Department of Metropolitan Development
Division of Planning
Current Planning

Board of Zoning Appeals Division III — November 10, 2026

Case Number:	2026-DV3-011A
Property Address:	3603 South Meridian Street *(approximate address)*
Location:	Perry Township, Council District #18
Petitioner:	Roman Catholic Archdiocese of Indianapolis, Properties Inc as Trustee for St Roch, Catholic Church Indianapolis Inc., by Wooton Hoy (John Cross)
Current Zoning:	SU-1 / D-4
Request:	Variance of Development Standards of the Consolidated Zoning and Subdivision Ordinance to permit a fence within the clear sight triangle (not permitted).
Current Land Use:	Developed, School
Staff Recommendations:	Staff recommends **denial** of the variance for obstruction of the clear sight triangle.
Staff Reviewer:	Josh Levesque, Manager

PETITION HISTORY

This case was originally set to be heard by BZA Division III on April 21st, 2026. A registered neighborhood organization filed a timely automatic continuance to May 26th. The petitioner subsequently filed a continuance from the May 26th, 2026, to the July 21st, 2026, BZA III hearing. The petitioner filed for an additional continuance as well as transfer to the August 4th, 2026, BZA III hearing. The petition was subsequently continued to the September 1st hearing and continued again to the October 6th hearing.

At the October 6th hearing, the board split the case. 2026DV3011A, pertaining to the fence's encroachment into the clear sight triangle received an indecisive vote and was continued to the November 10, 2026, BZA hearing. 2026DV3011B, permitting the portion of the fence outside of the clear sight triangle to have a height of up to 8 feet, was granted.

STAFF RECOMMENDATION

Staff recommends **denial** of the variance for obstruction of the clear sight triangle.

PETITION OVERVIEW

3603 South Meridian Street is a large parcel on the corner of South Meridian Street and Sumner Avenue. The parcel contains a school and a large, paved play and parking area. The property is currently split-zoned between SU-1 (the majority) and D-4 and is surrounded by a variety of zoning districts and land uses. The adjacent property to the east, zoned D-4, contains parish offices. The parcels across Sumner

Avenue to the north are zoned D-3 and are undeveloped. To the west is a parcel zoned D-A and containing a gas station. To the south is a church center.

The petitioner's request is to establish a fence/wall in the front yard that that encroaches into the clear sight triangle.

744-503.H of the Ordinance indicates that "no obstructions shall be erected, placed, planted, or allowed to grow in such a manner as to materially impede visibility between the heights of 2.5 feet [30 inches] and 8 feet above grade level." The Department of Public Works also relies on sight triangles (an engineering sight triangle) to determine the safety of intersections. The clear sight triangle used by DPW represents the area a driver needs visibility in order to react and stop in case of an oncoming hazard. It also represents the distance the driver needs to see oncoming traffic from the left and right so they can safely pull into traffic. Furthermore, an obstruction into the clear sight triangle impedes a driver's ability to see pedestrians. Pedestrians, whether waiting at the corner or attempting to cross the street would be in particular danger. The diagrams below (see "Clear Sight Diagrams" in "Exhibits") show the extent to which the fence/wall encroach into the clear sight triangle.

Petitioner's plans, file-dated September 29th, propose to clip the fence on the northwest corner and bring it partially within the clear sight triangle. However, the petitioner's own diagram shows that the fence/wall will still partially encroach into the clear sight triangle. As highlighted earlier, the clear sight triangle is intended to promote safety and to reduce traffic conflicts—a chief concern near schools.

A variance of development standards may only be approved if the following three criteria are met:

- ***The approval will not be injurious to the public health, safety, morals, and general welfare of the community.***
    - Staff will note that one party cannot be made safe at the expense of another party, especially when other design solutions exist. Within the clear sight triangle there traffic stop bars and turn lanes. Additionally, there is a lack of sidewalks along Sumner Avenue and Meridian Street, forcing pedestrians into the road. Obstructing the clear sight triangle presents potential hazardous conditions for area pedestrians and drivers. The petitioner can keep students AND the public safe by lessening the amount of lot they use and moving the fence/wall outside the clear sight triangle. Such an action would also create greater separation from the play area and the street, further helping to increase safety.
- ***The use or value of the area adjacent to the property included in the variance will not be affected in a substantially adverse manner.***
    - The safety hazards created by encroachment into the clear sight triangle would impact the safe use of the public right of way in a substantially adverse manner.
- ***The strict application of the terms of the zoning ordinance will result in practical difficulties in the use of the property.***
    - The parking lot/play area is over 36,000 square feet. The amount of area that would be lost to bring the fence into compliance is roughly 3% of the entire area. Compliance with the Ordinance would not prevent the rest of the parking lot from being used and would not prevent other parts of the property from being devoted to play areas.

- The Ordinance is intended to promote public safety. Staff's analysis indicates the presence of public safety hazards. As such, staff recommends **denial** of the clear sight variance. Staff will also note that the proposed commitment regarding bollards/guardrails, as written, would permit bollards or guardrails within the clear sight triangle. If the bollards/guardrails do not meet Ordinance provisions for the clear sight triangle, staff must also recommend **denial** of this commitment.

GENERAL INFORMATION

Existing Zoning	SU-1	
Existing Land Use	Developed; School	
Comprehensive Plan	Suburban Neighborhood	
Surrounding Context	**Zoning**	**Surrounding Context**
North:	D-3	North: Undeveloped
South:	SU-1	South: Religious Use / Community Center
East:	D-4	East: Religious Use / Church
West:	D-A	West: Gas Station
Thoroughfare Plan		
South Meridian Street	Primary Arterial	50-foot existing right-of-way and 95-foot proposed right-of-way
Sumner Avenue	Primary Collector	60-foot existing right-of-way and 56-foot proposed right-of-way
Context Area	Compact	
Floodway / Floodway Fringe	No	
Overlay	No	
Wellfield Protection Area	No	
Site Plan	3/09/2026	
Site Plan (Amended)	N/A	
Elevations	N/A	
Elevations (Amended)	N/A	
Landscape Plan	N/A	
Findings of Fact	3/10/2026	
Findings of Fact (Amended)	N/A	
C-S/D-P Statement	N/A	

COMPREHENSIVE PLAN ANALYSIS

Comprehensive Plan

- Marion County Land Use Plan Pattern Book (2019)

Pattern Book / Land Use Plan

- The Suburban Neighborhood typology is predominantly made up of single-family housing, 3603but 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

79-Z-151; 3500 South Meridian Street, Rezoning from SU to SU1, **approved.**

ZONING HISTORY – VICINITY

79-Z-151; 3435 South Meridian Street, Requesting rezoning from D3 to SU1, **approved.**

99-Z-156; 3449 South Meridian Street, Requesting rezoning of 2.19 acres from D3 to DP, **withdrawn.**

2002ZON054; 3510 South Meridian Street, Requesting rezoning of 1.659 acres from DA to C-3, **withdrawn.**

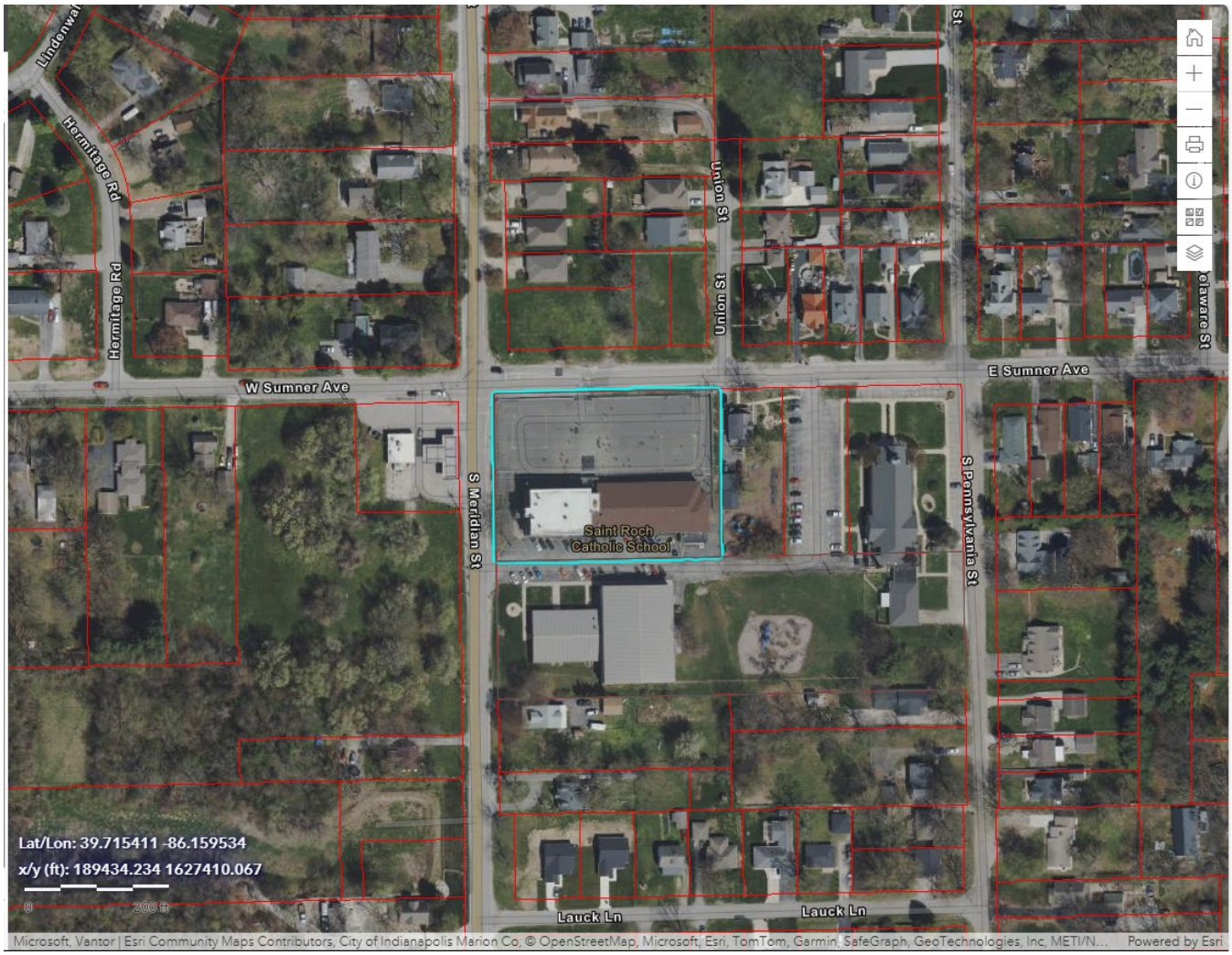
2005DV1031; 18 East Sumner Avenue, Variance of Development Standards of the Dwelling District Zoning Ordinance to provide for the construction of a single-family dwelling with a ten-foot front yard setback along Union Street, **approved.**

2012UV2020; 3652 South Meridian Street, Variance of Use of the Dwelling Districts Zoning Ordinance to legally establish a 780-square foot deck for outdoor seating and a 4,400-square foot outdoor seating area on gravel, accessory to bar, **approved.**

2023UV3006; 3650 & 3652 South Meridian Street, Variance of Use of the Consolidated Zoning and Subdivision Ordinance to provide for the operation of an eating establishment with outdoor seating on an existing patio, **withdrawn.**

EXHIBITS

2026DV3011; Aerial Map



2026DV3011; Site Plan (1)



Proposed fence location

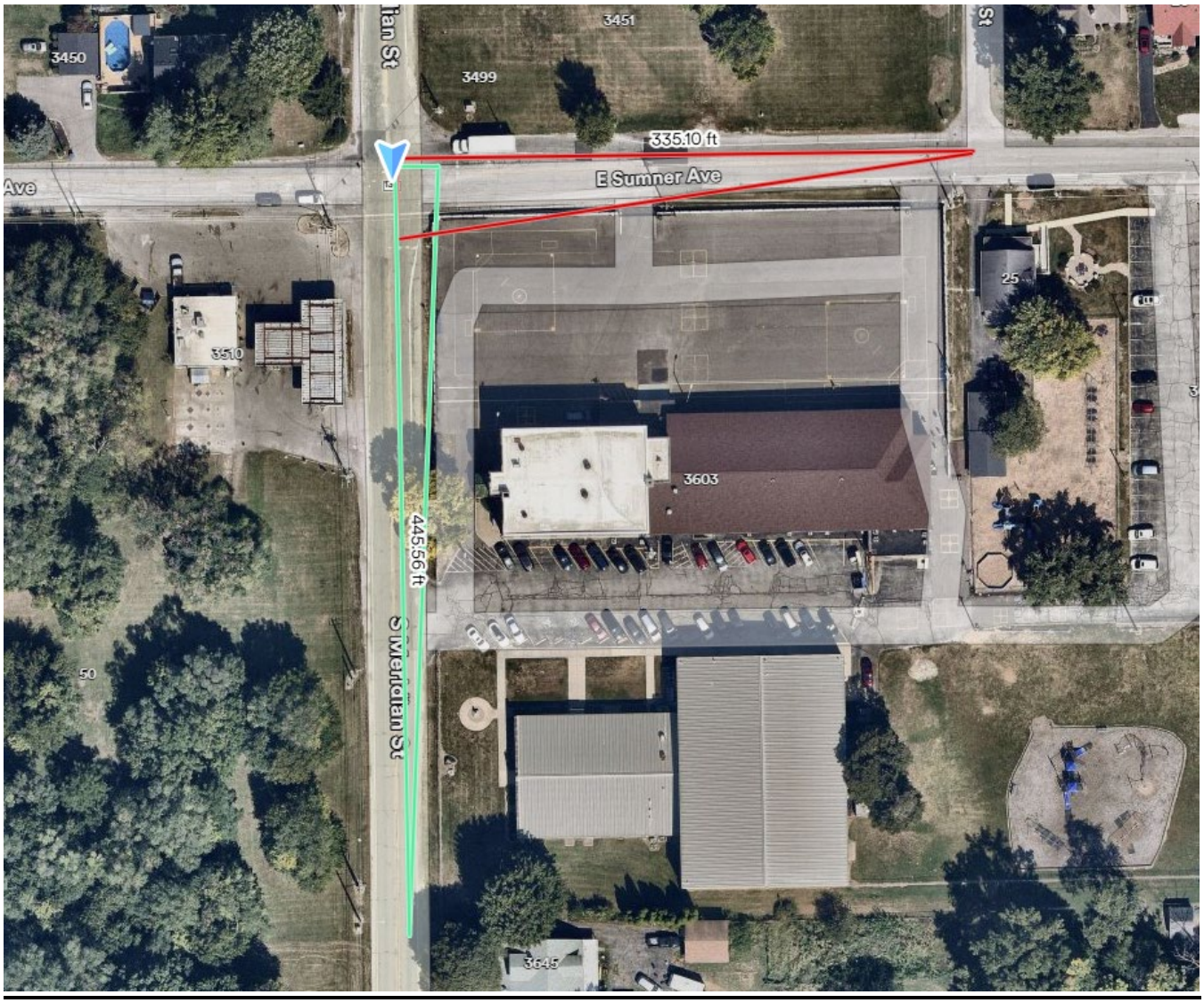
2026DV3011; Site Plan (2)



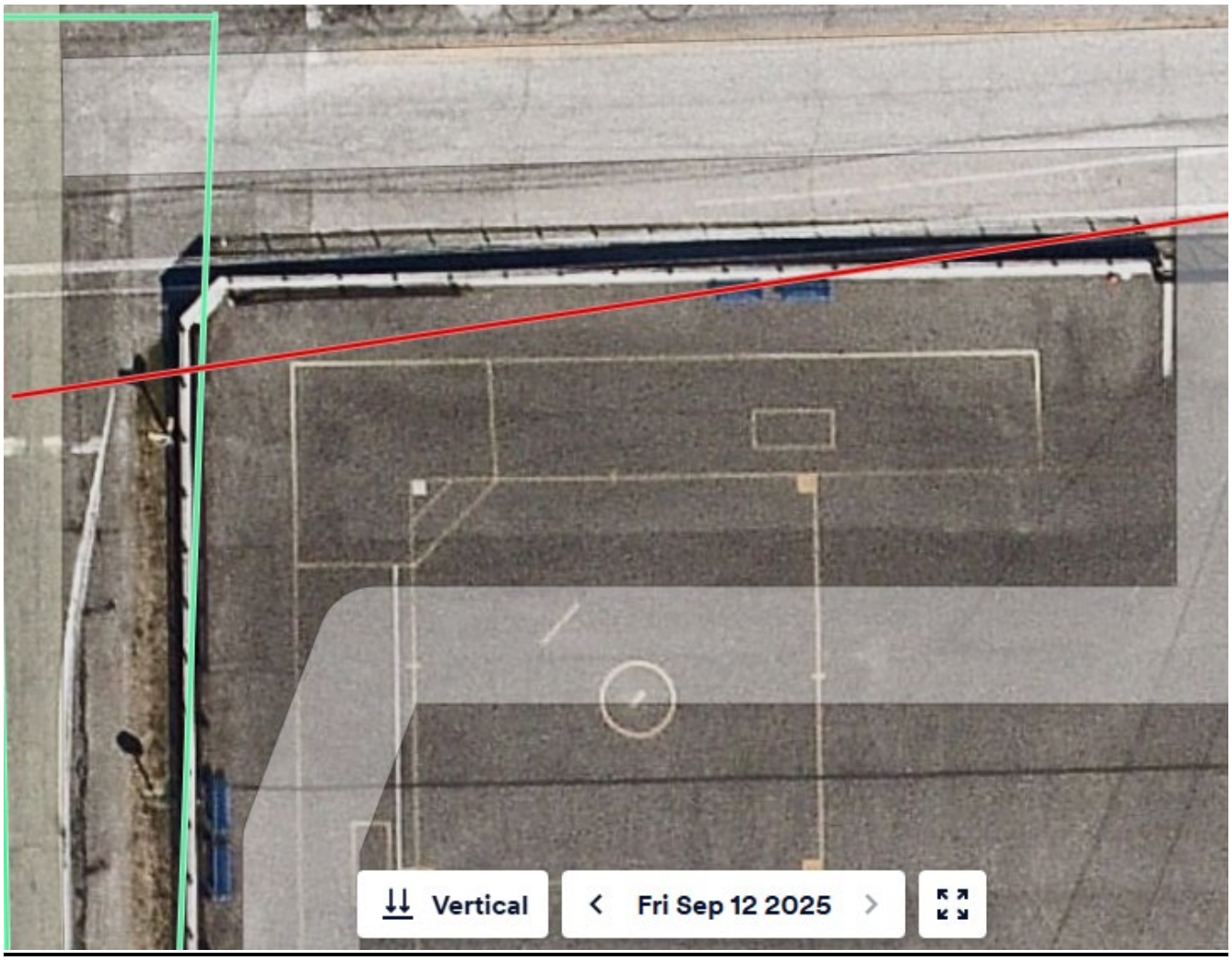
Site plan showing fence moved in roughly 16 feet from its current location

Department of Metropolitan Development
Division of Planning
Current Planning

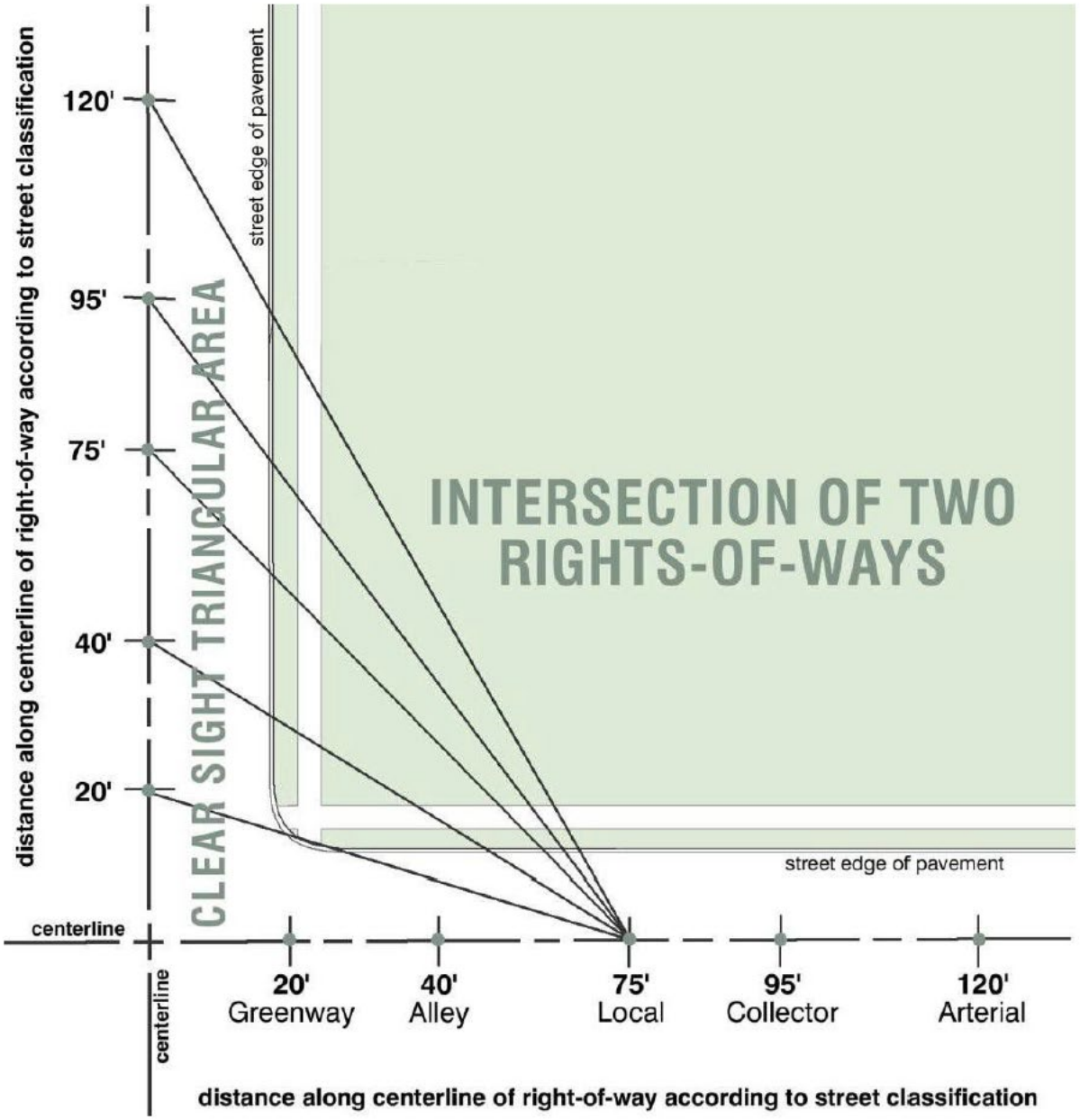
2026DV3011; DPW Clear Sight Diagrams (1)



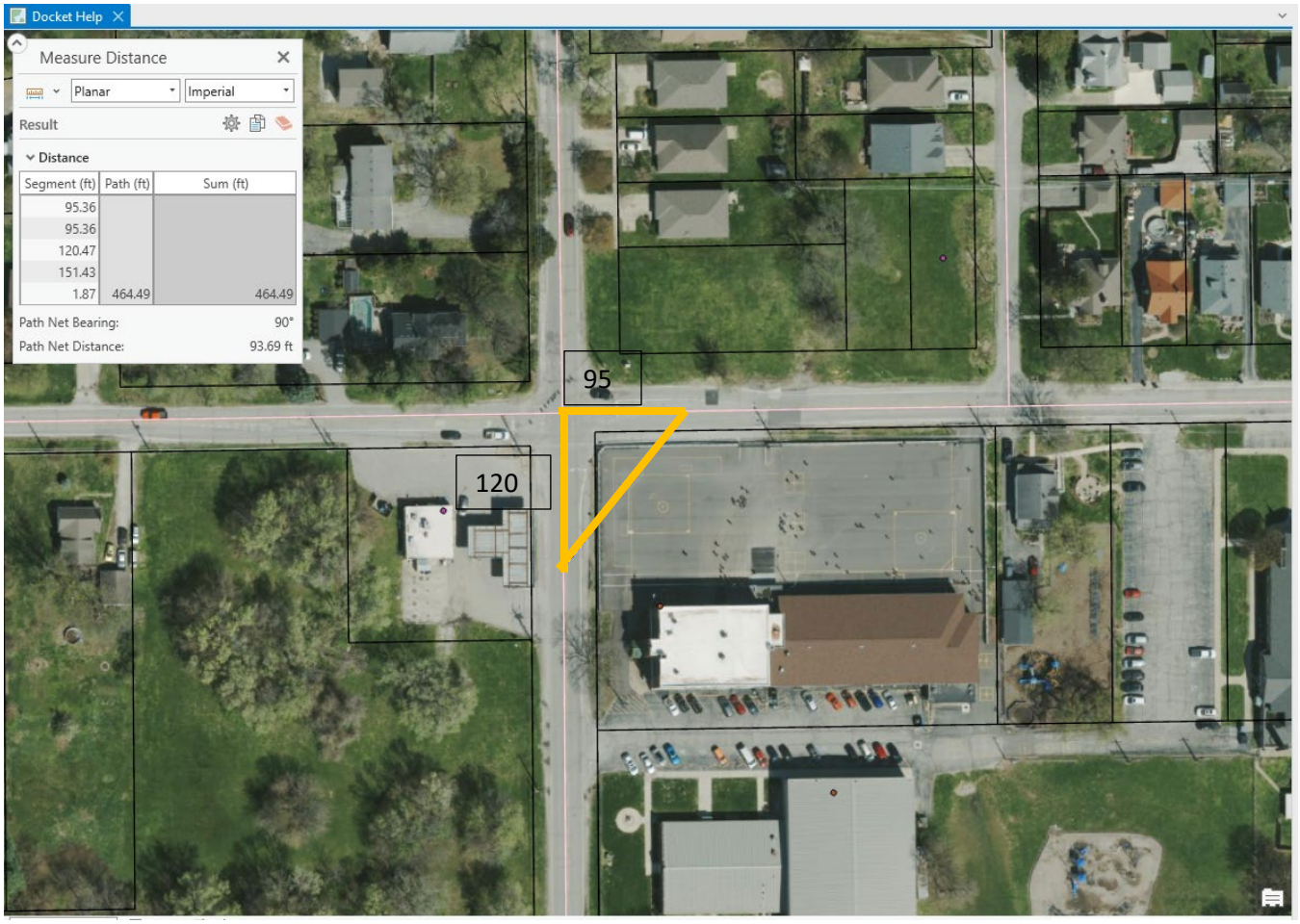
2026DV3011; DPW Clear Sight Diagrams (2)



2026DV3011; DMD Clear Sight Diagrams (1)



2026DV3011; DMD Clear Sight Diagrams (2)



2026DV3011; Photographs



Photo 1: Fence/wall as seen from Sumner Avenue looking south

2026DV3011; Photographs (continued)



Photo 2: On South Meridian at corner with Sumner

2026DV3011; Photographs (continued)



Photo 3: On Sumner at corner with Meridian

2026DV3011; Photographs (continued)



Photo 4: Fence/wall along Sumner near intersection with South Meridian