



METROPOLITAN DEVELOPMENT COMMISSION  
HEARING EXAMINER

February 20, 2025

**Case Number:** 2024CZN835 / 2024CVR835  
**Property Address:** 789 and 792 Edgemont Avenue (Approximate Address)  
**Location:** Center Township, Council District #12  
**Petitioner:** Church of Christ Holiness USA., Inc. by Joseph Phillips  
**Current Zoning:** D-5 (W-5)  
Rezoning of 0.81-acre from the D-5 (W-5) district to the SU-1 (W-5) district to provide for religious uses.  
**Request:** Variance of use and development standards of the Consolidated Zoning and Subdivision Ordinance to provide for a 7.6-foot-tall internally illuminated pylon sign, within 40 feet of a dwelling district (pylon sign not permitted within 600 feet of a dwelling district, illuminated sign not permitted within 50 feet of a dwelling district).  
**Current Land Use:** Church  
**Staff Recommendations:** Split  
**Staff Reviewer:** Desire Irakoze, Principal Planner II

PETITION HISTORY

This is the first public hearing for this petition.

STAFF RECOMMENDATION

Staff **recommends approval** of the rezoning request.  
Staff also **recommends approval** of the development standards variance for a pylon sign located 24 feet from a dwelling district.  
However, Staff **recommends denial** of the variance request for an internally illuminated sign.

PETITION OVERVIEW

LAND USE

The 0.45-acre subject site, located at 792 Edgemont Ave, is currently vacant land within the Allen's 2<sup>nd</sup> North Addition. The adjacent property at 789 Edgemont Ave is occupied by the Church of Christ Holiness USA. Both sites are situated in the Near NW- Riverside neighborhood.



**METROPOLITAN DEVELOPMENT COMMISSION**  
**Division of Planning**  
**Current Planning**

The surrounding zoning designation and land use are as follows.

- North:** Zoned D-5 Residential use (Single-family dwelling units).  
**South:** Zoned PK-2 Park and Open Space (Watkins Park, a Community Park).  
**East:** Zoned PK-2 Park and Open Space (The Flanner House)  
**West:** Zoned D-5 Residential Use (Single-family dwelling units).

### **STAFF ANALYSIS**

### **REZONING REQUEST**

This petition seeks to rezone the site located at 792 Edgemont Ave from the D-5 (Dwelling District Five) (W-5) district to the SU-1 (Special Use District On) (W- 5) district to allow for religious use.

The proposed rezoning aligns with the comprehensive plan, which designates this area for **Dwellings 3.5 - 5 Units per Acre** otherwise **Suburban Neighborhood Typology**. This typology permits among others:

- Small-Scale Schools
- Places of Worship
- Neighborhood-Serving Institutions/ Infrastructure
- Other Places of Assembly.

Rezoning to allow a place of worship is consistent with the intended use and goals of the pattern book. Additionally, with four existing places of worship in the neighborhood, this use is compatible with the area.

### **Zoning District Overview:**

- **D-5 (Dwelling District Five):** Intended for medium intensity residential development at a typical density of 4.5 units per acre and is not intended for suburban use. Designed for urban, built-up areas of the Community using a rectilinear development pattern to achieve the fine grain of accessibility requisite for all modes of travel. Complete urban public and community facilities are required.
- **SU-1(Special Use District One):** Which permits religious uses.
- **W-5 (Wellfield Protection District Five):** Which is a secondary zoning district that overlays the primary zoning district. W-5 indicates a five-year time-of-travel protection area around a municipal water wellfield.

### **VARIANCE REQUESTS**

**Request 1:** To provide for a 7.6-foot-tall pylon sign.

**Ordinance:** According to the Zoning Ordinance **Table 744-906-12. A.** *“No Freestanding Pylon Sign shall be permitted within 600 feet of a Dwelling District.”*

### **Findings of Fact:**

- 1. The grant will not be injurious to the public health, safety, morals, and general welfare of the community because:**

- a. The presence of three existing pylon signs on this street indicates that granting this request would not cause harm.
- 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:***
  - a. Places of worship commonly have pylon signs, and their presence in residential districts is permitted. This variance would not substantially impact surrounding property values.
- 3. *The strict application of the terms of the zoning ordinance will result in practical difficulties in the use of the property because:***
  - a. The ordinance subjects all special-use districts to the same distance restrictions, even when an SU-1 district is often interwoven with dwelling districts, creating unnecessary hardship.

**Staff recommendation:**

**Approval** of the pylon sign within 24 feet of a dwelling district, given the presence of similar signs in the area and the integration of SU-1 districts within residential districts.

**Request 2: To allow an internal illuminated sign within 50 feet of a dwelling district.**

**Ordinance:** According to Zoning Ordinance Table 744-906-12. F. states: “*No illumination permitted on signs within 50 feet of a protected district.*”

- 1. *The grant will not be injurious to the public health, safety, morals, and general welfare of the community because:***
  - a. Granting this variance **will be injurious** as, this ordinance is intended to protect public welfare by preventing light pollution, which could negatively impact nearby residents.
- 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:***
  - a. Granting this variance **would adversely** affect adjacent properties by allowing light pollution and trespass, which would disturb use and enjoyment.
- 3. *The strict application of the terms of the zoning ordinance will result in practical difficulties in the use of the property because:***
  - a. Strict application **will not** result in practical difficulties, as the applicant can still use a non-illumination sign. No justification has been provided to demonstrate that the need for the illumination sign outweighs potential harm.



**METROPOLITAN DEVELOPMENT COMMISSION**  
**Division of Planning**  
**Current Planning**

<b>Existing Zoning</b>	D-5	
<b>Existing Land Use</b>	Church	
<b>Comprehensive Plan</b>	Dwellings 3.5 - 5 Units per Acre /Special Use	
<b>Surrounding Context</b>	<b><u>Zoning</u></b>	<b><u>Land Use</u></b>
North:	D-5	3.5-5 Units per acre
South:	PK-1/ PK-2	Park and Open Space
East:	PK-2	Park and Open Space
West:	D-5	3.5-5 Units per acre
<b>Thoroughfare Plan</b>		
Edgemont Ave	Local Street	48-foot proposed right-of-way
Franklin Pl	Local Street	48-foot proposed right-of-way
<b>Context Area</b>	Compact	
<b>Floodway / Floodway Fringe</b>	No	
<b>Overlay</b>	No	
<b>Wellfield Protection Area</b>	Yes, White River- W5	
<b>Site Plan</b>	08/21/2024	
<b>Site Plan (Amended)</b>	1/21/2025	
<b>Elevations</b>	1/21/2025	
<b>Elevations (Amended)</b>	N/A	
<b>Landscape Plan</b>	N/A	
<b>Findings of Fact</b>	1/21/2025	
<b>Findings of Fact (Amended)</b>	N/A	
<b>C-S/D-P Statement</b>	N/A	

## COMPREHENSIVE PLAN ANALYSIS

### Comprehensive Plan

- Marion County Land Use Plan Pattern Book (2019)

### Pattern Book / Land Use Plan

- The Marion County Land Use Plan Pattern Book (2019) recommends Suburban Neighborhood Typology (Dwellings 3.5 - 5 Units per Acre) and Special Use for the subject site.
- Small-Scale Schools, Places of Worship, Neighborhood-Serving Institutions/ Infrastructure, and Other Places of Assembly.

“If proposed within one-half mile along an adjoining street of an existing or approved residential development, then connecting, continuous pedestrian infrastructure between the proposed site and the residential development (sidewalk, greenway, or off-street path) should be in place or provided.”

- The rezoning of the property into a place of worship aligns with the intended use and goals of the pattern book. The addition of a church use aligns with the existing neighborhood as there are four places of warship within the neighborhood.

### 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

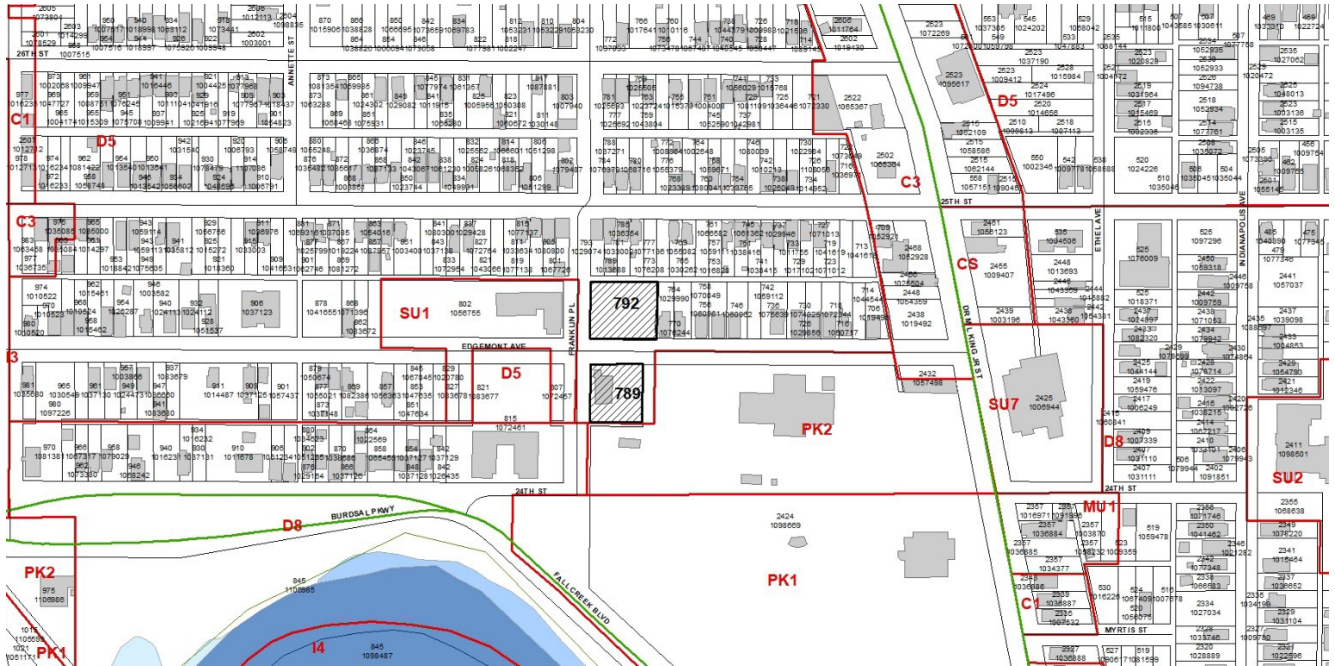
- Not Applicable to the Site.

### Indy Moves

(Thoroughfare Plan, Pedestrian Plan, Bicycle Master Plan, Greenways Master Plan)

**Zoning History**

**Zoning History – N/A**





**Photos Exhibit**



Looking across Edgemont Avenue at the rezoning subject site



The front of the church



Looking across Edgemont Avenue towards the church

**METROPOLITAN DEVELOPMENT COMMISSION  
HEARING EXAMINER  
METROPOLITAN BOARD OF ZONING APPEALS, Division \_\_\_\_\_  
OF MARION COUNTY, INDIANA**

**PETITION FOR VARIANCE OF USE**

**FINDINGS OF FACT**

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

The variance being requested is for an internal illuminated sign with LED lamps, thus eliminating the need for overhead power lines, polls or an additional electrical stand alone power source. Power supply for said sign is a 20 amp circuit, 120 volts, 1.2 amps power source emanating from the church.

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

Said sign will be installed ten feet of the main sidewalk in front of said church. With this set back compliance, should variance be granted the sign will not affect the value of the area adjacent to the property in any manner.

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

Current zoning codes restrict use of a lighted sign in the area.

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

With out a variance the petitioner will not be able to experience the full intended use of the new sign, should permission not be granted for use of an internal illuminating LED light sign.

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

No construction, other than the installation of a 7'6" internal illuminated LED lamp sign is being requested.

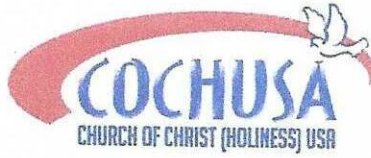
**DECISION**

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

Adopted this \_\_\_\_\_ day of \_\_\_\_\_, 20 \_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_





Logo graphics obtained from websites are insufficient quality for the large format printing process. Please see our website <https://www.stewartsigns.com/artwork/requirements> for acceptable file formats. Vector file preferred.



**StewartSigns**  
ONE SIGN. ONE COMPANY

1-800-237-3928 [stewartsigns.com](http://stewartsigns.com)

**Announcer 46**  
Cabinet size: 4'x6' / 4 Lines of 4" Tracking  
(200) Sk: 1026244-4 Cust: 1038881  
2/27/2024 CW/jArena PROPOSAL  
Scale: 3/4"=1' Cabinet color: Black

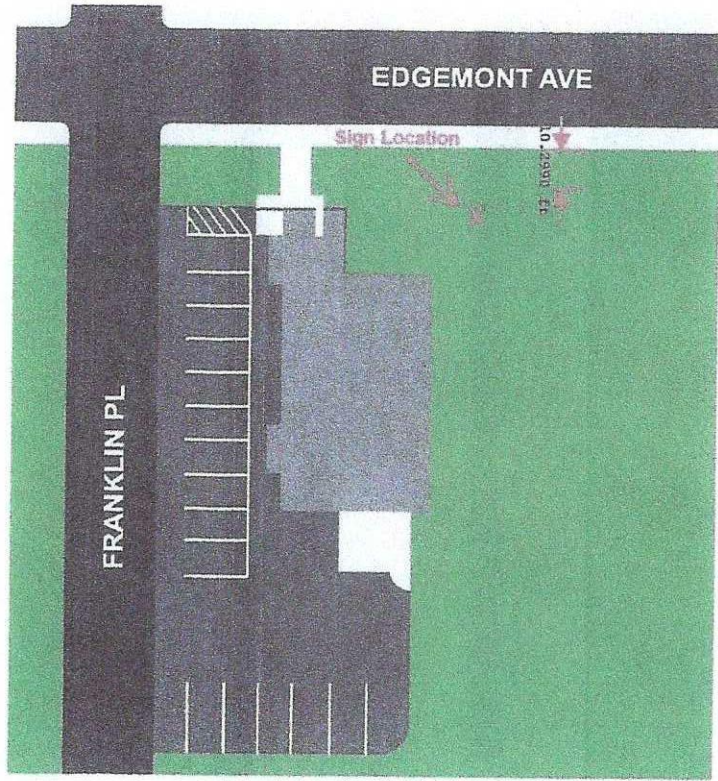
Signature \_\_\_\_\_  
Date \_\_\_\_\_

Please confirm that all lettering, colors and graphic are correct before signing. Changes to artwork after signature is received will incur a \$500 art change



\*This custom artwork is not intended to provide an exact match for ink, vinyl or paint. Signs are designed for an illuminated graphic and art is based off of this premise. Non-illuminatic





Adam Wojtkiewicz  
 Indianapolis, IN  
 6-12-2024  
 firs\_S-20036\_SiteMap  
 Revision 1  Revision 2  
 Revision 3  Revision 4

# PAGE 1

DESIGNED BY: CA  
 REVISED LAST BY: CA

Field survey required prior to fabrication. All electrical is configured to 220V unless otherwise specified.

APPROVED BY \_\_\_\_\_

DATE \_\_\_\_\_

 317.251.1219  
 isfsigns.com  
 6468 Rucker Road  
 Indianapolis, IN 46220

The contents herein are the property of ISF, INC. Permission to reproduce, copy or use the design or proposal can only be obtained through written agreement with ISF, INC. Due to process variations and printing capabilities, the colors shown are only to be used as a color representation of final product.

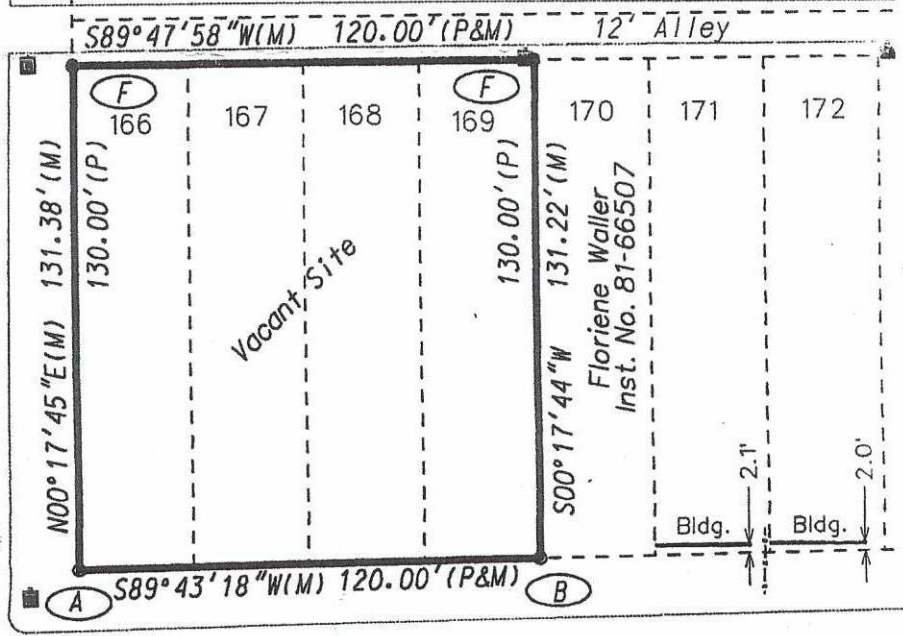
67'-0 7/8"

1/32" Scale

25th Street

Paved Road 60' R/W

Isabella Street (Public)



Edgemont Avenue

