

Board of Zoning Appeals Division III

May 26, 2026

Case Number: 2026-DV3-013
Property Address: 4202 South East Street (*approximate address*)
Location: Perry Township, Council District #23
Petitioner: Kurt Padavano, by Atlantic Sign Company
Current Zoning: C-4/C-5
Request: Variance of Development Standards of the Consolidated Zoning and Subdivision Ordinance to permit a pole sign with a height of 23.5 feet (maximum 20 feet permitted), to allow for a 3rd pole sign (maximum one per frontage), and to allow for a total of 5 freestanding signs along East Street frontage (maximum 2 per frontage permitted).
Current Land Use: Integrated center; retail; gas stations
Staff Recommendations: Staff recommends **approval** of this petition
Staff Reviewer: Josh Levesque, Senior Planner

PETITION HISTORY

N/A

STAFF RECOMMENDATION

Staff recommends **approval** of this petition.

PETITION OVERVIEW

- 4202 South East Street is a parcel totaling roughly 7.060 acres and is part of a larger integrated center along South East Street stretching from Hanna Avenue to the highway ramp for I-465/I-74. The parcel is split-zoned between C-4 and C-5. The surrounding area is largely commercial with some residential to the west of the site as well as east of the site across East Street.
- The petitioner is requesting a variance to permit a pole sign with a height of 23.5 (maximum height of 20 feet permitted), to allow a 3rd pole sign (maximum one per frontage), and to allow for a total of 5 freestanding signs along the East Street frontage (maximum 2 signs per frontage permitted). Staff will note that this request pertains to replacing the cabinet on an existing freestanding sign and does not involve the construction of another new sign on the property.
- Historic images indicate that this freestanding sign has been on the parcel since at least 2007, predating the sign ordinance. While the sign in its current state is a legal nonconformity, the replacement of a sign cabinet represents new development and requires a variance.
- Current C-4 standards limit the height of a pole sign to 20 feet. The current sign in its nonconforming state is 25 feet and 11 inches. The proposed sign will lessen that nonconformity

at 23 feet and 1/8 of an inch. Current standards also limit the number of pole signs and freestanding signs along a frontage.

- The current Ordinance standards are intended to regulate and limit the intensity and proliferation of signs. Historically, staff has often recommended denial on variances where new sign structures are being installed beyond what the Ordinance allows and where sign dimensions and intensity further deviate from the standards set by the Ordinance. In this case, however, while the sign cabinet is changing, a new freestanding structure is not being built. There is no increase in the proliferation of signs. Furthermore, as this sign is being brought down in height closer to current Ordinance standards, this represents a decrease in the intensity of the total signage along the frontage.
- As a sign cabinet replacement is seen as new development, any replacement of an existing sign that predates the Ordinance would negate its nonconforming status. Property owners would be left with the decision to either remove the requisite number of signs to come into compliance with the Ordinance or seek a variance, creating a practical difficulty. This differs from the installation of a new freestanding sign structure or increasing the intensity of a nonconformity.
- Given the legal nonconforming status of the existing sign, the lessening of said nonconformity in the proposed development, and the presence of existing signs causing practical difficulties, staff recommends approval of this petition.

GENERAL INFORMATION

Existing Zoning	C-4/C-5	
Existing Land Use	Integrated center; retail; gas stations	
Comprehensive Plan	Regional Commercial	
Surrounding Context	Zoning	Surrounding Context
	North: C-5	North: Commercial
	South: C-4	South: Commercial
	East: C-7/ D-3	East: Commercial/Residential
	West: C-4/D-6II	West: Commercial/Residential
Thoroughfare Plan		
South East Street	Primary Arterial	100-foot existing right-of-way and 114-foot proposed right-of-way
Context Area	Metro	
Floodway / Floodway Fringe	No	
Overlay	No	
Wellfield Protection Area	No	
Site Plan	3/3/2026	
Site Plan (Amended)	N/A	
Elevations	N/A	
Elevations (Amended)	N/A	

Landscape Plan	N/A
Findings of Fact	3/3/2026
Findings of Fact (Amended)	N/A
C-S/D-P Statement	N/A

COMPREHENSIVE PLAN ANALYSIS

Comprehensive Plan

- Marion County Land Use Plan Pattern Book (2019)

Pattern Book / Land Use Plan

- The Regional Commercial typology provides for general commercial and office uses that serve a significant portion of the county rather than just the surrounding neighborhoods. Uses are usually in large freestanding buildings or integrated centers. Typical examples include shopping malls, strip shopping centers, department stores, and home improvement centers

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

ZONING HISTORY – SITE

56-A-78; 4202 South East Street, Rezoning of a plot of land 175' x 200' from the A-2 district to the B-6 district to erect a building for drive-in refreshments, to be used for serving root-beer and soft drinks, **approved**.

ZONING HISTORY – VICINITY

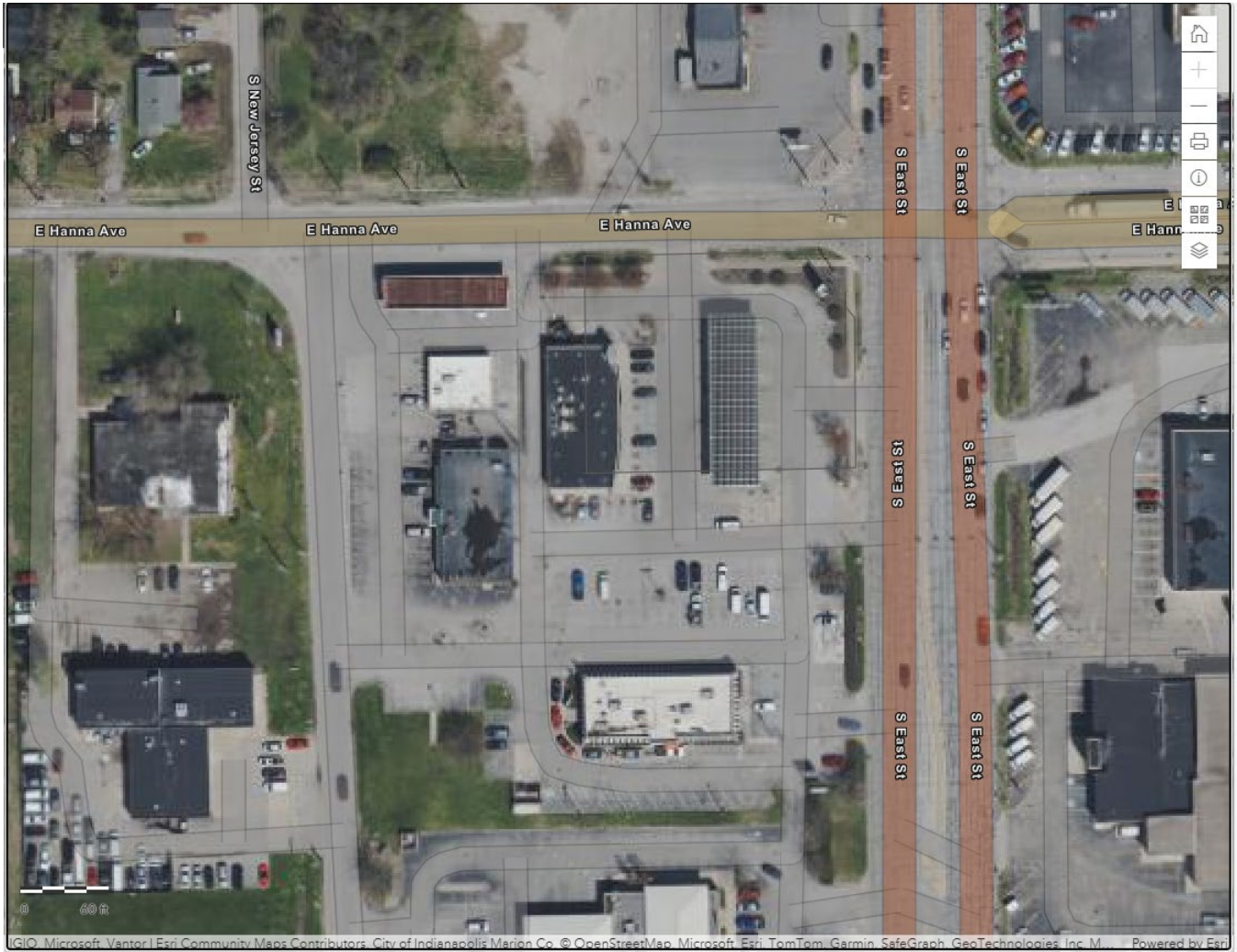
79-Z-13; 4011 South East Street, Rezoning from the C-5 district to the C-7 district to permit operation of a truck and trailer rental center and repair depot, **approved**.

96-CV-40 / 96-Z-224; 4145 South East Street, Variance of Development Standards of the Commercial Zoning Ordinance to legally establish an automobile tire center with parking within the front yards and a zero foot landscape strip along East Street and Edwards Avenue; zero-foot transitional yard along Edwards Avenue; and zero-foot landscaping strips along the east and south property lines and a rezoning from the D-3 to the C-4 district, **approved subject to commitments**.

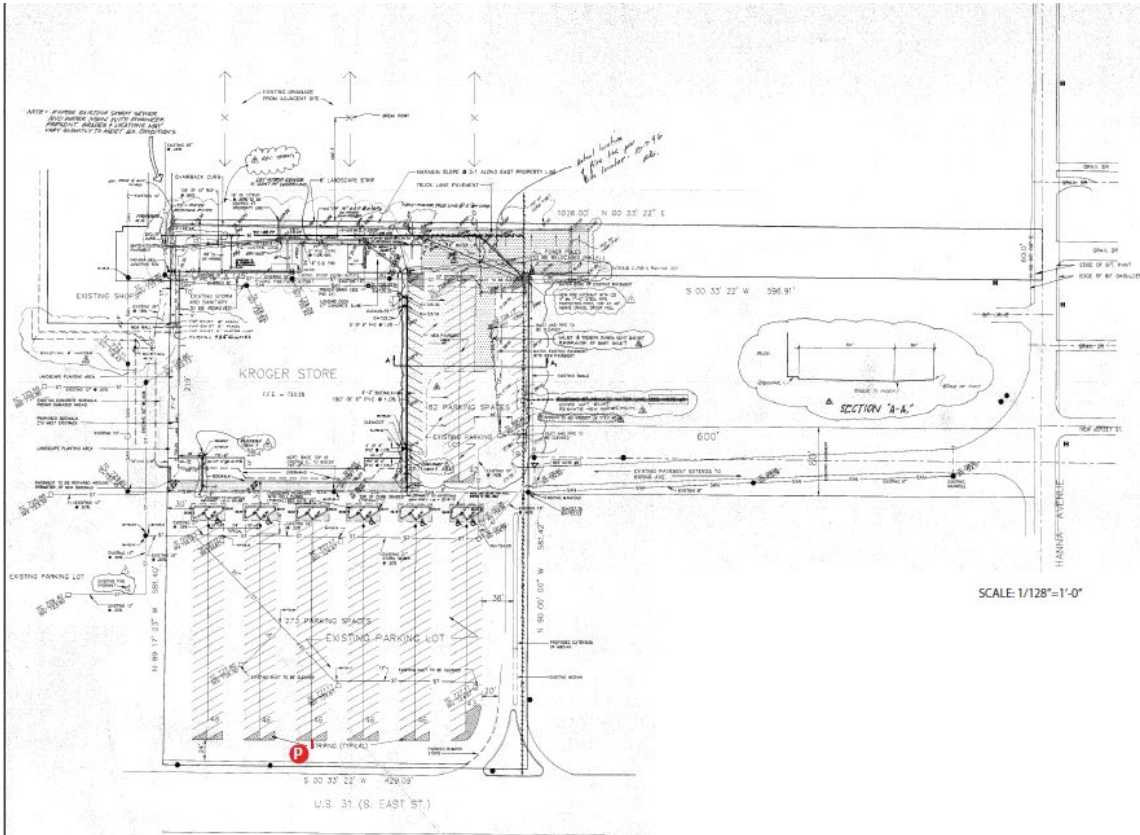
2005-ZON-144; 4157 South East Street, Rezoning of 0.55-acre from the D-3 to the C-4 district, **approved**.

2014-ZON-082; Rezoning of 3.1 acres from the C-5 district to the C-7 classification to provide for self-storage and a truck rental facility, **approved**.

EXHIBITS
2026DV3013; Aerial Map

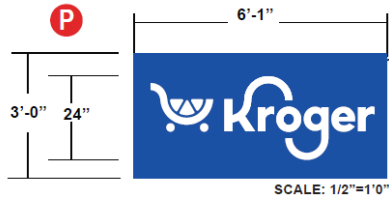


2026DV3013; Site Plan




EXISTING STOREFRONT ELEVATION

2026DV3013; Rendering



Double face aluminum sign cabinet with flat aluminum faces with routed and push-thru acrylic copy. LED illumination.

 KROGER BLUE (PMS 2728C)
 EXTERIOR QUART FORMULA



EXISTING



PROPOSED

NOTE: POLES WILL NEED TO BE CUT OFF AT THE TOP TO ALIGN WITH THE TOP OF THE NEW CABINET.

NO WORK TO FUEL PRICERS.

KROGER #927
 4202 S. EAST STREET
 INDIANAPOLIS, IN

2026DV3013; Photographs



Photo 1: Existing sign

2026DV3013; Photographs (continued)



Photo 2: View from subject site looking north at other signs along frontage

2026DV3013; Photographs (continued)



Photo 3: View from subject site looking south at integrated sign along frontage

2026DV3013; Photographs (continued)



Photo 4: Surrounding context

2026DV3013; Photographs (continued)



Photo 5: Integrated center where gas station sits