



**BOARD OF ZONING APPEALS DIVISION III**

**March 19, 2024**

**Case Number:** 2024-UV3-003  
**Address:** 8540 US 31 (approximate address)  
**Location:** Perry Township, Council District #23  
**Zoning:** SU-1 / HD-1  
**Petitioner:** Christ Indianapolis United Methodist Church, Inc., by Damon C. Cox  
**Request:** Variance of use and development standards of the Consolidated Zoning and Subdivision Ordinance to provide for the location of a pole sign (not permitted), within 90 and 180 feet of existing freestanding signs (300-foot of separation required, one freestanding sign permitted along a frontage) and including a 37.28-square-foot digital display component (prohibited) and to legally establish an existing pole and monument sign.

**Current Land Use:** Religious Use

**Staff Reviewer:** Robert Uhlenhake, Senior Planner

**PETITION HISTORY**

This is the first time this petition has been heard.

**STAFF RECOMMENDATION**

Staff recommends **denial** of this petition.

**PETITION OVERVIEW**

- ◇ The Sign Regulations “facilitate an easy and agreeable communication between people...and serve an important function.” The purpose of the Sign Regulations is to “eliminate potential hazards to motorists, and pedestrians; to encourage signs which, by their good design, are integrated with and harmonious to the buildings and site which they occupy; and which eliminate excessive and confusing sign displays.” Proliferation of signs causes those signs that are permitted and legal to become less effective and reduces their value. Additionally, the Sign Regulations preserve and improve the appearance of the City as a place in which to live and work.
- ◇ The granting of this request would continue the intensification of the signs with digital display components. The proposed request has no practical difficulty, other than the property owners desire to advertise church events, drives, and outreach event. The proposed messaging can be provided without the variances requested through the use of ordinance complaint signage, including a reader board.
- ◇ This request would also legally establish an existing pole and monument sign. Staff, however, would caution that these additional signs would create clutter, duplicate signage, and would increase, rather than eliminate, confusion for motorists and pedestrians.



- ◇ The strict application of the terms of the zoning ordinance does not constitute a practical difficulty for the property, since the site is zoned SU-1 and could accommodate appropriate signage as permitted, by right, in the SU-1 zoning classification. Any practical difficulty is self-imposed by the desire to use the site for an excessive amount of signage, including one with a digital display component.
- ◇ The subject site is similar in size to other nearby properties, that are able to follow the zoning ordinance without the need for variances. Therefore, staff does recommend denial.

**GENERAL INFORMATION**

<b>Existing Zoning</b>	SU-1		
<b>Existing Land Use</b>	Religious Use		
<b>Comprehensive Plan</b>	Regional Special Use		
<b>Overlay</b>	No		
<b>Surrounding Context</b>	<b>Zoning</b>		<b>Surrounding Context</b>
	North:	C-5	North: Regional Commercial
	South:	HD-1	South: Hospital
	East:	C-3	East: Neighborhood Commercial
	West:	D-P	West: Multi-family dwelling
<b>Thoroughfare Plan</b>			
	US 31 South	Primary Arterial	130-foot existing and proposed right-of-way.
<b>Context Area</b>	Metro		
<b>Floodway / Floodway Fringe</b>	No		
<b>Wellfield Protection Area</b>	No		
<b>Site Plan</b>	February 1, 2024		
<b>Elevations</b>	February 1, 2024		
<b>Commitments</b>	N/A		
<b>Landscape Plan</b>	N/A		
<b>Findings of Fact</b>	Development Standards February 1, 2024. Variance of Use not submitted		

**COMPREHENSIVE PLAN ANALYSIS**

**Comprehensive Plan**

- The Comprehensive Plan recommends regional special use for the site.

**Pattern Book / Land Use Plan**

- The Marion County Land Use Plan Pattern Book recommends the Regional Special Use typology for this site. This typology provides for public, semi-public, and private land uses that serve a specific institutional purpose for a significant portion of the county. Examples are large-scale, generally stable institutional uses such as cemeteries, hospitals, universities, high schools, government complexes, large museums, the Indiana State Fairgrounds, and the Indianapolis Motor Speedway.



### 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

**2018-UV3-027; 1551 East Stop 12 Road (east of site)**, requested a variance of use of the Consolidated Zoning and Subdivision Ordinance to provide for a painting class with retail sales of beer and wine, **granted**.

**2013-ZON-032; 8545 US 31 South (east of site)**, requested the rezoning of 0.469 acre from C-1 to C-S to provide for all C-1 uses and an antique store, **approved**.

**2007-UV2-006; 8245 and 8345 US 31 South, (north of site)**, requested a variance of use of the Commercial Zoning Ordinance to for amusement machines and legally establish the sale of alcoholic beverages within 80 feet of a protected district, **granted**.

**2006-UV2-004; 8265 U.S. Highway 31 (north of site)**; requested a variance of use to provide for the sale of alcoholic beverages, with live entertainment and eight amusement machines, within a tenant space of an existing commercial building, located 80 feet from a protected district, in C-5, **granted**.

**2000-ZON-124; 8631 South US 31 (east of site)**, requested the rezoning of 0.5 acre from D-3 to C-1 to provide for office uses, **approved**.

**2000-ZON-062; 8605 and 8617 South US 31 (east of site)**, requested the rezoning of 0.9 acre from D-3 to C-1 to provide for office uses, **approved**.

**88-Z-261; 8525 South US 31 (east site)**, requested the rezoning of two acres from A-2 to C-3 to provide for commercial retail uses, **approved**.

**84-HOV-136; 8540 US 31 South (subject site)**, requested a variance of development standards to provide for a pole sign without the minimum nine-foot minimum required clearance, **granted**.

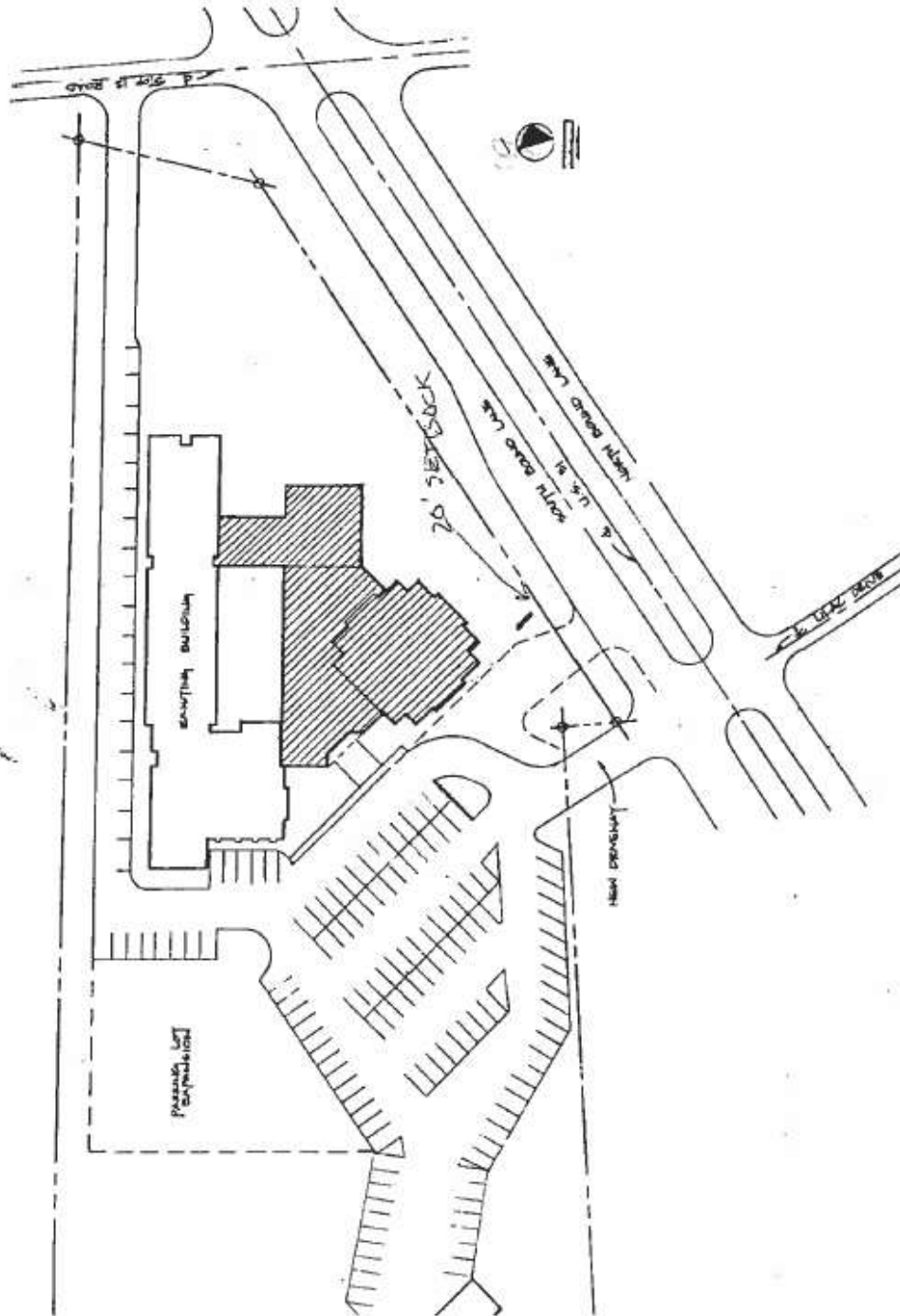


**EXHIBITS**

**Location Map**



Site Plan





Sign Elevation



## Plan Of Operation



### **PLAN OF OPERATION**

For nearly sixty years Christ Indianapolis United Methodist Church has served the south side of Indianapolis. Sixty years ago, the area in which the church is located changed – from corn fields and rural route roads to a densely populated area of the great City of Indianapolis, and so has the way the church works within the community.

Christ Indy UMC strives to be an outward focused church, knowing that real church happens outside of Sunday mornings.

- Partnering with Winchester Village Elementary School to supply necessities such as hygiene packs, for students and families, Christmas assistance, the purchase of curriculum to strengthen the education of students, and much more.
- Andrew's Harvest Food Pantry, serving in excess of 60 families a week to supply them with nutritious food items, hygiene items, and items needed for a child, such as diapers and wipes.
- Numerous outreach events each year, designed to show messages of love and hope, and to express our gratitude like:
  - Annual Vacation Bible School, serving well over 100 children within the community.
  - Breakfast with Jesus and Santa, a free event designed to give families the opportunity to have breakfast and receive pictures with Santa Clause
  - Trunk or Treat, a free event providing a safe area for families to receive candy, have dinner together, and enjoy the festivities of the season.
- Preschool, Daycare and Infant Care, an unlicensed registered ministry with the State of Indiana, we provide a clean, safe, secure area for the children we are entrusted too.

The approval of the requested petition allows us to reach deeper into the community, informing them of the events we offer, the resources available to them, and the love that Christ has for them. In a harsh world, we have the opportunity to be a beacon of light.



**Findings of Fact**

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:

The requested sign will be an electronic messaging center to advertise church events, drives, and outreach events. Christ Indy UMC is a well known church in our community. We strive to stay focused on serving those outside of our walls, such as our partnership with Winchester Village Elementary School, where we provide school uniforms, Christmas assistance, educational assistance, and basic supplies for both students and teachers. This would not be possible without our church members and local community. A new electronic messaging center will allow us to better serve our community. Additionally, we hope to display the current time and outdoor temperature.

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 current sign structure which was approved by the Metropolitan Development Commission in 1984, will remain in its current location. The only change proposed is to add an electronic messaging center and to update the sign panels with the church name and logo.

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

Currently Marion County does not allow the addition of electronic messaging centers. This impedes on our desire to install an electronic electronic messaging center. There are numerous other electronic messaging centers nearby. We respectfully request a variance so we are able to move forward with our current installation.

**DECISION**

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

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



Photographs



Subject site building, looking north



Subject site existing signage with reader board, looking north



Subject site existing second and third freestanding signs, including a second reader board, to be legally established, looking south.



Subject site existing sign placed illegally in the right of way, looking south



Adjacent commercial uses with ordinance compliant signage, to the east



Adjacent commercial uses with ordinance compliant signage, to the west