



Planning & Building Department
6280 W 800N
McCordsville, IN 46055
Phone: 317.335.3604
Email: building@mccordsville.org

PUBLIC HEARING INFORMATION

Case #: BZA-20-009

Title: Midwest Maintenance's request for Special Exception & Development Standard Variances

Meeting Date: this zoning petition is currently scheduled to be heard at the September 2nd Board of Zoning Appeals meeting.

*Meeting agenda and staff report will be available on the website by end of business day on the Friday preceding the applicable meeting. Go to www.mcccordsville.org and click on "Agendas & Minutes".



August 10, 2020

McCordsville Board of Zoning Appeals
Town of McCordsville
6280 W 800 N
McCordsville, IN 46055

For the Attention of the Board of Zoning Appeals,

Midwest Maintenance and Construction Co., Inc is submitting a variance on behalf of Additional Real Estate, LLC for 3 signs on the gas station canopy at the gas station located at 5964 W Broadway Ave. The convenience store was previously operated as a Village Pantry, with the price sign, gasoline canopy, and dispensers branded Marathon. Under the ownership of Additional Real Estate, LLC, the convenience store will operate under the name 'Quickpix,' with the price sign, gasoline canopy, and dispensers branded Shell.

After discussions with the Director of Planning and Building Ryan Crum, the existing code allows for 1 wall sign per frontage on the primary structure by right. The gas station canopy would not be considered the primary structure; therefore, a Developmental Standards Variance would be required for any gas station canopy signage. We are requesting the ability to install three internally illuminated Shell 'pectin' logo cabinets on the gas station canopy (one sign on three different elevations of the gas station canopy) as depicted in the renderings and artwork submitted with the Developmental Standards Variance request.

Midwest Maintenance and Construction Co., Inc is aware that the McCordsville Zoning Ordinance establishes specific design criteria that must be met in order for a variance to be approved. Midwest Maintenance and Construction Co., Inc believes the following to be true in regards to this Developmental Standards Variance request:

- We believe that variance request would not be injurious to the public health, safety, morals and general welfare of the community. The members of the community are accustomed to signage on gas station canopy fascia. This particular location previously had 'Marathon' wordmarks previously displayed on the gas station canopy fascia, and the adjacent Speedway location has the Speedway 'S' logo displayed on their canopy fascia. Logos on the canopy fascia allow a station to be easily identified while travelling through the community.
- We believe that the use and value of the area adjacent to the property included in the variance will not be affected in a substantially adverse manner. The canopy signage as proposed allows the location to advertise the fact that they offer Shell gasoline in a concise manner, and provides a much cleaner look to the previous Marathon canopy image previously installed. We believe that the proposed canopy signage and canopy image depicted in the renderings/artwork will be an improvement to the property and will not adversely affect the value of adjacent properties.

- We believe that the strict application of the terms of the ordinance will result in a practical difficulty in the use of the property. Customers are accustomed to identifying gas station canopies based on the corporate branding as set forth by the various petroleum companies. Traditionally, customers can easily identify a Shell gas station by the Shell Pecten Logo located on the price signage, and the Shell Pecten logos, yellow, red, and white color scheme on the canopy fascia. Without the canopy signage, customers may have difficulty identifying the location as a Shell gas station location. By allowing the installation of three Shell pecten logos on the canopy as depicted in the artwork and renderings, the Town of McCordsville would still be allowing the gas station to be easily identified as a gas station by the members of the community, while still minimizing the amount of canopy signage/stripes/illuminated elements that are traditionally installed on a gas station canopy.

We appreciate the opportunity to present this variance to the Board of Zoning Appeals. We appreciate your time and your consideration in granting approval of this variance request.

Sincerely,

Justin Schleicher

Justin Schleicher
Project Manager

P.O. BOX 7035 • GREENWOOD, IN 46142 • (317) 885-9911 • FAX (317) 889-0052



August 10, 2020

McCordsville Board of Zoning Appeals
Town of McCordsville
6280 W 800 N
McCordsville, IN 46055

For the Attention of the Board of Zoning Appeals,

Midwest Maintenance and Construction Co., Inc is submitting a Special Exception on behalf of Additional Real Estate, LLC for the price sign at the gas station located at 5964 W Broadway Ave. The convenience store was previously operated as a Village Pantry, with the price sign, gasoline canopy, and dispensers branded Marathon. Under the ownership of Additonal Real Estate, LLC, the convenience store will operate under the name 'Quickpix,' with the price sign, gasoline canopy, and dispensers branded Shell.

After discussions with the Planning and Building Department and reviewing the sign ordinance, the price sign at this location is considered a legal, non-conforming sign. Typically, the only changes that could be made to legal, non-conforming signs are simple sign panel re-faces. If simple sign panel re-faces are not performed, the requirements for a new ground sign would be 6' OAH and 36 square feet. Midwest Maintenance is requesting utilizing the existing sign structure and install new cabinets in between the existing poles that will keep the sign system above the 6' OAH and 36 square feet.

Midwest Maintenance is requesting this special exception because we cannot simply reface the existing cabinets because one of the sign cabinets had been completely removed by the previous ownership. If this particular sign cabinet had been left in place, we could have re-faced all cabinets and the sign could have kept its legal, non-conforming status. Since one of the sign cabinets had been removed by previous ownership, Midwest Maintenance is requesting the ability to perform the following scope of work in regards to the price sign:

- Remove all existing Cabinets in between the existing poles
- Install all new cabinets in between poles
- Paint existing poles to Shell specifications (Warm Shite and Silver)

In performing this scope of work, Midwest Maintenance will be reducing the overall SF by 18.41 SF and reducing the overall height of the sign by 2.5'.

Midwest Maintenance and Construction Co., Inc is aware that the McCordsville Zoning Ordinance establishes specific design criteria that must be met in order for a special exception to be approved. Midwest Maintenance and Construction Co., Inc believes the following to be true in regards to this special exception request:

- We believe that special exception request would not be injurious to the public health, safety, morals and general welfare of the community. The members of the community are accustomed to large pole signs displaying price at a gas station, including this particular property, and would in no way cause any safety issues within the community. The price signage that we are requesting is similar in design to the price signage that has previously been installed at this location, and similar to the price sign design to the Speedway location that is adjacent to the gas station at 5964 W Broadway.

- We believe that the use and value of the area adjacent to the property included in the variance will not be affected in a substantially adverse manner. The signage as proposed allows the location to advertise the fact that they offer Shell gasoline, advertises the QuickPix convenience store, and the price of gasoline and diesel in a nice, clean look, and is a marked improvement to the existing Village Pantry/Marathon cabinets that were installed previously. By replacing the existing top cabinet (15" deep) with a new 8" deep cabinet, we believe that the proposed price signage in the renderings/artwork will be an improvement to the property and will not adversely affect the value of adjacent properties.
- We believe that the strict application of the terms of the ordinance will result in a practical difficulty in the use of the property. Traditionally, customers can easily identify a Shell gas station by the Shell Pecten Logo located on the price signage, and the Shell Pecten logos, yellow, red, and white color scheme on the canopy fascia. Without the red and yellow stripe on the canopy, customers may have difficulty identifying the location as a Shell gas station location. In addition, customers are creatures of habit and accustomed to looking up for the price signage while driving. By requiring a 6' high sign with 36 overall SF, customers would have a harder time locating the sign and safely identifying the price of regular gasoline and diesel at this location. This could lead to possible issues with the flow of traffic at this intersection and possible traffic incidents.

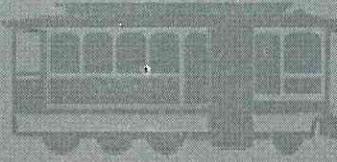
We appreciate the opportunity to present this special exception request to the Board of Zoning Appeals. We appreciate your time and your consideration in granting approval of this special exception request.

Sincerely,

Justin Schleicher

Justin Schleicher
Project Manager

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McCCORDSVILLE BOARD OF ZONING APPEALS
VARIANCE APPLICATION

Zoning Ordinance Section 10.03

Applicant Information

Name: MIDWEST MAINTENANCE AND CONSTRUCTION CO., INC.

Current Address: 585 SAYRE CT.
(Number) (Street)
GREENWOOD IN 46143
(City) (State) (Zip)

Phone No.: 317-885-2211 E-mail Address: JSCHLEICHER@MIDWEST-MAINT.COM

Property Owner Information (the "owner" does not include tenants or contract buyers)

Name: ADDITIONAL REAL ESTATE, LLC

Current Address: 210 E US 52 SUITE E
(Number) (Street)
RUSHVILLE IN 46173
(City) (State) (Zip)

Phone No.: 765-932-3224 E-mail Address: HEATHER.MECKES@HERDRICH.COM

Property Information

Current Address: 5964 W BROADWAY, McCCORDSVILLE, IN 46055
(Number) (Street)

Subdivision Name (if applicable): _____

OR General Location (if no address has been assigned, please provide a street corner, subdivision lot number, or attach a legal description)

Administrative Officer Use Only:

Existing Zoning: _____

Future Land Use: _____

Date Application Filed: _____

Docket No.: _____

Present Use of Property: GAS STATION / CONVENIENCE STORE

Size of the Lot/Parcel in Question: 2.02 ACRES

Are there any restrictions, laws, covenants, variances, special exceptions, or appeals filed in connection with this property that would relate or affect its use for the specific purpose of this application? If yes, please list date and docket number, decision rendered and pertinent explanation:

Variance Information - SPECIAL EXCEPTION

Describe the variance requested: REQUESTING THE ABILITY TO REUSE THE EXISTING SIGN POLES, INSTALL NEW CABINETS, AND PAINT POLES SILVER AND WHITE TO MATCH SPEEDS. POLE SIGN WOULD BE 25' OAK AND 136.65 SF

Development Standards Variance Requested:

- | | |
|--|--|
| <input type="checkbox"/> Building Height | <input type="checkbox"/> Entrance / Drive |
| <input type="checkbox"/> Building Setback | <input type="checkbox"/> Sight Visibility |
| <input type="checkbox"/> Lot Coverage | <input type="checkbox"/> Fence and Wall |
| <input type="checkbox"/> Lot Width | <input type="checkbox"/> Landscaping |
| <input type="checkbox"/> Lot Area | <input type="checkbox"/> Buffering and Screening |
| <input type="checkbox"/> Parking | <input type="checkbox"/> Exterior Lighting |
| <input type="checkbox"/> Loading | <input checked="" type="checkbox"/> Sign |
| <input type="checkbox"/> Other (please specify): _____ | |

Describe reasons supporting the variance requested: SEE STATEMENT OF INTENT.

Development Standards Variance Criteria

The McCordsville Zoning Ordinance establishes specific design criteria that must be met in order for a variance to be approved. Please answer each question below and if the response is "NO", please describe why the variance requested does not meet the required criteria.

Will the variance provide safe conditions that will not be injurious to the public health, safety, morals, and general welfare of the community?

YES NO, Please Explain (attach additional pages as necessary): _____

Will the use and value of the area adjacent to the property included in the variance not be affected in a substantially adverse manner?

YES NO, Please Explain (attach additional pages as necessary): _____

Will the strict application of the terms of this Ordinance result in a practical difficulty in the use of the property? This situation shall not be self-imposed, nor be based on a perceived reduction of, or restriction on, economic gain.

YES NO, Please Explain (attach additional pages as necessary): _____

Applicant's Signature

The information included in and with this application is completely true and correct to the best of my knowledge and belief.



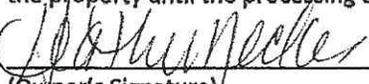
(Applicant's Signature)

7/17/2020

(Date)

Owner's Signature (the "owner" does not include tenants or contract buyers)

I authorize the filing of this application and will allow the Town staff to enter this property for the purpose of analyzing this request. Further, I will allow a public notice sign to be placed and remain on the property until the processing of the request is complete.



(Owner's Signature)

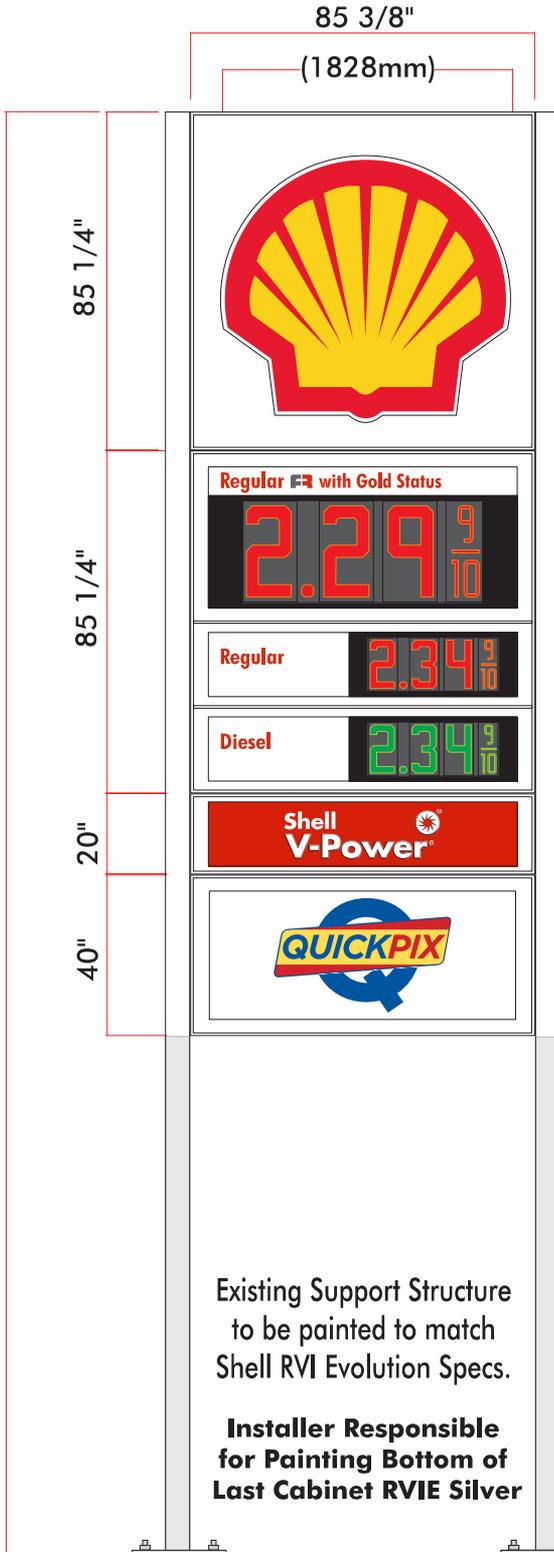
7/14/2020

(Date)

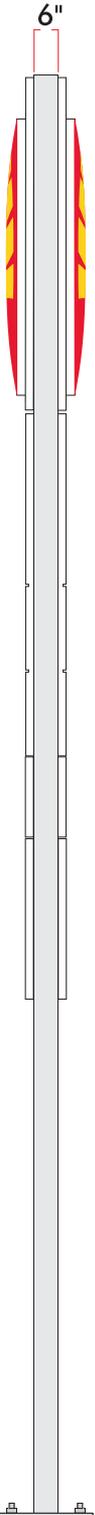
(Owner's Signature)

(Date)

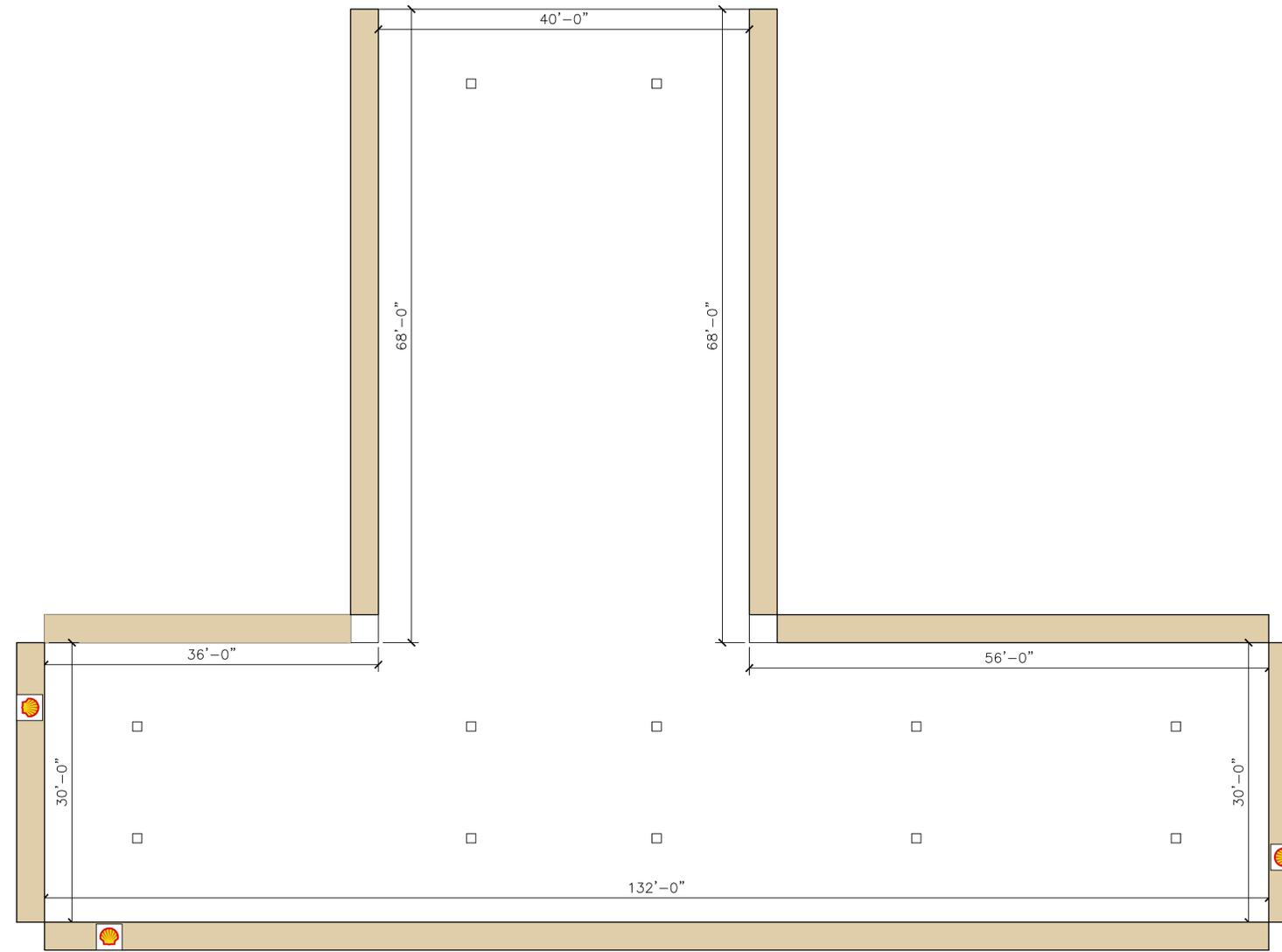
EXISTING OAH TO REMAIN UNCHANGED



Proposed Elevation



Side View



SCALE: 1/8" = 1'-0"

SHELL
 5964 W BROADWAY
 MCCORDSVILLE, IN 46055

MIDWEST™
MAINTENANCE
& CONSTRUCTION

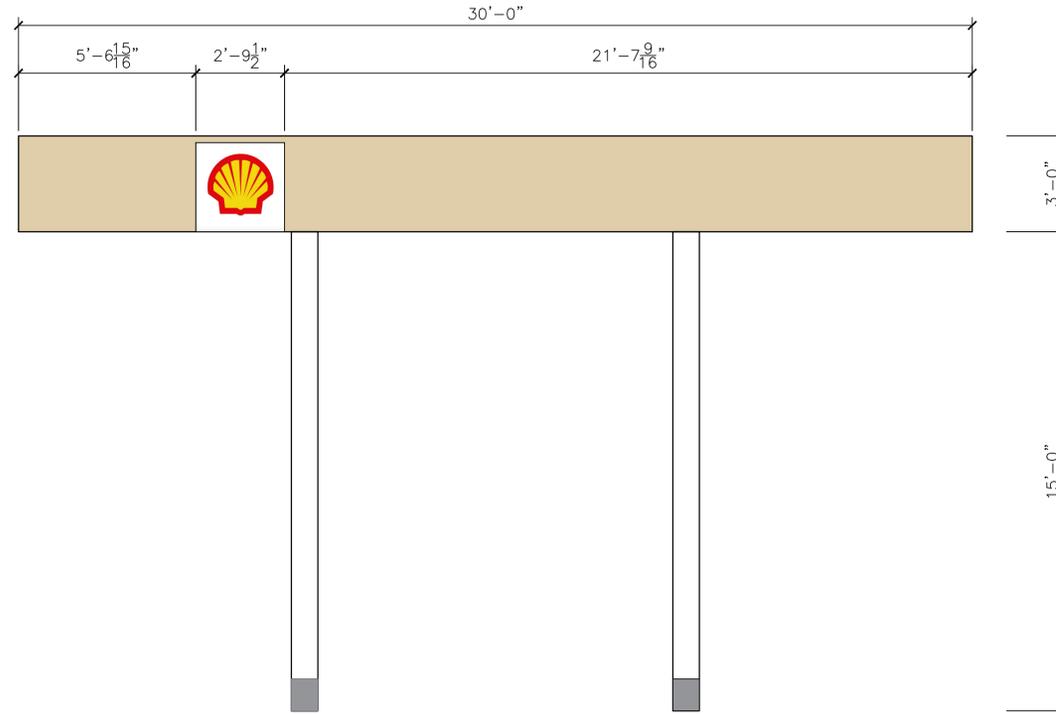
585 Sayre Ct
 Greenwood, IN 46143
 (317) 885-9911

DATE:	7/23/20
Drawn By:	JM
Checked By:	
Approved By:	
REVISIONS	
8/7/20	

LAYOUT

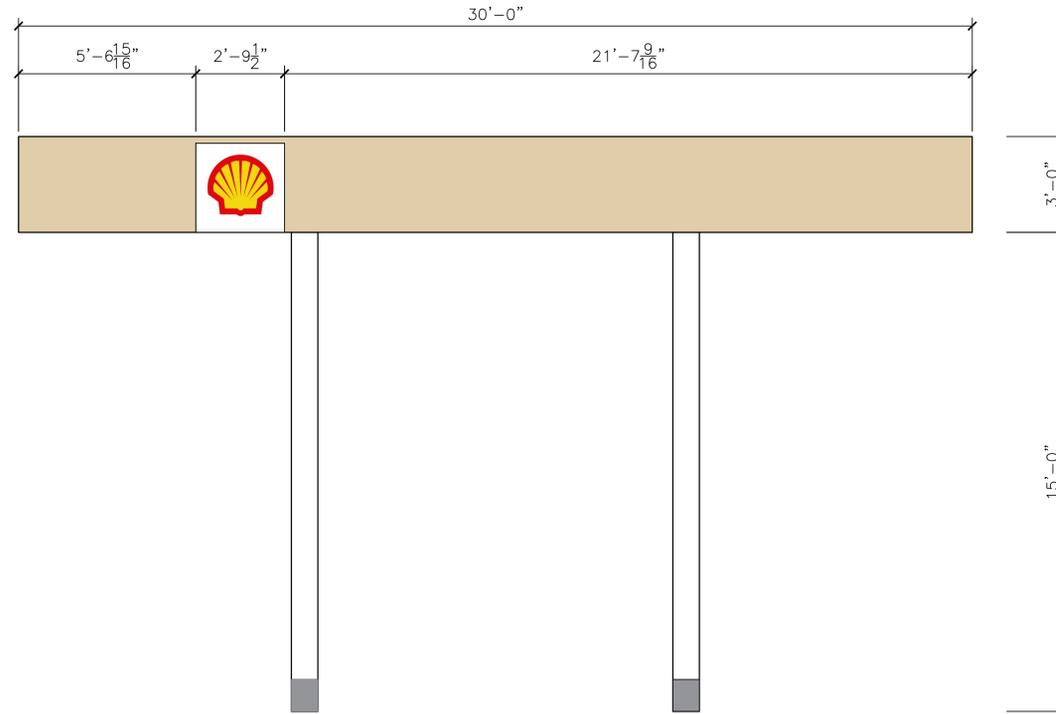
SHEET NUMBER
 1 OF 6

CANOPY EAST SIDE



SHELL LOGO SIGN: 2.792' X 2.792' = 7.795 SF
 3' X 30' = 90' X .25 = 22.5 SF AVAILABLE

CANOPY WEST SIDE



SHELL LOGO SIGN: 2.792' X 2.792' = 7.795 SF
 3' X 30' = 90' X .25 = 22.5 SF AVAILABLE

SHELL
 5964 W BROADWAY
 MCCORDSVILLE, IN 46055



585 Sayre Ct
 Greenwood, IN 46143
 (317) 885-9911

DATE:	7/23/20
Drawn By:	JM
Checked By:	
Approved By:	
REVISIONS	
8/7/20	

ELEV

SCALE: 3/8" = 1'-0"

SHEET NUMBER
 2 OF 6

SHELL
5964 W BROADWAY
MCCORDSVILLE, IN 46055



585 Sayre Ct
Greenwood, IN 46143
(317) 885-9911

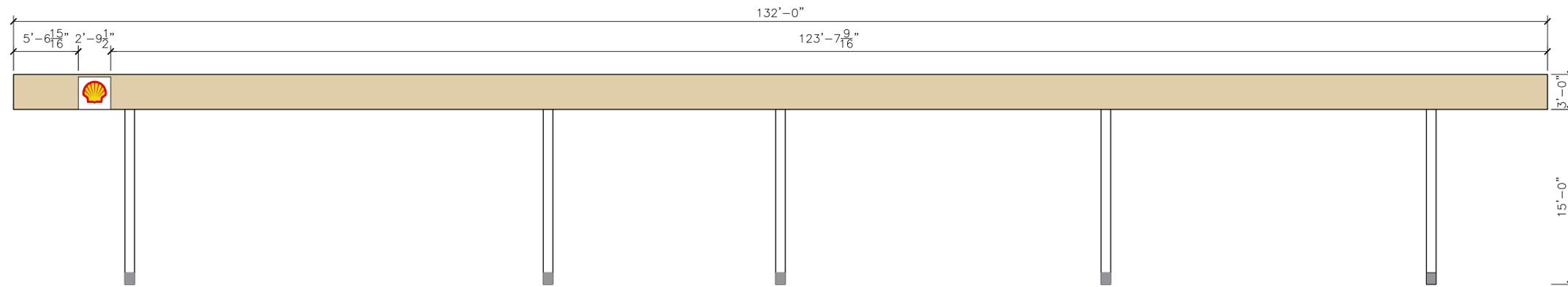
DATE: 8/7/20
Drawn By: JM
Checked By:
Approved By:

REVISIONS	

ELEV

SHEET NUMBER
3 OF 6

CANOPY SOUTH SIDE

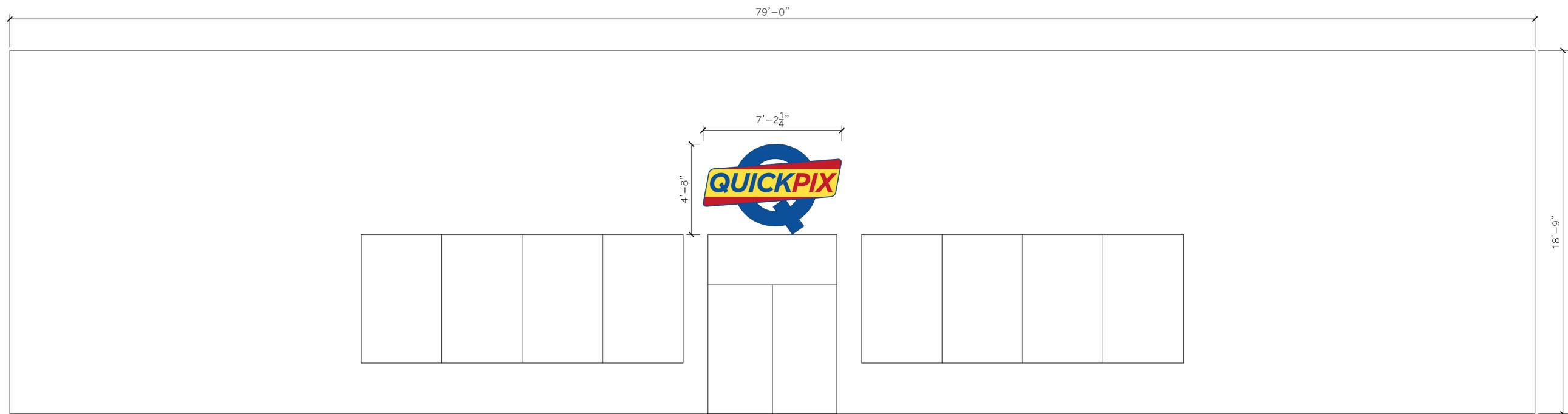


SHELL LOGO SIGN: 2.792' X 2.792' = 7.795 SF
3' X 132' = 396' X .25 = 99 SF AVAILABLE

SCALE: 3/16" = 1'-0"

Front of Building – 79' x 18.75' = 1481.25 SF
 QuickPix Logo Sign – Illuminated – 7.19' x 4.67' = 33.58 SF
 Percentage of Building SF – 2.3% of signage

CSTORE FRONT



SHELL
 5964 W BROADWAY
 MCCORDSVILLE, IN 46055



585 Sayre Ct
 Greenwood, IN 46143
 (317) 885-9911

DATE: 7/23/20
 Drawn By: JM
 Checked By:
 Approved By:
 REVISIONS

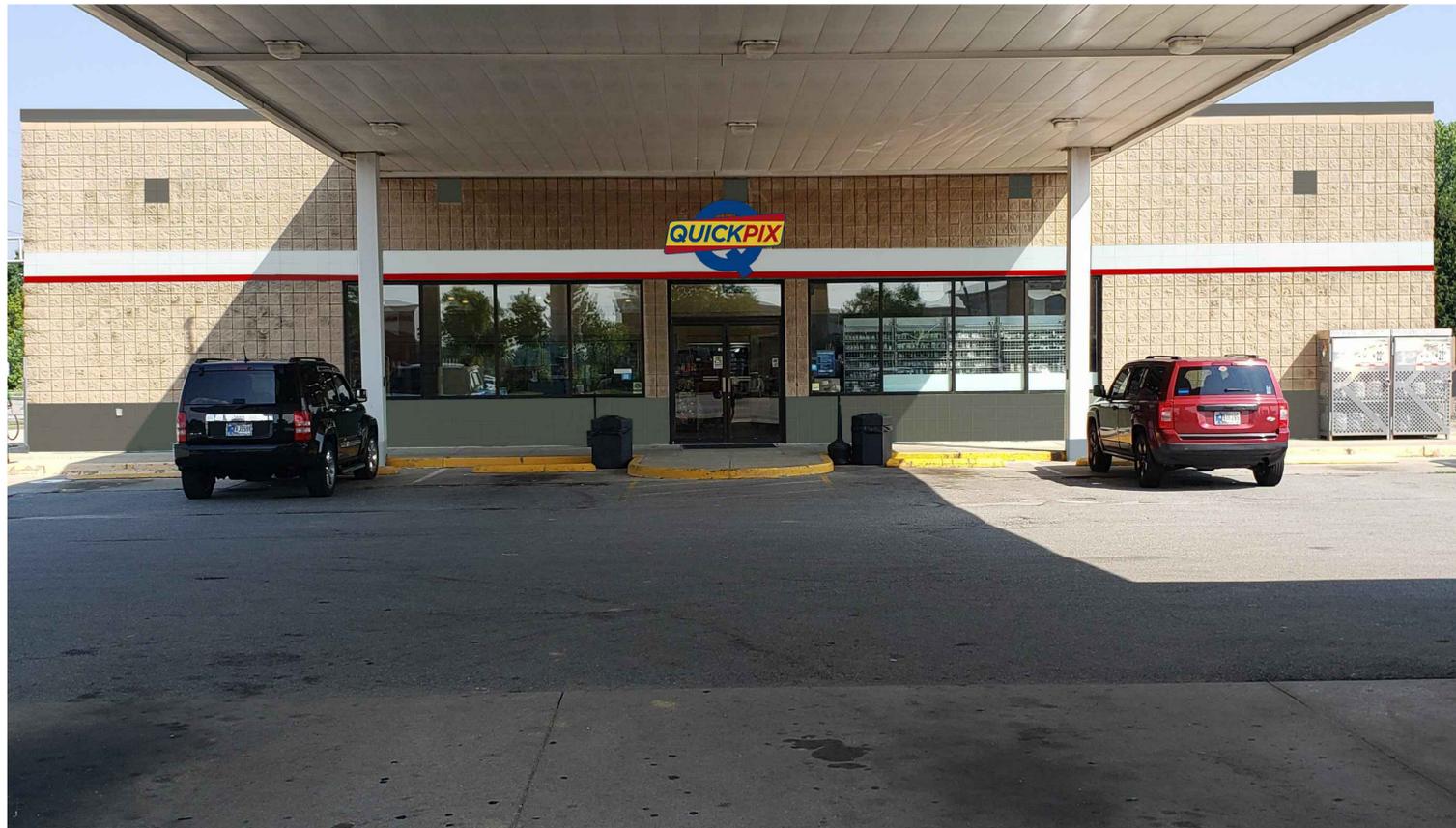
CSTORE

SCALE: 3/8" = 1'-0"

SHEET NUMBER
 4 OF 6



ORIGINAL



PROPOSED

SHELL
5964 W BROADWAY
MCCORDSVILLE, IN 46055



585 Sayre Ct
Greenwood, IN 46143
(317) 885-9911

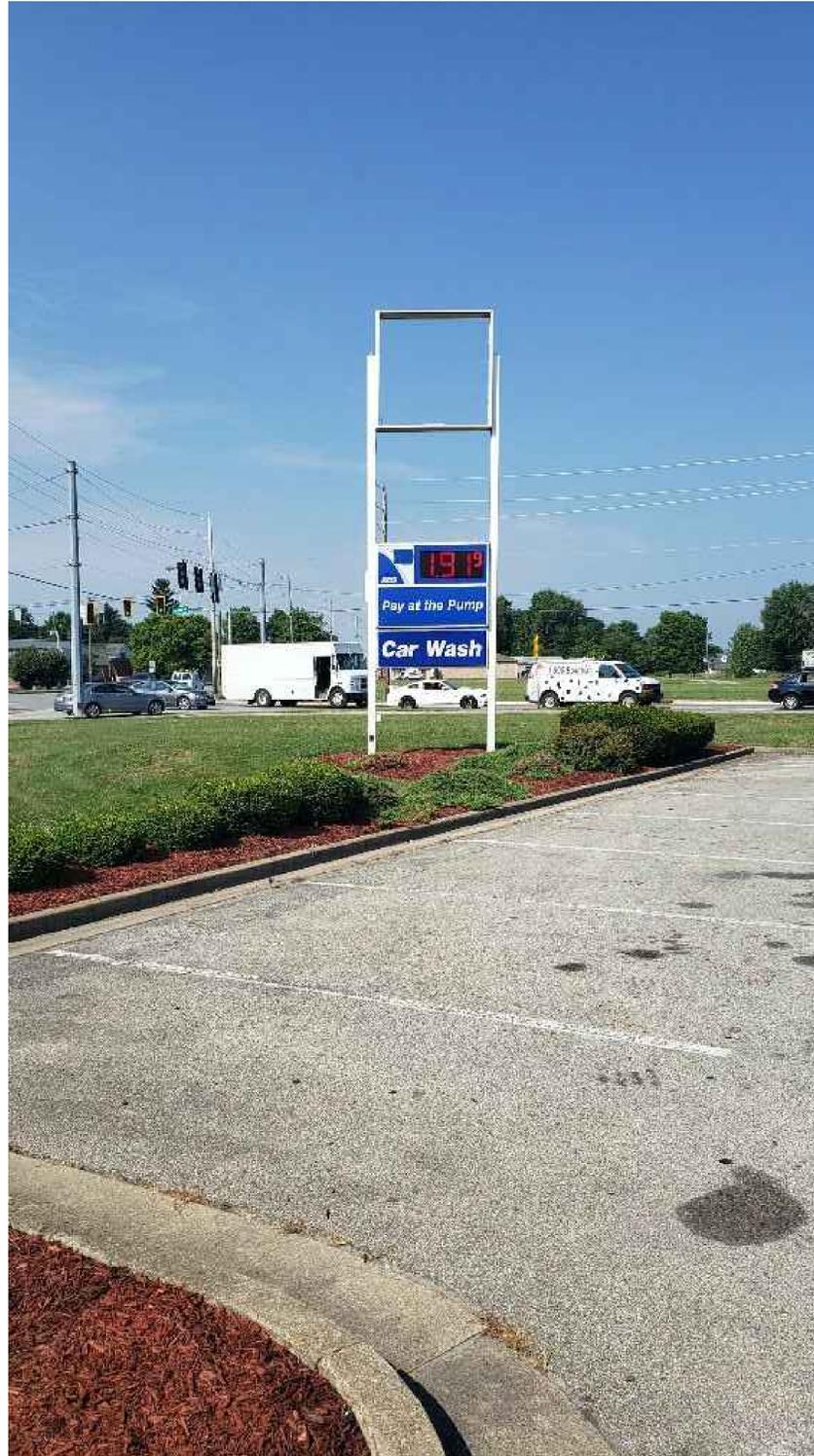
DATE: 7/23/20
Drawn By: JM
Checked By:
Approved By:

REVISIONS	

CSTORE

SHEET NUMBER
5 OF 6

ORIGINAL



155.06 SF
27'-6" OAH

PROPOSED



136.65 SF
25' OAH

SHELL
5964 W BROADWAY
MCCORDSVILLE, IN 46055

MIDWESTTM
MAINTENANCE
& CONSTRUCTION

585 Sayre Ct
Greenwood, IN 46143
(317) 885-9911

DATE: 7/23/20
Drawn By: JM
Checked By:
Approved By:
REVISIONS

MID

SHEET NUMBER
6 OF 6

OWNER/TRUSTEE AUTHORIZATION LETTER

I declare and affirm that I am the Owner or Trustee of the real property (land) mentioned here:

30-01-25-202-001.000-018
Tax Parcel ID Number

Located at:

5964 W Broadway, McCordsville, IN 46055
(Street Address, City, State, Zip)

And have full authority to authorize:

Midwest Maintenance and Construction, Co. Inc. or their authorized agents
(Name of Person or Company)

to pull permits on our behalf and to perform any branding or signage work at the aforementioned real property. I understand that sign construction is subject to the building and/or zoning code and contractor competency requirements as administered by the local municipality or governing body.

Heather Meeks Additional Real Estate
(Print Name of Owner or Trustee) LLC

210 EUS 52 SUITE
(Street Address of Owner or Trustee)

705932 3224
(Owner or Trustee Phone Number)

[Signature]
(Signature of Owner or Trustee)

7/14/2020
(Date)