

BOARD OF ZONING APPEALS DIVISION III

July 15th, 2025

Case Number: 2025-UV3-018
Property Address: 7802 Hague Road
Location: Lawrence Township, Council District #3
Petitioner: Metropolitan School District of Lawrence Township, by Joseph D. Calderon
Current Zoning: SU-2
Request: Variance of Use and Development Standards of the Consolidated Zoning and Subdivision Ordinance to provide for the installation of a 12-foot-tall monument sign (five-foot height permitted) with digital display within 80 feet of a Protected District (digital display prohibited, 400 feet of separation required).
Current Land Use: School
Staff Recommendations: Staff is recommending **denial** of this variance petition.
Staff Reviewer: Kiya Mullins, Associate

PETITION HISTORY

This is the first public hearing for this variance petition.

STAFF RECOMMENDATION

Staff is recommending **denial** of this variance petition.

PETITION OVERVIEW

- The petitioner is requesting to install a 12 foot tall digital display monument sign which is not permitted within 400 feet of a school district or dwelling district.
- This property is 76.25 acres in a SU-2 zoning district.
- The subject site is the location of Lawrence North High School.
- A previous variance (2023-UV3-007) requested the same Variance of Use and Development Standards in this location in 2023. Staff recommended denial of this variance petition, and the BZA Division III voted to deny the variance petition on April 18th, 2023.
- The Ordinance permits monument signs in the SU-2 zoning district to be five (5) feet tall and 3% of the building side or 240 sqft, whichever is lesser, in size.
- The proposed sign will be 12 feet tall and 120 square feet in size.
- Digital displays are not permitted in the SU zoning district.

- The proposed sign is digital, located across the street from single-family dwellings and near a street lighted intersection.
- Staff is concerned that in the proposed location, the sign will not only shine light into the homes across the street but also be a distraction to drivers at the nearby intersection.
- Per the Ordinance “No digital display shall be located within 600 feet of any Protected District unless visibly obstructed from view from within that district; but in no instance may it be located within 400 feet of such a District.”
- A Protected District is defined in the Ordinance as specific classes of zoning districts that, due to their low intensity or the sensitive land uses permitted within them, require buffering and separation when abutting certain more intense classifications of land use. A Protected District includes any dwelling district, historic preservation district, hospital district, parks district, university quarter district, SU-1 (church) district, or SU-2 (school) district.
- The digital display on the proposed signs is not permitted within a 400ft of a school and the dwelling zoning district that surrounds the subject site.
- The Findings of Fact state that the sign is necessary in this location to provide directions to the Lawrence North High school, however as one of the largest schools in the state, along with taking into consideration that most navigation is now directed by technology and most visitors of the school will be students along with their friends and family that this reasoning for the sign is inaccurate and has no practical difficulty; the school is allowed many types of signage including incidental and vehicle entry point signs which can be used to direct and inform passerby. A digital sign is not the only sign type that can achieve the stated goals.
- Staff is recommending **denial** of this variance petition because there is no practical difficulty and it is not in compliance with the zoning regulations that govern the SU-2 district, particularly concerning its proximity to the Lawrence North High School and surrounding dwelling district. The previous denial of a similar variance highlights the ongoing concerns regarding potential distractions for drivers and the adverse effects of light pollution on neighboring homes. While the petitioner argues that the sign is necessary for providing direction, the assertion lacks merit given the prevalence of navigation technology and the significant size of the school, which already facilitates access to its location. Therefore, it is recommended that the variance petition be denied maintaining the integrity of the zoning ordinances and ensure the safety and well-being of the community.

GENERAL INFORMATION

Existing Zoning	SU-2	
Existing Land Use	School	
Comprehensive Plan	Regional Special Use	
Surrounding Context	<u>Zoning</u>	Surrounding Context
North:	D-2	North: Suburban Neighborhood
South:	D-6	South: Suburban Neighborhood
East:	D-P	East: Suburban Neighborhood
West:	D-P	West: Suburban Neighborhood
Thoroughfare Plan		

Hague Road	Primary Collector	116 feet of right-of-way existing and 112 feet proposed.
Context Area	Metro	
Floodway / Floodway Fringe	No	
Overlay	No	
Wellfield Protection Area	No	
Site Plan	5/28/2025	
Site Plan (Amended)	N/A	
Elevations	5/28/2025	
Elevations (Amended)	N/A	
Landscape Plan	N/A	
Findings of Fact	5/28/2025	
Findings of Fact (Amended)	N/A	

COMPREHENSIVE PLAN ANALYSIS

Comprehensive Plan

- Marion County Land Use Plan Pattern Book

Pattern Book / Land Use Plan

- The Regional Special Use category provides for public, semi-public and private land uses that serve a specific institutional purpose for a significant portion of the county. Examples are large-scale, generally stable institutional uses such as cemeteries, hospitals, universities, high schools, government complexes, large museums, the Indiana State Fairgrounds, and the Indianapolis Motor Speedway.
- Large-Scale Schools, places of worship, and other places of assembly that are generally more than five acres in size. Particularly large centers of education such as township high schools and universities would not be included in this definition and are considered to be regional special uses.
- The Marion County Land Use Plan Pattern Book recommends this site to the Suburban Neighborhood living typology to allow for predominantly single housing interspersed with attached and multifamily housing as well as a variety of neighborhood-serving businesses, institutions, and amenities where appropriate. Large-scale schools are a contemplated land use for this typology and should be in harmony with surrounding neighborhoods (parking, service and emergency vehicle areas should be screened from surrounding residential uses).

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

- 72-Z-40: 7802 Hague Road
 - Rezoning of 101.5 acres being in A-2 district to SU-2 classification to provide for construction of a Junior-Senior High School Complex.
 - Approved
- 2006-DV1-001: 7802 Hague Road
 - Variance of Development Standards of the Sign Regulations to provide for a 7.33-foot tall, ten-foot-wide pylon sign within 100 feet of a protected district (minimum 600 feet separation required for signs over four feet tall) containing an Electronic Variable Message Sign (EVMS) component (not permitted) comprising 60 percent of the sign area.
 - Approved
- 2018-DV1-033: 7802 Hague Road
 - Variance of Development Standards of the Consolidated Zoning and Subdivision Ordinance to provide for a twelve-foot tall, freestanding sign, electronic variable message sign (not permitted), comprising approximately 47% of the sign area (maximum 40% permitted), within approximately 150 feet of the nearest protected district (EVMS not permitted and maximum four-foot tall sign permitted within 600 feet of a protected district).
 - Approved
- 2023-UV3-007: 7802 Hague Road
 - Variance of Use and Development Standards of the Consolidated Zoning and Subdivision Ordinance to provide for the erection of a 12-foot-tall monument sign (maximum height of five feet permitted) with digital display within 80 feet of a protected district (not permitted, no digital display permitted within 400 feet of a protected district).
 - Approved

ZONING HISTORY – SURROUNDING AREA

- 2011-UV3-016: 7715 East 75th Street
 - Variance of Use of the Dwelling Districts Zoning Ordinance to legally establish two dwellings (legal nonconforming use certificate issued for two dwellings on one lot, 2008-LNU-025), and provide for the construction of a 1,654-square foot addition to an existing 1,320-square foot dwelling (two dwellings on one lot not permitted).
 - Approved
- 2012-CZN-803 2012-CAP-803: 7250 and 7343 Clearvista Drive
 - Rezoning of 11.402 acres from the HD-1 and HD-2 Districts to the HD-1 classification to provide for a rehabilitation hospital.
 - Hospital District -One Approval to provide for an approximately 45-foot tall, 63,000-square foot rehabilitation hospital, with parking, with one 40-square foot freestanding sign at the main entrance drive, with one wall identification sign on the north façade, and with incidental signs.
 - Approved

- 2012-CVR-816 / 2012-CAP-816 : 7150, 7229, 7343 and 7250 Clearvista Drive, 8101, 8103, 8177, and 8180 Clearvista Parkway and 8075, 8100, and 8181 North Shadeland Avenue
 - Hospital District One and Hospital District Two Approval to provide for a campus-wide sign program including replacement and new building identification wall signs, and replacement and new identification and incidental freestanding signs.
 - Variance of Development Standards of the Sign Regulations to provide for: a) one southwest-facing, 441-square foot wall sign with a sign area 12% of the façade area to which it is attached, and one northeast-facing, 435-square foot wall sign with a sign area 5.2% of the façade area to which it is attached (maximum wall sign area of 3% of associated façade area permitted in Hospital Districts), b) a package of nine freestanding incidental/identification signs along Clearvista Parkway and Clearvista Drive which do not meet separation requirements, as indicated on the site plan, file-dated July 16, 2012 (minimum 300-foot separation required between freestanding identification signs located on a single lot), c) a package of 28 freestanding directional incidental signs with sign areas up to 108.4 square feet, and heights up to 16.25 feet (maximum six-square foot sign area and 2.5-foot height permitted for directional incidental signs), and d) a package of freestanding parking and loading incidental signs with heights up to six feet (maximum four-foot height permitted for parking and loading incidental signs).
 - Approved
- 2012-DV3-037: 7322 Trestle Way Court
 - Variance of Development Standards of the Dwelling Districts Zoning Ordinance to provide for 240-square foot enclosure for an existing deck, with a 10-foot front setback from Blue Creek Drive (25-foot setback required) and to legally establish a six-foot tall fence along the front property line of East 75th Street and Blue Creek Drive (maximum 42-inch tall fence permitted), being within the sight distance triangle of East 75th Street and Blue Creek Drive (not permitted).
 - Withdrawn
- 2012-HOV-056: 7150, 7229, 7343 and 7250 Clearvista Drive, 8101, 8103, 8177, and 8180 Clearvista Parkway and 8075, 8100, and 8181 North Shadeland Avenue
 - Variance of Development Standards of the Sign Regulations to provide for 39 freestanding identification / incidental signs with deficient front setbacks as follows: a) Sign 25 encroaching three feet into the right-of-way of Clearvista Parkway (15-foot setback required, signs in right-of-way not permitted). b) Sign 15 encroaching five feet into the right-of-way of Clearvista Drive (15-foot setback required, signs in right-of-way not permitted). c) Signs 40 and 42 with zero-foot setbacks from Clearvista Parkway and Clearvista Way, respectively (15-foot setback required). d) Signs 4, 5, 11, 12a, 14, 22, 35-39 and 43, with one-foot setbacks from Clearvista Drive and Clearvista Parkway (15-foot setback required). e) Signs 6, 10, 31 and 34, with two-foot setbacks from Clearvista Drive and Clearvista Parkway (15-foot setback required). f) Signs 7, 8, 9, 16, 17, 18, 23, 26 and 29 with three-foot setbacks from Clearvista Drive and Clearvista Parkway (15-foot setback required). g) Signs 2, 13, 19, 20 and 24, with five-foot setbacks from Clearvista Drive (15-foot setback required). h) Sign 30 with a six-foot setback from Clearvista Parkway (15-foot setback required). i) Sign 33 with a nine-foot setback from Clearvista Parkway (15-foot setback required). j) Signs 12b and 21 with 10-foot setbacks from Clearvista Drive (15-

- foot setback required). k) Sign 32 with a 13-foot setback from Clearvista Parkway (15-foot setback required).
- Approved
 - 2018-DV2-018: 7420 Shadeland Station Way
 - Variance of Development Standards of the Consolidated Zoning and Subdivision Ordinance to provide for two ground signs on a 545-foot frontage (minimum 600 feet of frontage required).
 - Approved
 - 2020-DV3-041: 6503 Fairway Ave, 7524 Kilmer Ln, 7534 E 80th St, 7602 Knue Rd, 7603 Kimberly Drive, 8051 Wallingwood Dr, 8069 Richardt St, 8303 - 8304 Hague Rd, 8402 Clearvista Pkwy, 8940 Squire Ct, and 9011 Knights Ct
 - Variance of Development Standards of the Consolidated Zoning and Subdivision Ordinance to provide for 47-foot to 57.6-foot-tall wood and metal poles for small cell wireless communications facilities, with associated equipment and antennas within the right-of-way (underground utilities only permitted after January 1, 1973.)
 - Withdrawn
 - 2021-CVR-803 / 2021-CAP-803: 7640 Shadeland Avenue
 - Variance of Development Standards of the Consolidated Zoning and Subdivision Ordinance to provide for a commercial building with a front setback of 87.4 feet and a rear yard of three feet (85-foot maximum front setback and 10-foot rear setback required).
 - Modification of the Site Plan and Commitments related to 94-Z_11 to provide for a commercial building and to modify Commitment Ten requiring the exterior of all sides of the buildings to be brick with stone accents and glass; to modify Commitment Fifteen to provide for a freestanding signs consistent with the Consolidated Zoning and Subdivision Ordinance (permits only one 25-foot tall pole sign at the corner of 75th Street and Shadeland Avenue, ground signs for C-1 buildings and gas station pricing signs) and to modify Commitment Eighteen which limits the use of this site to a full-services restaurant.
 - Approved
 - 2025-ZON-003: 7420 North Shadeland Avenue
 - Rezoning of 1.15 acres from the C-1 district to the C-7 district to provide for a commercial and building contractor business.
 - Withdrawn

EXHIBITS

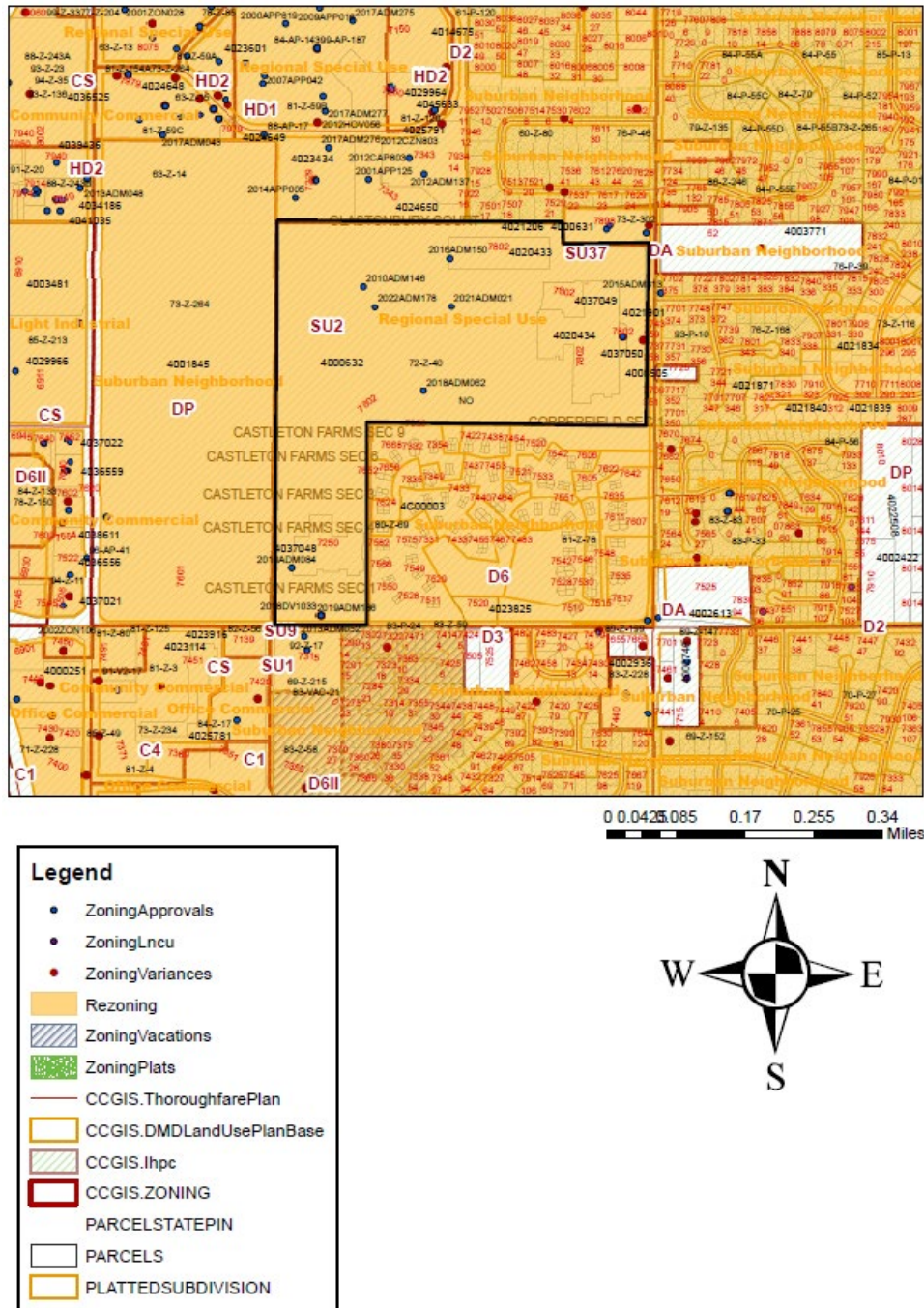


Exhibit 1: ArcGIS map of the subject site and surrounding area.

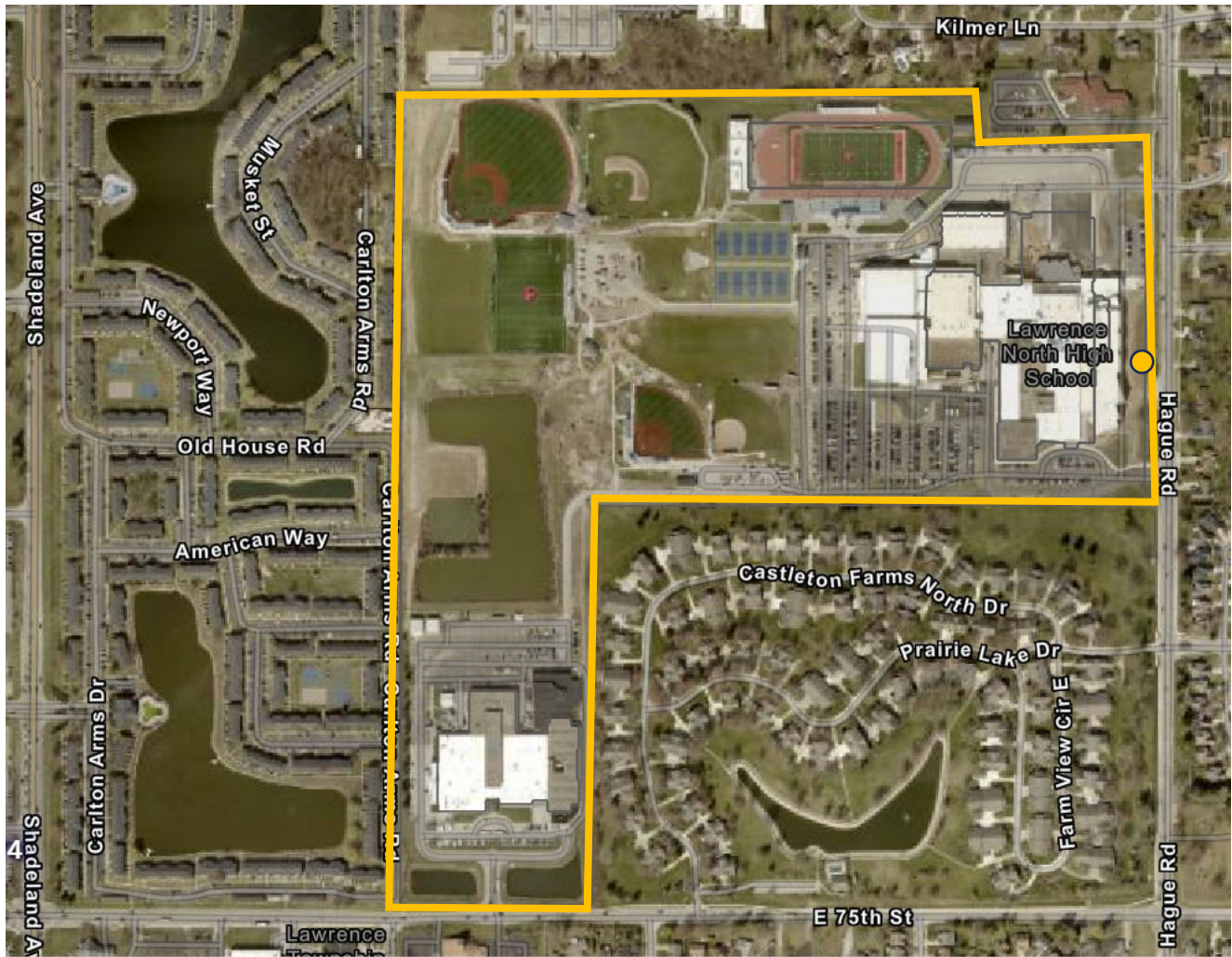


Exhibit 2: Aerial of the subject site.

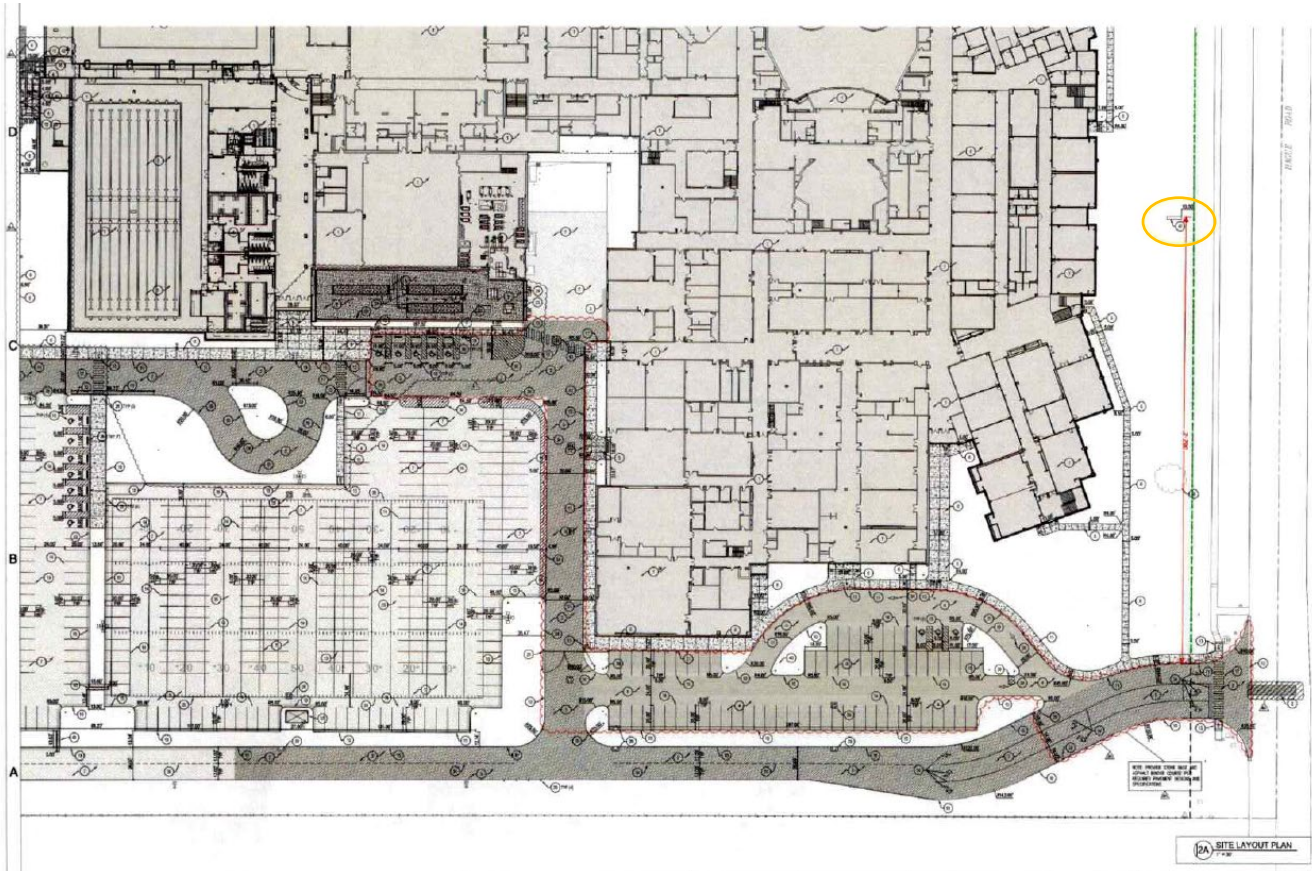
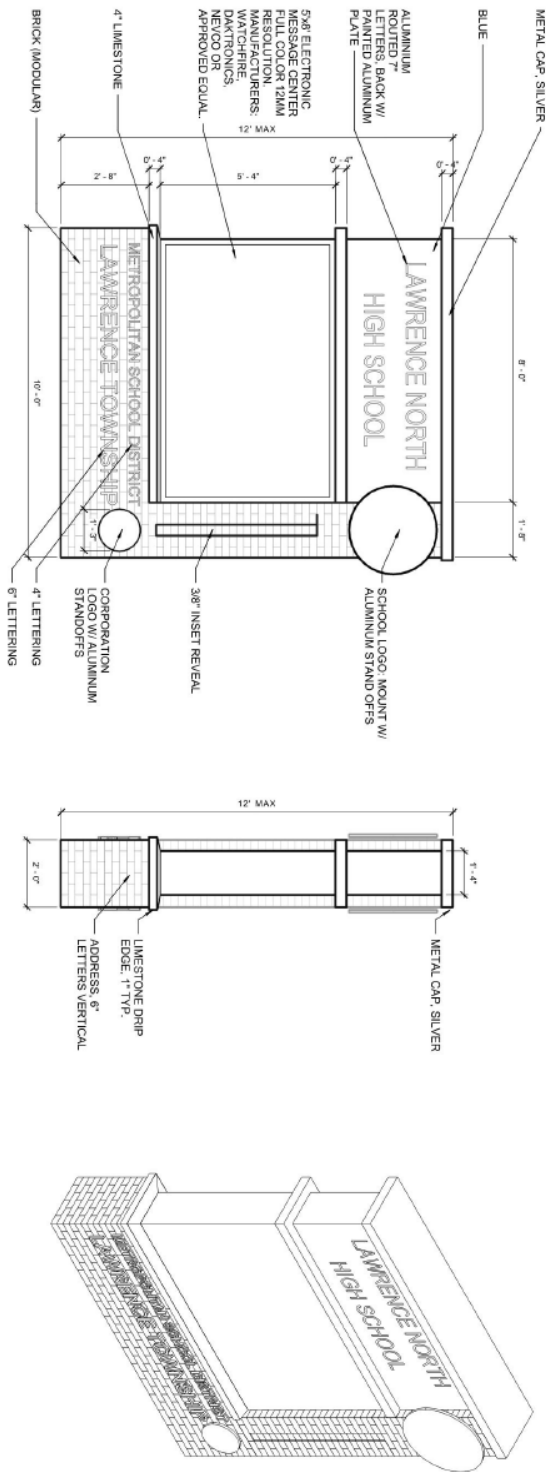


Exhibit 3: The submitted site plan.



CONTRACTOR TO SUBMIT SHOP DRAWINGS FOR REVIEW AND APPROVAL PRIOR TO FABRICATION
 ALL TEXT TO BE WRAP PRO. ALL PAINT COLORS TO BE VERIFIED WITH ARCHITECT/ENGINEER PRIOR TO FABRICATION



Exhibit 4:Elevation of the proposed sign.

**METROPOLITAN DEVELOPMENT COMMISSION
HEARING EXAMINER
METROPOLITAN BOARD OF ZONING APPEALS, Division I _____
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 proposed sign will actually improve identification of the school and activities taking place thereon without interfering with vehicular or pedestrian traffic, which enhances the public health, safety, morals and general welfare of the community.

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 proposed sign will be adequately separated by a primary collector street (Hague Road) from adjoining properties so as to not interfere with access to or visibility of said properties, and will be operated in a fashion to not interfere with the use or enjoyment of said properties.

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

the property is large, with significantly large improvements and a myriad of activities taking place, making it impossible to convey the myriad of information taking place on the school campus without a digital display sign.

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 ordinance does not properly account for the size of school campuses, buildings and the number of activities taking place in prohibiting digital display signs in the SU-2 district.

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

the proposed digital display sign is compatible with a school use in the special use district.



Exhibit 6: Front of Lawrence North High School



Exhibit 7: General area of the proposed location for the sign.



Exhibit 8: Homes across the street from the proposed sign.



Exhibit 9: Library sign to the north of the subject site.



Exhibit 10: Exhibit 10: Second nearby monument sign.



Exhibit 11: Cross street and streetlight near the proposed location of the sign.