



City of
Lawrence
Indiana

FILING CHECKLIST FOR VARIANCE PETITION

Please read carefully

Your Variance Packet must be filed electronically via permits@cityoflawrence.org or in person with the Board Secretary, located at: Lawrence Government Center, 9001 E 59th St., Ste 205, Lawrence, IN 46216.

Filing fees must be paid to receive a docket number. Any additional fees must be paid prior to the initial hearing.

The initial packet must be filed thirty-five (35) days prior to the hearing date and include the following:

Your initial packet must include the following:

- a. Petition
- b. Findings of Fact
- c. Zoning Base Map (obtained thru Board Secretary) with subject property prominently marked
- d. Consent Form (if applicable)
- e. Set of Structural plans, including floor plans and elevations (if applicable)
- f. Site Plan (with landscaping, if applicable)
- g. Plot Plan

- Must be drawn to a scale of 1"=30', 1"=20', 1"=10'. Indicate scale on plans.

Plot Plan must include:

- The North arrow
- Address of the site
- All dimensions of the entire site
- Names, centerline and right-of-way widths of all street, alleys and easements (including: drainage easements, utility easements, etc)
- Location and horizontal dimensions of all structures, existing and proposed. Proposed structures indicated by cross-hatching. e.g. ////
- Use of each structure by labeling. (such as: residence, garage, existing shed, etc)
- Structures to be removed indicated by broken lines. e.g. - - - -
- Distance from front, rear and each side of property line to all structures. (This distance is measured from the point where the structure is nearest the property line.)
- Location of proposed or existing driveway and its width at the right-of-way (property) line. (Also show connection to street and alley.)
- Measurement of curb radius and/or taper.
- Locations, dimensions and use of any other paved areas.
- The name of legal ditches or streams on or adjacent to the site.
- Location, type (i.e. ground, pole, projected, wall or other) and dimensions of all signs. Include separate, elevation of proposed sign structures complete with all dimensions and drawn to scale.
- Location, size and type of all exiting and proposed trees and landscaping.

Legal Notice:

- a. The Legal Notice of Public Hearing must be mailed to neighboring property owners and the Lawrence Council Members (available from Board Secretary) at least ten (10) days prior to the hearing.
- b. A copy of the Legal Notice of Public Hearing must also be posted on the property of which the Variance is being applied for.

Once Legal Notice has been mailed to neighboring property owners the following documents will need to be submitted to the Board Secretary no less than three (3) days prior to the hearing:

- c. Affidavit of Legal Notice of Public Hearing
- d. List of neighbors and Council members notified

BOARD OF ZONING APPEALS
9001 E. 59th Street, Suite 205 • Lawrence, IN 46216
(317) 545-5566
Email: permits@cityoflawrence.org



City of
Lawrence
Indiana

DOCKET NO.: _____

LAWRENCE BOARD OF ZONING APPEALS
OF MARION COUNTY, INDIANA

CONSENT FORM

The undersigned, on behalf of BGP Development, LTD, being the owner(s) of the property commonly known as 5426 Poindexter Drive, hereby authorize(s) its attorneys, Barnes & Thornburg LLP, to file land development petitions necessary for the aforementioned address.

This consent shall:

☒ Remain in effect until revoked by a written statement filed with the Lawrence Board of Zoning Appeals.

OR

☐ Remain in effect until _____, 20____.

BGP Development, LTD

By: James P. Fohl

Printed: JAMES P. FOHL

Title: CEO

Date: September 29, 2025

STATE OF INDIANA)
) SS:
COUNTY OF Marion)

Before me, a Notary Public in and for said County and State, appeared the Property Owner(s) herein, who acknowledged the execution of the foregoing as his/her/their voluntary act and deed for the uses and purposes expressed therein.

Witness my hand and notarial seal this 29 day of September 2025.

My commission expires:

2/19/31

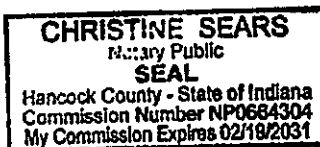
Hancock

County of Residence

Christine
NOTARY PUBLIC

Christine SEARS

Printed Name





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

DOCKET #: _____

ADDRESS OF PREMISES AFFECTED: 5426 Poindexter Drive Lawrence IN 46235
STREET ADDRESS CITY STATE ZIP

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

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

PETITIONER(S) ADDRESS: P.O. Box 36399 Indianapolis IN 46236
STREET ADDRESS CITY STATE ZIP

AGENT: Joseph D. Calderon PHONE: (317) 231-7787

AGENT E-MAIL: jcalderon@btlaw.com

AGENT ADDRESS: 11 South Meridian Street Indianapolis IN 46204
STREET ADDRESS CITY STATE ZIP

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

IF DIFFERENT FROM PETITIONER(S)

OWNER(S) E-MAIL: csears@poindexterexcavating.com

OWNER(S) ADDRESS: P.O. Box 36399 Indianapolis IN 46236
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 ☒ NO ☐

LEGAL DESCRIPTION (CHECK ONE):

☐ COMPLETE METES & BOUNDS WITH LEGAL DESCRIPTION ATTACHED

☒ PLATTED SITE WITHIN A RECORDED SUBDIVISION WITH COPY OF PLAT MAP ATTACHED

SUBDIVISION NAME: Poindexter Industrial Park

SECTION: _____

LOT NUMBER(S): 5

IS THIS PROPERTY THE SUBJECT OF ANY CODE ENFORCEMENT ACTION? YES ☐ NO ☐

WAS THIS PROPERTY THE SUBJECT OF ANY PREVIOUS PETITION(S)? YES ☐ NO ☐

IF YES, LIST THE DOCKET NUMBER(S): _____

CURRENT ZONING: I-1 TOWNSHIP: Lawrence ACREAGE: 4.84

EXISTING USE OF THE SUBJECT PREMISES: Light industrial (under construction)

THE VARIANCE REQUEST IS FOR A VARIANCE OF:

☐ USE

☒ USE AND DEVELOPMENT STANDARDS

☐ ReZoning

☒ DEVELOPMENT STANDARDS

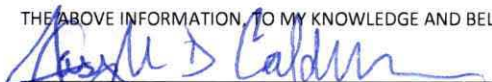
☐ SPECIAL EXCEPTION

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).

Petitioner is constructing a facility for a landscaping/mowing contractor, which is permitted under the existing I-1 zoning. Petitioner seeks a variance of Ch. 743, Art. III, Sec. 06.F., Table 744-201-6 of the City of Indianapolis Consolidated Zoning/Subdivision Ordinance to allow for outside storage in excess of 25% of the building square footage and within 500 feet of a protected district.



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


SIGNATURE(S) OF PETITIONER(S) OR AGENT

Joseph D. Calderon, Attorney for Petitioner

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

STATE OF INDIANA, COUNTY OF MARION, SS:

SUBSCRIBED AND SWORN TO BEFORE ME THIS 6th DAY OF November, 2025

NOTARY PUBLIC Susan Losche

PRINTED NAME SUSAN LOSCHE

MY COMMISSION EXPIRES FEBRUARY 12, 2026

COUNTY OF RESIDENCE MARION



LAWRENCE BOARD OF ZONING APPEALS OF MARION COUNTY, INDIANA

PREPARING YOUR FINDINGS OF FACT

It is important to prepare your Findings of Fact properly. If your petition is granted, the Findings of Fact are adopted by the Lawrence Board of Zoning Appeals as the basis for granting the petition. If the petition granted is judicially reviewed by a court of law, these findings would be the primary evidence in the court's review. Therefore, the following suggestions are offered to assist you in your preparation:

Read each statement carefully before completing the finding. What you write after the word "because" in each of the findings must support the statement that introduces the finding.

Be sure that you understand the statements in the Findings of Fact. For example, if you do not know what the comprehensive plan recommendation is, do not try to complete the finding regarding the comprehensive plan until you learn what it is.

Do not use personal matters as reasons for findings. The findings must relate to the property, not to a person.

Check your spelling.

Use correct grammar. When in doubt, please get assistance.

Do not use pronouns (I, he, she, we or the possessives my, his, her, our) to describe yourself or the petitioner, i.e., the person or entity seeking the variance. Simply repeat the word "petitioner" or "petitioner's".

You may want to consider obtaining professional assistance if you are uncertain about how to proceed.



City of
Lawrence
Indiana

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:

The outdoor storage will be effectively screened from view and will not interfere with the use or enjoyment of any public street or sidewalk.

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 outdoor storage will be effectively screened from adjacent properties, and there is no shared access with the residential development to the south.

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

The Ordinance allows the use of a landscaping contractor in I-1 zoning districts; however, the limitation on amount of space that can be devoted to outside storage and the separation from protected districts is overly restrictive, considering that there is a transitional yard requirement of 50 feet which already provides effective protection between the light industrial and residential uses.



City of
Lawrence
Indiana

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 _____, 20____

Chairman

Vice-Chairman

Member

Member

Member

**PROCEDURES FOR FILLING OUT THE
LEGAL NOTICE OF PUBLIC HEARING
AND THE
AFFIDAVIT OF PUBLIC HEARING**

As a petitioner seeking a variance, you must notify other interested parties and property owners. Your responsibilities and the procedures you must follow are set out in the Rules of Procedure of the Lawrence Board of Zoning Appeals. The procedures for notice are summarized below:

1. *The Petitioner* must prepare the LEGAL NOTICE OF PUBLIC HEARING for mailing. The notice must be sent by registered, certified or first-class mail at least ten (10) days before the date of hearing. The notice must be mailed to the owners of all adjacent parcels of land surrounding the subject property to a depth of two (2) property ownerships, but not exceeding 660 feet from the subject property. You can obtain all information on ownership of surrounding property from the Board of Zoning Appeals Secretary, 9001 E 59th St, Suite 205, (317-545-5566).
2. The LEGAL NOTICE OF PUBLIC HEARING must also be sent to appropriate neighborhood organizations. This information can be obtained from the Board of Zoning Appeals Secretary, 9001 E 59th St, Suite 205, (317-545-5566).
3. The LEGAL NOTICE OF PUBLIC HEARING must also be sent to all members of the Lawrence Common Council as well as the At-Large members of the Lawrence Common Council. This information can be obtained from the Board of Zoning Appeals Secretary, 9001 E 59th St, Suite 205, (317-545-5566).
4. A copy of the LEGAL NOTICE OF PUBLIC HEARING must be posted in a conspicuous place on the subject property at least ten (10) days before the hearing and remain there until final hearing of the petition.
5. The AFFIDAVIT OF NOTICE OF PUBLIC HEARING must be notarized and then filed in the office of the Lawrence Board of Zoning Appeals along with a copy of the LEGAL NOTICE OF PUBLIC HEARING within three (3) business days after mailing of the notices. These documents may be filed in person or mailed to the Lawrence Board of Zoning Appeals, Attn.: Board Secretary, 9001 E. 59TH Street, Suite 205, Lawrence, Indiana 46216. The affidavit must include the names and addresses of all property owners, neighborhood organizations and Lawrence City Councilors to whom the notice was sent.

**NOTE: IF YOU FAIL TO FOLLOW THESE DIRECTIONS,
THE SCHEDULED HEARING MAY BE POSTPONED.**

LEGAL NOTICE OF PUBLIC HEARING

LAWRENCE BOARD OF ZONING APPEALS OF MARION COUNTY, INDIANA

Notice is hereby given that the undersigned has filed a petition with the Lawrence ,
Board of Zoning Appeals of Marion County, Indiana, requesting the following:

5426 Poindexter Drive

Docket Number

Address of subject property

REQUEST: Petitioner seeks a variance to allow for outside storage of materials and
equipment associated with a contractor in excess of 25% of the building
square footage and within 500 feet of a protected district.

LEGAL DESCRIPTION:

Lot 5 in Poindexter Industrial Park, as per plat thereof, recorded as
Instrument No. _____ in the Office of the Recorder of Marion
County, Indiana.

This petition and all exhibits and plans filed therewith may be examined in the Board's
office at the Lawrence Government Center, 9001 East 59th Street, Ste #205, between
the hours of 10:00 a.m. and 4:00 p.m., Monday through Friday. Written objections to the
petition may be filed with the Secretary to the Lawrence Board of Zoning Appeals
before the hearing at the above address and such objections will be considered.

Contacting members of the Lawrence Board of Zoning Appeals regarding a pending
petition is prohibited.

A public hearing will be held at the Lawrence Government Center, 9001 E. 59th Street on
Tuesday, December 16, at 6:00 p.m. All interested persons will be given an
opportunity to be heard in reference to the matters set out in said petition. The hearing
may be continued from time to time as may be found necessary. This notice is sent to
you as an owner of property adjacent to the property included in said petition, pursuant
to the applicable Rules of Procedure.

PETITIONER
BGP Development, LTD.

DEVELOPER
(if different from Petitioner)

By: _____

Signature

Joseph D. Calderon, its attorney

Name Printed

11 South Meridian Street

Street Address

Indianapolis IN 46204

City State Zip

Signature

Name Printed

Street Address

City State Zip

AFFIDAVIT OF NOTICE OF PUBLIC HEARING

**LAWRENCE BOARD OF ZONING APPEALS
OF MARION COUNTY, INDIANA**

I/We Joseph D. Calderon, attorney for BGP Development, LTD do hereby certify that the Legal Notice of Public Hearing to consider Docket No. _____ was sent by certified, registered or first-class mail to the last known address of each of the following persons, they being all persons to whom notice was required to be sent by the rules, regulations and order of the Lawrence Board of Zoning Appeals of Marion County, Indiana:

OWNER'S NAME

ADDRESS

(list attached)

Said notices were mailed by certified, registered or first-class mail on the _____ of December, 2025, being at least ten (10) days prior to the scheduled public hearing, and that receipts for said certified or registered mailings are attached hereto.

I/We further certify that the notice required by said rules, regulations and order to be posted in a conspicuous place on the property described in Petitioner's petition was posted on the property on the _____ of December, 2025, being at least ten (10) days prior to the scheduled hearing.

Petitioner, Attorney or Authorized Agent

STATE OF INDIANA)
) SS:
COUNTY OF MARION)

Subscribed and sworn to before me this _____ day of _____,
20____.

My commission expires: _____

Notary Public

County of residence:

Printed Name

NOTICE

City of Lawrence Board of Zoning Appeals

Date of Hearing:

December 16, 2025

Location of Hearing:

Lawrence Gov't Center

9001 E 59th St

Assembly Room

Time: 6:00 pm

Petition Number:

Petitioner:

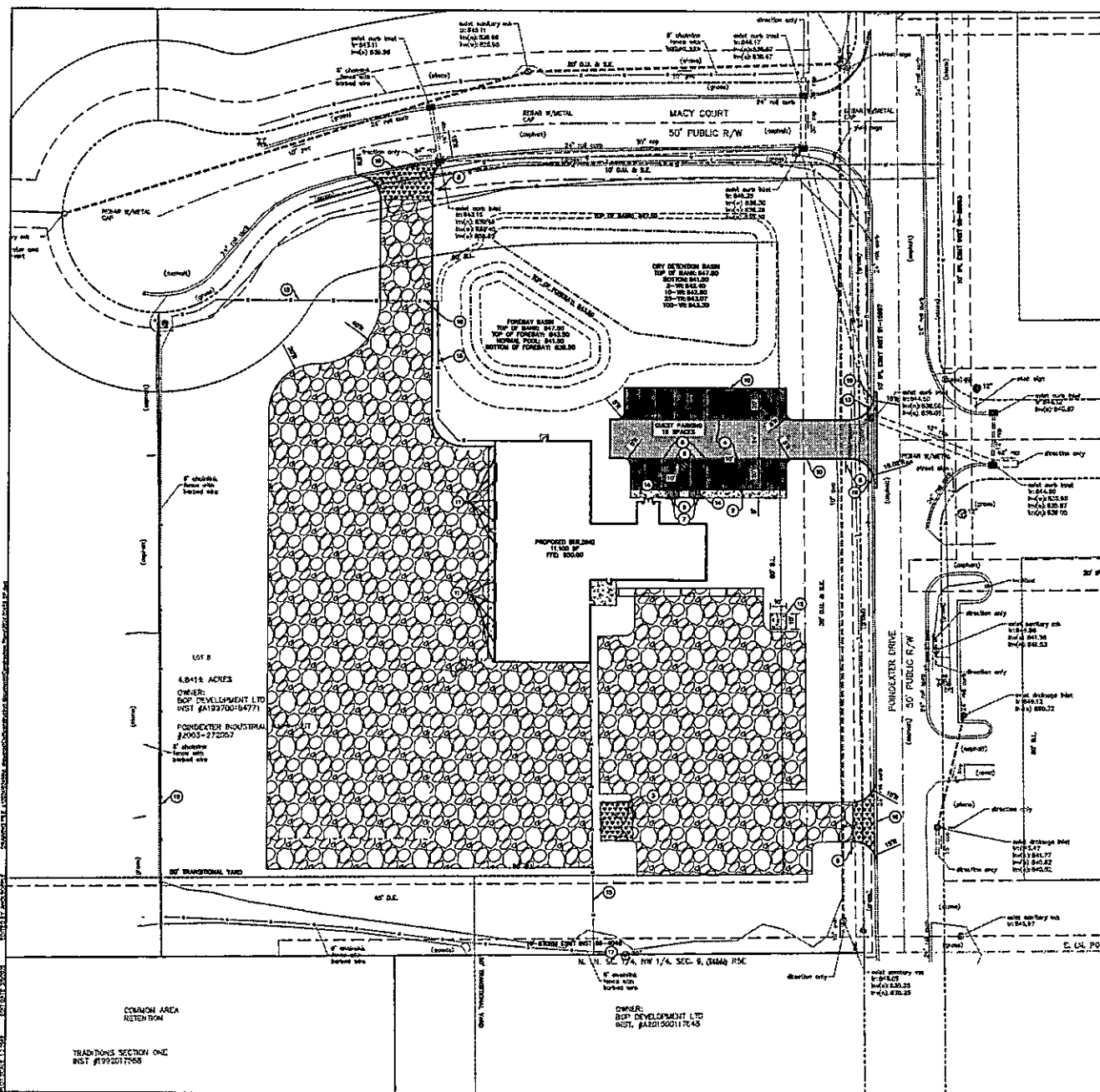
BGP Development, LTD

Petition Address:

5426 Poindexter Drive

Request for Petition:

To allow for outside storage of materials/equipment associated with a contractor in excess of 25% of the building square footage and within 500 feet of a protected district.



- | EXISTING LEGEND | | | |
|-----------------|---------------------|--|------------------------|
| | Air Conditioner | | Mail Box |
| | Bathroom | | Staircase |
| | Chest | | Staircase |
| | Combination Padlock | | Security Sign |
| | Chest Inlet | | Slip |
| | Drainage Inlet | | Stand Pipe |
| | Electric Box | | Telephone Box |
| | Electric Handhole | | Telephone Handhole |
| | Electric Water Box | | Telephone Marker |
| | Fire Hydrant | | Telephone Pedestal |
| | Gas Meter | | Transformer |
| | Gas Valve | | Water Meter |
| | Ground Light | | Water Valve |
| | Ground Light | | Well |
| | New Pipe | | Vent Light |
| | New Pipe | | Overhead Electric Line |

- | PROPOSED SITE LEGEND | |
|----------------------|--|
| | PROPERTY LINE |
| | RIGHT-OF-WAY |
| | STRAIGHT CURB |
| | PARKING BLOCK |
| | SIGN |
| | HEAVY DUTY ASPHALT PAVEMENT |
| | STANDARD DUTY ASPHALT PAVEMENT |
| | HEAVY DUTY CONCRETE |
| | COMPACTED GRAVEL GEOTEXTILE SPECIFICATIONS |
| | CONCRETE WALK |
| | TRANSFORMER (OR OTHERS) |

- | KEYNOTES | |
|--|---|
| 1. HOT MIXED | 31. CONCRETE BOLLARD (TOP) |
| 2. COVERED CONCRETE CURB AND BULK | 32. TRANSFORMER PAD PER UTILITY PROVIDER SPECIFICATIONS |
| 3. DUMPTON PAVT & CHOCOLATE | 33. IF CURB TAPER |
| 4. IF WHITE PAINT LINE | 34. PARALLEL CURB RAMP |
| 5. ADA PARADING SPACE (4" BLUE PAINT STRIPS) | 35. IF SECURITY FENCE |
| 6. ADA PARADING SYMBOL | 36. DEPRESSURE CURB AND GUT |
| 7. ADA PARADING SIGN | 37. PROPOSED FENCE TO EXISTING FENCE |
| 8. STOP SIGN | 38. SECOND RAMP FOR OWNER SPECIFICATIONS |
| 9. CONCRETE WHEEL STOP | 39. MODULATING CURB TO ROLL CURB - TRANSITION |
| 10. IF CONCRETE CURB | |

SITE DATA		
ZONING:		
PANEL ID:	60-08-08-11-01-000-0-	
PROPOSED USE:	COMMERCIAL	
EXISTING SITE AREA:	4.84 AC.	
PROPOSED SITE AREA:	4.84 AC.	
DEVELOPED AREA:	1.80 AC.	
ZONING:		
EXISTING SUPERVISOR AREA:	4.00 AC.	
PROPOSED SUPERVISOR AREA:	1.80 AC.	
SUBJECT DATA:		
IMMEDIATE STREET FRONTAGE:	70'	
IMMEDIATE DEPTH FRONT YARD (PLATTED):	30' (30')	
IMMEDIATE DEPTH OF SITE YARD (PLATTED):	30' (30')	
IMMEDIATE STREET TRANSVERSE YARD:	30'	
IMMEDIATE DEPTH OF REAR YARD (PLATTED):	30'	
REQUIRED STANDARD PARKING STALL:	10' X 16' OR 8' X 30'	
REQUIRED ADA PARKING STALL:	10' X 16' OR 8' X 30'	
BLDG DATA:		
TOTAL AREA:	11,610 SQ. FT.	
BUILDING HEIGHT:	20'	
STORIES:	1	
PARKING DATA:		
REQUIRED:	12 SPACES (1 PER LESS THAN 75 SPACES)	
PROVIDEN:	72 SPACES	
	72 SPACES	
	12 SPACES	
	2 VAN ADA SPACES	
	14 WHEELCHAIR PARKING SPACES	

1. CONTRACTOR SHALL PROTECT AND NOT DESTROY THE PROPOSED CONCRETE FOUNDATIONS DURING CONSTRUCTION.
2. CONTRACTOR TO VERIFY LOCATION, SIZE AND DEPTH OF EXISTING UTILITIES PRIOR TO COMMENCING ANY CONSTRUCTION. CONTACT ENGINEER IF VARIATION EXISTS.
3. SEE SHEET 002 GENERAL NOTES FOR MORE INFORMATION.

II. CAUTION II

THE LOCATIONS OF ALL EXISTING UNDERGROUND UTILITIES SHOWN ON PLANS BASED UPON ABOVE GROUND EVIDENCE (INCLUDING, BUT NOT LIMITED TO, MANHOLES, SPECIFIC VALVES, AND MARKS LEFT BY OTHERS) AND ARE INCLUSIVE IN NATURE. THERE IS NO GROUND EVIDENCE FOR ANY OF THE UTILITIES FOR WHICH THERE IS NO ABOVE GROUND EVIDENCE OR FOR WHICH NO ABOVE GROUND EVIDENCE HAS BEEN OBTAINED. THE EXACT LOCATIONS OF ABOVE GROUND UNDERGROUND UTILITIES ARE NOT GUARANTEED BY THE CONTRACTOR PRIOR TO ANY AND ALL CONSTRUCTION.

CALL TOLL FREE
"811" OR 800-368-3764
- OHIO UTILITIES PROTECTION SERVICE -



3234 Silver Road, Suite 100 | Indianapolis, Indiana 46236
TEL 317.567.8888 | FAX 317.563.8279
www.stantec.com/cd-ecp
Contact: Joshua N. Olszewski, PE
E-mail: jolszewski@stantec.com

**POINDEXTER PARK
LOT 5
DEVELOPMENT**

5426 POINDEXTER DR.
LAWRENCE, IN 46235



Joshua H. Cribben
CERTIFIED BY

ISSUANCE INDEX
DATE: 05/22/2025
PROJECT PHASE: CONSTRUCTION DOCUMENTS

[illegible]

Project Number 2024.02459

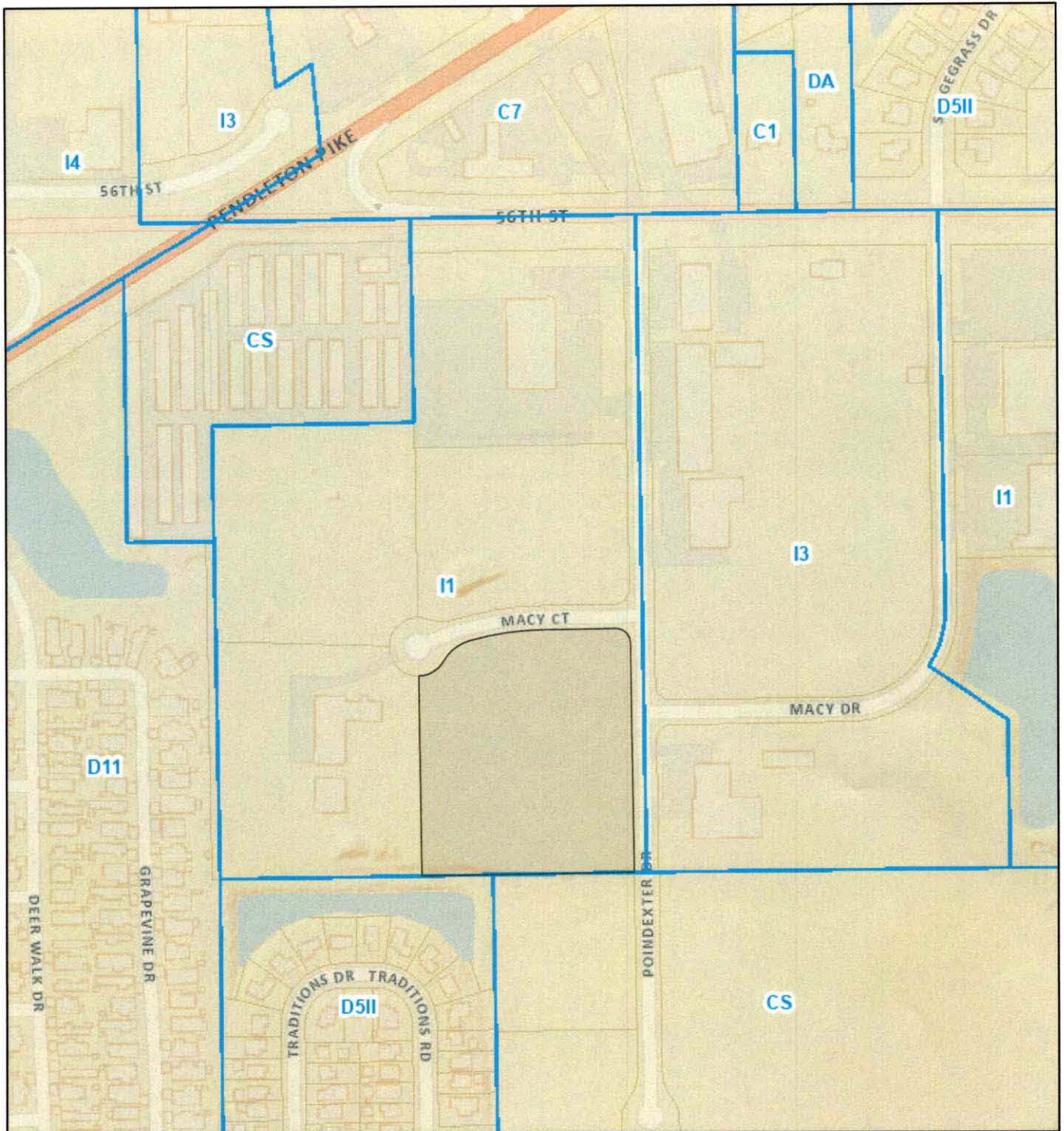
PROPOSED
SITE PLAN

C200

Legal Description for 5426 Poindexter Drive

Lot 5 in Poindexter Industrial Park, as per plat thereof, recorded as Instrument 2003-272057 in the Office of the Recorder of Marion County, Indiana.

5426 Poindexter Drive Zoning Map



11/6/2025

 Zoning

