

**METROPOLITAN BOARD OF ZONING APPEALS**

**DIVISION ONE**

**INDIANAPOLIS - MARION COUNTY, INDIANA**

**APRIL 7, 2015**

Notice is hereby given that the Metropolitan Board of Zoning Appeals of Marion County held public hearings on Tuesday, April 7, 2015, beginning at 1:00 PM in the Public Assembly Room, City-County Building, 200 East Washington Street, Indianapolis, on the following petitions:

**EXPEDITED PETITIONS:**

- |   |   |
|---|---|
| <p>2015-DV1-009<br/>(Amended)<br/><b>APPROVED</b></p> | <p>2301 North Girls School Road<br/>Wayne Township, Council District 6, Zoned SU-7 (W-5)<br/>Girl Scouts Corporation Hoosier Capital Council, by David and Justin Kingen Request: Variance of development standards of the Sign Regulations to provide for a wall, with two 6.083-foot high signs, with zero-foot front setbacks from Girls School Road (15-foot setback required).</p>   |
| <p>2015-DV1-010<br/><b>APPROVED</b></p>               | <p>819 and 823 Spruce Street<br/>Center Township, Council District 16, Zoned D-5<br/>LP2, LLC, by Nick T. Burrow Request: Variance of development standards of the Dwelling Districts Zoning Ordinance to provide for:</p> <ul style="list-style-type: none"><li>a) a two-story single-family dwelling, at 819 Spruce Street, with a three-foot front setback, a two-foot south side setback, a five-foot aggregate side setback and a two-foot rear setback, with 24% open space, and within the clear sight triangle of the north abutting alley and Spruce Street, with one parking space (two parking spaces required), and</li><li>b) a two-story single-family dwelling at 823 Spruce Street, with a two-foot front setback, a six-foot north side setback, an eight-foot aggregate side setback, and a two-foot rear setback, with 28% open space (minimum 25-foot front setback, four-foot side setback, 10-foot aggregate side setback, 20-foot rear setback and 65% open space required), with one parking space (two parking spaces required).</li></ul> |
| <p>2015-DV1-011<br/><b>APPROVED</b></p>               | <p>8015 High Drive<br/>Washington Township, Council District 3, Zoned D-S<br/>Michael and Mary Wernke, by Mark Demerly Request: Variance of development standards of the Dwelling Districts Zoning Ordinance to provide for additions to an existing dwelling and a covered outdoor terrace, creating an open space of 81% (85% required), and to provide</p>   |

for and legally establish a nine-foot side, 24-foot aggregate side and 15-foot rear setbacks (15-foot side, 35-foot aggregate and 25-foot rear setback required).

2015-UV1-007  
**APPROVED**

1030 East 19<sup>th</sup> Street

Center Township, Council District 9, Zoned I-3-U

Wilbur Montgomery and Jan Diggins, by James Lingenfelter Request: Variance of use of the Industrial Zoning Ordinance to legally establish a single-family dwelling, with a home occupation (not permitted), per plans filed.

2015-UV1-009  
**APPROVED**

5143 East 65<sup>th</sup> Street

Washington Township, Council District 4, Zoned I-2-S

Movable Feast LLC (Kathleen Tracy and Peter Courtney), by Lynn Yates Request: Variance of use of the Industrial Zoning Ordinance to provide for a restaurant (not permitted).

2015-UV2-004  
**APPROVED**

5030 East 62<sup>nd</sup> Street

Washington Township, Council District 3, Zoned C-3

Binford Plaza LLC % RP Lux Company Inc., by David and Justin Kingen Request: Variance of use and development standards of the Commercial Zoning Ordinance and the Sign Regulations to provide for a restaurant, with a micro-brewery (not permitted), an outdoor bar (not permitted), outdoor seating and dining (not permitted), live entertainment (not permitted), urban garden and outdoor recreational area (not permitted), with carryout food service within approximately 45 feet of the nearest protected district (100-foot separation required),

- a) a fitness facility (not permitted),
- b) office and storage for a pool cleaning and maintenance service (not permitted),
- c) to legally establish a zero-foot west side transitional yard (20-foot side transitional yard required),
- d) to legally establish an integrated center sign, with a 10-foot front setback from Binford Boulevard (15-foot setback required), and
- e) to provide for a freestanding sign along 62<sup>nd</sup> Street within 270 feet of an existing freestanding sign (300-foot separation required).

2015-UV1-005  
**APPROVED**

6050 East 10<sup>th</sup> Street

Warren Township, Council District 19, Zoned C-3

LiJuan Wang and Wei Coa Request: Variance of use of the Commercial Zoning Ordinance to provide for a reflexology technical training center and academy, including massage activities (not permitted), without the grant of a special exception and within 500 feet of a protected district.

2015-UV1-006  
**APPROVED**

7220 South Franklin Road

Franklin Township, Council District 25, Zoned D-A

Kenneth H. and Joyce B. Johnson Request: Variance of use of the Dwelling Districts Zoning Ordinance to use existing barns to provide for an event center for reunions, receptions, parties, retreats and weddings.

**TRANSFERRED PETITION:**

2015-DV3-007      9611 East 96<sup>th</sup> Street  
**Transfer, Div. III**      Lawrence Township, Council District 5, Zoned D-A  
**Cont'd to 4-21-15**      Dawn and John Gardner Request: Variance of development standards  
**With notice**              of the Dwelling Districts Zoning Ordinance to provide for the  
   construction of a 2,880-square foot, 22.6-foot tall pole barn (maximum  
   20-foot tall permitted), with an 864-square foot porch, with a 10-foot  
   east side setback (15-foot side setback required), creating an accessory  
   building area of 3,744 square feet or 257% of the main floor area of the  
   primary dwelling and an accessory use area of 4,768 square feet or  
   173.4% of the total floor area of the primary dwelling (maximum 75% or  
   1,092 square feet of accessory building area and maximum 99.9% or  
   2,747 square feet of accessory use area permitted).

**CONTINUED PETITIONS:**

**2015-AP1-001**      **3207 North Central Avenue**  
**APPROVED**              Center Township, Council District 9, Zoned C-3  
   Mapleton Fall Creek Development Association, by Leigh Riley Evans  
   and Duane Ingram Request: Appeal of the Administrator's Decision to  
   issue Improvement Location Permit, ILP14-01220, providing for the  
   construction of a convenience store / gasoline station, with a canopy  
   and other accessory structures.

2015-UV1-002      5545 South East Street  
**Cont'd to 5-07-15**      Perry Township, Council District 23, Zoned D-1  
**Without notice**              Solaris Property Group, LLC, by Derek Gendig Request: Variance of  
   use of the Dwelling Districts Zoning Ordinance to provide for office uses  
   (not permitted), per plans filed.

2015-UV1-003      11015 East 21<sup>st</sup> Street  
**Cont'd to 5-07-15**      Warren Township, Council District 18, Zoned C-1  
**Without notice**              Dennis L. and Martha J. Barker Request: Variance of use and  
   development standards of the Commercial Zoning Ordinance to provide  
   for a pharmacy, with an immunization clinic (not permitted), with 36  
   parking spaces (64 parking spaces required), and with a drive-through  
   service unit within 30 feet of the nearest protected district (100-foot  
   separation required).

**NEW PETITIONS:**

2015-DV1-012      8434 Castle Farms Road

**APPROVED**

Lawrence Township, Council District 5, Zoned D-P  
Edward R. Loyd Request: Variance of development standards of the Dwelling Districts Zoning Ordinance to provide for a 1,728-square foot recreation room addition to a single-family dwelling encroaching five feet into the 20-foot required rear yard and 20-foot wide drainage and utility easement (not permitted), and creating an accessory use area of 2,274 square feet or 115.1% of the total floor area of the primary dwelling (maximum 1,974 square feet or 99.9% of the total floor area of the primary dwelling).

2015-DV1-013

1938 East 46<sup>th</sup> Street

**Cont'd to 5-07-15**

Washington Township, Council District 9, Zoned C-3 (W-1)

**Without notice**

Doris K. Moore, by Quentin E. Walton Sr. Request: Variance of development standards of the Commercial Zoning Ordinance to provide for a carry-out restaurant, within approximately 75 feet of the nearest protected district (100-foot separation required).

2015-UV1-008

7716 Michigan Road

**APPROVED**

Pike Township, Council District 2, Zoned C-3

Tom Opferman Request: Variance of use of the Commercial Zoning Ordinance to legally establish a single-family dwelling (not permitted), per plans filed.

2015-UV1-010

6181 North Carrollton Avenue

**APPROVED**

Washington Township, Council District 3, Zoned D-5

Lawrence and Emily Connolly Request: Variance of use of the Dwelling Districts Zoning Ordinance to provide for office uses (not permitted).

The addresses of the proposals listed above are approximate and should be confirmed with the Division of Planning. Copies of the proposals and all plans and exhibits pertaining thereto are on file and available for examination prior to the hearing in Room 1821 of the City-County Building, Indianapolis, Indiana, between the hours of 8:00 AM and 4:30 PM, Monday - Friday. Written objections to a proposal may be filed with the Secretary of the Metropolitan Board of Zoning Appeals, as appropriate, before the hearing at the above 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. Public hearings are accessible to persons with disabilities. For accommodations needed by persons with disabilities planning to attend the hearing, please call 327-5155 at least forty-eight (48) hours prior to the hearing.

Department of Metropolitan Development  
Division of Planning  
Current Planning Division