

BOARD OF ZONING APPEALS DIVISION I

October 7, 2025

Case Number: 2025-UV1-014A
Address: 6805 Rockville Road (approximate address)
Location: Wayne Township, Council District #16
Zoning: D-2
Petitioner: Margarito Mendoza Galindo, by Tasha Roberts
Request: Variance of use of the Consolidated Zoning and Subdivision Ordinance to provide for outdoor and indoor storage of lawn care equipment, machinery, and materials (not permitted).

Current Land Use: Single Family Dwelling

Staff Recommendation: Staff recommends denial of this petition.

Staff Reviewer: Robert Uhlenhake, Senior Planner

PETITION HISTORY

This petition was continued from the September 2, 2025, hearing to the October 7, 2025, hearing due to deficient public notice.

This petition was heard on October 7, 2025, resulting in an indecisive vote. Therefore, it was continued to the November 4, 2025, hearing.

The petitioner requested a continuance for cause from the November 4, 2025, hearing, to the December 2, 2025, hearing.

The petitioner has submitted an updated plan of operation, file dated November 20, 2025, that limits the amount of equipment and outdoor storage.

STAFF RECOMMENDATION

Staff recommends **denial** of this petition.

PETITION OVERVIEW

VARIANCE OF USE

- ◇ The petitioner has updated the plan of operation in order to limit the amount of outdoor and indoor storage of lawn care equipment, machinery, and materials.
- ◇ Staff continues to recommend denial, as the proposed equipment, machinery and materials could still be used for a Commercial Contractor use, either by this petitioner, or future property owners.

- ◇ Staff continues to feel that any approval of this request would over-develop the site and facilitate the intrusion of general commercial uses into an established residential neighborhood. The request would encourage additional encroachment, in a manner violating the development norms and residential aesthetics of the street, and squarely deviating from the recommendations of the Comprehensive Plan.
- ◇ The strict application of the terms of the zoning ordinance does not constitute a practical difficulty for the property, since the site is zoned D-2 and could be used by any number of uses permitted, by right, in the D-2 zoning classification. Any practical difficulty is self-imposed by the desire to use the site to provide for outdoor and indoor storage of lawn care equipment, machinery, and materials.
- ◇ The subject site is similar in size to other nearby properties, that are able to follow the comprehensive plan and zoning ordinance without the need for variances. Therefore, the Comprehensive Plan recommendation should not be disregarded, nor of the clearly residential nature of the surrounding area.

GENERAL INFORMATION

Existing Zoning	D-2		
Existing Land Use	Single Family Dwelling		
Comprehensive Plan	Suburban Neighborhood		
Surrounding Context		Zoning	Surrounding Context
	North:	D-3	Single-Family dwelling
	South:	D-2	Single-Family dwelling
	East:	D-3	Single-Family dwelling
	West:	D-2	Single-Family dwelling
Thoroughfare Plan			
	Rockville Road	Primary Arterial	135-foot existing and proposed right-of-way.
Context Area	Metro area		
Floodway / Floodway Fringe	No		
Overlay	N/A		
Wellfield Protection Area	No		
Site Plan	April 18, 2025		
Elevations	N/A		
Landscape Plan	N/A		
Findings of Fact	April 18, 2025		

COMPREHENSIVE PLAN ANALYSIS

Comprehensive Plan

- The Comprehensive Plan recommends the Suburban Neighborhood typology for the site.

Pattern Book / Land Use Plan

- The Pattern Book lays out a land use classification system that guides the orderly development of the county, protects the character of neighborhoods, and serves as a policy guide for development or redevelopment of a site.
- The Suburban Neighborhood typology is predominantly made up of single-family housing but is interspersed with attached and multifamily housing where appropriate. This typology should be supported by a variety of neighborhood-serving businesses, institutions, and amenities. Natural Corridors and natural features such as stream corridors, wetlands, and woodlands should be treated as focal points or organizing systems for development. Streets should be well-connected, and amenities should be treated as landmarks that enhance navigability of the development. This typology generally has a residential density of 1 to 5 dwelling units per acre, but a higher density is recommended if the development is within a quarter mile of a frequent transit line, greenway, or park.

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

2017-UV3-016; 6675 Rockville Road (east of site), Variance of Use of the Consolidated Zoning and Subdivision Ordinance to provide for a mortgage business, **denied**.

2015-ZON-040; 6250 Rockville Road; requests rezoning of 0.36 acres from the D-2 District to the C-1 classification to provide for office uses; **approved**.

2013-HOV-029; 6696 Rockville Road; requests variance of development standards of the Sign Regulations to provide for a five-foot tall, 35-square foot illuminated ground sign; **granted**.

2011-UV3-005; 6345 Rockville Road; requests variance of use of the Commercial Zoning Ordinance to provide for a tattoo parlor within 500 feet of a protected district without the grant of a special exception; **denied.**

2010-UV2-006; 377 Rockville Road; requests variance of use and development standards of the Dwelling Districts Zoning Ordinance to provide for a copying, digital color printing, offset printing and related services and to provide for the construction of a 330-square foot carport, with a four-foot west side setback and with a rear graveled parking area with a six-foot west side yard and a zero-foot side east yard and a zero-foot rear south yard, in D-2; **granted.**

2007-DV1-060; 6714 Rockville Road; requests variance of development standards of the Sign Regulations to provide for a six-foot tall, 90-square foot, internally illuminated pylon sign within 56 feet of a protected district, and with a 10-foot front setback from the proposed right-of-way of Rockville Road; **denied.**

2006-HOV-052; 6714 Rockville Road; requests variance of development standards of the Sign Regulations to provide for a 16.375-foot tall 60.525-square foot pole sign within 66 feet of a protected district, in C-1; **withdrawn.**

2006-UV2-028; 6379 and 6383 Rockville Road; requests variance of use and development standards of the Dwelling Districts Zoning Ordinance to provide for office uses and to legally establish a 408.8 square foot detached garage with a sixteen-foot front setback from the right-of-way of Mission Street, between the established front building line of the primary structure and the right-of-way of Mission Street, and a variance of development standards of the Sign Regulations to provide for a four-foot tall, twenty-square foot ground sign, in D-2; **denied.**

2004-UV3-035; 6501 Rockville Road; requests variance of use of the Dwelling Districts Zoning Ordinance and a variance of development standards of the Sign Regulations to provide for an insurance agency, and a 32-square foot ground sign; **denied.**

2004-UV3-032; 6502 Rockville Road; requests variance of use of the Dwelling Districts Zoning Ordinance to legally establish a doctor's office; **denied.**

91-UV2-56; 6733 Rockville Road; requests variance of use and development standards of the Dwelling Districts Zoning Ordinance to permit an office for four attorneys and the placement of a 40-square foot animated sign; **denied.** (D intensity and precedent)

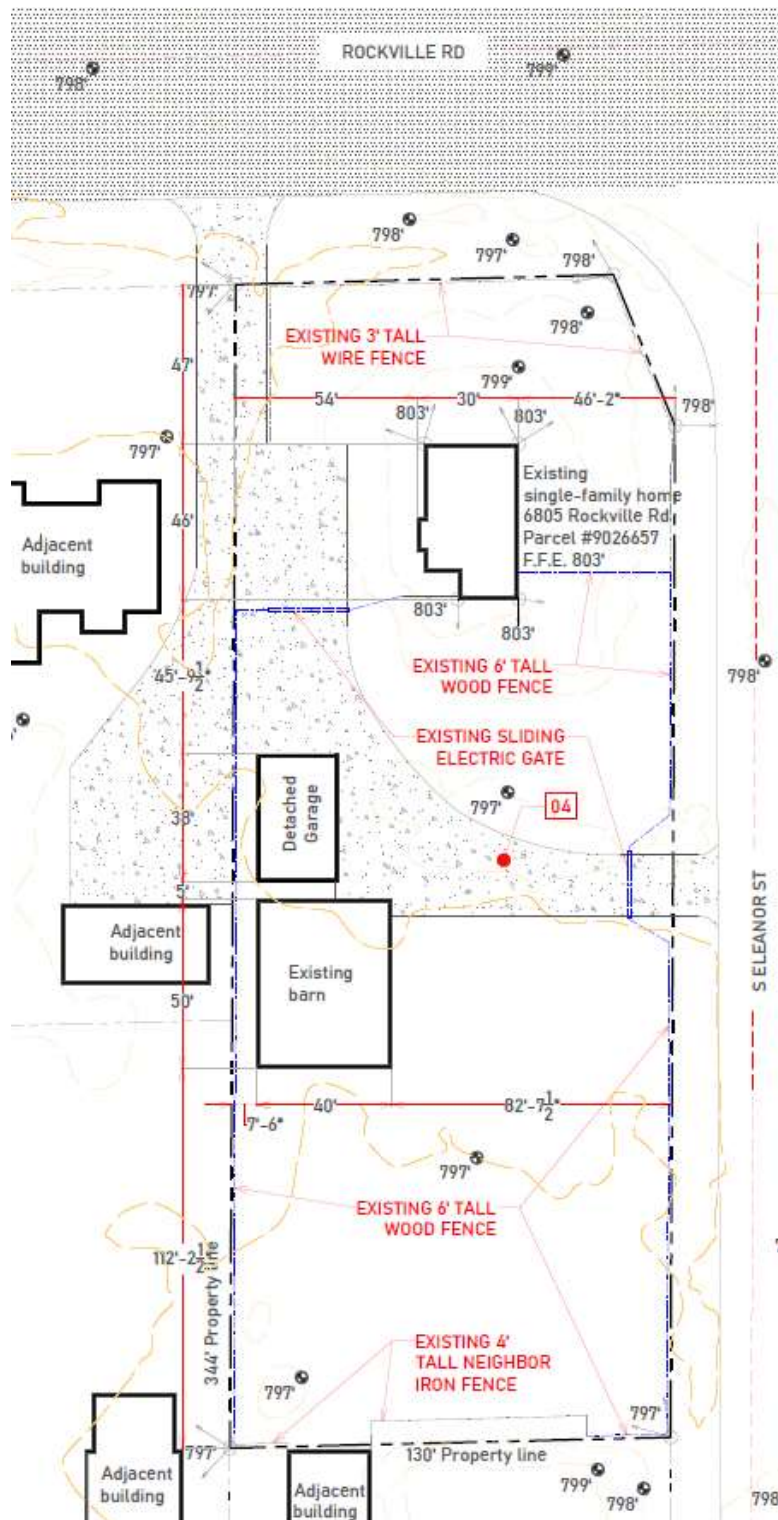
83-Z-115; 6710 Rockville Road; requests rezoning of 0.90 acre, being in the C-1 and D-3 Districts, to the C-1 classification to provide for a one-story office building; **denied.**

EXHIBITS

Location Map



Site Plan



Plan Of Operation file-dated November 20, 2025

AMENDED PLAN OF OPERATION

6805 Rockville Road, Indianapolis, IN 46214

Petitioner and his family would like to store the following items and equipment for their personal use at the site:

1. 2012 Ford F250 Truck (or similar vehicle if the truck must be repaired or replaced)
2. Firewood for personal use
3. Ladder
4. Bicycles
5. 2 rakes
6. Handheld snow blower
7. Handheld manual saw
8. Weedwhacker
9. Snowplow blade
10. Hand shovel (petitioner has a small tomato and pepper garden)
11. 2012 GTM Model 6X2 trailer (14 feet, hitch to end) with 2 wheels on each side
12. Lawn mower



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 fence is only a few inches higher than allowed by ordinance. The fence provides ample privacy between the owner and neighbors. The fence does not impair driver/traffic visibility.

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 fence and barn are made of high-quality material and woodwork. The fence and barn increase property values rather than decrease them.

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

The existing fence and barn was constructed with assurances that it met code will have to be removed.

Photographs



Subject property looking south.



Subject property looking north from Eleanor Street.



Subject property looking west from Eleanor Street.



Adjacent Single Family Dwelling to the south of subject site, looking northwest.



Adjacent Single Family Dwelling to the east of subject site, looking north.



Adjacent Single Family Dwelling to the north of subject site.