

**BOARD OF ZONING APPEALS DIVISION III**

**September 19, 2023**

**Case Number:** 2023-DV3-028

**Property Address:** 405 South Shortridge Road (approximate address)

**Location:** Warren Township, Council District #18

**Petitioner:** SRMK Realty LLC, by In and Out Unlimited

**Current Zoning:** C-S

**Request:** Variance of Development Standards of the Consolidated Zoning and Subdivision Ordinance to provide for the location of an 8.5-foot tall, chain link perimeter fence, without vinyl coating or equivalent treatment (chain link fences prohibited within front yards of commercial districts, vinyl coating required, fence heights limited to 3.5-foot-tall in front yards and six-foot tall within side and rear yards).

**Current Land Use:** Commercial

**Staff Recommendations:** Staff recommends denial of this request

**Recommended Motion:** Motion to approve petition 2023-DV3-028

**Staff Reviewer:** Noah Stern, Associate Planner

**PETITION HISTORY**

This is the first public hearing for this petition.

**STAFF RECOMMENDATION**

Staff **recommends denial** of this request

**PETITION OVERVIEW**

- This request would provide for the location of an 8.5-foot tall, chain link perimeter fence, without vinyl coating or equivalent treatment (chain link fences prohibited within front yards of commercial districts, vinyl coating required, fence heights limited to 3.5-foot-tall in front yards and six-foot tall within side and rear yards).
- Upon reviewing the property, Staff identified that additional variances will be necessary for this site and is, therefore, requesting a continuance for further evaluation.

**GENERAL INFORMATION**

**Existing Zoning**

C-S

<b>Existing Land Use</b>	Commercial	
<b>Comprehensive Plan</b>	Suburban Neighborhood	
<b>Surrounding Context</b>	<b><u>Zoning</u></b>	<b>Surrounding Context</b>
North:	D-11	North: Mobile home community
South:	C-S	South: Commercial uses
East:	D-11	East: Mobile home community
West:	I-3	West: Industrial uses
<b>Thoroughfare Plan</b>		
South Shortridge Road	Local Street Existing ROW: 30 feet Proposed ROW: 60 feet	
<b>Context Area</b>	Compact	
<b>Floodway / Floodway Fringe</b>	No	
<b>Overlay</b>	No	
<b>Wellfield Protection Area</b>	No	
<b>Site Plan</b>	6/27/23	
<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>	6/27/23	
<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

- Enter Recommendation by Pattern Book or "Not Applicable to the Site. Please see Neighborhood / Area Specific Plan (etc.) below."

### Red Line / Blue Line / Purple Line TOD Strategic Plan

- Not Applicable to the Site

### Neighborhood / Area Specific Plan



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- 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

**81-Z-72**, requested rezoning of 9.58 acres being in an A-2 District, to the C-5 classification, to provide for a car lot, **denied**.

**83-UV2-119**, requested a variance of the use of the (A-2) Marion County Master Plan Permanent Zoning Ordinance to allow automobile service with storage with a sign, **denied**.

**89-Z-144/89-CV-21**, requested rezoning of 5.545 acres, being in the A-2 District to the D-11 classification to provide for a mobile dwelling park, with reduced perimeter yards and minimum distance between buildings reduced from 25 feet to 22 feet, **approved**.

**91-Z-90/91-CV-4**, requested rezoning of two acres, being in the D-A District to the D-11 classification to provide for the expansion of a mobile dwelling park, with the rear perimeter yard reduced from 50 feet to 20 feet and the minimum distance between buildings reduced from 25 feet to 22 feet, **approved**.

**2018ZON068**, Rezoning of 8.77 acres from the D-11 and C-7 district to the C-S classification to provide for C-1 uses; I-1 uses; warehouse; commercial and building contractor; truck and trailer parking; and heavy truck, heavy equipment and vehicles sales, repair and service, **approved**.

### ZONING HISTORY – VICINITY

**84-UV1-40; 411 S Shortridge Road (south of site)**, variance of use and development standards of the Marion County Master Plan Permanent Zoning Ordinance to provide for the following uses and activities: rental and repair of commercial search lights, electrical contracting, fabrication, maintenance and sales of radio towers, automobile repair service, and outside storage of related equipment and materials, **approved**.

**86-Z-78; 415 S Shortridge Road (south of site)**, rezoning of approximately 4 acres, being in the A-2 district, to the C-1 classification, to provide for the construction of an office building, **approved**.

**88-Z-232/88-CV-32; 373-403 S Shortridge Road (north of site)**, requested rezoning of 18.213 acres, being in the A-2 district, to the D-11 classification to provide for a mobile dwelling park, with reduced perimeter yards and minimum distance between building reduced from 25 feet to 22 feet, **approved**.

**98-Z-100; 411 S Shortridge Road (south of site)**, variance of development standards of the Commercial Zoning Ordinance to provide for an auctioneering service and accessory, incidental uses with: a) a 1 foot side transitional yard to the north (minimum of 20 feet required) and; b) a 4 foot side yard setback to the south (minimum of 10 feet required), **approved**.

**2002DV3019; 400 S Shortridge Road (west of site)**, variance of development standards of the Industrial Zoning Ordinance to provide for a parking and maneuvering area located 8.59 feet from the east property line (parking and maneuvering areas not permitted within the required 150-foot front



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transitional yard), and a temporary gravel parking area (not permitted) located 39 feet from the right-of-way, **withdrawn**.

**2005DV3029; 7441 Chinook Circle (north of site)**, legally establish a mobile home park with distances between dwelling units varying from 9.5 ft. to 30.5 ft. (min. 25-ft. separation between dwelling units req.), and two dwellings with front yard setbacks of 4.9 ft. and 7.3 ft. (min. 10-ft. front yard setbacks req.) in D-11, **approved**.

**2005ZON155; 409 S Shortridge Road (south of site)**, rezone 2 acres from the D-11 District to the I-2-S classification to provide for industrial uses, **withdrawn**.

**2007ZON071; 415 S Shortridge Road (south of site)**, rezoning of 2.74 acres, from the C-1 district, to the C-ID classification to provide for commercial-industrial uses, **approved**.

**2022CZN868; 431 S Shortridge Road (south of site)**, (Second amendment) Rezoning of 2.74 acres from the D-A district to the C-S district to provide for an event center and C-1 uses with exceptions, **approved**.

**2022CVR868; 431 S Shortridge Road (south of site)**, Variance of development standards of the Consolidated Zoning and Subdivision Ordinance to provide for a zero-foot east yard (10-foot rear yard required), and without the required front-yard landscaping (landscaping required), **withdrawn**.















