

**METROPOLITAN BOARD OF ZONING APPEALS
DIVISION I
INDIANAPOLIS - MARION COUNTY, INDIANA
SEPTEMBER 6, 2022**

Notice is hereby given that the Metropolitan Board of Zoning Appeals of Marion County will hold public hearings on Tuesday, September 6, 2022, beginning at 1:00 PM in the Public Assembly Room, City-County Building, 200 East Washington Street, on the following petitions:

EXPEDITED PETITIONS:

TBD

INDECISIVE PETITION:

2022-UV1-012 5531 East 82nd Street
Washington Township, Council District 3, Zoned C-3
Reagan Outdoor Advertising, by Michelle Noppenberger
Variance of use and development standards of the Consolidated Zoning and Subdivision Ordinance to provide for 42-foot tall, 672-square foot digital off-premise advertising sign (maximum 40-foot height permitted, maximum 378-square foot permitted in C-3, digital off-premise sign not permitted), within 415 feet of a protected district (600-foot separation required for digital signs), and to allow for digital messages to display for minimum of eight seconds (minimum of ten second display permitted).

TRANSFERRED PETITION:

2022-DV2-027 3048 South McClure Street
Decatur Township, Council District 20, Zoned D-5 (FF)
Oscar Gomez and Asencio Gomez, by Sarah Walters
Variance of development standards of the Consolidated Zoning and Subdivision Ordinance to provide for a single-family dwelling with a 4.167-foot north side setback and a five-foot south side setback (seven feet side setbacks required).

CONTINUED PETITIONS:

2022-SE1-001 4330 Michigan Road
Washington Township, Council District 8, Zoned SU-2 (FW) (FF)
Veracity Land Use Development Services, by Michael Clust
Special Exception of the Consolidated Zoning and Subdivision Ordinance to provide for a wireless communications facility with a 200-foot tall monopole tower and a four-foot lightening rod.

2022-DV1-011 1422 English Avenue
(Amended) Center Township, Council District 17, Zoned D-5

<p>2022-DV1-025 (Amended)</p>	<p>Magenta Homes LLC, by Mark & Kim Crouch Variance of development standards of the Consolidated Zoning and Subdivision Ordinance to legally establish an existing structure with a one-foot east side setback and seven-foot rear yard setback and provide for building additions resulting in a three-story, single-family dwelling with a six-foot east side yard setback, a zero-foot west side setback, a seven-foot rear yard setback and an open space of 24 percent (maximum 2.5 story dwelling permitted, seven-foot side setback, 20-foot rear setback, 40 percent open space required).</p>
<p>2022-DV1-034</p>	<p>16 West Morris Street and 1150 South Meridian Street Center Township, Council District 16, Zoned C-4 SANJH Realty, LLC, by David Kingen and Emily Duncan Variance of development standards of the Consolidated Zoning and Subdivision Ordinance to provide for the redevelopment of a 4,940-square foot liquor store located 22 feet from a protected district (100-foot separation required), with a zero-foot setback from Meridian Street and a four-foot setback from Morris Street (10-foot front yard setback required), encroaching within the clear sight triangle of the intersection of Meridian Street and Morris Street (prohibited) with vehicular access to Meridian Street and Morris Street (alley access required), a zero-foot south and east landscape strip (six feet required), and zero frontage trees provided (seven trees required), six frontage shrubs provided (27 large shrubs required).</p>
<p>2022-DV1-038</p>	<p>2727 Wheeler Street Center Township, Council District 17, Zoned D-8 James and Sheila Wright Variance of development standards of the Consolidated Zoning and Subdivision Ordinance to provide for duplex with vehicular access to Wheeler Street (alley access required).</p>
<p>2022-DV1-039</p>	<p>7525 Edgewater Drive Washington Township, Council District 2, Zoned D-4 (FF) Gradison Land Development, Inc., by Adam Mears Variance of development standards of the Consolidated Zoning and Subdivision Ordinance to provide for a single-family detached dwelling with a one-foot front yard setback from Edgewater Drive, with zero-square feet of main-floor living area (660-square feet of main-floor living area required).</p>
<p>2022-DV1-040</p>	<p>6407-6419 Ferguson Street Washington Township, Council District 2, Zoned MU-1 (FF) and MU-2 (FF) G.P. Developers LLC, by Michael Rabinowitch Variance of development standards of the Consolidated Zoning and Subdivision Ordinance to provide for an office building with 68 parking spaces (103 parking spaces required).</p>
<p>2022-DV1-040</p>	<p>2801 West 86th Street Pike Township, Council District 1, Zoned SU-2 Brebeuf Jesuit Preparatory School, by J. Murray Clark Variance of development standards of the Consolidated Zoning and Subdivision Ordinance to provide for an 9.17-foot tall, 142.14-square foot</p>

- free-standing pylon sign, located 300 feet from a protected district (600-foot separation required for pylon signs), with an 15.08-square foot digital component (digital signs not permitted), with a six-foot setback from 86th Street (fifteen feet required).
- 2022-DV1-041 2633 North Gale Street
Center Township, Council District 17, Zoned D-5
Joshua Mullens
Variance of development standards of the Consolidated Zoning and Subdivision Ordinance to provide for a 1.9-foot south side setback (five feet required).
- 2022-UV1-010 2211, 2213, 2215, 2217, and 2143 Prospect Street and 2219 and
(3rd Amended) 1121 Churchman Avenue
Center Township, Council District 21, Zoned C-4 and D-5
R&S, LLC and Donald J. Tharp, by William Niemier
Variance of use and development standards of the Consolidated Zoning and Subdivision Ordinance to provide for a retail building and parking with a five-foot setback along Prospect Street and zero-foot setback along Churchman Avenue (ten feet required), within the clear-sight triangle (not permitted), a zero-foot south transitional yard (eight feet required), zero transparency along the west façade (40% transparency required), vehicular access onto Prospect Street (alley access required) with 22 parking spaces (30 parking spaces required), with a dumpster in the front yard and not associated with a primary use at 1121 Churchman Avenue (service areas not permitted in the front yard, not permitted in D-5, not permitted without a primary use).
- 2022-UV1-014 5200 North High School Road
Pike Township, Council District 10, Zoned SU-18
Reagan Outdoor Advertising, by Michelle Noppenberger
Variance of use and development standards of the Consolidated Zoning and Subdivision Ordinance to provide for 50-foot tall (maximum 40-foot tall permitted), 672-square foot digital off-premise advertising sign (off-premise sign not permitted in SU-18, digital off-premise sign not permitted), with a five-foot setback from Interstate 465 (60-feet required) within 165 feet of a protected district (300-foot separation required for off-premise signs, 600-foot separation required for digital signs), and to allow for digital messages to display for minimum of eight seconds (minimum of ten second display permitted).
- 2022-UV1-015 4400 Sam Jones Expressway
Wayne Township, Council District 22, Zoned I-2
Reagan Outdoor Advertising, by Jon Campbell
Variance of use and development standards of the Consolidated Zoning and Subdivision Ordinance to provide for 33-foot tall, 672-square foot digital off-premise advertising sign (digital off-premise sign not permitted), with a 5.9-foot setback from Interstate 70 (60-feet required) within 195 feet of a protected district (300-foot separation required for off-premise signs, 600-foot separation required for digital signs), and to allow for digital messages

- to display for minimum of eight seconds (minimum of ten second display permitted).
- 2022-UV1-016 1060 Broad Ripple Avenue
Washington Township, Council District 2, Zoned C-5
Reagan Outdoor Advertising, by Jon Campbell
Variance of use and development standards of the Consolidated Zoning and Subdivision Ordinance to provide for 40-foot tall, 672-square foot digital off-premise advertising sign (digital off-premise sign not permitted), within 16 feet of a protected district (300-foot separation required for off-premise signs, 600-foot separation required for digital signs), within 615 feet of another off-premise advertising sign (1,000 radial separation required) and to allow for digital messages to display for minimum of eight seconds (minimum of ten second display permitted).
- 2022-UV1-020 6805 Jackson Street
Wayne Township, Council District 15, Zoned D-2
John Miller, Jr by James Lewis Hillery
Variance of use of the Consolidated Zoning and Subdivision Ordinance to legally establish the parking of a commercial vehicle (not permitted).
- 2022-UV1-021 7619 Acton Road
Franklin Township, Council District 25, Zoned D-4
Judy A. and Harry D. Poling
Variance of use of the Consolidated Zoning and Subdivision Ordinance to legally establish the parking and maintenance of five commercial vehicles (not permitted).
- 2022-UV1-024 1601 South High School Road
Wayne Township, Council District 22, Zoned C-7
Lamar Advertising, by Kimberly Buchanan
Variance of use and development standards of the Consolidated Zoning and Subdivision Ordinance to provide for 60-foot tall, 14-foot by 48-foot digital off-premise advertising sign (digital off-premise sign not permitted, maximum 40-foot height permitted), within 450 feet, 695 feet, 1070 feet and 1190 feet of other off-premise advertising signs along I-465 (1,500 separation required along I-465), adjacent to an entrance roadway (not permitted), within 570 feet, and 690 feet of other off-premise advertising signs (1,000 radial separation required), with zero-foot setbacks from I-465 and Howard Street (60 feet setback from I-465, 10-foot setback from Howard Street required).

NEW PETITIONS:

- 2022-DV1-043 5243 East Edgewood Avenue
Franklin Township, Council District 25, Zoned D-A
Daniel J. Brookbank
Variance of development standards of the Consolidated Zoning and Subdivision Ordinance to provide for the construction of a barn with a 15-foot west side setback (30-foot side setback required).

2022-DV1-044	<p>1206 St Paul Street Center Township, Council District 21, Zoned D-5 RCA Properties, LLC, by Paul J. Lambie Variance of development standards of the Consolidated Zoning and Subdivision Ordinance to provide for the construction of single-family dwelling with a front-loaded garage (prohibited along Terrace Frontages).</p>
2022-DV1-045	<p>2003 North College Avenue Center Township, Council District 17, Zoned D-8 Project 65, LLC, by David Gilman Variance of development standards of the Consolidated Zoning and Subdivision Ordinance to provide for the construction of a three-story single-family dwelling (limited to 35 feet or 2.5 stories, whichever is less) located within the clear sight triangle of the intersection at East 20th and College Avenue (prohibited) with a main floor area of 414 square feet (minimum of 660 square feet required) and a front loaded garage off of East 20th Street (prohibited along Terrace Frontage).</p>
2022-UV1-025	<p>3920 South Post Road Franklin Township, Council District 25, Zoned C-4 Illini Drilled Foundations Inc., by David Gilman Variance of use of the Consolidated Zoning and Subdivision Ordinance to provide for a semi-truck driver training school with an outdoor training area and semi-truck parking (not permitted).</p>
2022-UV1-026	<p>4200 East Raymond Street Center Township, Council District 18, Zoned D-3 / I-4 Allen Brooks by Claudia S. Giardina Variance of use of the Consolidated Zoning and Subdivision Ordinance to provide for personal livestock as a primary use (not permitted) and the construction of an accessory structures without a primary structure (primary structure must be erected prior to accessory structures).</p>
2022-UV1-027	<p>2803 North New Jersey Street Center Township, Council District 9, Zoned C-1 Larry Eakle Variance of use of the Consolidated Zoning and Subdivision Ordinance to provide for the construction of a storage garage and a six-foot fence in the front yards of New Jersey Street and 28th Street (not permitted, fence height limited to 3.5-feet in front yards).</p>
2022-UV1-028	<p>1354 Shelby Street Center Township, Council District 21, Zoned MU-1 (TOD) Paradox Enterprises, LLC, by Alex C. Intermill Variance of use and development standards of the Consolidated Zoning and Subdivision Ordinance to provide for a restaurant, hookah bar and lounge within 15 feet of a protected district (not permitted, 100 feet of separation from protected district required) providing eight parking spaces (26 spaces required).</p>
2022-UV1-030	<p>8401 and 8415 Central Avenue Washington Township, Council District 2, Zoned D-3</p>

2022-UV1-031	<p>James W. Bryan II and Emily N. Cox Variance of use and development standards of the Consolidated Zoning and Subdivision Ordinance to legally establish two primary uses on one lot (not permitted) and provide for the construction of an in ground pool and paver patio within the stream protection corridor of Holly Creek (not permitted).</p> <p>3730 Washington Boulevard Center Township, Council District 9, Zoned D-3 KBR Trial Home LLC, by Brian J. Tuohy Variance of use of the Consolidated Zoning and Subdivision Ordinance to provide for the operation of a law firm and/or other business, professional or government type office uses on the site (not permitted).</p>
2022-UV1-032	<p>2108 West Michigan Street (2104 West Michigan Street parcel address) Wayne Township, Council District 11, Zoned C-3 C&M Real Estate Group, LLC, by Aaron Williams Variance of use of the Consolidated Zoning and Subdivision Ordinance to provide for an event center providing conference, wedding and special event facilities and a shared commercial kitchen for food entrepreneurs (not permitted).</p>

For a complete list of petitions, staff reports, and hearing results, visit <https://www.indy.gov/activity/dmd-public-hearing-documents>.

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 contacting the Secretary to the Metropolitan Board of Zoning Appeals (BZA) via email at Heather.Stephan@indy.gov. Written objections to a proposal are encouraged to be filed via email at dmdpubliccomments@indy.gov, or with the Secretary to the BZA, as appropriate, before the hearing at the above email address, 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.