

**BOARD OF ZONING APPEALS DIVISION III**

**August 19, 2025**

**Case Number:** 2025-UV3-020 (Amended)

**Property Address:** 3615 South Rural Street (*approximate address*)

**Location:** Perry Township, Council District #19

**Petitioner:** Lopez Rentals LLC, by Maurice R. Scott

**Current Zoning:** D-A

**Request:** Variance of use and development standards of the Consolidated Zoning and Subdivision Ordinance to provide for operation of an event center (not permitted) without bicycle parking (minimum of 10% of required vehicle parking spaces required) with gravel parking areas (hard surfacing required) containing 114 vehicle spaces (maximum 100 spaces permitted for proposed capacity) and a 10-foot rear yard setback (75-foot setback required) with individual parking stalls containing 162 square feet (180 square feet required).

**Current Land Use:** Residential

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

**Staff Reviewer:** Michael Weigel, Senior Planner

**PETITION HISTORY**

This petition was continued from the July 15<sup>th</sup> hearing date to allow time for amended notice to be sent.

**STAFF RECOMMENDATION**

Staff recommends **denial** of this petition.

**PETITION OVERVIEW**

- 3615 South Rural Street is a 4.81-acre parcel that is currently developed with a primary dwelling unit containing three (3) bedrooms as well as several accessory structures and barns (one of which contained a painted 600 SF sign on the barn roof). That sign and other buildings were previously associated with a distillery and bed/breakfast use that was granted approval via the variance petition 2018UV3012. It appears that the distillery use is no longer active at the site and that the property is currently used solely for residential functions.
- Surrounding land uses include undeveloped land to the east (zoned SU-1 for religious uses in association with a church to the southeast), single-family residences to the north, an interstate expressway to the south, and a labor union hall to the west.

- Approval of this petition would allow for the site to function as an event center primarily used for weddings but that could also include birthday parties, corporate gatherings, and meetings. To accommodate the use, the site would also be improved with new parking areas containing 114 spaces and the addition of a second driveway further north on Rural Street leading to the gravel parking area. It appears that the drives would be paved while the parking lot would be gravel, and that additional lighting and landscaping would be added sporadically throughout the site.
- A Use Variance would be required since the proposed use of an event center would not be permitted within D-A zoning (allowed as a primary use within higher-intensity commercial/mixed-use as well as CBD districts). Additionally, the proposed parking lot size and layout would require several Variances of Development Standards: **(a)** the parking area would encroach into the required eastern rear yard setback (required 75 feet respectively and proposed 10 feet); **(b)** the parking area would be comprised of gravel when paving is required; **(c)** the proposed dimensions of individual parking stalls noted on the site plan (9 feet by 18 feet) would not meet the minimum size requirement of 180 square feet per space; **(d)** no bicycle parking appears to be provided when 10% of the required vehicle parking spaces would be required; and **(e)** 114 vehicle parking spaces would exceed the maximum parking allowed for the proposed capacity of the event center (200 people with maximum parking allowance of 1 space per 2 seats).
- This property is zoned D-A to allow for a variety of agricultural uses (including animal and poultry husbandry, farming, cultivation of crops, and more) as well structures and lands for housing products resulting from agricultural use. A secondary provision of this district is large estate development of single-family dwellings (either with or without an accompanying agricultural use). Event center uses are not permitted within D-A or other residential zoning districts. The Comprehensive Plan recommends the site to the Suburban Neighborhood typology to allow for a variety of residential uses supported by of neighborhood-serving businesses, institutions, and amenities. Places of assembly (i.e. churches, schools, or event centers) are a contemplated land use type only in instances in which the development is along arterial streets, has pedestrian accessibility, is isolated from highways, near transit, and developed in harmony with the surrounding neighborhood with parking areas adequately screened.
- The submitted plan of operation indicates that the event center would operate based on reservations but would be available for rental from 10 AM to midnight on Monday through Saturday and noon to 6 PM on Sundays. The property would otherwise remain locked and would employ an on-site manager to allow for tours and security. Although the plan initially provided for staff review didn't specify maximum capacity, later correspondence with the applicant indicates that maximum number of guests that could attend an event would be 200, unless fire code required a smaller number.
- Findings of Fact provided by the applicant indicate that the proposed use would be less intrusive than the previous distillery and bed & breakfast uses since it would not involve distribution of whiskey barrels by truck to and from the site, that fencing and adequate separation would be provided, and that the proposed use would be compatible with the Comprehensive Plan recommendation for the site.

- Staff would note that although the proposed use likely wouldn't involve distribution of goods via larger trucks, conducting events that would result in parking above allowable ordinance maximums and solely accessible by local streets would likely place substantial burden onto roads and houses along Rural Street and Sumner Avenue. Given the size of the lot and proximity to residences to the north, staff would also disagree that practical difficulty justifying placement of parking that doesn't meet ordinance standards is present. Finally, the Pattern Book only recommends 'places of assembly' uses within the Suburban Neighborhood typology in areas along arterial streets, with pedestrian accessibility if near residential development, away from highways, within a half mile of transit, in harmony with the surrounding neighborhoods, and with screening of parking areas (many of these standards are not met for the subject property).
- Overall, staff's concerns center on the creation of sound, dust, and road impact in the immediate area (particularly for residences to the north of the site). Placement of gravel parking to the east would also likely create issues related to the marking of parking stalls and site drainage. No undue hardship exists that would prevent this site from functioning either as a single-family residence (with or without accompanying agricultural uses) or with uses via the previous petition at this site, and the fact that five (5) separate variances of development standards would be required shows that the proposed parking area deviates substantially from what the ordinance and Plan envision. Staff recommends denial of the petition.

## GENERAL INFORMATION

<b>Existing Zoning</b>	D-A	
<b>Existing Land Use</b>	Residential	
<b>Comprehensive Plan</b>	Suburban Neighborhood	
<b>Surrounding Context</b>	<b><u>Zoning</u></b>	<b>Surrounding Context</b>
	North: D-3 / D-A	North: Residential
	South: D-A	South: Interstate
	East: SU-1	East: Undeveloped
	West: C-1	West: Institutional
<b>Thoroughfare Plan</b>		
Rural Street	Local Street	28.5-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>	06/12/2025	
<b>Site Plan (Amended)</b>	07/24/2025	
<b>Elevations</b>	N/A	
<b>Elevations (Amended)</b>	N/A	
<b>Landscape Plan</b>	06/12/2025	
<b>Findings of Fact</b>	06/12/2025	

**Findings of Fact  
(Amended)**

07/24/2025

## COMPREHENSIVE PLAN ANALYSIS

### Comprehensive Plan

- Marion County Land Use Plan Pattern Book

### Pattern Book / Land Use Plan

- The Pattern Book recommends this site to the Suburban Neighborhood living typology to allow for predominantly single-family housing, but is interspersed with attached and multi-family housing where appropriate. This typology should be supported by a variety of neighborhood-serving businesses, institutions, and amenities. Natural corridors should be treated as focal points or organizing systems for development. Residential density is typically 1 to 5 dwelling units per acre.
  - Although places of assembly (such as schools, places of worship or other neighborhood-serving institutions) are a contemplated land use, the Plan recommends they be placed along arterial streets, with pedestrian accessibility if near residential development, away from highways, within a half mile of transit, and in harmony with the surrounding neighborhoods and screen parking and service areas to buffer nearby residential uses.

### 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

**2018UV3012**, Variance of use and development standards of the Consolidated Zoning and Subdivision Ordinance to provide for a 600-square foot sign on the roof of a barn (not permitted) and to provide for the warehouse storage of barrels of whiskey for aging, with distribution of barrels to and from the site (not permitted), **approved**.

**2016ZON084**, Rezoning of 5.004 acres from the SU-1 district to the D-A classification, **approved**.

**96-Z-58**, Rezoning of 30.4 acres from the D-A and D-3 districts to the SU-1 classification, **approved**.

### ZONING HISTORY – VICINITY

**2024CZN820 ; 3107 E Sumner Avenue (northeast of site)**, Rezoning of 0.924 acre from the D-A district to the D-5 district to provide for residential uses, **approved**.

**2006ZON092 ; 3650 S Rural Street (west of site)**, rezoning of 4.87 acres, from the D-5 District, to the C-1 classification to provide for office-buffer commercial uses, **approved**.

**2005DV2023 ; 3740 Dearborn Street (southeast of site)**, legally establish a 25-ft. tall, 89.91-sq.ft. pylon sign with a 24.11-sq.ft. electronic variable message component (EVMS not permitted in SU-1 district), located 130 ft. from a protected district (pylon signs not permitted within 600 ft. of a protected district), **denied**.

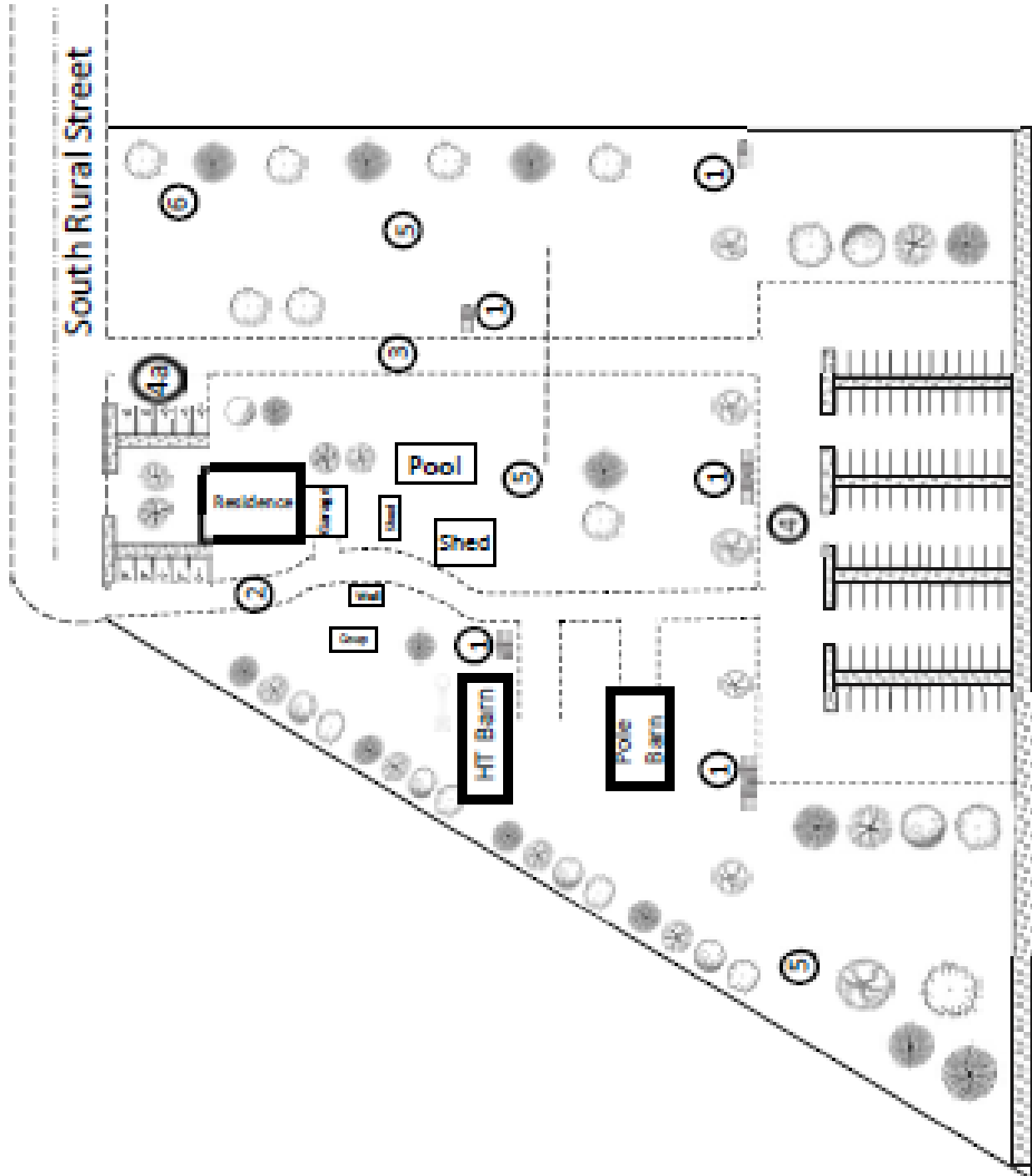


EXHIBITS

2025DV1005 ; Aerial Map



**2025DV1005 ; Site Plan (not to scale; 07/24/25 version)**



**2025DV1005 ; Plan of Operation**

Lopez Rentals, LLC will operate a five-acre property located at 3615 S. Rural Street, Indianapolis, Indiana. The property has a house, with attached two-car garage, two large barns, and three smaller sheds. The largest of the two barns will have a painted sign on the roof identifying the farm.

The house is a three bedroom, and a half bathroom, suitable for two to three renters living in the house at one time.

Lopez Rentals plans to utilize the barns as event spaces for birthday parties, corporate gatherings, meetings, and mainly weddings. The farm is an ideal wedding venue as it picturesque. Lopez rentals will require security for all booked events.

The event space will operate subject to booked events. An event planner/manager will remain on site for tours and to resolve issues of persons who are using the property. The earliest expected operating hours would be 10 a.m. and close at 12 a.m. during the week. Sunday hours will be limited to 12:00 p.m. to 6:00 p.m. Once events are concluded the gates to the property will be locked so that no one can enter the premises.

Vehicles will be parked in the gravel patch between the barns. When the weather permits, the gravel pitch will be paved and lined with designated parking spaces, including handicap spaces to comply with the municipal code.

**2025DV1005 ; Sign Approved via 2008 Variance**





## **2025DV1005 ; Findings of Fact (Use)**

**1. THE GRANT WILL NOT BE INJURIOUS TO THE PUBLIC HEALTH, SAFETY, MORALS, AND GENERAL WELFARE OF THE COMMUNITY BECAUSE**

The use of the property will be less intrusive than its current use. Heavy trucks will not be entering the property possibly tearing the streets to get to the property. Significant on-site surface parking is provided. The surface parking will be appropriately landscaped. Negative impact on traffic as the development is located at a dead end street.

**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 owner will maintain the business in a first-class manner similar to the other event centers. The event center will maintain quiet hours and limit the amount of vehicles and persons allowed on the property at one time. There is adequate separation between the property and other structures in the neighborhood. A fence separates the property from residents.

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

The property currently allows for a distillery and/or storage of alcohol. A distillery is no longer needed as the current owner is not in the alcohol business. The buildings and landscape are ideal for events such as weddings, business meetings, and community events.

**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**

The storage barns are ripe to serve as a venue space. No agriculture or storage activities take place on the property.

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

The comprehensive plan is to create a suburban area. Within suburban areas are everyday activities where residents do not have to travel to the inner city.

## **2025DV1005 ; Findings of Fact (Development Standards)**

**1. The grant will not be injurious to the public health, safety, morals, and general welfare of the community because:**

The use of the property will be less intrusive than its current use. Heavy trucks will not be entering the property tearing the streets to get to the property. Significant on-site surface parking is provided. The surface parking will be appropriately landscaped. Negative impact on traffic as the development is located at a dead end street. The parking will not be more than allowed by the municipal code.

**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 owner will maintain business in a first-class manner similar to other event centers. The event center will maintain quiet hours and limit the amount of vehicles and persons allowed on the property at one time. There is adequate separation between the property and other structures in the neighborhood. A fence separates the property from residents.

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

The storage barns are ripe to serve as venue space. No agriculture or storage activity takes place on the property.

**2025DV1005 ; Photographs**



Photo 1: Site Entrance Viewed from West (provided by applicant)



Photo 2: Existing Residence Viewed from East (provided by applicant)



**2025DV1005 ; Photographs (continued)**



Photo 3: Existing Barn (provided by applicant)



Photo 4: Existing Building Proposed as Event Center (provided by applicant)

**2025DV1005 ; Photographs (continued)**



Photo 5: Proposed Parking Area & Adjacent Property to East (provided by applicant)



Photo 6: Accessory Structures Viewed from Interstate to South (May 2024)



**2025DV1005 ; Photographs (continued)**



Photo 7: Existing Accessory Structures Viewed from North (provided by applicant)



Photo 8: Existing Accessory Structures Viewed from West (provided by applicant)



**2025DV1005 ; Photographs (continued)**



Photo 9: Property Line to North Viewed from West



Photo 10: Adjacent Property to West