

BOARD OF ZONING APPEALS DIVISION I

October 20, 2026

Case Number:	2026-DV3-039
Property Address:	4909 & 4941 Knights Way (approximate addresses)
Location:	Perry Township, Council District #22
Petitioner:	McDonald's Real Estate Company, by Lauren Love
Current Zoning:	C-4 (FF)
Request:	Variance of Development Standards of the Consolidated Zoning and Subdivision Ordinance to provide for the location of a pole sign with a height of 40 feet (maximum 20 feet permitted) and a 0-foot setback (5 feet required).
Current Land Use:	Commercial
Staff Recommendations:	Staff recommends approval of the requested variances.
Staff Reviewer:	Michael Weigel, Principal Planner I

PETITION HISTORY

This is the first public hearing for this petition.

STAFF RECOMMENDATION

Staff recommends **approval** of the variances.

PETITION OVERVIEW

This variance request is related to a primary freestanding sign for an existing restaurant within an integrated center. The restaurant is at 4941 Knights Way (parcel # 5031873), while the sign is located at 4909 Knights Way to the north of the restaurant (parcel #5031638). The integrated center was developed in the 1980s per aerial photography and is bordered by Thompson Road to the south, State Road 37 to the east, and an I-465 exit ramp to the north. Surrounding land uses are heavy commercial and industrial in nature.

A pole sign with a height of 40 feet and an area of 275 square feet was installed at the 4909 Knights Way property per approval of the variance petition 85-HOV-42. That sign contained two logos for both the restaurant use and a hotel use and was oriented toward the interstate (see photo 2 within Exhibits). The petition 85-HOV-42 also allowed for a second primary freestanding sign oriented to State Road 37 (this sign has since been removed from the property). Current Ordinance would not allow for a pole sign with a height of 40 feet, although that height limitation did not exist at the time of the previous variance approval in 1985.

Between May 2024 and April 2025, the two logos on the existing sign were removed were replaced with solely one logo utilizing the remaining pole (see elevation and photos 1, 3 and 4 within the Exhibits). Since this change to the signage would go beyond the description of the “changing of a sign face” from 744-903.B of the Indianapolis Zoning Ordinance, the installation of the new logo and layout would be considered a new sign subject to current Ordinance standards.

The zoning enforcement case VIO25-003883 was opened in May 2025 on the northern 4909 Knights Way parcel owned by the hotel. 6 of those 7 violations were not related to the restaurant or to the subject sign, and would need to be addressed by the 4909 property owners outside of this variance process. However, one citation related to the change of the sign size/layout without a permit (see partial Notice of Violation within the Exhibits below).

Approval of this variance would allow for the new/alterd sign to remain in its current form, and would require relief from two different applicable dimensional standards:

- The height of the pole sign is 40 feet, and current Ordinance would limit the height of pole signs to a height of 20 feet.
- The leading edge of the sign would have a 0-foot front yard setback from the property line to the north, and current Ordinance would require a separation of at least 5 feet.

Staff would note that the off-premises advertising sign located within this integrated center would not count towards the total number of signs along the shared frontage: this, coupled with the prior removal of the second primary freestanding sign initially installed per 85-HOV-42 would be why no variance for the number of signs along the frontage would be required.

Additionally, the restaurant property owner maintains a private easement related to the signage on the 4909 parcel, which both allows them to file for this variance as the sole applicant and allows for on-premises signage standards to be applicable for this sign (as opposed to off-premises billboard regulations). A portion of that previous easement agreement is within the Exhibits below.

Findings of Fact provided by the applicant indicate that reinstallation of the sign at a compliant height would not allow for it to be placed in a manner visible to interstate traffic, and that the previous sign at the location was of a similar height and larger size. Staff would concur that the new signage would be an overall reduction of intensity from the sign that previously existed on the existing pole and that the new sign would be a reduction in the overall level of non-conformity with current Ordinance. For this reason, staff recommends **approval** of the variance requests.

GENERAL INFORMATION

Existing Zoning	C-4 (FF)	
Existing Land Use	Commercial	
Comprehensive Plan	Community Commercial	
Surrounding Context	<u>Zoning</u>	Surrounding Context
North:	C-4	North: Interstate
South:	C-4	South: Commercial
East:	D-P	East: Residential
West:	D-P	West: Residential
Thoroughfare Plan		
Knights Way	Private Drive	50-foot existing right-of-way
Thompson Road	Local Street	104-foot existing right-of-way and 50-foot proposed right-of-way
State Road 37	Primary Arterial	232-foot existing right-of-way and 102-foot proposed right-of-way
I-465 004 Ramp C	Interstate Ramp	
Context Area	Metro	
Floodway / Floodway Fringe	Yes	
Overlay	Yes	
Wellfield Protection Area	No	
Site Plan	08/13/2026	
Site Plan (Amended)	N/A	
Elevations	06/01/2026 (via 2026ADM114)	
Elevations (Amended)	N/A	
Landscape Plan	N/A	
Findings of Fact	08/13/2026	
Findings of Fact (Amended)	N/A	

COMPREHENSIVE PLAN ANALYSIS

Comprehensive Plan

- Marion County Land Use Plan Pattern Book

Pattern Book / Land Use Plan

- The Community Commercial typology provides for low-intensity commercial and office uses that serve nearby neighborhoods. These uses are usually in freestanding buildings or small, integrated centers. Examples include small-scale shops, personal services, professional and business services, grocery stores, drug stores, restaurants, and public gathering spaces.
- The Environmentally Sensitive Areas (ES) Overlay is intended for areas containing high quality woodlands, wetlands, or other natural resources that should be protected. The purpose of this overlay is to prevent or mitigate potential damage to these resources caused by development. This overlay is also appropriate for areas that present an opportunity to create a new environmental asset. This overlay is not intended for the preservation of open space.

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

2001DV2004, Variance of Development Standards of the Sign Regulations to provide for an advertising sign being the eighth sign in a one mile portion of I-465 (maximum two signs per mile permitted), with 50 feet of linear separation from an existing advertising sign (minimum 1,000 feet of linear separation required), a 55-foot front setback from I-465 (minimum 60-foot setback from an expressway required), located adjacent to an exit roadway (advertising signs not permitted in protected areas adjacent to existing roadways), and being 14 by 48 feet in size (maximum 12 by 25 feet permitted), **withdrawn**.

85-HOV-42, Variance of Development Standards of the Sign Regulations of Marion County to provide for a 275 square foot tall sign (240 feet permitted), and to provide for a second pole sign in an integrated center without frontage on two primary or secondary thoroughfares, **approved with conditions**.

84-Z-141, Rezoning of 10.74 acres, being in the I-3-S district, to the C-6 classification, to provide for the construction of a motel, restaurant and service station, **approved**.

ZONING HISTORY – VICINITY

2024DV3036 ; 1541 W Thompson Road (south of site), Variance of development standards of the Consolidated Zoning and Subdivision Ordinance to provide for the installation of a 25-foot tall pole sign (maximum 20-foot height permitted), **denied**.

2022ZON045 ; 1600 W Thompson Road (southwest of site), Rezoning of 3.22 acres from the C-4 (FF) district to the I-3 (FF) district to provide for semi-truck/trailer parking, **approved**.

2014ZON074 ; 1600 W Thompson Road (southwest of site), Rezoning of 3.22 acres from the I-3-S district to the C-4 district, **approved**.

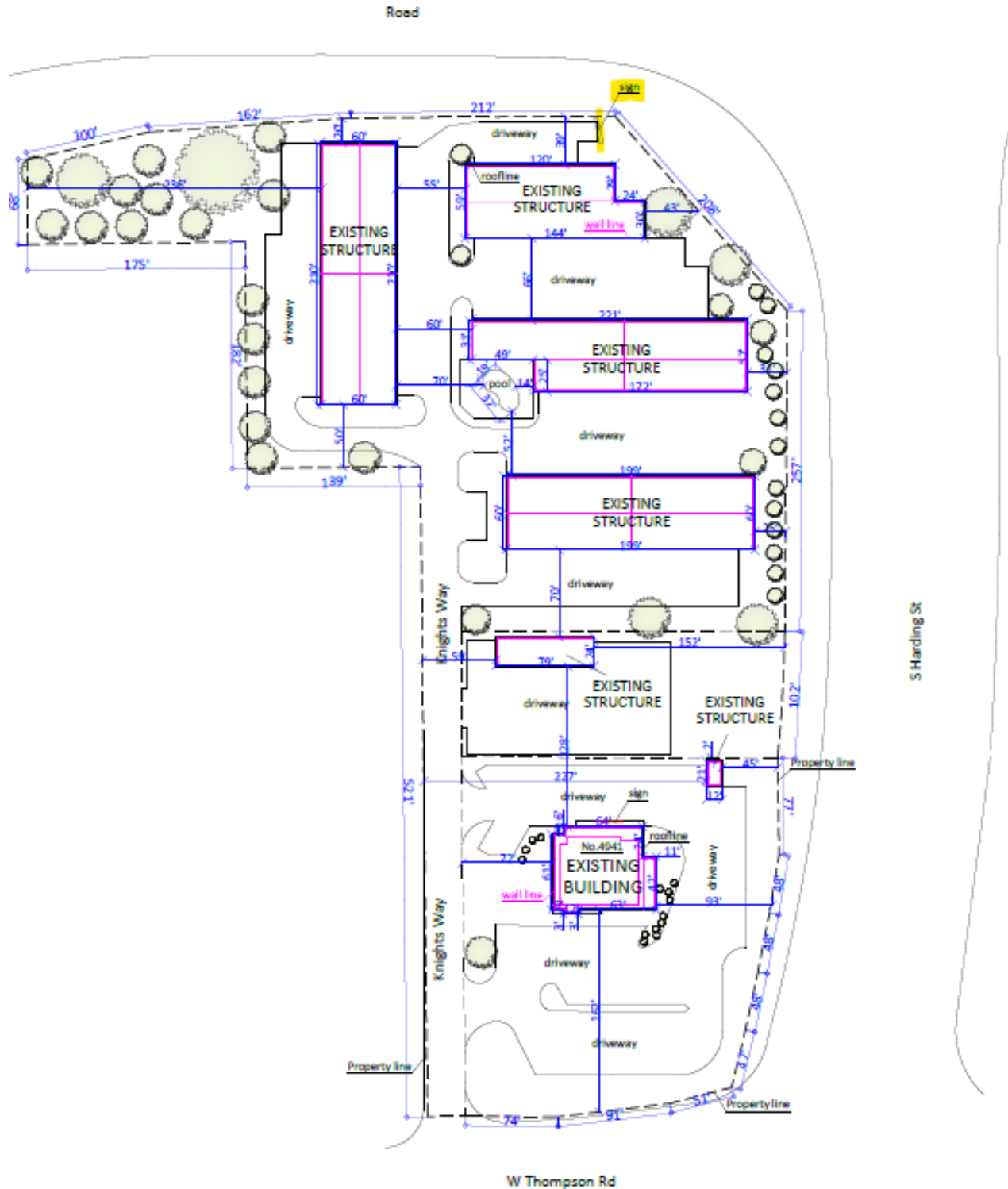
2005ZON060 ; 1720 W Thompson Road (west of site), Rezoning 21.43 acres, being in the C-S (FF) District, to the C-S (FF) classification to provide for truck sales in addition to the existing permitted uses, **approved**.

EXHIBITS

2026DV3039 ; Aerial Map



2026DV3039 ; Site Plan

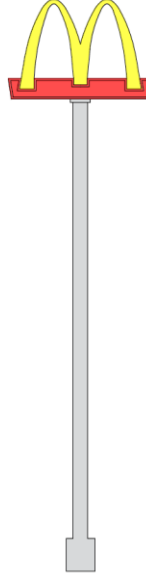


2026DV3039 ; Sign Elevation

ELEVATION - FRONT VIEW

4941 Knights Way
Indianapolis, IN 46217
Parcel ID: 49-11-34-100-005.000-500
Lot area: 1.54 Acres
Paper Size: 11"x17"

scale 1/4"=1'



2026DV3039 ; Findings of Fact

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

The proposed sign will be professionally designed, constructed, and installed in accordance with applicable safety requirements. The increased size and height will not create a hazard to motorists or pedestrians, obstruct traffic visibility, or interfere with access to surrounding properties. The sign will be located in the same location as the current sign, adjacent to the interstate.

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 sign is intended to provide identification and visibility for the business and will be in the same location as the previous sign, not interfering neighboring property access, parking, or normal use of surrounding properties. Its location and purpose are consistent with the commercial nature of the area.

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

it limits the visibility and identification of the business. The property is located adjacent to an interstate, where traffic travels at higher speeds and motorists have a limited amount of time to identify businesses. The size and height limitations would significantly reduce the visibility to interstate traffic. The previous sign at this location was taller than the proposed revision, demonstrating the need for adequate height and visibility at this location. The requested increase will allow the business to be reasonably visible to passing traffic while remaining appropriate for the property and surrounding area.

2026DV3039 ; Notice of Violation (VIO25-003883 ; partial)



May 6, 2025

Case #: VIO25-003883

PETRO HOTELS INC
4909 KNIGHTS WAY
INDIANAPOLIS, IN 46217

RE: 4909 KNIGHTS WAY
Dear PETRO HOTELS INC:

A recent inspection of the above referenced property indicated violation (s) of the Revised Code of Indianapolis and Marion County as follows:

Section 740 -1005.A.1. Civil Zoning Violation

Specific Violation: The location, erection, or maintenance of any sign not specifically permitted by the Zoning Ordinance; (744-903.B. - Failure to obtain a sign permit for the display of pole sign... change of sign size/layout without permit).

Note: the above violation contains six (6) other items related solely to the Petro Hotels property at 4909 Knights Way. The only portion of this violation that appears to be relevant for 4941 Knights is for alterations to the sign to which they have easement rights for access

2026DV3039 ; Easement Agreement (Portions)

EASEMENT AGREEMENT		860036348	(4)
THIS EASEMENT AGREEMENT dated March 28, 1986, is between CARDINAL INDUSTRIES DEVELOPMENT CORPORATION, an Ohio corporation with offices at 2040 South Hamilton Road, Columbus, Ohio 43232 ("Cardinal"); THE INDIANAPOLIS - SOUTH HOTEL, a Limited Partnership, an Ohio limited partnership, with offices at 2040 South Hamilton Road, Columbus, Ohio 43232 ("Indianapolis"); and McDONALD'S CORPORATION, a Delaware corporation with offices at One McDonald's Plaza, Oak Brook, Illinois 60521 ("McDonald's"). The following recitals of fact are a material part of this instrument:			
A. McDonald's is, or will be at the time of recording of this document, the owner of Parcel 1, Parcel 7 and Parcel 8 as the same are described in Exhibit A hereto annexed.			
Indianapolis is now Knights Inn.			
B. Indianapolis is the owner of Parcel 2, Parcel 4 and Parcel 5 which are described in Exhibit B.			
6. HI-RISE SIGN EASEMENT TO McDONALD'S			
Indianapolis grants to McDonald's an exclusive, perpetual easement, appurtenant to Parcel 1, for the installation, repair, maintenance and renewal of a hi-rise sign and electrical conduit in, or under and upon, Parcel 5.			

2026DV3039 ; Photographs



Photo 1: Subject Sign from Interstate (August 2025)



Photo 2: Previous Subject Sign from Interstate (June 2023)

2026DV3039 ; Photographs (continued)



Photo 3: Subject Sign from West



Photo 4: Adjacent Property to North of Restaurant + Subject Sign

2026DV3039 ; Photographs (continued)



Photo 5: Subject Restaurant Viewed from Northwest



Photo 6: Billboard + Removed Second Pole Sign along SR 37