

**METROPOLITAN DEVELOPMENT COMMISSION
HEARING EXAMINER**

September 11, 2025

Case Number: 2025-CZN-837 (Amended) / 2025-CVR-837
Property Address: 1409 South Glen Arm Road (*Approximate Address*)
Location: Wayne Township, Council District #17
Petitioner: Sergio Ramirez and Rosa Mazariegos, by Josh Smith
Current Zoning: C-5
Request: Rezoning of 0.12-acre from the C-5 district to the D-5 district to allow the construction of building addition.
Current Land Use: Residential
Staff Recommendations: Approval, subject to commitments.
Staff Reviewer: Desire Irakoze, Principal Planner II

PETITION HISTORY

ADDENDUM SEPTEMBER 11, 2025

The Hearing Examiner continued this petition from the August 14, 2025 hearing to the September 11, 2025 hearing to provide time for amended notice to be provided to those requiring notice.

The petitioner had amended the rezoning request from the D-3 district to the D-5 district. Staff is supportive of this amendment, as the D-5 classification more appropriately aligns with the existing lot layout and applicable development standards.

As a result of the amendment to the D-5 district, the associated variance petition is no longer necessary and has been formally withdrawn.

August 14, 2025

This is the first public hearing for this petition.

STAFF RECOMMENDATION

Staff **recommends approval** of the request; approval shall be subject to the following commitments being reduced to writing on the Commission's Exhibit "B" forms at least three (3) days prior to the MDC hearing.

1. Removal of the gravel parking lot on South Glen Arm Road.

PETITION OVERVIEW



Department of Metropolitan Development
Division of Planning
Current Planning Section

LAND USE

This 0.12-acre site, zoned C-5, is developed with a single-family residential dwelling. The site, along with the surrounding properties, is located within Lookout Gardens, a 119-lot residential subdivision originally platted on February 4th 1910. The neighborhood was developed primarily for as single-family subdivision.

Around 1979, the property directly to south of the subject, was developed for commercial use, it currently is occupied by Mexican restaurant.

On March 06, 2025, the petitioner received a violation (VIO25-000897) for constructing an addition without a permit. Subsequently, On March 20, 2025 the petitioner filed for the necessary building permit (STR25-01140). As the existing single-family dwelling is a legal non-conforming use within the C-5 district, as rezoning is required to allow the building addition. The petitioner has therefore submitted this rezone petition.

REZONING

The petitioner requests a rezoning of the site from the C-5 (General Commercial) district to the D-5 (Dwelling District Five) district to permit the construction of a building addition and to bring the zoning into alignment with the residential use of the property.

Developing the property under its current **C-5** zoning district would be very intense, as the site is only 0.12 acres in size and is surrounded to the north, east, and west by single-family residential dwellings. Rezoning to a less intense residential district is therefore appropriate and would better reflect the established character of the neighborhood.

Rezoning to **D-5** would appropriately align the site's zoning classification with its current single-family use and the predominant residential character of the surrounding neighborhood.

VARIANCE OF DEVELOPMENT STANDARDS

The petitioner has amended the request, and variances are no longer required.

STAFF ANALYSIS

Although the proposed rezoning does not conform to the Comprehensive Plan's recommendation of Community Commercial for this area, the subject property has been utilized as a single-family dwelling since its construction in 1930 and has remained so for the past 95 years. Rezoning the property to D-5 would bring the zoning classification into alignment with the existing built environment and residential character of the area. Approval of this rezoning will allow the property owner to maintain and improve the single-family dwelling with the proposed building addition.

GENERAL INFORMATION

Existing Zoning	C-5	
Existing Land Use	Residential	
Comprehensive Plan	Community Commercial	
Surrounding Context	<u>Zoning</u>	<u>Land Use</u>
	North:	D-3 Residential (Single-Family Dwelling)
	South:	C-5 Commercial (Restaurant Use)
	East:	C-5 Residential (Single-Family Dwelling)
	West:	D-3 Residential (Single-Family Dwelling)
Thoroughfare Plan		
South Glen Arm Road	Local Street	50-foot existing right-of-way
Context Area	Compact	
Floodway / Floodway Fringe	No	
Overlay	Airspace Secondary District.	
Wellfield Protection Area	No	
Site Plan	July 7 th 2025	
Site Plan (Amended)	N/A	
Elevations	N/A	
Elevations (Amended)	N/A	
Landscape Plan	N/A	
Findings of Fact	July 7 th 2025	
Findings of Fact (Amended)	N/A	
C-S/D-P Statement	N/A	

COMPREHENSIVE PLAN ANALYSIS

Comprehensive Plan

The Comprehensive Plan recommends the Community Commercial Typology. The **Community Commercial** typology provides for low-intensity commercial, and office uses that serve nearby neighborhoods. These uses are usually in freestanding buildings or small integrated centers. Examples include small-scale shops, personal services, professional and business services, grocery stores, drug stores, restaurants, and public gathering spaces.

Pattern Book / Land Use Plan

The Comprehensive Plan consists of two (2) components that include the Marion County Land Use Pattern Book (2019) and the Land Use Map. The Pattern Book provides a land use classification

system that guides the orderly development of the county and protects the character of neighborhoods while also being flexible and adaptable to allow neighborhoods to grow and change over time.

The Pattern Book serves as a policy guide as development occurs. Below are the relevant policies related to this request:

- **Conditions for All Land Use Types**
 - All land use types except small-scale parks and community farms/gardens in this typology must have adequate municipal water and sanitary sewer.
 - All development should include sidewalks along the street frontage.

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

- **Infill Housing Guidelines (2021)**
- These guidelines apply to infill development in residential areas within the Compact Context Area and include the following features:
 - **Site Configuration**
 - Front Setbacks
 - Building Orientation
 - Building Spacing
 - Open Space
 - Trees, Landscaping, and the Outdoors
 - **Aesthetic Considerations**
 - Building Massing
 - Building Height
 - Building Elevations and Architectural Elements
 - **Additional Topics**
 - Secondary Dwelling Units, Garages, and Accessory Structures
 - Adapting to the Future

Indy Moves

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

- Not Applicable to the Site.



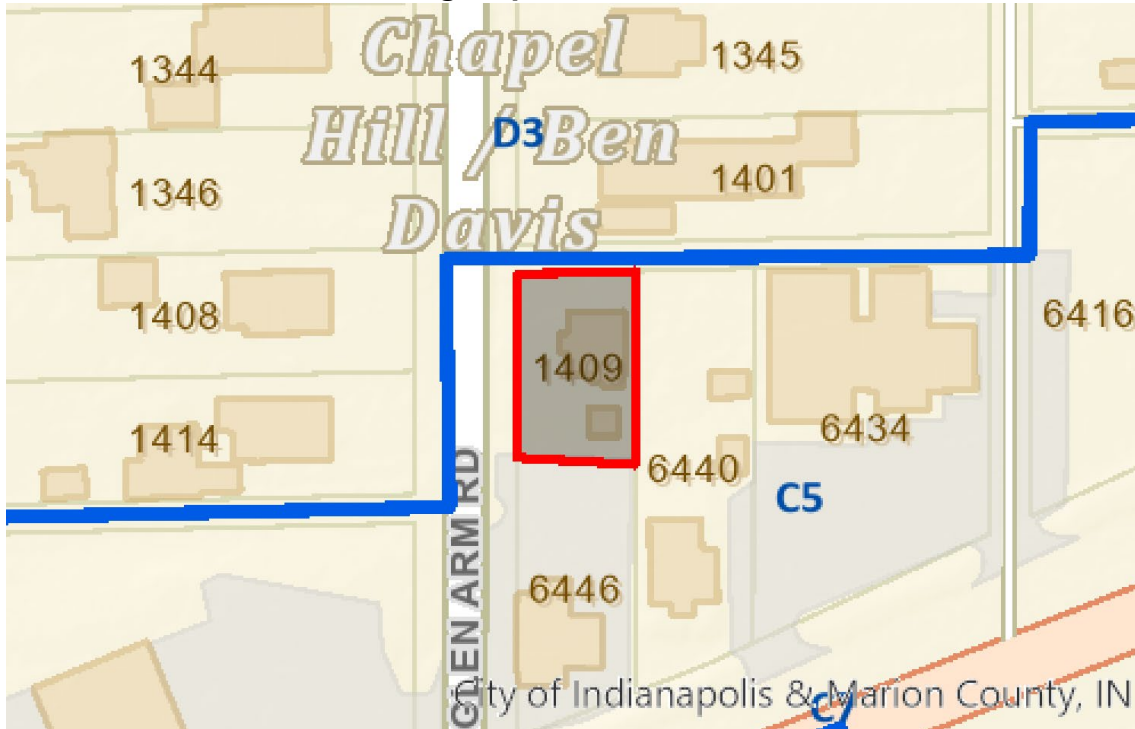
Department of Metropolitan Development
Division of Planning
Current Planning Section

ZONING HISTORY

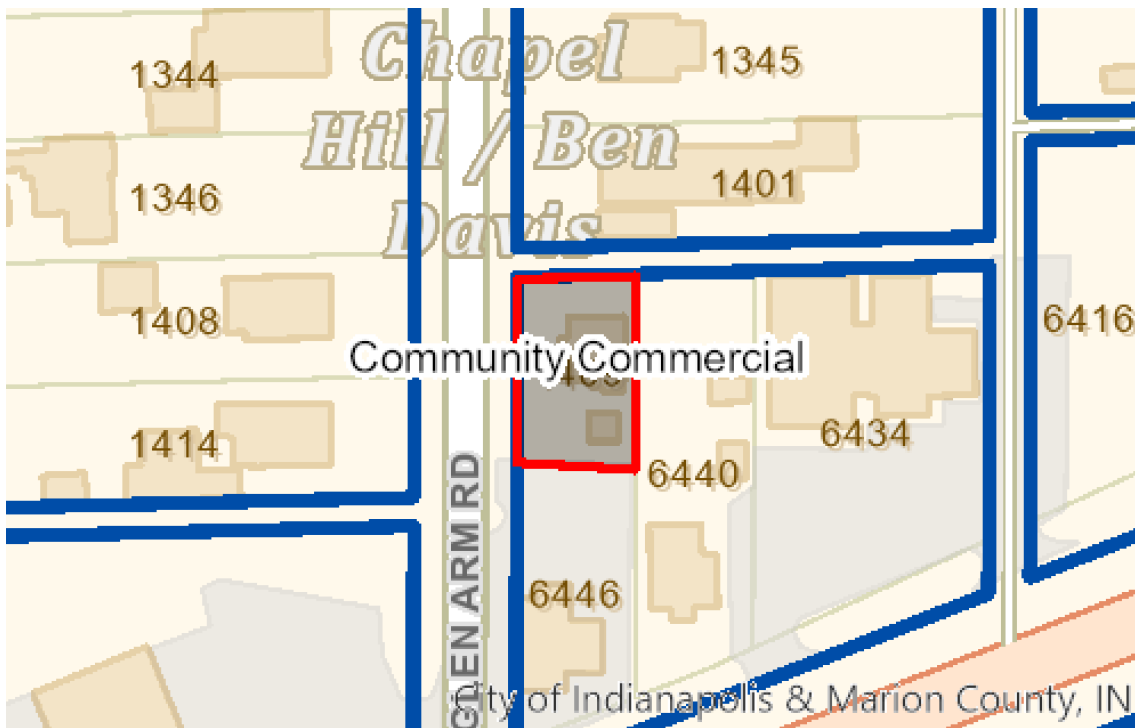
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EXHIBITS

2025-CZN-837 Current Zoning Map



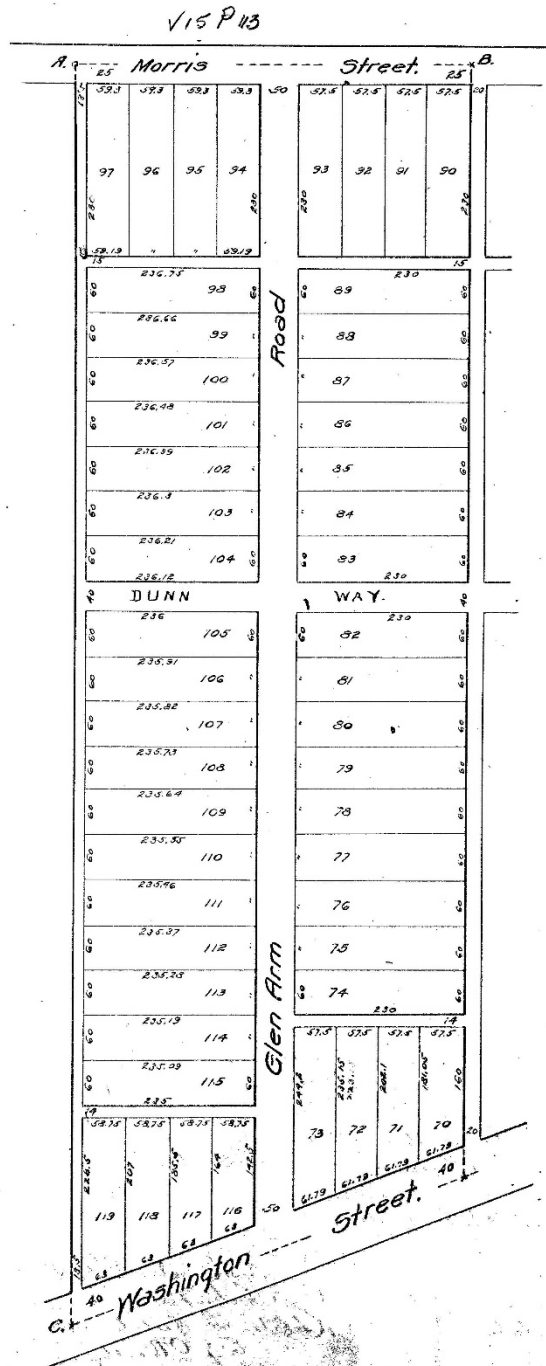
2025-CZN-837 Land Use Plan



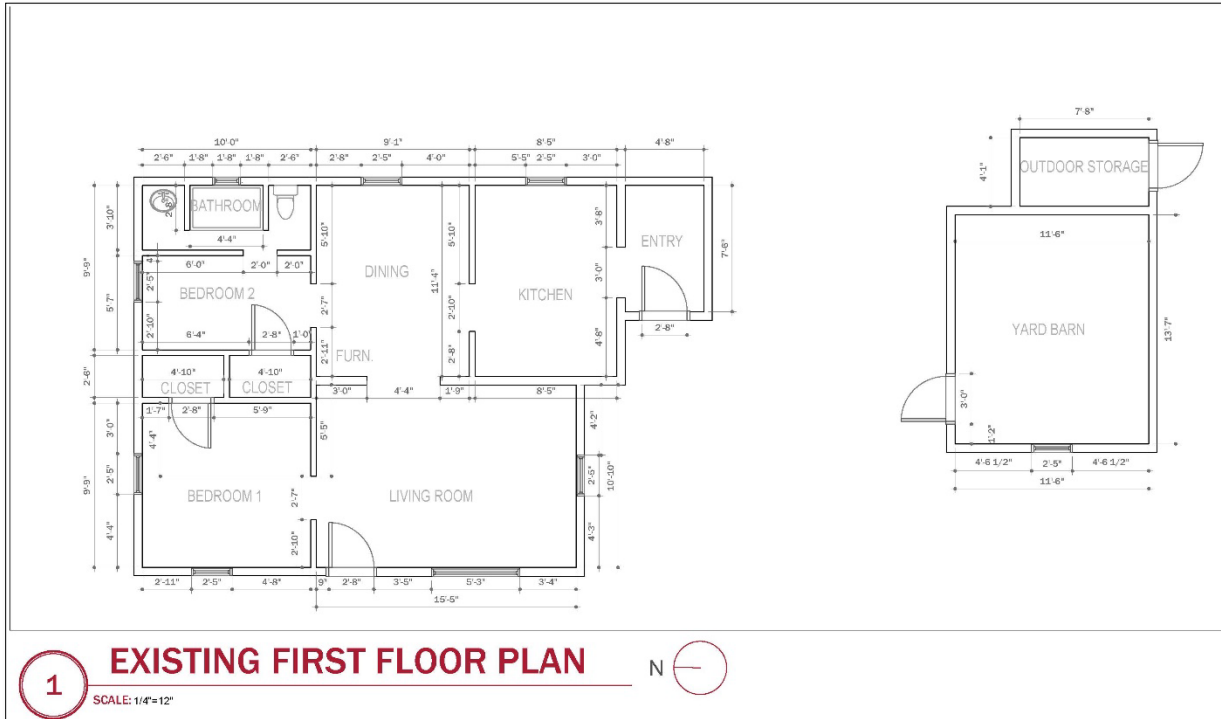
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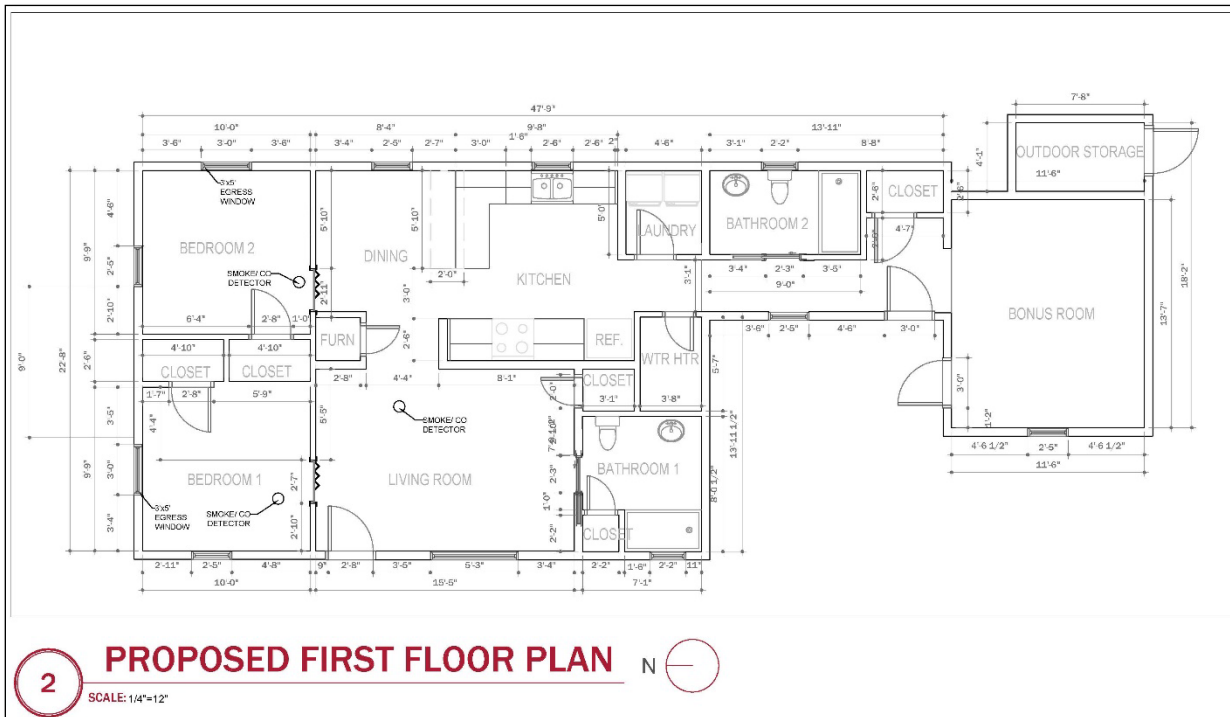
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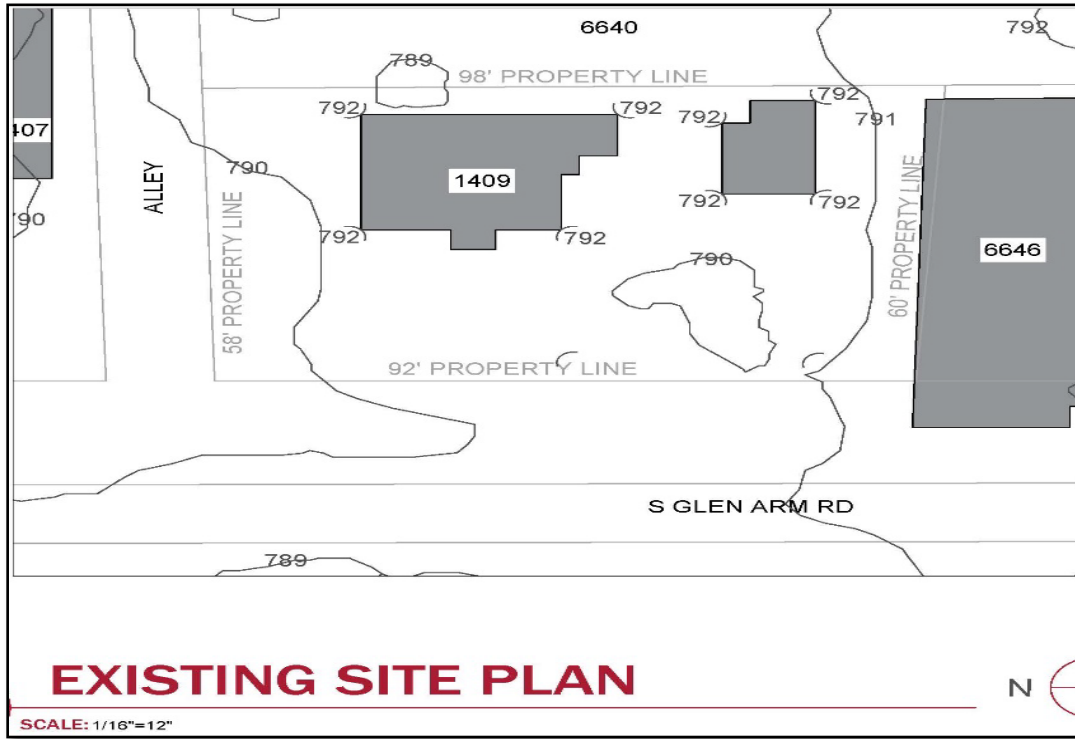
Existing Frist Floor Plan



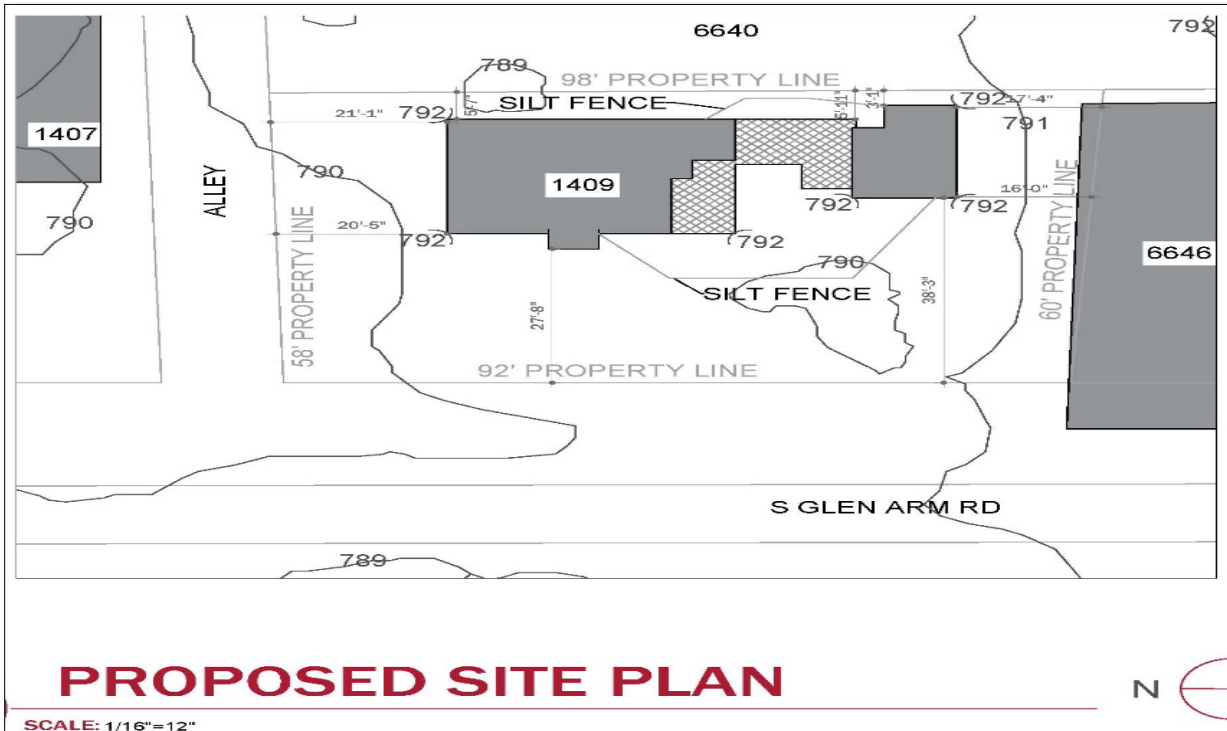
Proposed Frist Floor Plan



EXISTING SITE PLAN



PROPOSED SITE PLAN



Proposed Elevations



2025-CZN-837/2025-CVR-837 PHOTOS:

Looking east at subject site from South Glenn Arm Road.



Looking east from South Glenn Arm Road at existing building addition



Looking at existing building and building addition



Looking north from subject site at side of building addition



Looking south towards intersection of Glenn Arm Road and Washington Street



Looking at gravel parking lot along South Glenn Arm Road.



Looking at the property driveway towards South Glenn Arm Road.

