

Board of Zoning Appeals Division III

August 4, 2026

Case Number: 2026-DV3-011

Property Address: 3603 South Meridian Street (*approximate address*)

Location: Perry Township, Council District #18

Petitioner: Roman Catholic Archdiocese of Indianapolis, Properties Inc as Trustee for St Roch, Catholic Church Indianapolis Inc., by Wooton Hoy (John Cross)

Current Zoning: SU-1 / D-4

Request: Variance of Development Standards of the Consolidated Zoning and Subdivision Ordinance to permit an 8-foot fence in the front yard (fences taller than 4 feet not permitted in front yards) and located within the clear sight triangle (not permitted).

Current Land Use: Developed, School

Staff Recommendations: Staff recommends **denial** of this petition.

Staff Reviewer: Josh Levesque, Senior Planner

PETITION HISTORY

This case was originally set to be heard by BZA Division III on April 21st, 2026. A registered neighborhood organization filed a timely automatic continuance to May 26th. The petitioner subsequently filed a continuance from the May 26th, 2026, to the July 21st, 2026, BZA III hearing. The petitioner filed for an additional continuance as well as transfer to the August 4th, 2026, BZA III hearing.

STAFF RECOMMENDATION

Staff recommends **denial** of this petition.

PETITION OVERVIEW

- 3603 South Meridian Street is a large parcel on the corner of South Meridian Street and Sumner Avenue. The parcel contains a school and a large, paved play and parking area. The property is currently split-zoned between SU-1 (the majority) and D-4 and is surround by a variety of zoning districts and land uses. The adjacent property to the east, zoned D-4, contains parish offices. The parcels across the Sumner Avenue to the north are zoned D-3 and are undeveloped. To the west is a parcel zoned D-A and containing a gas station. To the south is a church center.
- The petitioner's request is to establish a fence/wall in the front yard that is, in parts, 8 feet tall (which is taller than the 3.5 feet allowed by 4.5 feet) with an opacity of greater than 30%. Portions of the fence/wall on Meridian Street would rise to 41 inches within the clear sight triangle.

- 744-503.H of the Ordinance indicates that “no obstructions shall be erected, placed, planted, or allowed to grow in such a manner as to materially impede visibility between the heights of 2.5 feet [30 inches] and 8 feet above grade level.” The Department of Public Works also relies on sight triangles (an engineering sight triangle) to determine the safety of intersections. The clear sight triangle used by DPW represents the area a driver needs visibility in order to react and stop in case of an oncoming hazard. It also represents the distance the driver needs to see oncoming traffic from the left and right so they can safely pull into traffic. The diagrams below (see “Clear Sight Diagrams” in “Exhibits”) show how the extent to which the fence/wall encroach into the clear sight triangle.
- The Ordinance regulates fence height and opacity to encourage walkable streetscapes and to prevent massing. On corners, the massing is particularly important as it can also play into the clear sight matters mentioned above. Staff will note that the ordinance does not distinguish between fence or wall height in the front yard. According to 744-510B, the maximum height of a fence or wall shall be in accordance with Table 744-510-2. The aforementioned table indicates that the maximum height of a fence or wall in the front yard of all other districts (special use in this case) should be 3.5 feet. This makes no mention of an exception to rise to four (4) feet with lower opacity. However, in dwelling districts, a fence or wall may rise to four (4) feet when the opacity is 30% or less. As part of the parcel is in the D-4 zoning district and, in an effort to compromise, Staff’s analysis led to a determination to apply the less restrictive 4-foot standard if opacity could be met.
- Petitioner’s updated plans propose to lower the fence/wall to 5 feet. The plans also indicate a proposal to bring in the portion of the fence along the intersection of Sumner and Meridian. However, the petitioner’s own diagram shows that the fence/wall will still remain within the clear sight triangle. The clear sight triangle is intended to promote safety and to reduce traffic conflicts—a chief concern near schools.
- State statute indicates that a variance may only be approved if ALL of the following criteria are met:
 - The approval will not be injurious to the public health, safety, morals, and general welfare of the community;
 - The use and value of the area adjacent to the property included in the variance will not be affected in a substantially adverse manner;
 - The need for the variance arises from some condition peculiar to the property involved;
 - The strict application of the terms of the zoning ordinance will constitute an unnecessary hardship if applied to the property for which the variance is sought; and
 - The approval does not substantially interfere with the comprehensive plan
- Within the clear sight triangle there are sidewalks, traffic stop bars, and turn lanes. Obstructing these present potential hazardous conditions for area pedestrians and drivers.

- The Ordinance is intended to promote public safety as well as to guide design standards. Staff's analysis indicates the presence of public safety hazards. As such, staff recommends **denial** of this variance.

GENERAL INFORMATION

Existing Zoning	SU-1	
Existing Land Use	Developed; School	
Comprehensive Plan	Suburban Neighborhood	
Surrounding Context	Zoning	Surrounding Context
North:	D-3	North: Undeveloped
South:	SU-1	South: Religious Use / Community Center
East:	D-4	East: Religious Use / Church
West:	D-A	West: Gas Station
Thoroughfare Plan		
South Meridian Street	Primary Arterial	50-foot existing right-of-way and 95-foot proposed right-of-way
Sumner Avenue	Primary Collector	60-foot existing right-of-way and 56-foot proposed right-of-way
Context Area	Compact	
Floodway / Floodway Fringe	No	
Overlay	No	
Wellfield Protection Area	No	
Site Plan	3/09/2026	
Site Plan (Amended)	N/A	
Elevations	N/A	
Elevations (Amended)	N/A	
Landscape Plan	N/A	
Findings of Fact	3/10/2026	
Findings of Fact (Amended)	N/A	
C-S/D-P Statement	N/A	

COMPREHENSIVE PLAN ANALYSIS

Comprehensive Plan

- Marion County Land Use Plan Pattern Book (2019)

Pattern Book / Land Use Plan

- The Suburban Neighborhood typology is predominantly made up of single-family housing, 3603but 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

ZONING HISTORY – SITE

79-Z-151; 3500 South Meridian Street, Rezoning from SU to SU1, **approved**.

ZONING HISTORY – VICINITY

79-Z-151; 3435 South Meridian Street, Requesting rezoning from D3 to SU1, **approved**.

99-Z-156; 3449 South Meridian Street, Requesting rezoning of 2.19 acres from D3 to DP, **withdrawn**.



**Department of Metropolitan Development
Division of Planning
Current Planning**

2002ZON054; 3510 South Meridian Street, Requesting rezoning of 1.659 acres from DA to C-3, **withdrawn**.

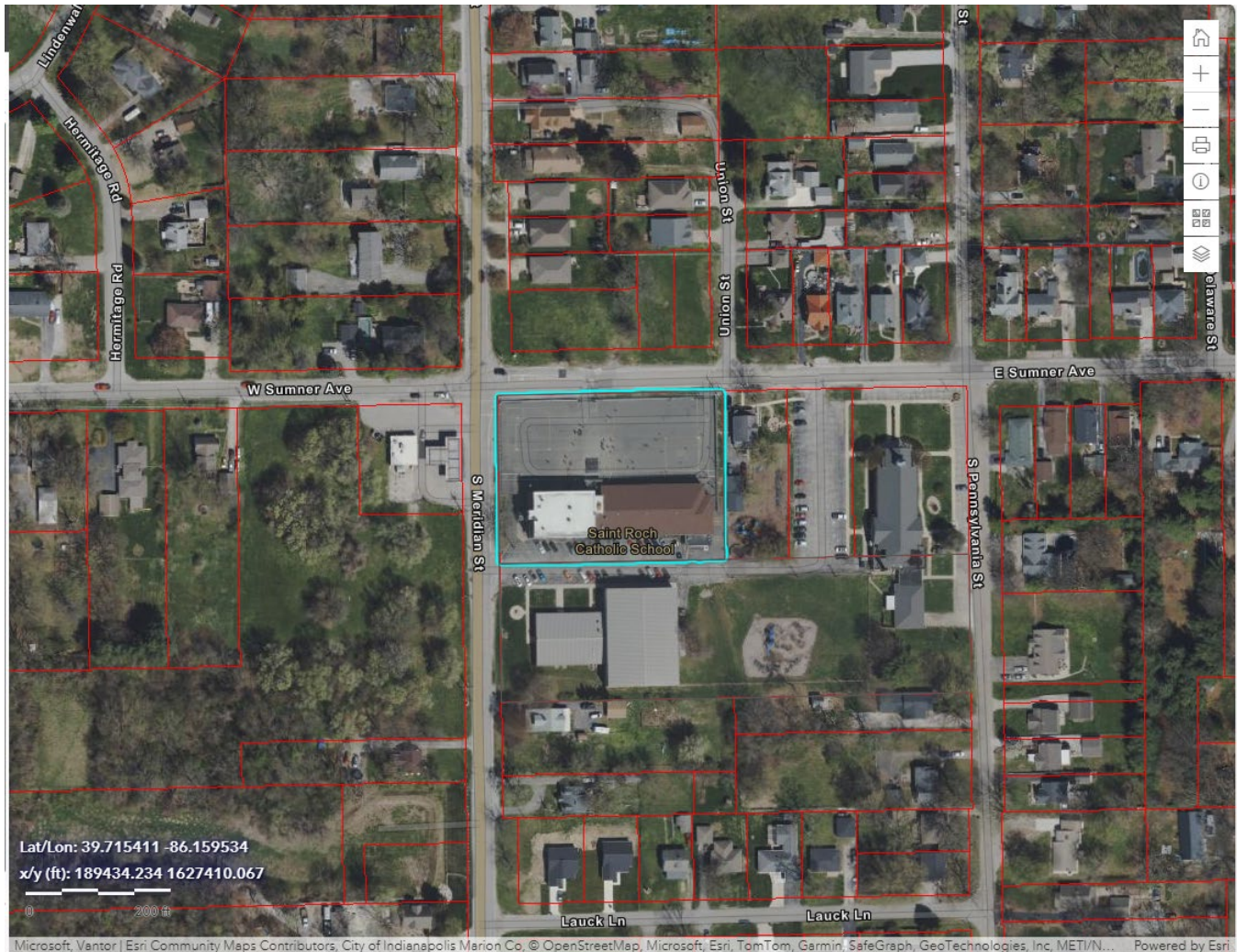
2005DV1031; 18 East Sumner Avenue, Variance of Development Standards of the Dwelling District Zoning Ordinance to provide for the construction of a single-family dwelling with a ten-foot front yard setback along Union Street, **approved**.

2012UV2020; 3652 South Meridian Street, Variance of Use of the Dwelling Districts Zoning Ordinance to legally establish a 780-square foot deck for outdoor seating and a 4,400-square foot outdoor seating area on gravel, accessory to bar, **approved**.

2023UV3006; 3650 & 3652 South Meridian Street, Variance of Use of the Consolidated Zoning and Subdivision Ordinance to provide for the operation of an eating establishment with outdoor seating on an existing patio, **withdrawn**.

EXHIBITS

2026DV3011; Aerial Map

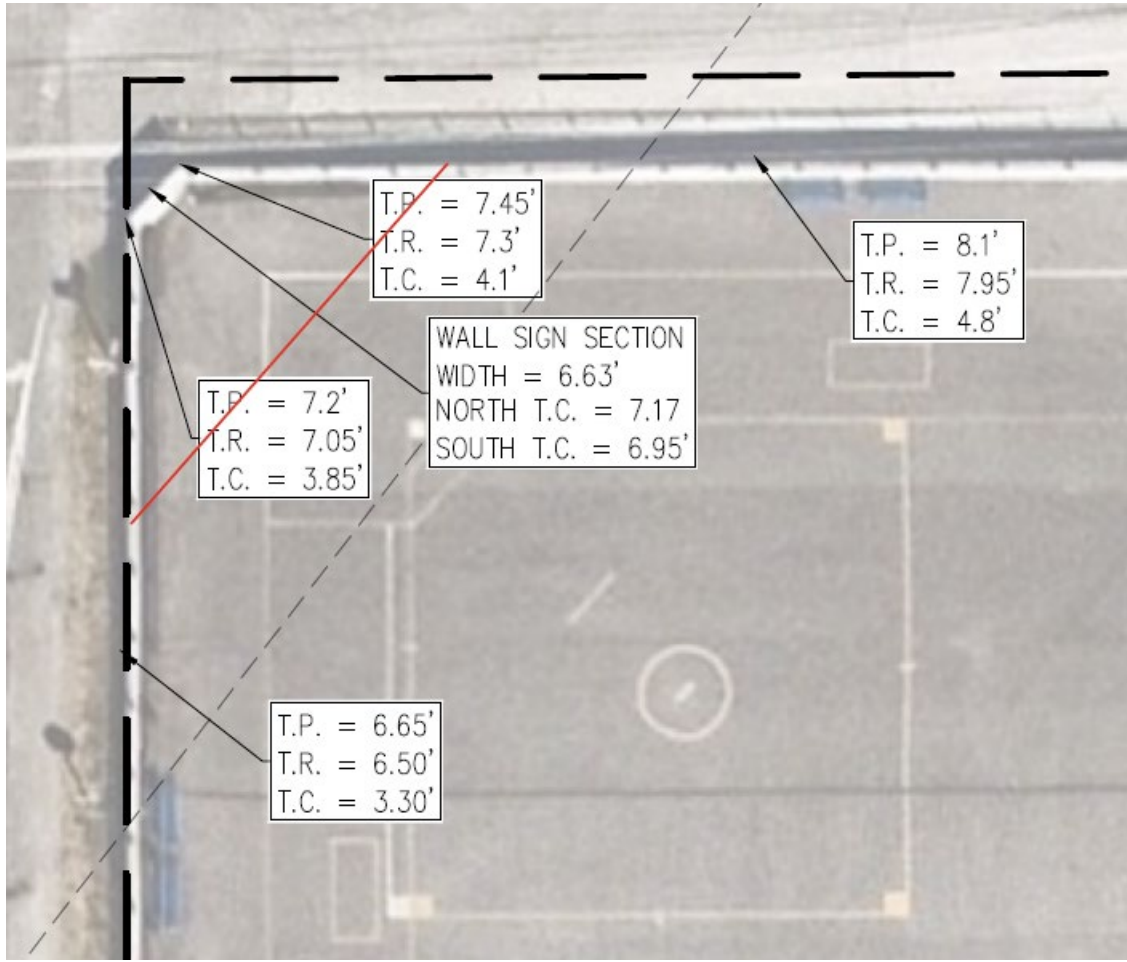


2026DV3011; Site Plan (1)



Site plan showing where the fence would need to be to meet clear sight regulations and where the current proposed placement would be.

2026DV3011; Site Plan (2)

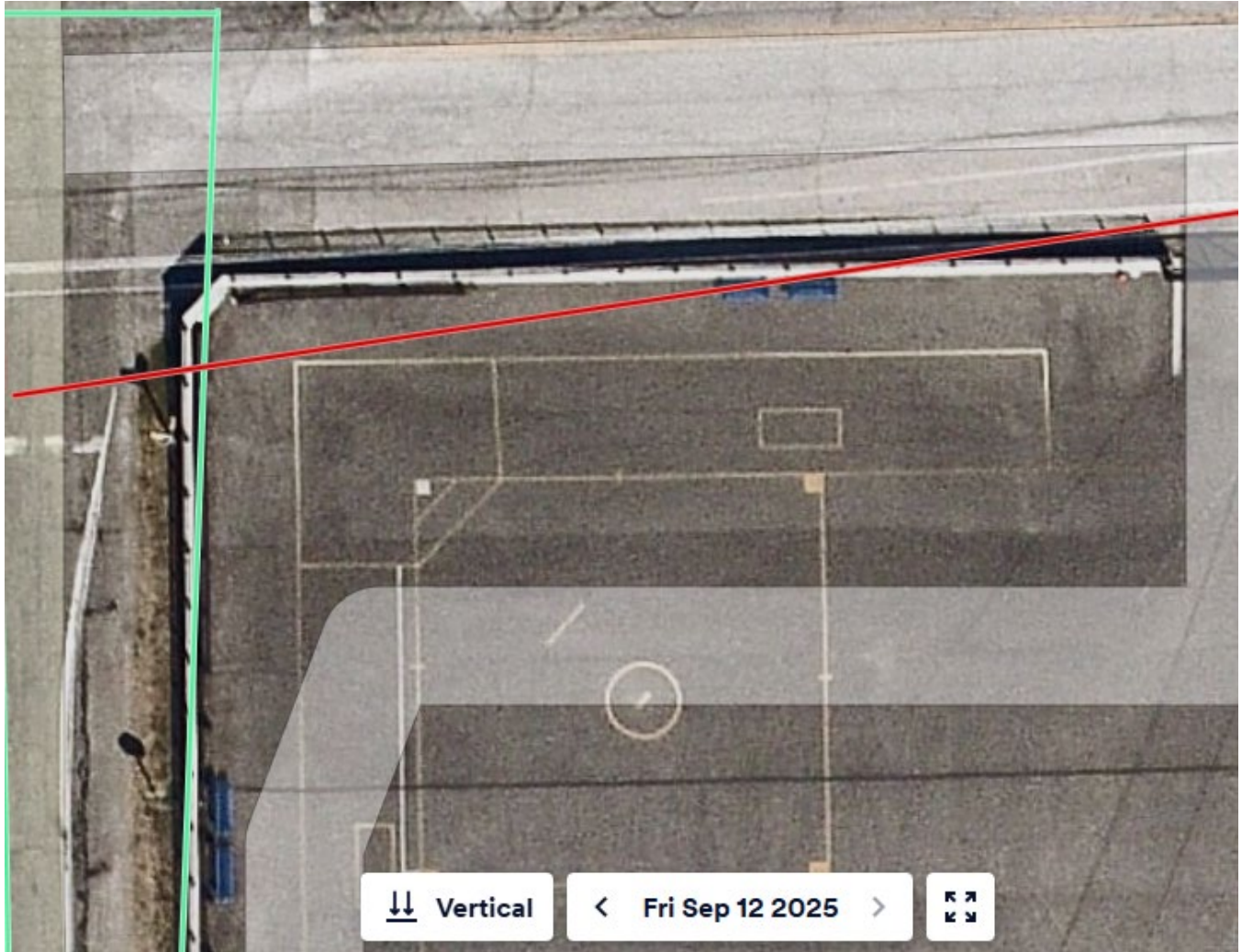


Site plan showing proposed fence location (red line)

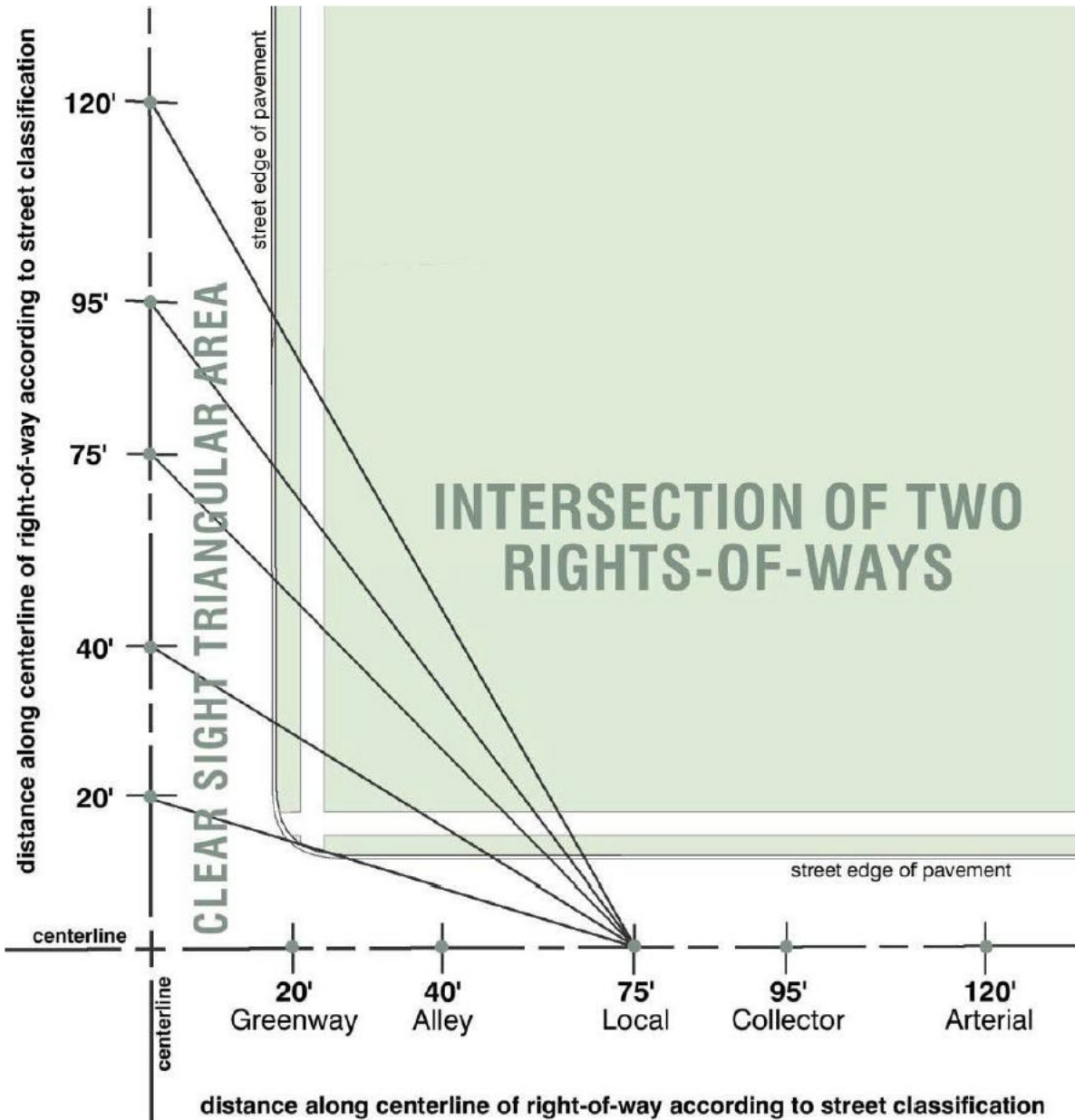
2026DV3011; DPW Clear Sight Diagrams (1)



2026DV3011; DPW Clear Sight Diagrams (2)



2026DV3011; DMD Clear Sight Diagrams (1)



2026DV3011; DMD Clear Sight Diagrams (2)



2026DV3011; Photographs



Photo 1: Fence/wall as seen from Sumner Avenue looking south

2026DV3011; Photographs (continued)



Photo 2: On South Meridian at corner with Sumner

2026DV3011; Photographs (continued)



Photo 3: On Sumner at corner with Meridian

2026DV3011; Photographs (continued)



Photo 4: Fence/wall along Sumner near intersection with South Meridian