

BOARD OF ZONING APPEALS DIVISION I

May 12, 2026

Case Number:	2026-DV3-012
Property Address:	4200 South Harding Street (<i>approximate address</i>)
Location:	Perry Township, Council District #22
Petitioner:	Hanson Aggregates, Midwest Inc., by Joseph Csikos
Current Zoning:	I-4 (FF)
Request:	Variance of Development Standards of the Consolidated Zoning and Subdivision Ordinance to provide for the construction of a new building related to the existing extraction use located within the Floodway Fringe (not permitted) and with deficient landscaping (landscaping required).
Current Land Use:	Industrial
Staff Recommendations:	Staff recommends approval of the requests.
Staff Reviewer:	Michael Weigel, Principal Planner I

PETITION HISTORY

4/21/26: Due to a lack of quorum, this petition was continued and transferred to the May 12, 2026 hearing date of Division I of the Board of Zoning Appeals.

STAFF RECOMMENDATION

Staff recommends **approval** of the requests.

PETITION OVERVIEW

- 4200 South Harding Street is a parcel within a larger industrial area to the west of Harding Street and to the north of I-465. The subject parcel is 9.70 acres in size and is currently improved with three structures in support of an existing use related to the processing of extracted materials. This extraction and processing use has existed at the property for decades, and permission for it was most recently established by the Legally Non-Conforming Use certificate 2004-LNU-026. The property has large piles of extracted materials within the western rear yard as well as a conveyor that runs between the two tallest structures closest to Harding Street.
- Approval of this petition would allow for the demolition of one of the existing structures associated with the concrete use and for it to be replaced by a new structure with a similar size and footprint, per plans within the Exhibits below. The new structure would also be associated with the existing legally established use, and would be utilized for similar functions to the current structure (just incorporating more modern materials and equipment). Since the use would be allowed per 2004-LNU-026, no Use Variance would be required to allow for the new building to be placed in the proposed location.

- Even though no Variance of Use would be needed, two (2) Variances of Development Standards would be required. The first would be for the reconstruction of a new building within the Floodway Fringe, and the second would be to allow for the construction of a new building without placement of landscaping in compliance within 744-500 of the Indianapolis Zoning Ordinance.
- The property is zoned I-4 (Heavy Industrial District) to allow for uses which present an elevated risk to the general public and are typically characterized by factors that would be exceedingly difficult, expensive or impossible to eliminate. Similarly, the site is recommended to the Heavy Industrial typology by the Comprehensive Plan (in addition to being within an Environmentally Sensitive overlay). Additional information is located within the ‘Comprehensive Plan Analysis’ portion of this report.
- When provided development plans for their review, the Flood division of the Department of Business and Neighborhood Services did not indicate any objection to the proposed scope of work. Additionally, they indicated that if other Ordinance and Floodplain regulations were met that the rebuilding of this structure within the Floodway Fringe would be able to successfully obtain a flood permit. For this reason, as well as the similarity in size and height of the new structure to the previous one, staff recommends approval of the variance related to the construction within the Floodway Fringe. Similarly, staff would recommend approval of the variance related to deficient frontage and interior landscaping given the lack of substantial change to the layout of the site and the nature of the processing of extracted materials use.

GENERAL INFORMATION

Existing Zoning	I-4 (FF)	
Existing Land Use	Industrial	
Comprehensive Plan	Heavy Industrial	
Surrounding Context	Zoning	Surrounding Context
	North:	I-4 North: Industrial
	South:	I-4 / SU-23 GSB South: Industrial
	East:	C-7 / I-4 East: Heavy Commercial
	West:	I-4 West: Industrial
Thoroughfare Plan		
Harding Street	Primary Arterial	128-foot existing right-of-way and 102-foot proposed right-of-way
Context Area	Metro	
Floodway / Floodway Fringe	Yes	
Overlay	Yes	
Wellfield Protection Area	No	
Site Plan	02/16/2026	
Site Plan (Amended)	N/A	
Elevations	02/16/2026	

Elevations (Amended)	N/A
Landscape Plan	N/A
Findings of Fact	02/16/2026
Findings of Fact (Amended)	04/06/2026

COMPREHENSIVE PLAN ANALYSIS

Comprehensive Plan

- Marion County Land Use Plan Pattern Book

Pattern Book / Land Use Plan

- The Heavy Industrial typology 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.
- The Environmentally Sensitive Areas (ES) overlay is intended for areas containing high quality woodlands, wetlands, or other natural resources that should be protected. The purpose of this overlay is to prevent or mitigate potential damage to these resources caused by development. Heavy Industrial land uses are removed as a recommended land use within this overlay.

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

2004LNU026, Certificate of Legally Non-Confirming Use for a Gravel/Sand extraction and processing use, **approved**.

ZONING HISTORY – VICINITY

2005SE1001 ; 4200 South Harding Street (southwest of site), special exception of the Industrial Zoning Ordinance to provide for a temporary asphalt plant, **approved**.

99-V3-52 ; 4550 South Harding Street (south of site), variance of development standards of the Dwelling Districts Zoning Ordinance to provide for the construction of a truck wash facility with a flood protection grade at the base flood elevation of 680 feet (flood protection grade of 682 feet required, 2 feet above the base flood elevation, **approved**.

97-SE1-5 ; 4602 South Harding Street (south of site), special exception of the Industrial Zoning Ordinance to provide for the temporary placement of facilities for the processing and production of asphalt and concrete, **approved**.

96-V1-33 ; 4530 South Harding Street (south of site), variance of use and development standards of the Commercial Zoning Ordinance to provide for an asphalt and cold mix process facility (not permitted) with zero feet of public street frontage provided with access to be gained by a 60 foot wide access easement (minimum 50 feet of frontage on a street right-of-way required), **approved**.

96-SE1-7 ; 4400 South Harding Street (south of site), special exception of the Industrial Zoning Ordinance to provide for the extraction, aggregate washing and screening process for sand and gravel, **approved**.

EXHIBITS

2026DV3012 ; Aerial Map



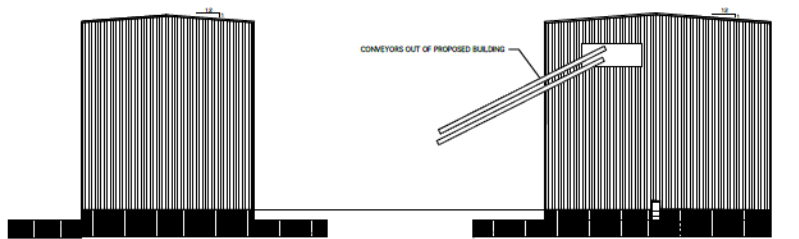
2026DV3012 ; Aerial Map (Zoomed)



2026DV3012 ; Site Plan

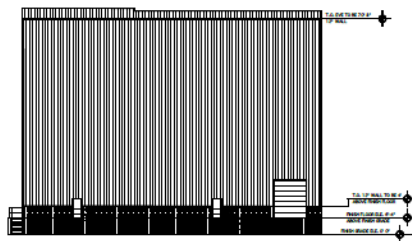


2026DV3012 ; Elevations

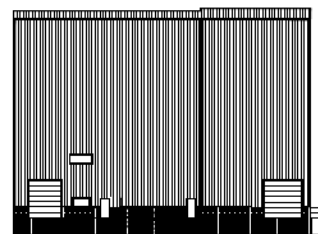


NORTHEAST ELEVATION
 Scale: 1/8"=1'-0"

SOUTHWEST ELEVATION
 Scale: 1/8"=1'-0"



SOUTHEAST ELEVATION
 Scale: 1/8"=1'-0"



SOUTHWEST ELEVATION
 Scale: 1/8"=1'-0"

2026DV3012 ; Findings of Fact (Floodway Fringe)

1. There exists a good and sufficient cause for the requested variance because:

The existing use is permitted within the I4 zoning district, and the use has been established via 2004LNU026. The requested variance allows the petitioner to modernize the existing equipment and processes on site which has historically been operated in the same manner.

2. The strict application of the terms of this ordinance will constitute an exceptional hardship to the applicant because:

The strict application of the terms of the ordinance would constitute an exceptional hardship as this would prohibit the machinery and process upgrade. The modernization requires updated structures that are sufficient in size and clear area for operations.

3. The grant of the requested variance will not increase flood heights, create additional threats to public safety, cause additional public expense, create nuisances, cause fraud or victimization of the public or conflict with other applicable laws or ordinances because:

The site is currently predominantly hard surfaced with a number of existing structures in the FF zone. The reconstruction of the structure in question will not serve to increase the impervious surface on the lot and will not produce an increased risk of flooding, threats to public safety, public expense, public nuisances, fraud or victimization of the public, or conflict with any other laws or ordinances. The proposed facility will house machinery and operational devices with no residential components. Stormwater runoff and discharge will not be altered with the construction.

2026DV3012 ; Findings of Fact (Landscaping)

1. The grant will not be injurious to the public health, safety, morals, and general welfare of the community because:

The proposed structure will replace an existing, outdated, structure housing the concrete batching facility. The existing facility is removed from the property frontage and is located behind existing security fencing and gates. The modernization and continued operation of the facility absent of the updated landscaping will not change the existing character or appearance of the property and will not be injurious to the public health, safety, morals, or general welfare of the community.

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 facility is located in an area characterized by heavy industrial uses. The absence of enhanced landscaping in the area is consistent with the character of the surrounding properties as well as the existing operation. The appearance of the property will not be substantially altered and the landscape waver will not affect the use or value of the industrial areas adjacent to the site.

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

The strict application of the terms of the zoning ordinance would require significant revisions to the layout and travel patterns on the existing concrete batching facility resulting in practical difficulties for the ongoing operation and optimization of site operations. This location has been utilized in this way for over 40 years, making it unlikely that additional landscaping would have long term viability.

2026DV3012 ; Photographs



Photo 1: Subject Building Viewed from East



Photo 2: Subject Building Viewed from Northeast

2026DV3012 ; Photographs (continued)



Photo 3: Subject Building Viewed from North



Photo 4: Subject Site Viewed from North

2026DV3012 ; Photographs (continued)



Photo 5: Aggregate Piles in Rear Yard of Site, Viewed from East



Photo 6: Adjacent Property to North

2026DV3012 ; Photographs (continued)



Photo 7: Adjacent Property to South



Photo 8: Adjacent Property to East