

BOARD OF ZONING APPEALS DIVISION III

October 21, 2025

Case Number: 2025-UV3-030
Address: 2602 North Harding Street (approximate address)
Location: Center Township, Council District #12
Zoning: D-5 (W-5)
Petitioner: Earl Dixon
Request: Variance of use of the Consolidated Zoning and Subdivision Ordinance to provide for the operating of a catering facility / commercial kitchen (not permitted).

Current Land Use: Vacant commercial building

Staff Recommendation: Staff recommends approval of this petition.

Staff Reviewer: Robert Uhlenhake, Senior Planner

PETITION HISTORY

This is the first hearing for this petition.

STAFF RECOMMENDATION

Staff recommends **approval** of this petition.

PETITION OVERVIEW

VARIANCE OF USE

- ◇ The requested variance of use would provide for the operating of a catering facility / commercial kitchen in an existing commercial building. Catering facilities and commercial kitchens are permitted by right as a food preparation use in the C-3, C-4, C-5, and C-7 districts, and the MU-2, MU-3, MU-4, CBD-1, CBD-2, and CBD-3 districts.
- ◇ It is believed that the site was originally developed for a barbeque restaurant, receiving a variance in 1966. That restaurant vacated after some time. Based on aerial photos, the building and subsequent additions, may have been used as a single-family dwelling for several years before being vacated again.
- ◇ The size of the building and the intended proposed use would limit its impact and intensity on the surrounding properties.
- ◇ In Staff's opinion, the scale of the proposed use as described in the site plan and plan of operation would not have a negative impact on other surrounding properties and would be similar to other corner commercial nodes along this stretch of Harding Street.

GENERAL INFORMATION

Existing Zoning	D-5	
Existing Land Use	Vacant Single-Family Dwelling / Commercial Restaurant	
Comprehensive Plan	3.5 to 5.0 Dwelling Units Per Acre.	
Surrounding Context	<u>Zoning</u>	Surrounding Context
	North: D-5	Single-family dwelling
	South: D-5	Vacant
	East: D-5	Single-family dwelling
	West: D-5	Single-family dwelling
Thoroughfare Plan		
	Harding Street	Primary Collector 72-foot existing right-of-way, and 78-foot proposed right-of-way.
Context Area	Compact area	
Floodway / Floodway Fringe	No	
Overlay	N/A	
Wellfield Protection Area	Yes, 5 year	
Site Plan	September 23, 2025	
Plan of Operation	September 23, 2025	
Elevations	N/A	
Landscape Plan	N/A	
Findings of Fact	September 23, 2025	

COMPREHENSIVE PLAN ANALYSIS

Comprehensive Plan

- Marion County Comprehensive Plan recommends 3.5 to 5.0 Dwelling Units Per Acre.

Pattern Book / Land Use Plan

- Not Applicable to the Site.

Red Line / Blue Line / Purple Line TOD Strategic Plan

- Not Applicable to the Site.

Indy Moves

(Thoroughfare Plan, Pedestrian Plan, Bicycle Master Plan, Greenways Master Plan)

- Not Applicable to the Site.

ZONING HISTORY

None
RU

EXHIBITS

Location Map



140'

Lakes Area

CONC DRIVEWAY

38'-6"

19'-0"

HARDING ST.

140'

LAKES AREA

2602

Section 27

45'

at 349

N

1" = 10'-0"

SITE PLAN

Plan of Operation file-dated September 23, 2025

Community Kitchen Plan of Daily Operation

1. General Overview

- **Mission:** To provide a fully equipped commercial kitchen for hourly and daily rentals, serving as a food commissary as well.
- **Target Market:** Small catering businesses, mobile caterers, chefs, and culinary entrepreneurs.
- **Hours of Operation:**
 - **Daily Rental:** Available 24/7 or by a pre-arranged schedule.
 - **Hourly Rental:** Flexible, with specific time blocks (e.g., 6 AM–12 PM, 12 PM–6 PM, or 6 PM–12 AM).
 - **Commissary Operations:** Must comply with local regulations, offering caterers a base for prep, storage, and washing equipment.

2. Kitchen Layout

- **Work Zones:**
 - **Prep Area:** Spacious countertops for food prep, cutting, and mixing. Ensure proper sanitation stations with handwashing sinks.
 - **Cooking Stations:** Industrial stoves, ovens, grills, fryers, and ranges. Rental client should have access to at least one dedicated cooking space.
 - **Storage:** Shelving units for dry goods, refrigerated storage and freezers, for clients exercising extended rental options.
 - **Dishwashing Area:** Three-compartment sink, and separate area for sanitizing utensils, pots, and pans.
 - **Packaging Area:** A designated space for packaging food items, especially for catering that need to transport food easily.
 - **Commissary Section:** Ensure separate areas for food prep and packaging according to health regulations and codes. Include separate, secured storage for perishable items.

3. Staffing

- **Kitchen Manager/Coordinator:** To oversee daily operations, schedules, and rentals. Ensures compliance with health and safety regulations.
- **Cleaning Crew:** Depending on the number of rentals and usage, have designated cleaning staff responsible for regular cleaning between rentals and deep cleaning after hours.

4. Rental Process

- **Booking System:**
 - Online or phone-based reservation system to manage daily/hourly bookings. Integrate with a calendar to avoid double bookings.
 - Tiered pricing based on hours, kitchen space, and specific services (e.g., refrigeration, dishwashing).
- **Contract/Agreement:** Clear rental agreements outlining terms, responsibilities, insurance requirements, and usage policies.
- **Payment System:** Flexible payment options with hourly/daily rates. Implement a deposit system to ensure commitment.

5. Operations & Daily Tasks

- **Start of Day:**
 - **Opening Inspection:** Kitchen staff or manager checks all equipment, verifies cleanliness, and ensures that all supplies are stocked (e.g., soap, paper towels, cleaning products).
 - **Rental Check-In:** Greet each rental client, give a tour if needed, and go over the policies and procedures.
 - **Commissary Check-In:** Verify which mobile caterers are using the space, ensuring they've properly stocked their ingredients and have their necessary permits.
- **During Operation:**
 - **Inventory Control:** Ensure that equipment, tools, and ingredients are organized and available. Track inventory for any communal supplies (e.g., oil, cleaning supplies).
 - **Safety Monitoring:** Regularly check that staff and renters are following safety protocols (e.g., fire safety, cleanliness, temperature control).
 - **Cleaning Between Rentals:** Sanitize cooking areas, clean surfaces, and remove trash between each use. Regularly sanitize high-touch areas (door handles, sink faucets).
- **End of Day:**
 - **Rental Check-Out:** Ensure clients clean up, return equipment, and dispose of trash properly.
 - **Deep Cleaning:** Perform a full cleaning of the kitchen spaces, equipment, and utensils used during the day. Focus on hard-to-reach areas and high-traffic zones.

6. Health & Safety Compliance

- **Food Safety:**
 - Ensure the kitchen complies with all local health department regulations regarding food handling, temperature control, and sanitation.
 - Have temperature logs for refrigerators/freezers and cleaning logs.
- **PPE Requirements:**
 - Ensure that all renters and staff are equipped with the necessary personal protective equipment (e.g., gloves, aprons, hairnets).
- **Fire Safety:**
 - Maintain fire extinguishers, fire blankets, and proper ventilation.
 - Ensure fire safety protocols are in place for cooking equipment.

7. Equipment & Inventory Management

- **Kitchen Equipment:**
 - Regularly inspect and maintain cooking equipment (stoves, ovens, fryers, etc.) to ensure everything is working properly.
 - Track any shared or communal equipment and keep a maintenance schedule for those items.
- **Supplies Inventory:**
 - Stock essential kitchen supplies (e.g., gloves, sanitizers, cleaning chemicals) and track inventory to prevent shortages.

8. Marketing & Client Retention

- **Targeted Marketing:**
 - Market your kitchen's rental services to local food entrepreneurs, catering businesses, and private chefs.
 - Promote via social media, local directories, and word-of-mouth referrals from past clients.
- **Client Retention:**
 - Offer loyalty discounts for repeat customers or long-term bookings.
 - Gather feedback from clients and continually improve your services.

9. Emergency Protocols

- **In Case of Equipment Failure:**

- Maintain a list of emergency contacts for repair services and ensure backup equipment is available if needed.

- **Accident Protocols:**

- Have a first aid kit available and train staff on how to handle kitchen-related injuries.
- Have fire escape routes clearly posted.

Findings of Fact

Petition Number _____

METROPOLITAN DEVELOPMENT COMMISSION
HEARING EXAMINER
METROPOLITAN BOARD OF ZONING APPEALS, Division _____
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

It will be a public facility for use by both local and surrounding areas as a resource used to promote the growth of smaller businesses without adversely affecting any of the above mentioned

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

There are similar buildings and structures located in adjacent areas and nearby areas. The totally renovated building will add value to the area as well as provide a useful resource to community.

3. THE NEED FOR THE VARIANCE ARISES FROM SOME CONDITION PECULIAR TO THE PROPERTY INVOLVED BECAUSE

The current D-5 zoning doesn't allow the operation of a commercial kitchen and business likewise associated with it.

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

It prevents and restricts planned business operations.

5. THE GRANT DOES NOT INTERFERE SUBSTANTIALLY WITH THE COMPREHENSIVE PLAN BECAUSE

It's community oriented and supported and doesn't disrupt the current comprehensive plan.

Photographs



Photo of subject site, looking west.



Photo of subject site, looking east.



Photo of adjacent single family dwelling to the north, looking west.



Photo of adjacent single family dwellings to the west, looking north.