

**METROPOLITAN BOARD OF ZONING APPEALS
DIVISION I
INDIANAPOLIS - MARION COUNTY, INDIANA
DECEMBER 5, 2023 | HEARING RESULTS**

Notice is hereby given that the Metropolitan Board of Zoning Appeals of Marion County held public hearings on **Tuesday, December 5, 2023**, beginning at 1:00 PM in the Public Assembly Room, City-County Building, 200 East Washington Street, on the following petitions:

EXPEDITED PETITIONS:

2023-DV1-048 (Amended) | 1305 South Biltmore Avenue | APPROVED

Wayne Township, Council District #22, Zoned D-3
Virinia Morfin

Variance of Development Standards of the Consolidated Zoning and Subdivision Ordinance to provide for the location of a masonry fence with a height of 3.5 feet encroaching within the clear sight triangle of Biltmore Avenue and Chelsea Road (encroachment of clear sight triangles not permitted).

2023-DV1-055 | 5326 Riverview Drive | APPROVED

Washington Township, Council District #7, Zoned D-5 (FF) (FW)
Adam & Kelsey Murphy, by Mark and Kim Crouch

Variance of Development Standards of the Consolidated Zoning and Subdivision Ordinance to provide for the construction of a detached garage and secondary dwelling unit, within the front yard (accessory structures not permitted forward of primary building), with a 1.58-foot north side yard setback and 67-foot front yard setback (seven-foot side yard setback required, maximum 50-foot front yard setback permitted).

2023-DV1-057 | 6230 and 6280 North College Avenue | APPROVED

Washington Township, Council District #2, Zoned MU-2 (TOD)
KGBR LLC and 6280 LLC, by Joseph D. Calderon

Variance of Development Standards of the Consolidated Zoning and Subdivision Ordinance to provide for the construction of a mixed-use building with a building height of up to 68-foot tall, with extensions up to 82.5-foot tall for an elevator shaft and stairwell.

2023-UV1-018 | 5524 Georgetown Road | APPROVED

Pike Township, Council District #8, Zoned C-3
GAT LLC, by David Kingen & Emily Duncan

Variance of use of the Consolidated Zoning and Subdivision Ordinance to provide for the operation of a liquor store (not permitted).

CONTINUED PETITIONS:

2023-AP1-001 | 1511, 1531, 1539 and 1555 Deloss Street | DENIED; petition continued for adoption of findings of fact

Center Township, Council District #17, Zoned I-2
Cameron Perisutti

Appeal of the Administrator's Decision determining that the existing facility and associated accessory uses are legally established non-conforming uses.

2023-UV1-021 | 7040 Rockville Road | Continued by petitioner to February 6, 2024

Wayne Township, Council District #15, Zoned D-3

Donald P. Quass, by David Gilman

Variance of use and Development Standards of the Consolidated Zoning and Subdivision Ordinance to provide for a secondary dwelling unit, without an owner living on site (not permitted), with a zero-foot west side yard setback (six-foot side yard setback required).

NEW PETITIONS:

2023-AP1-002 | 1001 North Rural Street | Automatic Continuance acknowledged to January 2, 2024

Center Township, Council District #17, Zoned C-3

Harshpreet Inc., by Miranda Steele

Modification of Commitments related to 2008-DV1-058, to terminate Commitment Number 10, which prohibited the sale of cigarette/tobacco rolling papers.

2023-DV1-056 | 3777 West 69th Street | Continued by petitioner to January 2, 2024

Pike Township, Council District #7, Zoned D-S

Silvia Sandoval & Glenda Buttrum, by Elizabeth Bentz Williams, AICP

Variance of Development Standards of the Consolidated Zoning and Subdivision Ordinance to provide for the location of a detached garage with a seven-foot west side yard setback (15-foot side yard setbacks required) and a freestanding shed with a 4.5-foot east side yard setback, resulting in an 11.5-foot aggregate side yard setback (35-foot aggregate side yard setback required).

2023-DV1-058 | 7215 East Thompson Road | Continued by petitioner to January 2, 2024; additional notice required

Franklin Township, Council District #25, Zoned C-7 / I-2

VB BTS II, LLC, by Joseph D. Calderon

Variance of Development Standards of the Consolidated Zoning and Subdivision Ordinance to provide for the location of a monopole wireless communication facility with a height of 199 feet (maximum height of 70 feet permitted).

2023-DV1-059 | 3835 East 96th Street | Automatic Continuance acknowledged to January 2, 2024

Washington Township, Council District #3, Zoned C-S

96th Street Retail Partners LLC, by Mike Timko, P.E.

Variance of Development Standards of the Consolidated Zoning and Subdivision Ordinance to provide for the construction of a convenience market with 31 percent transparency on the eastern façade and 30 percent transparency on the western façade (minimum 40 percent transparency required on facades with a public entry).

2023-UV1-026 | 6524 Dover Road | Automatic Continuance acknowledged to January 2, 2024; Continued and transferred by petitioner to January 9, 2024 Division II; additional notice required

Washington Township, Council District #3, Zoned D-S

Larry Rockafellow, by Melissa Iannucci

Variance of Use and Development Standards of the Consolidated Zoning and Subdivision Ordinance to provide for the temporary location of an accessory building without a primary building (not permitted)

and the construction of a single-family dwelling on a .60-acre, 120-foot wide lot (minimum 150-foot lot width and area of one acre required), resulting in a 33.5-foot aggregate side yard setback (35-foot aggregate required).

For a complete list of petitions, staff reports, and hearing results, visit <https://indianapolis-in.municodemeetings.com/DMDmeetings>.

The addresses of the proposals listed above are approximate and should be confirmed with the Division of Planning. Copies of the proposals are available via email to planneroncall@indy.gov. Written comments to a proposal are encouraged to be filed via email to planneroncall@indy.gov at least 48 hours prior to hearing, and such comments 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