

BOARD OF ZONING APPEALS DIVISION I

June 3rd, 2025

Case Number: 2025-DV1-009 (Amended)
Property Address: 8415 West Washington Street (Approximate Address)
Location: Wayne Township, Council District #17
Petitioner: Greg & Seth Dotson
Current Zoning: I-1 / C-3
Request: Variance of Development Standards of the Consolidated Zoning and Subdivision Ordinance to provide for the construction of two buildings, resulting in 20-foot side yard setbacks (30-foot side yard setback and 50-foot side transitional yard setback required).
Current Land Use: Commercial
Staff Recommendations: Staff is recommending **denial** of this variance petition.
Staff Reviewer: Kiya Mullins, Associate Planner

PETITION HISTORY

This is the third public hearing for this variance petition.

At the second public hearing this petition was continued by staff due an error being found in the legal notice, causing this variance petition to be continued from the May 6th to the June 3rd Division I Hearing.

This variance petition was continued by staff at its first public hearing on April 1st to the May 6th Division I Hearing due to an unexpected publication error that impacted the printing of this petition's information within newspapers as required by statute.

STAFF RECOMMENDATION

Staff is recommending **denial** of this variance petition.

PETITION OVERVIEW

- The petitioner is requesting a reduction in both side yard setbacks to allow a third row of parking spaces. The spaces would be located in between two (2) proposed warehouse/flex space/workspace buildings (rental units).
- This property is 3.5 acres, primarily in an I-1 and C-3 zoning district.
- The side yard setback is the distance between the side lot line and primary building or other structures. Side yard setbacks are essential, especially in industrial uses, because of potential hazards such as noise, increased traffic, waste, fumes, or other industrial by-products.

- Due to a D-3 Dwelling zoning district being to the east of the subject site, the property has to meet the 50-foot side transitional yard setback to allow additional spacing to separate dwellings from the industrial uses.
 - The Ordinance requires one (1) parking space per 1000 sqft for the type of Industrial Use proposed on this site. The proposed buildings combined will be 39,600 sqft, meaning they are required to have a total of 39.6 parking spaces.
 - The current site plan shows around 90 parking spaces; the original site plan that was submitted (prior to this second hearing) showed approximately 60 spaces.
- Staff is recommending **denial** of this variance petition. If approved the reduction in the normal setback and the transitional yard to the east, would be completely removing all separation between the differing uses in this area. As shown in the previous site plan, there is sufficient space on the site before the additional parking spaces to provide nearly double the number of parking spaces that the Ordinance requires for buildings of this use and size. Approving this variance will result in a large parking area for two (2) buildings, with no predictors for the type of business or amount of traffic on the site and has the potential to become a large unused slab of concrete, destroying a significant amount of green space in an area that already lacks it.

GENERAL INFORMATION

Existing Zoning	I-1 / C-3	
Existing Land Use	Vacant	
Comprehensive Plan	Office/Industrial Mixed-Use	
Surrounding Context	<u>Zoning</u>	Surrounding Context
	North: C-S	North: Community Commercial
	South: SU-46	South: Regional Special Use
	East: D-3	East: Office/Industrial Mixed-Use
	West: C-3	West: Office/Industrial Mixed-Use
Thoroughfare Plan		
Washington Street	Primary Arterial	118 feet of right-of-way existing and 102 feet proposed
North Perimeter Road	Special Corridor	50 feet of right-of-way existing and 50 feet proposed
Context Area	Metro	
Floodway / Floodway Fringe	No	
Overlay	No	
Wellfield Protection Area	No	
Site Plan	1/28/2025	
Site Plan (Amended)	N/A	
Elevations	N/A	
Elevations (Amended)	N/A	
Landscape Plan	N/A	
Findings of Fact	1/28/2025	

**Findings of Fact
(Amended)**

N/A

COMPREHENSIVE PLAN ANALYSIS

Comprehensive Plan

- Marion County Land Use Plan Pattern Book

Pattern Book / Land Use Plan

- The Office/Industrial Mixed-Use (Business Park) typology is intended to provide for light industrial, distribution, and office uses conducted within enclosed structures and unlikely to create emissions of light, odor, noise, or vibrations. The typology is characterized by groups of buildings within office/warehouse parks. Examples of typical uses include warehousing, wholesaling, research and development facilities, testing and evaluation facilities, offices, education resource centers, assembly of high technology products, and conference centers. Industrial or truck traffic should be separated from local/residential traffic in this typology.

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

- 2018-ZON-039: 8415 West Washington Street
 - Rezoning of 3.6 acres from the C-4 district to the C-7 classification.
 - Denied
- 2020-ZON-057: 8639 and 8415 West Washington Street
 - Rezoning of 1.37 acres from the C-3 district to the I-1 district.
 - Approved

ZONING HISTORY – SURROUNDING AREA

- 2011-UV1-029: 8514 West Washington Street
 - Variance of Use and Development Standards of the Dwelling Districts Zoning Ordinance and the Commercial Zoning Ordinance to legally establish a) automobile repair and towing service, with outdoor storage (not permitted, storage not permitted within 500 feet of a protected district without the required solid fence or wall), b) to legally establish a trash container in front of the established front building line (not permitted), with a 14-foot west side transitional yard c) to legally establish parking with a two-foot east side yard and east side transitional yard, without landscaping (10-foot yard and 20-foot transitional yard, with landscaping required), and d) to legally establish a paved asphalt area, with a zero foot setback from Washington Street (10-foot front setback, with landscaping required), and e) to legally establish one handicapped parking space (two spaces required).
 - Approved
- 2012-VAR-004: 8616 West Washington Street
 - Variance of Use and Development Standards of the Commercial Zoning Ordinance to provide for automobile sales (not permitted), to legally establish a dwelling (not permitted), with a front setback 74 feet from the centerline of Washington Street (80 feet from the centerline required), on a lot having 39.7 feet of frontage (50 feet of frontage required).
 - Approved
- 2012-ZON-022: 8616 West Washington Street
 - Rezoning of 1.62 acres, being in the C-S District, to the C-5 classification to provide for commercial uses.
 - Approved
- 2013-CVR-827: 8480 West Washington Street
 - Variance of Development Standards of the Commercial Zoning Ordinance to provide for a trash container in front of the established building line (not permitted), and a five-foot tall sign, with a 9.5-foot front setback from Washington Street (15-foot front setback required).
 - Approved
- 2016-UV1-026: 8639 West Washington Street
 - (Amended) Variance of Use of the Consolidated Zoning and Subdivision Ordinance to provide for the rental and leasing of vans (not permitted).
 - Approved

- 2017-ZON-051: 8610 West Washington Street
 - Rezoning of 1.972 acres from the C-S (FF) district to the C-5 (FF) classification to provide for automobile sales.
 - Denied
- 2017-ZON-069: 8516 West Washington Street
 - Rezoning of 1.96 acres from the SU-1 and D-3 districts to the C-7 classification.
 - Withdrawn
- 2021-ZON-068: 8215 West Washington Street
 - Rezoning of 2.625 acres from the SU-46 district to the I-1 district.
 - Withdrawn
- 2022-CVR-827: 8501 West Washington Street
 - Variance of Development Standards of the Consolidated Zoning and Subdivision Ordinance to provide for a 105,000-square foot industrial building with parking totaling more than 10% of the front yard area (parking limited to 10% of the front yard area) and located within the front transitional yard (not permitted).
 - Approved
- 2022-DV1-030: 8501 West Washington Street
 - Variance of Development Standards of the Consolidated Zoning and Subdivision Ordinance to provide for a 105,000-square foot industrial building with parking totaling more than 10% of the front yard area (parking limited to 10% of the front yard area) and located within the front transitional yard (not permitted).
 - Withdrawn
- 2024-CVR-819: 8215 West Washington Street
 - Variance of Development Standards of the Consolidated Zoning and Subdivision Ordinance to provide for 25,730 square feet of outdoor storage (maximum of 8,805 square feet or 25% of gross floor area of all enclosed buildings) and approximately 140 feet from a protected district to the west and 400 feet from a protect district to the east (minimum separation of 500 feet required from a protected district).
 - Approved
- 2024-CZN-819: 8215 West Washington Street
 - Rezoning of 2.7 acres from the SU-46 district to the I-1 district for light industrial uses.
 - Approved

EXHIBITS

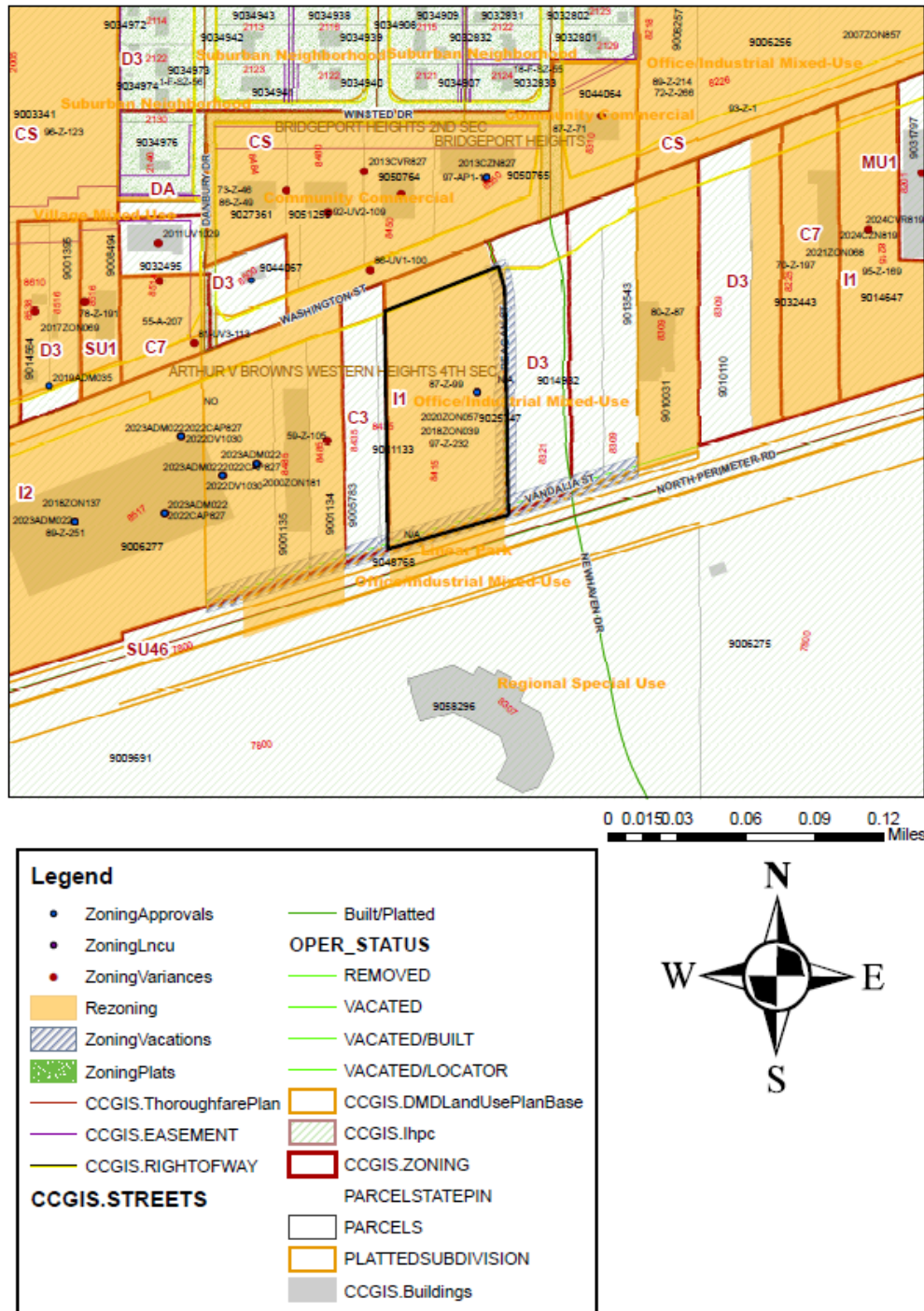


Exhibit 1: ArcGIS map of the subject site and surrounding area.



Exhibit 2: Aerial of the subject site and surrounding area.

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:

REQUEST IS CONSISTENT WITH OTHER PROPERTIES IN THE AREA.

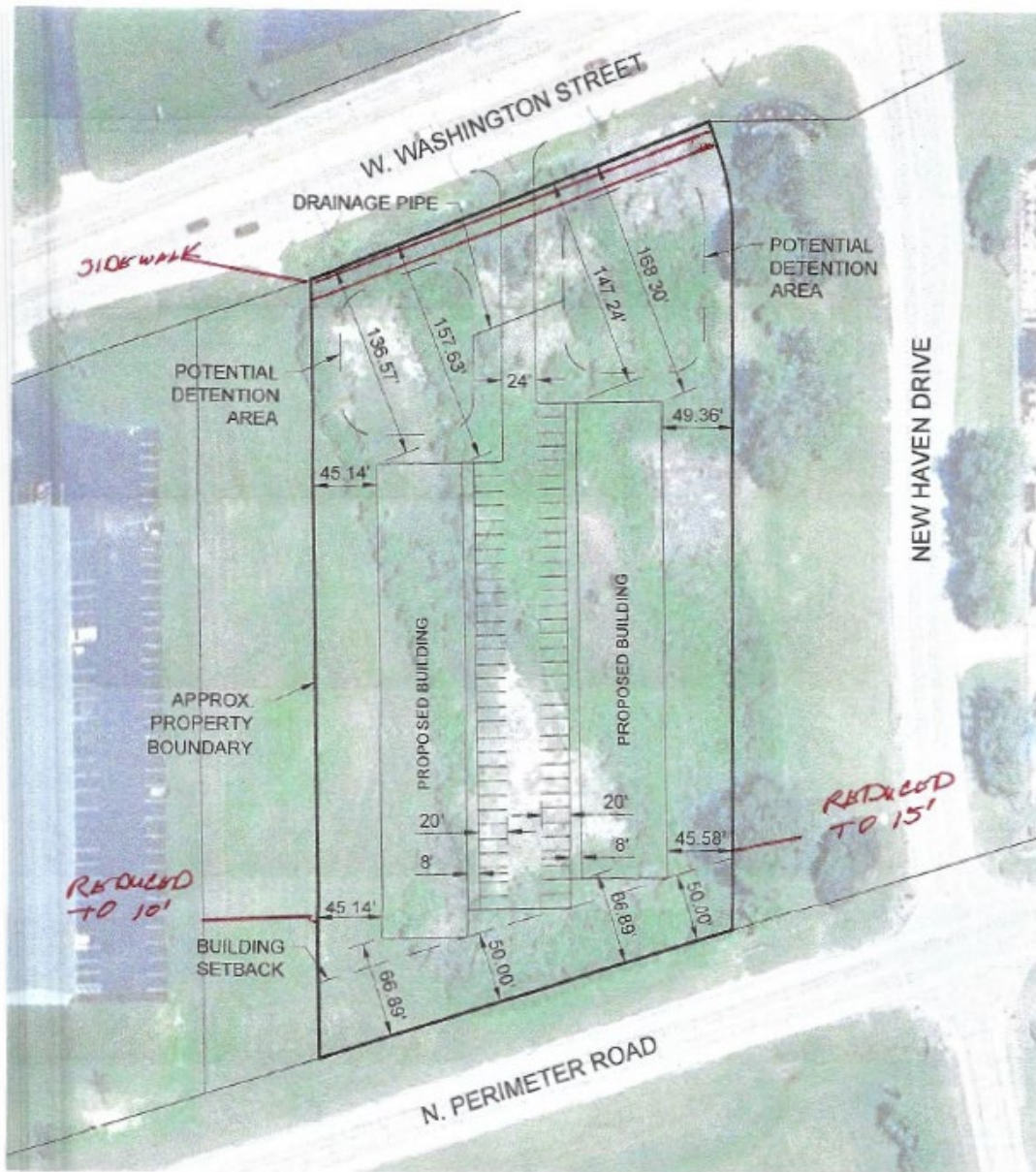
2. The use or value of the area adjacent to the property included in the variance will not be affected in a substantially adverse manner because:

REQUEST IS CONSISTENT WITH OTHER PROPERTIES IN 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:

CURRENT SETBACKS CUT PARKING SPACE TO A BARE MINIMUM OR BELOW.

Exhibit 3: Findings of fact, submitted by the petitioner.



NOTE: ALL DIMENSIONS ARE FROM BUILDING EDGE TO PROPERTY LINE



8415 W. WASHINGTON STREET
 PROPOSED LAYOUT
 INDIANAPOLIS, IN 46231



Exhibit 4: The originally submitted site plan.

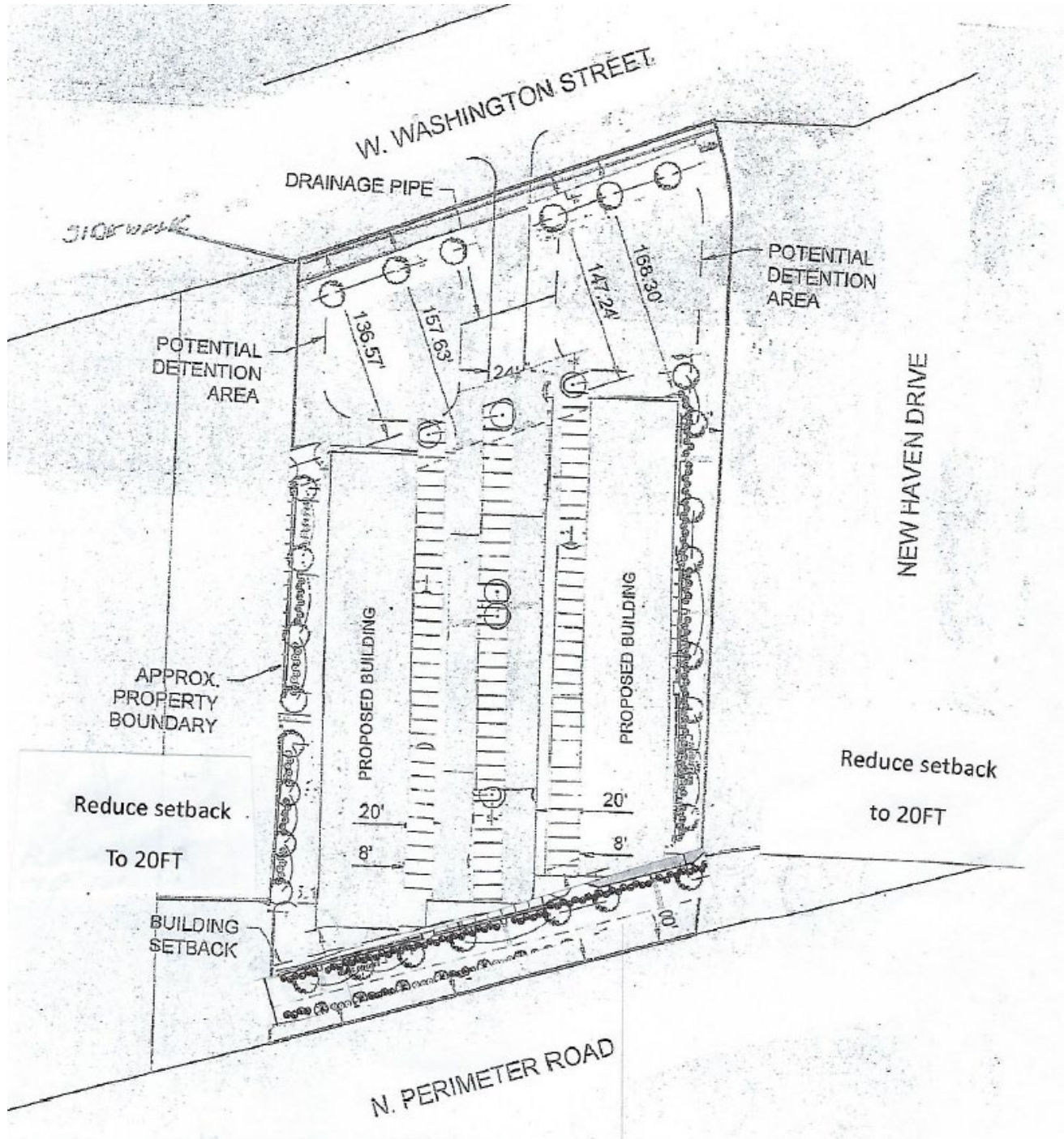


Exhibit 5: The site plan with the additional parking.

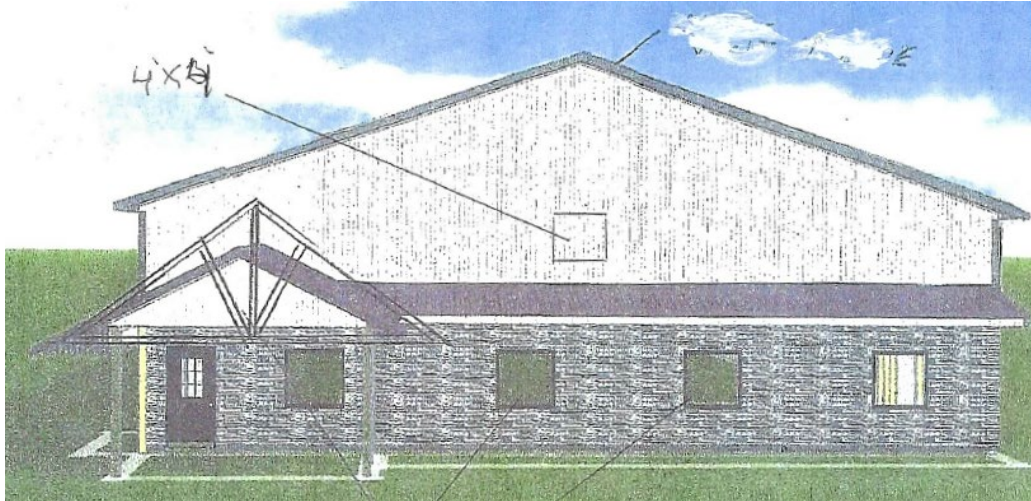


Exhibit 6: North elevation of one of the proposed buildings.

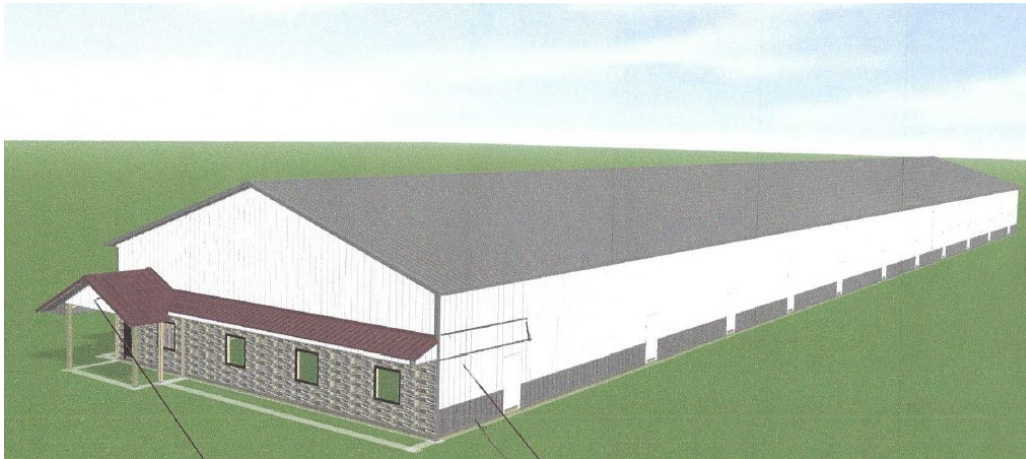


Exhibit 7: North and side elevation of one of the proposed buildings.



Exhibit 8: North and side elevation of one of the proposed buildings.

PLAN OF OPERATION

Petitioner's plan is to construct one, eventually two, 60 ft. x 330 ft. warehouse/flex space/workspace, for lease under the I1 classification. Request is consistent with uses of three buildings directly west and five buildings directly across the street. Security cameras shall be installed per rezoning commitment 2020-zon-57.

Workforce – We can't attest to as companies, (tenants) may be national companies or start-up companies with a couple of employees.

Clients & customers – We can't predict.

Processes conducted on sight would be activity allowed in I1 zoning classification. We have a pretty strict lease that states no work is to be conducted outside buildings.

Materials used – Again our leases prohibit any use of or storage of hazardous chemicals.

Waste – We do not lease to anyone who creates or disposes of hazardous waste, including no auto repair.

Exhibit 9: The submitted plan of operation.



Exhibit 10: Looking southeast at the subject site.



Exhibit 11: Looking north towards the subject site.



Exhibit 12: Looking west down West Washington Street.