

**METROPOLITAN BOARD OF ZONING APPEALS
DIVISION III
INDIANAPOLIS - MARION COUNTY, INDIANA
NOVEMBER 28, 2023 | HEARING RESULTS**

Notice is hereby given that the Metropolitan Board of Zoning Appeals of Marion County held public hearings on **Tuesday, November 28, 2023**, 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:

2023-DV3-042 | 6830 Lake Plaza Drive | APPROVED

Lawrence Township, Council District #3, Zoned C-3

CMG Binford LLC, by Michael Rabinowitch

Variance of Development Standards of the Consolidated Zoning and Subdivision Ordinance to provide for the location of a third freestanding sign along the Binford Boulevard frontage of an integrated center (maximum two signs per frontage).

2023-UV3-017 (Amended) | 5420-5418 McFarland Road | APPROVED

Perry Township, Council District #24, Zoned D-1

David Smithmeyer, by Jerry Hornback

Variance of development standards of the Consolidated Zoning and Subdivision Ordinance to legally establish a 19,966 square foot parcel (24,00 square feet required), with a street frontage and width of 43-foot wide (minimum 45-foot-wide street frontage and lot width of 90 feet required), and to provide for a dwelling with a five foot south side setback, and a 16 foot north side setback (eight-foot side yard setback and twenty-two-foot aggregate side yard setback required).

CONTINUED PETITIONS:

2023-DV3-028 (Amended) | 405 South Shortridge Road | Automatic Continuance to December 19, 2023 acknowledged.

Warren Township, Council District #18, Zoned C-S

SRMK Realty LLC, by In and Out Unlimited

A). Variance of Development Standards of the Consolidated Zoning and Subdivision Ordinance to provide for the location of a 6-foot tall, metal perimeter fence (fence heights limited to 3.5-foot-tall in front yards and six-foot tall within side and rear yards).

B). Variances of Use and Development Standards to provide for the location of a 10-foot tall, electric fence containing barbed-wire (electric fences not permitted, barbed-wire not permitted).

2023-DV3-035 | 2305 North Leland Avenue | APPROVED

Warren Township, Council District #13, Zoned I-2

Philip Chambers, by Pat Rooney

Variance of Development Standards of the Consolidated Zoning and Subdivision Ordinance to provide for a wooden privacy fence with a height ranging between 8.5-feet to 9.5 feet tall within the front yards and clear sight triangle of the intersection of Leland Avenue and 23rd Street (maximum fence height of 3.5-foot tall permitted, encroachment of clear sight triangles not permitted).

NEW PETITIONS:

2023-SE3-005 | 6179 East 26th Street | Automatic Continuance to December 19, 2023 acknowledged.

Warren Township, Council District #13, Zoned D-A

Iglesia De Dios Israelita El Elohe Israel II Inc., by Marco Antonio Vazquez

Special Exception of the Consolidated Zoning and Subdivision Ordinance to provide for religious uses with an 8.5-foot tall, 22-square foot pole sign (not permitted).

Variance of development standards of the Consolidated Zoning and Subdivision Ordinance to provide for the construction of a 111-foot wide parking area within the front yard of Sheridan Avenue (parking area width limited to 30 feet within front yards).

2023-SE3-006 | 1140 Dr. Martin Luther King Jr. Street | Continued by staff to December 19, 2023

Center Township, Council District #11, Zoned SU-2 / D-8 (RC)

SMJ International o/b/o ATC, by Aaron Adelman

Special Exception of the Consolidated Zoning and Subdivision Ordinance to provide for a wireless communications facility with a 120-foot tall monopole tower and a four-foot lightning rod.

Variance of development standards of the Consolidated Zoning and Subdivision Ordinance to provide for a wireless communication facility without the required perimeter landscape screening (minimum 10-foot landscape yard required).

2023-SE3-007 | 1841 Ludlow Avenue | Automatic Continuance to December 19, 2023 acknowledged.

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

Reagan Outdoor Advertising, by Michelle Noppenberger

Special Exception of the Consolidated Zoning and Subdivision Control Ordinance to provide for the relocation of a legally established Outdoor Advertising Sign due to a highway widening and improvement of I-69 by a state agency, along a freeway within I-465 (not permitted).

Variance of Development Standards of the Consolidated Zoning and Subdivision Ordinance to provide for the relocation of an existing 40-foot tall off-premise advertising sign, of which the relocated off-premise sign will have a height of 70-feet tall (maximum height of 40 feet permitted), a setback of five feet from I-70 (60-foot setback required), within 761 and 630 feet from other outdoor advertising signs (1,000-feet of radial spacing required between signs) and being located within no less than 197 feet from protected districts (300-foot separation from protected districts required).

2023-DV3-039 | 6422 Fall Creek Road | DENIED; Continued for adoption of findings of fact

Lawrence Township, Council District #4, Zoned D-1 (FF)

Sean Clauson, by Chris Schrader

Variance of Development Standards of the Consolidated Zoning and Subdivision Ordinance to provide for the construction of a single-family dwelling with a 36.17-foot front yard setback from Fall Creek Road (84-foot front yard setback required).

2023-DV3-040 | 8850 East 21st Street | Continued by petitioner to December 19, 2023; additional notice required

Warren Township, Council District #19, Zoned C-4 (D-7 Pending)

8850 East Twenty First Street Inc., by David E. Dearing

Variance of Development Standards of the Consolidated Zoning and Subdivision Ordinance to provide for the conversion of an existing motel into a multi-family dwelling project, resulting in a 15-foot-wide perimeter yard (20-foot perimeter yard required).

2023-DV3-041 | 1409 and 1411 Roosevelt Avenue | DENIED; Continued for adoption of findings of fact

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

Early Learning Center Indiana, by Jennifer Milliken

Variance of Development Standards of the Consolidated Zoning and Subdivision Ordinance to provide for the location of a second skyline sign on the northwestern elevation (one skyline sign per elevation permitted).

2023-DV3-043A | 7801 East 38th Street | APPROVED

Warren Township, Council District #13, Zoned C-S (TOD)

Second Circle Investments, LLC, by Misha Rabinowitch

Variance of Development Standards of the Consolidated Zoning and Subdivision Ordinance to provide for the construction of a retail establishment with one public entry along the 140' front facade (one public entry per 50 feet required) and the building occupying 41% of the lot width (minimum 80% required).

2023-DV3-043B | 7801 East 38th Street | DENIED; Continued for adoption of findings of fact

Warren Township, Council District #13, Zoned C-S (TOD)

Second Circle Investments, LLC, by Misha Rabinowitch

Variance of Development Standards of the Consolidated Zoning and Subdivision Ordinance to provide for a front building line of 63 feet (maximum 10-foot front building line required) with parking in the front yard (prohibited) and a 36-foot wide driveway width (maximum of 16 feet permitted).

2023-DV3-044 | 2440 West County Line Road | APPROVED

Perry Township, Council District #20, Zoned C-4

Reeder Real Estate Holdings LLC, by Brian J. Tuohy

Variance of Development Standards of the Consolidated Zoning and Subdivision Ordinance to provide for the location of a 35-foot pylon sign (maximum height of 25 feet permitted).

2023-UV3-021 | 1838 East Epler Avenue | Two-day waiver of notice granted; Variance APPROVED; Continued for adoption of findings of fact

Perry, Council District #24, Zoned D-3

Griselda Delgado, by James R. Browne Jr.

Variance of use of the Consolidated Zoning and Subdivision Ordinance to provide for the storage of four commercial vehicles (not permitted).

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