

BOARD OF ZONING APPEALS DIVISION III

September 16, 2025

Case Number: 2025-UV3-026
Property Address: 2901 North Post Road (approximate address)
Location: Warren Township, Council District #15
Petitioner: Calvary Temple Assembly of God, by David Gilman
Current Zoning: SU-1 / D-7 / D-4
Request: Variance of use of the Consolidated Zoning and Subdivision Ordinance to provide for the outdoor storage of modular homes, with temporary perimeter fencing of the proposed outdoor storage area (not permitted).
Current Land Use: Religious Uses
Staff Recommendations: Staff **recommends denial** of this petition
Staff Reviewer: Noah Stern, Senior Planner

PETITION HISTORY

- This is the first public hearing for this petition.

STAFF RECOMMENDATION

- Staff **recommends denial** of this petition

PETITION OVERVIEW

- This petition would for the outdoor storage of modular homes, with temporary perimeter fencing of the proposed outdoor storage area (not permitted).
- The site is primarily zoned SU-1 (religious uses), contains small portions of D-4 and D-7, and is approximately 16.21 acres. The site is currently improved with a church and an associated parking lot. The request is to allow to store modular homes (up to 100 according to the plan of operation) on the eastern parking lot. The plan of operation also indicates that the modular homes that would be stored on site would not be in association with the church, but for a home builder on the north side of East 30th Street.
- Religious use is defined in the Zoning Ordinance as “A land use and all related buildings and structures devoted primarily to the purpose of divine worship, together with reasonably related accessory uses including but not limited to, educational, instructional, social, or residential activities.”

- Outdoor storage of materials is not permitted in any residential zoning district, nor the SU-1 district. This standard is in place to preserve quality aesthetics, to protect sensitive districts from intense uses, and to limit the intermixing of incompatible land uses. Staff generally finds the request to be entirely out of line with typical uses and aesthetics of the SU-1 district which is reserved solely for religious uses.
- Staff finds the proposed use to be inappropriate and is concerned about the impact that this would have on the subject site. The subject site itself is a Protected District and is entirely incompatible with outdoor storage uses, particularly outdoor storage occurring on its own associated parking lot. Staff believes that the storage of large modular home structures would significantly alter the character of the property and represents a detrimental precedent for the SU-1 district. Special Use Districts have been in place since 1966 and are in place to contemplate specific land uses that are highly individualized and require more specific standards and review regarding the scope and scale of their existence. Intense outdoor storage in SU-1 districts is without precedent in Marion County and is not contemplated by the SU-1 district as it is not a compatible nor a typical feature of religious uses.
- Staff does not find that the Findings of Fact meet the burden of proof, as Staff does not believe there to be any hardship on the owner for needing the requested variance; Staff does not believe the parking lot needs to be used for outdoor storage and, likewise, could be used for permitted accessory uses to the church. Therefore, Staff is opposed to the request and recommends denial of the petition.

GENERAL INFORMATION

Existing Zoning	SU-1 / D-7 / D-4	
Existing Land Use	Religious Uses	
Comprehensive Plan	Suburban Neighborhood	
Surrounding Context	Zoning	Surrounding Context
North:	C-3 / I-3	North: Commercial / Industrial
South:	D-4	South: Multi-family residential
East:	D-7	East: Multi-family residential
West:	SU-2	West: School
Thoroughfare Plan		
North Post Road	Primary Arterial	108 feet of right-of-way existing and 134 feet proposed
East 30 th Street	Secondary Arterial	108 feet of right-of-way existing and 80 feet proposed
Context Area	Compact	
Floodway / Floodway Fringe	No	
Overlay	No	
Wellfield Protection Area	No	
Site Plan	8/4/25	
Site Plan (Amended)	N/A	

Elevations	N/A
Elevations (Amended)	N.A
Landscape Plan	N/A
Findings of Fact	8/4/25
Findings of Fact (Amended)	N/A

COMPREHENSIVE PLAN ANALYSIS

Comprehensive Plan

- Marion County Land Use Plan Pattern Book

Pattern Book / Land Use Plan

- The Marion County Land Use Plan pattern Book recommends the Suburban Neighborhood typology for this site.

Red Line / Blue Line / Purple Line TOD Strategic Plan

- Not Applicable to the Site.

Neighborhood / Area Specific Plan

- Not Applicable to the Site.

Infill Housing Guidelines

- Not Applicable to the Site.

Indy Moves

(Thoroughfare Plan, Pedestrian Plan, Bicycle Master Plan, Greenways Master Plan)

- Not Applicable to the Site.



ZONING HISTORY

ZONING HISTORY – SITE

91-HOV-86, Variance of Development Standards of the Sign Regulations of Marion County to permit the placement of a second sign for an existing church (one sign structure permitted), **approved subject to conditions.**

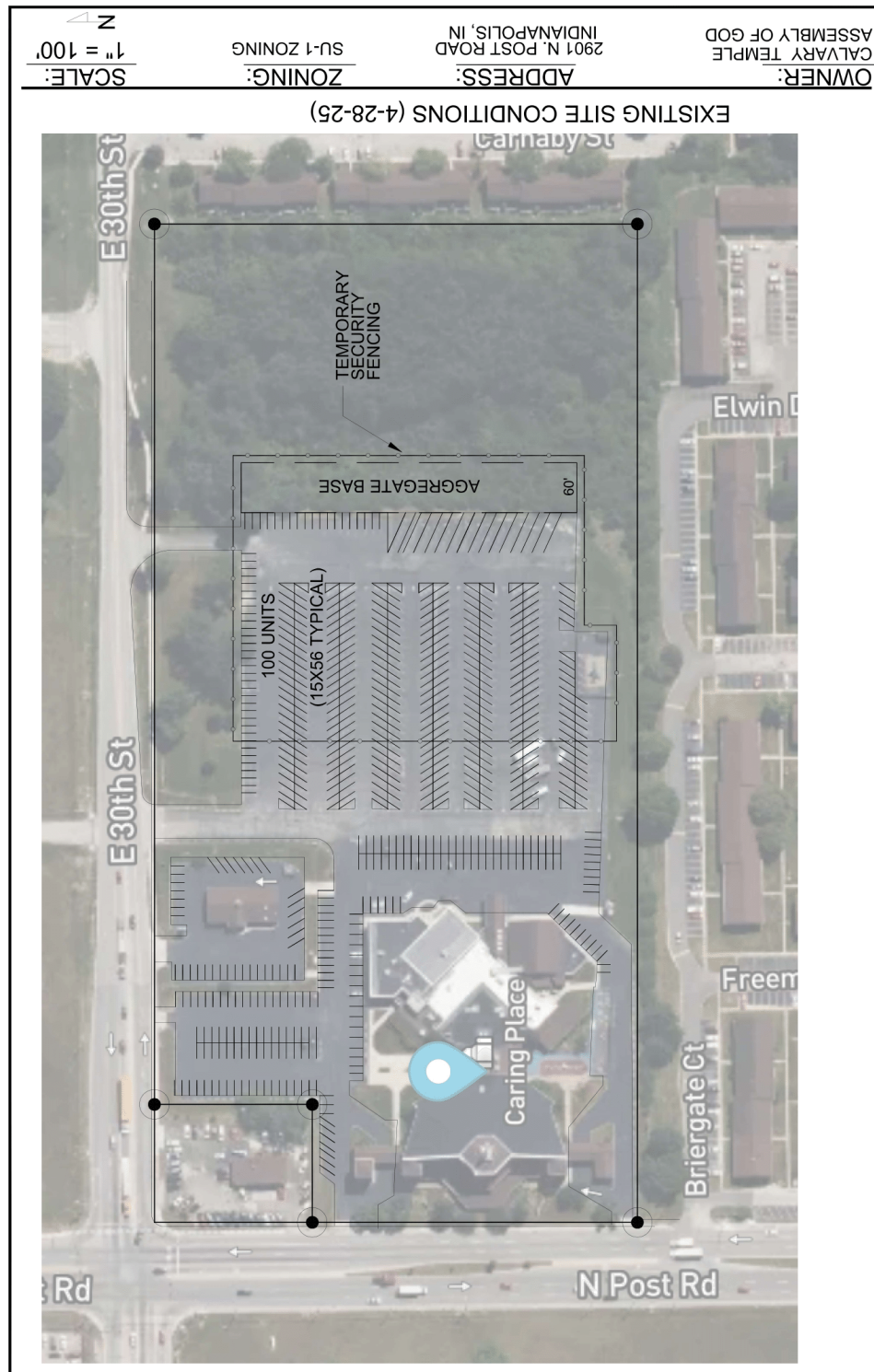
ZONING HISTORY – VICINITY

2025UV3013; 9045 E 30th Street (north of site); Variance of use of the Consolidated Zoning and Subdivision Ordinance to provide for commercial offices within an existing building (not permitted), **approved.**

EXHIBITS



Aerial Photo



Site plan, file-dated 8/4/25

**Plan of Operation
2901 N Post Road
5/6/2025**

BACKGROUND

The subject site is located just east of Post Road on the south side of East 30th Street. The site consists of 16.04 acres and is zoned SU-1 (Religious Use). The site is developed with religious use and accessory administrative building. The church no longer needs the overflow parking area east of the church and would like to lease it to an adjacent modular home builder to store shrink-wrapped modular residential units until they are shipped to a remote development site.

Business Use

The petitioner seeks to lease a portion of an unused parking lot to an adjacent business for temporary storage of modular residential units. The area is ideal for this type of storage since it will be on within a paved parking area that has security lights and will have a perimeter fence.

Workforce

There will be a temporary security guard patrolling the site, as needed.

Hours of Operation

The modular units will be moved to the site and removed from the site during hours of the least amount of daily traffic. This is typically Saturday mornings.

Off-Street Parking

There will be a maximum of 100 units stored on the subject parking area.

Signage

No signage is proposed.

Clients and Customers

Only company employees will be permitted in the storage area.

Lights

Several tall two-headed pole lights are in the parking area to provide a well-secured environment.

Shipping and Receiving

All shipping and receiving will occur during hours to be the least disruptive to daily traffic.

Drainage

The stormwater drainage system is in place with the development of the church and parent property. There are no new improvements proposed that would impact the existing drainage system.

Waste

All waste would be picked up by utilizing a private or City waste disposal service. There will be no storage of hazardous materials on site.

Petition Number _____

**METROPOLITAN DEVELOPMENT COMMISSION
HEARING EXAMINER
METROPOLITAN BOARD OF ZONING APPEALS, Division _____
OF MARION COUNTY, INDIANA**

PETITION FOR VARIANCE OF USE

FINDINGS OF FACT

1. THE GRANT WILL NOT BE INJURIOUS TO THE PUBLIC HEALTH, SAFETY, MORALS, AND GENERAL WELFARE OF THE COMMUNITY BECAUSE

The proposed storage area will be secured by a perimeter fence and will only be used as need to full fill an order to serve new residential developments. The transportation of the units will be loaded on site and will be able to safely maneuver in and out of the site during times with the least amount of vehicular traffic.

2. THE USE AND VALUE OF THE AREA ADJACENT TO THE PROPERTY INCLUDED IN THE VARIANCE WILL NOT BE AFFECTED IN A SUBSTANTIALLY ADVERSE MANNER BECAUSE

The adjacent uses are either owned by the petitioner or the end user of the variance request. The only adjacent use not owned by the petitioner or end user is well protected with a large, wooded area.

3. THE NEED FOR THE VARIANCE ARISES FROM SOME CONDITION PECULIAR TO THE PROPERTY INVOLVED BECAUSE

The petitioner has a significant amount of un-used paved parking spaces that could be re-purposed to help an adjacent business.

4. THE STRICT APPLICATION OF THE TERMS OF THE ZONING ORDINANCE CONSTITUTES AN UNUSUAL AND UNNECESSARY HARDSHIP IF APPLIED TO THE PROPERTY FOR WHICH THE VARIANCE IS SOUGHT BECAUSE

The additional parking is not required and will continue to need maintenance and become a burden of the owners.

5. THE GRANT DOES NOT INTERFERE SUBSTANTIALLY WITH THE COMPREHENSIVE PLAN BECAUSE

The variance is for a temporary/as needed use and will not change the underlying zoning classification.

DECISION

IT IS THEREFORE the decision of this body that this VARIANCE petition is APPROVED.

Adopted this _____ day of _____, 20 ____



Looking west at the parking lot and Church in background



Looking north



Looking east



Looking south



Looking southwest at Church



Looking south