

**METROPOLITAN BOARD OF ZONING APPEALS
DIVISION I
INDIANAPOLIS - MARION COUNTY, INDIANA
MARCH 1, 2022 – MARKED DOCKET**

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

EXPEDITED PETITIONS:

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| 2022-DV1-010
(Amended)
APPROVED | 3021 Southeastern Avenue
Center Township, Council District 12, Zoned C-4
Mervyn Dukatt, by Joseph D. Calderon
Variance of development standards of the Consolidated Zoning and Subdivision Ordinance to provide for the construction of a fast food restaurant with a service unit and stacking spaces within the front yard (not permitted). |
| 2022-UV1-003
APPROVED | 3 Beachway Drive
Wayne Township, Council District 15, Zoned D-6
SBP Properties LLC, by Stephanie L. Fall
Variance of use of the Consolidated Zoning and Subdivision Ordinance to provide for the expansion of an existing grocery store (not permitted). |
| 2022-DV1-006
APPROVED | 11420 East McGregor Road
Franklin Township, Council District 25, Zoned D-A
Armstrong Irrevocable Trust, D W & D L Armstrong Trustees & R K Wilkins ½, C J McNaughton & D S Negri & C M Zimmerer 1/6, by John Cross
Variance of development standards of the Consolidated Zoning and Subdivision Ordinance to provide for a lot split of an existing parcel, resulting in one lot having a minimum lot width of 198.43 feet and the second lot containing a lot width and street frontage of 115.7 feet (250-foot lot width and 125-foot street frontage required). |
| 2021-UV1-039
(Amended)
APPROVED | 758 East Terrace Avenue
Center Township, Council District 21, Zoned D-5
FAR Construction LLC, by Sharmin Frye
Variance of use and development standards of the Consolidated Zoning and Subdivision Ordinance to allow for the construction of a duplex (not permitted) on a 33-foot wide, 3,300-square foot lot, with a three-foot corner side setback, open space of 43% and a detached garage with a four-foot corner side setback, and both structures located within the clear sight triangles of the abutting streets and alley (60-foot lot width and 7,200 square foot lot area, eight-foot corner side setback, 60% open space required, and structures not permitted within the clear sight triangle). |
| 2022-DV1-012 | 726 Cottage Avenue |

APPROVED

Center Township, Council District 21, Zoned D-5
Dogan Properties LLC, by Joshua Robertson, Esq.
Variance of development standards of the Consolidated Zoning and Subdivision Ordinance to legally establish a duplex on a 35-foot wide 3,500 square foot lot (60-foot lot width and 7,200 square-foot lot required) with a three-foot front setback (10-foot to 19.9-foot range required) and provide for a building addition with four-foot side setbacks and an 18-foot rear setback resulting an open space of 38 percent (five-foot side setback, 20-foot rear setback, 60 percent open space required).

2022-UV1-004

APPROVED

1131 Jefferson Avenue
Center Township, Council District 17, Zoned D-5
Gerardo Sanchez Hernandez, by Mark and Kim Crouch
Variance of development standards of the Consolidated Zoning and Subdivision Ordinance to provide for the detached single-family dwelling with a four-foot north side setback and the construction of a detached garage with three-foot side setbacks (five-foot side setbacks required).

INDECISIVE PETITIONS:

2021-DV1-077A

**Indecisive vote
Transfer, Div. II
Cont'd to 3-8-22
Without notice**

715 South Keystone Avenue
Center Township, Council District 12, Zoned D-5
Christopher C. Renteria
Variance of development standards of the Consolidated Zoning and Subdivision Ordinance to allow for the erection of fence, composed of corrugated and galvanized metal (fence material limited).

2021-DV1-077C

APPROVED

715 South Keystone Avenue
Center Township, Council District 12, Zoned D-5
Christopher C. Renteria
Variance of development standards of the Consolidated Zoning and Subdivision Ordinance to allow for the erection of a fence encroaching into the clear sight triangle the alley access drive (encroachment into clear sight triangle not permitted).

CONTINUED PETITIONS:

2021-DV1-074

**Cont'd to 4-5-22
Without notice**

48 West 65th Street
Town of Meridian Hills, Washington Township, Council District 2, Zoned D-1
Gaetano & Laurel Maiorano, by Michael D. Maiorano
Variance of development standards of the Consolidated Zoning and Subdivision Ordinance to provide for a primary building addition with a four-foot rear setback and legally establish a patio with a 10-foot rear setback (15% of the depth of the lot, but no more than 30-feet required).

2021-DV1-078

(Amended)

673 River Road
Center Township, Council District 16, Zoned D-5 (RC)

Cont'd to 4-5-22
Without notice

Rosa Boyzo V Bucio, by Cindy Thrasher
Variance of development standards of the Consolidated Zoning and Subdivision Ordinance to allow for the construction of a detached garage being 182 square feet larger than the primary structure, with a five-foot rear and side setback, and to legally establish an existing shed with a zero-foot rear and side setback (accessory structures may not exceed area of the primary structure, twenty-foot rear setback when not abutting an alley and seven-foot side setback required).

2022-DV1-002

Cont'd to 4-5-22
Without notice

7736 Zionsville Road
Pike Township, Council District 1, Zoned I-2
Cardinal Health 414, LLC, by Fredric Lawrence
Variance of development standards of the Consolidated Zoning and Subdivision Ordinance to allow for the conversion of an existing warehouse for a life sciences research and development facility, with unscreened roof-mounted equipment and an eight-foot chain link fence with barbed wire around the perimeter of the property (screening of roof-mounted equipment required, maximum height of 3.5-feet in front yard permitted, barbed wire prohibited).

2021-UV1-032

(2nd Amended)

DENIED

5170 Evanston Avenue
Washington Township, Council District 9, Zoned D-5 (W-5)
Mainstay Property Group, LLC, by David S. Logan
Variance of use and development standards of the Consolidated Zoning and Subdivision Ordinance to provide for indoor and outdoor recreation and entertainment uses (not permitted), with insufficient on-site parking (11 spaces required) with a game court located in the required front yard setback in front of the primary dwelling (not permitted), with 38% open space (60% open space required), and to provide for a dwelling with a ten-foot rear setback (twenty-foot rear setback required).

2021-UV1-038

(Amended)

APPROVED

3117 and 3115 Sutherland Avenue
Center Township, Council District 17, Zoned SU-34
Ganeene Edison
Variance of use and development standards to provide for a beauty salon, office space, and light retail uses and a pole sign, with a five-foot front setback (not permitted, ten-foot front setback required).

NEW PETITIONS:

2022-DV1-007

Cont'd to 4-5-22
Without notice

7210 Washington Boulevard, Town of Meridian Hills
Washington Township, Council District 2, Zoned D-1
Gregg and Jamy Brase, by Mark Demerly
Variance of development standards of the Consolidated Zoning and Subdivision Ordinance to provide for a detached garage with a 23-foot rear

setback, resulting in an open space of 77% (30-foot rear setback and 80 percent open space required).

2022-DV1-008
Cont'd to 4-5-22
Without notice

9020 Rockville Road
Wayne Township, Council District 15, Zoned C-4 and C-1
Terre Opportunity Fund LLC, by Nick Justice
Variance of development standards of the Consolidated Zoning and Subdivision Ordinance to provide for the construction of a fast food restaurant with 35 parking spaces, zero bicycle parking, paving within the stream protection corridor, a drive-through with stacking spaces in the front yard and no exclusive bypass aisle, zero-foot frontage landscaping, and deficient interior landscaping and living material (maximum 28 spaces permitted; three bicycle spaces, exclusive bypass aisle, ten-foot frontage landscape strip and various landscape standards required; encroachment within stream protection corridor and stacking in the front yard not permitted).

2022-DV1-009
Cont'd to 4-5-22
Without notice

7381 Edgewater Drive
Washington Township, Council District 2, Zoned D-4 (FF)
Lance Smith, by Daniel Spall
Variance of development standards of the Consolidated Zoning and Subdivision Ordinance to provide for a detached garage in the front yard (not permitted) with a three-foot front setback (25-foot front setback required) within the Floodway Fringe (detached accessory structures only permitted in certain conditions).

2022-DV1-011
Cont'd to 4-5-22
With notice

1422 English Avenue
Center Township, Council District 17, Zoned D-5
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 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 (seven-foot side setback, 20-foot rear setback, 40 percent open space required).

2022-DV1-013
APPROVED

9625 East McGregor Road
Franklin Township, Council District 25, Zoned D-A (FW) (FF)
Richard & Kristin Calvert
Variance of development standards of the Consolidated Zoning and Subdivision Ordinance to provide for the construction of a barn with a 15-foot east side setback (30-foot side setback required).

2022-UV1-002
Cont'd to 4-5-22
Without notice

2535 East 79th Street
Washington Township, Council District 2, Zoned D-4 (FF)
William M Gammon, Jr. and Beth L. Gammon, by Garrett E. Lawton

Variance of use and development standards of the Consolidated Zoning and Subdivision Ordinance to provide for a shipping container (commercial vehicles not permitted) and a carport (accessory structures not permitted without a primary structure) with a 14-foot front setback (25-foot front setback required), both within the Floodway Fringe (nonbuilding/detached structures only permitted in compliance with specific conditions) and to allow a six-foot tall wood fence within the front setback (maximum 4-foot tall fence permitted, if opacity is less than 30%).

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.