

**BOARD OF ZONING APPEALS DIVISION 1**

**October 1<sup>st</sup>, 2024**

**Case Number:** 2024-UV1-020  
**Property Address:** 3450 Winthrop Avenue  
**Location:** Center Township, Council District #8  
**Petitioner:** Navneet Kaur  
**Current Zoning:** D-5  
**Request:** Variance of use and development standards of the Consolidated Zoning and Subdivision Ordinance to provide for operation of a mobile spa (not permitted) within a recreational vehicle parked within the front yard on a non-hard surfaced area (hard surfaced area required).  
**Current Land Use:** Residential  
**Staff Recommendations:** Staff recommends **denial** of this variance request.  
**Staff Reviewer:** Kiya Mullins, Associate Planner

**PETITION HISTORY**

This is the first public hearing for this petition.

**STAFF RECOMMENDATION**

Staff recommends **denial** of this variance request.

**PETITION OVERVIEW**

- This petition would allow for the storage of the Sauna Social’s commercial vehicle, to be parked in a residential front yard without a hard surface below it.
- This property is a D-5 zoned single family house, located on a parcel that is 0.22 acres. Surrounding this property include several single-family homes and at least one duplex.
- The Sauna Social bus is currently parked on a gravel parking area in front yard at 3450 Winthrop Avenue The bus will not conduct any business at this location but instead be stored there and prepped for events. Prepping of the Sauna Social bus include:
  - Filling up the water tank; Loading firewood into the on-board storage; Emptying out ashes from the wood burning sauna to be placed in the onsite compost pile; Deliveries of wood to the location for the bus; and the cleaning of the interior of the bus.
- No fire will be started until the Sauna Social bus is at an intended location for business.

- There are currently four employees working for the Sauna Social business, three of which commute to the location for work and park their vehicles beside the commercial vehicles. With employees traveling to and from the property on a narrow local street and parcel, it would cause unnecessary traffic in the area and cause visual vehicular congestion resulting in a disorderly aesthetic. This parcel is also located in a wellfield protection area, and with the increased use intensity and activity and vehicles this could pose a danger of leaking chemicals into the ground and ultimately the water beneath the property.
- As stated in the ordinance no commercial vehicle may be stored or parked on a residentially zoned property, unless there is active, legal construction taking place on the site or commercial vehicles that are in the course of making normal and reasonable service calls. (pg 117). At the time of this petition no construction is occurring at or around 3450 Winthrop and the Sauna Social bus currently is taking up most of the space that is available in between the front façade and the right of way.
- In Staff’s opinion, uses that are characterized by the outdoor storage and potential maintenance of commercial vehicles and dispatch operations of such vehicles has similarities to a fleet terminal. While the request is only for the storage of one vehicle at this time, Staff is concerned that approval of the request and growth of the business may result in a need for additional vehicles. While such an occurrence would require the filing of a future land use request, Staff strongly believes that the request should be denied initially given the lack of a hardship, the residential context, and the wholly inappropriate storage of the vehicle, on gravel, within the front yard of a single-family platted lot.

**GENERAL INFORMATION**

<b>Existing Zoning</b>	D-5		
<b>Existing Land Use</b>	Residential		
<b>Comprehensive Plan</b>	5 - 8 Residential Units per Acre		
<b>Surrounding Context</b>	<b>Zoning</b>	<b>Surrounding Context</b>	
	North:	D-5	North: 5-8 Residential Units per Acre
	South:	D-5	South: 5-8 Residential Units per Acre
	East:	D-4	East: 5-8 Residential Units per Acre
	West:	D-5	West: 5-8 Residential Units per Acre
<b>Thoroughfare Plan</b>			
Winthrop Avenue	Local Street	50ft right-of-way existing and 48ft right-of-way-proposed.	
<b>Context Area</b>	Compact		
<b>Floodway / Floodway Fringe</b>	No		
<b>Overlay</b>	No		
<b>Wellfield Protection Area</b>	Yes		
<b>Site Plan</b>	08/21/2024		
<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>	08/21/2024
<b>Findings of Fact (Amended)</b>	N/A

**COMPREHENSIVE PLAN ANALYSIS**

**Comprehensive Plan**

- Mapleton Fall Creek Neighborhood Land Use Plan (Resolution 2013-CPS-R-002)
- Marion County Land Use Plan Pattern Book

**Pattern Book / Land Use Plan**

Not Applicable to the Site)

**Red Line / Blue Line / Purple Line TOD Strategic Plan**

- Not Applicable to the Site.

**Neighborhood / Area Specific Plan**

- 5 - 8 Residential Units per Acre
  - In suburban and rural areas this is a common multi-family density and typically the highest density single-family category in suburban areas. In urban areas, it is common for both single-family and multi-family development. Development at this density is appropriate along bus corridors but should not take place in proximity to planned light rail transit stops
- Though the property at 3450 Winthrop is not covered by The Marion County Land Use Plan Pattern Book, the most closely related living typology for this area would be Suburban Neighborhood. A Suburban Neighbor living typology is predominantly comprised of single-family housing (with some attached and multifamily housing development) and supported by a variety of neighborhood-serving businesses and amenities. It does not contemplate industrial uses as a compatible land use type.

**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

N/A

### ZONING HISTORY – SURROUNDING AREA

- 2005-UV3-045 – 3525 Guilford Avenue
  - Provide for a transitional housing facility (not permitted) within an existing two-family dwelling in D-5. **Withdrawn.**
- 2020-UV1-003 – 3544 Carrollton Avenue
  - Variance of use of the Consolidated Zoning and Subdivision Ordinance to legally establish a multi-family building (not permitted). **Denied.**

EXHIBITS

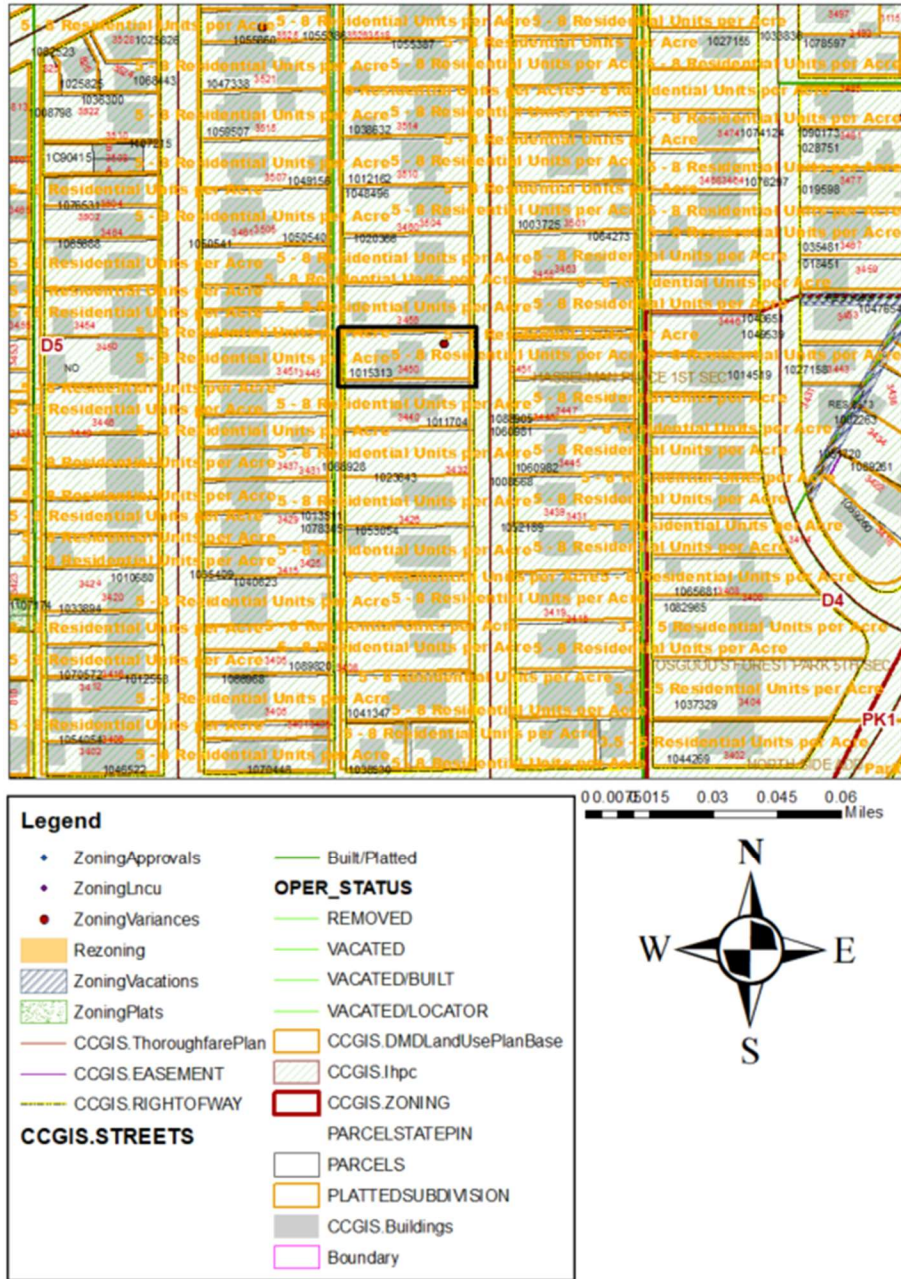


Exhibit 1: Area map around 3450 Winthrop Avenue.

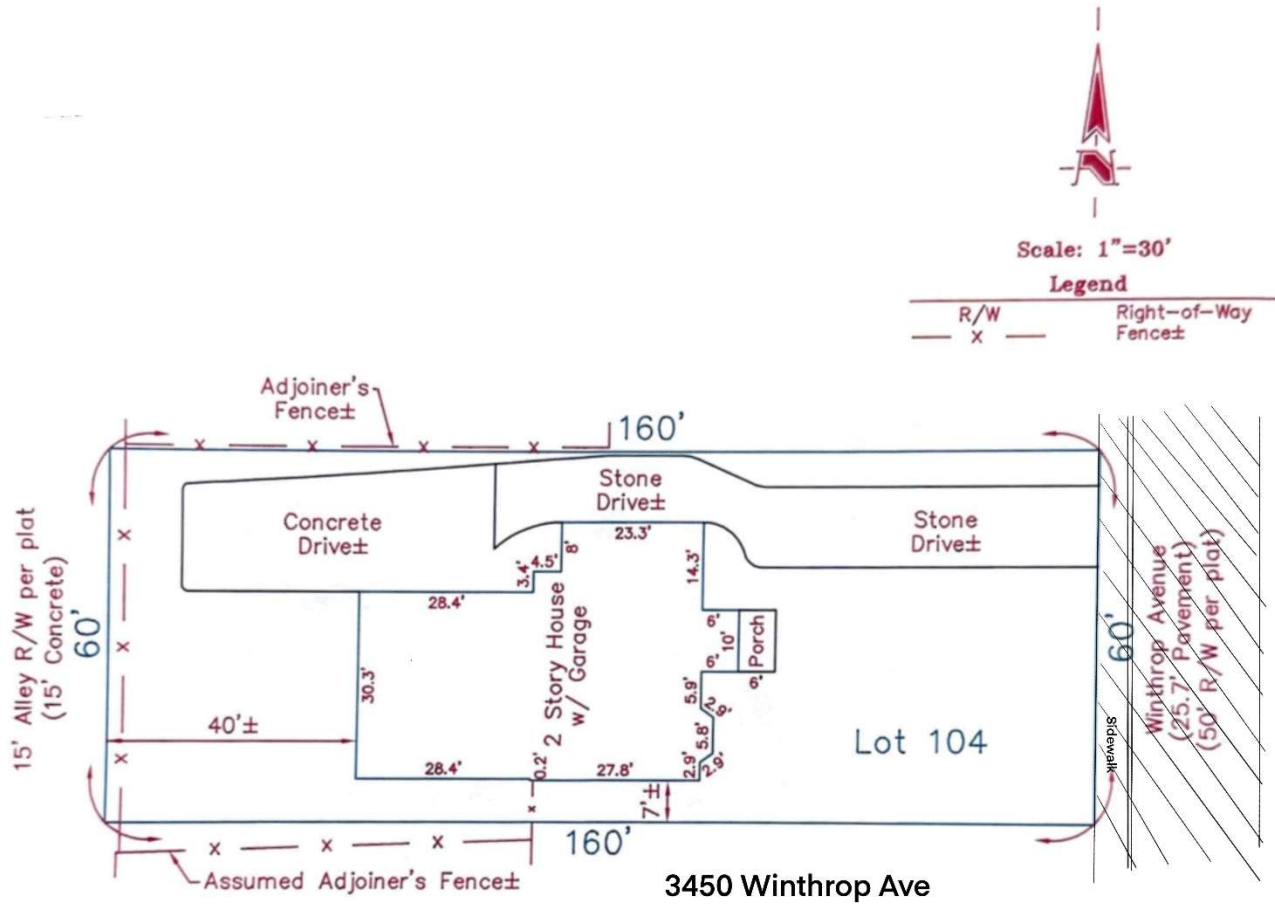


Exhibit 2: Site Plan for 3450 Winthrop Ave.



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 IS BEING APPLIED TO ONLY PARK THE RV ON THE EXISTING DRIVEWAY OF TH WILL NOT BLOCK THE SIDEWALK OR THE STREET RESULTING IN ANY HARM TO THE GENERAL

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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 RV WILL BE PARKED ON THE EXISTING DRIVEWAY OF THE PROPERTY AND NO ADDITION, BE MADE TO THE PROPERTY WHICH WOULD IMPACT THE USE AND VALUE OF THE AREA ADJ/ THE RV IS IN WORKING CONDITION AND IT WILL BE MOVED TO DIFFERENT LOCATIONS ON WE FOR SAUNA SOCIAL BUSINESS.

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3. THE NEED FOR THE VARIANCE ARISES FROM SOME CONDITION PECULIAR TO THE PROPERTY INVOLVED BECAUSE IT WAS ASSUMED THAT THE RV WAS BEING USED TO CONDUCT BUSINESS ON THE RESIDENT THE RV IS USED FOR BUSINESS TO PROVIDE SAUNA SERVICES TO THE PUBLIC BUT IT DOES I FROM THE RESIDENTIAL PROPERTY. THE RV IS MOVED TO DOWNTOWN COMMERCIAL LOCAT BUSINESS, WHICH IS DURING WEEKENDS IN WINTER ONLY. THE NEED FOR THE VARIANCE AF

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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 IT WILL REQUIRE THE PETITIONER TO REMOVE THE RV FROM THE PROPERTY WHERE IT IS CI THE RV IS ONLY OPERATED FOR BUSINESS DURING WEEKENDS IN 6 MONTH OF WINTER ONL REUIRE PETITIONER TO PAY FOR PARKING TO PARK THE RV WHEN IT IS ONLY OPERATIONAL SEASONAL BUSINESS

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5. THE GRANT DOES NOT INTERFERE SUBSTANTIALLY WITH THE COMPREHENSIVE PLAN BECAUSE RESIDENTIAL DEVELOPMENT AT 5-8 UNITS PER ACRE WILL REMAIN RESIDENTIAL. THE PETITI VARIANCE TO PARK THE RV IN THE EXISTING DRIVEWAY. THERE WILL BE NO CHANGES OR AI DEVELOPMENT DONE ON THE PROPERTY TO ACCOMODATE THE RV.

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Exhibit 3: The submitted findings of fact for 3450 Winthrop Ave.



Exhibit 4: 3450 Winthrop Avenue with Sauna Social Bus parked out front on the gravel driveway.





Exhibit 5: Closer up photo of 3450 Winthrop Avenue with Sauna Social Bus parked out front on the gravel driveway.



Exhibit 6: Front View of the Suana Social Bus.



Exhibit 7: Looking north down Winthrop Ave.



Exhibit 8: Looking south down Winthrop Ave.



Exhibit 9: The homes north of 3450 Winthrop Ave.



Exhibit 10: The homes south of 3450 Winthrop Ave.



Exhibit 11: The homes across from 3450 Winthrop Ave.

### Plan of Operation

**Workforce.** Sauna Social has 4 employees (3 owners + one part-time employee). Sauna Social is a mobile business which operates on Friday, Saturday and Sunday Only. Employees work on-site to prepare the business for operational hours. They only work from Friday afternoon to Sunday. The part-time employee gets to the work-site via car. One owner lives on site and other two owners bike to the location. If employees drive, then they park on the driveway of the property located at 3450 Winthrop Ave. There is a Ring Security Camera system installed.

**Clients & Customers.** Sauna Social's typical customers and clients are adults who are passionate about health and wellness. Customers and clients do not come to the site.

**Processes conducted on Site.** Sauna Social is a converted bus with Harvia wood burning sauna in the back and lounge up front. There is a shower and sink on the bus. While the vehicle is parked on-site, employees prepare the business by filling up the water tank (if needed, built for the shower), loading firewood in the storage, emptying out ash from the Harvia wood burning sauna in the compost on the location. Once everything is prepared, the vehicle is moved to Indianapolis downtown location, pre-planned with other businesses, to provide sauna services to customers off-site.

Once the vehicle is parked at a planned location off-site, fire is started in the Harvia wood burning stove. Fire is separated in the stove by a glass door. The employee then waits until the stove heats up and eventually heats up the sauna room. Meanwhile, the employee cleans and sets up the lounge area. Once the sauna heats up to the desired temperature measured by the thermostat in the room, the employee sets up an open sign for customers to book a session.

**Materials Used.** Sauna Social uses water and wood for the operation. Electricity is generated via solar panels installed on the roof of the vehicle.

**Shipping & Receiving.** Sauna Social receives shipment of firewood monthly. It is delivered by a local seller monthly via his pickup truck. It is usually delivered during weekends at the 3450 Winthrop Ave location. The firewood is stored neatly in the garage.

The only waste generated is ash from the Harvia wood burning sauna. The ash is collected in a container built underneath the Harvia wood burning sauna. The ash container is empty on the morning of Friday, Saturday and Sunday in a compost container located on-site.

Exhibit 12: Plan of operation for the Sauna Social Bus business at 3450 Winthrop Ave.