

**BOARD OF ZONING APPEALS DIVISION III**

**July 15<sup>th</sup>, 2025**

**Case Number:** 2025-UV3-015  
**Property Address:** 8936 Southpointe Drive  
**Location:** Perry Township, Council District #23  
**Petitioner:** NNN Southpointe LLC, by Cindy Ketchum  
**Current Zoning:** HD-2  
**Request:** Variance of Use of the Consolidated Zoning and Subdivision Ordinance to provide for the operation of Hair and Body Care Salon or Service uses (not permitted).  
**Current Land Use:** Commercial  
**Staff Recommendations:** Staff is recommending **approval** of this variance petition.  
**Staff Reviewer:** Kiya Mullins, Associate Planner

**PETITION HISTORY**

This is the first public hearing for this variance petition.

**STAFF RECOMMENDATION**

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

**PETITION OVERVIEW**

- The petitioner is requesting to maintain a non-permitted Hair and Body Care Salon and Services use in an HD-2 zoning district.
- The subject site is located within a suite on a property that totals 1.78 acres, within an HD-2 zoning district.
- The HD-2 zoning district is an area designated for businesses that support hospital services, including assisted living facilities, group homes, nursing homes, multifamily dwellings, day care centers, and all uses in the healthcare facility category except hospitals and other similar uses.
- The Hair and Body Care Salon or Service is defined as services generally provided to individuals involving the care of a person's appearance, such as hair care, manicures, pedicures, tanning, and massage therapy. Massage therapy must be provided by a practitioner licensed by the State of Indiana.
- Staff is recommending approval of this variance petition. Staff believes that the hair salon service and the type of customers are similar to the types of uses permitted in the Hospital District Two zoning district, which would not be a hindrance to the surrounding existing businesses.

## GENERAL INFORMATION

<b>Existing Zoning</b>	HD-2	
<b>Existing Land Use</b>	Commercial	
<b>Comprehensive Plan</b>	Suburban Neighborhood	
<b>Surrounding Context</b>	<b>Zoning</b>	<b>Surrounding Context</b>
North:	HD-2	North: Suburban Neighborhood
South:	N/A	South: Johnson County
East:	HD-1	East: Regional Special Use
West:	C-1	West: Suburban Neighborhood
<b>Thoroughfare Plan</b>		
County Line Road	Primary Arterial	100 feet of right-of-way existing and 102 feet proposed.
Shelby Street	Primary Collector	90 feet of right-of-way existing and 90 feet proposed.
<b>Context Area</b>	Metro	
<b>Floodway / Floodway Fringe</b>	No	
<b>Overlay</b>	No	
<b>Wellfield Protection Area</b>	No	
<b>Site Plan</b>	N/A	
<b>Site Plan (Amended)</b>	N/A	
<b>Elevations</b>	N/A	
<b>Elevations (Amended)</b>	N/A	
<b>Landscape Plan</b>	N/A	
<b>Findings of Fact</b>	4/4/2025	
<b>Findings of Fact (Amended)</b>	N/A	

## COMPREHENSIVE PLAN ANALYSIS

### 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

- 86-Z-210: 1126 East County Line Road
  - Rezoning of 10.30 acres, being in the A-2 district to the HD-2 classification to provide for hospital support uses.
    - Approved

### ZONING HISTORY – SURROUNDING AREA

- 2015-ZON-060: 820 East County Line Road
  - Rezoning of 1.77 acres from the D-A district to the C-1 classification to provide for professional offices.
    - Approved
- 2019-UV1-018: 824 East County Line Road
  - Variance of use of the Consolidated Zoning and Subdivision Ordinance to provide for pet grooming spa (not permitted).
    - Approved
- 2021-SE3-002: 722 East County Line Road
  - Special Exception of the Consolidated Zoning and Subdivision Ordinance to provide for a temporary modular school classroom building operated by a religious use.
    - Approved
- 2022-ZON-058: 722 East County Line Road
  - Rezoning of 19.04 acres from the SU-1 and D-A (FF) districts to the SU-1 (FF) district to provide for religious uses.
    - Approved

EXHIBITS

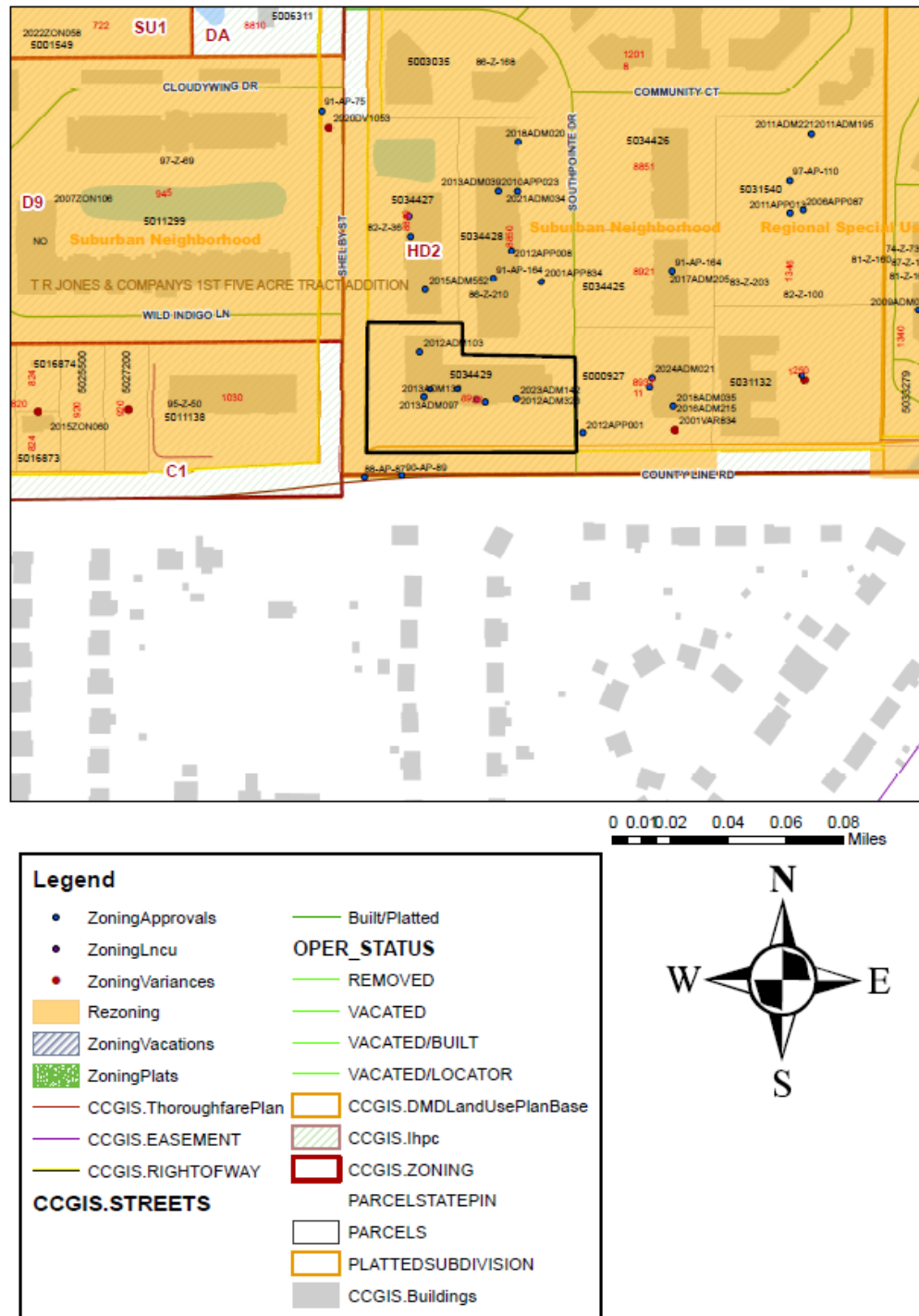


Exhibit 1: ArcGIS map of the subject site and surrounding area.



Exhibit 2: Aerial of the subject site



**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**

This dwelling has no effect upon the powers of the Consolidated City of Indianapolis, Marion County, or any unit or agency thereof. The occupants of this dwelling have no intent to interfere with the enforcement of, nor enforce any ordinances outside of the Public Health and Safety Laws and Ordinances of Marion County, Indiana.

**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 occupants of this dwelling are residents of the area and the surrounding areas. The occupants of this property would be negatively impacted by improper use, destruction, or abuse in an adverse manner of this property or any of the surrounding or adjunct areas. The occupants are long term business owners who currently fully abide by all local laws and sanctions, and also fully intend to cooperate and abide by all conditions and commitments which lawfully apply to this property.

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

The occupants of this property have a license to operate and perform beauty and hair care in Marion County. They employ licensed beauticians and aesthetics who have fully fulfilled and completed all necessary training and credentialing to be providing licensed beauty care for a charge to their clients. Currently, this dwelling is zoned D2 which inhibits a Salon from inhabiting the space. All necessary permits and fees were applied for and paid for through the State of Indiana, and unfortunately, at no time was mentioned that this space was not zoned for a Salon prior to the business opening. It was the signage company that notified the tenant of the issue with the Zoning.

**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**

Individuals utilizing this dwelling for the intended purpose of a Hair Salon have derived Business Plans, Budgets, Operating Plans, Payroll, and expenses all based on a business occupying a dwelling that would be allowed to be open and operate. These occupants have hired a staff of professionals, procured supplies and vendor contracts, and signed a 10 yr lease on this space with the expectation to be open and profitable and the strict application of the terms of this zoning ordinance will constitute an unnecessary and unrepairable financial hardship.

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

This salon offers a service to the local community that can be valued and shared by the neighboring towns and cities. It provides a service that offers assistance in healing and self perseverance for local residents and also offers employment to up and coming stylists. The team behind the inception of the Salon has a deep sense of community value and see their storefront as part of the next steps of bringing the area closer together and helping the community to achieve the dreams and the visions for the future.

Exhibit 3: The submitted Findings of Fact.

## Plan of Operation

**Wildflower's Aveda Salon** - Started in Indianapolis in 1998. Our goal, then and now, is to create a salon experience that exceeds guests' expectations. As an Aveda Lifestyle salon, we live by the mission "beauty is as beauty does" and strive for each guest to not only look beautiful but feel beautiful. We only use high-performance, botanically based Aveda products, giving our guests a naturally different experience. Our stylists are Aveda-trained and have years of experience helping clients live out this natural beauty.

**Location:** 8936 Southpointe Drive, Suite C-5, Indianapolis, IN 46227

- **Workforce:**
  - There are 10 Stylist that work at this location.
  - Typically employed full-time
- **The office Hours are**
  - Monday – Closed
  - Tuesday - Thursday – 9am – 9pm
  - Friday – 9am – 8pm
  - Saturday – 9am – 6pm
  - Sunday - 11am – 5pm
- **Clients Consist of:**
  - Average Females between ages 30-55
  - Average Income Levels \$50K-\$200K
  - Looking for a conveniently located salon
  -
- **Processes Conducted on Site:**
  - We offer the full range of Aveda hair, skin, and makeup products exclusively with an array of Aveda Signature Services.
- **Materials Used:**
  - Our stylists have an exclusive contract with Aveda to sell, market and offer a wide range of beauty products. This line includes Shampoos, Conditioners, Cleansers and other such products.
- **Shipping and Receiving:**
  - Standard FedEx Deliveries and Postal Deliveries. No Freight Deliveries
- **Waste:**
  - Standard residential type waste, not to include biohazardous waste.

Exhibit 4: The submitted Plan of Operation.





Exhibit 5: Front of Wildflowers Aveda Salon





Exhibit 6: The building that houses the subject site.