

**METROPOLITAN BOARD OF ZONING APPEALS
DIVISION II**

**PUBLIC ASSEMBLY ROOM
2nd Floor City-County Building
1:00 p.m.**

STAFF REPORTS FOR APRIL 9, 2019

**These reports do not in any way commit the Board
to approve or disapprove any petition filed before it.**

**DEPARTMENT OF METROPOLITAN DEVELOPMENT
DIVISION OF PLANNING
CURRENT PLANNING SECTION**

PETITION NO.	PETITION ADDRESS AND LOCATION	PAGE NO.
CONTINUED PETITIONS:		
2018-UV2-025	2940 COLD SPRING ROAD WAYNE TOWNSHIP, COUNCIL DISTRICT 11	2
2019-UV2-001	1151 WEST THOMPSON ROAD PERRY TOWNSHIP, COUNCIL DISTRICT 20	15
NEW PETITIONS:		
2019-DV2-003	1140 OHIO STREET CENTER TOWNSHIP, COUNCIL DISTRICT 17	29
2019-UV2-005	6158 WEST 10 TH STREET WAYNE TOWNSHIP, COUNCIL DISTRICT 15	30

* Automatic Continuance

** Continuance Requested

*** Withdrawn or Dismissal

STAFF REPORT

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

STAFF REPORT

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

Case Number: 2018-UV2-025
Address: 2940 Cold Spring Road (approximate address)
Location: Wayne Township, Council District #11
Zoning: SU-1 (W-5)
Petitioner: Marian University, by Timothy E. Ochs
Request: Variance of use of the Consolidated Zoning and Subdivision Ordinance to provide for a temporary gravel parking lot for a university (not permitted).

ADDENDUM FOR APRIL 9, 2019

This petition was continued from the February 12, 2019 BZA II Hearing to the April 9, 2019 BZA II Hearing at the request of the petitioners representation to allow time to submit additional information to the file. Staff reviewed the additional information and came to the following conclusion:

Staff now **recommends approval** with the commitment that the grant be subject to the gravel parking lot being removed and closed prior to September 30, 2019.

ADDENDUM FOR FEBRUARY 12, 2019

This petition was continued from the January 8, 2019 BZA II Hearing to the February 12, 2019 BZA II Hearing at the request of the petitioners representation to allow time to submit additional information to the file.

RECOMMENDATIONS

Staff **recommends denial** of this request. If approved, Staff requests the grant be subject to the gravel parking lot being removed and closed prior to August 30, 2019.

SUMMARY OF ISSUES

The following issues were considered in formulating the recommendation:

LAND USE

EXISTING ZONING AND LAND USE

SU-1 Metro Gravel Parking Lot

(Continued)

STAFF REPORT 2018-UV2-025 (Continued)

VARIANCE OF USE FINDINGS

- ◇ Criterion 3 states “THE NEED FOR THE VARIANCE ARISES FROM SOME CONDITION PECULIAR TO THE PROPERTY INVOLVED.” The petitioner’s response is “the site was rezoned to the SU-1 (Religious) classification in 2000 and this classification does not permit a parking area as the primary use. The location of the property in relationship to the Marian University campus is unique and no other area in the vicinity of the campus is available to provide needed parking without the need for additional transportation such as shuttle buses.”
 - Staff would note that the underlying zoning of a site cannot be considered a peculiarity. Staff could not identify any peculiarity that would warrant the grant of this variance. Off-site issues do not constitute a peculiar condition for the site.
- ◇ Criterion 4 states “THE STRICT APPLICATION OF THE TERMS OF THE ZONING ORDINANCE WILL CONSTITUTE AN UNNECESSARY HARDSHIP IF APPLIED TO THE PROPERTY FOR WHICH THE VARIANCE IS SOUGHT.” The petitioner’s response is “the current owner of the subject parcel has leased the property to Marian University for this temporary use and the Zoning Ordinance does not permit a parking area as a primary use on this parcel. The location of the property in relationship to the Marian University campus is unique and no other area in the vicinity of the campus is available to provide needed parking without the need for additional transportation such as shuttle buses.”
 - Staff believes there is no hardship applied to the use of this property as zoned. The property can be developed in accordance to the SU-1 standards. Any hardship currently imposed on the property would be self-imposed by the development of a gravel parking lot without approval.
- ◇ Criterion 5 states “THE GRANT DOES NOT INTERFERE SUBSTANTIALLY WITH THE COMPREHENSIVE PLAN.” The petitioner’s response is “the Variance request is for a temporary use of the subject property as a parking area. Upon the expiration of the Variance, the use will be removed and the property will still be available for development consistent with the Comprehensive Plan.”
 - Staff believes the grant of this variance would directly contradict with the comprehensive plan. The plan recommends village mixed use development for this site; the proposed parking lot does not provide any commercial or retail uses associated with village mixed use. Additionally, it would provide for substandard development inconsistent with supporting a village-mixed use environment.

GENERAL INFORMATION

THOROUGHFARE PLAN

Cold Spring Road is classified in the Official Thoroughfare Plan for Marion County, Indiana as a local street, with a 60-foot existing right-of-way and a 80-foot proposed right-of-way.

30th Street is classified in the Official Thoroughfare Plan for Marion County, Indiana as primary arterial, with a 90-foot existing right-of-way and a 102-foot proposed right-of-way.

(Continued)

STAFF REPORT 2018-UV2-025 (Continued)

SITE PLAN	File-dated November 29, 2018.
ELEVATIONS	File-dated November 29, 2018.
LOCATION MAP	File-dated November 29, 2018.
PLAN OF OPERATION	File-dated November 29, 2018.
FINDINGS OF FACT	File-dated November 29, 2018.

ZONING HISTORY – SITE

EXISTING VIOLATIONS

None.

PREVIOUS CASES

2000-ZON-130; 2940 Cold Spring Road, Rezoning of 12.453 acres from the D-P district to the SU-1 classification, **adopted**.

93-Z-116; 2940 Cold Spring Road, Rezoning of 12.509 acres from the D-6II and C-1 Districts to the D-P classification to provide for a 152-apartment unit development with a community building to be used as a daycare facility, **adopted**.

ZONING HISTORY – VICINITY

2016-DV2-036; 3200 Cold Spring Road (north of site), Variance of development standards of the Consolidated Zoning and Subdivision Ordinance to provide for a 15.75-foot by 25-foot banner sign on the rear of a scoreboard, comprising 100% of the façade and linear façade length (maximum three percent of façade permitted and 80% of linear façade length), **granted**.

2010-ZON-051; 3008-3020 Cold Spring Road (north of site), Rezoning of 4.45 acres from the D-4 (W-5) district to the SU-2 (W-5) classification, **adopted**.

2007-ZON-816; Address (north of site), Rezoning of 3.37 acres from the D-4 (W-5) and SU-2 (W-5) district to the SU-2 classification, **adopted**.

2002-UV2-016; 2950 Cold Spring Road (northeast of site), Variance of use of the Dwelling Districts Zoning Ordinance and Special Districts Zoning Ordinance to provide for a gasoline station / convenience store with a pylon sign, **granted**.

2002-DV2-043; 2950 West 30th Street (northeast of site), Variance of development standards of the Dwelling Districts Zoning Ordinance to provide for the construction of a 30 by 111-foot canopy (use permitted by 2002-UV2-016) located zero feet from the right-of-way of West 30th Street (minimum 40-foot setback required), **granted / denied.**

(Continued)

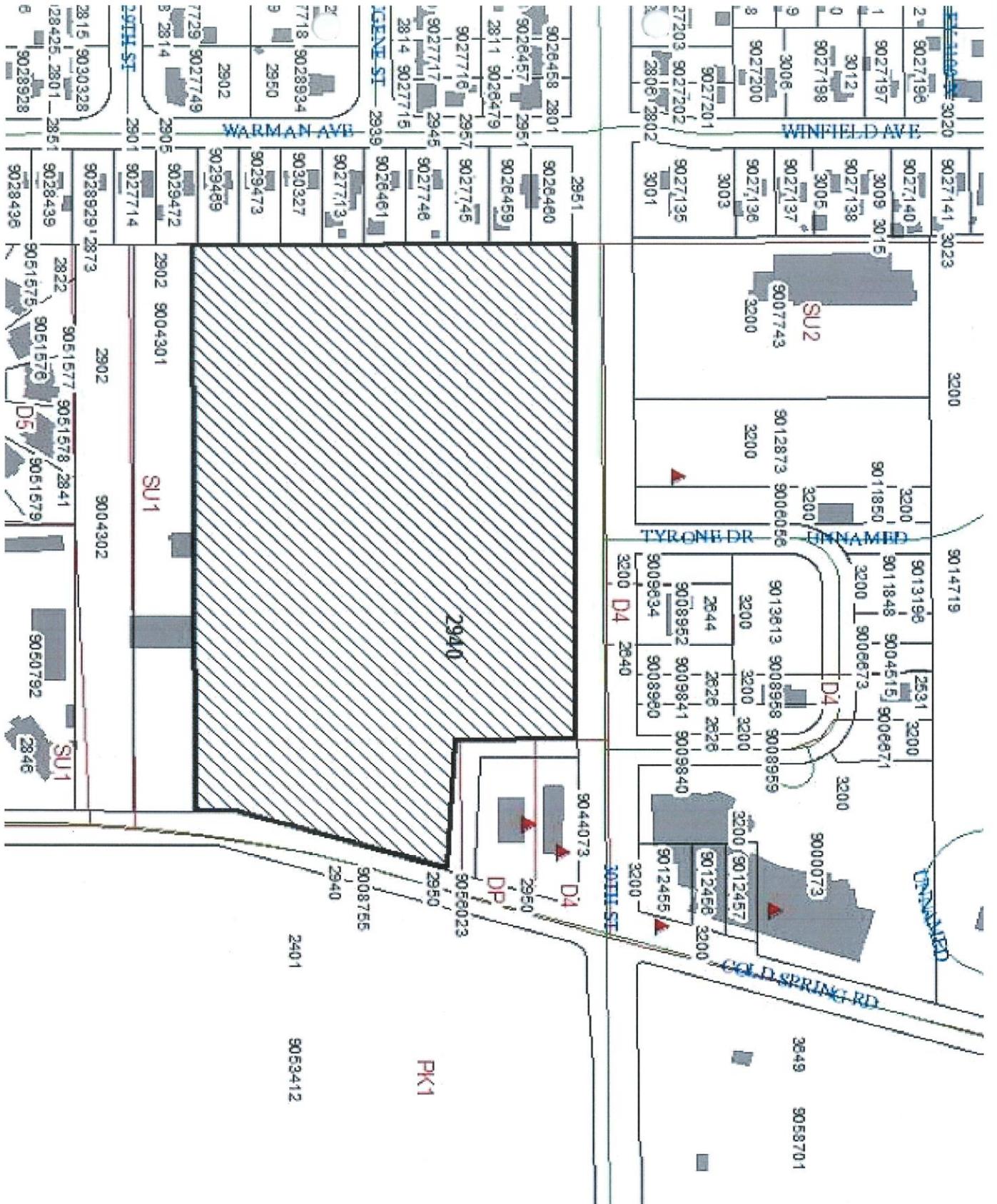
STAFF REPORT 2018-UV2-025 (Continued)

92-UV1-112; 2950 Cold Spring Road (northeast of site), Variance of use of the Dwelling Districts and Commercial Zoning Ordinance to provide for the expansion of an existing gasoline station with the canopy projection 10 feet into the proposed right-of-way of Cold Spring Road, and a 20-foot front setback (40 feet required); and also, a variance of development standards of the Sign Regulations of Marion county to permit gasoline canopy signs with a 5-foot setback (15 feet required), **granted.**

90-HOV-15; 505 North Oxford Street (north of site), Variance of development standards of the Sign Regulations of Marion County to permit an addition to an existing pole sign with a setback of 10 feet from the right-of-way on Oxford Street and 3 feet from Michigan Street (15 foot setback from both streets required), **granted.**

PS

2018-UV2-025; Zoning Map



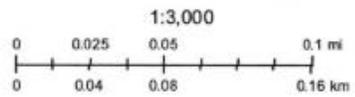
2018-UV2-025; Location Map

2940 Cold Spring Road



□ Parcel Lines

Metropolitan Development
NOV 29 2018
Division of Planning



2018-UV2-025; Findings of Fact

Metropolitan Development

Petition Number _____

NOV 29 2018

Division of Planning

**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 Variance will allow for the temporary parking of vehicles on a parcel which is not currently developed for other uses and will provide needed parking for Marian University while the development of a permanent parking solution at the Indy Cycloplex is completed. The use of the property will not create a traffic hazard and will eliminate parking in the surrounding residential areas.

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 proposed use is temporary and will be removed from the site within nine months. Moreover, the parking lot is substantially screened by mature trees and is not directly adjacent to any residential uses.

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

the current owner of the subject parcel has leased the property to Marian University for this temporary use and the Zoning Ordinance does not permit a parking area as a primary use on this parcel. The location of the property in relationship to the Marian University campus is unique and no other area in the vicinity of the campus is available to provide needed parking without the need for additional transportation such as shuttle buses.

DECISION

PETITION FOR VARIANCE OF USE

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 allow for the temporary parking of vehicles on a parcel which is not currently developed for other uses and will provide needed parking for Marian University while the development of a permanent parking solution at the Indy Cycloplex is completed. The use of the property will not create a traffic hazard and will eliminate parking in the surrounding residential areas.

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 proposed use is temporary and will be removed from the site within nine months. Moreover, the parking lot is substantially screened by mature trees and is not directly adjacent to any residential uses.

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

the site was rezoned to the SU-1 (Religious) classification in 2000 and this classification does not permit a parking area as the primary use. The location of the property in relationship to the Marian University campus is unique and no other area in the vicinity of the campus is available to provide needed parking without the need for additional transportation such as shuttle buses.

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 current owner of the subject parcel has leased the property to Marian University for this temporary use and the Zoning Ordinance does not permit a parking area as a primary use on this parcel. The location of the property in relationship to the Marian University campus is unique and no other area in the vicinity of the campus is available to provide needed parking without the need for additional transportation such as shuttle buses.

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

the Variance request is for a temporary use of the subject property as a parking area. Upon the expiration of the Variance, the use will be removed and the property will still be available for development consistent with the Comprehensive Plan.

DECISION

IT IS THEREFORE the decision of this body that this VARIANCE petition is APPROVED.

2018-UV2-025; Photographs



Photo of the Subject Property: 2940 Cold Spring Road



Photo showing the striping on site.



Photo showing the lighting provided for the gravel parking lot.



Photo looking east from the interior of the parking lot. Note the lines have started to fade here.



Photo showing the amount of cars on the lot and the parking lines. Photo taken at around midday on December 14, 2018.

STAFF REPORT

Department of Metropolitan Development Division of Planning Current Planning Section

Case Number: 2019-UV2-001
Address: 1151 West Thompson Road (approximate address)
Location: Perry Township, Council District #20
Zoning: I-2
Petitioner: David Allison, by John Cross
Request: Variance of use of the Consolidated Zoning and Subdivision Ordinance to provide for heavy vehicles sales, rental and repair services (not permitted).

ADDENDUM FOR APRIL 9, 2019

This petition was continued from the March 12, 2019 Hearing to the April 9, 2019 Hearing at the request of the petitioner. No new information has been submitted to the file.

ADDENDUM FOR MARCH 12, 2019

This petition was continued from the February 12, 2019 Hearing to the March 12, 2019 Hearing at the request of the petitioner. No new information has been submitted to the file.

RECOMMENDATIONS

Staff **recommends denial** of this request.

SUMMARY OF ISSUES

The following issues were considered in formulating the recommendation:

LAND USE

EXISTING ZONING AND LAND USE

I-2	Metro	Industrial
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SURROUNDING ZONING AND LAND USE

North	I-4	Industrial
South	D-A	Single-Family Residential
East	D-A / D-P	Single-Family Residential
West	C-7 (FF)	Industrial

LAND USE PLAN

The Perry Township Land Use Plan (2018) recommends light-industrial development.

- ◇ The 13.16-acre site is currently developed with a commercial structure with loading areas and a large parking lot.

(Continued)

STAFF REPORT 2019-UV2-001 (Continued)

- ◇ The sites to the north and west are developed with heavy industrial structures and uses. The sites to the south and east are developed with single-family residential lots.

VARIANCE OF USE

- ◇ The grant of this request would permit the sale, rental, and repair of heavy vehicles.
- ◇ The use of truck or heavy sales and rental is permitted in the C-7, I-3 and I-4 districts.
 - The purpose of the C-7, High-Intensity Commercial District is to provide specific areas for commercial uses which have unusually incompatible features relative to other commercial uses. Many of these uses generally are not visited by customers, but rather involve service operations. Due to the character and intensity of these uses, this district should be appropriately located on major commercial arterial thoroughfares and near interstate freeways.
 - The I-3 district is an intermediate district for industries that present moderate risks to the general public. Wherever practical, this district should be away from protected districts and buffered by intervening lighter industrial districts.
 - The I-4 district is for those heavy industrial uses which present an elevated risk to the general public and are typically characterized by factors that would be exceedingly difficult, expensive, or impossible to eliminate.
- ◇ The majority of the proposed site is within the 100-year floodplain, specifically the Floodway Fringe (FF) overlay district.
 - The purpose of the Floodway Fringe (FF) secondary zoning district is to promote the public health, safety, and general welfare and to minimize public and private losses due to flood conditions in specific areas.
 - Within the Floodway Fringe (FF) district, truck, train, or bus terminal, storage or maintenance facility is a prohibited use.
- ◇ Additionally, the site is partially within the Wellfield Protection area (W-5), so it will require additional review.

VARIANCE OF USE FINDINGS OF FACT

- ◇ Criterion 2 states “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 petitioner’s response is “Nearby property owners may remonstrate against this petition if they believe this request will have significant adverse effects on adjacent property owners. Should nothing contrary be brought to light by adjacent property owners at the public hearing, it is presumed that the approval of this variance request will not have a substantially adverse effect on the use and value of adjacent properties. Approval will not create objectionable characteristics extending beyonds [sic.] the lot lines affecting adjacent properties.”

(Continued)

STAFF REPORT 2019-UV2-001 (Continued)

- Staff believes that the grant of this variance would permit an expansion of heavy-industrial uses directly adjacent to residential properties. While light-industrial uses might not be ideal adjacent to residences, they are required to keep all operations enclosed within buildings mitigating some aspects of their proximity. However heavy-industrial uses are permitted outdoor operations. Outdoor operations adjacent to residential uses would permit noise, light, smell, and other side-effects of outdoor operations to negatively impact the use and value of adjacent properties. Additionally, the location of the site and proposed truck repair within the Floodway Fringe (FF), 100-year floodplain would place undue safety concerns on water quality and flood-water management on adjacent residential properties.
- ◇ Criterion 3 states “THE NEED FOR THE VARIANCE ARISES FROM SOME CONDITION PECULIAR TO THE PROPERTY INVOLVED.” The petitioner’s response is “The property is zoned I-2 which does not permit other vehicle sales, rental or repair services unless the property has been abandoned for 5 consecutive years. This property has not been vacant for 5 consecutive years so a variance of use is necessary in order to provide these intended services at the property.”
 - The Ordinance does not permit truck or heavy vehicle sales, rental, or repair in an I-2 property after five consecutive years of the property being vacant. This exception would not apply in this case. Additionally, the terms of the Ordinance would not constitute a peculiarity to the property. Staff notes that this property has been, and could continue to operate as an I-2 conforming property without the grant of any variances.
- ◇ Criterion 4 states “THE STRICT APPLICATION OF THE TERMS OF THE ZONING ORDINANCE WILL CONSTITUTE AN UNNECESSARY HARDSHIP IF APPLIED TO THE PROPERTY FOR WHICH THE VARIANCE IS SOUGHT.” The petitioner’s response is “Petitioner will not be able to operate in ways as requested by the variance otherwise. The lot is currently zoned I-2 which does not permit use for other vehicle sales, rental, or repair services. Petitioner seeks to lease the property to a trucking company that provides these services which is why the variance is necessary.”
 - Staff believes that this variance request would not constitute an unnecessary hardship if applied to the property. The property could be used for lesser intensity, I-2 uses without a variance grant. The property has historically been used without a variance of use grant.
- ◇ Criterion 5 states “THE GRANT DOES NOT INTERFERE SUBSTANTIALLY WITH THE COMPREHENSIVE PLAN.” The petitioner’s response is “It is currently zoned for light industrial use. Approval will not create objectionable characteristics extending beyond the lot lines and any operations in line with the variance of use will meet developmental standards. Approval will not substantially vary from recommended use as I-2 zoned properties are permitted to use the property in the requested manner if the property has been vacant for 5 years.”
 - The grant of this variance would somewhat interfere with the comprehensive plan recommendation of light-industrial as the proposed use is inconsistent with the recommendation. The grant would permit heavy-industrial rather than light-industrial uses; this would be an increase in intensity of use on the property.

(Continued)

STAFF REPORT 2019-UV2-001 (Continued)

GENERAL INFORMATION

THOROUGHFARE PLAN	Thompson Road is classified in the Official Thoroughfare Plan for Marion County, Indiana as a primary arterial, with a 100-foot existing right-of-way and a 100-foot proposed right-of-way.
SITE PLAN	File-dated January 2, 2019.
PLAN OF OPERATION	File-dated January 2, 2019.
FINDINGS OF FACT	File-dated January 2, 2019.

ZONING HISTORY – SITE

EXISTING VIOLATIONS

None.

PREVIOUS CASES

95-V3-73; 1151 West Thompson Road, Variance of development standards of the Industrial Zoning Ordinance to provide for the placement of a storage building zero feet from the west property line, **granted**.

ZONING HISTORY – VICINITY

2003-ZON-079; 5104 Bluff Road (east of site), Rezoning of 16.77 acres from the D-6 (FF) (FW) (W-5) district to the D-P (FF) (FW) (W-5) classification, **adopted**.

2000-ZON-161; 5104 Bluff Road (east of site), Rezoning of 18.6 acres from the D-A (FF) (FW) (W-5) district to the D-6 (FF) (FW) (W-5) classification, **adopted**.

99-Z-13; 1235 West Thompson Road (west of site), Rezoning of 12.43 acres from the I-3-S (FF) (W-5) district to the C-7 (FF) (W-5) classification, **adopted**.

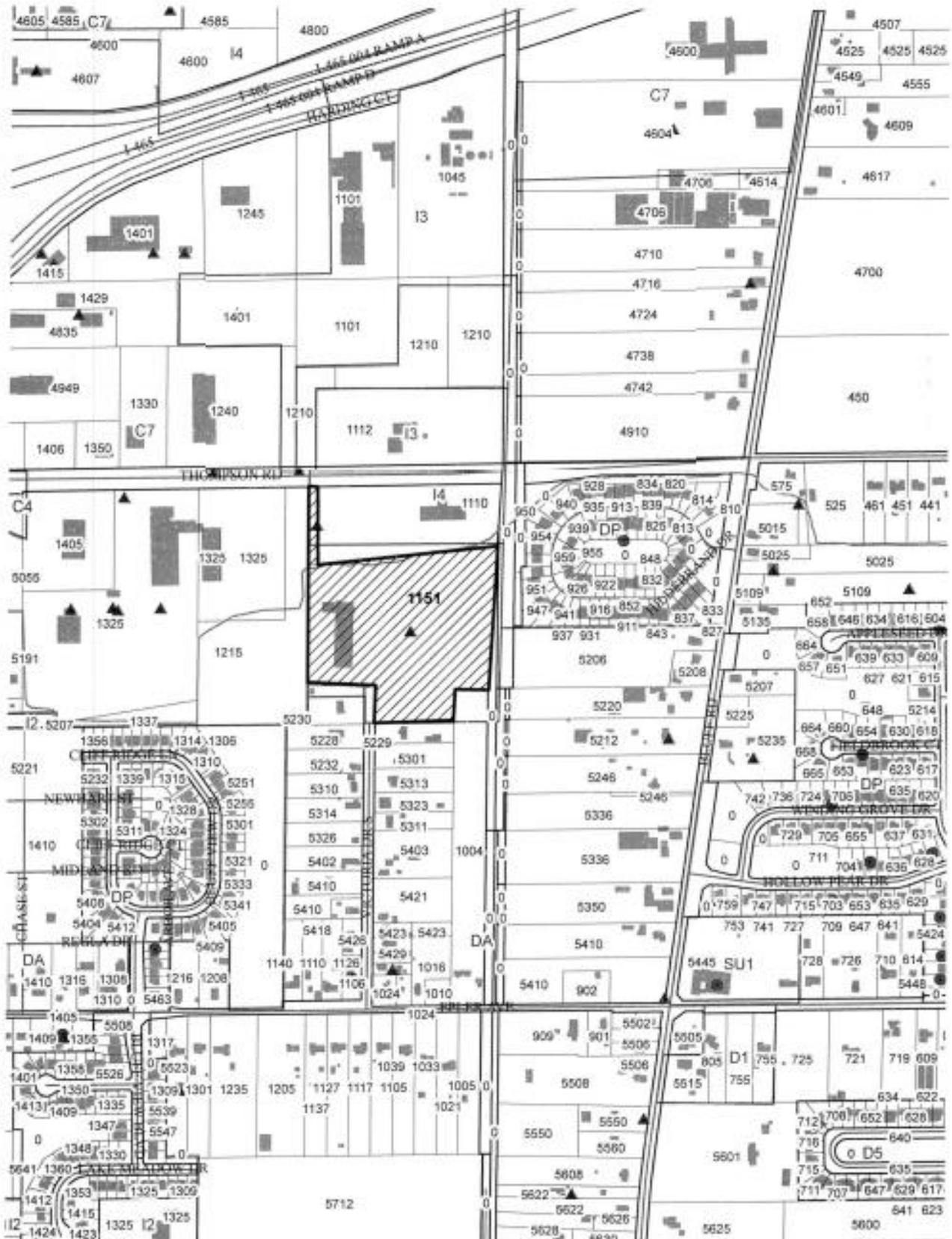
90-SE2-10; 1310 West Thompson Road (north of site), Special Exception of the Industrial Zoning Ordinance to permit an asphalt plant, **withdrawn**.

87-UV3-8; 5220 Bluff Road (east of site), Variance of use of the Zoning Ordinance to provide for the manufacturing of signs in an existing building, **granted**.

73-UV2-165; 5220 Bluff Road (east of site), Variance of use and development standards to permit the erection of a pole barn for storage of plumbing fixtures, and the construction of a single-family dwelling, 40 feet from the right of way, and maintain an office for one person, to take orders and receive materials together with an identification sign, **granted**.

PS

2019-UV2-001; Location Map



2019-UV2-001; Aerial Map



PRIDE TRUCK SALES

Pride Truck Sales LP – Business Plan

Thank you for supporting our organization and taking the time to review our application along with this business plan.

Sulakhan Johal



Partner

Metropolitan Development

JAN 02 2019

Division of Planning

Jasvir Johal



Partner

BACKGROUND:

Pride Truck Sales is a privately held North American used truck and trailer retailer, operating 8 dealership locations within Canada and the USA. Mississauga, ON is the corporate head office. Pride currently employees over 45 staff members (and growing) across all locations. Dealership locations include the following- Mississauga, ON; Winnipeg, MB; Calgary, AB; Edmonton, AB; Surrey, BC; Fontana, CA; Stockton, CA; Toledo, OH ; Indianapolis, IN (In process)

We continue to grow with the demand of our loyal customer base and target to be at 12 locations by the end of 2019 with over 65 staff members.

LOCATION:

Pride Truck Sales ("PTS") has secured a location in the state of Indiana, this location will be rented by PTS. The location is listed below:

- 1151 W Thompson Rd, Indianapolis, IN 46217

This location has been added to our existing dealership insurance policy, the policy number is DQT54022. The insurance company is Lloyd's of London and the insurance broker is Arthur J. Gallagher.

PTS will be selling to the public at this locations and it can accommodate approximately 25-50 vehicles for display purposes outdoors. There is no indoor display of vehicles at this location. This location will be outfitted with proper signage that is clearly visible to consumers visiting our shop.

As a part of our business model, PTS does not operate any on-site repair facilities. All work will be outsourced to an authorized 3rd party facility.

Each site will have it's own dedicated phone number and dedicated access to internet, which is already in place.

Metropolitan Development

JAN 02 2019

Division of Planning

OWNERSHIP:

2019-UV2-001; Plan of Operation

Pride Truck Sales LP. is a privately held New York LP that has been registered as a foreign LP in the state of IN. There are two (2) limited partners and 1 General Partner. Our contracted lawyer and account information is also located below.

- Sulakhan (Sam) Johal, Limited Partner
 - o 97 Coastline Drive. Brampton, ON L6Y 0S4
 - o Cellular# 416-801-7375
- Jasvir Johal, Limited Partner
 - o 4 Pergola Way. Brampton, ON L6Y 5M6
 - o Cellular# 416-300-9009
- Toronto CA Solutions (Accounting firm)
 - o 7699 Yonge Street. Thornhill, ON L3T 1Z5
 - o Contact- Ajen Prasad, ajen@prasadcpa.com
- Blaney McMurty LLP
 - o 2 Queen Street East #1500. Toronto, ON M5C 3G5
 - o Contact- Diane Brooks, dbrooks@blaney.com

INVENTORY:

Pride specializes in class 8 tractors and highway 53' trailers as the primary selling types of vehicles. These two categories account for about 96% of our business throughout North America. Our primary source of inventory is from large transportation fleets in Canada and the USA that we've developed relationships with over the past 10 years. This location will start off with approximately 15 units in inventory... we expect each vehicle to remain in inventory for about 2.5 – 3 weeks since we are a new startup in IN. To startup, inventory will be transported from our other locations in Canada and the US. Eventually we will be holding anywhere from 25-55 units in inventory once we are established in IN.

REGISTRATIONS:

Our existing insurance policy has added the new Indianapolis location listed above as endorsements, so our general liability and garage policy are in force.

We've also received our certificate of domestication in IN from the secretary of state's office. Number 201812121294930 / 8120990

OPERATIONS:

Pride in North America has the following positions:

President – 1

Metropolitan Development

JAN 02 2019

Division of Planning

2019-UV2-001; Plan of Operation

V. President – 1
Senior VP Sales & Operations – 1
VP Sales & Operations (USA) – 1
Branch Manager – 8
Finance Manager – 5
Salesman – 19
Admin and Back office – 5

For the Indianapolis operations specifically:

1 Branch Manager, 2 Salesman, and 1 administrative staff

All marketing and advertising will be done through existing channels such as Kijiji, Autotrader, Radio, Truck Magazines and papers. We are budgeting an extra \$7,500/month of extra costs directly related to the Indianapolis operations.

Pride offers various 3rd party (approved) warranty programs depending on the customers needs.

The following documents will be used in our day-to-day operations:

- Inventory arrival inspection checklist
- Vehicle quote sheet
- Vehicle Bill of Sale
- Delivery checklist

Metropolitan Development

JAN 02 2019

Division of Planning

Metropolitan Development

Petition Number _____

JAN 02 2019

Division of Planning

METROPOLITAN DEVELOPMENT COMMISSION
HEARING EXAMINER
METROPOLITAN BOARD OF ZONING APPEALS, Division _____
OF MARION COUNTY, INDIANA

PETITION FOR VARIANCE OF USE

FINDINGS OF FACT

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

Approval will allow for other vehicle sales, rental, or repair services be performed at the subject property which is currently zoned for light industrial use. Approval will not create objectionable characteristics extending beyond the lot lines and any operations in line with the variance of use will meet developmental standards.

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

Nearby property owners may remonstrate against this petition if they believe this request will have significant adverse effects on adjacent property owners. Should nothing contrary be brought to light by adjacent property owners at the public hearing, it is presumed that the approval of this variance request will not have a substantially adverse effect on the use and value of adjacent properties. Approval will not create objectionable characteristics extending beyonds the lot lines affecting adjacent properties.

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

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

Petitioner will not be able to operate in ways as requested by the variance otherwise. The lot is currently zoned I-2 which does not permit use for other vehicle sales, rental, or repair services. Petitioner seeks to lease the property to a trucking company that provides these services which is why the variance is necessary.

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

It is currently zoned for light industrial use. Approval will not create objectionable characteristics extending beyond the lot lines and any operations in line with the variance of use will meet developmental standards. Approval will not substantially vary from recommended use as I-2 zoned properties are permitted to use the property in the requested manner if the property has been vacant for 5 years.

DECISION

IT IS THEREFORE the decision of this body that this VARIANCE petition is APPROVED.

Adopted this _____ day of _____, 20 ____

2019-UV2-001; Photographs



Photo of the Subject Property: 1151 West Thompson Road



Photo showing the rear of the structure on site.



Photo looking east from the southwest corner of the property.

STAFF REPORT

Department of Metropolitan Development
Division of Planning
Current Planning Section

Case Number: 2019-DV2-003
Address: 1140 Ohio Street (approximate address)
Location: Center Township, Council District #17
Zoning: D-8
Petitioner: Lorne Catalona, by Mark and Kim Crouch
Request: Variance of development standards of the Consolidated Zoning and Subdivision Ordinance to provide for the conversion of a two-family dwelling into single-family attached dwellings and to legally establish a zero-foot west side yard, a 2.5-foot east side yard, 2.5 feet between dwellings and to provide for 39.5% open space (four-foot side yards, 10 feet between dwellings and 55% open space required).

A timely automatic continuance has been filed by a registered neighborhood association. This petition is continued from the April 9, 2019 Hearing to the May 21, 2019 Hearing.

PS

STAFF REPORT

Department of Metropolitan Development
Division of Planning
Current Planning Section

Case Number: 2019-UV2-005
Address: 6158 West 10th Street (approximate address)
Location: Wayne Township, Council District #15
Zoning: D-3 (W-5)
Petitioner: Homes in Motion, LLC, by John Cross
Request: Variance of use and development standards of the Consolidated Zoning and Subdivision Ordinance to provide for a real estate office (not permitted) and one 24-square foot ground sign and two 15-square foot wall signs (ground signs permitted for subdivision and projects only, one wall sign permitted and sign area of three percent of façade permitted).

This petition should be **continued** from the April 9, 2019 BZA I Hearing to the May 21, 2019 BZA I Hearing to allow the Petitioner and Staff to discuss the petition with neighborhood groups.

RU