

BOARD OF ZONING APPEALS DIVISION III

October 20th, 2026

Case Number:	2026-DV3-040
Property Address:	808 South Post Road (approximate address)
Location:	Warren Township, Council District #20
Petitioner:	CTC02, LLC, by Anna Kuhn
Current Zoning:	I-2
Request:	Variance of Development Standards of the Consolidated Zoning and Subdivision Ordinance to provide for a 27-foot north side setback (30-foot side setback required).
Current Land Use:	Industrial Warehouse
Staff Recommendations:	Staff is recommending approval of this petition
Staff Reviewer:	Adam Skrzyszewski, Senior Planner

PETITION HISTORY

This is the first public hearing for this petition

STAFF RECOMMENDATION

Staff recommends **approval** of this petition

PETITION OVERVIEW

- The petitioner is requesting to legally establish a deficient side-yard setback of 27-feet for a 31,500 square-foot industrial warehouse. For the subject site, a side-yard setback of 30-feet is required from the building to the northern edge of the parcel. The subject site is I-2 zoning within the Metro Context Area. Per table 744-201-6 of the Ordinance, I-2 districts in the Metro Context area are required to have a side-yard setback of 30-feet. The side-yard setback that is deficient is the setback on the northwest side of the building, per exhibits 2 and 3.
- The structure was legally built per the release of Improvement Location Permit ILP24-00176. The building plans were permitted and permits were released with the deficient setback of 27-feet. The building was built following the approved plans with the deficient setback.
- The northern side-yard setback changes from the northeast side of the building to the northwest side of the building due to the parcel sloping downward at a slight angle to create the 3-foot difference in distance from building to the parcel line. Therefore, the building is 3-feet closer to the parcel at the northwest corner, than the northeast corner. This difference was missed during ILP review, and the permits for the development were released with this non-conformity.

- The building being approved with the non-conforming setback, and being built per the approved plans, creates practical difficulty for the petitioner, as the structure was built consistent with those plans, but would need a variance to become fully conforming to the development standards of the Ordinance. Therefore, the City of Indianapolis has created practical difficulty, causing the non-conformity for the petitioner; that they are now applying to correct.
- If this petition were approved to legalize the non-conformity initially approved through the release of ILP's, it would have no negative effect to the integrated center the structure is upon, or for any neighboring structures or tenants that also reside within the integrated center. This includes all neighboring uses to the north, west, east, and south of the subject site.
- The building was approved with a deficient setback, the building was built with the non-conformity according to the approved plans, and the non-conformity exists due to practical difficulty created from the City of Indianapolis failing to cite the non-conformity beforehand. Therefore, staff recommends **approval** of 2026-DV3-040.

GENERAL INFORMATION

Existing Zoning	I-2	
Existing Land Use	Industrial Warehouse	
Comprehensive Plan	Light Industrial	
Surrounding Context	Zoning	Surrounding Context
North:	I-2	North: Light Industrial uses
South:	I-2	South: Industrial warehouse
East:	D-3/SU-5	East: single-family homes
West:	D-A	West: Rural Estate
Thoroughfare Plan		
South Post Road	Primary Arterial	119-foot existing and proposed ROW
Context Area	Metro	
Floodway / Floodway Fringe	No	
Overlay	No	
Wellfield Protection Area	No	
Site Plan	August 20 th	
Site Plan (Amended)	N/A	
Elevations	N/A	
Elevations (Amended)	N/A	
Landscape Plan	N/A	
Findings of Fact	August 20 th	
Findings of Fact (Amended)	N/A	

COMPREHENSIVE PLAN ANALYSIS

Comprehensive Plan

- The Comprehensive Plan recommends Light Industrial. Legally Establishing this deficient setback aligns with the recommendation of the Comprehensive Plan.

Pattern Book / Land Use Plan

- Not Applicable to the 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

N/A

ZONING HISTORY – VICINITY

2018-CVR-856 ; 8745 Rawles Avenue (South of proposed site), Variance of use and development standards of the Consolidated Zoning and Subdivision Ordinance to provide for the outdoor testing and demonstration of completed jetways (not permitted) and seven acres of outdoor storage at a maximum height of 13 feet (maximum 25% of building area and maximum 10-foot height permitted). **Approved**

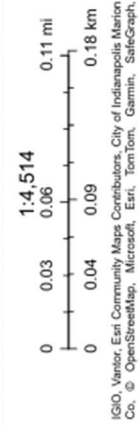
93-V3-48 ; 820 South Post Road (West of proposed site), Variance of Development Standards of the Industrial Zoning Ordinance to provide for building additions, with a stone-surfaced loading area for a temporary period of five years (loading areas required to be paved within one year of obtaining an Improvement Location Permit). **Approved**

2019-DV2-026 ; 8641 Rawles Avenue (South of proposed site), Variance of development standards of the Consolidated Zoning and Subdivision Ordinance to provide for more than five double-loaded rows of parking in the front yard (one double-loaded row permitted). **Approved**

98-UV1-68 ; 1014 South Post Road (South of proposed site), Variance of use of the Industrial Zoning Ordinance to provide for the operation of a radio-controlled model airplane club (not permitted), **denied**

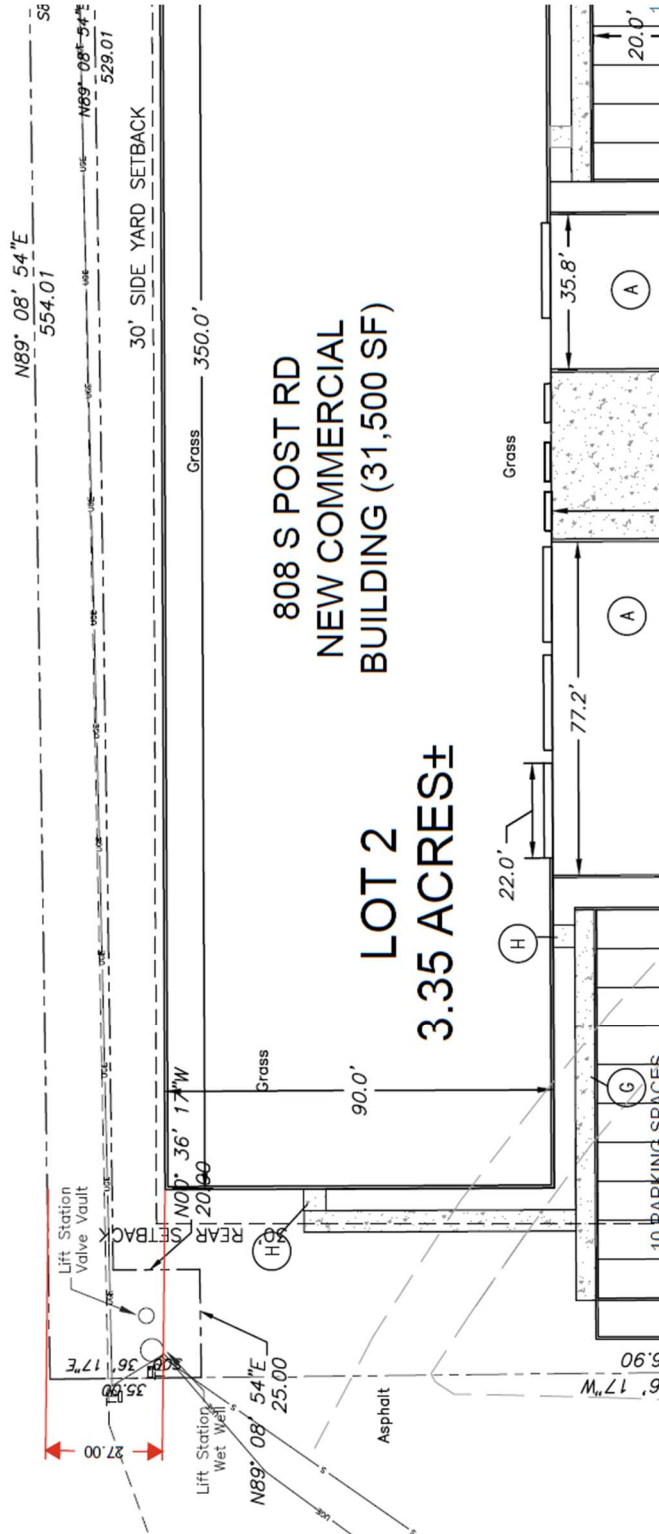
EXHIBITS

808 s post rd current aerial

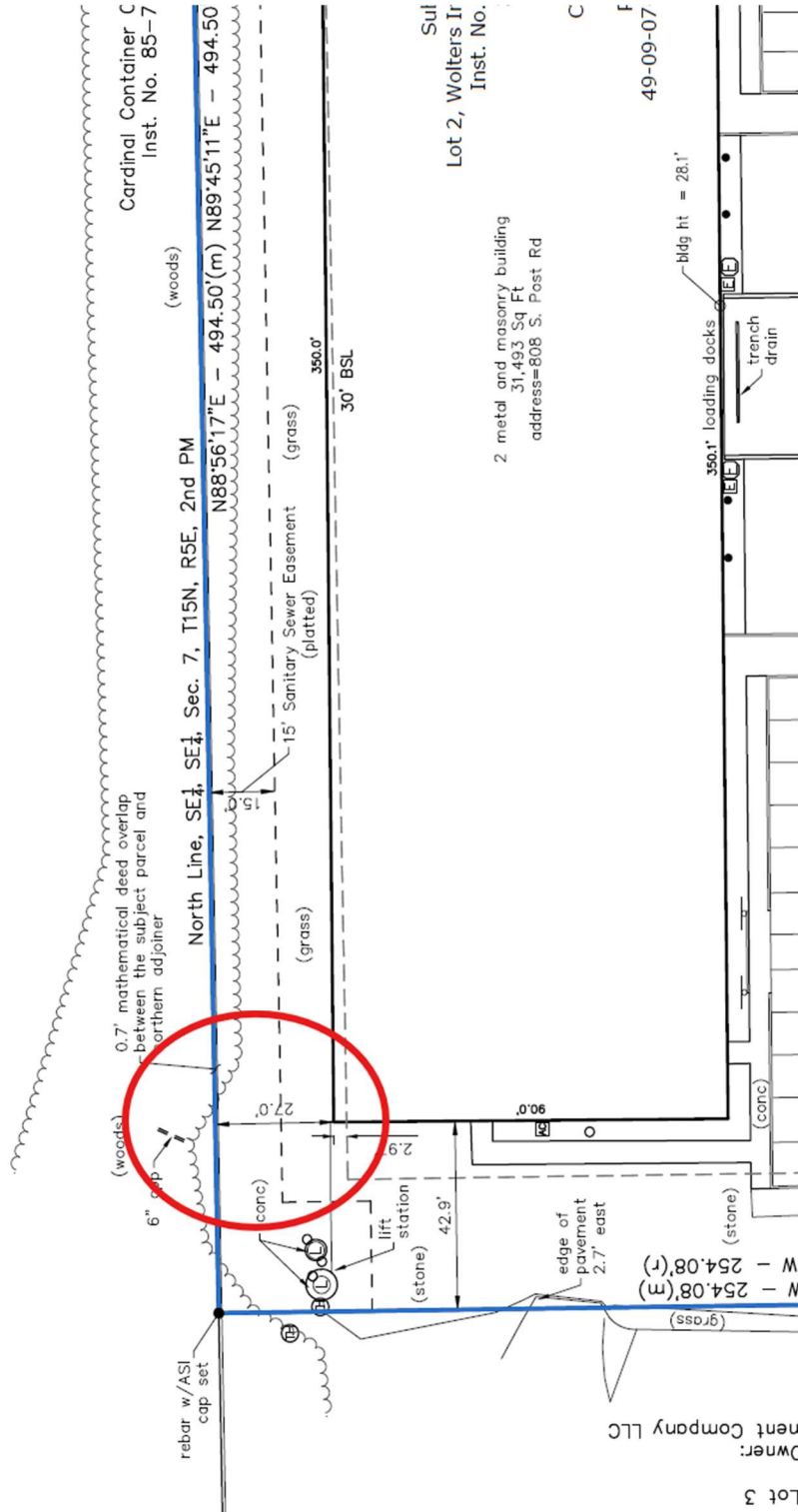


10/15/2026

Deficient 27' setback approved with ILP

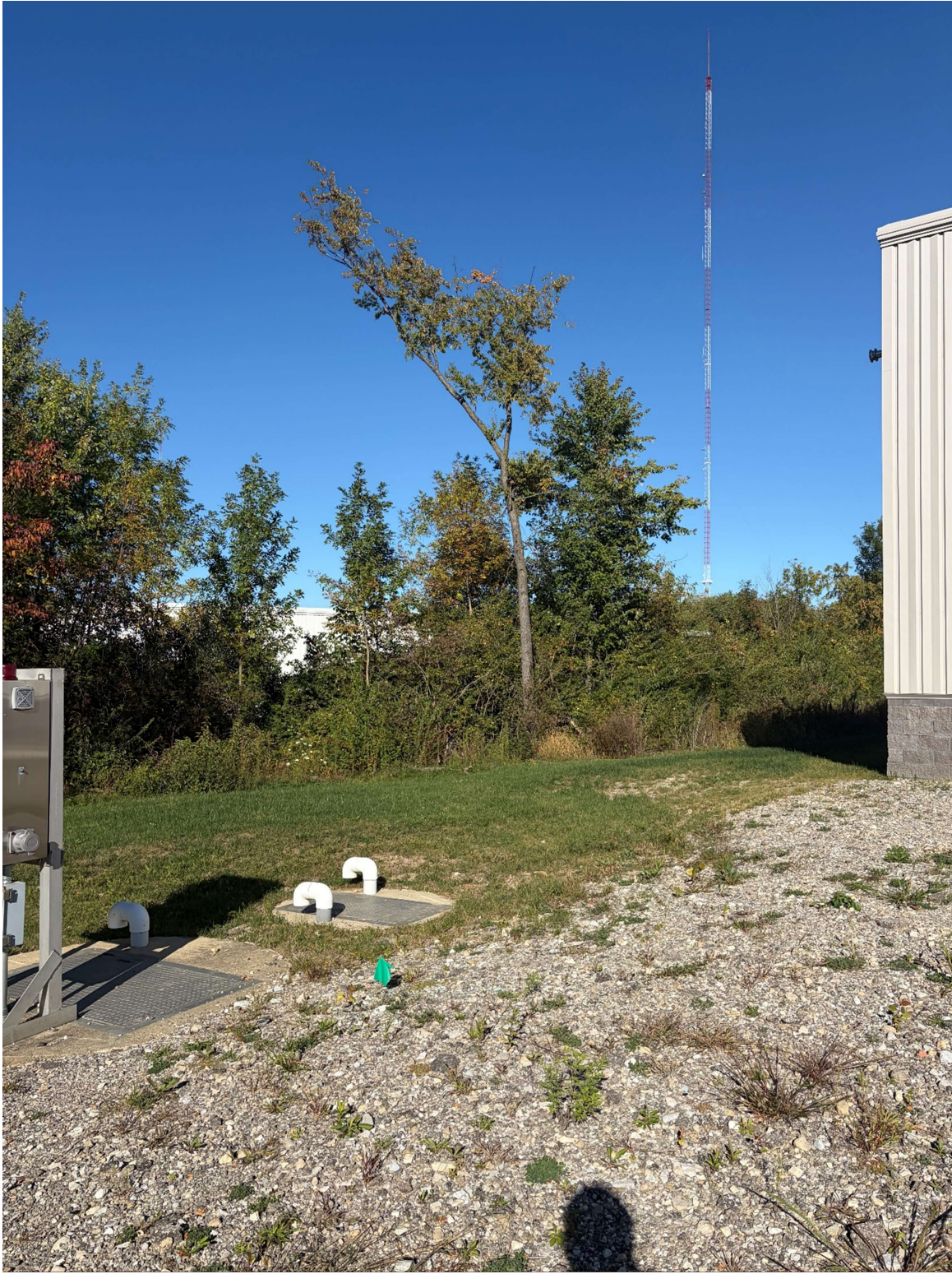


Setback that will be legally established



Site Visit October 5th, 2026









Department of Metropolitan Development
Division of Planning
Current Planning

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 variance sought is minor in scale and the result of permitted existing construction with a minor encroachment of the northwest corner of the improvements

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 permitted construction has improved unimproved land, outside of any existing easements, and has improved the value of the subject and surrounding land.

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

strict application of the terms of the zoning ordinance will result in economic waste and significant prejudice to the owner of the improvements and a resulting mishapen building.