



**METROPOLITAN DEVELOPMENT COMMISSION  
HEARING EXAMINER**

March 26, 2026

**Case Number:** 2025-CZN-864 / 2025-CVR-864  
**Property Address:** 9220 Crawfordsville Road  
**Location:** Wayne Township, Council District #11  
**Petitioner:** JCC Enterprises II, by Brian J. Tuohy  
**Current Zoning:** C-3  
Rezoning of 0.51 acre from the C-3 district to the I-2 district to provide for a contractor business.  
**Request:** Variance of development standards for the Consolidated Zoning and Subdivision Ordinance to provide for a five-foot transitional side yard setback (minimum 30-foot transitional side yard setback required).  
**Current Land Use:** Industrial use / parking  
**Staff Recommendations:** Approval of the rezoning and variance of development standards  
**Staff Reviewer:** Kathleen Blackham, Senior Planner

**PETITION HISTORY**

The Hearing Examiner acknowledged the timely automatic continuance that was filed by a registered neighborhood organization that continued these petitions from the February 26, 2026 hearing, to the March 26, 2025 hearing.

**STAFF RECOMMENDATION**

Staff recommends approval of the rezoning and the variance, subject to the following commitment being reduced to writing on the Commission's Exhibit "B" forms at least three days prior to the MDC hearing:

A landscape plan shall be submitted for Administrator Approval prior to the issuance of an Improvement Location Permit (ILP). The landscape plan shall include native Indiana trees, shrubs or grasses.

## PETITION OVERVIEW

This 0.51-acre site is comprised of two parcels and developed with a single-family dwelling and parking. It is surrounded by undeveloped land to the north, zoned SU-1; commercial uses to the south, across Crawfordsville Road, zoned C-3; religious uses to the east, zoned SU-1; and industrial uses to the west, zoned I-2.

## REZONING

The request would rezone the site to the I-2 district to provide for a contractor business. “The I-2 district is for those industries that present minimal risk and typically do not create objectionable characteristics (such as dirt, noise, glare, heat, odor, etc.) that extend beyond the lot lines. Outdoor operations and storage are completely screened if adjacent to protected districts and are limited throughout the district to a percentage of the total operation.

Wherever possible, this district is located between a protected district and a heavier industrial area to serve as a buffer. For application to the older industrial districts within the central city, standards specifically accommodate the use of shallow industrial lots.”

The Comprehensive Plan recommends village mixed-use typology for the site.

Recommended land uses in this typology include detached / attached / small- and large- scale multi-family housing; assisted living facilities / nursing homes; group homes; bed and breakfast; small-scale offices, retailing, and personal or professional services; small- and large- scale schools, places of worship, neighborhood serving institutions / infrastructure, and other places of assembly; small-scale parks; artisan manufacturing and food production; structured parking; and community farms / gardens.

As proposed, this request would not be consistent with the Comprehensive Plan recommendation.

## VARIANCE OF DEVELOPMENT STANDARDS

This request would provide for a five-foot transitional side yard when the Ordinance requires a minimum 30-foot transitional side yard.

The site plan filed dated December 29, 2025, depicts an area along the eastern boundary that provides a landscaped buffer. Because the landscaped buffer abuts an access drive for the religious uses to the east, staff believes the reduced setback would not have a negative impact on that adjacent land use.

Furthermore, conflicts and negative impacts between the two land uses would be mitigated based upon the typical hours of operation of contractor and the hours generally associated with religious activities.



**Planning Analysis**

Staff understands that this site would provide for an expansion of the abutting contractor business operation to the west. The site plan, file-date December 29, 2025, depicts the expansion consisting of a parking lot with 36 parking spaces and a landscape buffer along the eastern boundary.

Despite the village mixed-use land use recommendation staff believes the proposed rezoning would have minimal impact on surrounding land uses that include industrial uses, commercial uses, and religious uses. Staff believes the landscape buffer would minimize the impact on the adjoining property (religious uses) to the east. For these reasons, staff supports the rezoning.

Because this site abuts a portion of Crawfordsville Road, which is a state highway, any right-of-way dedication or conveyance would be to the State of Indiana in accordance with their standards. The Thoroughfare Plan recommends that a 47.5-foot half right-of-way be dedicated along Crawfordsville Road.

**GENERAL INFORMATION**

<b>Existing Zoning</b>	C-3	
<b>Existing Land Use</b>	Commercial uses / parking	
<b>Comprehensive Plan</b>	Village Mixed-Use	
<b>Surrounding Context</b>	<b>Zoning</b>	<b>Land Use</b>
	North: SU-1	Undeveloped land
	South: C-3	Commercial uses
	East: SU-1	Religious uses
	West: I-2	Industrial uses
<b>Thoroughfare Plan</b>		
Crawfordsville Road	Primary arterial	Existing 60-foot right-of-way and proposed 95-foot right-of-way.
<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>	December 29, 2025	
<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>	December 29, 2025	

<b>Findings of Fact (Amended)</b>	N/A
<b>C-S/D-P Statement</b>	N/A

**COMPREHENSIVE PLAN ANALYSIS**

**Comprehensive Plan**

The Comprehensive Plan recommends Village Mixed-Use typology. “The Village Mixed-Use 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 contribute 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.

**Pattern Book / Land Use Plan**

The Comprehensive Plan consists of two 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 – Village Mixed-Use Typology*

- 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.
- In master-planned developments, block lengths of less than 500 feet, or pedestrian cut-throughs for longer blocks, are encouraged.
- Where possible, contributing historic buildings should be preserved or incorporated into new development.

*Small-Scale Offices, Retailing, and Personal or Professional Services (defined as “commercial uses with minimal outdoor operations, storage, or display on lots of less than 1.5 acres and a height of less than 35 feet.”)*

- Mixed-use structures are preferred.
- Automotive uses (such as gas stations and auto repair) and uses with drive-through lanes are excluded.
- Should not include outdoor display of merchandise.

### **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)

The Marion County Thoroughfare Plan (2019) “is a long-range plan that identifies the locations classifications and different infrastructure elements of roadways within a defined area.”

The following listed items describe the purpose, policies and tools:

- Classify roadways based on their location, purpose in the overall network and what land use they serve.
- Provide design guidelines for accommodating all modes (automobile, transit, pedestrians, bicycles) within the roadway.
- Set requirements for preserving the right-of-way (ROW).
- Identify roadways for planned expansions or new terrain roadways.
- Coordinate modal plans into a single linear network through its GIS database.

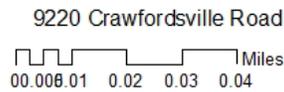
## ZONING HISTORY

**2013-ZON-027 and 2013-VAR-002; 9224 and 9230 Crawfordsville Road (west of site)**, requested Rezoning of 1.42 acres, from the D-4, C-3 and C-5 Districts to the I-2-S classification to provide for a heating and ventilation contractor and a variance of Development Standards of the Industrial Zoning Ordinance to legally establish an existing parking area at 9230 Crawfordsville Road and an existing structure at 9224 Crawfordsville Road, both with zero-foot front setbacks, **approved**.

**79-Z-45; 9204 Crawfordsville Road (east of site)**, requested rezoning of 2.48 acres, being in the C-3 and D-4 districts, to the SU-1 classification for church purposes, **approved**.

**78-Z-16; 9230 Crawfordsville Road (west of site)**, requested rezoning of 0.446 acre from C-3 to C-5 to provide for sale, repair and rental of garden and lawn materials, supplies, feed and equipment, including outdoor display, **approved**.

EXHIBITS







Petition Number \_\_\_\_\_

METROPOLITAN DEVELOPMENT COMMISSION
HEARING EXAMINER
METROPOLITAN BOARD OF ZONING APPEALS, Division \_\_\_\_\_
OF MARION COUNTY, INDIANA

PETITION FOR VARIANCE OF DEVELOPMENT STANDARDS

FINDINGS OF FACT

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

A church is located on the parcel east of the Site, with the church building located on the east side of its parcel. The proposed parking area on the Site will be directly adjacent to the church's drive aisle and not its building. Additionally, petitioner proposes to install a landscape buffer along the east side of the Site. The south side of the Site will include a green area between the parking area and Crawfordsville Road. A parking area with a landscape buffer located directly adjacent to the church's drive aisle will not be injurious to the general welfare of the community.

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:

Nearby commercial parcels and the church parcel next door are improved with surface parking areas. The proposed parking area will be located adjacent to the church's drive aisle. Additionally, petitioner proposes to install a landscape buffer along the east side of the Site separating the proposed parking area from the adjacent drive aisle. Approval of the variance to allow for parking to be located closer to a church's drive aisle will not adversely affect the use or value of the area adjacent to the property. The proposed parking area is set back from Crawfordsville Road and is separated from Crawfordsville Road by a green area consisting of mature trees and shrubs that will remain.

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

The Site is triangular in shape and a portion of the Site is only approximately 60' wide. Such unusual shape and narrowness of a portion of the Site make it difficult to improve the site with a parking area that has the appropriate stall width, aisle width and adequate number of spaces necessary for the adjacent business. The strict application of the terms of the zoning ordinance will prevent the practical use of the Site as a parking area, despite the existence of several other nearby parking areas, including on the Church parcel directly adjacent to the Site.

DECISION

IT IS THEREFORE the decision of this body that this VARIANCE petition is APPROVED.

Adopted this \_\_\_\_\_ day of \_\_\_\_\_, 20 \_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_



View looking northwest along Crawfordsville Road



View looking southeast along Crawfordsville Road



View of site looking north



View of site looking west



View of site looking northwest



View of site looking northwest



View from site looking north



View for site looking east



View for site looking east



View from site looking southeast across Crawfordsville Road