



BOARD OF ZONING APPEALS DIVISION III

March 17, 2026

Case Number: 2026-DV3-006
Address: 2747 North Emerson Avenue (approximate address)
Location: Warren Township, Council District #9
Zoning: I-2 (FW) (FF)
Petitioner: Pridgen Property Holdings LLC S, by Justin Kingen
Request: Variance of Development Standards of the Consolidated Zoning and Subdivision Ordinance to provide for the location of a six-foot tall chain-link fence within the required front yard (maximum 3.5-foot-tall fence permitted in front yards).

Current Land Use: Integrated Industrial Warehouse Center

Staff Recommendation: Staff recommends denial of this petition.

Staff Reviewer: Robert Uhlenhake, Senior Planner

PETITION HISTORY

This is the first hearing for this petition.

STAFF RECOMMENDATION

Staff recommends **denial** of this petition.

PETITION OVERVIEW

- ◇ Development Standards of the Consolidated Zoning and Subdivision Ordinance permits a maximum fence height of 42 inches within the front yard for fences, and six (6) feet in the rear yard. The purpose of the height limitation is to create an open appearance along public rights-of-way, prevent blocking views at intersections, limit the negative visual impacts on adjacent properties, and prevent a canyonized effect of the streetscape.
- ◇ The height requirements are in place to limit bulk, and keep the environment at a human-scale. This regulation limits the number of “walls” or abnormally tall structures that can be built to ensure neighborhood compatibility and to prevent unreasonable blockage of sunlight.
- ◇ There is no practical difficulty with the site, as the fence could be built in the front yard where proposed with a height of 3.5 feet, and then increasing to six (6) feet behind the first building facade. Or the proposed 6-foot fence could be re-positioned to be located behind the front façade of the first building without the need for a Variance, as indicated in red on Staff Exhibit A. In either option a Variance would not be needed.



GENERAL INFORMATION

Existing Zoning	I-2	
Existing Land Use	Integrated Industrial Warehouse Center	
Comprehensive Plan	Light Industrial uses	
Surrounding Context	Zoning	Surrounding Context
	North: I-2	Commercial Contractor
	South: I-2	Industrial Warehouse
	East: D-4	Single-Family dwellings
	West: I-3	Undeveloped
Thoroughfare Plan		
Emerson Avenue	Primary Arterial	122-foot existing and proposed right-of-way.
Context Area	Compact area	
Floodway / Floodway Fringe	Yes	
Overlay	Environmentally Sensitive – 100-year Flood Plain	
Wellfield Protection Area	No	
Elevations	N/A	
Landscape Plan	N/A	
Site Plan	February 5, 2026	
Findings of Fact	February 5, 2026	

COMPREHENSIVE PLAN ANALYSIS

Comprehensive Plan

- The Comprehensive Plan recommends Light Industrial uses for the site.

Pattern Book / Land Use Plan

- The Marion County Land Use Plan Pattern Book recommends the Light Industrial typology that provides for industrial, production, distribution, and repair uses conducted within enclosed structures and unlikely to create emissions of light, odor, noise, or vibrations. This typology is characterized by freestanding buildings or groups of buildings, often within industrial parks. Typical uses include warehousing, self-storage, assembly of parts, laboratories, wholesaling, and printing. Industrial or truck traffic should be separated from local/residential traffic.

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

2025-DV3-024; 2747 North Emerson Avenue (subject site), requested a Variance of Development Standards to allow for a waiver of the requirement to install pedestrian connectivity between a freestanding building and the existing sidewalk network along the right-of-way of Emerson Avenue, **granted**.

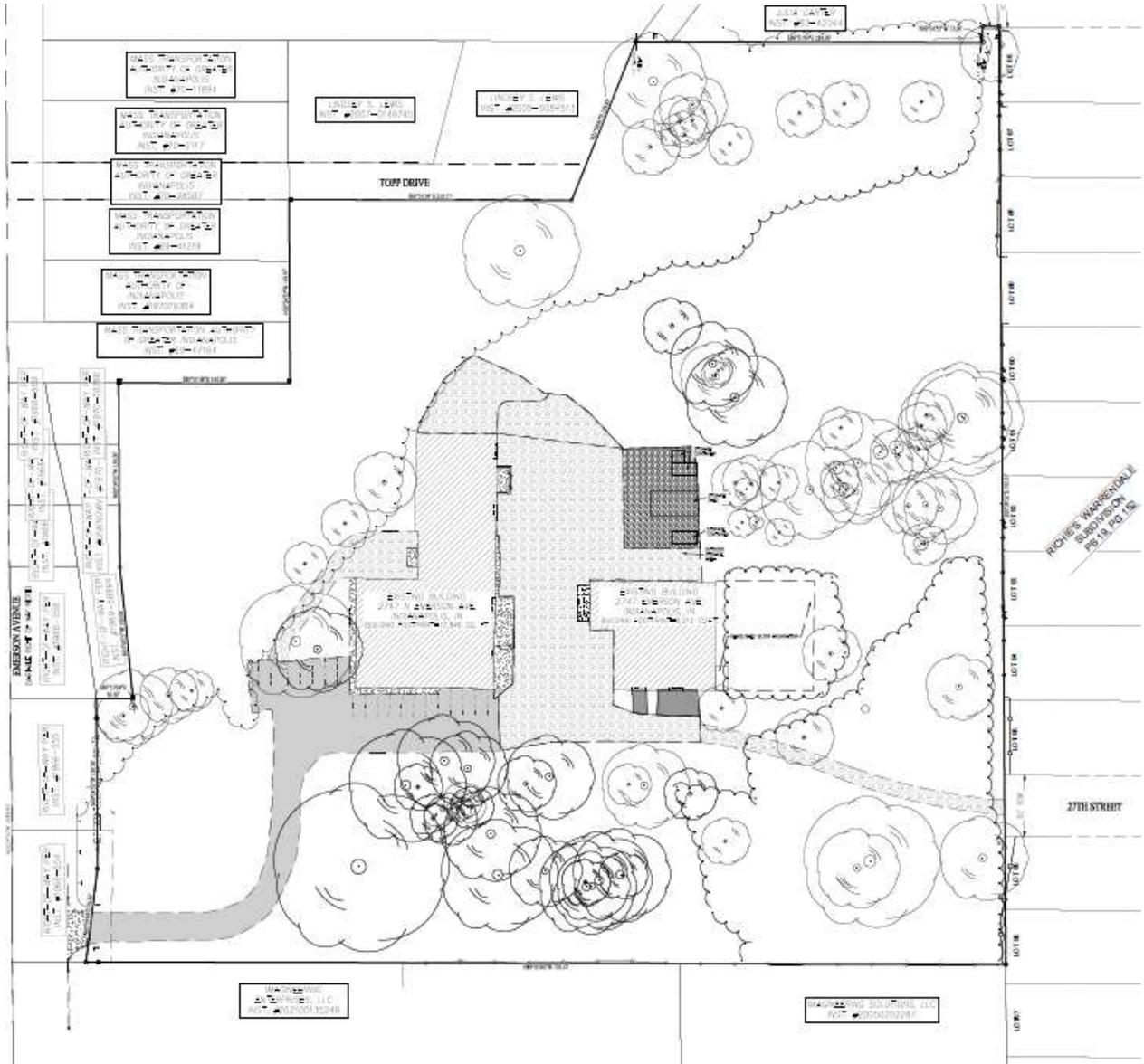
2005-SE3-003; 2627 and 2719 N. Emerson Avenue (south of site), requested a Special Exception of the Industrial Zoning Ordinance to provide for a metal finishing facility, within an existing two-story building, **granted subject to conditions**.

2004-UV2-26; 2545 Emerson Access (south of site), requested a Variance of Use to provide for an automobile storage lot for inoperable automobiles, **granted**.

97-Z-125; 2601-2607 North Emerson Avenue (south of site), requested the rezoning of 0.42 acre from the I-2-U to C-4, **approved**.

RU

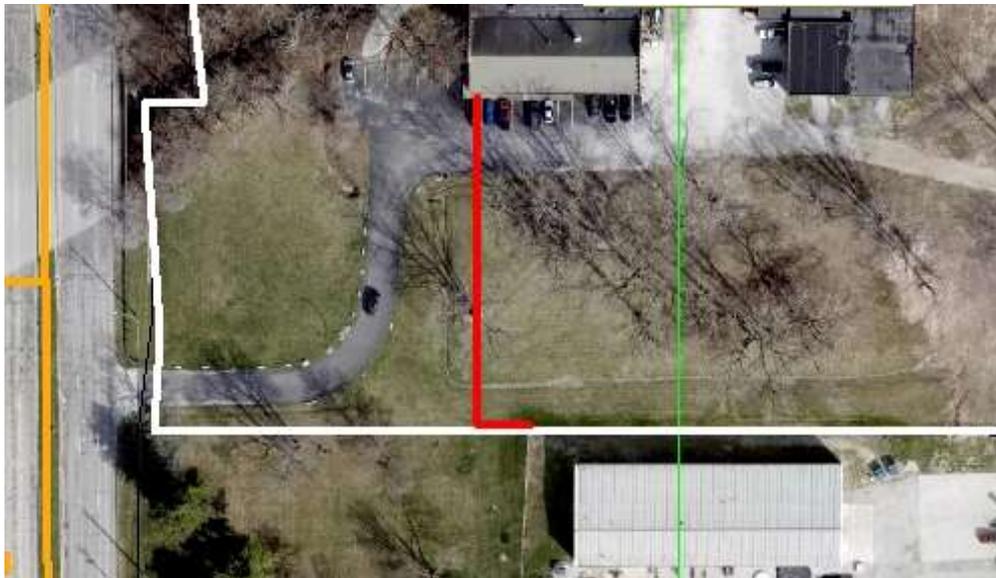
Site Plan



Proposed Fence Location



Staff Exhibit A





Findings of Fact

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 proposed fence is intended to improve site security for an existing industrial property that has experienced repeated instances of trespassing and theft. The installation of a six-foot chain-link fence within the front yard will help control unauthorized access, reduce criminal activity, and protect employees, visitors, and property. The fence will not obstruct emergency access or interfere with public infrastructure, and its location & design maintains visibility along Emerson Avenue while enhancing overall site safety.

2. The use or value of the area adjacent to the property included in the variance will not be affected in a substantially adverse manner because:

The subject property is located within an established industrial corridor zoned I-2, with surrounding properties primarily used for industrial and commercial purposes. Chain-link fencing is a common and expected feature in industrial areas and is compatible with the character of the surrounding development. The proposed fence will not introduce new uses, increase intensity of activity, or create adverse visual impacts beyond what is typical for similar industrial sites. As such, the variance will not negatively affect the use or value of adjacent properties.

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

Strict enforcement of the maximum permitted front-yard fence height would limit the property owner's ability to adequately secure the site and address ongoing trespassing and theft issues. Given the size of the parcel, its frontage along a primary arterial, and the industrial nature of on-site operations, a fence limited to three feet, six inches in height does not provide a reasonable level of security. The requested variance represents the minimum relief necessary to allow continued and safe use of the property while remaining consistent with the intent of the zoning ordinance.

Photographs



Subject site, looking east from Emerson Avenue



Proposed fence location in front yard, looking east.



Proposed fence extension location in front yard, looking south.



Existing first buildign warehouse on site, location of recommended compliant fence location, looking northeast.