



**Board of Zoning Appeals
Board of Zoning Appeals Division III
(February 18th, 2025)
Meeting Results**

Meeting Details

Notice is hereby given that the Metropolitan Board of Zoning Appeals will hold public hearings on:

Date: Tuesday, February 18, 2025

Time: 1:00 PM

Location: Public Assembly Room, 2nd Floor, City-County Building, 200 E. Washington Street

Business:

Adoption of Meeting Minutes:

Special Requests

PETITIONS REQUESTING TO BE CONTINUED:

1. **2024-DV3-037 | 1625 Shelby Street | CONT'D TO 3-18-25**
Center Township, Council District #18, zoned C-3 (TOD)
Jugaad LLC, by David Retherford

Variance of development standards of the Consolidated Zoning and Subdivision Ordinance to provide for the construction of a convenience store with a front building line width ratio of 10.64 (80 percent required) and deficient transparency along Shelby Street (40 percent required), and with deficient landscaping.

****Staff to request a continuance, on behalf of the petitioner, to the March 18, 2024 hearing of Division III**

Petitions for Public Hearing

PETITIONS TO BE EXPEDITED:

2. **2025-UV3-003 | 1044 St. Patrick Street | APPROVED**
Center Township, Council District #18, zoned C-4 (TOD)
Murphy Arts Center LLC, by Misha Rabinowitch

Variance of use and development standards of the Consolidated Zoning and Subdivision Ordinance to provide for the operation of an outdoor entertainment venue, for one year, subject to the filed plan of operation (not permitted) with reductions in required parking (16 spaces required) and temporary placement of both unscreened service areas in a front yard and improvements with a 0-foot front yard setback (screening of service areas and 10-foot setback required).

PETITIONS FOR PUBLIC HEARING (Transferred Petitions):

3. **2024-DV1-037 (Amended) | 2402 East 38th Street | DENIED**
Washington Township, Council District #8, zoned C-5 (TOD)
Popeyes Louisiana Kitchen Inc., by Gilligan Company

Variance of Use and Development Standards of the Consolidated Zoning and Subdivision Ordinance to provide for a drive-thru accessory use within 600 feet of a Transit Station (not permitted) and an additional drive-thru lane within the front yard of Keystone Avenue (not permitted).

PETITIONS FOR PUBLIC HEARING (Continued Petitions):

4. 2024-UV3-016 | 425 & 435 South Gibson Avenue | DENIED

Warren Township, Council District #20, zoned D-2
Oscar Garcia Cruz, by Steven A. Brown

Variance of use and development standards of the Consolidated Zoning and Subdivision Ordinance to provide for the storage and occupancy of more than two recreational vehicles for more than 15 days per year (maximum of two recreational vehicles may be parked outside per lot, may not be occupied for more than 15 days) within gravel parking areas (hardscaping required) and the location of a six-foot tall privacy fence within the front yard of Gibson Avenue and encroaching within the clear sight triangle of the driveway (limited to 3.5-foot tall, encroachment of clear sight triangles not permitted).

5. 2024-UV3-017 (Amended) | 8949 East Washington Street | DENIED

Warren Township, Council District #20, zoned C-5 / D-2 (TOD)
Integrity Electric & Machine LLC, by David E. Dearing

Variance of use and development standards of the Consolidated Zoning and Subdivision Ordinance to provide for the location of seven shipping containers within the southern side yard (not permitted) without landscape screening (required for outdoor storage and operations) and with a fence exceeding 10 feet in height (not permitted).

6. 2025-DV3-002 | 6116 Breamore Road | APPROVED

Lawrence Township, Council District #3, zoned D-2
Matthew Schneider, by Drew Farrington

Variance of Development Standards of the Consolidated Zoning and Subdivision Ordinance to provide for the location of a six-foot tall fence within the front yards and clear sight triangles of the intersection of Breamore Road and 62nd Place (maximum height of 3.5 feet permitted, encroachment of clear sight triangle prohibited).

7. 2025-UV3-001 | 385 South Franklin Road | APPROVED

Franklin Township, Council District #20, zoned D-2
We Care Tree Service LLC, by Tim J. Brown

Variance of use and development standards of the Consolidated Zoning and Subdivision Ordinance to provide for the operation of a tree and vegetation removal contractor with the outdoor storage of commercial vehicles and equipment (not permitted) and the storage of a recreational vehicle in a non-permitted location.

8. 2025-UV3-002 | 10453 East 10th Street | DENIED

Warren Township, Council District #20, zoned D-1 / D-7 (FF)
Ghassan Rajabi

Variance of use and development standards of the Consolidated Zoning and Subdivision Ordinance to provide for the operation of an open air 10-car vehicle sales operation (not permitted) with a gravel parking lot (hard surface required).

9. 2025-DV3-001 | 8420 US 31 | INDECISIVE, CONT'D TO 3-18-25

Perry Township, Council District #23, zoned C-5 (FW)
Skillman Realty LLC, by Joseph D. Calderon

Variance of Development Standards of the Consolidated Zoning and Subdivision Ordinance to provide for the installation of a pylon sign, being the third freestanding sign along US 31 (maximum two freestanding signs permitted).

PETITIONS FOR PUBLIC HEARING (New Petitions):

10. 2025-DV3-003 | 1553 Harlan Street | DENIED

Center Township, Council District #19, zoned D-5
Margarita Velazquez Garcia, by Arnoldo Gonzalez Vazquez

Variance of Development Standards of the Consolidated Zoning and Subdivision Ordinance to provide for the construction of an attached covered porch with a zero-foot north side yard setback (five-feet required).

11. 2025-DV3-004 | 5930 East 82nd Street | CONT'D TO 3-18-25

Lawrence Township, Council District #4, zoned C-4
GMX Real Estate Group LLC, by Joseph D. Calderon

Variance of Development Standards of the Consolidated Zoning and Subdivision Ordinance to provide for the operation of an eating establishment with two stacking spaces within the front yard of East 82nd Street (not permitted), 21 parking spaces (maximum nine permitted) and a monument sign being the ninth freestanding sign along East 82nd Street (maximum two permitted) and within 185 feet of a freestanding sign to the west and 104 feet to the west (minimum 300 feet of separation required).

Additional Business:

**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 emailing planneroncall@indy.gov. Written objections to a proposal are encouraged to be filed via email at planneroncall@indy.gov, before the hearing 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) 327-7093, at least 48 hours prior to the meeting. - Department of Metropolitan Development - Current Planning Division.