

BOARD OF ZONING APPEALS DIVISION I

May 12, 2026

Case Number: 2026-UV1-010
Property Address: 4020 Monaco Drive (approximate address)
Location: Washington Township, Council District #3
Petitioner: Chateau In The Woods Investment, LLC, by Barnes & Thornburg, LLP
(Joseph Calderon)
Current Zoning: D-1
Request: Variance of Use of the Consolidated Zoning and Subdivision Ordinance to legally establish 118 existing multifamily units and to allow up to 126 total units (multifamily dwellings not permitted in D-1).
Current Land Use: Multifamily
Staff Recommendations: Staff recommends **approval** of the variance.
Staff Reviewer: Josh Levesque, Senior Planner

PETITION HISTORY

Not applicable

STAFF RECOMMENDATION

Staff recommends **approval** of the variance.

PETITION OVERVIEW

- 4020 Monaco Drive is a 118-unit apartment complex on the corner of Allisonville Road and Kessler Boulevard East Drive. Based on property record cards, this apartment complex has existed since 1974. The parcel is currently zoned D-1 and the Land Use Plan contemplates this parcel as “Suburban Neighborhood”.
- The petitioner is requesting a Variance of Use to legally establish the 118 units and to allow up to a total of 126 units. While multifamily dwellings are not permitted in the D-1 zoning classification, this property was granted a variance in 1963 “to permit the construction of three 2½-story apartment buildings and two 4-story apartment buildings containing a total of 126 apartment units.” A letter from September 9th, 1971, extended the Improvement Location Permit (ILP) for this project 60 days from September 22nd, 1971. A petition was filed in 1985 (85-UV3-108) to provide for the addition of 10 units. While this petition was eventually withdrawn, the documents submitted indicated that only 110 units were constructed under a 1972 ILP.

- A recent zoning report completed by the petitioner estimates the number of units at 118. A review of city archives was unable to locate any record of ILPs pertaining to either the original construction (and the number of units originally built) or for any subsequent additional units. Approval of this variance would allow the petitioner to correct the record and legally establish 118 multifamily units and provide the opportunity to add another eight (8) units. While the D-1 district is intended for low density development and any new multifamily development would not be compatible with the existing area, this variance honors the intent of the variance from 1963 and does not increase the footprint beyond what has been in place for 63 years. Given this, staff recommends approval of this variance.

GENERAL INFORMATION

Existing Zoning	D-1	
Existing Land Use	Multifamily	
Comprehensive Plan	Suburban Neighborhood	
Surrounding Context	Zoning	Surrounding Context
	North:	D-1
	South:	D-1
	East:	D-1
	West:	D-2
Thoroughfare Plan		
Kessler Boulevard East Drive	Primary Arterial	103-foot existing right-of-way and 112-foot proposed right-of-way
Allisonville Road	Secondary Arterial	107-foot existing right-of-way and 126-foot proposed right-of way
Context Area	Metro	
Floodway / Floodway Fringe	No	
Overlay	No	
Wellfield Protection Area	No	
Site Plan	03/03/2026	
Site Plan (Amended)	N/A	
Elevations	N/A	
Elevations (Amended)	N/A	
Landscape Plan	N/A	
Findings of Fact	03/03/2026	
Findings of Fact (Amended)	N/A	

Comprehensive Plan

- Marion County Land Use Plan Pattern Book

Pattern Book / Land Use Plan

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

207-V-63; 3920 East Kessler Boulevard, Variance of Use and area from apartment building front, side, and rear yard requirements and from apartment building height requirements, being 45 feet, to permit the construction of three 2 ½-story apartment buildings and two 4-story apartment buildings containing a total of 126 apartment units, **approved**.

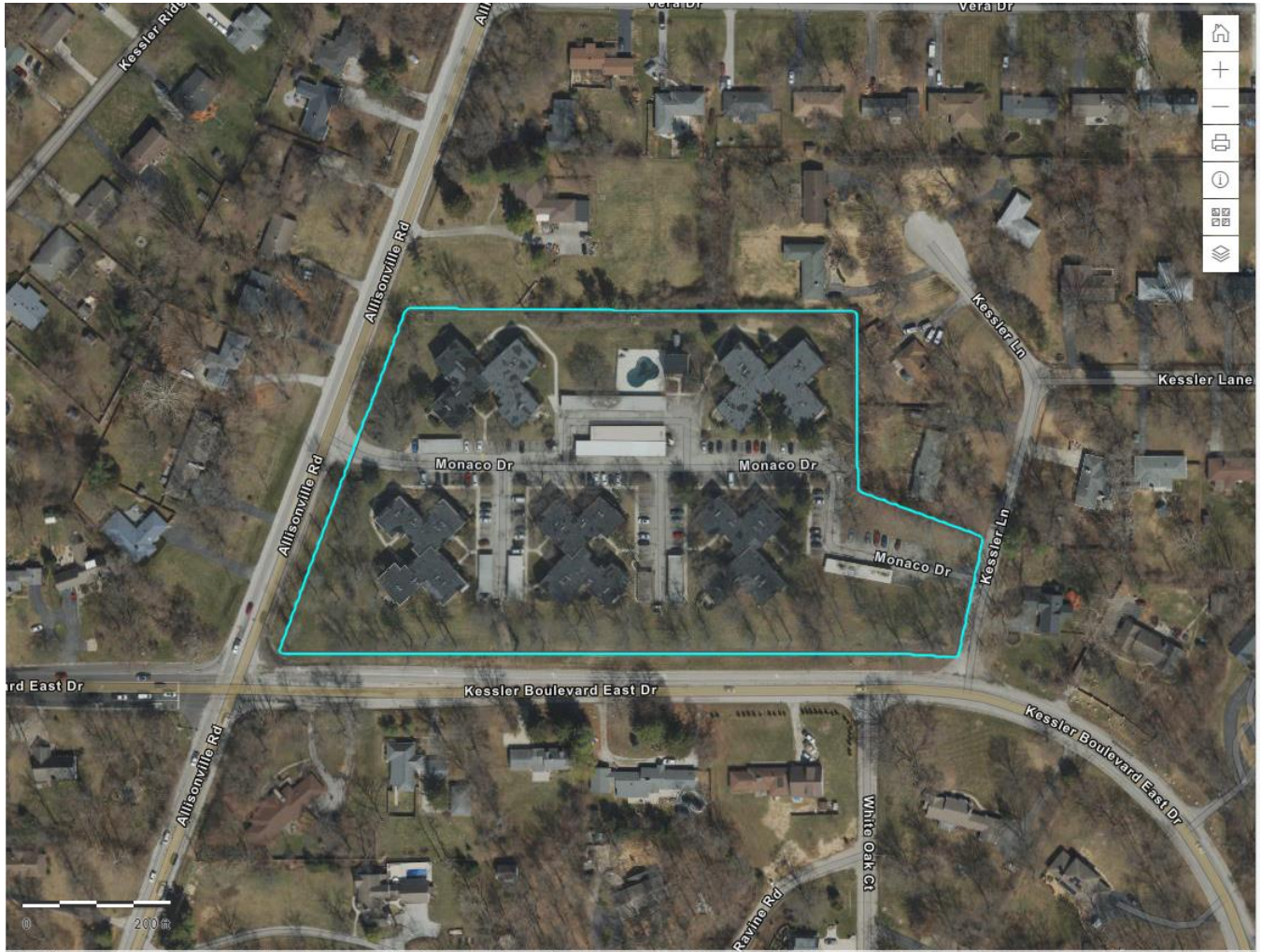
83-UV3-108; 4020 Monaco Drive, Variance of Use and Development Standards of the Sign Regulations to allow the erection of 32-square-foot, V-shaped ground sign, constituting more than one permanent sign per street frontage, **approved**.

85-UV3-108; 4020 Monaco Drive, Variance of Use of the Dwelling District Zoning Ordinance to provide for the addition of ten apartment units to an existing apartment complex, **withdrawn**.

ZONING HISTORY – VICINITY

94-HOV-61; 3819 East Kessler Boulevard, Variance of Development Standards of the Dwelling Districts Zoning Ordinance to provide for the construction of a 260-square-foot room addition between an existing single-family residence and a 490-square-foot detached garage, with a side yard setback of 5 feet (minimum of 6.9 feet required), **approved**.

EXHIBITS
2026UV1010; Aerial Map



IGIO, Microsoft, Vantor | Esri Community Maps Contributors, City of Indianapolis Marion Co, © OpenStreetMap, Microsoft, Esri, TomTom, Garmin, SafeGraph, GeoTechnologies, Inc, M... Powered by Esri



Stormwater Impervious Area

Mapping Application for Public Safety



2026UV1010; 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

the multifamily complex has been in existence for decades and to legally establish what was previously granted by the Board of Zoning Appeals is in support of the public health, safety, morals and welfare, especially considering the significant change in intensity in traffic at the intersection of Kessler and Allisonville over the years.

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

the subject property has been developed and in existence for many years, and there is no plan to expand the building footprint.

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

the property has been improved with multifamily buildings for many years and cannot be used for any other purpose.

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

the property has been improved with multifamily units for several decades and to deny the existing and future use as previously granted by the Board of Zoning Appeals would create an unusual and unnecessary hardship.

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

even though the 1963 variance governs the use of the property, suburban residential property under the comprehensive plan can be used for multifamily use under certain circumstances, such as those present with the location of the subject property being at the intersection of two thoroughfare streets.

DECISION

IT IS THEREFORE the decision of this body that this VARIANCE petition is APPROVED.

Adopted this _____ day of _____, 20 ____

2026UV1010; Photographs



Photo 1: View of apartment complex

2026UV1010; Photographs (continued)



Photo 2: View of apartment parking area with pool in background

2026UV1010; Photographs (continued)



Photo 3: Another view of apartment complex

2026UV1010; Photographs (continued)



Photo 4: Property directly north of subject site