



BOARD OF ZONING APPEALS DIVISION III

December 16, 2025

Case Number: 2025-SE3-002 (Amended)
Address: 3620 Developers Road (approximate address)
Location: Perry Township, Council District #19
Zoning: C-7
Petitioner: B-Mac Properties LLC, by Patrick B. McIlvenna
Request: Variance of development standards of the Consolidated Zoning and Subdivision Ordinance to provide for a wireless communications facility with a 150-foot-tall monopole tower and a five-foot lightening rod (maximum height limited to 60 feet), within 150 feet of a dwelling district (500-foot separation required), and without the required perimeter landscape screening (minimum 10-foot landscape yard on all sides required).

Current Land Use: Commercial Contractor use

Staff Recommendation: Staff recommends approval of this amended petition.

Staff Reviewer: Robert Uhlenhake, Senior Planner

PETITION HISTORY

This is the first hearing for this petition.

This petition was amended by Staff to a Variance of Development Standards to reflect the correct request. It was determined that a Special Exception would not be needed, and the request was actually for a Variance of Development Standards. The petition number remains the same as the petition was not re-docketed. No new notice was required as the amended request is less intense than the original request.

Due to a lack of quorum, this petition was continued from the December 18, 2025, hearing and transferred to the January 13, 2026 hearing of Board II.

STAFF RECOMMENDATION

Staff recommends **approval** of this petition as amended, subject to the following commitment:

1. The Variance grant shall be subject to an Administrator's Approval of the landscape plan.

PETITION OVERVIEW

- The purpose of the development standards for wireless communications facilities (WCF) is to provide comprehensive service while protecting the community from oversaturation and intrusive design. The Ordinance also encourages the facilities to be as unobtrusive and invisible as reasonably possible by using designs and colors that are compatible with the adjacent land uses.

- As proposed, existing mature trees on the site and surrounding properties would provide a portion of the screening for the equipment area for the surrounding property owners.
- Additionally, the existing mature trees provide enough density to mitigate the negative visual impact of the tower and provide the camouflage and integration with existing structures, as required by the Findings of Fact.
- As a result of the adjacent mature tree screening, deficient perimeter landscaping is proposed to screen the remaining portion of the equipment area along the east side of the proposed site where the mature trees are lacking. Staff is requesting a commitment to Administratively Approve this landscaping area, in conjunction with the surrounding mature trees. This will require the replacement of any adjacent or proposed landscaping if removed, including any of the tall trees on the adjacent property that provide screening. Appropriate landscaping will be required on the subject site at that time to replace the deficient screening.
- The proposed tower location is approximately 150 feet from a dwelling district to the southwest, but the closest dwelling is approximately 240 feet from the tower location. A portion of the previously mentioned mature trees are located in between the tower and this dwelling.

GENERAL INFORMATION

Existing Zoning	C-7	
Existing Land Use	Commercial Contractor	
Comprehensive Plan	Recommends Light Industrial uses	
Surrounding Context	<u>Zoning</u>	Surrounding Context
	North: C-7	Commercial Contractor
	South: C-4	Indoor Recreation
	East: C-7	Commercial Contractor
	West: UQ-1	University uses
Thoroughfare Plan		
Developers Road	Private Street	No existing right-of-way provided.
Context Area	Metro area	
Floodway / Floodway Fringe	No	
Overlay	No	
Wellfield Protection Area	No	
Elevations	October 22, 2025	
Landscape Plan	October 22, 2025	
Site Plan -	October 22, 2025	
Findings of Fact	October 22, 2025	

COMPREHENSIVE PLAN ANALYSIS

Comprehensive Plan

- The Comprehensive Plan recommends Light Industrial uses for the site.

Pattern Book / Land Use Plan

- The Comprehensive Land Use Plan recommends the Light Industrial uses typology which provides for industrial, production, distribution, and repair uses conducted within enclosed structures and unlikely to create emissions of light, odor, noise, or vibrations. This typology is characterized by freestanding buildings or groups of buildings, often within industrial parks. Typical uses include warehousing, self-storage, assembly of parts, laboratories, wholesaling, and printing. Industrial or truck traffic should be separated from local/residential traffic.

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)

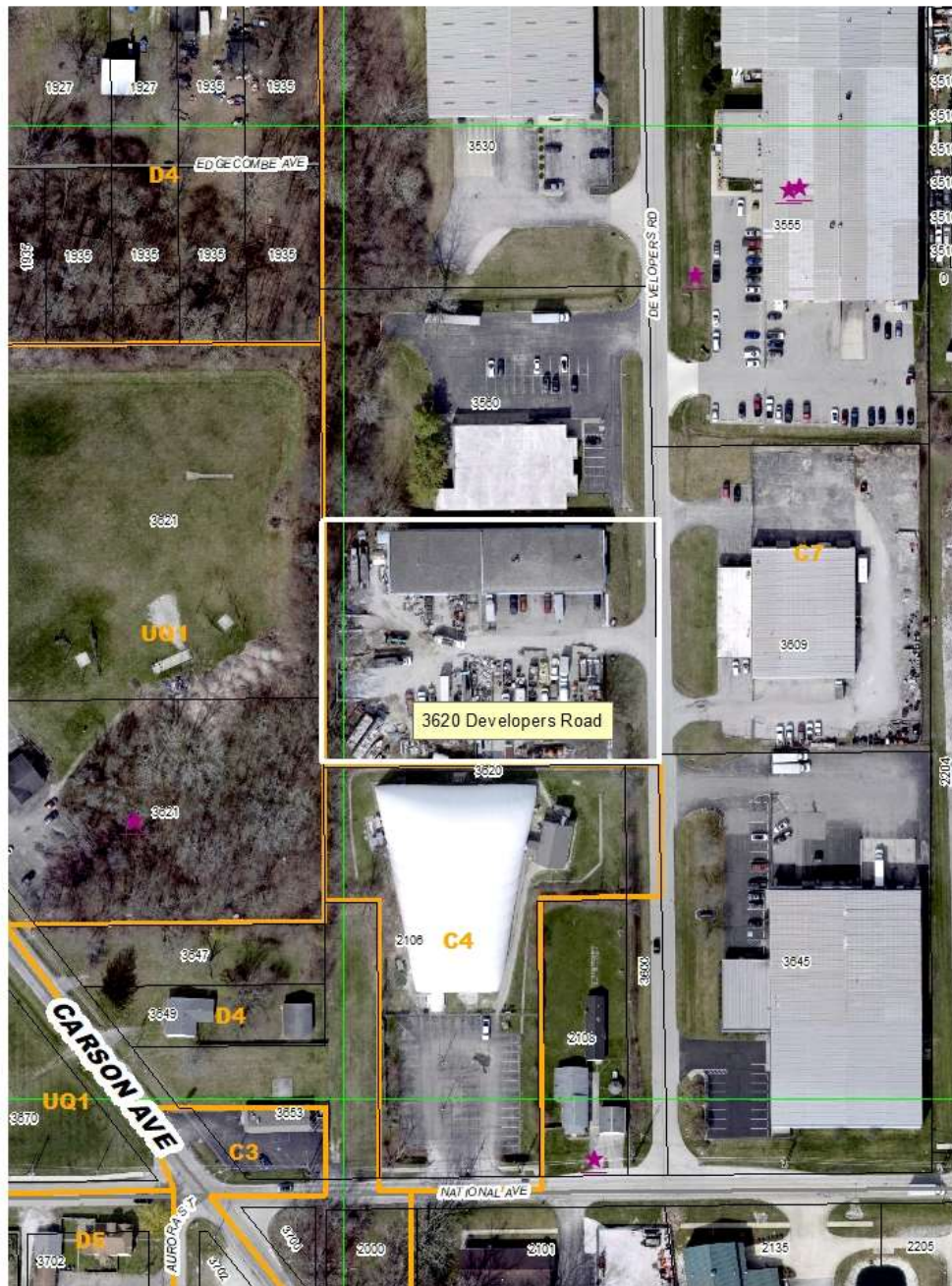
- Not Applicable to the Site.

ZONING HISTORY

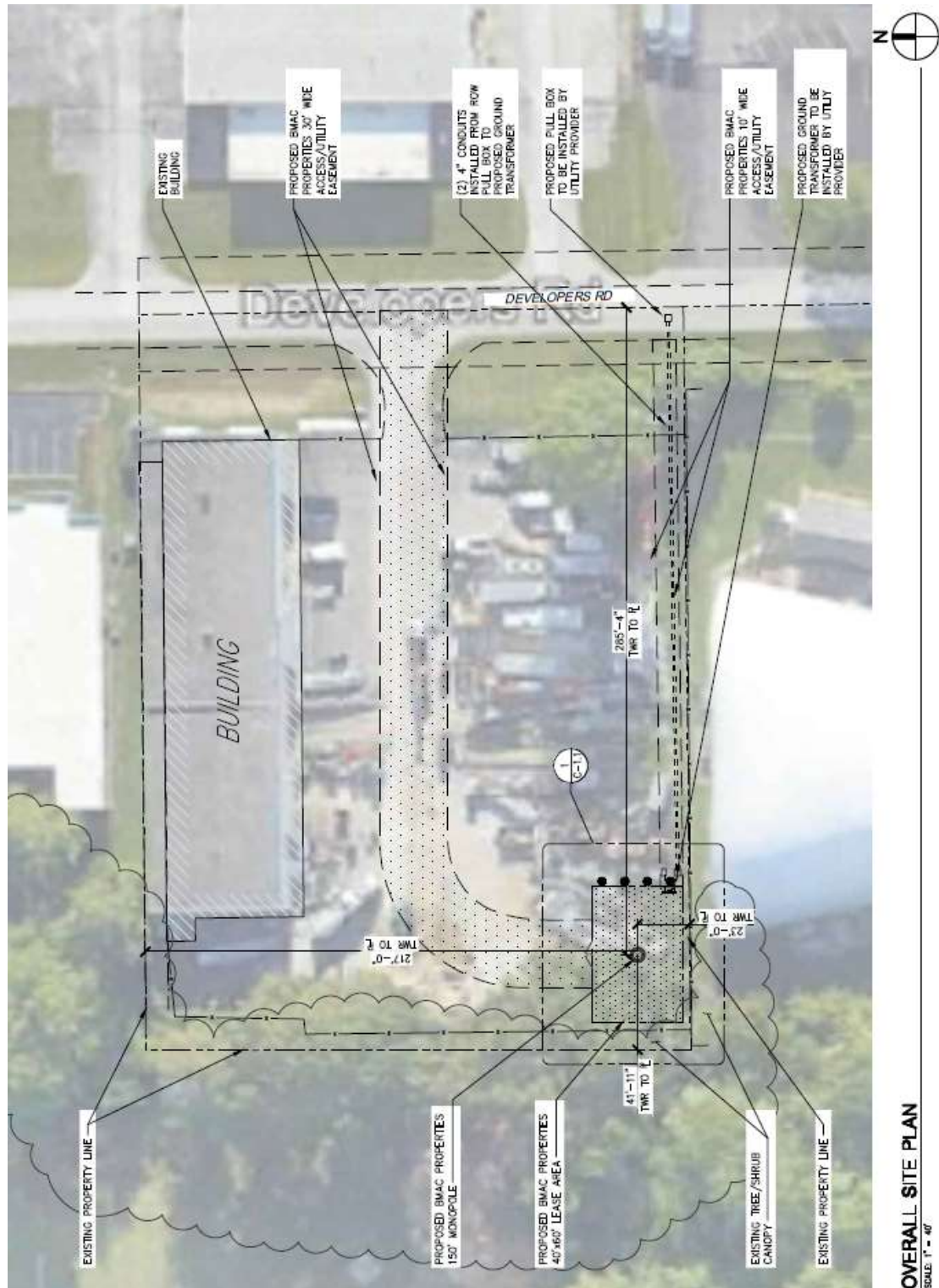
79-Z-75;2120 National Avenue (includes subject site), requested the Rezoning of 15.21 acres, being in the SU-1 district, to the C-ID (C-7) classification, to provide for commercial contractor uses, **approved**.

97-UV2-82; 3601 Carson Avenue (west of site), requested a Variance of Use to provide for the operation of an automobile sales facility in an existing building, with outdoor display and the construction of two, 50 by 100-foot buildings for indoor commercial storage and office use, **granted**.

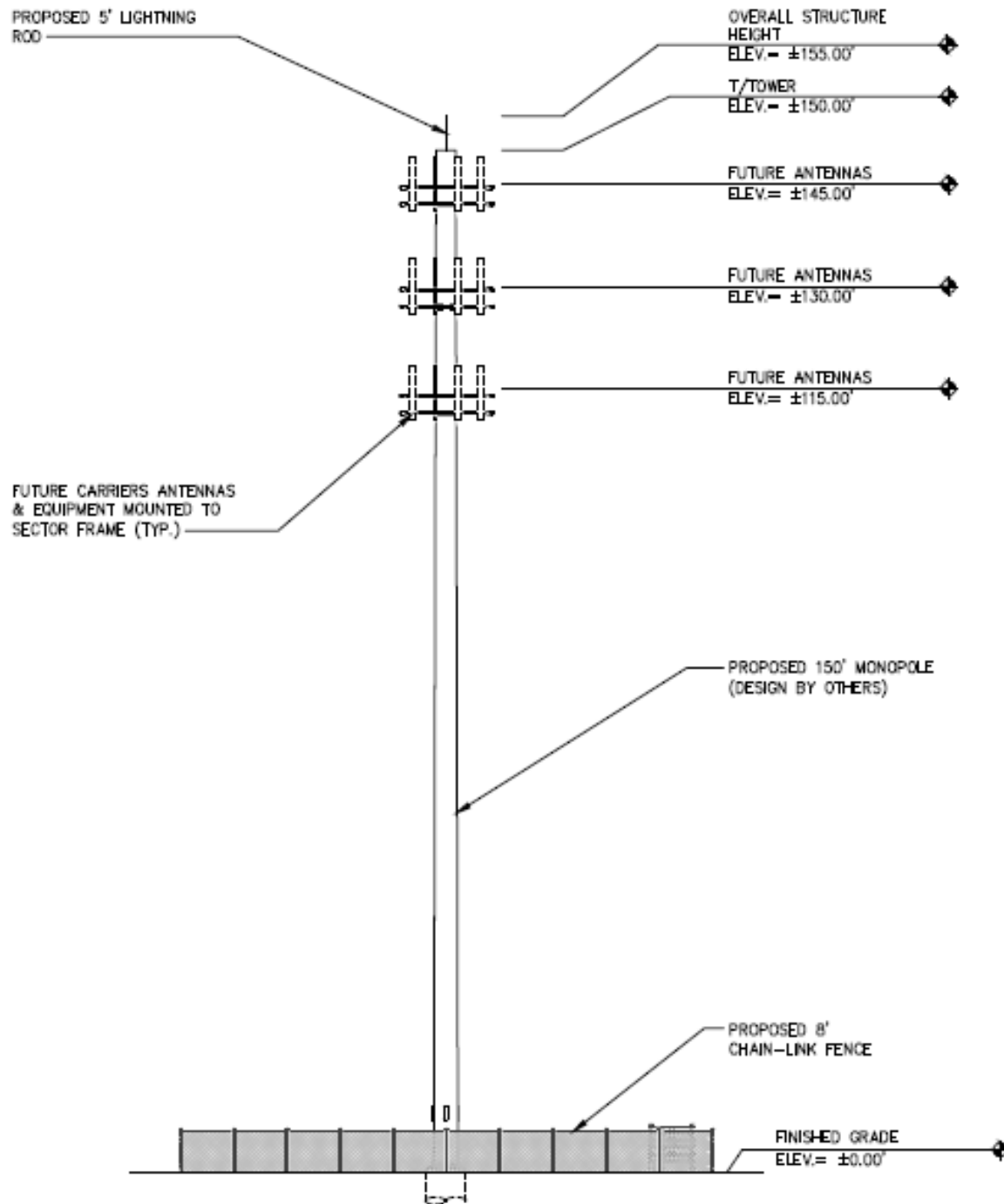
Location Map



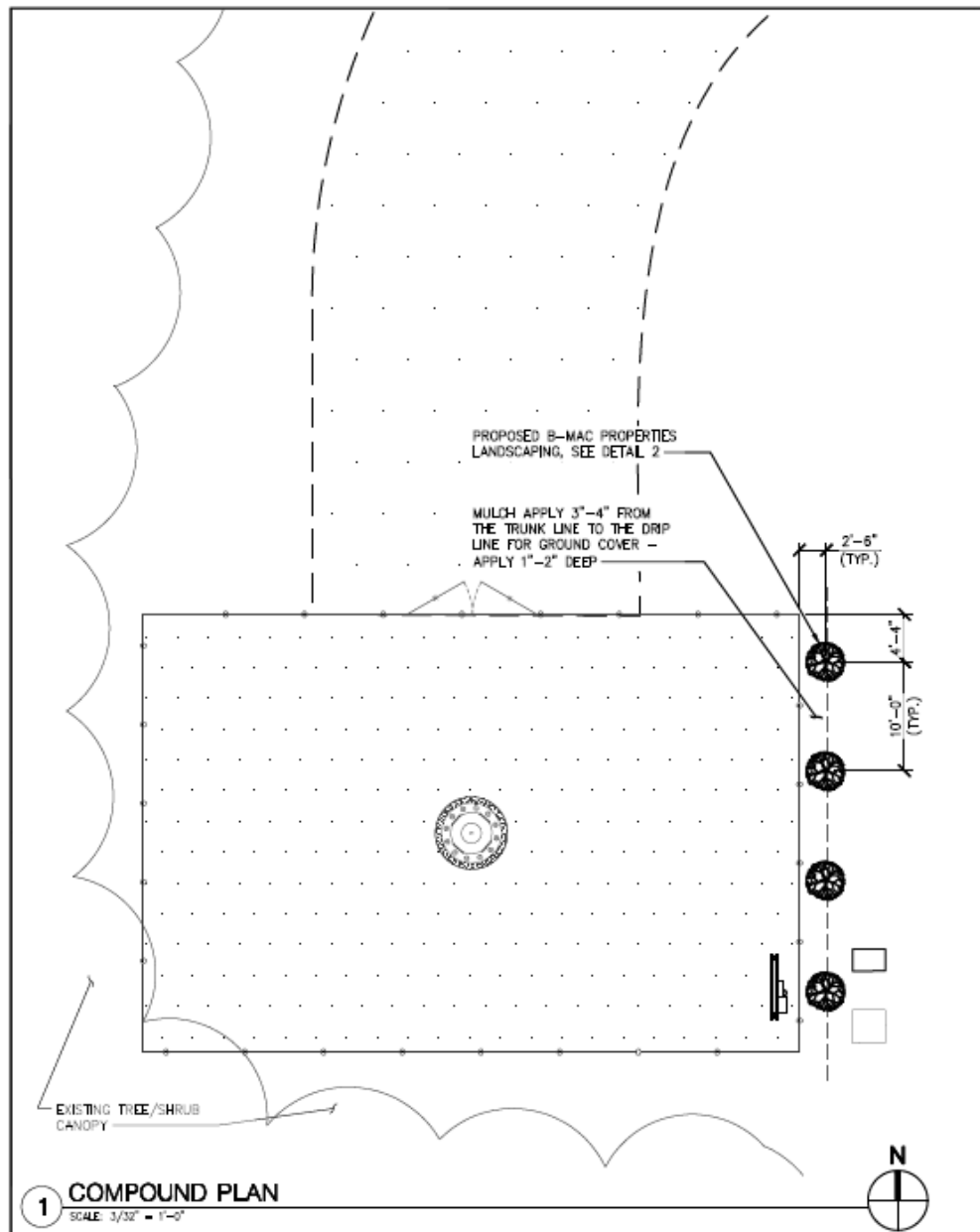
Site Plan.



Elevation.



Landscape Plan.



Findings of Fact

Petition Number _____

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

PETITION FOR VARIANCE OF DEVELOPMENT STANDARDS

FINDINGS OF FACT – HEIGHT

1. The grant will not be injurious to the public health, safety, morals, and general welfare of the community because:

The wireless communications facility will not create smoke, dust, noise, odor, surface drainage issues, significant lighting, or demands on the public infrastructure. The facility will not impair visibility for motorists or pedestrians, and will not result in additional traffic along the adjacent Developers Road. The 150' monopole tower and 5' lighting rod are needed to provide reliable coverage and will contribute positively to the public health, safety, morals, and general welfare of the community by providing emergency communication capabilities and enhanced wireless communications infrastructure.

2. The use or value of the area adjacent to the property included in the variance will not be affected in a substantially adverse manner because:

The overall property is 1.8 acres in a heavy commercial business park adjacent to a major corridor of I-85 and South Keystone Avenue. The installation and use of a wireless communications facility at the proposed height will not hinder use or value of the adjacent area in a substantially adverse manner because the subject property is well removed from dwellings and surrounding protected uses and is equipped with existing vegetation to screen the proposed facility from view.

3. The strict application of the terms of the zoning ordinance will result in practical difficulties in the use of the property because:

Within the context of the subject property being used by a commercial business and zoned C-7, the use of a wireless communications facility is a permitted use. The protected district located west of the subject property limits the height of the proposed tower to an inadequate 60 feet. Limiting the tower height to only 60 feet results in practical difficulty for AT&T Mobility to meet the coverage requirements for this proposed site. Strict application of the ordinance would result in effective prohibition of wireless services to this site and the surrounding area. The protected district is not developed and will not be impacted by the proposed height of the facility. Further, surrounding uses of the protected district and the subject site are existing commercial and industrial, for which wireless communications facilities serve as appropriate adjacent uses.

Petition Number _____

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PETITION FOR VARIANCE OF DEVELOPMENT STANDARDS

FINDINGS OF FACT – LANDSCAPING

1. The grant will not be injurious to the public health, safety, morals, and general welfare of the community because:

The wireless communications facility will not create smoke, dust, noise, odor, surface drainage issues, significant lighting, or demands on the public infrastructure. The facility will not impair visibility for motorists or pedestrians, and will not result in additional traffic along the adjacent Developers Road. Further, as it relates to the required landscaping, the site itself has a natural tree line around the site, which provides a better screening than the required landscaping. There will be landscape screening installed on the east side of the site, facing Developers Road.

2. The use or value of the area adjacent to the property included in the variance will not be affected in a substantially adverse manner because:

The installation and use of a wireless communications facility, while not providing landscaping around three (3) sides of the facility, will not hinder the use or value of the adjacent area in a substantially adverse manner because the subject property already has substantial existing vegetation to screen the proposed facility from view from neighboring uses and properties.

3. The strict application of the terms of the zoning ordinance will result in practical difficulties in the use of the property because:

There will be landscaping installed on one (1) side of the facility, facing Developers Road, which landscaping will provide adequate screening of the wireless communications facility. The existing tree cover will provide screening for the other three (3) sides of the site. The practical difficulty of having to install the landscaping results because such installation would require removal of the existing substantial vegetation and screening and/or require relocation of the proposed wireless communications facility elsewhere on the site, encroaching onto the existing use of the property.

Photographs



Building on subject property looking northwest.



Outdoor storage yard on subject property, proiosed tower location, looking west.



Adjacent heavy commercial, light industrial to the north of subject site.



Adjacent UQ-1 zoned site, and existign tall tree line screening to the west of subject site, looking east.