

**BOARD OF ZONING APPEALS DIVISION I**

**May 13<sup>th</sup>, 2025**

**Case Number:** 2025-DV2-012

**Property Address:** 3421 North Keystone Avenue

**Location:** Center Township, Council District #8

**Petitioner:** Indianapolis Public Schools, by Russell McClure

**Current Zoning:** SU-2

**Request:** Variance of Development Standards of the Consolidated Zoning and Subdivision Ordinance to provide for a parking area within the front yards of 35th Street and Tacoma Avenue containing two double-loaded rows of parking and three single-loaded rows of parking (limited to one single-loaded row) and a six-foot tall fence within the front yards of 34th Street and Tacoma Avenue (maximum 3.5-foot tall fence permitted).

**Current Land Use:** Elementary School

**Staff**

**Recommendations:** Staff is recommending **approval** of this variance petition.

**Staff Reviewer:** Kiya Mullins, Associate Planner

**PETITION HISTORY**

This is the first public hearing for this variance petition.

**STAFF RECOMMENDATION**

Staff is recommending **approval** of this variance petition.

**PETITION OVERVIEW**

- The petitioner for this variance request is asking for two (2) items: 1) a parking area within the north front yard with two (2) double-loaded rows of parking and three (3) single-loaded rows of parking within that parking lot, and 2) a six (6) foot-tall fence in the southern front yard of the school property.
- This property is within the SU-2 zoning district and is 5.8 acres in size.
- This is the location of Kindezi Academy Elementary School, Indianapolis Public School #69. The original school building has already been demolished.
- The subject site is surrounded by four (4) rights-of-way (35th Street, Tacoma Avenue, 34th Street, and Keystone Avenue), which make all four (4) sides of the property front yards.
- A SU-2 zoned property within the Compact Context area is limited to having one (1) single-loaded row of parking in the front of the building.

- Since the subject site has only front yards on the property and due to the size and scale of the school, one (1) single-loaded row of parking would not provide enough space to allow parking for teachers, parents, visitors, and potential school busses or emergency service vehicles that would be necessary for an elementary school.
- Fences are only permitted to be 3.5 feet in height within the front yard.
- South of the subject site is a liquor store (commercial business).
- A six-foot fence would be more effective to protect the proposed playground at the southern end of the site and to provide screening and separation for future students at the proposed school from traffic and surrounding uses.
- Staff recommends **approval** of this variance petition because, due to its location, this property has multiple front yards. This limits the site's ability to be used for its permitted use and would make it difficult to function without the approval of variances.

## GENERAL INFORMATION

<b>Existing Zoning</b>	SU-2	
<b>Existing Land Use</b>	Special Use	
<b>Comprehensive Plan</b>	Traditional Neighborhood	
<b>Surrounding Context</b>	<b><u>Zoning</u></b>	<b>Surrounding Context</b>
North:	D-5	North: Traditional Neighborhood
South:	C-3	South: Community Commercial
East:	D-5	East: Traditional Neighborhood
West:	D-5	West: Traditional Neighborhood
<b>Thoroughfare Plan</b>		
35 <sup>th</sup> Street	Local Street	50 feet of right-of-way existing and 48 feet proposed.
Keystone Avenue	Primary Arterial	70 feet of right-of-way existing and 78 feet proposed.
Tacoma Avenue	Local Street	50 feet of right-of-way existing and 48 feet proposed.
34 <sup>th</sup> Street	Secondary Arterial	50 feet of right-of-way existing and 78 feet proposed.
<b>Context Area</b>	Compact or Metro	
<b>Floodway / Floodway Fringe</b>	No	
<b>Overlay</b>	No	
<b>Wellfield Protection Area</b>	No	
<b>Site Plan</b>	4/7/2025	
<b>Site Plan (Amended)</b>	N/A	
<b>Elevations</b>	4/7/2025	
<b>Elevations (Amended)</b>	N/A	

<b>Landscape Plan</b>	N/A
<b>Findings of Fact</b>	4/7/2025
<b>Findings of Fact (Amended)</b>	N/A

## COMPREHENSIVE PLAN ANALYSIS

### Comprehensive Plan

- Marion County Land Use Plan Pattern Book

### Pattern Book / Land Use Plan

- The Traditional Neighborhood typology includes a full spectrum of housing types, ranging from single family homes to large-scale multifamily housing. The development pattern of this typology should be compact and well-connected, with access to individual parcels by an alley when practical. Building form should promote the social connectivity of the neighborhood, with clearly defined public, semi-public, and private spaces. Infill development should continue the existing visual pattern, rhythm, or orientation of surrounding buildings when possible. A wide range of neighborhood serving businesses, institutions, and amenities should be present. Ideally, most daily needs are within walking distance. This typology usually has a residential density of 5 to 15 dwelling units per acre, but a higher density is recommended if the development is within a quarter mile of a frequent transit line, greenway, or park

### 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**

- 97-Z-41: 3421 North Keystone Avenue
  - Metropolitan Development Commission requests rezoning of 5.53 acres, being in the C-3 and D-5 Districts, to the SU-2 classification to conform the zoning to the exiting school use.
    - AP

### **ZONING HISTORY – SURROUNDING AREA**

- 2000-UV1-028: 3363 North Brouse Avenue
  - Variance of Use of the Dwelling Districts Zoning Ordinance to provide for the construction of a 1,280 square-foot carry out restaurant, (not permitted) with four parking spaces.
    - AP
- 2000-UV3-035: 4916 South State Avenue
  - Variance of Use and Development standards of the Dwelling Districts Zoning Ordinance to legally establish two detached single-family dwellings on one lot (not permitted), with one unit having 750.3-square foot of main floor area (minimum 1,200-square feet of main floor area required), with one unit having a one foot side yard setback and a detached garage with a 1.5-foot side yard setback (minimum six foot side yard setbacks required).
    - AP
- 2004-DV2-036: 3360 – 3364 North Keystone Avenue
  - Variance of Development Standards of the Commercial Zoning Ordinance to provide for parking spaces and circulation drives within the required setback without ten-foot-wide landscaped yards abutting the public right-of-way (landscaped yards required where parking spaces and circulation drives are located within the required setback).
    - AP
- 2005-DV2-006: 3360 North Keystone Avenue
  - Variance of Development Standards of the Commercial Zoning Ordinance to legally establish a 12,000 gallon underground fuel storage tank located zero feet from the existing right-of-way line, and 45 feet from the centerline, of East 34<sup>th</sup> Street, and located 59 feet from the centerline of North Keystone Avenue (minimum 70-foot setback from the centerline required), and to legally establish an 8,000 gallon underground fuel storage tank located one-foot from the existing right-of-way line of East 34<sup>th</sup> Street (minimum 70-footsetback from the centerline required).
    - AP
- 2009-UV1-010: 3532 North Keystone Avenue
  - Variance of Use of the Dwelling Districts Zoning Ordinance to provide for a daycare (not permitted), with an outdoor play area and associated off-street parking.
    - Approved
- 2014-SE1-002: 3501 North Keystone Avenue



**Department of Metropolitan Development  
Division of Planning  
Current Planning**

- Special exception of the Dwelling Districts Zoning Ordinance to provide for a religious use, with off-street parking and identification signs.
  - Approved

Exhibit 1: ArcGIS map of subject site and the surrounding area

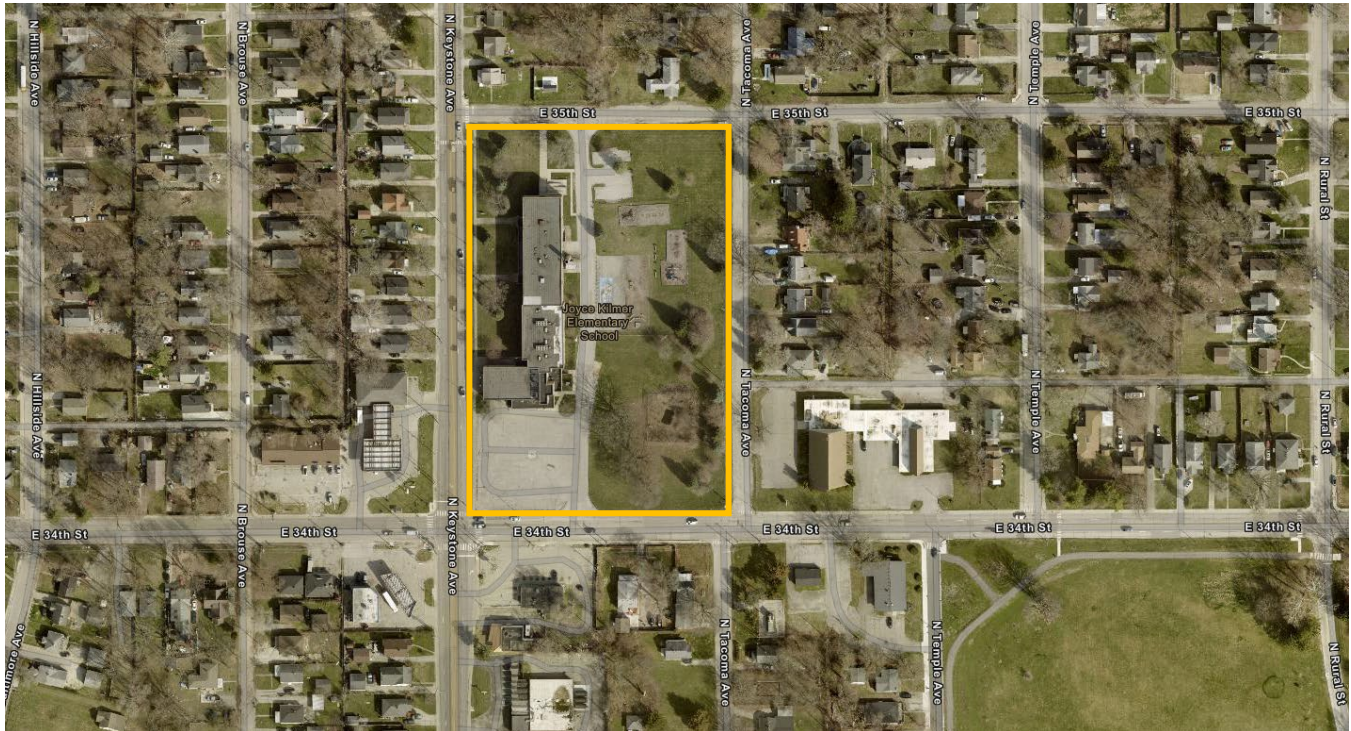


Exhibit 2: Aerial of the subject site before the school building was demolished.



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:

The parking in the front yard area of the school and the proposed fence height is a common development pattern in the neighborhood.

The development will be carefully executed and has been carefully designed to be an asset to the Neighborhood.

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 parking in the front yard area of the school is currently existing on the south side of the site and exists on other areas immediately adjacent to the site. Several areas along Keystone Avenue have 6' tall fences, and in this case, the fence will be an aluminum picket fence and will be screened by vegetation. The development will be carefully executed and will be an asset to the neighborhood.

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

This property has four front yards which severely limit our ability to develop the site in accordance with the current zoning ordinance. If we were to comply with the ordinance, parking would be limited on the site and would not be adequate. Also, limiting the fence height would pose risks to the students.

Exhibit 3: The submitted Findings of Fact.

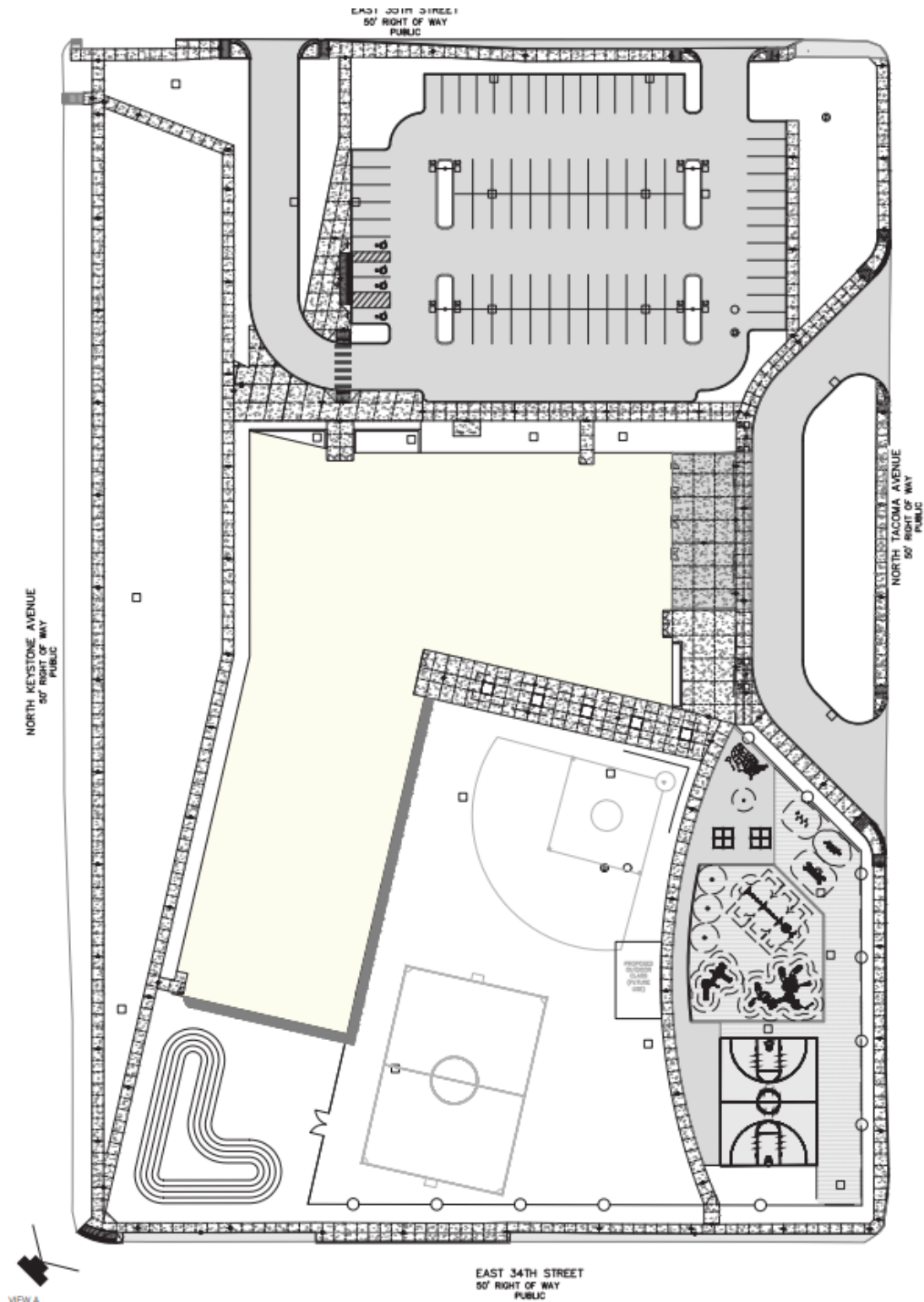
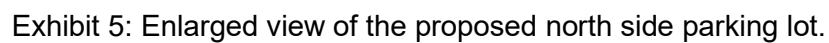


Exhibit 4: Site plan for the subject site.



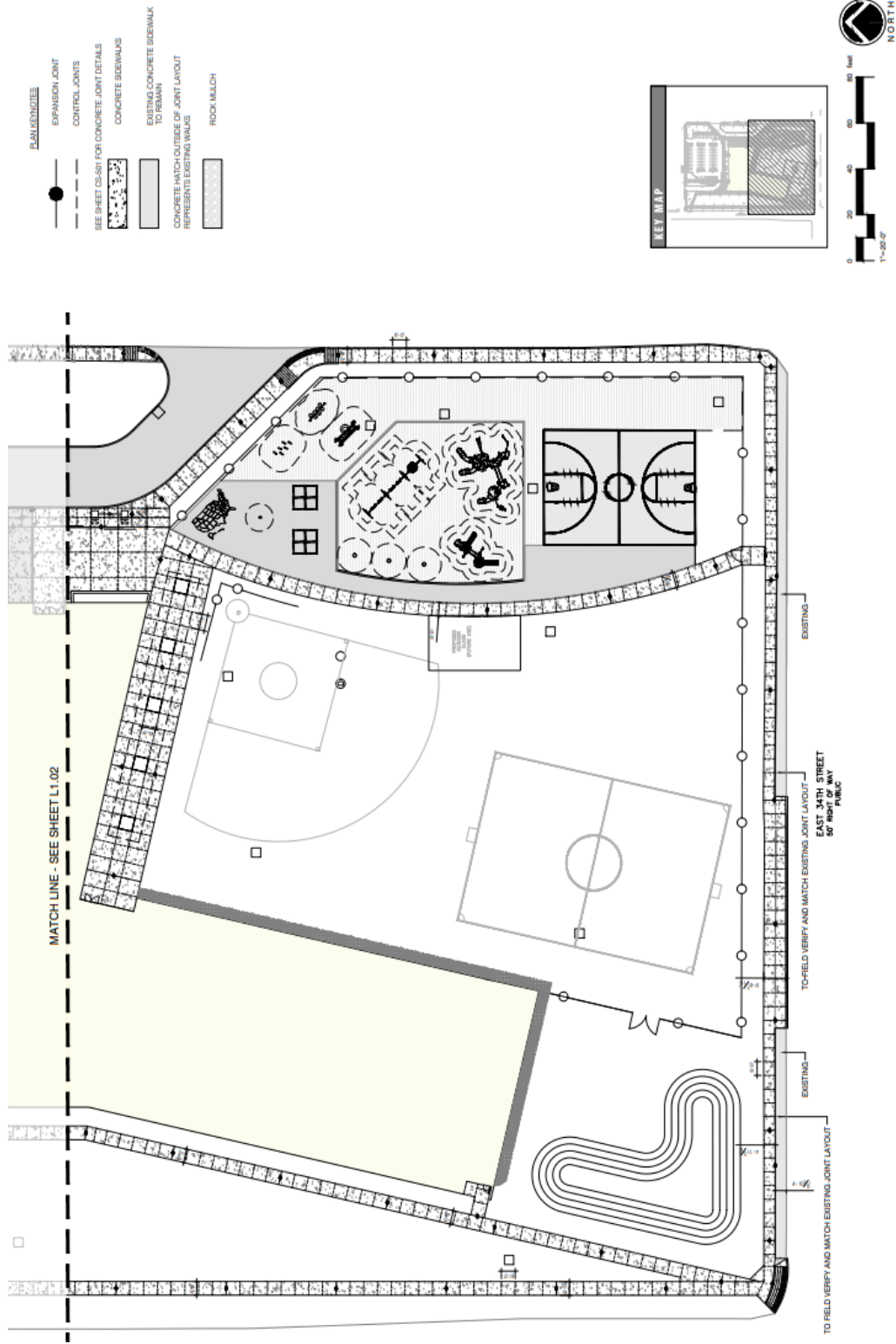


Exhibit 6: Enlarged view of the proposed playground and fence on the south side of subject site.



A VIEW FROM KEYSTONE AND EAST 34TH  
NOT TO SCALE



B VIEW FROM TACOMA AND EAST 34TH  
NOT TO SCALE

Exhibit 7: Architectural renderings showing what the fence and other features will look like on south side of site.



Exhibit 8: Looking north from south side of the subject site.



Exhibit 9: Looking south from north side of the subject site.



Exhibit 10: Looking west down 34<sup>th</sup> Street.



Exhibit 11: Looking east down 34<sup>th</sup> Street.



Exhibit 12: Liquor Store off of 34<sup>th</sup> Street.



Exhibit 13: Looking north up Tacoma Avenue.



Exhibit 14: Looking south down Tacoma Avenue.



Exhibit 15: Looking west down 35<sup>th</sup> Street (parking area will be on the left).



Exhibit 16: Looking south down Keystone Avenue from 35<sup>th</sup> Street.



Exhibit 17: Looking north Keystone Avenue from 35<sup>th</sup> Street.



Exhibit 18: Looking south down Keystone Avenue from 35<sup>th</sup> Street.



Exhibit 19: Looking north up Keystone Avenue from 35<sup>th</sup> Street.