

BOARD OF ZONING APPEALS DIVISION III

May 26, 2024

Case Number: 2026-SE3-003
Address: 8420 Masters Road (approximate address)
Location: Lawrence Township, Council District #4
Zoning: C-4
Petitioner: Pinecrest Holdings LLC, by Tyler Ochs
Request: Special Exception of the Consolidated Zoning and Subdivision Ordinance to provide for the operation of a critter/pest removal commercial contractor.

Current Land Use: Commercial Office

Staff Recommendation: Staff recommends **approval** of this petition.

Staff Reviewer: Robert Uhlenhake, Senior Planner

PETITION HISTORY

This is the first public hearing for this petition.

STAFF RECOMMENDATION

Staff recommends **approval** of this petition, subject to the plan of operation.

PETITION OVERVIEW

- ◇ The request would provide for provide for a commercial contractor business in the C-4 district.
- ◇ The C-4 district is for those businesses that are designed to provide for the development of major business groupings and regional-size shopping centers that serve a population ranging from a community or neighborhoods to a major segment of the total metropolitan area. These centers may feature a number of large traffic generators such as home improvement stores, department stores, and theatres. Even the smallest of such freestanding uses in this district, as well as commercial centers, require excellent access from major thoroughfares. While these centers are usually characterized by indoor operations, certain permitted uses may have limited outdoor activities, as specified.
- ◇ The subject site was originally developed with a single-family dwelling, which is now being used as a commercial office for a critter/pest control business. The Plan of Operation indicates two (2) office staff, and six (6) field staff technicians will work out of the office. No customers or clients come to the dwelling. All work is performed at the customers' property; however, according to the plan of operation, the storage and use of chemicals would occur on-site.
- ◇ Staff has some concerns with the storage and use of chemicals on site, and their potential harm to adjacent properties. The plan of operation would limit the use of the chemicals to the requested use, which would require a minimal amount of chemicals in Staff's opinion, therefore Staff would recommend any approval be subject to the submitted and approved Plan of Operations.

- ◇ There is a small amount of adjacent community commercial uses to the south, and they are oriented to the west towards Bash Street. Staff does believe there is some merit to this property having a higher intensity use due to the non-community commercial uses to the west, north, and east. Therefore, Staff does recommend approval subject to the plan of operations.

GENERAL INFORMATION

Existing Zoning	C-4	
Existing Land Use	Commercial Office	
Comprehensive Plan	Community Commercial	
Surrounding Context	Zoning	Surrounding Context
	North: C-S	Light industrial / Warehousing
	South: C-4	Small manufacturing
	East: I-3	Wireless communications facility
	West: C-S	Light Industrial / Warehousing

Thoroughfare Plan		
Masters Road	Local Street	30-foot existing right-of-way and a 50-foot proposed right-of-way.
Context Area	Metro	
Floodway / Floodway Fringe	No	
Overlay	N/A	
Wellfield Protection Area	No	
Site Plan	March 18, 2026	
Plan of Operation	March 18, 2026	
Landscape Plan	N/A	
Findings of Fact	March 18, 2026	

COMPREHENSIVE PLAN ANALYSIS

Comprehensive Plan

- The Comprehensive Plan recommends community commercial uses.

Pattern Book / Land Use Plan

- The Marion County Land Use Plan Pattern Book recommends the Community Commercial typology for this site. This 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.



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

2023-UV3-022; 8345 Bash Street (south of site), requested a Variance of Use of the Consolidated Zoning and Subdivision Ordinance to provide for the construction of a building to be used for automobile sales, **approved by Board, denied on City Councilor appeal.**

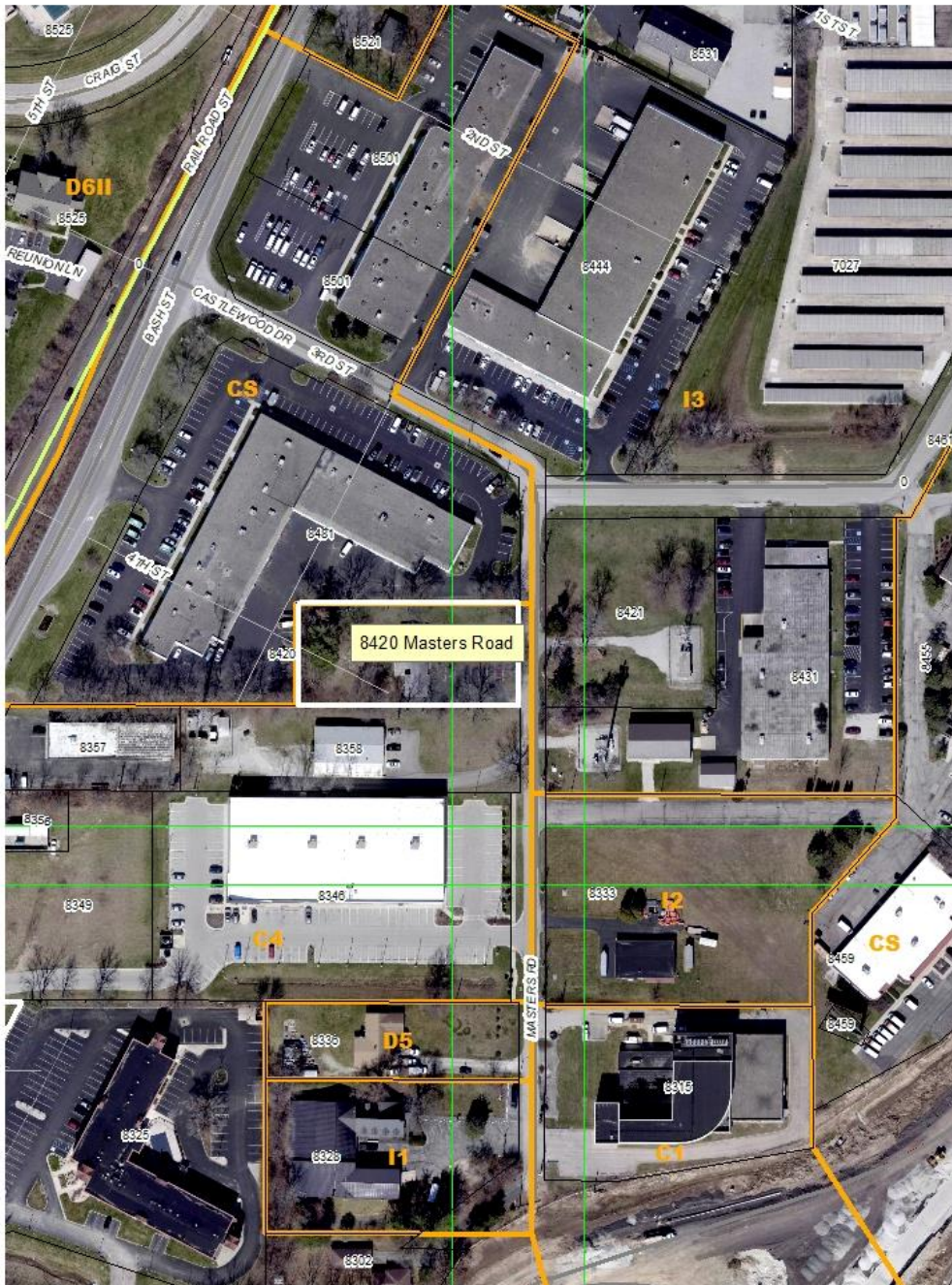
2017-DV3-036; 8301 Bash Street (south of site), requested a Variance of Development Standards of the Consolidated Zoning and Subdivision Ordinance to provide for transparency only adjacent to public areas at public entrances, **granted.**

85-Z-170; 6902 East 82nd Street (south of site), requested a Rezoning of 4.7 acres, being in the C-4, SU-2, and I-1-S Districts, to the C-6 classification, to provide for highway-oriented commercial uses, **approved.**

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EXHIBITS

Location Map



Plan of Operation

PLAN OF OPERATION

1. Clients and Customers

Our clients are residential homeowners and commercial property managers. Customers do not come to our business location. All services are performed at their sites.

2. Processes Conducted On Site

- Captured nuisance wildlife are transported from job sites to our facility.
- Animals are managed according to nuisance wildlife permit methods: either transferred to licensed rehabilitators or, when necessary, humanely euthanized.
- Carcasses are stored in a deep freezer until disposed of at a Type 3 landfill on a biweekly or as-needed basis.
- No public-facing services, retail sales, or long-term animal housing occur at the facility.

3. Types of Waste Generated

- Biological waste (animal carcasses, bedding).
 - General office/operational trash.
 - Limited cleaning and disinfectant materials.
- All waste is disposed of in compliance with local, state, and federal law.

4. Shipping and Receiving

The facility does not ship products or receive inventory for resale. Receiving is limited to occasional delivery of supplies (traps, cleaning materials, safety equipment).

5. Materials Used

- Wildlife capture equipment (traps, cages, PPE). Screws, mesh, sealant, ladders for exclusion work
 - Cleaning and disinfecting chemicals.
 - Euthanasia agents as permitted by DNR.
- All chemicals would be stored indoors, in sealed containers, within an accessory building. No outdoor/open-air of chemical storage occurs.

6. Workforce

The company employs 6 field technicians and 2 office staff. Staff use the site for limited staging, equipment storage, and preparation.



Findings of Fact

Petition Number _____

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

**PETITION FOR SPECIAL EXCEPTION
FINDINGS OF FACT**

1. The proposed use meets the definition of that use in Chapter 740, Article II because
The petitioner is a pest control company as listed under the definition of Commercial and Building Contractor.

2. The proposed use will not injure or adversely affect the adjacent area or property values in that
area because
The proposed request is for a site that is currently zoned commercial. The processes provided by petitioner related
to the captured wildlife ensure that there will be no impact to the surrounding areas. No public-facing services,
retail sales, or long-term animal housing occurs at the facility.

3. The grant will not materially and substantially interfere with the lawful use and enjoyment of
adjoining property because
This proposed use will allow a business to operate in a commercial area. The nature of the surrounding businesses
will not be disrupted since this business is not public-facing. Customers are not visiting the site and the petitioner uses
processes to ensure that their business will not impact surrounding neighbors.

4. The proposed use will be compatible with the character of the district, land use authorized therein
and the Comprehensive Plan for Marion County because
The current area and Comprehensive plan call for the use to be heavy commercial. The stringent requirements
associated with the proposed use fits in line with the heavy commercial nature of the area.

5. The proposed use conforms to the development standards in Chapter 744 applicable to the
zoning district in which it is located because
The only development standard applicable relates to parking. This use does not have customers that visit the location
and the employees who use the premises are limited. Therefore, the parking is adequate for the use as presented.



6. The proposed use conforms to all provisions of the Zoning Ordinance, including the performance standards in Chapter 740 and the development standards in Chapter 744 applicable to the zoning district in which it is located because

This is a heavy commercial area currently designated C-4 and the petitioner has shown through the plan of operation that the procedures in place related to the business will abide by any and all requirements as listed in 740 and 744.

7. The proposed use conforms to all of the use-specific standards in Chapter 743 for that use, including any Special Exception standards for that use because

The only 743 requirement is that the use shall be subject to an approved plan of operation which has been submitted to staff.

Photographs



Photo of the subject site looking west



Photo of adjacent use to the south, looking west.



Photo of adjacent use to the north, looking west.



Photo of adjacent use to the east.