

BOARD OF ZONING APPEALS DIVISION III

August 19, 2025

Case Number: 2025-UV3-022

Property Address: 6520 East 82nd Street (*approximate address*)

Location: Lawrence Township, Council District #4

Petitioner: CIL Castleton LLC, by Patrick Rooney

Current Zoning: C-3

Request: Variance of use and development standards of the Consolidated Zoning and Subdivision Ordinance to provide for the installation of a 30-foot tall, illuminated pole sign (pole signs and internal illumination not permitted), being the seventh freestanding sign along East 82nd Street, within 116 and 273 feet of other freestanding signs (maximum of two signs permitted per frontage per lot, 300-foot separation required).

Current Land Use: Multitenant Commercial

Staff Recommendations: Staff recommends **denial** of this petition.

Staff Reviewer: Michael Weigel, Senior Planner

PETITION HISTORY

This is the first public hearing for this petition.

STAFF RECOMMENDATION

Staff recommends **denial** of this petition.

PETITION OVERVIEW

- 6520 East 82nd Street is currently improved with a commercial multi-tenant structure containing office and light retail uses. The western tenant space is currently utilized by a smoke shop, and other tenants include a cell phone store, an attorney's office, an automobile rental agency, a bagel shop, and a beauty salon. The smoke shop tenant had a permit for building signage approved earlier this year, and the site is also improved with a multi-tenant freestanding sign.
- The multi-tenant commercial center and other businesses along this portion of 82nd Street (between Center Run Drive and Craig Street) comprise an integrated center with shared frontage. There are seven (7) primary freestanding signs oriented toward traffic including the sign on the subject site (see Exhibits). Placement of new signage or modification of existing primary freestanding signs along the shared frontage wouldn't be allowed without a variance.

- The scope of work proposed for this project would be the placement of an additional tenant panel onto the existing multi-tenant pole sign that would be attached between the existing support columns. The additional panel would not increase the height of the existing sign but would result in the sign area increasing by about 30 square feet; therefore, the sign would be required to comply with all current ordinance standards applicable for primary freestanding signs.
- For the proposed new tenant panel to be placed, the following Variances of Development Standards would be required: **(a)** placement of a pole sign within C-3 zoning (only pylon signs and monument signs allowed); **(b)** placement of a 30-foot tall pole sign (current maximum height for pole signs is 20 feet); **(c)** internal illumination of signage within C-3 zoning (only halo and external lighting permitted); **(d)** placement of a seventh sign along the shared frontage (maximum two signs per integrated center allowed); **(e)** separation of 273 feet from the tire shop sign to the east; and **(f)** separation of 116 feet from the restaurant sign to the west (300 feet required).
- Staff would note that the provided elevation rendering doesn't appear to perfectly match the dimensions of the currently existing sign, and that an accurate elevation would be required for permitting should the sign be approved. Additionally, there is an off-premises billboard advertising sign around 70 feet to the northwest that would not count toward the total of primary freestanding signs but does contribute to existing saturation of signage along the shared frontage. Finally, staff's visit to the site indicated the placement of several signs that appear to have been placed without proper permits in place (additional banner signs on the building, air dancer in the parking area, and freestanding sign along the 82nd Street frontage). This variance wouldn't allow for placement of unpermitted signage, and those signs could be subject to enforcement action.
- This property is zoned C-3 (Neighborhood Commercial) to allow for an extensive range of retail sales and professional services to meet the demands of residential neighborhoods. Similarly, the Comprehensive Plan recommends it to the Community Commercial typology to allow for low-intensity commercial and office uses. Although not formally adopted by the City, the Castleton Strategic Revitalization Plan (2020) notes that a needed improvement along the 82nd Street corridor is a reduction in "sign clutter" since the lack of unifying standards creates a "cluttered and chaotic streetscape". It recommends that signage should be consolidated and limited to building facades and monument signage advertising multiple businesses, while "existing pole signs and billboards along the corridor should be retired as redevelopment occurs".
- Findings of Fact provided by the applicant indicate that the addition of the new tenant panel would be required to allow for this tenant to advertise their business, and that an economic hardship would result since other tenants are able to utilize the existing pole sign while they cannot. Staff would note that it appears that at least two (2) businesses within this building (the law firm and the beauty salon) also do not currently utilize the multi-tenant sign, and that options would exist to advertise the business either through modifications to the existing tenant panels or alternate means of legal advertising such as the currently existing roof-integral sign. Any expansion of the sign would forfeit legally non-conforming status, and no site-specific practical difficulty has been identified to justify approval of the six required variances to expand the size of this sign along a corridor already saturated with freestanding signage. Therefore, staff recommends denial.

GENERAL INFORMATION

Existing Zoning	C-3	
Existing Land Use	Multitenant Commercial	
Comprehensive Plan	Community Commercial	
Surrounding Context	<u>Zoning</u>	Surrounding Context
North:	C-S	North: Commercial
South:	C-S	South: Commercial
East:	C-1	East: Commercial
West:	C-4	West: Commercial
Thoroughfare Plan		
East 82 nd Street	Primary Arterial	142' existing and 134' prop ROW
Context Area	Metro	
Floodway / Floodway Fringe	No	
Overlay	No	
Wellfield Protection Area	No	
Site Plan	07/09/2025	
Site Plan (Amended)	N/A	
Elevations	07/09/2025	
Elevations (Amended)	N/A	
Landscape Plan	N/A	
Findings of Fact	07/09/2025	
Findings of Fact (Amended)	N/A	

COMPREHENSIVE PLAN ANALYSIS

Comprehensive Plan

- Marion County Land Use Plan Pattern Book

Pattern Book / Land Use Plan

- Enter Recommendation by Pattern Book or "Not Applicable to the Site. Please see Neighborhood / Area Specific Plan (etc.) below."

Red Line / Blue Line / Purple Line TOD Strategic Plan

- Not Applicable to the Site.

Neighborhood / Area Specific Plan



Department of Metropolitan Development
Division of Planning
Current Planning

- 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

2006DV3035, VARIANCE OF DEVELOPMENT STANDARDS of the Commercial Zoning Ordinance to provide for the construction of restaurant drive-through with one stacking space after the final component of the drive-through (minimum two stacking spaces required), **approved**.

2002UV2006, variance of use of the Commercial Zoning Ordinance to provide for automobile rental and parking (not permitted), **approved**.

95-Z-181, rezoning of 1.36 acres from C-1 to C-3 for retail and office uses, **approved**.

ZONING HISTORY – VICINITY

99-V1-56 ; 6530 E 82nd Street (east of site), variance of development standards of the Sign Regulations to provide for: (a) the installation of a 30-foot tall, 188 square foot, illuminated pole sign in an integrated center, 162 feet east of an existing 26-foot tall, 160 square foot illuminated pole sign, and 42 feet west of an existing 29-foot tall, 184 square foot illuminated pole sign (not permitted); (b) to provide for total signage area of 532 square feet (maximum 500 square feet permitted); and (c) to provide for a total of three pole signs along 440 feet of street frontage (only one sign permitted on a lot with less than 600 feet of street frontage), **approved**.

97-V2-4 ; 6450 E 82nd Street (west of site), variance of development standards of the Sign Regulations to provide for the placement of a 128 square foot pole sign, 25 feet in height, being located 208 feet from another pole sign within an integrated center along East 82nd Street (minimum 300 feet separation between freestanding signs in an integrated center required), **approved**.

83-UV1-102B ; 6450 E 82nd Street (west of site), variance of the Sign Regulations to allow for an individual pole sign in an integrated center, **dismissed**.

EXHIBITS

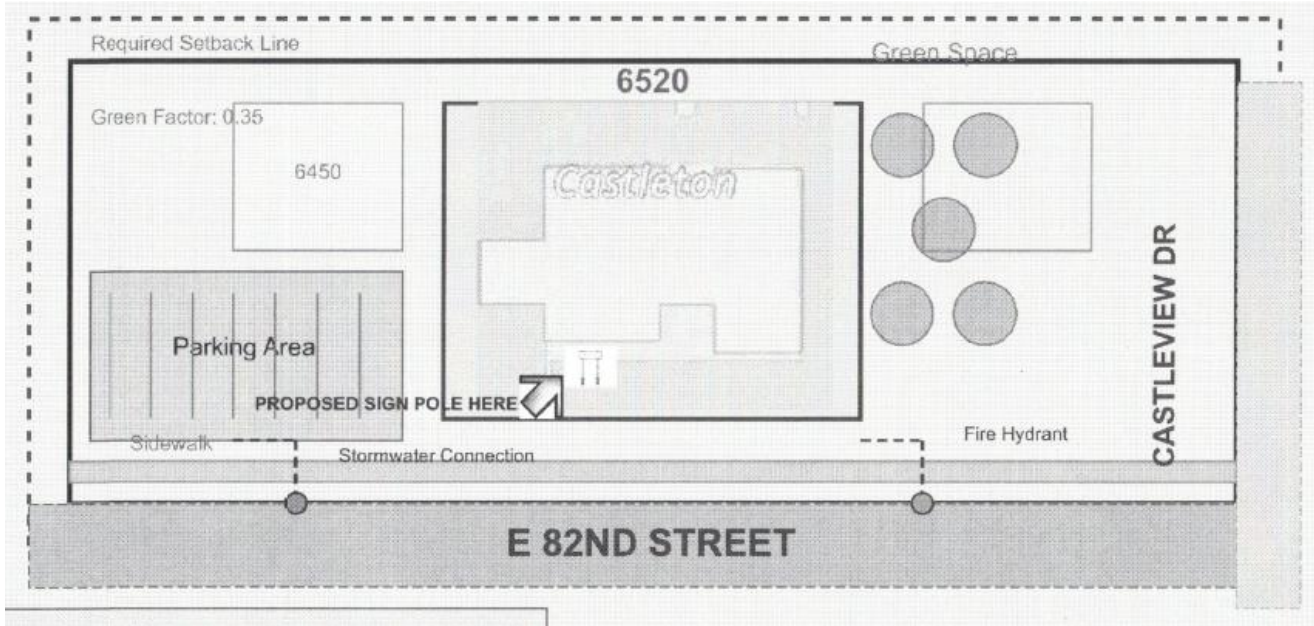
2025UV3022 ; Aerial Map



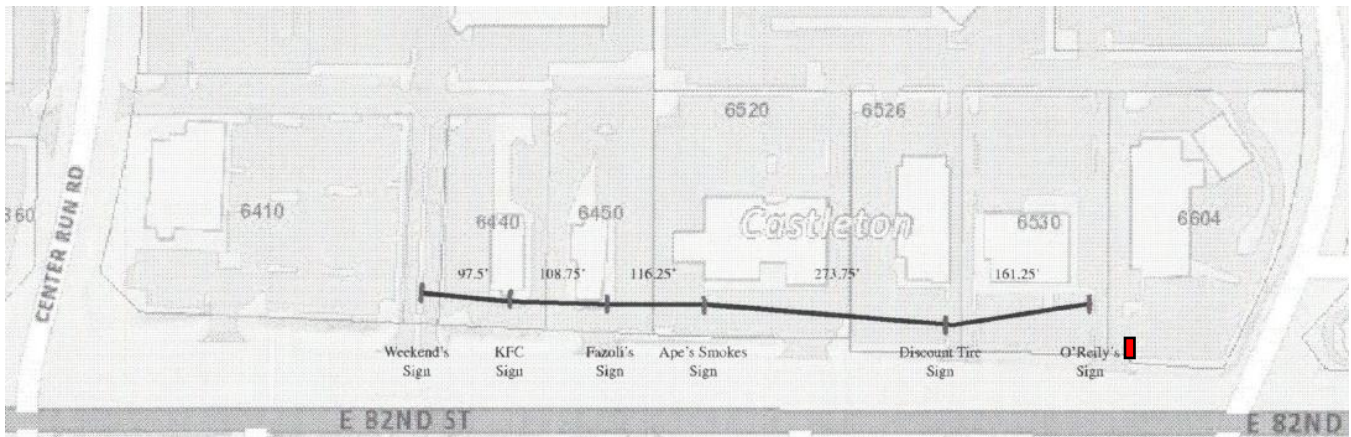
2025UV3022 ; Aerial Map (zoomed to site)



2025UV3022 ; Site Plan

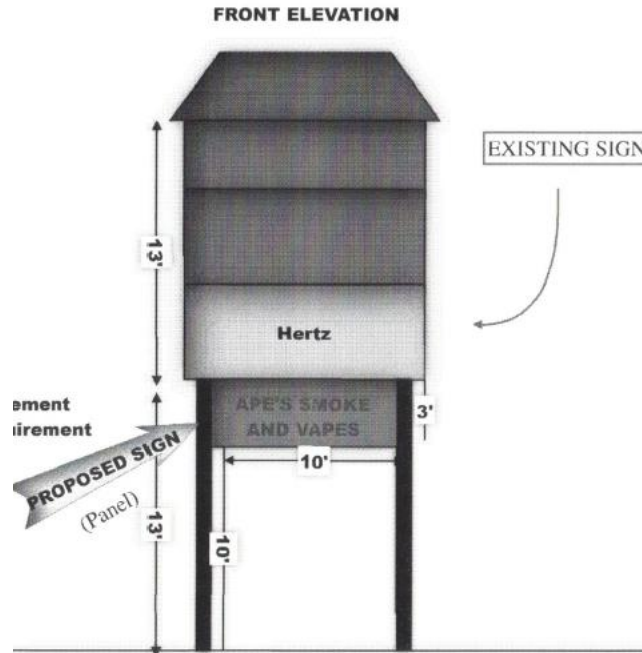


2025UV3022 ; Distance from Other Signs within Integrated Center



Note: a primary freestanding sign for a car wash also exists on the 6604 parcel to the east (added in red); proposed addition to the sign on the subject site would constitute the seventh overall sign along the frontage

2025UV3022 ; Elevation



2025UV3022 ; 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 will only to be used to add a panel to the existing pole sign. This additional panel will allow
all potential customers and members of the public to be able to see establishments that offers goods for
sale in the strip center.

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 addition of a panel to the existing pole sign would be a minor, but very important, addition to the
Subject Property. The additional panel will not have any negative effect on the surrounding area, and
will increase customer awareness of the products available in the area.
Additionally, the existing sign previously utilized internal illumination, and Petitioner will merely be fixing
illumination on the sign and adding it to Petitioner's panel.

3. The strict application of the terms of the zoning ordinance will result in practical difficulties in the use of the property because:
if Petitioner's variance is not granted, then he will not have additional signage commensurate to the
surrounding business, which will cause Petitioner's business to economically suffer. The addition of a
single panel to the existing pole sign will be a minor addition to the Subject Property,
with no negative impact on any other surrounding owners, and will help Petitioner's business survive.

2025UV3022 ; Photographs



Photo 1: Subject Sign Viewed from the East



Photo 2: Subject Sign Viewed from the Northwest

2025UV3022 ; Photographs (continued)



Photo 3: Commercial Structure Viewed from the North



Photo 4: Commercial Tenant Bay Viewed from the North

2025UV3022 ; Photographs (continued)



Photo 5: Adjacent Freestanding Signs to the West



Photo 6: Adjacent Freestanding Signs to the East