

**METROPOLITAN BOARD OF ZONING APPEALS, DIVISION III
INDIANAPOLIS - MARION COUNTY, INDIANA
SEPTEMBER 20,2022**

Notice is hereby given that the Metropolitan Board of Zoning Appeals of Marion County will hold public hearings on **Tuesday, September 20,2022**, beginning at 1:00 PM in the Public Assembly Room, City-County Building, 200 East Washington Street, Indianapolis, Indiana, on the following petitions:

EXPEDITED PETITIONS:

TBD

INDECISIVE PETITIONS:

- | | |
|--------------|--|
| 2022-DV3-031 | 6619 East 43 rd Place
Lawrence Township, Council District 13, Zoned D-4 / SU-1
Alfred & Luz Popper
Variance of development standards of the Consolidated Zoning and Subdivision Ordinance to provide for the construction of an attached carport, creating a 12-foot front setback (25-foot front yard setback required). |
| 2022-UV3-020 | 4840 South Meridian Street
Perry Township, Council District 16, Zoned C-3
Ideal Auto Sales, LLP, by Daniel Russello
Variance of use and development standards of the Consolidated Zoning and Subdivision Ordinance to provide for automobile sales (not permitted) with a one-foot south front transitional yard (20 feet required) and zero-foot east front yard (10 feet required) for a parking area without landscaping, and with a zero-foot west transitional yard and 3.78-foot north transitional yard without landscaping (20-foot transitional yards required). |
| 2022-UV3-021 | 4301 West Southport Road
Perry Township, Council District 20, Zoned D-A / C-S (FF) (FW)
Laller Trucking LLC, by Jason P. Lueking
Variance of use of the Consolidated Zoning and Subdivision Ordinance to provide for the indoor and outdoor storage of trucks, service and maintenance of trucks and related office uses (not permitted, expressly prohibited by Floodway Fringe standards). |

TRANSFERRED PETITIONS:

- | | |
|--------------|---|
| 2022-DV1-040 | 2801 West 86 th Street
Pike Township, Council District 1, Zoned SU-2
Brebeuf Jesuit Preparatory School, by J. Murray Clark |
|--------------|---|

- 2022-DV1-044 Variance of development standards of the Consolidated Zoning and Subdivision Ordinance to provide for an 9.17-foot tall, 142.14-square foot 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).
1206 St Paul Street
Center Township, Council District 21, Zoned D-5
RCA Properties, LLC, by Paul J. Lambie
- 2022-DV2-027 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).
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-DV3-018 24 East Street
City of Southport, Perry Township, Council District 24, Zoned D-3
Willy's Property Services, LLC, by David Kingen and Emily Duncan
- Variance of development standards of the Consolidated Zoning and Subdivision Ordinance to legally establish a lot with seven feet of street frontage (35 feet required) and to provide for a nine-foot rear setback (20-foot rear setback required).
- 2022-DV3-022 6945 Pendleton Pike
(Amended) Lawrence Township, Council District 13, Zoned C-4 (TOD)
Convenience Centers, LLC, by William T. Niemier
- Variance of development standards of the Consolidated Zoning and Subdivision Ordinance to provide for a 10,499-square foot retail store with a 37.57-foot wide and a 36.46-foot wide driveway (maximum 24 feet permitted), 24 parking spaces with some within ten feet of the front property line (29 parking spaces and 25-foot setback required), with a building line 50.41 feet from the front property line of 38th Street (maximum 25 feet permitted) with 46% frontage (60% required), with zero transparency on the north façade (40% transparency required), and with deficient landscape screening for parking areas (2.5-foot to 4-foot tall wall or ornamental fence, dense landscape hedge or combination of both required).
- 2022-DV3-035 3225 South Meridian Street
Perry Township, Council District 16, Zoned C-3 / D-3
Brandon P. Brown

- 2022-UV3-018 Variance of development standards of the Consolidated Zoning and Subdivision Ordinance to provide for a five-foot fence in the front yard (maximum 3.5-foot tall fence permitted).
7801 East 38th Street
Warren Township, Council District 13, Zoned C-3
Lamar Advertising, by Kimberly Buchanan
Variance of use and development standards of the Consolidated Zoning and Subdivision Ordinance to provide for 40-foot tall, 14-foot by 48-foot digital off-premise advertising sign on a 0.2-acre lot (digital off-premise sign not permitted, maximum six-foot by twelve-foot sign permitted on a lot less than 10,000 square feet, maximum 378-square foot sign permitted in C-3), within 150 feet of a protected district (300-foot separation required for off-premise signs, 600-foot separation for digital signs) within 775 feet of another off-premise advertising signs along I-465 (1,500-foot separation required along I-465), within 530 feet of another off-premise advertising sign (1,000-foot radial separation required) and to allow for digital messages to display for minimum of eight seconds (minimum of ten second display permitted).
- 2022-UV3-019 1245 Harding Court
Perry Township, Council District 20, Zoned C-7 (FF)
Lamar Outdoor Advertising, by Jason Graham
Variance of use and development standards of the Consolidated Zoning and Subdivision Ordinance to provide for 50-foot tall, 14-foot by 48-foot digital off-premise advertising sign (digital off-premise sign not permitted, maximum 40-foot height permitted), within 495 feet and 885 feet of other off-premise advertising signs (1,000 radial separation required).
- 2022-UV3-022 830 River Avenue
Center Township, Council District 16, Zoned D-5 (RC)
Two Chicks & A Hammer 830 River LLC, by Austin Aynes
Variance of use and development standards of the Consolidated Zoning and Subdivision Ordinance to provide for the construction of a duplex on a 40-foot wide, 6,000-square foot lot (60-foot lot width, minimum area of 7,200 square feet required) with an open space of 48% (60% required) with a third and fourth dwelling within a detached garage (not permitted) with mechanical equipment, walking paths and patios encroaching within the side yard setbacks (five-foot setback required, walking paths must be two-feet from side lot lines).
- 2022-UV3-024 3415 English Avenue
Center Township, Council District 12, Zoned C-4
Innovative Health Care Real Estate, LLC, by Joseph D. Calderon
Variance of use of the Consolidated Zoning and Subdivision Ordinance to provide for a methadone clinic, within 345 feet of a dwelling district (not permitted within 500 feet).

NEW PETITIONS:

- 2022-DV3-037 2521 Planes Drive
Warren Township, Council District 19, Zoned I-2
AMS Properties Indy LLC, by David Kingen & Emily Duncan
Variance of development standards of the Consolidated Zoning and Subdivision Ordinance to provide for a building addition resulting in parking area with a zero-foot north side yard setback (30-foot side yard setback required) and deficient landscaping.
- 2022-DV3-038 6002, 6006 and 6106 East 38th Street
Lawrence Township, Council District 13, Zoned C-4 (TOD)
Health & Hospital Corporation of Marion County, by Mary E. Solada
Variance of development standards of the Consolidated Zoning and Subdivision Ordinance to provide for the construction of a health center facility without a primary entrance for every 100 feet of façade (one entry per 100' of building façade required).
- 2022-DV3-039 1215 Marlowe Avenue
Center Township, Council District 17, Zoned D-8
Green Square, by Justin Kingen
Variance of development standards of the Consolidated Zoning and Subdivision Ordinance to provide for the construction of a building addition resulting in a five-foot rear yard setback and legally establish a two-foot eastern side yard setback (15-foot rear setback required, three-foot side setback required).
- 2022-UV3-025 3335 North Sherman Drive
Center Township, Council District 17, Zoned D-5
Shantae Flemons, by David Kingen & Emily Duncan
Variance of use and development standards of the Consolidated Zoning and Subdivision Ordinance to provide for the operation of a childcare facility, the location of a pedestrian gate and walkway with a one-foot southern side setback and a building addition with a two-foot northern side yard setback (not permitted, seven-foot side yard setbacks required).
- 2022-UV3-026 940 West Banta Road
Perry Township, Council District 23, Zoned D-A (FF) (FW)
John J. Holzer, Trustee, by David Kingen & Emily Duncan
Variance of use and development standards of the Consolidated Zoning and Subdivision Ordinance to provide for the operation of a day care and educational facility with a four-foot tall, eight foot-wide primary freestanding sign (not permitted) with parking areas with a two-foot setback from the rear lot line (75-foot rear setback required), a driveway located 20 feet from the western side lot line (35-foot side yard setback required) and a walking path located four feet from the rear lot line (minimum five-foot rear setback exception provided).

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 (Heather.Stephan@indy.gov). Written objections to a proposal are encouraged to be filed via email: 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.