



BOARD OF ZONING APPEALS DIVISION III

September 16, 2025

Case Number: 2025-UV3-025 (Amended)
Address: 3005 Carson Avenue (approximate address)
Location: Perry Township, Council District #19
Zoning: C-5 / C-1 (TOD)
Petitioner: Star Group Investments LLC, by Raymond A. Basile
Request: Variance of use and development standards of the Consolidated Zoning and Subdivision Ordinance to provide for the erection of a monument sign and canopy sign, both containing digital display within 100 feet and 40 feet from a protected district, respectively (digital display not permitted within 400 feet of protected districts), with the monument sign maintaining a 2.5-foot setback from Troy Avenue (five feet required).

Current Land Use: Automotive Fueling Station

Staff Reviewer: Robert Uhlenhake, Senior Planner

PETITION HISTORY

This is the first time this petition has been heard.

This petition was amended from the portion of the original legal notice that requested to provide for the erection of a pole sign with a digital display within 100 feet from a protected district, with the pole sign maintaining a 2.5-foot setback from Troy Avenue.

The new request would remove the pole sign, and replace it with a monument sign instead, with the same digital display, same 100-foot separation from a protected district, and the same 2.5-foot setback from Troy Avenue. No new notice would be required as the amended request was less of a deviation than the original published legal notice.

STAFF RECOMMENDATION

Staff recommends **approval of the request as amended.**

PETITION OVERVIEW

- ◇ The Sign Regulations “facilitate an easy and agreeable communication between people...and serve an important function.” The purpose of the Sign Regulations is to “eliminate potential hazards to motorists, and pedestrians; to encourage signs which, by their good design, are integrated with and harmonious to the buildings and site which they occupy; and which eliminate excessive and confusing sign displays.” Proliferation of signs causes those signs that are permitted and legal to become less effective and reduces their value. Additionally, the Sign Regulations preserve and improve the appearance of the City as a place in which to live and work.

- ◇ The digital component of the monument sign and the canopy sign would be static for pricing only and would not contain an electronic variable message component. Therefore, any light and glare that is produced by the sign would be limited in scale and contain pricing information only.
- ◇ The requested monument sign would be smaller in scale than the original proposed pole sign and less intrusive to the adjoining protected district. In addition, the reduced height, and sign orientation to the east and west would also direct the sign display away from the protected district to the north.
- ◇ The 2.5-foot requested setback for the monument sign, is in relation to the placement of the building as the building was placed close to the sidewalk edge. Therefore, placing the sign at the five-foot setback, would partially obscure it behind a portion of the building making it irrelevant.
- ◇ The granting of this amended request would be a minor deviation in Staff's opinion and would not have any negative impact on surrounding properties.

GENERAL INFORMATION

Existing Zoning	C-5 / C-1	
Existing Land Use	Automotive Fueling Station / Convenience Store	
Comprehensive Plan	Village Mixed Uses / Traditional Neighborhood	
Overlay	Transit Oriented Development	
Surrounding Context	<u>Zoning</u>	Surrounding Context
	North: SU-2	School
	South: C-5	Undeveloped
	East: C-1	Single Family Dwellings
	West: C-5	Automotive Sales
Thoroughfare Plan		
	Carson Avenue	Primary Arterial 130-foot existing and proposed right-of-way.
Context Area	Compact	
Floodway / Floodway Fringe	No	
Wellfield Protection Area	No	
Site Plan	July 25, 2025	
Elevations	July 25, 2025	
Commitments	N/A	
Landscape Plan	N/A	
Findings of Fact	July 25, 2025	

COMPREHENSIVE PLAN ANALYSIS

Comprehensive Plan

- The Comprehensive Plan recommends Village Mixed Use for the site.

Pattern Book / Land Use Plan

- The Marion County Land Use Plan Pattern Book recommends the Village Mixed Use typology for the portion of the site where the signs are to be located. This typology creates neighborhood gathering places with a wide range of small businesses, housing types, and public facilities. This typology is intended to strengthen existing, historically small-town centers as well as to promote new neighborhood centers. Businesses found in this typology serve adjacent neighborhoods, rather than the wider community. This typology is compact and walkable, with parking at the rear of buildings. Buildings are one to four stories in height and have entrances and large windows facing the street. Pedestrian-scale amenities such as lighting, landscaping, and sidewalk furniture also contributes to a walkable environment in this typology. Uses may be mixed vertically in the same building or horizontally along a corridor. Public spaces in this typology are small and intimate, such as pocket parks and sidewalk cafes. This typology has a residential density of 6 to 25 dwelling units per acre.

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

98-DV1-5; 1202 East Troy Avenue (north of site), requested a variance of Development Standards of the Sign Regulations to provide for the placement of an illuminated pylon sign with a reader board, being nine-feet in height, and being five by ten feet in size, **granted**.

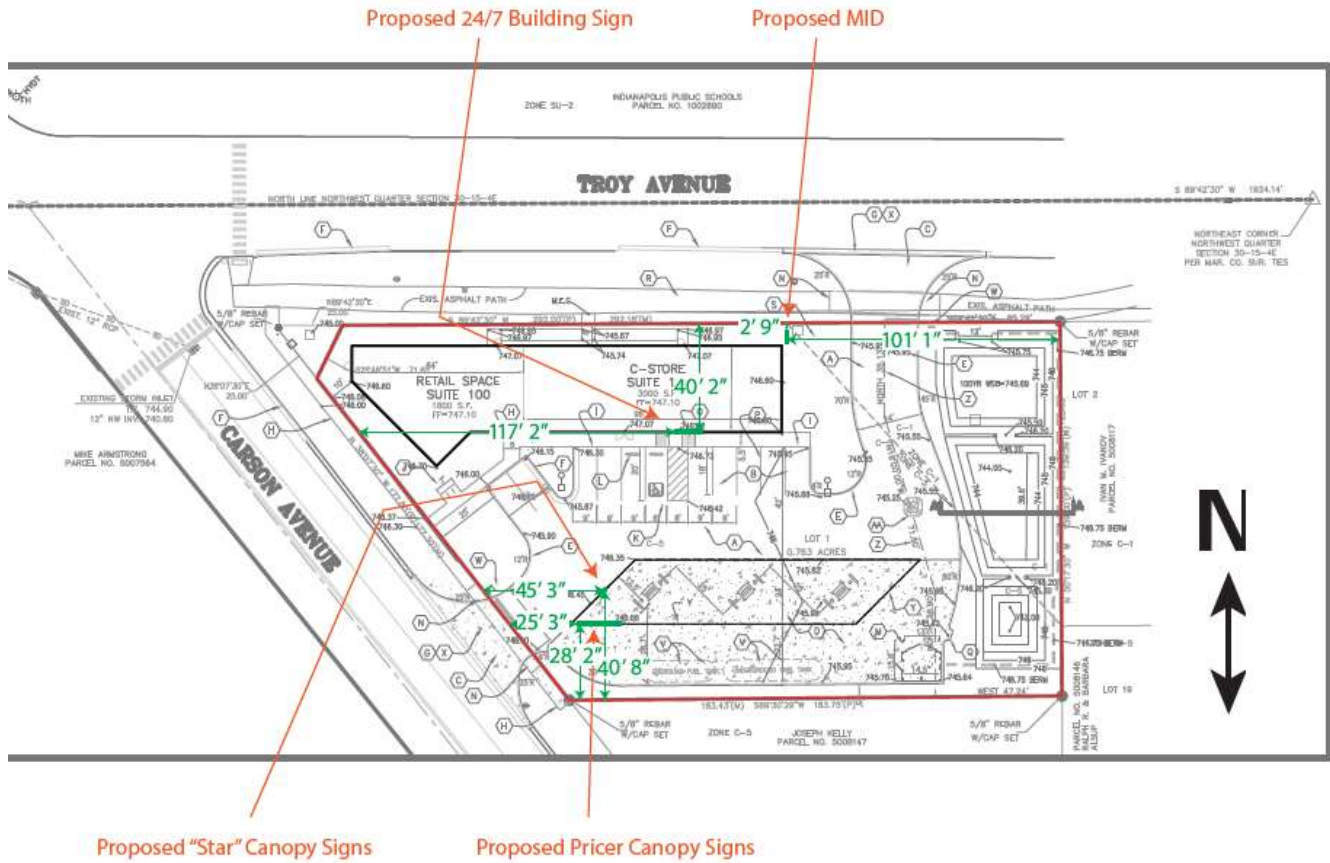
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EXHIBITS

Location Map



Site Plan

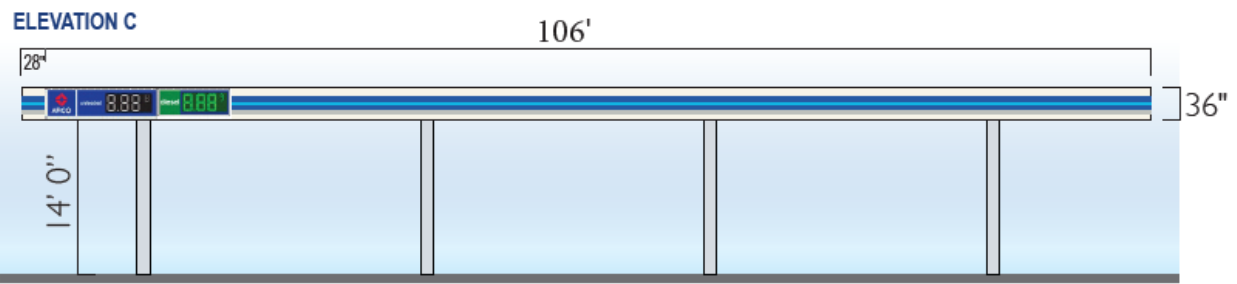
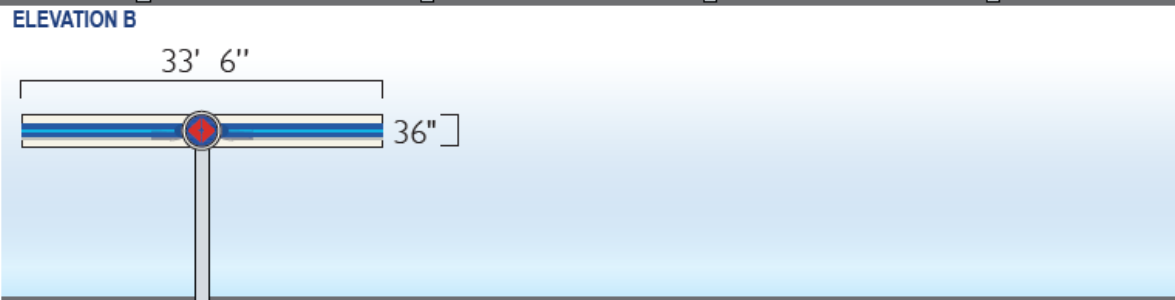
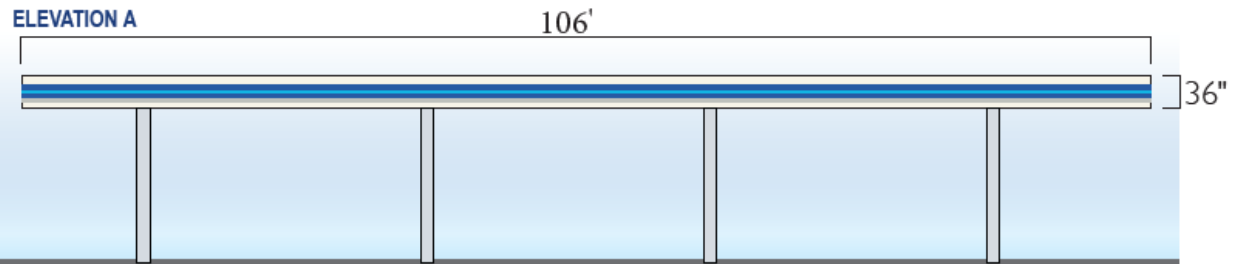


Sign Elevations



Day View

Canopy Elevations





Findings of Fact

**METROPOLITAN DEVELOPMENT COMMISSION
HEARING EXAMINER
METROPOLITAN BOARD OF ZONING APPEALS, DIVISION ____
OF MARION COUNTY, INDIANA**

**FINDINGS OF FACT FOR PETITION FOR
VARIANCE OF DEVELOPMENT AT 3001 CARSON AVENUE**

General Welfare: The grant will not be injurious to the public health, safety, morals and general welfare of the community. The proposed illuminated LED signs will comply with all sizing and other restrictions set forth in the Indianapolis Zoning Ordinance except that (a) they would, without a variance, violate Section 744-907(C)(1) which prohibits illuminated digital signs within 600' of a Protected District if obstructed or within 400' of such Protected District even if obstructed and (b) the pole sign would violate Table 744-906-1 by being located within 2.5 feet of the northern right-of-way, rather than the required 5 feet away.

However, in this instance, we do not believe the granting of the variance will be injurious to public health, safety or morals or the general welfare of the community. As depicted on the site plan, the vast majority of the illuminated signage would not be visible to the residences. The pole sign is to the far north of the subject property and faces east/west, not to the south. Any canopy pricing to the west or north would similarly not be visible to the homes to the south. As such, only a single pricer that is on the south side of the canopy (but to the far west, furthest away from the homes further southeast) would potentially be visible to the homes.

The proposed signs are consistent with signage used in modern designed gas stations and will primarily be visible to adjacent properties to the north and west that are currently being used as small automobile sales and the Adelante School to the north. The signs are simple logo and pricing signs and do not contain anything of an adult or immoral nature.

Use, Value and Compatibility: 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 signs will not be offensive in any manner and will be consistent with sleek, modern gas station design. While the signs would be visible to some of the residences to the south and southeast, there will be no noise or light pollution that enters upon those properties. Moreover, the proposed signs are consistent with all size limitations and thus are not so large or luminous as to constitute a nuisance or otherwise significantly depart from the signage otherwise permitted by the Indianapolis zoning ordinance.

Need: The need for the variance arises from some condition peculiar to the property involved because of its location in an underdeveloped area that is going to require all viable efforts to attract business and customers. The Troy and Carson Avenue neighborhood has not had a long history of successful, long-term retail businesses. The only retail businesses in the vicinity are a Church's Texas Chicken and a Dinner Bell several blocks away. Having illuminated LED signs will be more likely to attract business to this location and make it a successful, long-term investment that hopefully drives more business into the area.

In addition, the configuration of the property with the sharp angle at Troy and Carson Avenues leads to less visibility for signage from certain directions and thus requires the LED illumination to ensure that road traffic sees the upcoming gas station and convenience store soon enough to stop and provide their business.

Hardship: 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 many newer gas stations are utilizing the similar type of signage based on their own market research and what they believe to be the best signage to attract customers. Utilizing these newer types of signs indicates a newer gas station that would have newer equipment and typically is in better physical condition than an older gas station. That alone tends to attract customers in a very competitive industry.

Moreover, this is a project in an under-developed part of town that is in need of some investment. As such, it is going to have some very specific and difficult challenges in generating sufficient business during day and nighttime hours to make it a financially viable project, rather than sitting as a vacant eyesore. Having the illumination is critical to that so that in the evening and nighttime, it attracts sufficient vehicles passing by. Moreover, there are some significant space limitations for the signs. Because of the odd angle of the intersection, visibility of the signs is reduced, and it cannot be placed at the intersection where a sign would normally be placed. The pole sign in particular will be partially obscured by the building on Troy and will not be visible at all even at the intersection from south Carson. The lighting will help compensate for the poor visibility and placement limitations imposed by the shape of the property at the Carson and Troy intersection.

It would be an unnecessary hardship to deny the use of the requested signage given the lack of negative impact either on the value or use and enjoyment of surrounding properties.

Comprehensive Plan: The grant does not interfere substantially with the comprehensive plan. It is located within a Village Mixed Use zone which specifically calls for a "wide range of small businesses" that "serve adjacent neighborhoods." From experience, while the station will and must attract business from those traveling through the area in order to be financially viable, the majority of its business will come from those who live within the neighborhood who make the short walk or drive to the convenience store for essentials or snacks or those leaving or returning each day and fill up on gas.

Photographs



Subject site, looking east from Carson



Subject site, looking west along Traoy Avenue frontage



Adjacent protected district to the North of Troy.



Adjacent protected district to the south of the site, looking north.