



LAWRENCE BOARD OF ZONING APPEALS
OF MARION COUNTY, INDIANA
PETITION FOR VARIANCE

DOCKET #: \_\_\_\_\_

ADDRESS OF PREMISES AFFECTED: 5344 Poindexter Drive, Indianapolis, IN 46236
STREET ADDRESS CITY STATE ZIP

NAME OF PETITIONER(S): BGP, Development, LTD PHONE: 317-823-6837

PETITIONER(S) E-MAIL: jfohl@poindexterexcavating.com

PETITIONER(S) ADDRESS: 10443 E 56th Street, Indianapolis, IN 46236
STREET ADDRESS CITY STATE ZIP

AGENT: \_\_\_\_\_ PHONE: \_\_\_\_\_

AGENT E-MAIL: \_\_\_\_\_

AGENT ADDRESS: \_\_\_\_\_
STREET ADDRESS CITY STATE ZIP

NAME OF OWNER(S): \_\_\_\_\_ PHONE: \_\_\_\_\_

IF DIFFERENT FROM PETITIONER(S) OWNER(S) E-MAIL: \_\_\_\_\_

OWNER(S) ADDRESS: \_\_\_\_\_
STREET ADDRESS CITY STATE ZIP

IS/ARE THE PETITIONER(S) THE OWNER(S) OF ONE HUNDRED PERCENT (100%) OF THE ARE INVOLVED IN THE PETITION?
YES [checked] NO [ ]

LEGAL DESCRIPTION (CHECK ONE):

- [checked] COMPLETE METES & BOUNDS WITH LEGAL DESCRIPTION ATTACHED
[ ] PLATTED SITE WITHIN A RECORDED SUBDIVISION WITH COPY OF PLAT MAP ATTACHED

SUBDIVISION NAME: \_\_\_\_\_ SECTION: \_\_\_\_\_
LOT NUMBER(S): \_\_\_\_\_

IS THIS PROPERTY THE SUBJECT OF ANY CODE ENFORCEMENT ACTION? YES [ ] NO [checked]

WAS THIS PROPERTY THE SUBJECT OF ANY PREVIOUS PETITION(S)? YES [checked] NO [ ]

IF YES, LIST THE DOCKET NUMBER(S): 1972Z85; 89Z62; 90Z140; 18ZON135; 19ZON013; 19ZON111

CURRENT ZONING: CS TOWNSHIP: Lawrence ACREAGE: 3.691

EXISTING USE OF THE SUBJECT PREMISES: Vacant

THE VARIANCE REQUEST IS FOR A VARIANCE OF:

- [ ] USE [checked] DEVELOPMENT STANDARDS
[ ] USE AND DEVELOPMENT STANDARDS [ ] SPECIAL EXCEPTION
[ ] ReZoning

PROVIDE A DETAILED DESCRIPTION OF THE PROPOSED USE: STATE THE SPECIFIC ORDINANCE(S), STANDARDS(S), AND/OR REGULATION(S) SOUGHT TO BE MODIFIED (ATTACH ADDITIONAL PAGES, IF NECESSARY).

Chapter 744, Article 4, Section 4, D6.4, to allow compacted aggregate base as permanent surface (not permitted)



THE ABOVE INFORMATION, TO MY KNOWLEDGE AND BELIEF, IS TRUE AND CORRECT.

James G. Phil Trust  
SIGNATURE(S) OF PETITIONER(S) OR AGENT

\_\_\_\_\_  
SIGNATURE(S) OF OWNER(S) IF DIFFERENT THAN PETITIONER

STATE OF INDIANA, COUNTY OF MARION, SS:

SUBSCRIBED AND SWORN TO BEFORE ME THIS 10th DAY OF December, 2024

NOTARY PUBLIC [Signature] PRINTED NAME Christine Sears

MY COMMISSION EXPIRES February 19, 2031 COUNTY OF RESIDENCE Hancock





City of  
**Lawrence**  
Indiana

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PETITION NO.: \_\_\_\_\_

LAWRENCE BOARD OF ZONING APPEALS  
OF MARION COUNTY, INDIANA

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:

Please see attachment on next page for response

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:

Please see attachment on next page for response

3. THE STRICT APPLICATION OF THE TERMS OF THE ZONING ORDINANCE WILL RESULT IN PRACTICAL DIFFICULTIES IN THE USE OF THE PROPERTY BECAUSE

Please see attachment on next page for response

## RESPONSE TO 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:

#### Enhanced Drainage and Filtration:

1. **Improved Permeability:** An aggregate base is significantly more permeable than asphalt, allowing water to percolate through the material and into the underlying soil. This natural infiltration process reduces surface runoff, decreasing the risk of flooding and erosion on the site.
2. **Reduction of Puddling:** The aggregate base promotes faster drainage, minimizing the formation of puddles and standing water. This is especially beneficial in areas prone to heavy rainfall, where asphalt surfaces might lead to water pooling and subsequent damage or hazards.
3. **Natural Filtration:** An aggregate base acts as a natural filter, trapping sediments, pollutants, and debris carried by stormwater. This helps to improve the quality of the water that eventually reaches the groundwater table, contributing to better overall environmental health.
4. **Mitigating Mud and Debris:** Equipment used on construction sites often brings in mud and debris, which can accumulate on asphalt surfaces, leading to maintenance issues and potential hazards. An aggregate base allows for the natural filtration of these materials, preventing buildup and maintaining a cleaner and safer parking lot surface.

### 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:

No, they are all the same owners and they are all industrial buildings.

### 3. THE STRICT APPLICATION OF THE TERMS OF THE ZONING ORDINANCE WILL RESULT IN PRACTICAL DIFFICULTIES IN THE USE OF THE PROPERTY BECAUSE:

1. **Reduced Heat Island Effect:** Unlike asphalt, which absorbs and retains heat, an aggregate base does not contribute to the urban heat island effect. This can help to keep the surrounding area cooler and more comfortable.
2. **Cost-Effective Maintenance:** The maintenance of an aggregate base is often less costly and labor-intensive compared to asphalt. It can be easily replenished and graded as needed, ensuring a long-lasting and durable surface.
3. **Sustainable Choice:** Utilizing an aggregate base is a more sustainable option, as it often requires fewer raw materials and less energy to produce and install compared to asphalt. This aligns with environmentally responsible practices and reduces the overall carbon footprint of the project.

In conclusion, an aggregate base for the parking lot offers substantial benefits in terms of drainage, filtration, environmental impact, and long-term maintenance. We believe that this variance will not only meet the functional requirements of the project but also enhance the site's environmental sustainability.

Thank you for considering this request. We are confident that the implementation of an aggregate base will provide significant advantages and contribute to the success of the project.



City of  
**Lawrence**  
Indiana

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**DECISION**

**IT IS THEREFORE THE DECISION OF THIS BODY THAT THIS VARIANCE PETITION IS GRANTED, SUBJECT TO ANY CONDITIONS STATED IN THE MINUTES (WHICH CONDITIONS ARE INCORPORATED HEREIN BY REFERENCE AND MADE A PART OF THIS DECISION).**

Adopted this \_\_\_\_\_ day of **24**, 20\_\_\_\_\_

\_\_\_\_\_  
Chairman

\_\_\_\_\_  
Vice-Chairman

\_\_\_\_\_  
Member

\_\_\_\_\_  
Member

\_\_\_\_\_  
Member