



Department of Metropolitan Development
Division of Planning
Current Planning

**METROPOLITAN DEVELOPMENT COMMISSION
HEARING EXAMINER**

August 28, 2025

Case Number: 2025-CVR-838 / 2025-CPL-838
Property Address: 8356 Masters Road (approximate address)
Location: Lawrence Township, Council District #4
Petitioner: Masters Road 8356, LLC, by Russell L. Brown
Zoning: C-4 (FF)
Request: Variance of development standards of the Consolidated Zoning and Subdivision Ordinance to provide for two lots without public street frontage (minimum 50 feet of public street frontage required).
Approval of a Subdivision Plat, to be known as Masters Road 8356 Plat, dividing 1.07 acres into two lots.
Waiver Requested: None
Current Land Use: Commercial Building
Staff Recommendations: Denial
Staff Reviewer: Marleny Iraheta, Senior Planner

PETITION HISTORY

This is the first hearing for this plat petition and variance.

STAFF RECOMMENDATION

Staff recommends that the Hearing Examiner **deny** and find that the plat, file-dated July 3, 2025 does not comply with the standards of the Subdivision regulations.

If approved against staff's denial recommendation, approval shall be subject to the following conditions:

1. Subject to the Standards and Specifications of Citizens Energy Group, Sanitation Section.
2. Subject to the Standards and Specifications of the Department of Public Works, Drainage Section.
3. Subject to the Standards and Specifications of the Department of Public Works, Transportation Section.
4. That addresses and street names, as approved by the Department of Metropolitan Development, be affixed to the final plat prior to recording.
5. That the Enforcement Covenant (Section 741-701, of the Consolidated Zoning and Subdivision Ordinance) be affixed to the final plat prior to recording

6. That the Site Distance Covenant (Section 741-702, of the Consolidated Zoning and Subdivision Ordinance) be affixed to the final plat prior to recording.
7. That the Sanitary Sewer Covenant (Section 741-704, of the Consolidated Zoning and Subdivision Ordinance) be affixed to the final plat prior to recording.
8. That the Storm Drainage Covenant (Section 741-703, of the Consolidated Zoning and Subdivision Ordinance) be affixed to the final plat prior to recording.
9. That the plat restrictions and covenants, done in accordance with the rezoning commitments, be submitted prior to recording the final plat.
10. That all the standards related to secondary plat approval listed in Sections 741-207 and 741-208 of the Consolidated Zoning and Subdivision Ordinance be met prior to recording the final plat.

PETITION OVERVIEW

VARIANCE OF DEVELOPMENT STANDARDS

The grant of the request would allow for two proposed lots to have zero feet of street frontage when a minimum of 50 feet is required.

SITE PLAN AND DESIGN

The 1.07-acre site is zoned C-4 and would be subdivided into two lots (2) to be known as Masters Road 8356 Plat. Lot 1 would be an undeveloped lot measuring 39,847 square feet or 0.915 acre and Lot 2 would measure 6,778 square feet or 0.156 acre with an existing building on site. The proposed plat would meet the setback standards of the C-4 zoning classification.

STREETS

Lot One and Lot Two would gain access to Bash Street by means of an existing 36-foot ingress/egress and utility easement. An additional 10-foot access and utility easement would run through Lot 1 along the western property boundary to provide access for Lot 2. No new streets are proposed as part of this petition.

SIDEWALKS

A sidewalk exists along Masters Road and sidewalks do not exist along Bash Street. However, the property does not front on either of these public streets.

Sidewalks do not exist along the existing 36-foot ingress/egress and utility easement. Sidewalks are not required as a part of this plat.

STAFF ANALYSIS

The subject site contains one parcel having zero street frontage. Because the intent of the subdivision plat is to create an additional non-compliant parcel, staff determined that the approval of plat would not

be appropriate or supportable. One issue with having no street frontage is the inability to have direct access to the site in case of emergency. Another issue arises when future tenants of the site propose signage where the lack of street frontage creates difficulties with visibility of the site and anticipated signage.

The existing non-compliant parcel can remain due to its existing status, but it would go against good planning practice to further exacerbate the noncompliance. Instead, the plat could be amended to provide for the minimum 50-foot street frontage, which would eliminate the need for the variance. The plat would, therefore, meet the Ordinance and would be supportable. This could be accomplished with the purchase of a 100-foot-wide section of the western neighboring property that has street frontage along Bash Street and combining it with the subject site to rearrange the proposed property lines for both lots to have the required 50-foot street frontage.

For these reasons, staff is recommending denial of the plat and variance requests.

GENERAL INFORMATION

Existing Zoning	C-4	
Existing Land Use	Commercial Building	
Comprehensive Plan	Community Commercial	
Surrounding Context	<u>Zoning</u>	<u>Land Use</u>
North:	C-4	Commercial and Building Contractor
South:	C-4	Hotel
East:	C-4	Indoor Recreation and Entertainment
West:	C-4	Restaurant
Thoroughfare Plan		
Masters Road	Local Street	50-foot proposed right-of-way and 40-foot existing right-of-way.
Petition Submittal Date	July 3, 2025	

EXHIBITS



AERIAL MAP

[illegible]



Department of Metropolitan Development
Division of Planning
Current Planning

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 proposal fulfills the intent of provisions of the zoning and subdivision control ordinances with regard to public street frontage because there is an existing 36' access and utility easement improved with an asphalt drive from Bash Street to Masters Road. The only change is subdividing the subject property into two lots.

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:

Because the existing access easement and paved drive, approved by Instrument A201700066258, will remain unchanged, providing access from Bash Street to Masters Road. Development of the property as two lots will add value to the area.

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

Granting of the variance request will accommodate the development of two lots. The property is subject to access by way of a recorded easement. Without use of the existing access easement and granting of the requested variance this property cannot be subdivided.

DECISION

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

Adopted this _____ day of _____, 20 ____

PHOTOS



Photo of the subeject site and proposed Lot 2 at the rear.



Photo of the subject site and proposed Lot 1.



Photo of the commercial property west of the site.



Photo of the commercial property east of the site.



Photo of a hotel south of the site.