



**BOARD OF ZONING APPEALS DIVISION III**

**January 6, 2026**

**Case Number:** 2025-DV1-060  
**Address:** 5101 East Thompson Road (approximate address)  
**Location:** Franklin Township, Council District #24  
**Zoning:** C-4  
**Petitioner:** BT Indianapolis, LLC, by Joseph Calderon  
**Request:** Variance of Development Standards of the Consolidated Zoning and Subdivision Ordinance to provide for the erection of three freestanding pylon signs, with one sign being the third freestanding sign along the South Emerson Avenue frontage, and two signs being within 210 feet and 284 feet of another freestanding sign (maximum of two freestanding signs per frontage, 300-foot separation between signs required).

**Current Land Use:** Integrated Commercial Center under development

**Staff Recommendation:** Staff recommends Denial of this petition.

**Staff Reviewer:** Robert Uhlenhake, Senior Planner

**PETITION HISTORY**

This is the first hearing for this petition.

This petition will need a seven-day waiver of notice.

**STAFF RECOMMENDATION**

Staff recommends **denial** of this petition.

**PETITION OVERVIEW**

- ◇ Standards of the Sign Regulations are intended to promote quality sign displays that are integrated with developments and reduce potential hazards to pedestrians and motorists. These standards include the number of signs and separation requirements.
- ◇ The Sign Regulations allow two (2) freestanding signs along any single frontage for an integrated center. In addition, a separation distance of 300 feet is required between individual signs. These requirements are designed to mitigate the proliferation of freestanding signs and the visual conflicts and negative aesthetics associated with multiple signs in close proximity to one another.
- ◇ This request would provide for the erection of a second (B) freestanding pylon sign, and a third (C) freestanding pylon sign along this portion of South Emerson Avenue, where a maximum of two (2) freestanding signs are permitted as part of an integrated center development.

- ◇ This request would also allow for the second freestanding sign (B) to be located within 210 feet from an existing pylon sign, and a third freestanding pylon sign (C) to be located 284 feet from the proposed sign B, where a 300-foot separation between signs is required for legally permitted signs.
- ◇ Appropriate building or façade signs can provide the needed advertising and location identification without the need for the requested freestanding signs. With the newly constructed buildings being on out lots, there is no obstructive buildings or structures in front of the proposed buildings that would restrict any building or façade signage from passing motorists. The use of building or façade signage would also reduce the potential hazard of additional freestanding signs and allow for the location of the business to be found safely.
- ◇ A basic tenet of the 2019 Sign Code revision was to allow the use of a variety of sign types in Commercial districts, lessening the need and reliance on free-standing signage. Staff believes that a sign plan that promotes a variety of sign types is particularly helpful in reducing sign structures along the right-of-way.
- ◇ Since the site is under development, the requested variance is a result of the specific design and development and not a result of the site. The site has no limiting factors, therefore, the site can be designed to meet the requirements of the Ordinance without the need of the requested variance and provide orderly development as other adjacent developments have been able to do so. Therefore, Staff does recommend denial of the requested variances due to no practical difficulty being imposed by the site.
- ◇ Staff communicated to the petitioner that an acceptable and reasonable compromise might be to amend the Sign C request to a smaller scale eight-foot tall monument sign. In Staff's opinion, this could strike a balance between wanting additional free-standing signage and lessening the impact of a large-scale single user sign structure adjacent to the right-of-way. At the time of publication, this compromise was still being considered by the petitioner.

## GENERAL INFORMATION

<b>Existing Zoning</b>	C-4	
<b>Existing Land Use</b>	Integrated Commercial Center under development	
<b>Comprehensive Plan</b>	Regional Commercial uses	
<b>Surrounding Context</b>	<b><u>Zoning</u></b>	<b>Surrounding Context</b>
	North: C-3 / C-4	Community Commercial uses
	South: C-S	Commercial Garden Center
	East: C-4	Community Commercial
	West: D-A / C-4	Single-Family Dwellings / Commercial Retail
<b>Thoroughfare Plan</b>		
East Thompson Road	Primary Arterial	119-foot existing and proposed right-of-way
South Emerson Avenue	Primary Arterial	100-foot existing right-of-way and a 112-foot proposed right-of-way

<b>Context Area</b>	Metro area
<b>Floodway / Floodway Fringe</b>	No
<b>Overlay</b>	No
<b>Wellfield Protection Area</b>	No
<b>Site Plan</b>	November 7, 2025
<b>Sign Elevations</b>	November 7, 2025
<b>Landscape Plan</b>	N/A
<b>Findings of Fact</b>	December 29, 2025

## COMPREHENSIVE PLAN ANALYSIS

### Comprehensive Plan

- The Comprehensive Plan recommends Regional Commercial uses for the site.

### Pattern Book / Land Use Plan

- The Marion County Land Use Plan Pattern Book recommends the Regional Commercial typology which provides for general commercial, and office uses that serve a significant portion of the county rather than just the surrounding neighborhoods. Uses are usually in large freestanding buildings or integrated centers. Typical examples include shopping malls, strip shopping centers, department stores, and home improvement centers.

### 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

**2025-DV3-008, 5101 E Thompson Road (subject site)**, Variance of Development Standards to provide for the construction of an automobile fueling station and convenience store with facade transparency as low as zero percent, a drive-through without a bypass lane, and overall deficient site landscaping, **approved subject to commitments.**

**2024-DV1-027, 5101 E Thompson Road (subject site)**, Variance of Development Standards to provide for the location of two drive-throughs and stacking spaces within the front yard of Thompson Road and without required bypass aisles, deficient compliance with various landscaping standards, and 64 parking spaces accessory to a restaurant use, **approved.**

**2020-DV2-053B, 5255 E Thompson Road (east of site)**, Variance of Development Standards to permit exit stacking spaces in the front yard of Thompson Road, **approved.**

**95-HOV-23, 5095 E Thompson Road (northwest of site)**, Variance of Development Standards to provide for the construction of a drug store with a drive-through customer service window located on the west side of the building, being 87.92 feet from a residential zoning district, **approved.**

**94-HOV-130, 5079 E Thompson Road (west of site)**, Variance of Development Standards to provide for the construction of a drug store with a drive-through customer service window located on the south side of the building being 49 feet from a residential zoning district), **approved.**

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## EXHIBITS

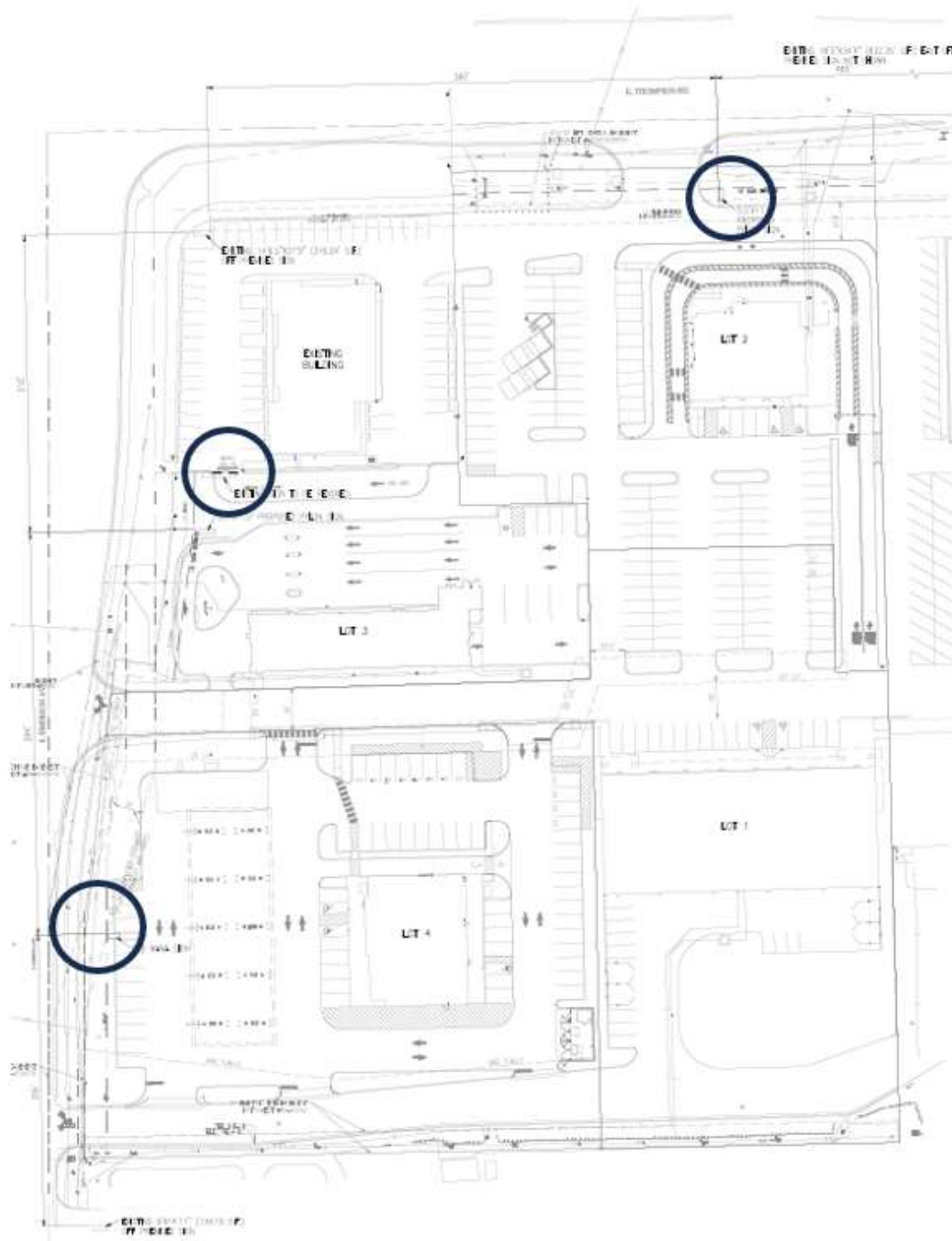
### Location Map



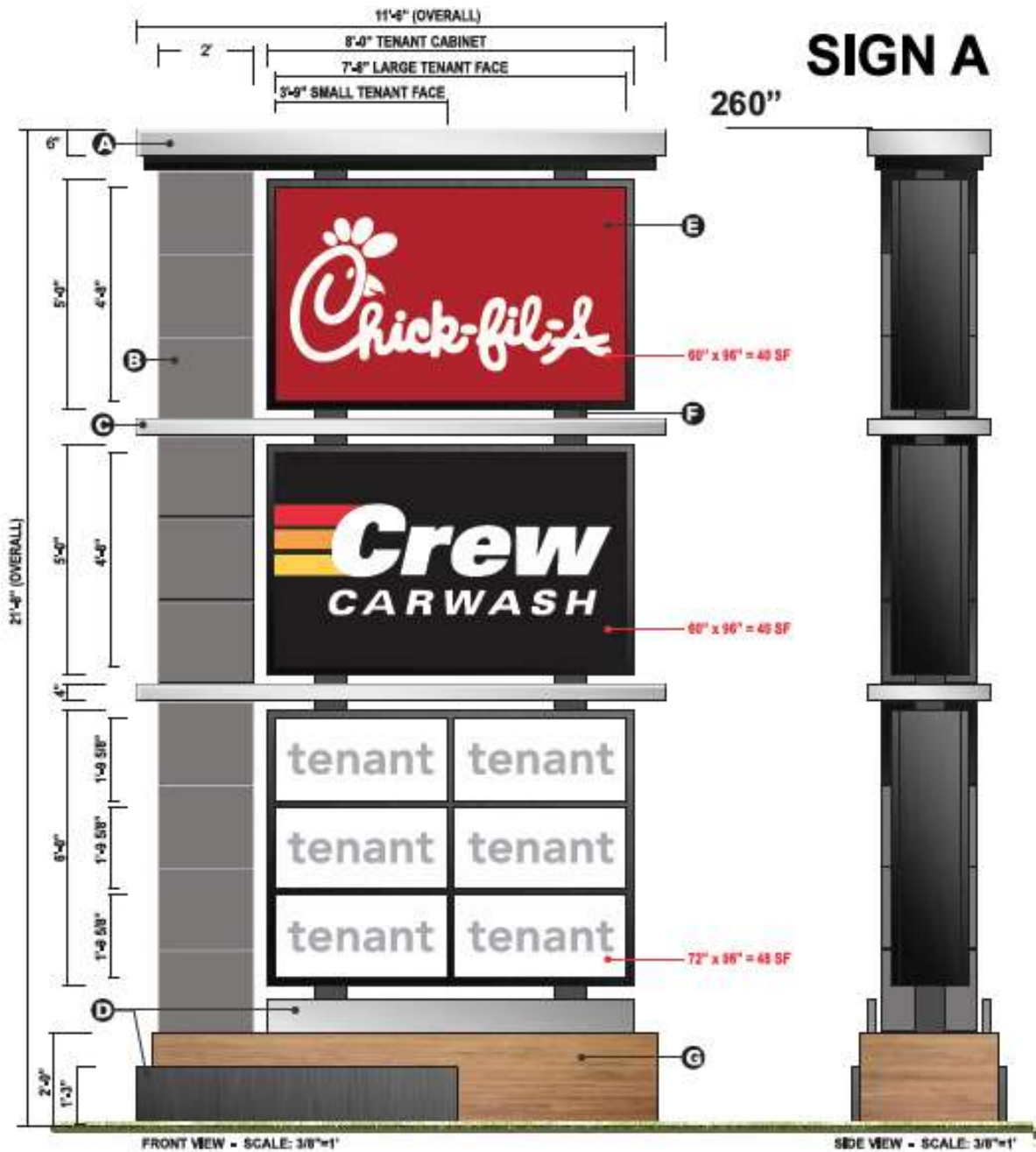


**Site Plan**

Sign A - north.  
 Sign B - middle.  
 Sign C - south.



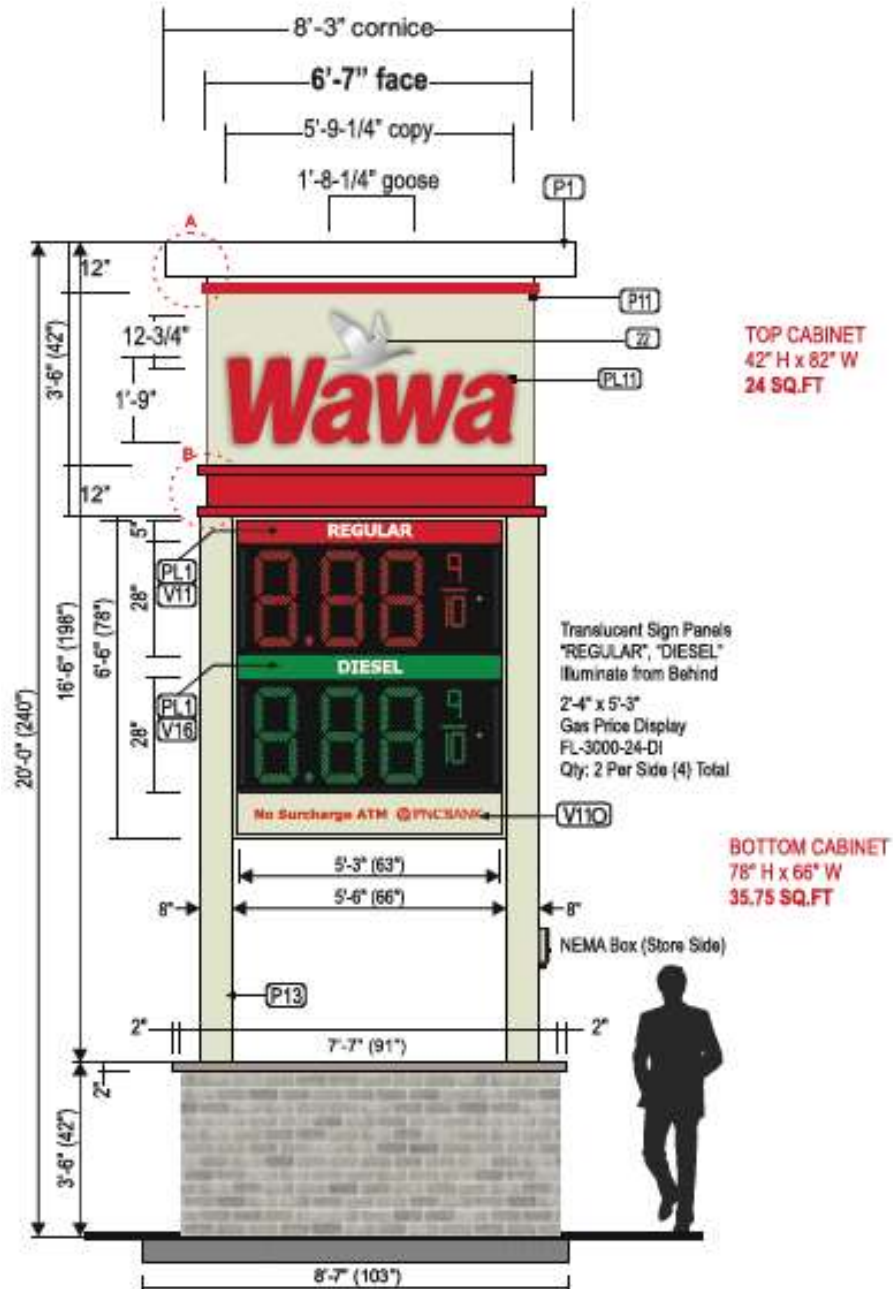
**Sign Elevations**







## SIGN C



**P-50 D/F ILLUMINATED PYLON SIGN (59.75 SQ. FT.)**



## 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 signs meet required setbacks and will not be located in the clear site triangle, plus the signs on Emerson will be located to identify specific users, thus improving traffic management and safety.

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 adjoiners on the east side of Emerson all have free standing signs, and the proposed signs will actually allow for continued identification of the users of those properties. The variances do not impact or interfere with access or visibility to or from any other adjacent property, which are all located across arterial streets.

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

The regulations for free standing signs must assume that any property with shared frontage and access also provide for sign rights. The subject property has no right to use any existing sign located on adjoining parcels, which is triggering the variances.

**Photographs**



Subject site under development for proposed sign B, looking east.



Approximate location for proposed sign B, 210 feet from existing sign to the north, looking north.



Subject site under development for proposed sign C, looking east.



Approximate location for proposed sign C, 284 feet from proposed sign B to the north, looking north.





Existing Emerson Avenue freestanding frontage sign to the north