

BOARD OF ZONING APPEALS DIVISION I

April 7, 2026

Case Number: 2026-UV1-004
Property Address: 4902 West Washington Street (*approximate address*)
Location: Washington Township, Council District #17
Petitioner: QH W Washington Street LLC, by Joseph D. Calderon
Current Zoning: C-5 (TOD)
Request: Variance of Use of the Consolidated Zoning and Subdivision Ordinance to provide for a check cashing and validation service use within 50 feet of a Protected District (500-foot separation required).
Current Land Use: Commercial
Staff Recommendations: Staff recommends **denial** of this variance.
Staff Reviewer: Michael Weigel, Principal Planner I

PETITION HISTORY

Enter Petition History

STAFF RECOMMENDATION

Staff recommends **denial** of this variance.

PETITION OVERVIEW

- 4902 West Washington Street is a commercial parcel with a size of 0.43-acre at the northwest corner of Washington Street and Laclede Street. The property is currently improved with a commercial structure and accessory drive-thru for which the most recent user was a pizza restaurant. Surrounding land use includes residences to the north and commercial development to the east, west, and south along the West Washington Street corridor. A Blue Line BRT stop is proposed to the west of the site, at the intersection of Washington and Auburn Street.
- The petitioner is seeking to operate a check cashing and validation service use (PLS Financial Services per the Plan of Operation) from the existing building at the property. Ordinance would require that all check cashing and validation service uses have at least 500 feet of separation from Protected Districts (including, but not limited to, residential zoning districts). Since the currently existing building is located approximately 50 feet from a residential zoning district to the north, a Variance of Use would be required for legal operation of the use.

- Approval of this petition would not exempt the property from any additional use-specific standards that would be applicable for check cashing and validation service uses, such as the requirement to have the primary cash register area located so there is an unobstructed view between an area along the property frontage and any attendant at the cash register area. Additionally, the change in use would require the placement of bicycle parking per Table 744-402-1, which does not appear to be shown on the site plan submitted to Staff for review.
- This property is zoned C-5 (General Commercial District) to provide areas for those retail sales and service functions whose operations are typically characterized by automobiles, outdoor display, or sales of merchandise; by major repair of motor vehicles; by outdoor commercial amusement and recreational activities; or by activities and operations conducted in buildings and structures not completely enclosed. The Comprehensive Plan recommends it for Community Commercial Uses per the West Washington Corridor Plan, and to the Community Center TOD typology given the property's proximity to a proposed Blue Line stop (additional information within the Comprehensive Plan Analysis below).
- The Plan of Operation provided by the applicant indicates that the business will offer a variety of financial and related services to its customers in addition to check cashing and validation, and that it would employ 15-20 workers with approximately eight (8) employees at the facility at any given time. The full Plan is within Exhibits below.
- In 2016, the Indianapolis Zoning Ordinance was updated to create a separate and distinct use category for check cashing and validation service businesses. This was done to both (a) reflect distinctions in the ways in which this business might differ from other financial services uses (greater emphasis on provision of the check cashing services as a *primary* use, as compared to standard bank/office operations where check cashing might be of a more accessory nature); and (b) to allow for the implementation of separation requirements for check cashing and validation uses in a manner similar to separation regulations for other uses, such as liquor stores.
- One of the burdens of proof required by State statute to allow for the approval of a Variance of Use would be the presence of an undue hardship that would prevent alternate, compliant use of the site for other uses contemplated by the zoning district. In this instance, the C-5 zoning district would allow for dozens of other primary uses without the need for relief via a Variance of Use, and provided Findings fail to identify a difficulty that would prevent installation of one of those use types. Given this lack of undue hardship and the reduction of the required separation from 500 feet to only 50 feet (10% of the standard), staff recommends denial.

GENERAL INFORMATION

Existing Zoning	C-5 (TOD)	
Existing Land Use	Commercial	
Comprehensive Plan	Community Commercial Uses	
Surrounding Context	Zoning	Surrounding Context
North:	D-5	North: Residential
South:	C-3 / C-4	South: Commercial
East:	C-5	East: Commercial
West:	C-5	West: Commercial
Thoroughfare Plan		
Washington Street	Primary Arterial	96-foot existing right-of-way and 88-foot proposed right-of-way
Laclede Street	Local Street	50-foot existing right-of-way and 48-foot proposed right-of-way
Context Area	Compact	
Floodway / Floodway Fringe	No	
Overlay	No	
Wellfield Protection Area	No	
Site Plan	01/27/2026	
Site Plan (Amended)	N/A	
Elevations	N/A	
Elevations (Amended)	N/A	
Landscape Plan	N/A	
Findings of Fact	01/27/2026	
Findings of Fact (Amended)	N/A	

COMPREHENSIVE PLAN ANALYSIS

Comprehensive Plan

- Blue Line Transit-Oriented Development Strategic Plan
- West Washington Street Corridor Plan (2012)

Pattern Book / Land Use Plan

- Not Applicable to the Site. Please see Neighborhood / Area Specific Plan (etc.) below.

Red Line / Blue Line / Purple Line TOD Strategic Plan

- Given its proximity to the proposed Auburn Street stop, this property falls within the Community Center TOD typology. This typology is designed to allow for walkable commercial centers with a range of commercial types (new strip commercial, office, shopping malls, big box). A mix of retail, entertainment, office, and residential use is desired. Surface parking should be consolidated and placed behind buildings to allow a pedestrian orientation at the street while still supporting drive-to businesses. Buildings heights would vary widely in this typology.

Neighborhood / Area Specific Plan

- The West Washington Street Corridor Plan recommends this site for Community Commercial uses, which would include low-intensity retail, commercial, and office uses which serve a predominantly residential market adjacent to or very near the use. Contemplated uses include a broad range of retail, personal, professional, and business services and are either freestanding or part of a small integrated center typically anchored by a grocery store. The site is not within a Critical Area as defined by the Plan.

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

91-V3-49, variance of development standards of the Sign Regulations of Marion County to permit the placement of illuminated awnings, **approved**.

ZONING HISTORY – VICINITY

2024ZON072 ; 4903 W Washington Street (south of site), Rezoning of 0.9 acre from the C-3 and C-4 districts to the C-5 district to provide for a restaurant, automobile repair and automobile sales, **withdrawn**.

2017ZON088 ; 4903 W Washington Street (south of site), Rezoning of 3.78 acres from the C-S district to the C-3 classification, **approved**.

2012ZON039 ; 5050 W Washington Street (west of site), Rezoning of 1.38 acres, from the C-5 District, to the C-4 classification to provide for commercial uses, **approved**.

2011DV3046 ; 5036 W Washington Street (west of site), Variance of development standards of the Commercial Zoning Ordinance to provide for a 7,200-square foot addition to an existing building, with 52 parking spaces (65 parking spaces required), **approved**.

2011DV3037 ; 4863 W Washington Street (southeast of site), Variance of development standards of the Commercial Zoning Ordinance to provide for a carryout restaurant within 65 feet of a D-4 zoned District (100-foot separation from protected required), **approved**.

2010UV2015 ; 4815 W Washington Street (southeast of site), Variance of use of the Commercial Zoning Ordinance to legally establish a child care home and a dwelling unit (not permitted), **approved**.

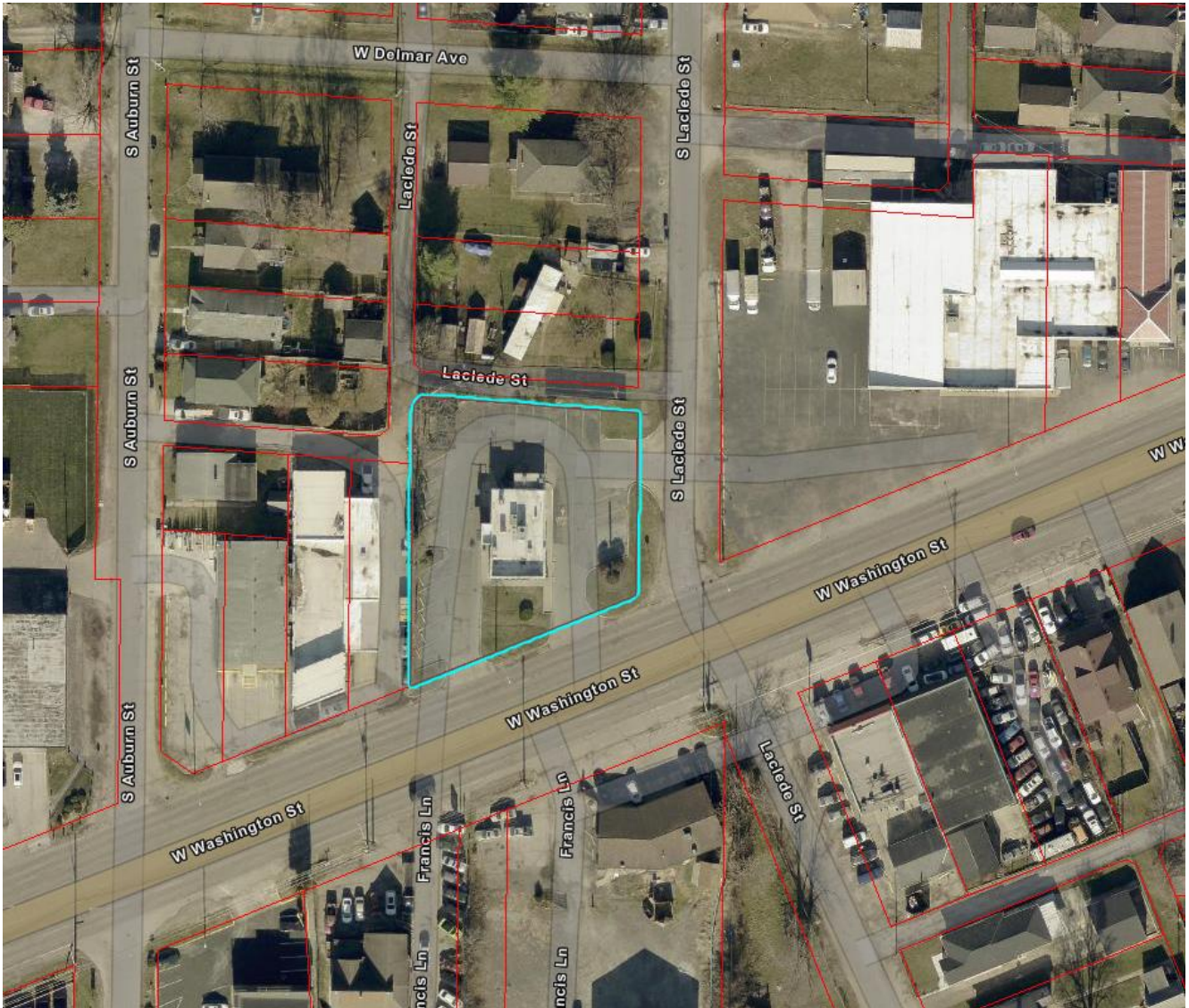
2009UV3020 ; 4955 W Washington Street (southwest of site), Variance of use of the Commercial Zoning Ordinance to legally establish a tattoo parlor within 40 feet of a protected district without the grant of a special exception (not permitted without the grant of special exception, required to be 500 feet from a protected district), **approved**.

2006UV2006A ; 4726 E Washington Street (east of site), Variance of use of the Commercial Zoning Ordinance to legally establish two, one-story, single-family dwellings on site (not permitted), **denied**.

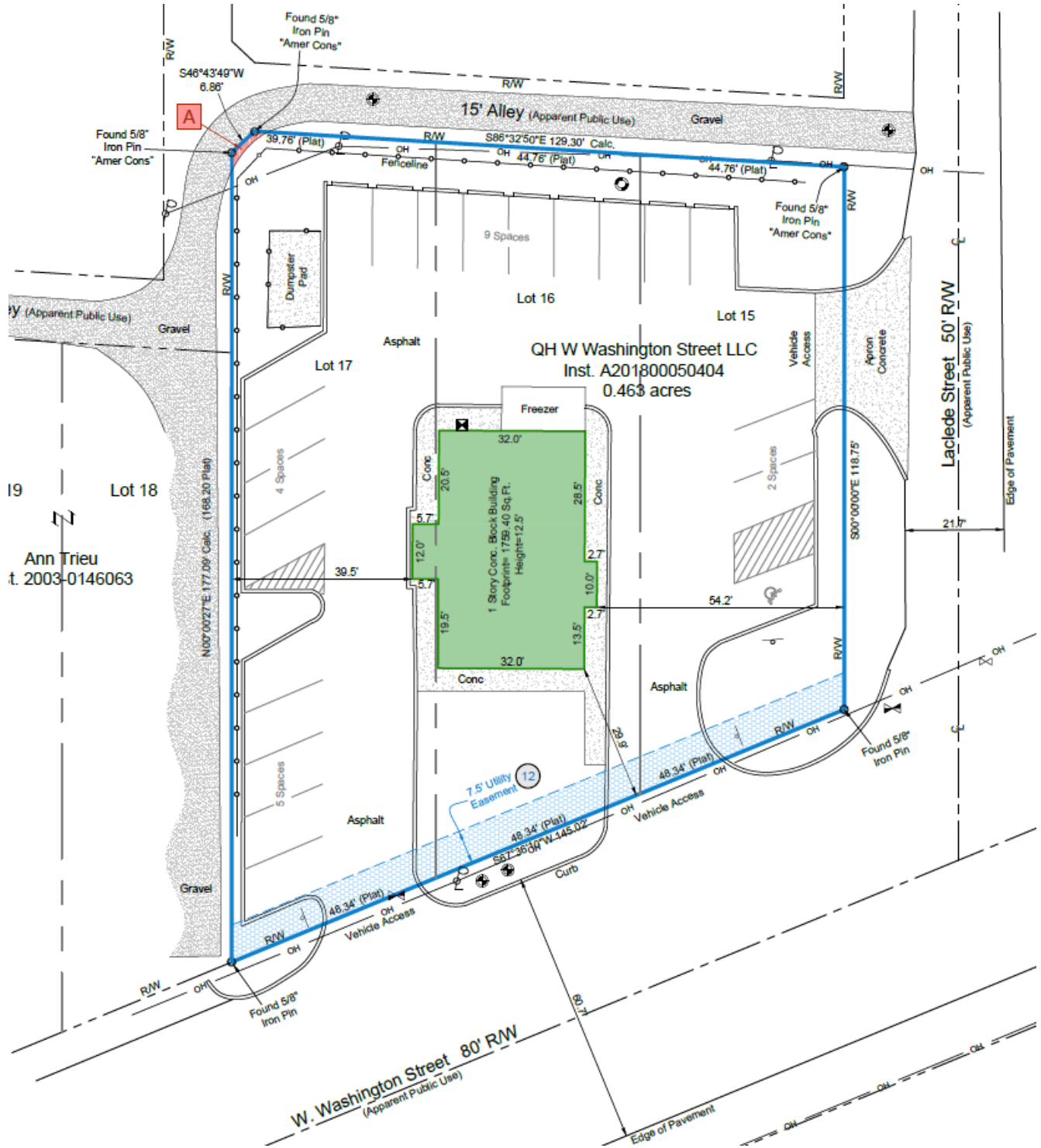
2006UV2006B ; 4726 E Washington Street (east of site), Variance of use of the Commercial Zoning Ordinance to legally establish 3,092 square-foot tavern with sale of alcohol 90 feet from a protected district (100-foot separation required) with a 2.8-foot front setback from South Cole Street (minimum ten-foot setback required), with eighteen parking spaces (minimum 45 parking spaces required), with six parking spaces within the right-of-way of South Cole Street and six parking spaces in the right-of-way of West Washington Street (parking spaces not permitted in the right-of-way), and to legally establish a sixteen-foot tall, 35 square-foot pole sign with a two-foot front setback from the existing right-of-way of West Washington Street (minimum fifteen-foot front setback required), **approved**.

EXHIBITS

2026UV1004 ; Aerial Map



2026UV1004 ; Site Plan





2026UV1004 ; Findings of Fact

1. THE GRANT WILL NOT BE INJURIOUS TO THE PUBLIC HEALTH, SAFETY, MORALS, AND GENERAL WELFARE OF THE COMMUNITY BECAUSE

the use will be self-contained and will not be more intense than the site can handle from a parking/access perspective, and will be less intense than some permitted C-5 uses.

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 use will be conducted entirely indoors and there is adequate screening/separation from the residential property to the north. The other adjoining properties are zoned and operated for commercial use.

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

the subject property is located along a long established commercial strip that was originally developed when commercial/industrial uses were located adjacent to residential districts, in many instances, before the adoption of zoning controls.

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

the separation requirement will apply to a use that has many aspects of a business that is permitted (without restriction).

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

the use is consistent with the comprehensive plan designation of community commercial.

2026UV1004 ; Plan of Operation

THE BUSINESS

PLS Property Management of Indiana, LLC is under contract to purchase property commonly known as 4902 West Washington Street (the "Subject Property"), where it intends to occupy the existing building which contains approximately 1766 square feet in which it will operate a typical PLS Financial Services store. PLS Financial Services offers a variety of financial and related services to its customers in addition to check cashing, including ATMs, facilitation of bill payments, money transfer services, money orders, cash for coins, income tax preparation, personal insurance sales (auto, home, life), pre-paid debit card sales/services, sale of public transportation passes, sale of cell phones/accessories, pre-paid phone cards, motor vehicle department services, gift card exchanges, domestic and foreign currency exchanges and other future related services/offering.

ZONING

The Subject Property is zoned C-5, which contemplates a wide variety of commercial uses, and allows for businesses providing financial services, including check cashing services; however, check cashing or validation service is required to have 500 feet of separation from a protected district. There is an existing residential area located to the north of the Subject Property.

NUMBER OF EMPLOYEES

15-20 new jobs are expected to be created, with approximately 8 employees working at the facility on the Subject Property at any given time.

2026UV1004 ; Photographs



Photo 1: Subject Building Viewed from Southeast



Photo 2: Subject Site Viewed from Northeast

2026UV1004 ; Photographs (continued)



Photo 5: Adjacent Property to North (October 2024)



Photo 6: Adjacent Property to Northeast

2026UV1004 ; Photographs (continued)



Photo 7: Adjacent Property to South



Photo 8: Adjacent Property to Southeast