

**BOARD OF ZONING APPEALS DIVISION II**

**October 14, 2025**

**Case Number:** 2025-DV2-034  
**Address:** 5420 Rock Hampton Court (approximate address)  
**Location:** Pike Township, Council District #1  
**Zoning:** I-4  
**Petitioner:** Christopher Thomas  
**Request:** Variance of Development Standards of the Consolidated Zoning and Subdivision Ordinance to provide for the construction of a freestanding accessory building with a 10-foot west side yard and 15-foot rear yard setback (30-foot side and rear yard setback required).

**Current Land Use:** Commercial Landscape Contractor.

**Staff Recommendation:** Staff recommends approval of this petition.

**Staff Reviewer:** Robert Uhlenhake, Senior Planner

**PETITION HISTORY**

This petition was continued from the September 9, 2025, hearing due to a lack of public notice.

**STAFF RECOMMENDATION**

Staff recommends **approval** of this petition.

**PETITION OVERVIEW**

- ◇ Development Standards of the Consolidated Zoning and Subdivision Ordinance, specifically those relating to setbacks, are intended to ensure orderly development and protect surrounding property values by providing for open buffer areas along lot lines, and to ensure adequate access around buildings.
- ◇ The site is located in a high intensity commercial / industrial corridor area. The addition of the proposed accessory building with the reduced side and rear setbacks would not be out of context with the existing surrounding area. This proposal would not be detrimental to the community and surrounding area.
- ◇ The 10-foot west side setback and 15-foot rear setback would have minimal impact because of its relative proposed location to adjacent structures and would still provide adequate space to mitigate any adverse impacts and provide the minimum area necessary for maintenance.

- ◇ Generally, staff supports legally establishing property improvements if their location and characteristics do not negatively impact adjoining residential areas by causing a nuisance to the surrounding neighborhood. Staff believes that this would be true for this particular variance request; additionally, no public safety or health risks would come from the grant of this variance.

## GENERAL INFORMATION

Existing Zoning	I-4	
Existing Land Use	Commercial Landscape Contractor	
Comprehensive Plan	Heavy Industrial	
Surrounding Context	<u>Zoning</u>	<b>Surrounding Context</b>
	North:	I-3 Petroleum Storage and Processing Facility
	South:	I-4 Heavy Commercial
	East:	I-4 Commercial Contractor
	West:	I-4 Commercial Contractor
Thoroughfare Plan		
Rock Hampton Court	Local Street	50-foot existing and proposed right-of-way.
Context Area	Metro area	
Floodway / Floodway Fringe	No	
Overlay	N/A	
Wellfield Protection Area	No	
Site Plan	August 6, 2025	
Elevations	N/A	
Landscape Plan	N/A	
Findings of Fact	August 6, 2025	

## COMPREHENSIVE PLAN ANALYSIS

### Comprehensive Plan

- Marion County Land Use Plan Pattern Book (2019)

### Pattern Book / Land Use Plan

- The Marion County Land Use Plan Pattern Book (2019) recommends the Heavy Industrial typology which provides for industrial, production, distribution, and repair uses that are intense and may create emissions of light, odor, noise, or vibrations. This typology is characterized by freestanding buildings or groups of buildings, often within industrial parks. Outdoor operations and storage are common. Typical uses include food processing, milling, storage of petroleum products, recycling, welding, and concrete mixing. Industrial or truck traffic should be separated from local/residential traffic.

### 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

**2014-UV1-004; 5450 Rock Hampton Court (west of site),** requested a Variance of Use of the Industrial Zoning Ordinance to provide for automobile sales, with service and repair, **granted.**

**95-UV3-20; 8778 Robbins Road (south of site),** requested a Variance of Use of the Industrial Zoning Ordinance to provide for the construction of an automobile collision repair facility, **granted.**

**84-HOV-48; 5410 Rock Hampton Court (east of site),** requested a variance of development standards to provide for an addition to an existing building without the required off—street loading maneuverability and within the required side yard, **granted.**

**82-V3-12, 5540 Rock Hampton Court, (west of site).** Variance of Development Standards of the Industrial Zoning Ordinance to permit an addition to an existing building, ten feet from the west property line, granted.

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## EXHIBITS

### Location Map





Site Plan





**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 proposed building will be located within the existing parking lot / staging area that supports the existing facility. The proposed building will not be used by the public nor will it be easily viewed from the public right-of-way of Rock Hampton Court.

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 property is located within an industrial area where there are multiple similar facilities and uses. The addition of an accessory building to support the business will add value to the business and therefore the surrounding properties.

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

The owner of the property owns the property to the west (5430 Rock Hampton Court) and the two separate properties are used for the one business. If the building is not able to be located as shown on the site plan, the staging/parking area will be reduced in size and therefore the production capacity of the facility will be reduced.

**Photographs**



Subject site, commercial landscape contractor, looking north.



Subject site, proposed accessory building location, looking north. (Trucks and tanks will be relocated)



Adjacent Commercial Contractor to the west, looking north.



Adjacent Commercial Contractor to the east, looking north.