



**METROPOLITAN DEVELOPMENT COMMISSION  
HEARING EXAMINER**

March 12, 2026

**Case Number:** 2026-CZN-804 / 2026-CVR-804  
**Property Address:** 3616 North Shadeland Avenue  
**Location:** Warren Township, Council District #9  
**Petitioner:** Mees / Meyer Development Company, by David Gilman  
**Current Zoning:** C-4  
Rezoning of 1.55 acres from the C-4 district to the C-5 district to provide for regional commercial uses.  
**Request:** Variance of Use and Development Standard of the Consolidated Zoning and Subdivision Ordinance to provide for 16,884 square feet of outdoor storage (not permitted), and a zero-foot north side transitional yard setback (minimum 10-foot side transitional yard setback required).  
**Current Land Use:** Automobile body shop  
**Staff Recommendations:** Approval of the rezoning and variance request.  
**Staff Reviewer:** Kathleen Blackham, Senior Planner

**PETITION HISTORY**

This the first hearing on these petitions.

**STAFF RECOMMENDATION**

Approval, subject to subject to the following commitments being reduced to writing on the Commission's Exhibit "B" forms at least three days prior to the MDC hearing:

1. The site and improved areas within the site shall be maintained in a reasonably neat and orderly manner during and after development of the site with appropriate areas and containers / receptables provided for the proper disposal of trash and other waste.
2. Development shall be subject to the site plan, file-dated January 30, 2026, and the "Permitted Use List" file-dated March 2, 2026. See Exhibit A.
3. Operation of the site shall be subject to the Plan of Operation, file dated December 30, 2025. See Exhibit B.

## PETITION OVERVIEW

This 1.55-acre site, zoned C-4, is developed with an automobile body shop. It is surrounded by undeveloped land to the north, zoned D-7; commercial uses to the south, zoned C-5; commercial uses to the east, across North Shadeland Avenue, zoned C-4; and undeveloped land to the west, zoned C-S.

## REZONING

The request would rezone the site to the C-5 General Commercial District. “The C-5 District is designed 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 or operations conducted in buildings or structures not completely enclosed. The types of uses found in this district tend to be outdoor functions, brightly lit, noisy, etc. Therefore, to provide a location where such uses can operate in harmony with the vicinity, the C-5 district should be located on select heavy commercial thoroughfares and should avoid locating adjacent to protected districts.”

The Comprehensive Plan recommends community commercial typology for the site.

Recommended land uses in this typology include small- and large- scale offices, retailing, and personal or professional services; small- and large- scale schools, places of worship, neighborhood serving institutions / infrastructure, and other places of assembly; and small-scale parks.

As proposed, this request would not align with the Comprehensive Plan recommendation. Community commercial typology is contemplated to be consistent with the C-3 (neighborhood commercial) or the C-4 (community-regional) zoning districts, depending upon the location and the surrounding land uses.

Staff, however, supports this rezoning, subject to the commitments and Plan of Operation submitted with this petition. Staff believes the surrounding uses would not be negatively impacted by these requests because the proposed commitments and Plan of Operation provides protections and mitigations of the proposed uses.

## VARIANCE OF USE AND DEVELOPMENT STANDARDS

As proposed the variance of use would provide for 16,884 square feet of outdoor storage, which is not permitted. Because of the surrounding similar land uses staff believes the outdoor storage would not negatively impact the existing uses. However, staff was concerned with outdoor storage of materials. Consequently, commitments have been submitted that the outdoor storage would be limited to vehicles awaiting repair and commercial vehicles / equipment associated with on-site business. Additionally, the outdoor storage area would be paved and striped.

Staff also supports the zero-foot north transitional yard setback, despite the required 10-foot transitional yard required by the Ordinance. The D-7 protected district is an approximately 14-foot-wide strip of land along the northern site boundary. Research has been conducted but it is unclear how and why that land is zoned D-7.

Staff believes this presents a supportable practical difficulty because no development could occur a site with this configuration and zoned D-7.

### **Environmental Public Nuisances**

The purpose of the Revised Code of the Consolidated City and County, Sec.575 (Environmental Public Nuisances) is to protect public safety, health and welfare and enhance the environment for the people of the city by making it unlawful for property owners and occupants to allow an environmental public nuisance to exist.

All owners, occupants, or other persons in control of any private property within the city shall be required to keep the private property free from environmental nuisances.

Environmental public nuisance means:

1. Vegetation on private or governmental property that is abandoned, neglected, disregarded or not cut, mown, or otherwise removed and that has attained a height of twelve (12) inches or more;
2. Vegetation, trees or woody growth on private property that, due to its proximity to any governmental property, right-of-way or easement, interferes with the public safety or lawful use of the governmental property, right-of-way or easement or that has been allowed to become a health or safety hazard;
3. A drainage or stormwater management facility as defined in Chapter 561 of this Code on private or governmental property, which facility has not been maintained as required by that chapter; or
4. Property that has accumulated litter or waste products, unless specifically authorized under existing laws and regulations, or that has otherwise been allowed to become a health or safety hazard.

Staff would request a commitment that emphasizes the importance of maintaining the site in a neat and orderly manner at all times and provide containers and receptacles for proper disposal of trash and other waste.

**GENERAL INFORMATION**

<b>Existing Zoning</b>	C-4	
<b>Existing Land Use</b>	Automobile body shop	
<b>Comprehensive Plan</b>	Community Commercial	
<b>Surrounding Context</b>	<b><u>Zoning</u></b>	<b><u>Land Use</u></b>
	North:	D-7 Undeveloped land
	South:	C-5 Commercial uses
	East:	C-4 Commercial uses
	West:	C-S Undeveloped land
<b>Thoroughfare Plan</b>		
North Shadeland Drive	Primary Arterial	Existing 138-foot right-of-way and proposed 104-foot right-of-way.
<b>Context Area</b>	Compact	
<b>Floodway / Floodway Fringe</b>	No	
<b>Overlay</b>	No	
<b>Wellfield Protection Area</b>	No	
<b>Site Plan</b>	January 30, 2026	
<b>Site Plan (Amended)</b>	N/A	
<b>Elevations</b>	N/A	
<b>Elevations (Amended)</b>	N/A	
<b>Landscape Plan</b>	N/A	
<b>Findings of Fact</b>	N/A	
<b>Findings of Fact (Amended)</b>	N/A	
<b>C-S/D-P Statement</b>	January 20, 2026 – Plan of Operation	

**COMPREHENSIVE PLAN ANALYSIS**

**Comprehensive Plan**

The Comprehensive Plan recommends Community Commercial. “The Community Commercial typology provides for low-intensity commercial, and office uses that serve nearby neighborhoods. These uses are usually in freestanding buildings or small, integrated centers. Examples include small-scale shops, personal services, professional and business services, grocery stores, drug stores, restaurants, and public gathering spaces.”

### **Pattern Book / Land Use Plan**

The Comprehensive Plan consists of two components that include The Marion County Land Use Pattern Book (2019) and the land use map. The Pattern Book provides a land use classification system that guides the orderly development of the county and protects the character of neighborhoods while also being flexible and adaptable to allow neighborhoods to grow and change over time.

The Pattern Book serves as a policy guide as development occurs. Below are the relevant policies related to this request:

#### *Conditions for All Land Use Types – Community Commercial Typology*

- All land use types except small-scale parks and community farms/gardens in this typology must have adequate municipal water and sanitary sewer.
- All development should include sidewalks along the street frontage.

### **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)

The Marion County Thoroughfare Plan (2019) “is a long-range plan that identifies the locations classifications and different infrastructure elements of roadways within a defined area.”

The following listed items describe the purpose, policies and tools:

- Classify roadways based on their location, purpose in the overall network and what land use they serve.
- Provide design guidelines for accommodating all modes (automobile, transit, pedestrians, bicycles) within the roadway.
- Set requirements for preserving the right-of-way (ROW).
- Identify roadways for planned expansions or new terrain roadways.
- Coordinate modal plans into a single linear network through its GIS database.

## ZONING HISTORY

**82-Z-11; 3616 North Shadeland Avenue**, requested the rezoning of 2.5 acres from the D-3 district to the C-4 district, **approved**.

### VICINITY

**2021-ZON-042; 3610 North Shadeland Avenue (south of site)**, requested rezoning of 1.47 acres from the C-4 district to the C-5 district, **approved**.

**2021-ZON-010; 3502 North Shadeland Avenue (west of site)**, requested the rezoning of 20.12 acres from the C-S district to the C-S district for a home repair/improvement contractor (including pools and related uses) with offices, showrooms, warehouse-distributions, fleet parking and indoor/outdoor storage of materials and equipment, and a modification of commitments terminating Commitments Two, Three, Four, Five, Six and Seven of 2007-ZON-841/2007-VAR-841 related to the provision of dust-free parking, driving and storage areas, tree preservation, fencing and landscaping and terminating Commitments One, Two, Three and Four of 2014-MOD-008 relating to fencing, doors, outdoor vehicle storage and self-storage, **approved**.

**2014-DV3-015; 3545 North Shadeland Avenue (east of site)**, requested a variance of development standards to provide for temporary outdoor storage in a C-4 district, **approved**.

**2014-UV3-005; 3510 North Shadeland Avenue (south of site)**, required a variance of use to provide for an automobile body and paint shop, **approved**.

**2014-MOD-008; 3502 North Shadeland Avenue (west of site)**, requested a modification of commitments and site plan to terminate Commitment #5 and revise the site plan related to 2007-ZON-841 / 2007-VAR-841 to eliminate the requirement for the erection of a six-foot tall masonry wall and fence within the interior of the west and south transitional yards and to provide for a revised site plan for a self-storage facility for the entire site, **approved**.

**2007-ZON-841 / 2007-VAR-841; 3502 North Shadeland Avenue (west of site)**, requested the rezoning of 21.435 acres from the I-2-S District, to the C-S district to provide for mini-warehouses and automobile, truck and bus repair with a 7.1-acre, paved outdoor storage area for vehicles and a 9.1-acre, gravel outdoor storage area for vehicles, and requested a variance of development standards to provide for a deficient side transitional yard along a 60-foot section of the east property line **approved**

**2007-UV1-012; 3610 North Shadeland Avenue (south of site)**, requested a variance of use and development standards to legally establish sale of industrial conveyors and related equipment with ~~open~~ outdoor storage and display in a C-4 district, **approved**.

**95-UV3-42; 3610 North Shadeland Avenue (south of site)**, requested a variance of use to provide for outdoor display of cemetery monuments and markers, in C-4, **approved**.



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**73-Z-153; 3610 North Shadeland Avenue (south of site)**, requested the rezoning of 1.5 acre from the D-4 district to the C-4 district, **approved**.

**2007-UV3-005; 3524 North Shadeland Avenue (south of site)**, requested a variance of use to provide for automobile sales in a C-4 district and a variance of development standards to provide for an outdoor display area not adjacent to a building, **granted**.

**2001-ZON-050; 3403 North Shadeland Avenue (southeast of site)**, requested the rezoning of 2.78 acres from the C-4 district to the C-S district to provide for C-4 uses, wholesaling, warehousing distribution and self-storage, **approved**.

**99-Z-92; 3702 North Shadeland Avenue (north of site)**, requested the rezoning of 5.2 acres from the D-3 district to the C-S district to provide for a plumbing contractor, limited commercial and industrial uses and C-4 uses, **approved**.

**96-Z-122; 3502 North Shadeland Avenue (south of site)**, requested the rezoning of 21.5 acres from D-7 and C-4 districts to the I-2-S district, **approved**.

**95-UV3-42; 3610 North Shadeland Avenue (south of site)**, requested a variance of use to provide for outdoor display of cemetery monuments and markers, in C-4, **approved**.

**91-Z-163; 3621 North Shadeland Avenue (northeast of site)**, requested the rezoning of 0.41 acre from the C-4 district to the C-5 district, **withdrawn**.

**87-UV3-57; 3518 North Shadeland Avenue (south of site)**, requested a variance of use to provide for auto transmission repair, **granted**.

**86-UV1-130; 3518 North Shadeland Avenue (south of site)**, requested a variance of use to provide for an auto body and engine repair in a C-4 district, **approved**.

**85-UV2-65; 3702 North Shadeland Avenue (north of site)**, requested a variance of use to provide for outdoor storage, display and sales for an existing hardware store in a D-3 district, **granted**.

**85-UV3-34; 3702 North Shadeland Avenue (north of site)**, requested a variance of use to provide for resales of towing equipment and school buses, in C-4, **granted**.

**82-Z-59; 3518 and 3520 North Shadeland Avenue (south of site)**, requested the rezoning of three acres from the D-3 district to the C-4 district, **approved**.

**95-UV3-42; 3610 North Shadeland Avenue (south of site)**, requested a variance of use to provide for outdoor display of cemetery monuments and markers, in C-4, **granted**.

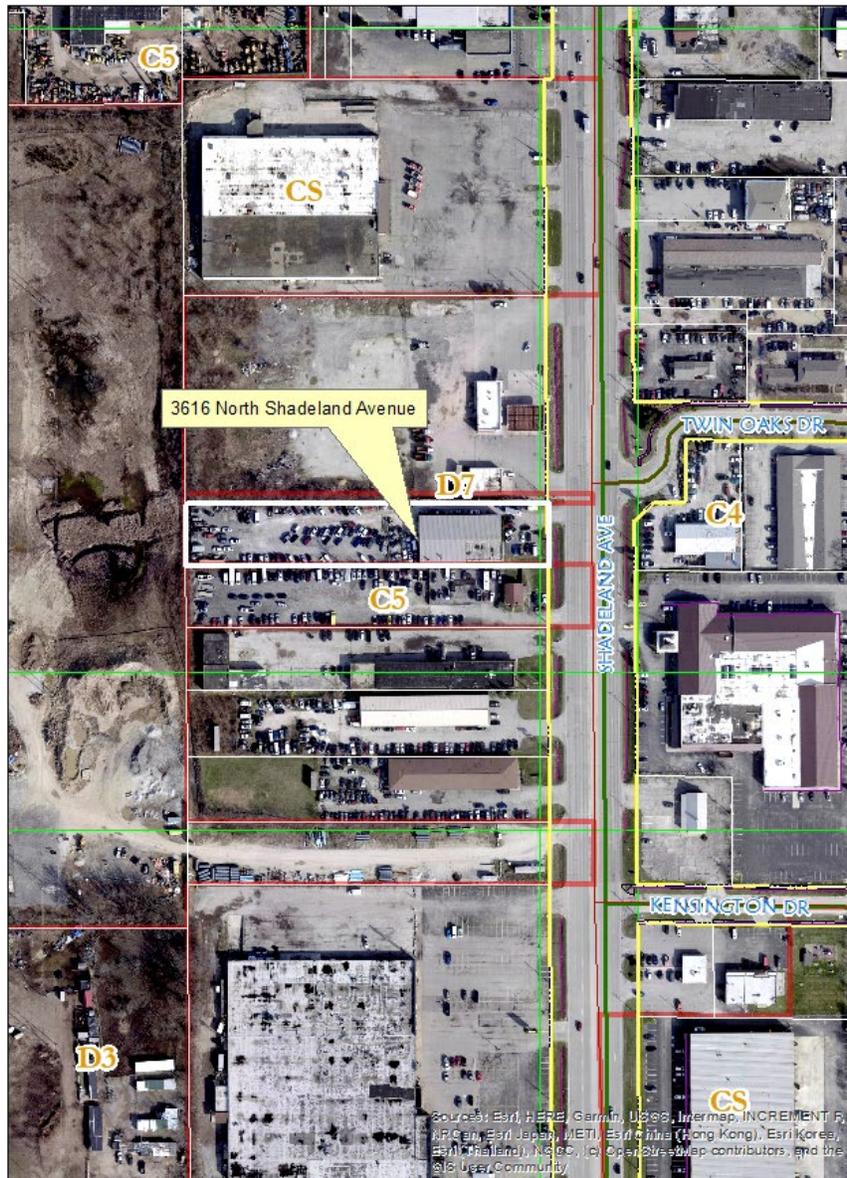


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**73-Z-123; 3524 Shadeland Avenue (south of site)**, requested the rezoning of 1.5 acre from the D-3 district to the C-4 district, **approved**.

**67-Z-1; 3502 North Shadeland Avenue (west of site)**, requested the rezoning of 21.7 acres from the B-2 district to the D-7 district, **approved**.

EXHIBITS



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3616 North Shadeland Avenue

0 0.01615 0.03 0.045 0.06 Miles

**EXHIBIT A**

Permitted Use List  
3616 N Shadeland Avenue  
2026-ZON-001  
**March 2, 2026**

1. All C-4 Uses
2. Commercial and Building Contractors
3. Outdoor Storage Use:

- a. Outdoor storage is limited to:

Vehicles awaiting repair; and

Commercial vehicles and equipment associated with the on-site business.

No parts, supplies or materials will be stored outside

- b. Outdoor Storage Area Standards:

The designated outdoor storage area shall be hard-surfaced and striped with parking stalls to ensure orderly, efficient, and safe storage operations.

## EXHIBIT B

### Plan of Operation 3616 N Shadeland Avenue 12/30/2025

#### Background

The subject property is located within a heavily developed commercial corridor along North Shadeland Avenue. The site encompasses approximately 1.454 acres and is zoned C4. Existing improvements include a 9,600-square-foot auto body shop, and the proposal includes construction of a 10,000-square-foot commercial building for general commercial use.

Surrounding zoning classifications include CS to the west (Home Improvement Contractor), C5 to the south (Automobile Storage), C4 to the north (Auto Fueling Station), and C4 to the east (a mix of commercial and industrial uses).

#### Proposed Use

The proposed use is for General Commercial operations supported by two buildings totaling 19,600 square feet. In comparison, the outdoor storage component occupies only about 0.384 acres, representing a relatively small portion of the overall site area. This limited outdoor storage area functions as an important accessory component to the primary building-based commercial uses.

#### Compatibility and Harmony

The proposed use variance will allow a modest outdoor storage area along the far western portion of the property, located and designed to minimize visibility and impact. This area will be hard-surfaced, striped, and fully screened from public view, ensuring a clean and orderly appearance consistent with the corridor.

The outdoor storage component is an essential operational feature for the multiple commercial tenants on the site, functioning strictly as an accessory use that supports their day-to-day business activities. Importantly, the surrounding properties on all sides already incorporate outdoor storage or outdoor operational areas as part of their established commercial uses. In this context, the proposed outdoor storage area is not only appropriate but fully compatible with the existing development pattern in the area.

#### Workforce

There will be approximately 8 to 10 full-time staff at the site.

#### Hours of Operation

There will be normal business hours Monday to Friday 8am to 6pm and Saturday 8am to 2pm and Closed on Sunday.

**Off-Street Parking**

There are fifteen (15) off-street parking spaces provided, including 1 van accessible ADA space.

**Signage**

Any proposed ground sign must meet the requirements of the applicable sign standards of the Indy Rezone Ordinance.

**Clients and Customers**

Most customers will not need to visit the site. Services will typically be scheduled online, performed remotely, or coordinated directly with contractors. For vehicle-related services, customers will either drop off their vehicles or have them delivered by a third-party towing service.

**Lights**

Only small wall pack security lights will be installed at the designated entrance and exit to the buildings.

**Shipping and Receiving**

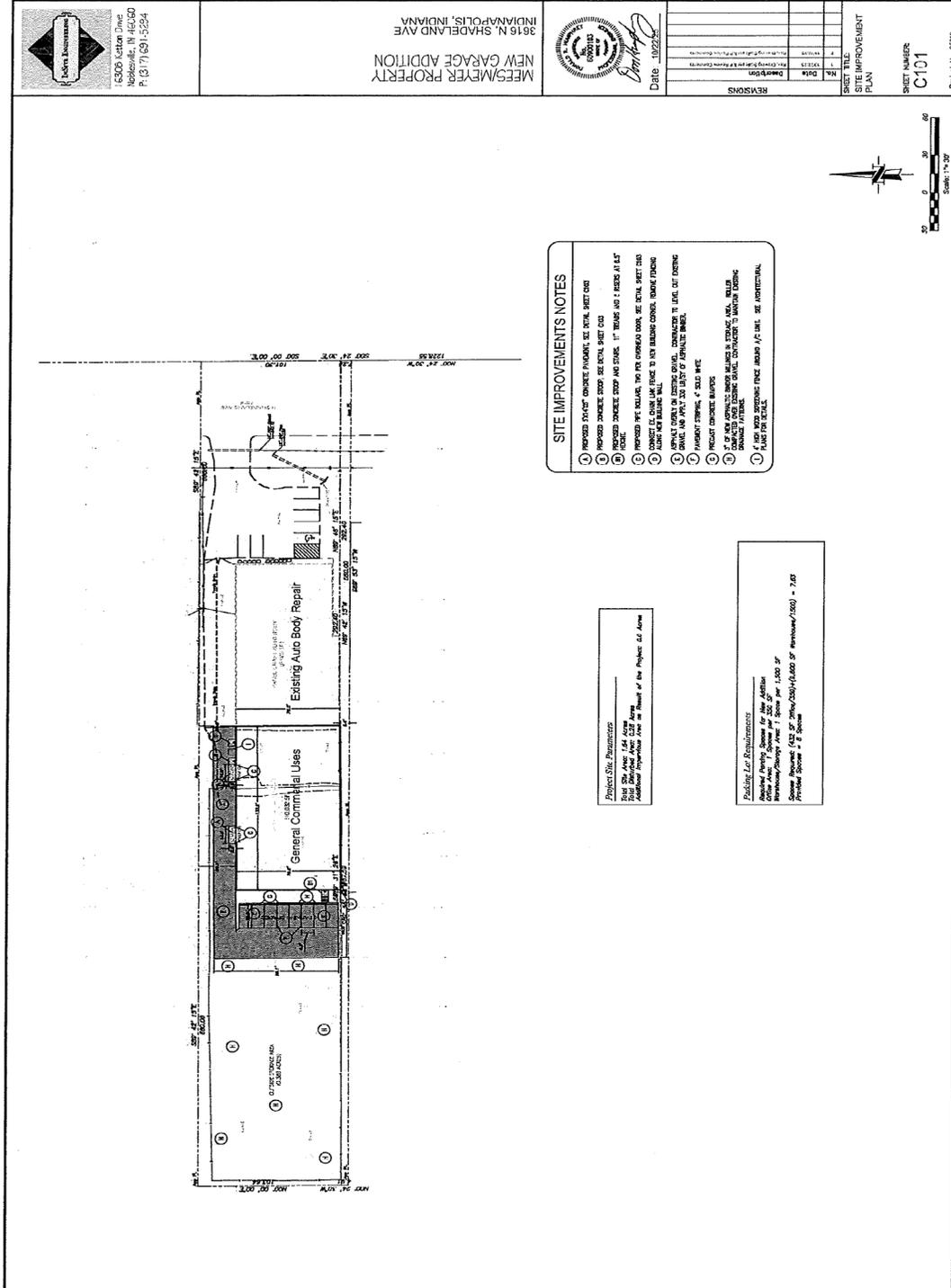
All shipping and receiving will be delivered by normal postal services.

**Drainage**

Stormwater management is not a concern for this proposal. The site's drainage system will be designed to accommodate runoff from the paved parking areas and will continue to discharge to the existing open swale and creek located to the west. Because no additional impervious surface is being added, the NBS Drainage Section has confirmed that no further drainage review or drainage permit is required.

**Waste**

All waste would be picked up by utilizing a private or City waste disposal service. There will be no storage of hazardous materials on site.



- SITE IMPROVEMENTS NOTES**
1. PROPOSED PARKING CONCRETE PAVEMENT, SEE DETAIL SHEET C102
  2. PROPOSED PARKING STRIP, SEE DETAIL SHEET C102
  3. PROPOSED PARKING STRIP AND STRIPS, 1" TRUNK AND 4" PAVEMENT AT 45°
  4. PROPOSED 12" TRUNK, 12" FOR SIDEWALK, 12" FOR SIDEWALK, SEE DETAIL SHEET C102
  5. 12" TRUNK AND 4" PAVEMENT, 12" FOR SIDEWALK, 12" FOR SIDEWALK, SEE DETAIL SHEET C102
  6. PROPOSED 12" TRUNK, 12" FOR SIDEWALK, 12" FOR SIDEWALK, SEE DETAIL SHEET C102
  7. PROPOSED 12" TRUNK, 12" FOR SIDEWALK, 12" FOR SIDEWALK, SEE DETAIL SHEET C102
  8. PROPOSED 12" TRUNK, 12" FOR SIDEWALK, 12" FOR SIDEWALK, SEE DETAIL SHEET C102
  9. PROPOSED 12" TRUNK, 12" FOR SIDEWALK, 12" FOR SIDEWALK, SEE DETAIL SHEET C102
  10. PROPOSED 12" TRUNK, 12" FOR SIDEWALK, 12" FOR SIDEWALK, SEE DETAIL SHEET C102
  11. PROPOSED 12" TRUNK, 12" FOR SIDEWALK, 12" FOR SIDEWALK, SEE DETAIL SHEET C102
  12. PROPOSED 12" TRUNK, 12" FOR SIDEWALK, 12" FOR SIDEWALK, SEE DETAIL SHEET C102
  13. PROPOSED 12" TRUNK, 12" FOR SIDEWALK, 12" FOR SIDEWALK, SEE DETAIL SHEET C102
  14. PROPOSED 12" TRUNK, 12" FOR SIDEWALK, 12" FOR SIDEWALK, SEE DETAIL SHEET C102

**Project Site Parameters**  
 Project Name: \_\_\_\_\_  
 Site Address: \_\_\_\_\_  
 Additional Information: \_\_\_\_\_

**Building Lot Requirements**  
 Minimum Parking Spaces for this Address: \_\_\_\_\_  
 Minimum Lot Area: \_\_\_\_\_  
 Minimum Lot Width: \_\_\_\_\_  
 Minimum Lot Depth: \_\_\_\_\_  
 Minimum Lot Area: \_\_\_\_\_  
 Minimum Lot Width: \_\_\_\_\_  
 Minimum Lot Depth: \_\_\_\_\_



15200 Katon Place  
 Indianapolis, IN 46200  
 P: (317) 591-5224

MEE/Meyer Property  
 NEW GARAGE ADDITION  
 3616 N. SHADELAND AVE  
 INDIANAPOLIS, INDIANA



REVISIONS	DATE	DESCRIPTION

SHEET TITLE: SITE IMPROVEMENT PLAN  
 SHEET NUMBER: C101  
 Project No. 2020



Petition Number \_\_\_\_\_

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 additional outdoor storage area will not be visible from the public right of way, and no member of the general public will have access to it.  
The area will be constructed on an all weather hard surface and fully screened on all sides, ensuring that it remains secure, orderly, and unobtrusive.  
These measures collectively ensure that the outdoor storage area will not create any adverse impacts on public health, safety, or welfare.

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 adjacent properties operate in a similar manner, relying on outdoor storage and operational areas to support their business functions.  
This pattern of use has been well established in the immediate area, and the subject property has operated alongside these neighboring businesses since 1982 with no apparent negative impacts.  
The requested additional outdoor storage area is consistent with the longstanding character and functional needs of the surrounding uses, and it provides the space necessary for the continued safe and efficient operation of all tenants beyond what is typically allowed by ordinance but fully in line with the established development pattern.

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

The site's long, narrow configuration naturally lends itself to a shared drive along the north property line, providing efficient and orderly access for all businesses.  
Locating the shared outdoor storage area at the far west end of the property maximizes the functionality of this unique layout.  
This additional storage space ensures that each tenant has adequate room for vehicles awaiting repair, company vehicles, and essential equipment, supporting safe circulation and effective day to day business activities.

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 site's long, narrow configuration naturally lends itself to a shared drive along the north property line, providing efficient and orderly access for all businesses.  
Locating the shared outdoor storage area at the far west end of the property maximizes the functionality of this unique layout.  
This additional storage space ensures that each tenant has adequate room for vehicles awaiting repair, company vehicles, and essential equipment, supporting safe circulation and effective day to day business activities.  
Limiting the site to 25% outdoor storage area will create a practical difficulty and be burdensome on the property.

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

The proposed outdoor storage area will not hinder or conflict with the long term land use vision for general commercial development on the site.  
Granting the use variance will simply allow the property to operate in a manner consistent with neighboring businesses that already incorporate outdoor storage as part of their daily operations.  
Furthermore, the outdoor storage area will be fully screened, ensuring it is neither visible nor accessible to the general public. This design approach preserves the commercial character of the corridor and maintains the aesthetic expectations for future commercial uses.

DECISION

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

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

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



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:

There will be no public harm resulting from the reduction in the required side transitional yard. The area in question is a remnant of a prior zoning designation and consists of a narrow, 12 foot wide strip located along the shared boundary with an existing commercial use. This sliver of residential zoning is not buildable, cannot support any meaningful residential activity, and no longer serve a functional residential purpose. Because the adjacent property is already commercial and the strip provides no viable residential buffer, reducing the transitional yard will not diminish public welfare, impair neighboring properties, or alter the character of the area.

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:

There will be no harm to adjacent property values as a result of the requested relief. The proposed use is consistent with the surrounding development pattern, and all adjoining properties are already occupied by similar commercial uses. The narrow 12 foot strip of residual residential zoning along the shared boundary is not buildable, cannot support any meaningful residential activity and no longer functions as a true residential district. Because the adjacent properties are commercial in character and the strip provides no practical residential buffer or development potential, the requested reduction will not diminish property values or alter the established commercial context.

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

The requirement to maintain a full transitional yard to protect a 12 foot strip of residual residential zoning—an area that is not buildable, has no residential use, and cannot function as a true residential district that serves no practical purpose. Enforcing this buffer would require removal or relocation of the existing common drive, which is essential for circulation and access on this long, narrow property. Without that drive, the site cannot be developed beyond the initial commercial building, effectively preventing any meaningful or efficient use of the remainder of the parcel. Imposing a transitional yard where there is nothing to buffer would not advance the intent of the ordinance, but it would significantly hinder the property's functional use and place an undue burden on the owners. The relief requested simply avoids a hardship created by an outdated zoning remnant and allows the property to be used in a logical and productive manner consistent with the surrounding development.

DECISION

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

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

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



Petition Number \_\_\_\_\_

METROPOLITAN DEVELOPMENT COMMISSION  
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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 additional outdoor storage area will not be visible from the public right of way, and no member of the general public will have access to it.

The area will be constructed on an all-weather hard surface and fully screened on all sides, ensuring that it remains secure, orderly, and unobtrusive.

These measures collectively ensure that the outdoor storage area will not create any adverse impacts on public health, safety, or welfare.

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 adjacent properties operate in a similar manner, relying on outdoor storage and operational areas to support their business functions.

This pattern of use has been well established in the immediate area, and the subject property has operated alongside these neighboring businesses since 1982 with no apparent negative impacts.

The requested additional outdoor storage area is consistent with the longstanding character and functional needs of the surrounding uses, and it provides the space necessary for the continued safe and efficient operation of all tenants beyond what is typically allowed by ordinance but fully in line with the established development pattern.

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

The site's long, narrow configuration naturally lends itself to a shared drive along the north property line, providing efficient and orderly access for all businesses. Locating the shared

outdoor storage area at the far west end of the property maximizes the functionality of this unique layout. This additional storage space ensures that each tenant has adequate room for

vehicles awaiting repair, company vehicles, and essential equipment, supporting safe circulation and effective day to day business activities. Limiting the site to 25% outdoor storage area will

create a practical difficulty and be burdensome on use of the property.

DECISION

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

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

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



View looking north along North Shadeland Avenue



View looking south along North Shadeland Avenue



View of site looking northwest from adjacent property to the south



View of site looking west across North Shadeland Avenue



View of site looking west across North Shadeland Avenue



View from site looking south



View from site looking east across North Shadeland Avenue



View from site looking north