

Board of Zoning Appeals Division I

May 12, 2026

Case Number:	2026-UV1-007
Property Address:	5282 East 65 th Street (<i>approximate address</i>)
Location:	Washington Township, Council District #3
Petitioner:	Substalae LLC, by Artisan Outdoor Craftsman
Current Zoning:	I-2
Request:	Variance of Use of the Consolidated Zoning and Subdivision Ordinance to establish a 1,370 square foot second-floor apartment (dwelling units not permitted in I-2) and to provide for a deck as a residential accessory structure (residential structures not permitted in I-2).
Current Land Use:	Developed, Industrial Use, Showroom, 2 nd -floor apartment
Staff Recommendations:	Staff recommends approval of this petition.
Staff Reviewer:	Josh Levesque, Senior Planner

PETITION HISTORY

This is the first public hearing for this petition.

STAFF RECOMMENDATION

Staff recommends **approval** of this petition.

PETITION OVERVIEW

- 5282 East 65th Street is an industrially zoned parcel adjacent to the Schmol Industrial Park on East 65th Street. Aerial photographs show that the current structure has been in existence since at least 1972. The property is currently zoned I-2 and is surrounded by I-2 parcels in all directions.
- The petitioner’s request is to establish a 1,370 square foot second-floor apartment above the business’s showroom and to allow for a deck to be built.
- Petitioners have agreed to a commitment that this variance will expire upon the transfer of ownership of this property.
- A previous Variance of Use was granted for this property to provide for a walk-in showroom and instructional music studios (97-UV3-044). In staff’s analysis, a music studio today would fit in the Commercial and Mixed-Use districts, representing a less intense use than what is currently contemplated in I-2.
- In staff’s analysis, while this does request does not fit the land use plan, it does fit into the current pattern of development. The Variance of Use would be restricted to the current square footage of the existing apartment space and proposed deck. Further additions will require a rezone or a new variance of use. This means that further expansion of this incompatible use will be subject to

further petitions and public hearings. Additionally, tying the use to the current ownership indicates that this is a temporary, and therefore minimal, change to the Comprehensive Plan. Staff recommends approval of this petition with the proposed commitment.

GENERAL INFORMATION

Existing Zoning	I-2	
Existing Land Use	Developed; Industrial/Residential	
Comprehensive Plan	Light Industrial	
Surrounding Context	Zoning	Surrounding Context
North:	I-2	North: Industrial
South:	I-2	South: Commercial/Industrial
East:	I-2	East: Commercial/Industrial
West:	I-2	West: Industrial
Thoroughfare Plan		
Arlington Avenue	Primary Collector	50-foot existing right-of-way and 80-foot proposed right-of-way
Context Area	Metro	
Floodway / Floodway Fringe	No	
Overlay	No	
Wellfield Protection Area	No	
Site Plan	2/4/2026	
Site Plan (Amended)	4/6/2026	
Elevations	N/A	
Elevations (Amended)	N/A	
Landscape Plan	N/A	
Findings of Fact	3/9/2026	
Findings of Fact (Amended)	4/6/2026	
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 Light Industrial typology provides for industrial, production, distribution, and repair uses conducted within enclosed structures and is unlikely to create emissions of light, odor, noise, or

vibrations. This typology is characterized by freestanding buildings or groups of buildings, often within industrial parks. Typical uses include warehousing, self-storage, assembly of parts, laboratories, wholesaling, and printing. 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

ZONING HISTORY – SITE

97-UV3-44; 5282 East 65th Street, Variance of Use and Development Standards of the Industrial Zoning Ordinance to provide for a walk-in showroom and instructional music studios (not permitted, associated with a permitted musical instrument repair/assembly and sheet music warehouse facility, with 87% of the required front yard devoted to off-street parking (maximum 10% of the required front yard devoted to parking area permitted), **approved**.

ZONING HISTORY – VICINITY

83-HOV-54; 5169 East 65th Street, Variance of Development Standards of the Industrial Zoning Ordinance to allow front-yard parking exceeding 10 percent of the front yard, **approved**.

2004-UV1-012; 5210 East 65th Street, Variance of Use of the Industrial Zoning Ordinance to provide for a kennel and pet-grooming salon in an existing 14,500-square foot industrial structure (not permitted), **approved**.

2022-UV1-006; 5402 East 65th Street, Variance of Use and Development Standards of the Consolidated Zoning and Subdivision Ordinance to legally establish heavy outdoor storage of stone products and

related materials (not permitted) on a lot with zero-feet of public street frontage (75 feet required) with zero-foot west side setback for a modular office and storage shed (minimum 30-foot setback required) and a zero-foot east transitional yard (50-foot transitional yard), **approved**.

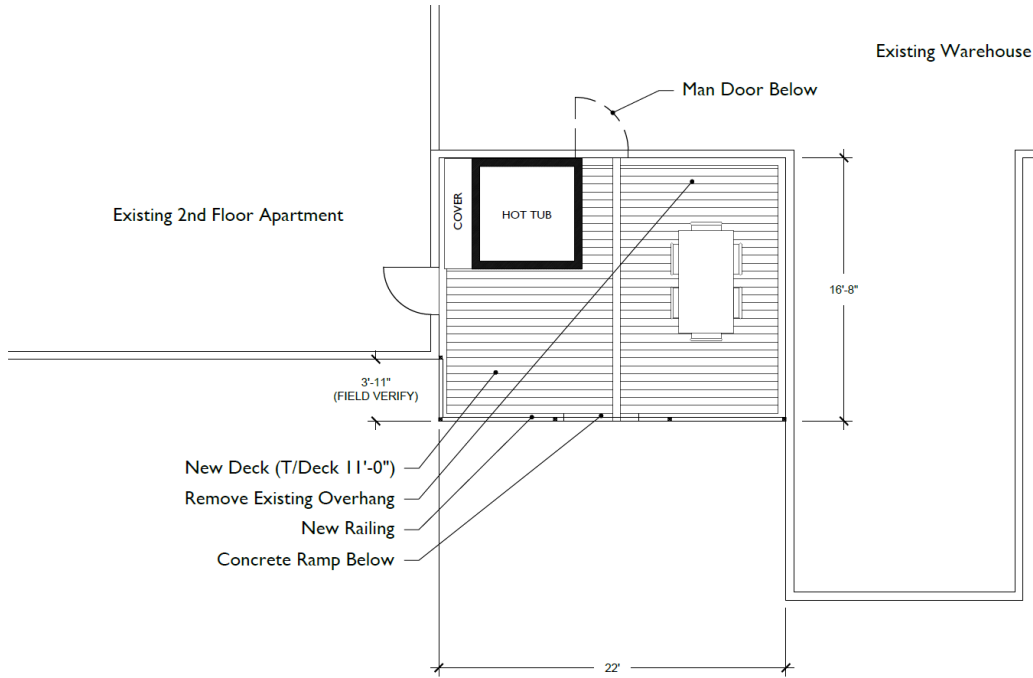
2024-UV2-002; 5139 East 65th Street, Variance of Use of the Consolidated Zoning and Subdivision Ordinance to provide for the following as primary uses: sports performance training uses; physical fitness and athletics instruction and training; and dance and gymnastics instruction (not permitted), **withdrawn**.

EXHIBITS

2026UV1007; Aerial Map



2026UV1007: Site Plan (Deck)





ARTISAN
 OUTDOOR CRAFTSMAN

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 Fishers, IN 46038
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 www.artisandoc.com

ALL TRADES, DESIGN, MANUFACTURING AND FINISHING SHALL BE THE RESPONSIBILITY OF THE CONTRACTOR. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE LOCAL, STATE AND FEDERAL AGENCIES. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE LOCAL, STATE AND FEDERAL AGENCIES. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE LOCAL, STATE AND FEDERAL AGENCIES.

GENERAL NOTES:

1. VERIFY DIMENSIONS AND FIELD VERIFY PRIOR TO CONSTRUCTION.
2. VERIFY FIELD CONDITIONS, REMOVE EXISTING OVERHANG AND REPAIR AND REBUILT ALL AREAS.
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CONSTRUCTION PLAN FOR:
 NATURAL STONE & TILE
 5282 E 65th St
 Indianapolis, IN 46220

2026UV1007; Photographs



Photo 1: Looking at showroom (apartment on 2nd floor)

2026UV1007; Photographs (continued)



Photo 2: South side of the building; deck will not encroach on ramp space

2026UV1007; Photographs (continued)



Photo 3: Close-up of area where deck will be installed

2026UV1007; Photographs (continued)



Photo 4: Looking west at neighboring tenant spaces in industrial park

2026UV1007; Photographs (continued)



Photo 5: Looking west at neighboring tenant spaces in industrial park

2026UV1007; Photographs (continued)



Photo 6: Looking south from subject site