

**BOARD OF ZONING APPEALS DIVISION I**

**June 2, 2026**

**Case Number:** 2026-UV1-009  
**Property Address:** 3002 East 56<sup>th</sup> Street (approximate address)  
**Location:** Washington Township, Council District #3  
**Petitioner:** Shvonne Watson, by Table Holdings, dba Every Day Auto  
**Current Zoning:** C-3  
**Request:** Variance of Use of the Consolidated Zoning and Subdivision Ordinance to permit an auto sales business (not permitted in the C-3 zoning district).  
**Current Land Use:** Commercial  
**Staff Recommendations:** Staff recommends **denial** of the variance.  
**Staff Reviewer:** Josh Levesque, Senior Planner

**PETITION HISTORY**

This petition was automatically continued from the May 12<sup>th</sup>, 2026, BZA I hearing to the June 2<sup>nd</sup>, 2026, BZA I hearing.

**STAFF RECOMMENDATION**

Staff recommends **denial** of the variance.

**PETITION OVERVIEW**

- 3002 East 56<sup>th</sup> Street is currently a multi-tenant office building on the corner of East 56<sup>th</sup> Street and North Parker Avenue. The parcel is zoned C-3 and the land use plan contemplates this parcel as “Office Commercial”.
- The petitioner is requesting a variance of use to allow for auto sales within a C-3 district. Automobile sales are not considered a by-right use until the C-5 district.
- The Ordinance describes the purpose of the Neighborhood Commercial District (C-3) as “for the development of an extensive range of retail sales and personal, professional and business services required to meet the demands of a fully developed residential neighborhood. Examples of such types of uses include neighborhood shopping centers, sales of retail convenience or durable goods, shopping establishments, retail and personal and professional service establishments. At this neighborhood scale of retail, a fine-grain of accessibility requisite for all modes of travel must be provided and maintained. It does not make provision, however, for those businesses that draw customers in significant numbers beyond a neighborhood boundary and are, therefore, unusually heavy traffic generators, such as theaters. It does not allow those

businesses that require the outdoor display, sale or storage of merchandise; or require outdoor operations. In general, to achieve maximum flexibility of permitted land use, the C-3 District makes possible a highly varied grouping of indoor retail and business functions.”

- In contrast, 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.”
- While the adjacent property to the east houses a concrete manufacturing and distribution center and is zoned I-2/I-4, this property predates the Ordinance and is an outlier amongst an area contemplated by the Comprehensive Plan as either residential or office commercial. While there are further light industrial uses to the southwest, East 56<sup>th</sup> Street itself does not give the appearance of a heavy commercial corridor.
- Furthermore, the Ordinance indicates that the C-5 district should avoid locating near protected districts. The property sits directly south of a D-3 district with D-5, D-2, and D-3 further along East 56<sup>th</sup> Street in both directions. A variance of use to allow such intensity would go against the Ordinance’s intention to buffer heavy commercial and residential uses.
- Finally, a variance of use is intended for situations where a use has not been contemplated in the Ordinance or the parcel in question has no other viable use. The current C-3 zoning district, the Office Commercial land use designation, and previous use as an office building all point to a variety of by right uses available to the petitioner.
- Given that this request is incompatible with the land use plan, would go against the Ordinance’s intentions to buffer heavy commercial and residential districts, and the fact that there are a number of by-right uses available to the petitioner, staff recommends denial of this petition.

**GENERAL INFORMATION**

<b>Existing Zoning</b>	C-3	
<b>Existing Land Use</b>	Residential	
<b>Comprehensive Plan</b>	Office Commercial	
<b>Surrounding Context</b>	<b>Zoning</b>	<b>Surrounding Context</b>
	North:	D-3 North: Residential
	South:	I-1 South: Heavy Commercial & Residential
	East:	I-2/I-4 East: Industrial
	West:	C-1 West: Commercial
<b>Thoroughfare Plan</b>		
East 56 <sup>th</sup> Street	Primary Collector	70-foot existing right-of-way and 66-foot proposed right-of-way
Parker Avenue	Local Street	

	50-foot existing right-of-way and 50-foot proposed right-of way
<b>Context Area</b>	Metro
<b>Floodway / Floodway Fringe</b>	No
<b>Overlay</b>	No
<b>Wellfield Protection Area</b>	No
<b>Site Plan</b>	03/05/2026
<b>Site Plan (Amended)</b>	04/28/2026
<b>Elevations</b>	N/A
<b>Elevations (Amended)</b>	N/A
<b>Landscape Plan</b>	N/A
<b>Findings of Fact</b>	03/05/2026
<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 Office Commercial typology provides for single and multi-tenant office buildings. It is often a buffer between higher intensity land uses and lower intensity land uses. Office commercial development can range from a small freestanding office to a major employment center. This typology is intended to facilitate establishments such as medical and dental facilities, education services, insurance, real estate, financial institutions, design firms, legal services, and hair and body care salons.

**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

N/A

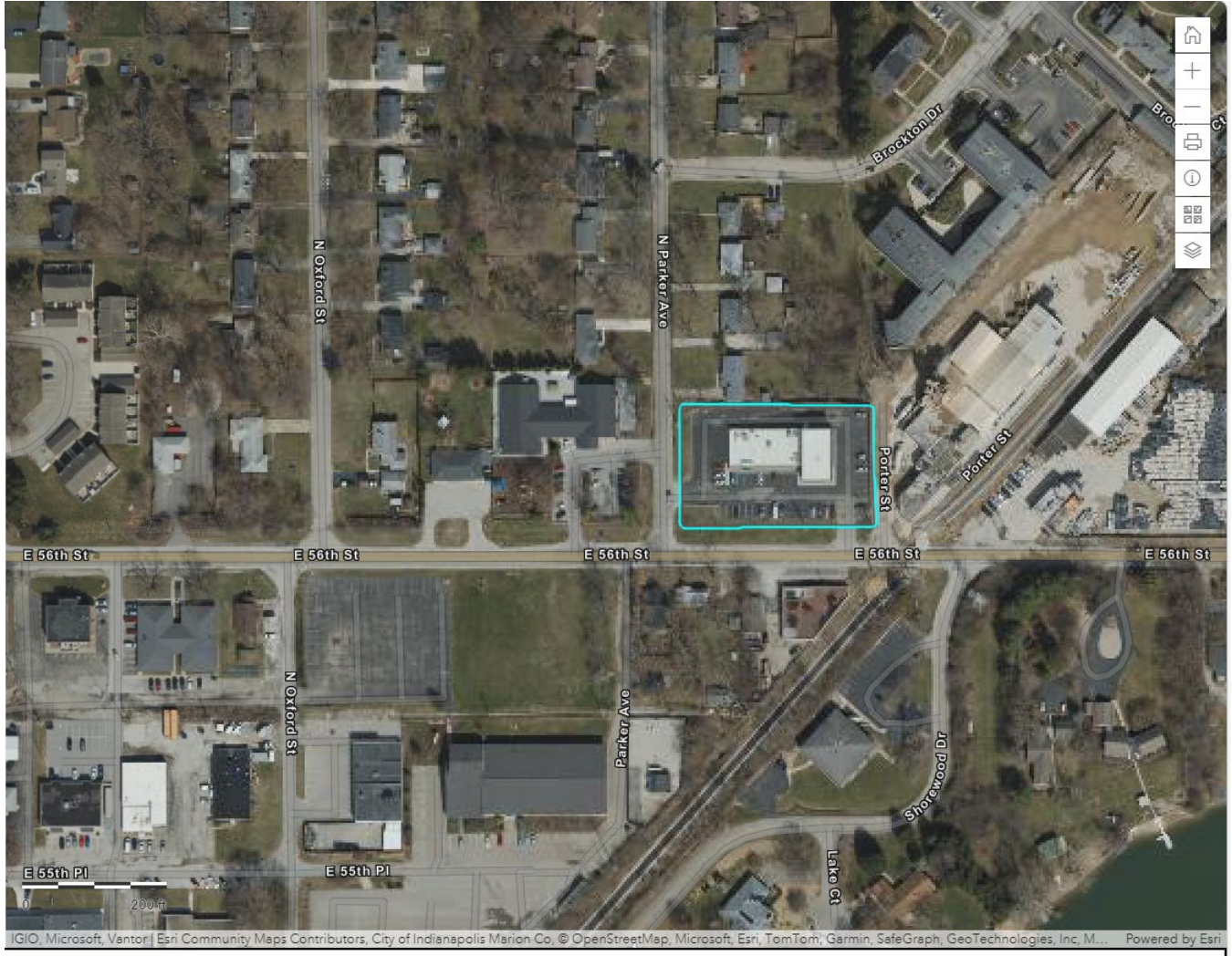
#### ZONING HISTORY – VICINITY

**63-Z-37; 5707 Brockton Drive (northeast of site)**, Rezoning of approximately 12 acres from the U1-A2-H1 and U4-A2-H1 districts to the U2-H1-A4 classification, **approved**.

**88-Z-46; 2861, 2871, 2881, 2921 East 56<sup>th</sup> Street (southwest of site)**, Rezoning of 1.879 acres from the I-1-U district to the C-1 district, **approved**.

**92-Z-107; 2940 East 56<sup>th</sup> Street (west of site)**, Rezoning of 0.5-acre from the C-3 to the C-1 district to provide for a day nursery, **approved**.

**EXHIBITS**  
**2026UV1009; Aerial Map**



**2026UV1009; Site Plan**



**2026UV1009; Findings of Fact**

**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 a max of 2 employees: Inventory will be kept under 12 vehicles while having over 20 space. No outdoor repair work or mechanical service will be done on-site nor any hazardous material stored on-site. Customer visits will typically be one at a time. Full exterior lighting and 24 hour video surveillance will be utilized.

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

There will be display ready vehicles only, as well as adequate parking. All customer transactions will be conducted inside. There will be continuous site lighting and monitoring.

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

The property contains an existing commercial style building and paved parking area with frontage on east side. However, the current zoning classification does not permit auto sales by right. Strict application of the zoning ordinance limits reasonable commercial use of a site that is otherwise appropriate.

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

Without the requested variance, the property cannot be reasonably utilized for an appropriate small-scale auto sales use. We have deliberately limited our intensity of operation by having minimal staff, limited vehicle inventory, and limited hours of operation.

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

The proposed low-intensity retail auto sales use supports the commercial character of the East 56th Street area.

**DECISION**

**2026UV1009; Photographs**



Photo 1: View of parking lot on east side of property where cars would be stored. At its closest point, the Nickel Plate Trail is approximately 60 feet to the east.

**2026UV1009; Photographs (continued)**



Photo 2: Parking lot at subject site looking west

**2026UV1009; Photographs (continued)**



Photo 3: Parking lot of subject site looking east. Pedestrian beacon for Nickel Plate Trail can be seen in background

**2026UV1009; Photographs (continued)**



Photo 4: Western edge of property looking north. Residential area in background.

**2026UV1009; Photographs (continued)**



Photo 5: View of surrounding properties across 56<sup>th</sup> Street.

**2026UV1009; Photographs (continued)**



Photo 6: Another view of surrounding properties across 56<sup>th</sup> Street.

**2026UV1009; Photographs (continued)**



Photo 7: View of residential properties to the north of the subject site