



BOARD OF ZONING APPEALS DIVISION II

September 10, 2024

Case Number: 2024-DV2-023
Property Address: 1313 West 86th Street (approximate address)
Location: Washington Township, Council District #2
Petitioner: FIF, LLC, by Joseph D. Calderon
Current Zoning: C-4
Request: Variance of Development Standards of the Consolidated Zoning and Subdivision Ordinance to provide for the location of a pylon sign, being the third freestanding sign along 86th Street (two permitted), and located within 130 feet of another freestanding sign to the east (300-foot separation required).
Current Land Use: Vacant Commercial
Staff Recommendations: Staff recommends denial of this petition
Staff Reviewer: Noah Stern, Senior Planner

PETITION HISTORY

Addendum for September 10, 2024 BZA II Hearing

- This petition was heard during the August 13, 2024 hearing of Division II, where it received an indecisive 2-1 vote, and was subsequently continued to the September 10, 2024 hearing.

ADDENDUM FOR AUGUST 13, 2024 BZA II HEARING

- This petition was continued from the July 9, 2024 BZA Division II hearing to the August 13, 2024 BZA Division II hearing to allow for further review of the proposal.

STAFF RECOMMENDATION

- Staff recommends denial of this petition

PETITION OVERVIEW

- This petition would provide for the location of a pylon sign, being the third freestanding sign along 86th Street (two permitted), and located within 130 feet of another freestanding sign to the east (300-foot separation required).
- The subject site is improved with an existing vacant commercial building and accessory parking lot. The proposed sign would stand 10-feet tall and almost 8-feet wide. Currently, freestanding signs exist



approximately 130 feet to the east and 395 feet to the west, both along the same frontage as the proposed sign.

- Staff has various concerns regarding this proposal. First, the request for 130 feet of separation from the nearest freestanding sign is less than half of the required separation of 300 feet, representing a substantial deviation from that standard. Second, Staff believes the proposal goes against the intent and goals of the two standards, being to promote orderly development, to limit the number of distractions to oncoming motorists, and to maintain visibility of the surrounding area by reducing physical obstructions. Additionally, Staff does not find there to be any practical difficulty associated with the request as freestanding signs are not a requirement of development and, likewise, finds the reasons for the variance to be self-imposed. Further, Staff finds that alternative signage options are permitted by the Ordinance, such as the use of building signs, that would not require the requested variances.

- Staff would also note that this portion of West 86th Street is an area that currently contains a substantial number of freestanding signs. Staff believes that these standards and limits set for the by the Ordinance to be important and necessary constraints on future development and that such development should conform with the modern sign regulations. Finally, Staff fears that the granting of a request of this nature could set an undesired precedent that could lead to further requests for additional freestanding signs with reduced separation. Therefore, Staff is opposed to and recommends denial of the request.

GENERAL INFORMATION

Existing Zoning	C-4	
Existing Land Use	Vacant Commercial	
Comprehensive Plan	Community Commercial / Linear Park	
Surrounding Context	<u>Zoning</u>	Surrounding Context
	North:	C-3 North: Commercial
	South:	C-4 South: Commercial
	East:	C-4 East: Commercial
	West:	C-4 West: Commercial
Thoroughfare Plan		
West 86 th Street	Primary Arterial	110 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	5/10/24
Site Plan (Amended)	N/A
Elevations	5/10/24
Elevations (Amended)	N/A
Landscape Plan	5/10/24
Findings of Fact	5/10/24
Findings of Fact (Amended)	N/A

COMPREHENSIVE PLAN ANALYSIS

Comprehensive Plan

- Marion County Land Use Plan Pattern Book
- Indy Greenways Full Circle Master Plan (2014)

Pattern Book / Land Use Plan

- The Marion County Land Use Plan pattern Book recommends the Community Commercial typology as well as Linear Park for this site.

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)

- The Indy Greenways Full Circle Master Plan from 2014 calls for a multi-use path connector along 86th/82nd Street, connecting to the existing multi-use path along West 86th Street under I-465 to



Lafayette Road to the west, and reaching Hague Road and 82nd Street on the Northeast side of Marion County.

- The plans for this multi-use path call for using the same side of the street as the subject site of the proposed sign.

ZONING HISTORY

ZONING HISTORY – SITE

N/A

ZONING HISTORY – VICINITY

2013DV2001; 1275 W 86th Street (south of site), Variance of development standards of the Commercial Zoning Ordinance to provide for a maneuvering area for a parking lot, with a zero-foot east side transitional setback (20-foot transitional setback), **approved**.

2010DV2013; 1375 W 86th Street (west of site), Variance of development standards of the Sign Regulations to legally establish a) a 30.42-foot tall, 85.14-square foot free-standing sign along 86th Street, containing a 32.45-square foot electronic variable message sign, being within approximately 360 feet of the D-7 zoned protected district to the north (600-foot separation from protected districts required), and b) to legally establish a 24-foot tall, 93.14-square foot freestanding sign along Ditch Road, with a 32.45-square foot electronic variable message sign, being within approximately 475 feet of the D-7 zoned protected district to the north (600-foot separation from protected districts required), **denied**.

2009DV3014; 1318 W 86th Street (north of site), VARIANCE OF DEVELOPMENT STANDARDS of the Sign Regulations to provide for a 25-foot tall, 130-square foot pole sign: a) being the fourth freestanding sign along 918 feet of street frontage (maximum three signs permitted), b) being within 130, 220 and 230 feet, respectively, of three other freestanding signs within the same integrated center (minimum 300-foot separation required), with the lowest point of the sign face being less than nine feet above grade (minimum nine-foot clearance required), **approved**.

2005UV1025; 1210 W 86th Street (north of site), variance of use of the Commercial Zoning Ordinance to legally establish belly dancing within an existing restaurant, (live entertainment not permitted), **approved, subject to commitments**.



Department of Metropolitan Development
Division of Planning
Current Planning

2004DV3054; 1225 W 86th Street (east of site), variance of development standards of the Sign Regulations to provide for a 7-foot tall, 53.9-square foot ground sign, located 157 feet from an existing freestanding integrated center sign in C-4, **denied**.

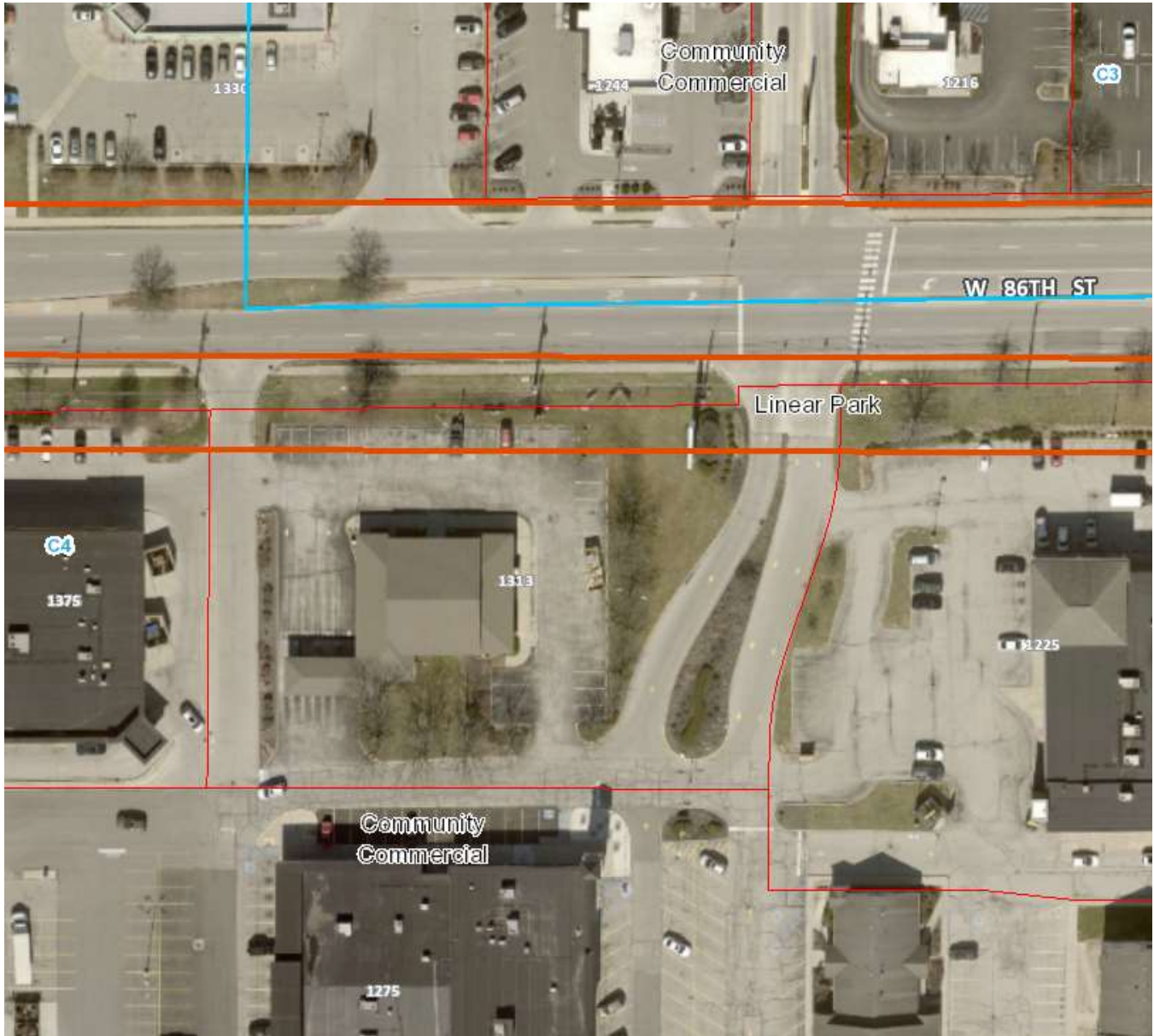
2003DV1045; 1225 W 86th Street (east of site), variance of development standards of the Sign Regulations to provide for a 55.10-square foot on premise pylon advertising sign, with a 13.75-square foot electronic variable message component within 247 feet of an existing integrated center sign, and within 70 feet of a protected district in C-4, **dismissed**.

2001DV2060; 1225 W 86th Street (east of site), variance of development standards of the Sign Regulations to legally establish a 287-66-square foot, 13.25-foot tall pole sign, located 247 feet from an existing integrated center sign in C-4, **denied**.

95-UV3-48; 1289 W 86th Street; (south of site), variance of use and development standards of the Commercial Zoning Ordinance to provide for the placement of a monopole antenna and an equipment building, with a 90-foot tall monopole antenna with a pre-existing parking area 15 feet from the east and south property lines, **granted with conditions**.

88-Z-12; 1410 W 86th Street (west of site), rezoning from the SU-1 classification, to the C-3 district, **approved**.

EXHIBITS



Proposed location of Monument Sign

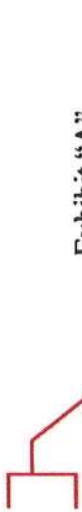
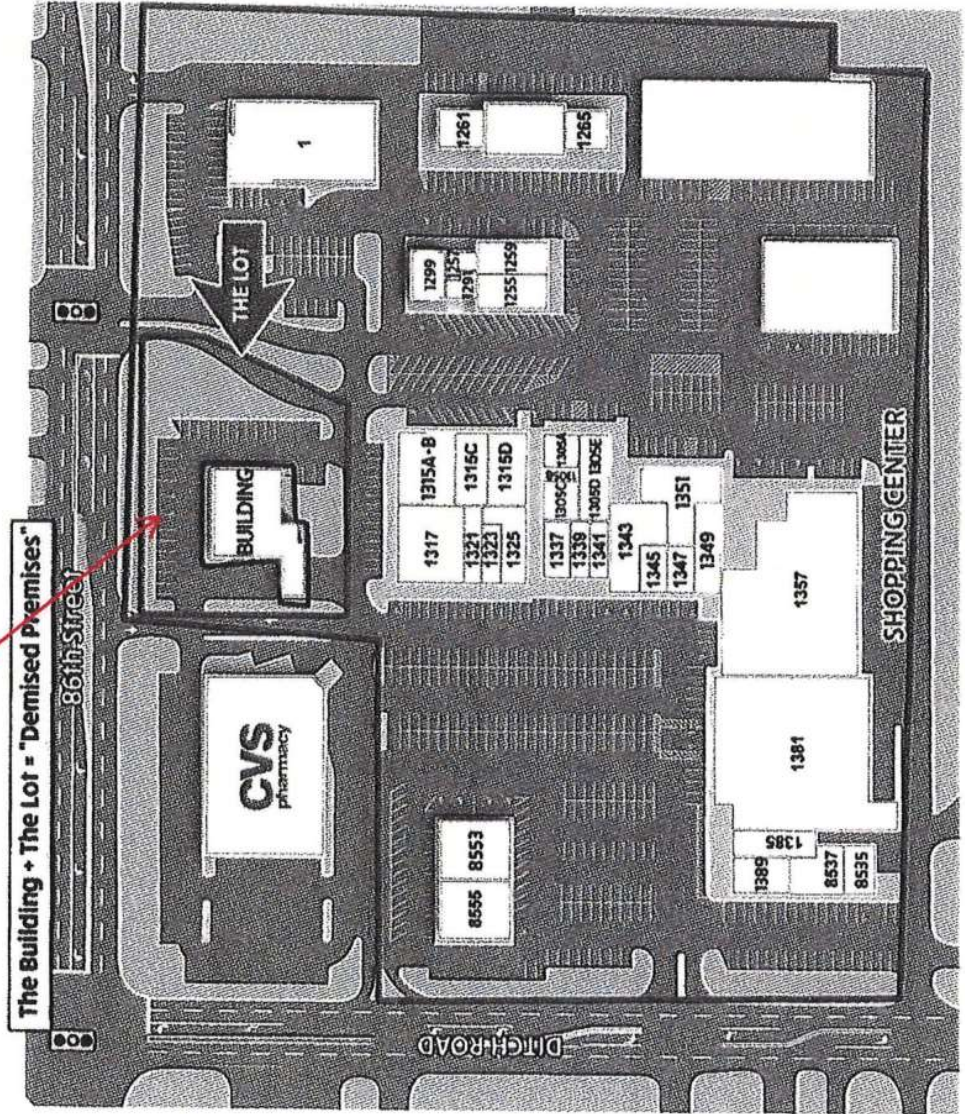
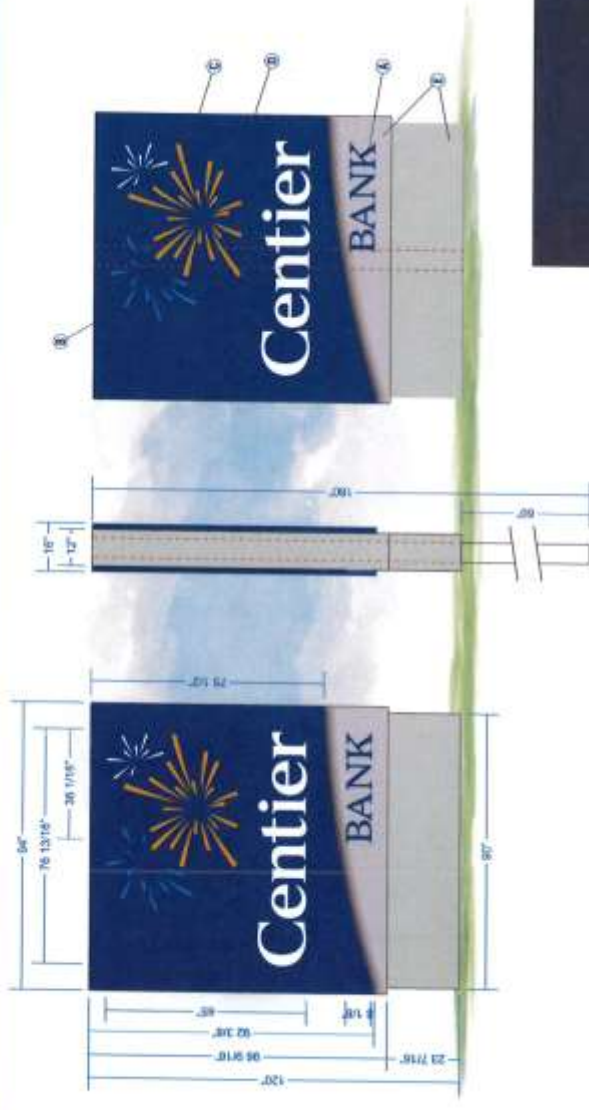


Exhibit "A"
 including the Building, the Lot and the Demised Premises)

(Site Plan of the Shopping Center)



CENTIER BANK • 1313 W 86TH ST, INDIANAPOLIS, IN 46260 • RENDERING #: 0923-0166B



78.33 SQ FT
FABRICATE AND INSTALL QTY 1 INTERNALLY ILLUMINATED BY MONUMENT SIGN
 BODY - 2" ALUMINUM ANGLE SPRINGS IN .896 ALUMINUM PAINTED TO MATCH SPECS
 FACES - .896 ALUMINUM PAINTED TO MATCH SPECS, ROUTED AND BACKED UP W/
 3/16" 7328 WHITE ACRYLIC "CENTIER" - 1/8", AND 1" CLEAR ACRYLIC PUSH THRU "BANK"
 VINYL - TO MATCH SPECS
 LEADS - WHITE
 POST - QTY 1 - 6" SCH 40

INSTALLATION - POST BURIED IN GRADE, STRUCTURE MOUNTED TO POST

SignCraft INDUSTRIES
 W.D. SGA
 SIGNAGE

- LOGO SPECIFICATIONS:**
- 1. 2" MINIMUM SIZE FOR ALL LOGOS
 - 2. 1/8" MINIMUM SPACING BETWEEN LOGOS
 - 3. 1/8" MINIMUM SPACING BETWEEN LOGOS
 - 4. 1/8" MINIMUM SPACING BETWEEN LOGOS
 - 5. 1/8" MINIMUM SPACING BETWEEN LOGOS
 - 6. 1/8" MINIMUM SPACING BETWEEN LOGOS

NOTE: OWNER WILL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM LOCAL GOVERNMENT AGENCIES AND AGENCIES OF STATE AND FEDERAL GOVERNMENT. SIGNAGE SHALL BE INSTALLED IN ACCORDANCE WITH ALL APPLICABLE REGULATIONS AND ORDINANCES. SIGNAGE SHALL BE MAINTAINED IN ACCORDANCE WITH ALL APPLICABLE REGULATIONS AND ORDINANCES. SIGNAGE SHALL BE MAINTAINED IN ACCORDANCE WITH ALL APPLICABLE REGULATIONS AND ORDINANCES.

PHOTO SCALE: NOT TO SCALE

DESIGNER:	DATE:	SCALE:
REVISED:	REVISION DATE:	DATE:
PROJECT:	PROJECT NO.:	PROJECT NO.:
CLIENT:	CLIENT NAME:	CLIENT NAME:
FINAL DATE & BY:	SHEET #:	
11/27/2011	1/5	

ART SCALE: 3/8" = 1'-0"





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 does not impede with any clear sign triangle or otherwise interfere with vehicular or pedestrian traffic on 86th Street.

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 sign only fronts on the subject property and does not interfere with access to or visibility of any adjacent 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 integrated center sign located on the subject property is designed to provide panels for the shopping located south of the subject property and has been located on the subject property for many years. The proposed sign on the subject property is replacing a free-standing sign that identified the prior owner/user.

DECISION

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

Adopted this _____ day of _____, 20 ____





