

BOARD OF ZONING APPEALS DIVISION I

September 1, 2026

Case Number: 2026-DV1-041
Address: 9202 Hemingway Drive (approximate address)
Location: Franklin Township, Council District #25
Zoning: D-4
Petitioner: Grand Communities, LLC, by Joe Calderon
Request: Variance of Development Standards of the Consolidated Zoning and Subdivision Ordinance to provide for a subdivision entrance sign in the common area boulevard island of Hemingway Drive, with a 4.4-foot front setback (10-foot setback required)
Current Land Use: Subdivision entrance common area
Staff Recommendation: Staff recommends approval of this petition.
Staff Reviewer: Robert Uhlenhake, Senior Planner

PETITION HISTORY

This is the first hearing of this petition.

STAFF RECOMMENDATION

Staff recommends **approval** of this petition.

PETITION OVERVIEW

- ◇ Free-standing ground signs are permitted in dwelling districts under certain circumstances, however, any signage must meet restrictions regarding height, setbacks, sign area, and number of signs. The Ordinance limits signage in order to maintain the residential character of the neighborhood, reduce potential traffic problems, and minimize sign clutter and proliferation along roadways.
- ◇ In this instance, allowing the proposed sign with the 4.4-foot reduced setbacks on the north and south sides of the sign would not be a nuisance to motorists or surrounding property owners.
- ◇ The proposed sign will be located in a common area boulevard, that will be located in the middle of Hemingway Drive. The common area will be surrounded by the Hemingway Drive public right of way, resulting in 4.4-foot setbacks on the north and south sides of the sign. These setbacks will be adjacent to the entrance drive aisle after drivers turn off Hickory Road, and the exit drive aisle before they exit Hemingway Drive by turning onto Hickory Road. The sign is not in the clear sight triangle and would not cause any potential conflicts with vehicular or pedestrian traffic because of the compliant front setback from the Hickory Road pavement.

- ◇ The request represents a minimal deviation from the Ordinance requirements, and the proposed signage would be well integrated with the property and match many of the other residential subdivision signs in the area.
- ◇ Generally, Staff supports property improvements if their location and characteristics do not negatively impact adjoining residential areas by causing a nuisance to the surrounding neighborhood. Staff believes that this would be true for this variance request, and additionally that no public safety or health risks would come from the grant of this variance.

GENERAL INFORMATION

Existing Zoning	D-4		
Existing Land Use	Subdivision entrance common area		
Comprehensive Plan	Rural or Estate Neighborhood		
Surrounding Context		<u>Zoning</u>	Surrounding Context
	North:	D-4	Subdivision Common Area
	South:	D-4	Subdivision Common Area
	East:	D-2	Single-Family dwellings
	West:	D-4	Single-Family dwellings
Thoroughfare Plan			
Hemingway Drive	Local Street	60-foot existing and proposed right-of-way.	
Context Area	Metro area		
Floodway / Floodway Fringe	No		
Overlay	N/A		
Wellfield Protection Area	No		
Site Plan	July 23, 2026		
Elevations	July 23, 2026		
Landscape Plan	N/A		
Findings of Fact	July 23, 2026		

COMPREHENSIVE PLAN ANALYSIS

Comprehensive Plan

- The Comprehensive Plan recommends Rural or Estate Neighborhood uses for the site.

Pattern Book / Land Use Plan

- The Marion County Land Use Plan Pattern Book recommends the Rural or Estate Neighborhood typology applies to both rural or agricultural areas and historic, urban areas with estate-style homes on large lots. In both forms, this typology prioritizes the exceptional natural features – such as rolling hills, high quality woodlands, and wetlands – that make these areas unique. Development in this typology should work with the existing topography as much as possible. Typically, this typology has a residential density of less than one dwelling unit per acre unless housing is clustered to preserve open space.

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

2026-VAC-002; 5252 Hickory Road (subject site), requested the Vacation of an irregular portion of Hemingway Drive, being the first east-west public street south of Southeastern Avenue, being 12 feet in width, beginning 14 feet west of Hickory Road and 24 feet south of Common Area A, west 106.04 feet to a point, to create a median (common area) within Hemingway Drive, **approved**.

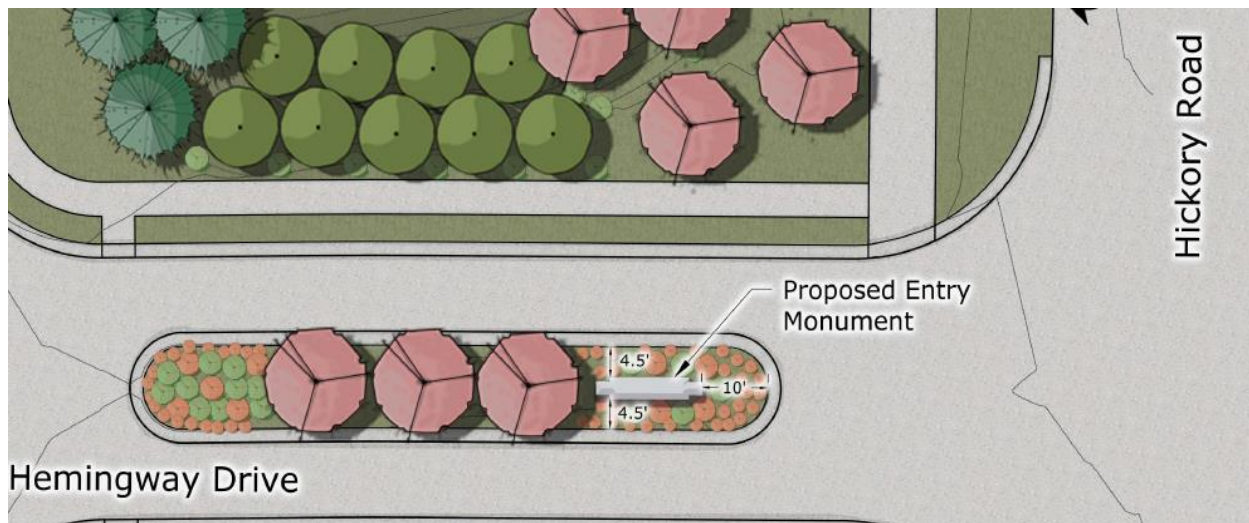
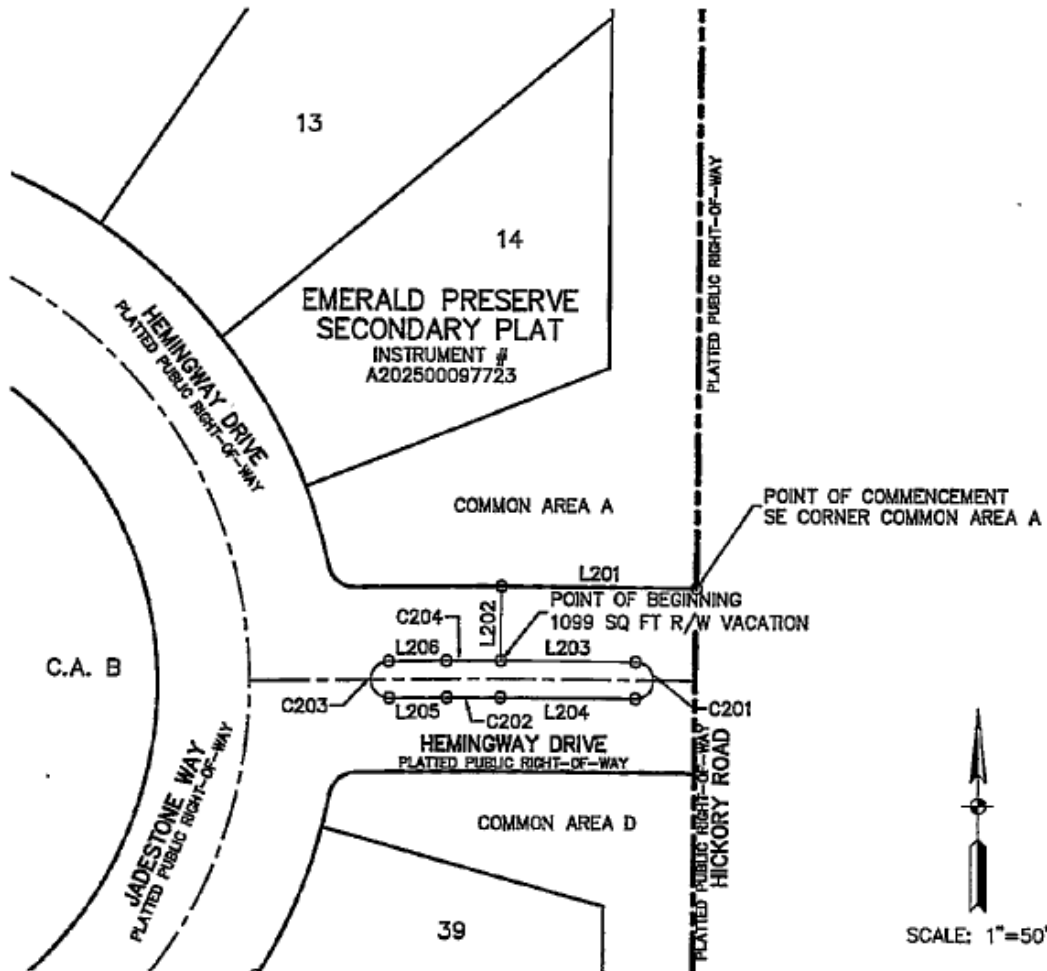
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EXHIBITS

Location Map



Site Plan



Sign Elevation





Findings of Fact

Petition Number _____

**METROPOLITAN DEVELOPMENT COMMISSION
HEARING EXAMINER
METROPOLITAN BOARD OF ZONING APPEALS, Division _____
OF MARION COUNTY, INDIANA**

PETITION FOR VARIANCE OF DEVELOPMENT STANDARDS

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 is not located within the clear site triangle of Hemingway Drive and Hickory Road, and therefore will not create a safety risk to vehicular or pedestrian traffic.

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 location of the proposed sign will not interfere with access or visibility to or from any adjoining property.

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

the proposed sign is located in a landscaped median of a local street which was built as a boulevard, making it impossible to meet the required ten foot (10') setback.

Photographs



Photo of subject site, looking west from Hickory Drive.



Photo of subject site, looking east.



Photo of subject site, looking north



Photo of subject site, looking south.