

**BOARD OF ZONING APPEALS DIVISION I**

**March 5, 2024**

**Case Number:** 2024-UV3-001  
**Property Address:** 1615 West Edgewood Avenue (approximate address)  
**Location:** Perry Township, Council District #22  
**Petitioner:** GND Property Inc., by Epifanio Carbajal  
**Current Zoning:** C-4  
**Request:** Variance of use of the Consolidated Zoning and Subdivision Ordinance to provide for primary and accessory residential uses (not permitted).  
**Current Land Use:** Residential  
**Staff Recommendations:** Staff **recommends approval** of this petition, conditional to substantial compliance with the site plan, file-dated 1/2/2024  
**Staff Reviewer:** Noah, Stern Associate Planner

**PETITION HISTORY**

**ADDENDUM FOR MARCH 5, 2023**

- This petition was transferred from BZA Division III on February 20, 2024 to BZA Division I due to lack of a quorum.

**STAFF RECOMMENDATION**

Staff **recommends approval** of this petition, conditional to substantial compliance with the site plan, file-dated 1/2/2024.

**PETITION OVERVIEW**

- This petition would provide for primary residential uses on site (not permitted).
- The site was a part of the plat petition 2023-PLT-063, which created two separate parcels, 1615 and 1635 West Edgewood Avenue. The accessory structure is located on 1635 W Edgewood Avenue. The parcel pertaining to this petition is 1615 W Edgewood Avenue, meaning that no accessory structures exist on the subject site. Likewise, the petitioner confirmed with Staff that no future accessory structures are to be built on site. Therefore, that portion of the request can be removed from the petition.
- With the primary structure being built in 1900, and, thus, containing legal non-conforming status, Staff is not opposed to the request, but would ask for substantial compliance with the submitted site plan.

**GENERAL INFORMATION**

<b>Existing Zoning</b>	C-4	
<b>Existing Land Use</b>	Residential	
<b>Comprehensive Plan</b>	Office Commercial	
<b>Surrounding Context</b>	<b>Zoning</b>	<b>Surrounding Context</b>
	North:	I-2 North: Industrial
	South:	C-4 South: Commercial
	East:	D-A East: Single-family residential
	West:	C-4 West: Commercial
<b>Thoroughfare Plan</b>		
West Edgewood Avenue	Primary Arterial	40-foot right-of-way existing and 80-foot proposed
<b>Context Area</b>	Metro	
<b>Floodway / Floodway Fringe</b>	No	
<b>Overlay</b>	No	
<b>Wellfield Protection Area</b>	No	
<b>Site Plan</b>	1/2/24	
<b>Site Plan (Amended)</b>	N/A	
<b>Elevations</b>	N/A	
<b>Elevations (Amended)</b>	N/A	
<b>Landscape Plan</b>	N/A	
<b>Findings of Fact</b>	1/2/24	
<b>Findings of Fact (Amended)</b>	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 Office Commercial working 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

**2023PLT063**, Approval of a Subdivision Plat, to be known as Edgewood Properties, dividing 1.45 acres into two lots, **approved**.

**2015ZON074**, Rezoning of 1.45 acres from the D-A (W-1) district to the C-4 (W-1) classification to provide for a 10,000-square foot building for a haunted house, **approved**.

### ZONING HISTORY – VICINITY

**2023DV3006; 6039 S Harding Street (east of site)**, Variance of development standards of the Consolidated Zoning and Subdivision Ordinance to provide for: a) A carport and mini barn located within the front yard of Harding Street (accessory structures not permitted in front of the primary building); b) A mini barn with a six-foot north side yard setback, and another with an eight-foot north side yard setback, resulting in a 50-foot aggregate side yard setback (minimum 30-foot side yard setback, 75-foot aggregate side yard setback required); and c) Resulting in an open space of 82% (85% open space required), **approved**.

**2021ZON114; 1525 W Edgewood Avenue (east of site)**, Rezoning of 0.417 acre from the D-A district to C-1 district, **approved**.

**2021ZON086; 1735 W Edgewood Ave (west of site)**, Rezoning of 2.29 acres from the I-2 (FF) district to the I-3 (FF) district, **approved**.

**2020ZON058; 6111 Lakehaven Lane (south of site)**, Rezoning of 8.2 acres from the I-2 district to the C-7 district, **approved**.

**2017DV2013; 6020 Lakehaven Lane (west of site)**, Variance of development standards of the Consolidated Zoning and Subdivision Ordinance to provide for an industrial building, with a 49-foot north front setback and 32-foot east front setback (60-foot front setback from the proposed right-of-way required), **approved**.

**2013ZON055; 1739 W Edgewood Avenue (west of site)**, Rezoning of four acres from the D-A (FF) (W-1) district to the C-S (FF) (W-1) classification to provide for office use, warehouse use, a distribution facility, with a retail component, and all I-3-S uses, **approved**.

**2009ZON067; 6020 W Edgewood Ave (west of site)**, Rezoning of 3.06 acres, from the I-2-S (W-1)(FF) and C-S (W-1)(FF) Districts, to the I-3-S (W-1)(FF) classification to provide for medium-intensity industrial uses, **approved**.

**2006ZON042; 6111 Lakehaven Lane (south of site)**, REZONING of 8.19 acres, from the C-S (FF) (W-1) and I-2-S (FF)(W-1) Districts, to the I-2-S (FF)(W-1) classification to provide for light industrial suburban uses. recorded commitment instrument number 2006-0146077, **approved**.



Department of Metropolitan Development  
Division of Planning  
Current Planning

**99-Z-29; 6030 South Harding Street (east of site)**, Rezoning of 2 acres from the D-A district to the I-2 district, **approved**.

**94-UV1-120; 1614 W Edgewood Ave (north of site)**, variance of use of the Industrial Zoning Ordinance to provide for a licensed animal kennel and residence (not permitted), **approved**.

EXHIBITS









