0.02 Web 2- 8 171 295 0.03 4-12 171 295 0.03	Bracing Data Summary ---Bracing Data--- Chords: Sheathing required or bracing indicated: ---Purlins--- ---OC---From---To---#Bays TC 2-04-00 0 24-00-00 11 BC 8-00-00 0 24-00-00 3 Web Bracing -- None
--	---

Notes
 Gable webs are attached with min. 1x3 20 ga. plates. The max. rake overhang = 1/2 the truss spacing. If this truss is exposed to wind loads perpendicular to the plane of the truss, it must be braced according to a standard detail matching the wind criteria shown, or according to the Construction Documents and/or BCSI - B3.
 Plates designed for C_q at 0.85 and Rotational Tolerance of 10.0 degrees
 A "pm" next to the plate size indicates that the plate has been user modified; see Plate Offsets for any special positioning requirements.
 C/C wind pressure has not been considered in the design of this truss.

Plate offsets (X, Y):
 (None unless indicated below)
 Jnt3(0, -00-10)

MEHUL H. SONI
 REGISTERED
 No. PE11300307
 STATE OF INDIANA
 PROFESSIONAL ENGINEER
 10/8/2020

NOTICE: A copy of this design shall be furnished to the erection contractor. The design of this individual truss is based on design criteria and requirements supplied by the Truss Manufacturer and relies upon the accuracy and completeness of the information set forth by the Building Designer. A seal on this drawing indicates acceptance of professional engineering responsibility solely for the truss component design shown. See the cover page and the "Important Information & General Notes" page for additional information. All connector plates shall be manufactured by Simpson Strong-Tie Company, Inc. in accordance with ESR-2762. All connector plates are 20 gauge, unless the specified plate size is followed by a "-18" which indicates an 18 gauge plate, or "18", which indicates a high tension 18 gauge plate.

SIMPSON Strong-Tie
 Component Solutions
 Truss Studio V
 2019.10.1.11
 Helpdesk: 1-866-252-8436
 csshelp@strongtie.com

National Flood Insurance Program

Elevation Certificate and Instructions

2023 EDITION



FEMA



Department of Metropolitan Development
Division of Planning
Current Planning

Form Instructions

U.S. DEPARTMENT OF HOMELAND SECURITY
Federal Emergency Management Agency
National Flood Insurance Program

OMB Control No. 1660-0008
Expiration Date: 06/30/2026

ELEVATION CERTIFICATE
IMPORTANT: MUST FOLLOW THE INSTRUCTIONS ON INSTRUCTION PAGES 1-11

Copy all pages of this Elevation Certificate and all attachments for (1) community official, (2) insurance agent/company, and (3) building owner.

SECTION A – PROPERTY INFORMATION		FOR INSURANCE COMPANY USE
A1. Building Owner's Name: <u>HANSEN, EDWARD R.</u>		Policy Number: _____
A2. Building Street Address (including Apt., Unit, Suite, and/or Bldg. No.) or P.O. Route and Box No.: <u>2562 N. BANCROFT STREET</u>		Company NAIC Number: _____
City: <u>INDIANAPOLIS</u> State: <u>IN</u> ZIP Code: <u>46218</u>		
A3. Property Description (e.g., Lot and Block Numbers or Legal Description) and/or Tax Parcel Number: <u>BROOKWOOD ADDN, BLK C, 300'x370' irr. tract SE to NE approx. 1.48 AC.</u>		
A4. Building Use (e.g., Residential, Non-Residential, Addition, Accessory, etc.): <u>NON-RESIDENTIAL</u>		
A5. Latitude/Longitude: Lat. <u>39°48'19"N</u> Long. <u>86°05'19"W</u> Horiz. Datum: <input type="checkbox"/> NAD 1927 <input checked="" type="checkbox"/> NAD 1983 <input type="checkbox"/> WGS 84		
A6. Attach at least two and when possible four clear color photographs (one for each side) of the building (see Form pages 7 and 8).		
A7. Building Diagram Number: <u>C2.a</u>		
A8. For a building with a crawlspace or enclosure(s):		
a) Square footage of crawlspace or enclosure(s): <u>1,344</u> sq. ft.		
b) Is there at least one permanent flood opening on two different sides of each enclosed area? <input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A		
c) Enter number of permanent flood openings in the crawlspace or enclosure(s) within 1.0 foot above adjacent grade: Non-engineered flood openings: <u>0</u> Engineered flood openings: <u>0</u>		
d) Total net open area of non-engineered flood openings in A8.c: <u>0</u> sq. in.		
e) Total rated area of engineered flood openings in A8.c (attach documentation – see Instructions): <u>0</u> sq. ft.		
f) Sum of A8.d and A8.e rated area (if applicable – see Instructions): <u>0</u> sq. ft.		
A9. For a building with an attached garage: <u>N/A</u>		
a) Square footage of attached garage: _____ sq. ft.		
b) Is there at least one permanent flood opening on two different sides of the attached garage? <input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A		
c) Enter number of permanent flood openings in the attached garage within 1.0 foot above adjacent grade: Non-engineered flood openings: <u>0</u> Engineered flood openings: <u>0</u>		
d) Total net open area of non-engineered flood openings in A9.c: <u>0</u> sq. in.		
e) Total rated area of engineered flood openings in A9.c (attach documentation – see Instructions): <u>0</u> sq. ft.		
f) Sum of A9.d and A9.e rated area (if applicable – see Instructions): <u>0</u> sq. ft.		
SECTION B – FLOOD INSURANCE RATE MAP (FIRM) INFORMATION		
B1.a. NFIP Community Name: <u>CITY OF INDIANAPOLIS</u>		B1.b. NFIP Community Identification Number: <u>180159</u>
B2. County Name: <u>MARION</u>	B3. State: <u>IN</u>	B4. Map/Panel No.: <u>0162</u> B5. Suffix: <u>F</u>
B6. FIRM Index Date: <u>04/16/2016</u>		B7. FIRM Panel Effective/Revised Date: <u>04/16/2016</u>
B8. Flood Zone(s): <u>AE</u>		B9. Base Flood Elevation(s) (BFE) (Zone AO, use Base Flood Depth): <u>801.1</u>
B10. Indicate the source of the BFE data or Base Flood Depth entered in Item B9: <input type="checkbox"/> FIS <input type="checkbox"/> FIRM <input type="checkbox"/> Community Determined <input checked="" type="checkbox"/> Other: <u>IND. DNR FLOODPLAIN ANALYSIS; REGULATORY ASSES. (COPY ATTACHED)</u>		
B11. Indicate elevation datum used for BFE in Item B9: <input type="checkbox"/> NGVD 1929 <input checked="" type="checkbox"/> NAVD 1988 <input type="checkbox"/> Other/Source: _____		
B12. Is the building located in a Coastal Barrier Resources System (CBRS) area or Otherwise Protected Area (OPA)? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Date: _____ <input type="checkbox"/> CBRS <input type="checkbox"/> OPA		
B13. Is the building located seaward of the Limit of Moderate Wave Action (LiMWA)? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		



Department of Metropolitan Development
Division of Planning
Current Planning

Form Instructions

ELEVATION CERTIFICATE

IMPORTANT: MUST FOLLOW THE INSTRUCTIONS ON INSTRUCTION PAGES 1-11

Building Street Address (including Apt., Unit, Suite, and/or Bldg. No.) or P.O. Route and Box No.: <u>2562 N. BANCROFT STREET</u>	FOR INSURANCE COMPANY USE Policy Number: _____ Company NAIC Number: _____
City: <u>INDIANAPOLIS</u> State: <u>IN</u> ZIP Code: <u>46218</u>	

SECTION C – BUILDING ELEVATION INFORMATION (SURVEY REQUIRED)

C1. Building elevations are based on: Construction Drawings* Building Under Construction* Finished Construction
*A new Elevation Certificate will be required when construction of the building is complete.

C2. Elevations – Zones A1–A30, AE, AH, AO, A (with BFE), VE, V1–V30, V (with BFE), AR, AR/A, AR/AE, AR/A1–A30, AR/AH, AR/AO, A99. Complete Items C2.a–h below according to the Building Diagram specified in Item A7. In Puerto Rico only, enter meters.
Benchmark Utilized: GPS RTK / INCURS NETWORK Vertical Datum: NAVD 1988

Indicate elevation datum used for the elevations in items a) through h) below.
 NGVD 1929 NAVD 1988 Other: _____

Datum used for building elevations must be the same as that used for the BFE. Conversion factor used? Yes No
If Yes, describe the source of the conversion factor in the Section D Comments area.

a) Top of bottom floor (including basement, crawlspace, or enclosure floor):	<u>804.57</u>	<input checked="" type="checkbox"/> fee	<input type="checkbox"/> meter
b) Top of the next higher floor (see Instructions):	<u>N/A</u>	<input type="checkbox"/> t	<input type="checkbox"/> meter
c) Bottom of the lowest horizontal structural member (see Instructions):	<u>N/A</u>	<input type="checkbox"/> fee	<input type="checkbox"/> meter
d) Attached garage (top of slab):	<u>N/A</u>	<input type="checkbox"/> t	<input type="checkbox"/> meter
e) Lowest elevation of Machinery and Equipment (M&E) servicing the building (describe type of M&E and location in Section D Comments area):	<u>N/A</u>	<input type="checkbox"/> fee	<input type="checkbox"/> meter
f) Lowest Adjacent Grade (LAG) next to building: <input type="checkbox"/> Natural <input checked="" type="checkbox"/> Finished	<u>803.03</u>	<input checked="" type="checkbox"/> t	<input type="checkbox"/> meter
g) Highest Adjacent Grade (HAG) next to building: <input type="checkbox"/> Natural <input checked="" type="checkbox"/> Finished	<u>804.47</u>	<input checked="" type="checkbox"/> t	<input type="checkbox"/> meter
h) Finished LAG at lowest elevation of attached deck or stairs, including structural support:	<u>N/A</u>	<input type="checkbox"/> fee	<input type="checkbox"/> meter

SECTION D – SURVEYOR, ENGINEER, OR ARCHITECT CERTIFICATION

This certification is to be signed and sealed by a land surveyor, engineer, or architect authorized by state law to certify elevation information. I certify that the information on this Certificate represents my best efforts to interpret the data available. I understand that any false statement may be punishable by fine or imprisonment under 18 U.S. Code, Section 1001.

Were latitude and longitude in Section A provided by a licensed land surveyor? Yes No

Check here if attachments and describe in the Comments area.

Certifier's Name: KENNETH GREGORY GARRISON License Number: LS29300014

Title: LAND SURVEYOR

Company Name: MJ GIBSON LAND SURVEYING, LLC

Address: 1990 N. MERIDIAN ROAD, SUITE A

City: GREENFIELD State: IN ZIP Code: 46140

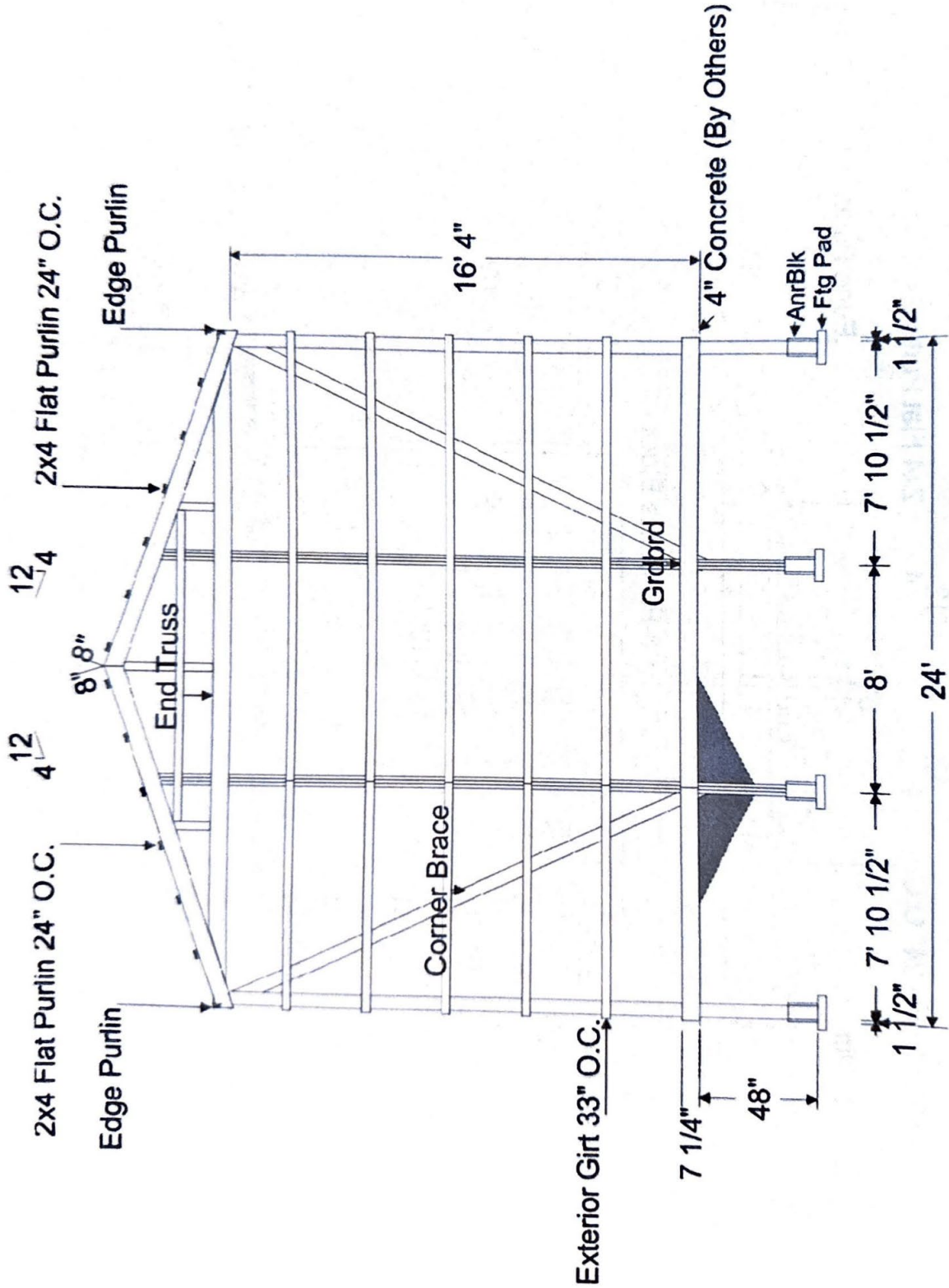
Telephone: 317-462-4055 Ext.: - Email: kenny@mjsurveys.com

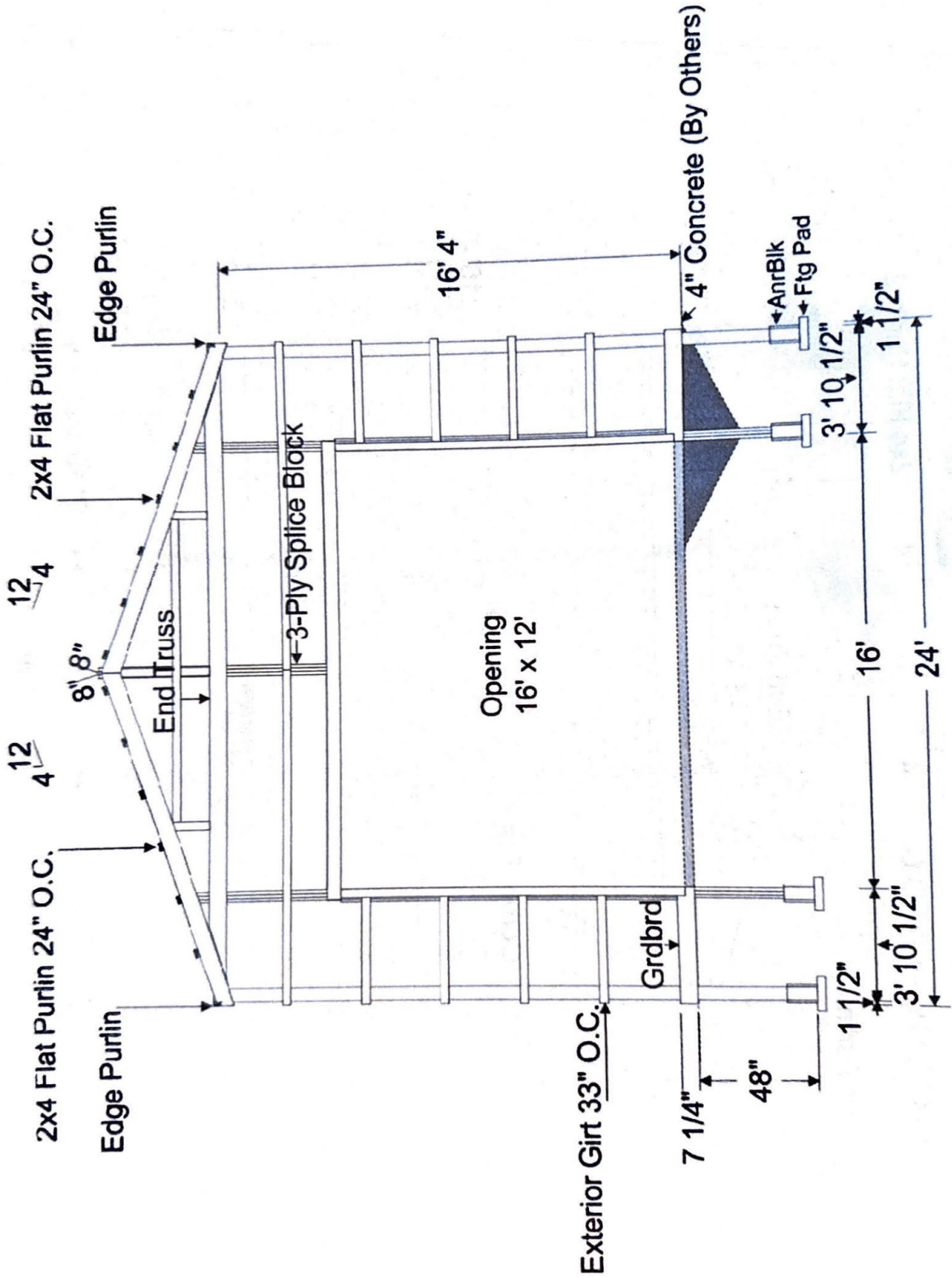
Signature: Kenneth Gregory Garrison Date: _____

Copy all pages of this Elevation Certificate and all attachments for (1) community official, (2) insurance agent/company, and (3) building owner.

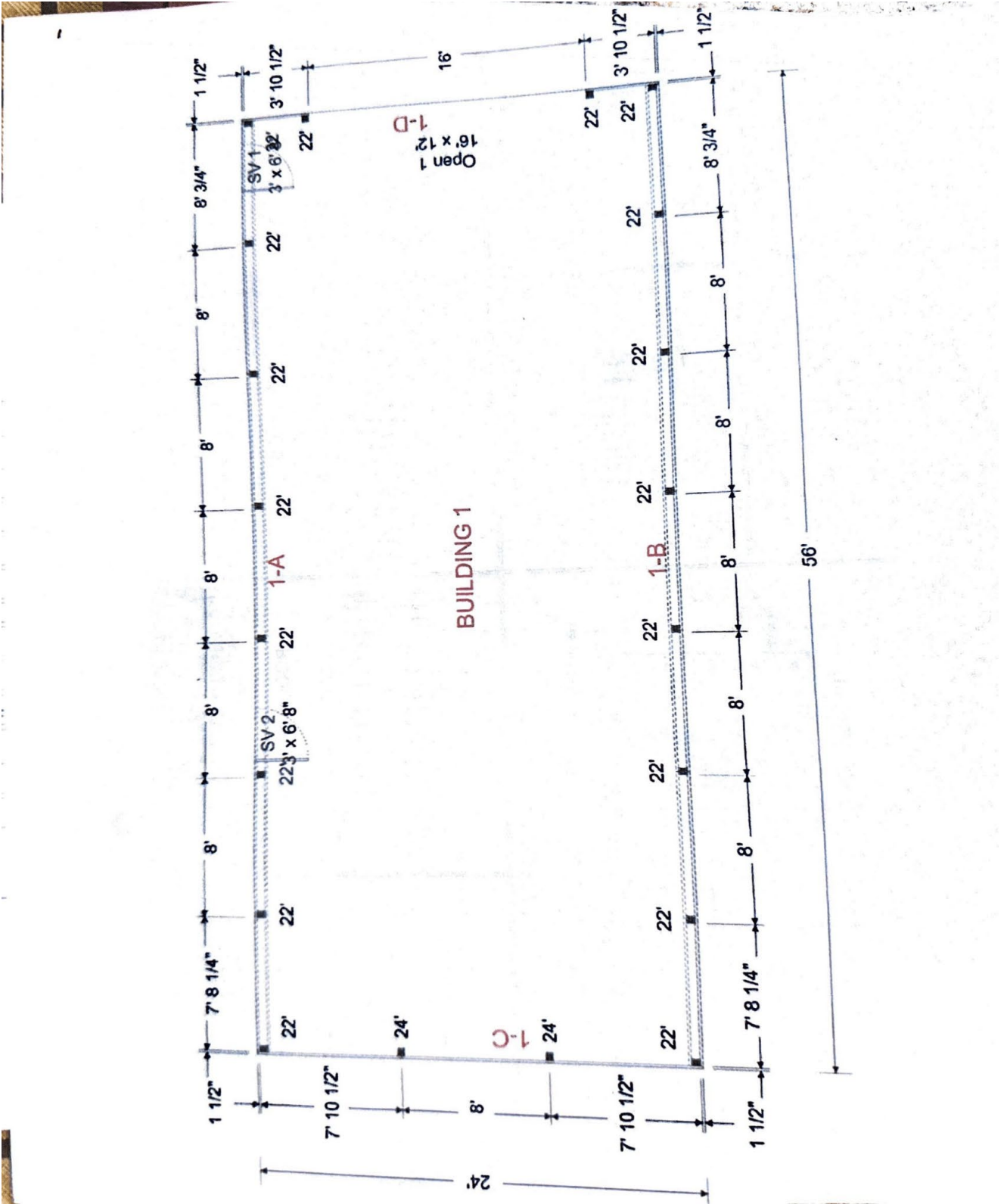
Comments (including source of conversion factor in C2; type of equipment and location per C2.e; and description of any attachments):
ELEVATIONS SHOWN ON THIS FORM WERE OBTAINING UTILIZING GPS RTK (INCURS NETWORK).
BFE WAS ESTABLISHED BY IND. DEPT. OF NATURAL RESOURCES FLOODPLAIN ANALYSIS (COPY ATTACHED)
THIS CERTIFICATE IS FOR A NEWLY CONSTRUCTED GARAGE/BARN - CONSTRUCTED ON A SLAB.







Department of Metropolitan Development
 Division of Planning
 Current Planning





Petition Number _____

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

PETITION FOR VARIANCE OF DEVELOPMENT STANDARDS

FINDINGS OF FACT

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

THE GARAGE / POLE BARN WILL NOT BE INJURIOUS TO THE PUBLIC HEALTH, SAFETY, MORALS, AND GENERAL WELFARE OF THE COMMUNITY BECAUSE THE HEIGHT AND SQUARE FOOTAGE OF THE GARAGE DOESN'T APPLY TO THESE CONCERNS, THE GARAGE IS SITUATED ON THE BACK SIDE OF THE PROPERTY APPROXIMATELY 100' +/- AWAY FROM PUBLIC RIGHT OF WAY;

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 GARAGE / POLE BARN HAS BEEN BUILT FOR NEARLY 2 YEARS NOW WITH NO REALATIVE COMPLAINTS, THE GARAGE IS ONE OF THE MORE NEWER LOOKING ACCESSORY STRUCTURES IN THE AREA, WOULD RAISE PROPERTY VALUE FOR ADJACENT NEIGHBORS, COLOR MATCHED TO CURRENT RESIDENCE (NOT SHOWN IN ABOVE IMAGE)

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

THE PROPERTY OWNER WOULD NEED TO TEAR DOWN THE GARAGE / POLE BARN OR MODIFY IT STRUCTURALLY AS IT IS CURRENTLY STANDING / BUILT.

DECISION

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

Adopted this _____ day of _____, 20 24









BOARD OF ZONING APPEALS DIVISION 1

October 1st, 2024

Case Number:	2024-UV1-020
Property Address:	3450 Winthrop Avenue
Location:	Center Township, Council District #8
Petitioner:	Navneet Kaur
Current Zoning:	D-5
Request:	Variance of use and development standards of the Consolidated Zoning and Subdivision Ordinance to provide for operation of a mobile spa (not permitted) within a recreational vehicle parked within the front yard on a non-hard surfaced area (hard surfaced area required).
Current Land Use:	Residential
Staff Recommendations:	Staff recommends denial of this variance request.
Staff Reviewer:	Kiya Mullins, Associate Planner

PETITION HISTORY

This is the first public hearing for this petition.

STAFF RECOMMENDATION

Staff recommends **denial** of this variance request.

PETITION OVERVIEW

- This petition would allow for the storage of the Sauna Social's commercial vehicle, to be parked in a residential front yard without a hard surface below it.
- This property is a D-5 zoned single family house, located on a parcel that is 0.22 acres. Surrounding this property include several single-family homes and at least one duplex.
- The Sauna Social bus is currently parked on a gravel parking area in front yard at 3450 Winthrop Avenue. The bus will not conduct any business at this location but instead be stored there and prepped for events. Prepping of the Sauna Social bus include:
 - Filling up the water tank; Loading firewood into the on-board storage; Emptying out ashes from the wood burning sauna to be placed in the onsite compost pile; Deliveries of wood to the location for the bus; and the cleaning of the interior of the bus.
- No fire will be started until the Sauna Social bus is at an intended location for business.



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

- There are currently four employees working for the Sauna Social business, three of which commute to the location for work and park their vehicles beside the commercial vehicles. With employees traveling to and from the property on a narrow local street and parcel, it would cause unnecessary traffic in the area and cause visual vehicular congestion resulting in a disorderly aesthetic. This parcel is also located in a wellfield protection area, and with the increased use intensity and activity and vehicles this could pose a danger of leaking chemicals into the ground and ultimately the water beneath the property.
- As stated in the ordinance no commercial vehicle may be stored or parked on a residentially zoned property, unless there is active, legal construction taking place on the site or commercial vehicles that are in the course of making normal and reasonable service calls. (pg 117). At the time of this petition no construction is occurring at or around 3450 Winthrop and the Sauna Social bus currently is taking up most of the space that is available in between the front façade and the right of way.
- In Staff’s opinion, uses that are characterized by the outdoor storage and potential maintenance of commercial vehicles and dispatch operations of such vehicles has similarities to a fleet terminal. While the request is only for the storage of one vehicle at this time, Staff is concerned that approval of the request and growth of the business may result in a need for additional vehicles. While such an occurrence would require the filing of a future land use request, Staff strongly believes that the request should be denied initially given the lack of a hardship, the residential context, and the wholly inappropriate storage of the vehicle, on gravel, within the front yard of a single-family platted lot.

GENERAL INFORMATION

Existing Zoning	D-5		
Existing Land Use	Residential		
Comprehensive Plan	5 - 8 Residential Units per Acre		
Surrounding Context	Zoning	Surrounding Context	
	North:	D-5	North: 5-8 Residential Units per Acre
	South:	D-5	South: 5-8 Residential Units per Acre
	East:	D-4	East: 5-8 Residential Units per Acre
	West:	D-5	West: 5-8 Residential Units per Acre
Thoroughfare Plan			
Winthrop Avenue	Local Street	50ft right-of-way existing and 48ft right-of-way-proposed.	
Context Area	Compact		
Floodway / Floodway Fringe	No		
Overlay	No		
Wellfield Protection Area	Yes		
Site Plan	08/21/2024		
Site Plan (Amended)	N/A		
Elevations	N/A		
Elevations (Amended)	N/A		
Landscape Plan	N/A		



Findings of Fact	08/21/2024
Findings of Fact (Amended)	N/A

COMPREHENSIVE PLAN ANALYSIS

Comprehensive Plan

- Mapleton Fall Creek Neighborhood Land Use Plan (Resolution 2013-CPS-R-002)
- Marion County Land Use Plan Pattern Book

Pattern Book / Land Use Plan

Not Applicable to the Site)

Red Line / Blue Line / Purple Line TOD Strategic Plan

- Not Applicable to the Site.

Neighborhood / Area Specific Plan

- 5 - 8 Residential Units per Acre
 - In suburban and rural areas this is a common multi-family density and typically the highest density single-family category in suburban areas. In urban areas, it is common for both single-family and multi-family development. Development at this density is appropriate along bus corridors but should not take place in proximity to planned light rail transit stops
- Though the property at 3450 Winthrop is not covered by The Marion County Land Use Plan Pattern Book, the most closely related living typology for this area would be Suburban Neighborhood. A Suburban Neighbor living typology is predominantly comprised of single-family housing (with some attached and multifamily housing development) and supported by a variety of neighborhood-serving businesses and amenities. It does not contemplate industrial uses as a compatible land use type.

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

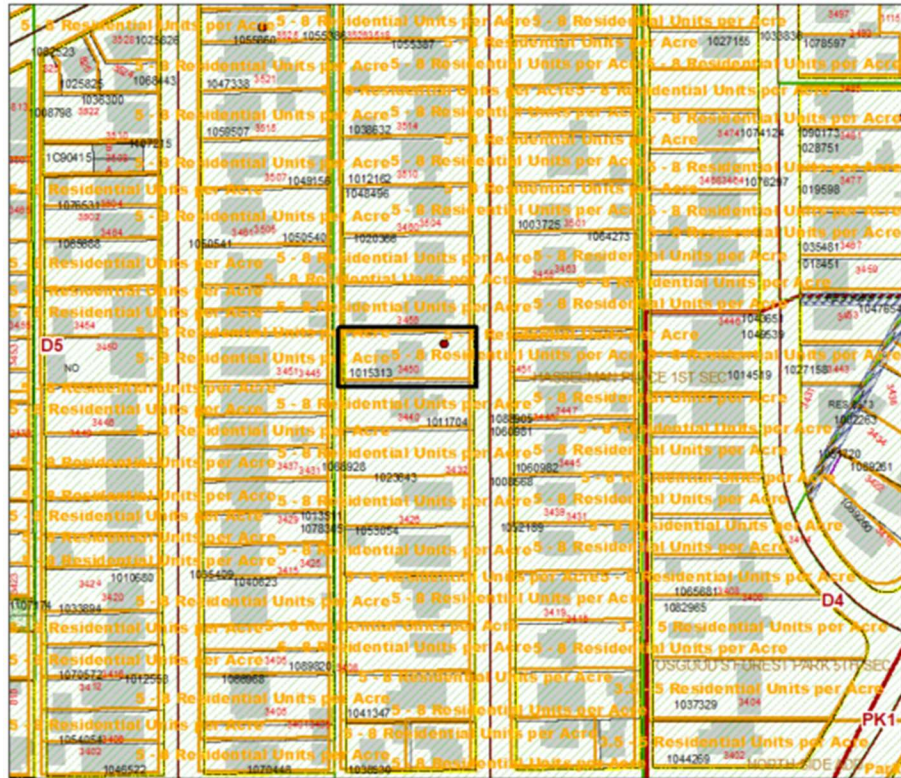
ZONING HISTORY – SITE

N/A

ZONING HISTORY – SURROUNDING AREA

- 2005-UV3-045 – 3525 Guilford Avenue
 - Provide for a transitional housing facility (not permitted) within an existing two-family dwelling in D-5. **Withdrawn.**
- 2020-UV1-003 – 3544 Carrollton Avenue
 - Variance of use of the Consolidated Zoning and Subdivision Ordinance to legally establish a multi-family building (not permitted). **Denied.**

EXHIBITS



Legend

- ZoningApprovals
- ZoningLncu
- ZoningVariances
- Rezoning
- ▨ ZoningVacations
- ▨ ZoningPlats
- CCGIS.ThoroughfarePlan
- CCGIS.EASEMENT
- CCGIS.RIGHTOFWAY
- CCGIS.STREETS
- Built/Platted
- OPER_STATUS
- REMOVED
- VACATED
- VACATED/BUILT
- VACATED/LOCATOR
- CCGIS.DMDLandUsePlanBase
- CCGIS.hpc
- CCGIS.ZONING
- PARCELSTATEPIN
- PARCELS
- PLATTEDSUBDIVISION
- CCGIS.Buildings
- Boundary

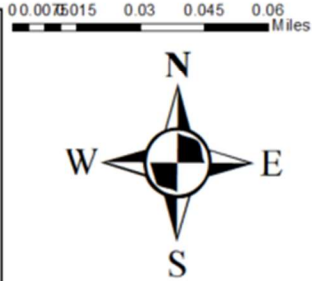


Exhibit 1: Area map around 3450 Winthrop Avenue.

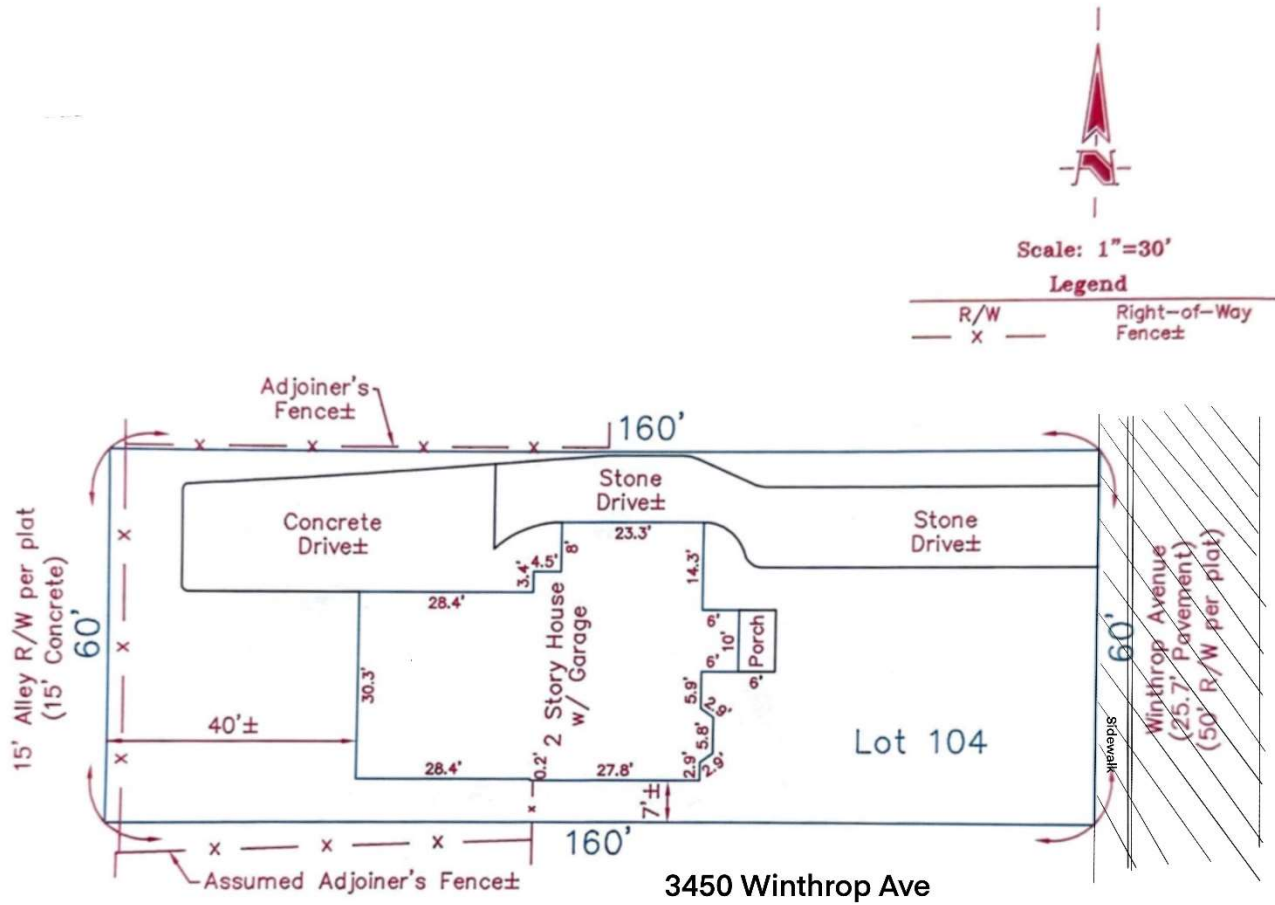


Exhibit 2: Site Plan for 3450 Winthrop Ave.



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

PETITION FOR VARIANCE OF USE

FINDINGS OF FACT

1. THE GRANT WILL NOT BE INJURIOUS TO THE PUBLIC HEALTH, SAFETY, MORALS, AND GENERAL WELFARE OF THE COMMUNITY BECAUSE THE VARIANCE IS BEING APPLIED TO ONLY PARK THE RV ON THE EXISTING DRIVEWAY OF TH WILL NOT BLOCK THE SIDEWALK OR THE STREET RESULTING IN ANY HARM TO THE GENERAL

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 RV WILL BE PARKED ON THE EXISTING DRIVEWAY OF THE PROPERTY AND NO ADDITION, BE MADE TO THE PROPERTY WHICH WOULD IMPACT THE USE AND VALUE OF THE AREA ADJ/ THE RV IS IN WORKING CONDITION AND IT WILL BE MOVED TO DIFFERENT LOCATIONS ON WE FOR SAUNA SOCIAL BUSINESS.

3. THE NEED FOR THE VARIANCE ARISES FROM SOME CONDITION PECULIAR TO THE PROPERTY INVOLVED BECAUSE IT WAS ASSUMED THAT THE RV WAS BEING USED TO CONDUCT BUSINESS ON THE RESIDENT THE RV IS USED FOR BUSINESS TO PROVIDE SAUNA SERVICES TO THE PUBLIC BUT IT DOES I FROM THE RESIDENTIAL PROPERTY. THE RV IS MOVED TO DOWNTOWN COMMERCIAL LOCAT BUSINESS, WHICH IS DURING WEEKENDS IN WINTER ONLY. THE NEED FOR THE VARIANCE AF

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 IT WILL REQUIRE THE PETITIONER TO REMOVE THE RV FROM THE PROPERTY WHERE IT IS CI THE RV IS ONLY OPERATED FOR BUSINESS DURING WEEKENDS IN 6 MONTH OF WINTER ONL REUIRE PETITIONER TO PAY FOR PARKING TO PARK THE RV WHEN IT IS ONLY OPERATIONAL SEASONAL BUSINESS

5. THE GRANT DOES NOT INTERFERE SUBSTANTIALLY WITH THE COMPREHENSIVE PLAN BECAUSE RESIDENTIAL DEVELOPMENT AT 5-8 UNITS PER ACRE WILL REMAIN RESIDENTIAL. THE PETITI VARIANCE TO PARK THE RV IN THE EXISTING DRIVEWAY. THERE WILL BE NO CHANGES OR AI DEVELOPMENT DONE ON THE PROPERTY TO ACCOMODATE THE RV.

Exhibit 3: The submitted findings of fact for 3450 Winthrop Ave.



Exhibit 4: 3450 Winthrop Avenue with Sauna Social Bus parked out front on the gravel driveway.



Exhibit 5: Closer up photo of 3450 Winthrop Avenue with Sauna Social Bus parked out front on the gravel driveway.



Exhibit 6: Front View of the Suana Social Bus.



Exhibit 7: Looking north down Winthrop Ave.



Exhibit 8: Looking south down Winthrop Ave.

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



Exhibit 9: The homes north of 3450 Winthrop Ave.



Exhibit 10: The homes south of 3450 Winthrop Ave.



Exhibit 11: The homes across from 3450 Winthrop Ave.



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

Plan of Operation

Workforce. Sauna Social has 4 employees (3 owners + one part-time employee). Sauna Social is a mobile business which operates on Friday, Saturday and Sunday Only. Employees work on-site to prepare the business for operational hours. They only work from Friday afternoon to Sunday. The part-time employee gets to the work-site via car. One owner lives on site and other two owners bike to the location. If employees drive, then they park on the driveway of the property located at 3450 Winthrop Ave. There is a Ring Security Camera system installed.

Clients & Customers. Sauna Social's typical customers and clients are adults who are passionate about health and wellness. Customers and clients do not come to the site.

Processes conducted on Site. Sauna Social is a converted bus with Harvia wood burning sauna in the back and lounge up front. There is a shower and sink on the bus. While the vehicle is parked on-site, employees prepare the business by filling up the water tank (if needed, built for the shower), loading firewood in the storage, emptying out ash from the Harvia wood burning sauna in the compost on the location. Once everything is prepared, the vehicle is moved to Indianapolis downtown location, pre-planned with other businesses, to provide sauna services to customers off-site.

Once the vehicle is parked at a planned location off-site, fire is started in the Harvia wood burning stove. Fire is separated in the stove by a glass door. The employee then waits until the stove heats up and eventually heats up the sauna room. Meanwhile, the employee cleans and sets up the lounge area. Once the sauna heats up to the desired temperature measured by the thermostat in the room, the employee sets up an open sign for customers to book a session.

Materials Used. Sauna Social uses water and wood for the operation. Electricity is generated via solar panels installed on the roof of the vehicle.

Shipping & Receiving. Sauna Social receives shipment of firewood monthly. It is delivered by a local seller monthly via his pickup truck. It is usually delivered during weekends at the 3450 Winthrop Ave location. The firewood is stored neatly in the garage.

The only waste generated is ash from the Harvia wood burning sauna. The ash is collected in a container built underneath the Harvia wood burning sauna. The ash container is empty on the morning of Friday, Saturday and Sunday in a compost container located on-site.

Exhibit 12: Plan of operation for the Sauna Social Bus business at 3450 Winthrop Ave.