

BOARD OF ZONING APPEALS DIVISION I

March 4, 2025

Case Number: 2025-UV1-003
Property Address: 9615 Southeastern Avenue (approximate address)
Location: Franklin Township, Council District #25
Petitioner: Grateful Ventures LLC, by Greg Ilko
Current Zoning: D-A
Request: Variance of Use of the Consolidated Zoning and Subdivision Ordinance to provide for the operation of a financial planning and insurance office, per the filed plan of operation (not permitted).
Current Land Use: Residential
Staff Recommendations: Staff recommends denial for this petition
Staff Reviewer: Noah Stern, Senior Planner

PETITION HISTORY

- This is the first public hearing for this petition.

STAFF RECOMMENDATION

- Staff recommends denial of this petition

PETITION OVERVIEW

- This petition would provide for the operation of a financial planning and insurance office, per the filed plan of operation (not permitted).
- The subject site is improved with a single-family residence and accessory structures. The site is zoned D-A and the Comprehensive Plan recommends rural or estate neighborhood for the property. Staff has concerns about the proposed commercial use on a residential site in an existing residential area. The proposed use goes against the Comprehensive Plan, and would represent the introduction of commercial uses on the north side of Thompson Road, which has always been used residentially, mostly for larger lots. Staff would note that a prior Use Variance on this site (85-UV2-131) for the operation of a welding business was denied by the Board.
- Staff has fears of future expansion of the proposed use if approved, and of other commercial features such as signage being added on site as a result. Further, Staff believes the proposed use to be an undesired precedent for the area that may result in similar requests on other sites nearby.

- Staff does not believe there to be sufficient practical difficulty for needing the variance, and that the property is in sufficient condition to be used for D-A permitted uses. Likewise, Staff would note that the proposed use would be a permitted home occupation use (requiring that the owner live on site, and meet all other standards related to home occupations) and the petitioner would not need variance approval if operated as such. Given that the request would go against the Comprehensive Plan, represents a type of use that is not found in the area, and that Staff does not find there to be any practical difficulty, Staff recommends denial of the petition.

GENERAL INFORMATION

Existing Zoning	D-A	
Existing Land Use	Residential	
Comprehensive Plan	Rural or Estate Neighborhood	
Surrounding Context	Zoning	Surrounding Context
	North:	D-3 North: Residential
	South:	D-A / C-5 South: Agricultural
	East:	D-A East: Agricultural
	West:	D-A West: Residential
Thoroughfare Plan		
Southeastern Avenue	Primary Collector	100 feet of right-of-way existing and 90 feet proposed
Thompson Road	Primary Arterial	50 feet of right-of-way existing and 119 feet proposed
Context Area	Metro	
Floodway / Floodway Fringe	No	
Overlay	No	
Wellfield Protection Area	No	
Site Plan	1/23/25	
Site Plan (Amended)	N/A	
Elevations	N/A	
Elevations (Amended)	N/A	
Landscape Plan	N/A	
Findings of Fact	1/23/25	
Findings of Fact (Amended)	N/A	

- Marion County Land Use Plan Pattern Book

Pattern Book / Land Use Plan

- The Marion County Land Use Plan pattern Book recommends the Rural or Estate Neighborhood living typology for this 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

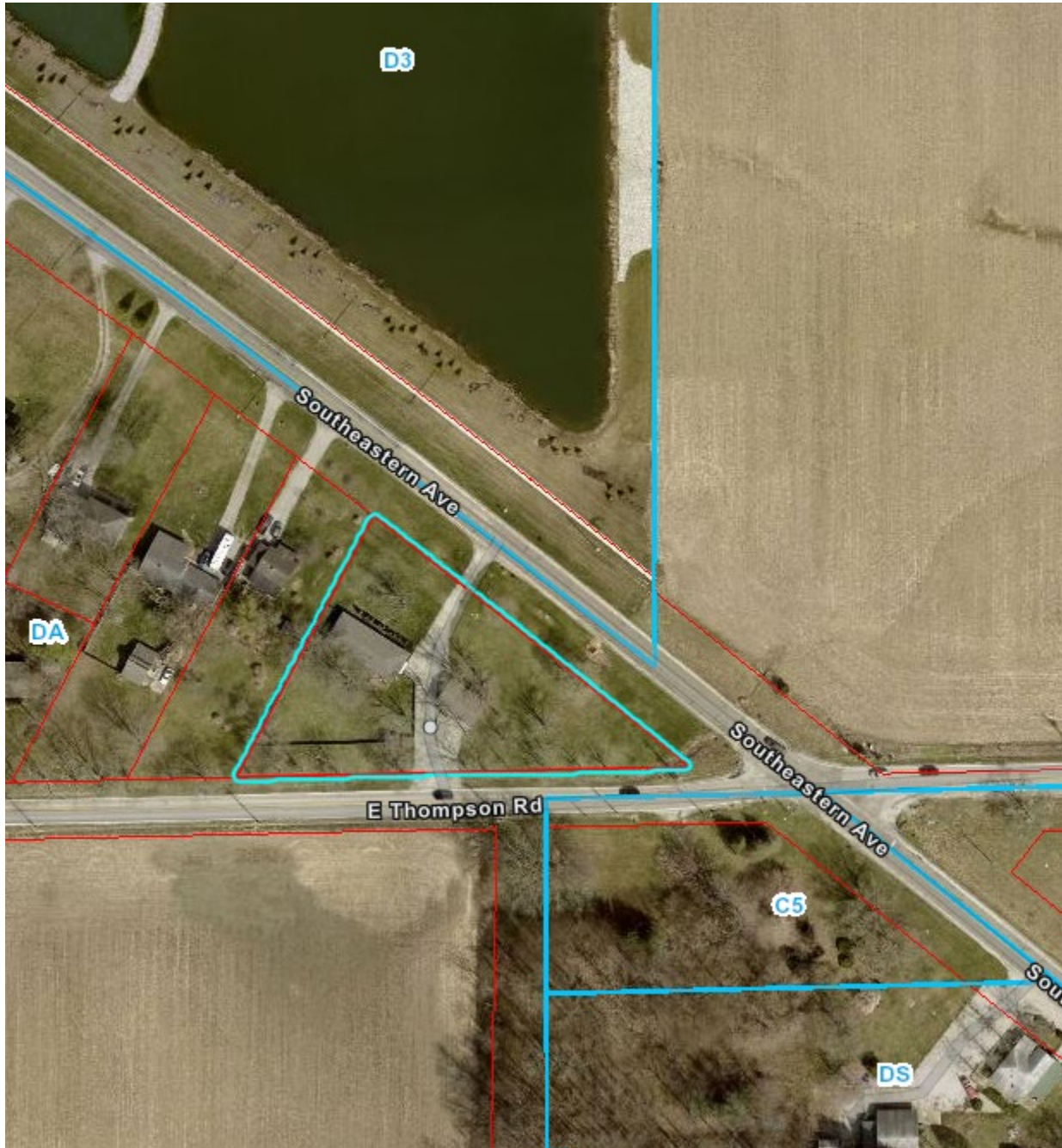
ZONING HISTORY – SITE

85-UV2-131, variance of use of the Marion County Master Plan Permanent Zoning Ordinance to provide for a welding business in an existing detached garage, **denied**.

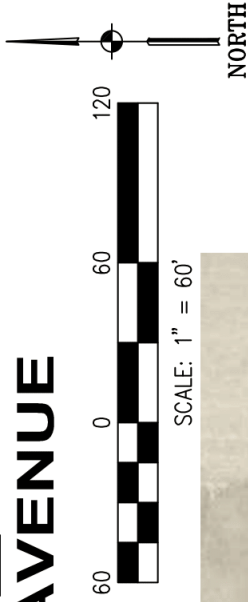
ZONING HISTORY – VICINITY

2018ZON017; 9600 Southeastern Avenue (north of site), Rezoning of 61 acres, from the D-A (FF) district, to the D-3 (FF) classification, **approved**.

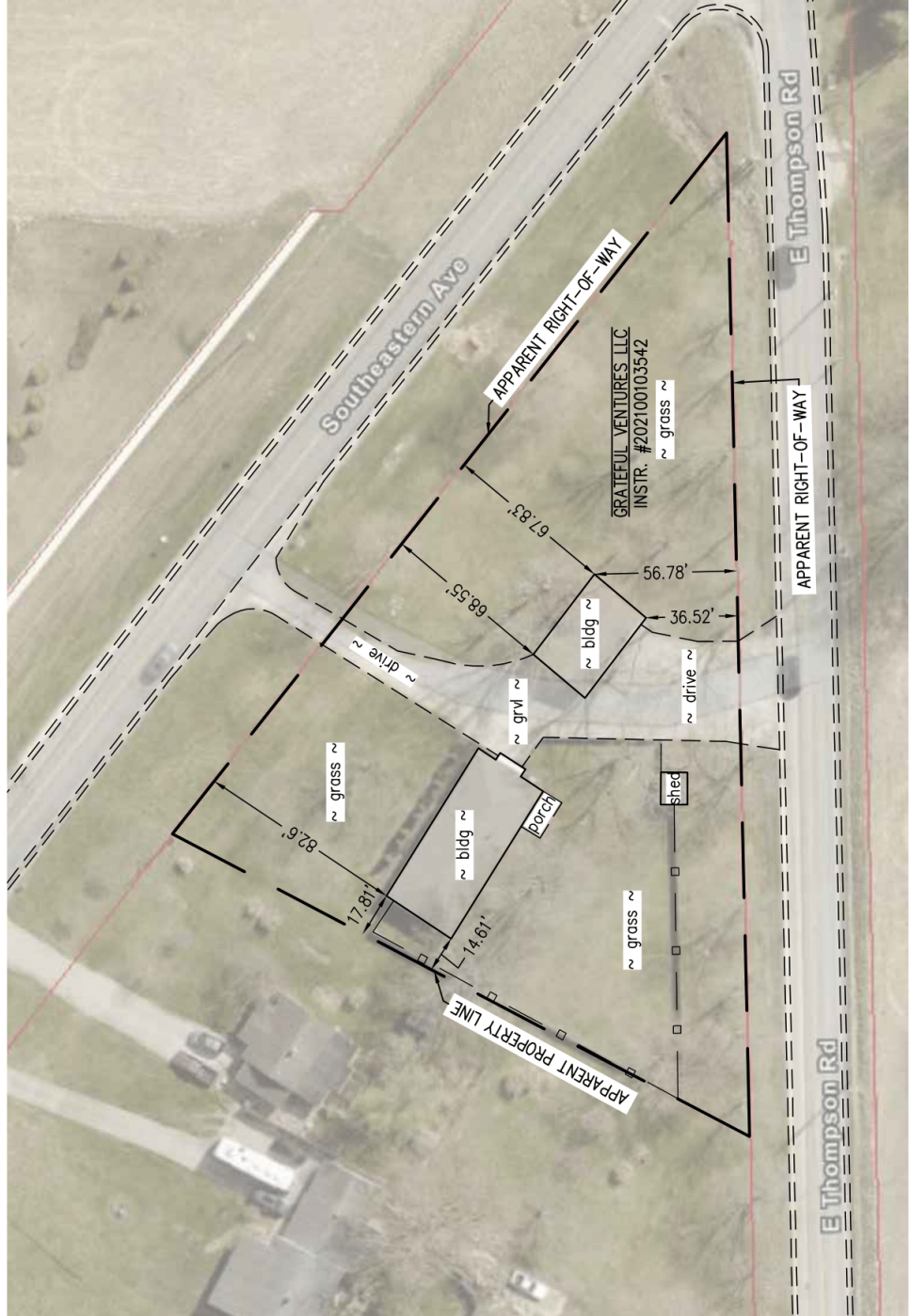
EXHIBITS



EXISTING CONDITIONS SITE PLAN JEFF GANTZ 9615 SOUTHEASTERN AVENUE



- EXISTING LEGEND
- PROPERTY LINE
 - - - PAVEMENT LINE
 - PRIVACY FENCE



PREPARED BY:



Transportation &
 Development Consultants
 1814 W. 10th Street
 - JANUARY 3, 2025

GRATEFUL VENTURES, LLC

PLAN OF OPERATION

PURPOSE

- Grateful Ventures, LLC will operate its financial planning and insurance operations out of the existing structure.

WORKFORCE

- Grateful Ventures, LLC currently has two full-time employees.

CLIENTS & CUSTOMERS

- Individuals seeking financial planning advice and insurance policy needs.
- On average, approximately one (1) client per day is expected to come to the actual place of business.

PROCESSES CONDUCTED ON SITE

- Day-to-day office/administrative tasks including, but not limited to:
 - Client phone conversations
 - Teams/Zoom meetings
 - Occasional in-person scheduled meetings
- Typical Hours of Operation:
 - Monday - Friday
 - 9:00am - 5:00pm

MATERIALS USED

- General office supplies: computers, monitors, printers, scanners, phones, etc.
- No hazardous materials utilized or stored on-site

SHIPPING AND RECEIVING

- Occasional UPS and FedEx envelope deliveries.
- Occasional Amazon deliveries for office supplies.

WASTE

- Generated waste includes general office waste.
- Recycling of applicable office supplies includes paper, printer cartridges, etc.
- Roll out-trash can with regularly scheduled Thursday pick-ups



Petition Number _____

METROPOLITAN DEVELOPMENT COMMISSION
HEARING EXAMINER
METROPOLITAN BOARD OF ZONING APPEALS, Division I _____
OF MARION COUNTY, INDIANA

PETITION FOR VARIANCE OF USE

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 use will be conducted within the existing structure and experience negligible increases of traffic realized by an allowable single-family Home Business accessory use. The operations of the proposed use will essentially go unnoticed.

2. THE USE AND VALUE OF THE AREA ADJACENT TO THE PROPERTY INCLUDED IN THE VARIANCE WILL NOT BE AFFECTED IN A SUBSTANTIALLY ADVERSE MANNER BECAUSE
the proposed use will cause little change to the existing property and the outward appearance will remain consistent with the adjacent areas.

3. THE NEED FOR THE VARIANCE ARISES FROM SOME CONDITION PECULIAR TO THE PROPERTY INVOLVED BECAUSE
the property is in a Dwelling Agriculture District at the NW corner of a high traffic intersection that is slated for improvements, including a potential roundabout. Both the SE and SW corners are zoned commercially as C4 and C5.

4. THE STRICT APPLICATION OF THE TERMS OF THE ZONING ORDINANCE CONSTITUTES AN UNUSUAL AND UNNECESSARY HARDSHIP IF APPLIED TO THE PROPERTY FOR WHICH THE VARIANCE IS SOUGHT BECAUSE
the DA zone has no provisions for low-intensity office use, very similar to an accessory use of a Home Business that is allowable within the DA zone.

5. THE GRANT DOES NOT INTERFERE SUBSTANTIALLY WITH THE COMPREHENSIVE PLAN BECAUSE
the property will still make use of the existing structures, and the Use Variance will run with the owner and not the land, such as would be the case with a rezone.

DECISION

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

Adopted this _____ day of _____, 20 ____









