



Board of Zoning Appeals
Board of Zoning Appeals Division I (March
4, 2025)
Meeting Agenda

Meeting Details

Notice is hereby given that the Metropolitan Board of Zoning Appeals will hold public hearings on:

Date: Tuesday, March 04, 2025

Time: 1:00 PM

Location: Public Assembly Room, 2nd Floor, City-County Building, 200 E. Washington Street

Business:

Adoption of Meeting Minutes

Special Requests

PETITIONS REQUESTING TO BE CONTINUED:

1. 2025-DV1-004 | 1135 & 1141 North Tacoma Avenue

Center Township, Council District #13, zoned D-5
Ariana & Joel Mathews, by Paul J. Lambie

Variance of Development Standards of the Consolidated Zoning and Subdivision Ordinance to provide for the construction of a duplex on two lots with deficient lot widths of 45 and 40 feet, respectively (60-foot lot width required).

****Automatic continuance filed by a registered neighborhood organization, continuing this to the April 1, 2025 hearing of Division I**

Petitions for Public Hearing

PETITIONS TO BE EXPEDITED:

2. 2024-DV1-045 | 4496 Saguaro Trail

Pike Township, Council District #6, zoned I-2
Shear Saguaro LLC, by Justin W. Levertson, Esq.

Variance of Development Standards of the Consolidated Zoning and Subdivision Ordinance to provide for a building addition resulting in an 11-foot rear yard setback (30 feet required).

3. 2025-DV1-006 | 5320 Central Avenue

Washington Township, Council District #7, zoned D-4
Trade Design Studio LLC

Variance of Development Standards of the Consolidated Zoning and Subdivision Ordinance to provide for a building addition resulting in an 8.66-foot rear yard setback (20 feet required).

4. 2025-DV1-007 | 6138 Central Avenue

Washington Township, Council District #7, zoned D-4 (FF)
Stephen & Mary Sommer, by Jeffrey Cowsert

Variance of Development Standards of the Consolidated Zoning and Subdivision Ordinance to provide for a building addition resulting in a five-foot rear yard setback (20-feet required).

PETITIONS FOR PUBLIC HEARING (Transferred Petitions):

PETITIONS FOR PUBLIC HEARING (Continued Petitions):

5. 2024-DV1-046 | 8654 West 86th Street

Pike Township, Council District #1, zoned D-2 / D-S (FF)
Gary A. & Mickey K. James

Variance of Development Standards of the Consolidated Zoning and Subdivision Ordinance to provide for the installation of a six-foot tall decorative fence within the front yard of 86th Street (maximum height of 3.5-feet permitted).

6. 2024-UV1-030 (Amended) | 2927 West Washington Street

Wayne Township, Council District #18, zoned C-4 (TOD)
Teklit Fecadu

Variance of use of the Consolidated Zoning and Subdivision Ordinance to provide for a four-unit multi-family building (not permitted) and a fifth detached dwelling unit (not permitted).

7. 2024-DV1-044 (Amended) | 289 North Cole Street (approximate address)

Wayne Township, Council District #16, Zoned D-4
Humberto Carreon Rubio, by Mark and Kim Crouch

Variance of Development Standards of the Consolidated Zoning and Subdivision Ordinance to provide for the construction of a detached garage in front of the primary dwelling (not permitted).

PETITIONS FOR PUBLIC HEARING (New Petitions):

8. 2025-DV1-003 | 2703 Cardigan Road

Pike Township, Council District #1, zoned D-3 / D-A
Jose Luis Martinez Marcial, by Arnoldo Gonzales Vasquez

Variance of Development Standards of the Consolidated Zoning and Subdivision Ordinance to provide for the location of a 53-foot-wide parking area within the front yard (maximum 30-foot width permitted).

9. 2025-DV1-005 | 6462 Broadway Street

Washington Township, Council District #2, zoned D-4 (TOD) (FF)
Melissa Jackson and Andrew Mehlhop, by Hannah Able

Variance of Development Standards of the Consolidated Zoning and Subdivision Ordinance to provide for a detached garage addition with a one-foot south side yard setback (four feet required) and a three-foot rear yard setback (five feet required).

10. 2025-UV1-001 | 3854 Washington Boulevard

Washington Township, Council District #7, zoned D-5 (TOD)
Timothy & Karissa Funston

Variance of use of the Consolidated Zoning and Subdivision Ordinance to provide for a 999-square foot second primary dwelling (one primary use per lot permitted).

11. 2025-UV1-002 | 6145 North Ewing Street

Washington Township, Council District #3, zoned D-S
Janna & Jonathan Mayes

Variance of use and development standards of the Consolidated Zoning and Subdivision Ordinance to provide for the construction of a second 1,085-square-foot primary dwelling associated with a detached garage (one primary use per lot permitted) with an eight-foot north side yard setback (15 feet required).

12. 2025-UV1-003 | 9615 Southeastern Avenue
Franklin Township, Council District #25, zoned D-A
Grateful Ventures LLC, by Greg Ilko

Variance of Use of the Consolidated Zoning and Subdivision Ordinance to provide for the operation of a financial planning and insurance office, per the filed plan of operation (not permitted).

Additional Business:

**The addresses of the proposals listed above are approximate and should be confirmed with the Division of Planning. Copies of the proposals are available for examination prior to the hearing by emailing planneroncall@indy.gov. Written objections to a proposal are encouraged to be filed via email at planneroncall@indy.gov, before the hearing and such objections will be considered. At the hearing, all interested persons will be given an opportunity to be heard in reference to the matters contained in said proposals. The hearing may be continued from time to time as may be found necessary. For accommodations needed by persons with disabilities planning to attend this public hearing, please call the Office of Disability Affairs at (317) 327-7093, at least 48 hours prior to the meeting. - Department of Metropolitan Development - Current Planning Division.



BOARD OF ZONING APPEALS DIVISION I

March 4, 2025

Case Number: 2025-DV1-004
Address: 1135 & 1141 North Tacoma Avenue (approximate address)
Location: Center Township, Council District #13
Zoning: D-5
Petitioner: Ariana & Joel Mathews, by Paul J. Lambie
Request: Variance of Development Standards of the Consolidated Zoning and Subdivision Ordinance to provide for the construction of a duplex on two lots with deficient lot widths of 45 and 40 feet, respectively (60-foot lot width required).

Current Land Use: Undeveloped lots

Staff Reviewer: Robert Uhlenhake, Senior Planner

PETITION HISTORY

This is the first public hearing for this petition.

This petition was **automatically continued to the April 1, 2025, hearing**, from the March 4, 2025, hearing, by a Registered Neighborhood Organization. This would just require the Board's acknowledgement.



BOARD OF ZONING APPEALS DIVISION I

March 4, 2025

Case Number: 2024-DV1-045

Property Address: 4496 Saguaro Trail (approximate address)

Location: Pike Township, Council District #6

Petitioner: Shear Saguaro LLC, by Justin W. Leverton, Esq.

Current Zoning: I-2

Request: Variance of Development Standards of the Consolidated Zoning and Subdivision Ordinance to provide for a building addition resulting in an 11-foot rear yard setback (30 feet required).

Current Land Use: Light Industrial

Staff Recommendations: Staff recommends approval for this petition

Staff Reviewer: Noah Stern, Senior Planner

PETITION HISTORY

ADDENDUM FOR MARCH 4, 2025 BZA DIVISION I HEARING

- This petition was automatically continued by the petitioner from the January 7, 2025 hearing to February 4, 2025.
- The petition was continued without notice to the March 4, 2025 hearing to allow for time to acquire new information.

STAFF RECOMMENDATION

- Staff recommends approval of this petition

PETITION OVERVIEW

- This petition would provide for a building addition resulting in a 20-foot rear yard setback (30 feet required). The original variance request on the legal notice which was for an 11-foot rear yard setback was amended to a request for a 20-foot rear yard setback, per the revised site plan.
- The subject site is zoned I-2 and is improved with light industrial uses. The proposed addition would be located to the north of the existing building and would be approximately 4,782 square feet. Staff finds the petition for a 20-foot rear yard setback to be a minor request that would have minimal effect on the surrounding area. The rear yard in question is not a transitional yard and reduced setbacks are not uncommon in the area in large part because many of the lots are smaller in area than typical I-2 properties.



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

- Staff had initial concerns about the potential presence of heritage trees on site. With the arborist report indicating that no heritage trees exist on site, no additional variance is required for any tree removal needed for the proposed addition. Staff also requested that the petitioner submit a landscape plan showing landscaping along the sides of the proposed addition, so as to soften the transition between the subject site and the property to the north, which has been provided in the proposed landscape plan below.
- With Staff finding the request to be reasonable in nature, the proposed development to be consistent with development patterns in the area, and with the petitioner revising the site plan to address Staff’s concerns, Staff is unopposed to the request.

GENERAL INFORMATION

Existing Zoning	I-2	
Existing Land Use	Light Industrial	
Comprehensive Plan	Light Industrial	
Surrounding Context	Zoning	Surrounding Context
North:	I-2	North: Light Industrial
South:	I-2	South: Light Industrial
East:	I-2	East: Light Industrial
West:	I-2	West: Light Industrial
Thoroughfare Plan		
Saguaro Trail	Local Street	55 feet of right-of-way existing and 48 feet proposed
Context Area	Metro	
Floodway / Floodway Fringe	No	
Overlay	No	
Wellfield Protection Area	No	
Site Plan	11/4/24	
Site Plan (Amended)	1/28/25	
Elevations	11/4/24	
Elevations (Amended)	N/A	
Landscape Plan	1/28/25	
Findings of Fact	11/4/24	
Findings of Fact (Amended)	N/a	

COMPREHENSIVE PLAN ANALYSIS

Comprehensive Plan

- Marion County Land Use Plan Pattern Book



Pattern Book / Land Use Plan

- The Marion County Land Use Plan pattern Book recommends the Light Industrial working typology for this site.

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

N/A

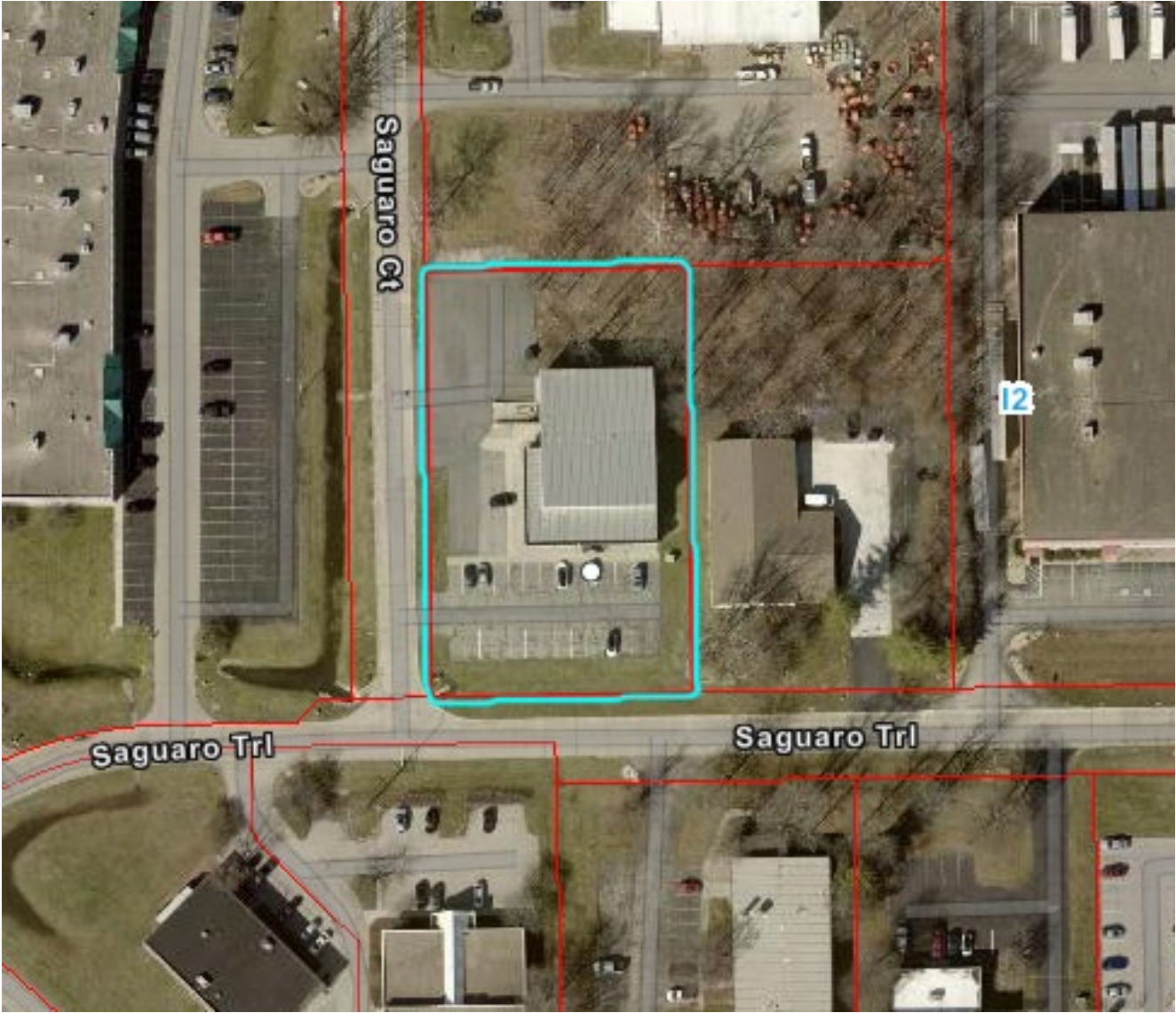
ZONING HISTORY – VICINITY

2007DV2007; 6355 Morenci Trail (south of site), VARIANCE OF DEVELOPMENT STANDARDS of the Industrial Zoning Ordinance to provide for the construction of a 125-foot tall wind energy conversion system (WECS) (maximum 50-foot structure height permitted), **approved**.

2000DV3030;4220 Saguaro Trail (east of site), variance of development standards of the Industrial Zoning Ordinance to provide for the construction of a 97,013 square foot addition to an existing warehouse/office building, with a 6,996 square foot portion of the addition having a 20-foot front setback along Saguaro Trail (minimum 5-foot setback along local streets required), **withdrawn**.

83-UV3-104; 6418 Saguaro Court (north of site), variance of use of the Industrial Zoning Ordinance to allow the existing building to be used as a machine shop, **approved, subject to conditions**.

EXHIBITS

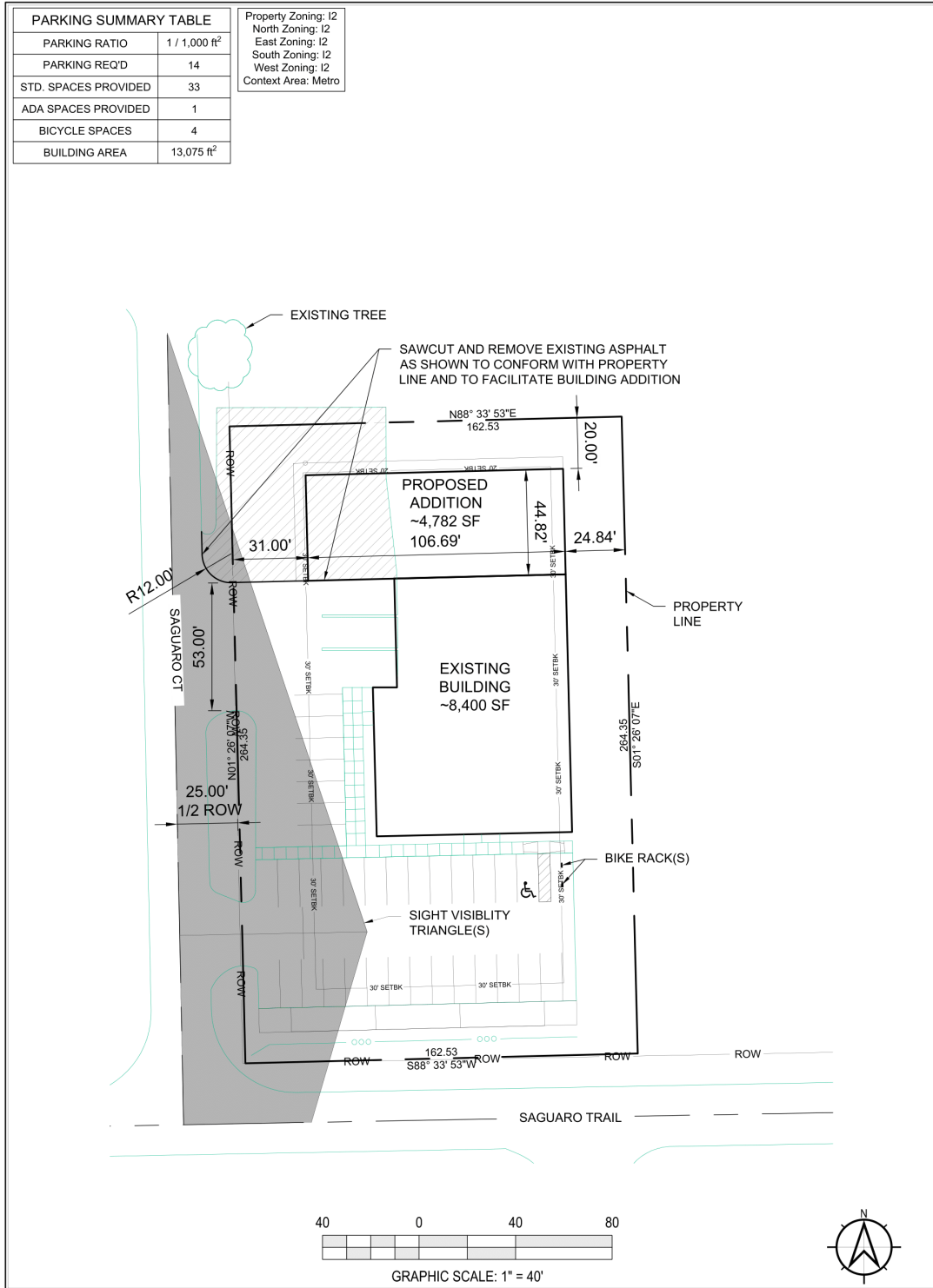




Department of Metropolitan Development
Division of Planning
Current Planning

PARKING SUMMARY TABLE	
PARKING RATIO	1 / 1,000 ft ²
PARKING REQ'D	14
STD. SPACES PROVIDED	33
ADA SPACES PROVIDED	1
BICYCLE SPACES	4
BUILDING AREA	13,075 ft ²

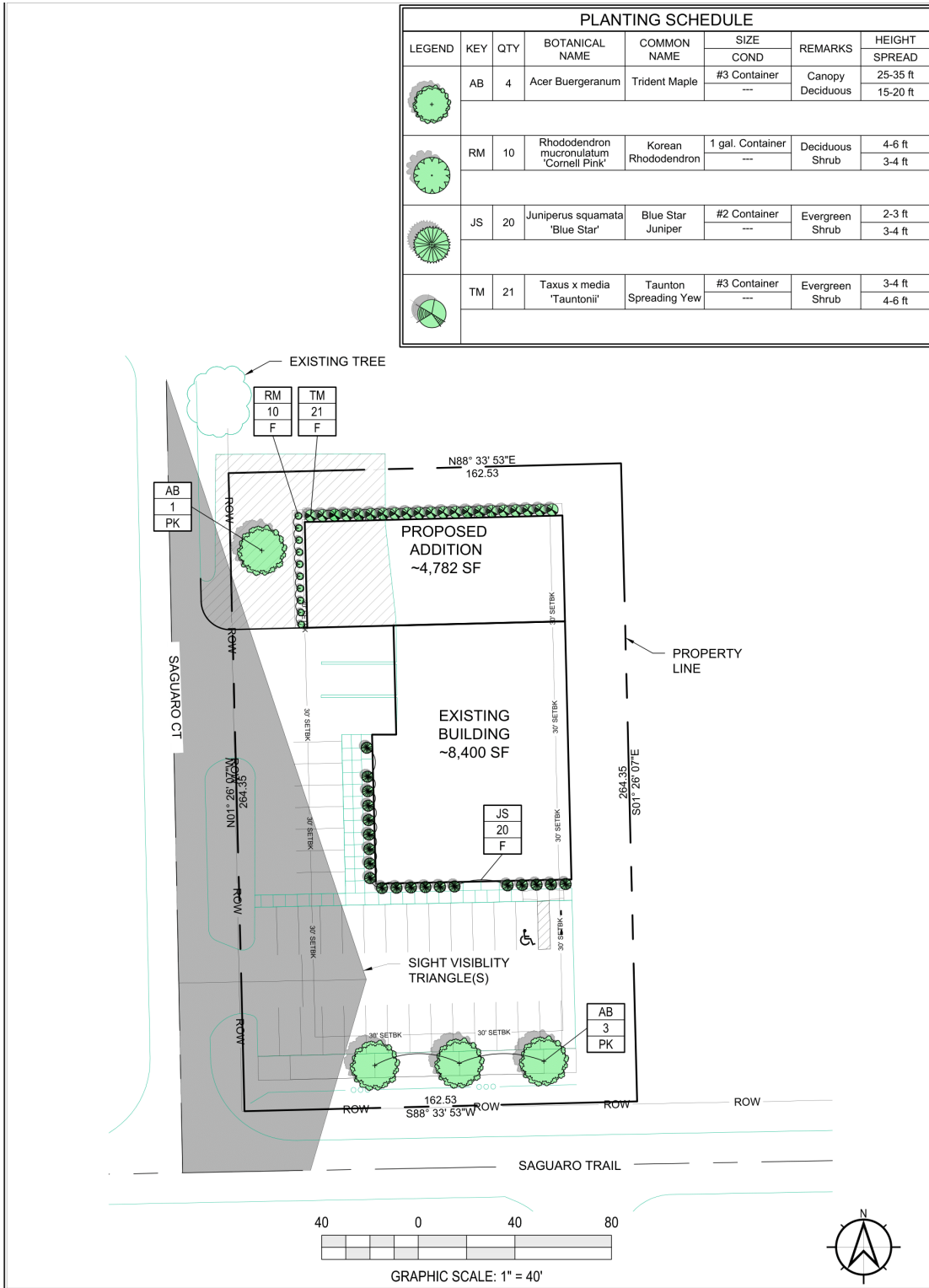
Property Zoning: I2
North Zoning: I2
East Zoning: I2
South Zoning: I2
West Zoning: I2
Context Area: Metro



THESE DRAWINGS ARE GIVEN IN CONFIDENCE AND SHALL BE USED ONLY IN PURSUANT TO THE AGREEMENT WITH MOENCH ENGINEERING, P.C. NO OTHER USE OR DUPLICATION MAY BE MADE WITHOUT THE PRIOR WRITTEN CONSENT OF MOENCH ENGINEERING, P.C. ALL OTHER COPYRIGHT AND COMMON LAW RIGHTS ARE HEREBY SPECIFICALLY RESERVED.

<p>AMERIFLO INC. 4496 Saguaro Trail Indianapolis, Indiana 46268 Marion County, Wayne Township</p> <p>SITE PLAN</p>	<p>Drawn By: jells</p> <p>Checked By: BEM</p> <p>Project No. 24336</p> <p>Date: 8/2724</p>	<p>Moench Engineering</p>	<p>4000 Clarks Creek Road Plainfield, Indiana 46168 Phone (317) 837-2767</p> <hr/> <p>Sheet Number: EX-1</p>
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PLANTING SCHEDULE							
LEGEND	KEY	QTY	BOTANICAL NAME	COMMON NAME	SIZE	REMARKS	HEIGHT
					COND		SPREAD
	AB	4	Acer Buergeranum	Trident Maple	#3 Container	Canopy Deciduous	25-35 ft 15-20 ft
	RM	10	Rhododendron mucronulatum 'Cornell Pink'	Korean Rhododendron	1 gal. Container	Deciduous Shrub	4-6 ft 3-4 ft
	JS	20	Juniperus squamata 'Blue Star'	Blue Star Juniper	#2 Container	Evergreen Shrub	2-3 ft 3-4 ft
	TM	21	Taxus x media 'Tauntonii'	Taunton Spreading Yew	#3 Container	Evergreen Shrub	3-4 ft 4-6 ft



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AMERIFLO INC.
 4496 Saguaro Trail
 Indianapolis, Indiana 46268
 Marion County, Wayne Township

LANDSCAPE PLAN

Drawn By:
 Jells
 Checked By:
 BEM
 Project No.
 24336
 Date:
 8/2724



4000 Clarks Creek Road
 Plainfield, Indiana 46168
 Phone (317) 837-2767

Sheet Number:

EX-2



Artistic Touch Tree Service
On Site Tree Evaluation

4496 Saguaro Trail
Indianapolis, IN 46268

Approximately 30-35 trees on property, depending on exact property line. All trees in the affected area are 12 inch trees and smaller. No Heritage trees on site.

Concerns:

- 1 large Red Oak at 42 dbh right on neighbors property line 30% of top is already completely dead.
- 1 large Sycamore at 38 dbh structural integrity issues at base of tree.

These two trees are not on said property, they are on neighboring properties.
This information is only being stated for potential hazards to new building, could create extreme damage if trees were to fail.

Arborist: Steve Kehring

Signature

IN-3629A

Arborist #

Department of Metropolitan Development
Division of Planning
Current Planning









BOARD OF ZONING APPEALS DIVISION I

March 4, 2025

Case Number: 2025-DV1-006
Address: 5320 Central Avenue (approximate address)
Location: Washington Township, Council District #7
Zoning: D-4
Petitioner: Trade Design Studio LLC
Request: Variance of Development Standards of the Consolidated Zoning and Subdivision Ordinance to provide for a building addition resulting in an 8.66-foot rear yard setback (20 feet required).

Current Land Use: Single Family Dwelling

Staff Recommendation: Staff recommends approval of this petition.

Staff Reviewer: Robert Uhlenhake, Senior Planner

PETITION HISTORY

This is the first public hearing for this petition.

STAFF RECOMMENDATION

Staff recommends **approval** of this petition, subject to the following commitment:

The petitioner will remove the existing curb cut on Central Avenue and restore the sidewalk to DPW standards, within 6 months of the variance grant.

PETITION OVERVIEW

- ◇ This request would provide for an addition to the existing dwelling that would include an attached garage, creating an approximately 8.66-foot rear setback for the primary dwelling, when the Ordinance requires a 20-foot rear setback.
- ◇ The Consolidated Zoning and Subdivision Ordinance provides for a five-foot rear yard setback for detached accessory buildings but requires a 20-foot rear yard setback for the primary dwelling. Except for the connection to the dwelling, the garage is an accessory use. The reduced rear setback would have minimal negative impact upon the use and value of the properties of the abutting neighbors because the development pattern of reduced setbacks is common throughout this older neighborhood. It should also be noted that the new structures will maintain and not negatively impact the required open space.



- ◇ Staff believes that the reduced setback would be reasonable and would be in character with the neighborhood as staff has supported similar setback reductions in this area because the lots were developed before the adoption of the development standards of Consolidated Zoning and Subdivision Ordinance.
- ◇ Generally, Staff supports property improvements if their location and characteristics do not negatively impact adjoining residential areas by causing a nuisance to the surrounding neighborhood. Staff believes that this would be true for this particular variance request, and additionally that no public safety or health risks would come from the grant of this variance.

GENERAL INFORMATION

Existing Zoning	D-4	
Existing Land Use	Single Family Dwelling	
Comprehensive Plan	Traditional Neighborhood	
Surrounding Context	Zoning	Surrounding Context
	North:	Single-Family dwelling
	South:	Single-Family dwelling
	East:	Single-Family dwelling
	West:	Single-Family dwelling
Thoroughfare Plan		
Central Avenue	Secondary Arterial	60-foot existing right-of-way and 78-foot proposed right-of-way.
Context Area	Compact area	
Floodway / Floodway Fringe	No	
Overlay	N/A	
Wellfield Protection Area	No	
Site Plan	February 10, 2025	
Elevations	N/A	
Landscape Plan	N/A	
Findings of Fact	January 21, 2025	

COMPREHENSIVE PLAN ANALYSIS

Comprehensive Plan

- The Comprehensive Plan recommends Traditional Neighborhood uses for the site.



Pattern Book / Land Use Plan

- The Marion County Land Use Plan Pattern Book recommends the Traditional Neighborhood typology which includes a full spectrum of housing types, ranging from single family homes to large-scale multifamily housing. The development pattern of this typology should be compact and well-connected, with access to individual parcels by an alley when practical. Building form should promote the social connectivity of the neighborhood, with clearly defined public, semi-public, and private spaces. Infill development should continue the existing visual pattern, rhythm, or orientation of surrounding buildings when possible. A wide range of neighborhood-serving businesses, institutions, and amenities should be present. Ideally, most daily needs are within walking distance. This typology usually has a residential density of 5 to 15 dwelling units per acre.

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

2024-DV2-046; 5340 North New Jersey Street (west of site), requested a variance of development standards of the Consolidated Zoning and Subdivision Ordinance to provide for the construction of a detached garage with a two-foot rear and north side yard setback, **granted.**

2021-DV2-004; 5246 Central Avenue (south of site), requested a variance of development standards of the Consolidated Zoning and Subdivision Ordinance to provide for a two-story dwelling and garage addition with a five-foot rear setback, **granted.**

2016-DV3-011; 5136 Park Avenue (southeast of site), requested a variance of development standards of the Dwelling Districts Zoning Ordinance to provide for a detached garage, with a two-foot south side setback, and to legally establish a single-family dwelling, with a two-foot north side setback, creating a four-foot aggregate side setback, **granted.**



2015-DV2-033; 5140 Broadway Street (southeast of site), requested a variance of development standards of the Dwelling Districts Zoning Ordinance to legally establish a two-story dwelling with a 3.8-foot north side setback, to provide for a 576-square foot detached garage with a three-foot north side setback, and a 3.6-foot rear setback, and to provide for a 1,260-square foot, two-story building addition with a five-foot south side setback resulting in an eight-foot aggregate side setback, **granted**.

2014-DV1-057; 5207 Washington Boulevard (southwest of site), requested a variance of development standards of the Dwelling Districts Zoning Ordinance to provide for a detached garage, with a one-foot south side setback, **granted**.

2014-DV3-047; 5332 North New Jersey Street (west of site), requested a variance of development standards of the Dwelling Districts Zoning Ordinance to provide for a dwelling addition connection the primary dwelling to the detached garage, creating an approximately 6.5-foot rear setback for the primary dwelling, **granted**.

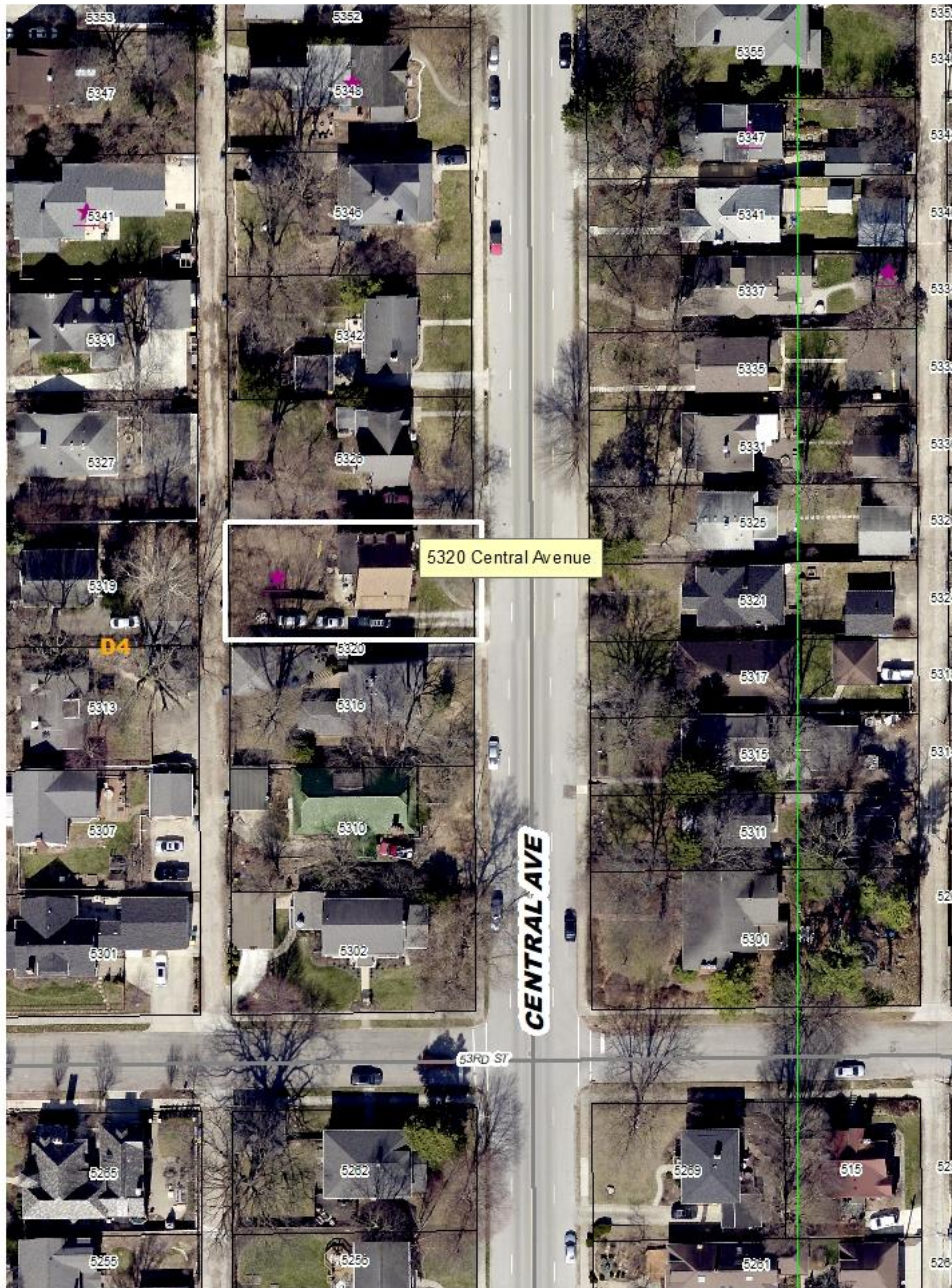
2012-DV1-015; 5251 Park Avenue (east of site), requested a variance of development standards of the Dwelling Districts Zoning Ordinance to provide for a porch addition, with a one-foot south side setback, creating an approximately three-foot aggregate side setback; a 23.083-foot tall, two-story, 1,722-square foot detached garage, with a 153-square foot deck and stairwell, with an approximately 0.5-foot north side setback and a 3.5-foot aggregate side setback; creating an accessory building area of 1,875 square feet or 120.5% of the main floor area of the primary building, and with an open space of 61.6% of the total lot area, **granted**.

99-HOV-2; 5348 Central Avenue (north of site); requested a variance of development standards of the Dwelling Districts Zoning Ordinance to provide for an attached garage addition with a rear yard setback of 10 feet, **granted**.

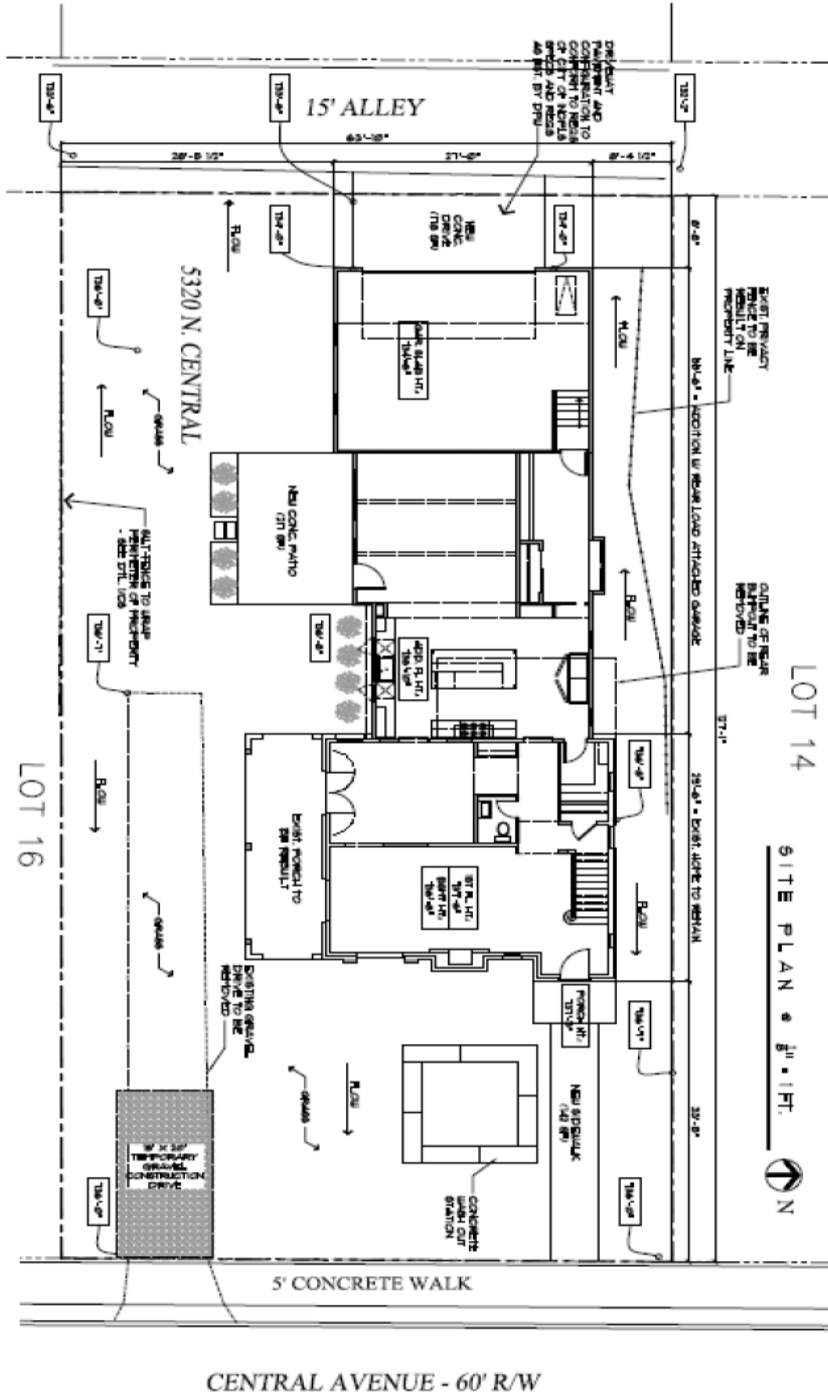
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EXHIBITS

Location Map



Site Plan





Findings of Fact

Petition Number _____

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:

there are at least two other garages on this alley that are attached, rear-loaded and setback a similar distance to the proposed 8'-8".

The vehicular use of the alley is safer for pedestrians than the current sidewalk-loaded driveway.

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:

there will be a large investment into this property which is currently derelict.

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

the rear yard space is needed to create a comfortable home for today's modern family. The alley loaded garage will allow for safer vehicular use and better yard space for the new owners.

Photographs



Photo of subject site, looking west.



Photo of subject site, existing driveway and curb cut, looking west.



Photo of rear of subject site, proposed addition area with 8.66-foot rear yard setback, looking east.



Photo of adjacent garages along rear alley with reduced setbacks, looking north.



BOARD OF ZONING APPEALS DIVISION I

March 4, 2025

Case Number:	2025-DV1-007
Property Address:	6138 Central Avenue (approximate address)
Location:	Washington Township, Council District #7
Petitioner:	Stephen & Mary Sommer, by Jeffrey Cowsert
Current Zoning:	D-4 (FF)
Request:	Variance of Development Standards of the Consolidated Zoning and Subdivision Ordinance to provide for a building addition resulting in a five-foot rear yard setback (20-feet required).
Current Land Use:	Residential
Staff Recommendations:	Staff recommends approval of this petition
Staff Reviewer:	Noah Stern, Senior Planner

PETITION HISTORY

- This is the first public hearing for this petition.

STAFF RECOMMENDATION

- Staff **recommends approval** of this petition

PETITION OVERVIEW

- This petition would provide for a building addition resulting in a five-foot rear yard setback (20-feet required).
- The subject site is improved with a single-family detached house and is approximately 6000 square feet (.14 acres). This is a legally-established lot; the D-4 lot area standard for single-family houses is 7,200 square feet. This, as well as the atypical trapezoidal shape of the lot both present practical difficulties for being able to meet setback standards on the site. Further, the primary residence on site was developed with a reduced rear yard setback which predates the Ordinance standard, and reduced setbacks are not an uncommon feature of the surrounding area. Given the practical difficulty associated with the subject site, Staff is unopposed to the request.



GENERAL INFORMATION

Existing Zoning	D-4 (FF)	
Existing Land Use	Residential	
Comprehensive Plan	5-8 residential units per acre	
Surrounding Context	Zoning	Surrounding Context
North:	D-4 (FF)	North: Residential
South:	D-4 (FF)	South: Residential
East:	SU-1 (FF)	East: Commercial
West:	D-4 (FF)	West: Residential
Thoroughfare Plan		
Central Avenue	Secondary Arterial	60 feet of right-of-way existing and 78 feet proposed
Context Area	Compact	
Floodway / Floodway Fringe	Yes (100-year)	
Overlay	No	
Wellfield Protection Area	No	
Site Plan	1/28/25	
Site Plan (Amended)	N/A	
Elevations	N/A	
Elevations (Amended)	N/A	
Landscape Plan	N/A	
Findings of Fact	1/28/25	
Findings of Fact (Amended)	N/A	

COMPREHENSIVE PLAN ANALYSIS

Comprehensive Plan

- Envision Broad Ripple (2012)
- Infill Housing Guidelines
- Indy Moves

Pattern Book / Land Use Plan

- Not applicable to this site.



Red Line / Blue Line / Purple Line TOD Strategic Plan

- Not Applicable to the Site.

Neighborhood / Area Specific Plan

- The Envision Broad Ripple neighborhood plan recommends 5-8 residential units per acre for this site.

Infill Housing Guidelines

- With regards to building setbacks, the Infill Housing Guidelines document recommends:
 - Reinforce existing spacing on the block
 - Leave room for maintenance

Indy Moves

(Thoroughfare Plan, Pedestrian Plan, Bicycle Master Plan, Greenways Master Plan)

- The subject site is located approximately 140 feet from the Canal Towpath.



ZONING HISTORY

ZONING HISTORY – SITE

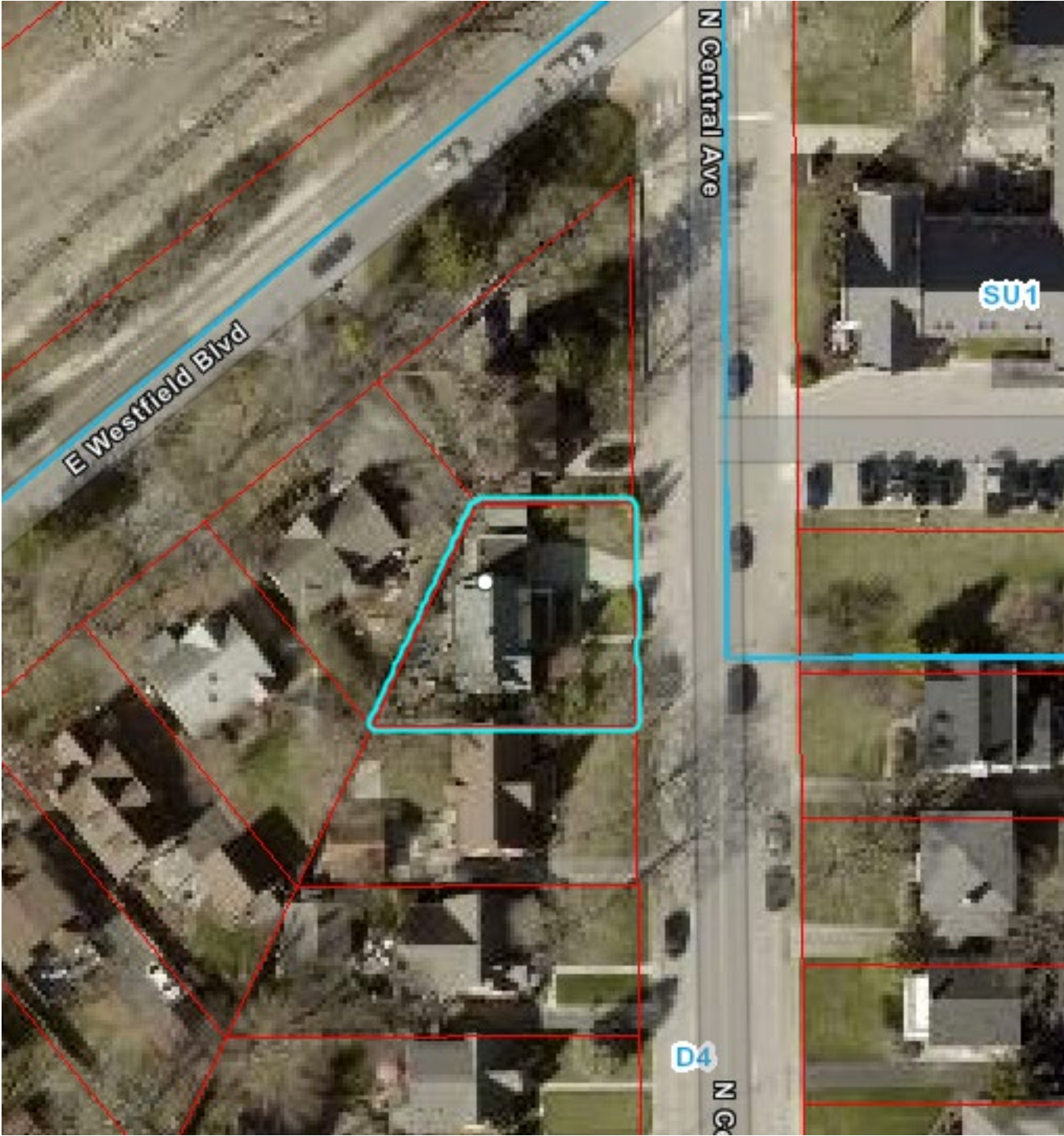
N/A

ZONING HISTORY – VICINITY

2020UV3002; 6151 Central Avenue (east of site), Variance of use of the Consolidated Zoning and Subdivision Ordinance to provide for office uses in an SU-1 district (not permitted), **approved**.

2009-ZON-069, 6151 Central Avenue (east of site), rezone from the D-4 FF district to the SU-1 district, **approved with commitments**

EXHIBITS



1 SITE PLAN

2 SITE DRAINAGE PLAN

SITE DESIGN DATA

PROJECT: SOMMER - GARAGE EXPANSION

OWNER: JENSEN DESIGN - JEN_032

PROJECT LOCATION: [Map of project location]

EXISTING CONDITIONS:

- EXISTING BUILDING: 40' x 30' (1200 SF)
- EXISTING DRIVEWAY: 10' x 15' (150 SF)
- EXISTING PATIO: 10' x 10' (100 SF)
- EXISTING SIDEWALK: 5' x 10' (50 SF)
- EXISTING LANDSCAPE: 10' x 20' (200 SF)

PROPOSED CONDITIONS:

- PROPOSED GARAGE: 20' x 20' (400 SF)
- PROPOSED DRIVEWAY: 10' x 15' (150 SF)
- PROPOSED PATIO: 10' x 10' (100 SF)
- PROPOSED SIDEWALK: 5' x 10' (50 SF)
- PROPOSED LANDSCAPE: 10' x 20' (200 SF)

TOTAL APPROXIMATE SQUARE FOOTAGE: 1200 SF

1 SITE PLAN GENERAL NOTES

- VERIFY ALL DIMENSIONS IN FIELD.
- EXISTING DRIVEWAY TO BE MAINTAINED.
- PROVIDE ALL TRAFFIC AS PER LOCAL ORDINANCE.
- PROVIDE ALL TRAFFIC AS PER LOCAL ORDINANCE.

SITE PLAN

CONTRACT NO: C101

DATE: 10 OCT 2024

ARCHITECT: JENSEN DESIGN - JEN_032

OWNER: JENSEN DESIGN - JEN_032

PROJECT: SOMMER - GARAGE EXPANSION

Table 74-400-1: Dimensional Standards for Districts D-A through D-5H

Standard	District	D-A	D-S	D-1	D-2	D-3	D-4	D-5	D-5H	D-8 [J]
Minimum Lot Area	40' x 60'	1000 SF	1000 SF	1000 SF	1000 SF	1000 SF	1000 SF	1000 SF	1000 SF	1000 SF
Minimum Lot Width	40'	45'	45'	45'	45'	45'	45'	45'	45'	45'
Minimum Front Setback	15'	15'	15'	15'	15'	15'	15'	15'	15'	15'
Minimum Side Setback	5'	5'	5'	5'	5'	5'	5'	5'	5'	5'
Minimum Rear Setback	5'	5'	5'	5'	5'	5'	5'	5'	5'	5'
Maximum Building Height	35'	35'	35'	35'	35'	35'	35'	35'	35'	35'
Maximum Floor Area Ratio	0.35	0.35	0.35	0.35	0.35	0.35	0.35	0.35	0.35	0.35
Maximum Floor Area	1350 SF	1350 SF	1350 SF	1350 SF	1350 SF	1350 SF	1350 SF	1350 SF	1350 SF	1350 SF
Maximum Garage Floor Area	400 SF	400 SF	400 SF	400 SF	400 SF	400 SF	400 SF	400 SF	400 SF	400 SF
Maximum Garage Floor Area Ratio	0.30	0.30	0.30	0.30	0.30	0.30	0.30	0.30	0.30	0.30
Maximum Garage Floor Area	1350 SF	1350 SF	1350 SF	1350 SF	1350 SF	1350 SF	1350 SF	1350 SF	1350 SF	1350 SF
Maximum Garage Floor Area Ratio	0.30	0.30	0.30	0.30	0.30	0.30	0.30	0.30	0.30	0.30
Maximum Garage Floor Area	1350 SF	1350 SF	1350 SF	1350 SF	1350 SF	1350 SF	1350 SF	1350 SF	1350 SF	1350 SF
Maximum Garage Floor Area Ratio	0.30	0.30	0.30	0.30	0.30	0.30	0.30	0.30	0.30	0.30

Table 74-400-2: Dimensional Standards for Districts D-A through D-5H

Standard	District	D-A	D-S	D-1	D-2	D-3	D-4	D-5	D-5H	D-8 [J]
Minimum Lot Area	40' x 60'	1000 SF	1000 SF	1000 SF	1000 SF	1000 SF	1000 SF	1000 SF	1000 SF	1000 SF
Minimum Lot Width	40'	45'	45'	45'	45'	45'	45'	45'	45'	45'
Minimum Front Setback	15'	15'	15'	15'	15'	15'	15'	15'	15'	15'
Minimum Side Setback	5'	5'	5'	5'	5'	5'	5'	5'	5'	5'
Minimum Rear Setback	5'	5'	5'	5'	5'	5'	5'	5'	5'	5'
Maximum Building Height	35'	35'	35'	35'	35'	35'	35'	35'	35'	35'
Maximum Floor Area Ratio	0.35	0.35	0.35	0.35	0.35	0.35	0.35	0.35	0.35	0.35
Maximum Floor Area	1350 SF	1350 SF	1350 SF	1350 SF	1350 SF	1350 SF	1350 SF	1350 SF	1350 SF	1350 SF
Maximum Garage Floor Area	400 SF	400 SF	400 SF	400 SF	400 SF	400 SF	400 SF	400 SF	400 SF	400 SF
Maximum Garage Floor Area Ratio	0.30	0.30	0.30	0.30	0.30	0.30	0.30	0.30	0.30	0.30
Maximum Garage Floor Area	1350 SF	1350 SF	1350 SF	1350 SF	1350 SF	1350 SF	1350 SF	1350 SF	1350 SF	1350 SF
Maximum Garage Floor Area Ratio	0.30	0.30	0.30	0.30	0.30	0.30	0.30	0.30	0.30	0.30

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BOARD OF ZONING APPEALS DIVISION I

March 4th, 2025

Case Number:	2024-DV1-046
Property Address:	8654 West 86 th Street
Location:	Pike Township, Council District #1
Petitioner:	Gary A. & Mickey K. James
Current Zoning:	D-2 / D-S (FF)
Request:	Variance of Development Standards of the Consolidated Zoning and Subdivision Ordinance to provide for the installation of a six-foot tall decorative fence within the front yard of 86th Street (maximum height of 3.5 feet permitted).
Current Land Use:	Residential
Staff Recommendations:	Staff recommends denial of this variance petition.
Staff Reviewer:	Kiya Mullins, Associate Planner

PETITION HISTORY

This is the third public hearing for this variance petition.

The second public hearing occurred on February 4th, 2025, where this variance petition was continued due to an insufficient number of board member needed to cast a vote.

The first public hearing for this case occurred on January 7th, 2024, where it was continued due to the Pike Township Residents Association Inc., a registered neighborhood organization, filing an automatic continuance.

STAFF RECOMMENDATION

Staff recommends **denial** of this variance petition.

PETITION OVERVIEW

- This variance requests that a six-foot-tall decorative fence be allowed in the front yard of a property along West 86th Street.
- This property is 5.98 acres within a D-2 zoning district.
- The proposed fence will be wrought iron/aluminum, with 10 (ten) stone/brick columns and 2 (two) stone/brick accent planter boxes.
- The City of Indianapolis Consolidated Zoning/Subdivision Ordinance only permits a fence in the front yard to be 3.5 feet in height.



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- Across the street, at 8631 West 86th Street, the residence has a white wood decorative fence that complies with the 3.5-foot standard and aligns with the area's character.
- Staff recommends **denial** of this variance petition because there is no practical difficulty. The need for a structural barrier can be met by complying with the standard. The fence is purely decorative, and lowering the height will not aesthetically change the landscape of the front yard. Reducing the size of the proposed fence, while keeping the same design would make a variance unnecessary and allow the requested fence to be within compliance.

GENERAL INFORMATION

Existing Zoning	D-2 / D-S (FF)	
Existing Land Use	Residential	
Comprehensive Plan	Linear Park	
Surrounding Context	Zoning	Surrounding Context
North:	D-2	North: Rural or Estate Neighborhood
South:	D-A	South: Rural or Estate Neighborhood
East:	D-P	East: Suburban Neighborhood
West:	D-S	West: Rural or Estate Neighborhood
Thoroughfare Plan		
86 th Street	Primary Collector	40 feet of right of way existing and 80 feet of right of way proposed.
Context Area	Metro	
Floodway / Floodway Fringe	Yes	
Overlay	No	
Wellfield Protection Area	Yes	
Site Plan	11/04/2024	
Site Plan (Amended)	12/06/2024	
Elevations	11/04/2024	
Elevations (Amended)	N/A	
Landscape Plan	N/A	
Findings of Fact	11/04/2024	
Findings of Fact (Amended)	N/A	

COMPREHENSIVE PLAN ANALYSIS

Comprehensive Plan

- Marion County Land Use Plan Pattern Book
- Infill Housing Guidelines



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Pattern Book / Land Use Plan

Linear Parks: This land use category is intended for public or private property designated for active or passive recreation and is primarily used for the passage of people or wildlife. Examples are greenways, parkways, trails, off-street paths, and conservation areas (pg 16).

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

- Design ornamental elements, such as fences and retaining walls, to be simple, fit the context of the block and neighborhood, do not obstruct views of the front of the house, and do not obstruct public sidewalks (pg 17).
- Fencing around dwellings should be carefully placed. See-through fencing is the safest. In the front, fences should be ornamental in style. Do not install privacy fences in front yard (pg 18).

Indy Moves

(Thoroughfare Plan, Pedestrian Plan, Bicycle Master Plan, Greenways Master Plan)

- Not Applicable to the Site.

ZONING HISTORY

ZONING HISTORY – SITE

- N/A

ZONING HISTORY – SURROUNDING AREA

- 2002-UV1-008: 8420 Olin Road
 - 2ND SINGLE-FAMILY DWELLING ON ONE LOT
 - AP
- 2004-UV1-046: 8224 West 82nd Street
 - Legally establish real estate office in D-A.
 - D
- 2007-UV2-022: 8130 West 88th Street
 - Variance of Use of the Dwelling Districts Zoning Ordinance to legally establish the seasonal retail display and sale of produce not grown on the property (not permitted), utilizing two, 32-square foot, covered tables from May 1st to October 31st. Recorded commitment 2009-0014226.
 - AP
- 2008-UV3-005: 8620 West 82nd Street
 - Variance of Use of the Dwelling Districts Zoning Ordinance to provide for the expansion of a landscaping contractor business permitted by petition 2004-UV1-039 (not permitted).
 - WD
- 2010-DV3-039: 8432 West 84th Street
 - Variance of development standards of the Dwelling Districts Zoning Ordinance to legally establish a 1,480-square foot, 23-foot tall, two-story detached garage, being 159% of the main floor area of the primary dwelling and creating an accessory use area of 1,860 square feet, being 133.04% of the total floor area of the primary dwelling (maximum accessory building area can not exceed 75% of the main floor area of the primary dwelling, maximum accessory use area can not exceed 99.9% of the main floor area of the primary dwelling and maximum accessory building height can not exceed 20 feet and can not exceed the height of the primary dwelling).
 - Approved
- 2011-DV2-014: 8439 West 84th Street
 - Variance of development standards of the Dwelling Districts Zoning Ordinance to provide for a 1,320-square foot accessory building, with a 15-foot front setback from Olin Road, in front of the established front building line of the primary dwelling (25-foot front setback required, accessory buildings not permitted in front of the established front building line).
 - Approved
- 2012-ZON-024: 8915 Copper Road
 - Rezoning of 0.5 acre, being in the D-S District, to the D-1 classification to provide for residential development.
 - Approved

- 2012-ZON-027: 8930 Lafayette Road
 - Rezoning of 0.86 acre from the D-S District to the SU-1 classification to provide for religious uses.
 - Withdrawn
- 2013-SE2-003: 8930 Lafayette Road
 - Special Exception of the Dwelling Districts Zoning Ordinance to provide for religious uses, with off-street parking.
 - Denied
- 2013-ZON-018: 8222 West 82nd Street
 - Rezoning of 1.03 acres, from the D-A district to the SU-1 classification to provide for the expansion of a parking lot for religious uses.
 - Approved
- 2014-UV1-016: 8654 West 86th Street
 - Variance of use and development standards of the Dwelling Districts Zoning Ordinance to provide for the construction of a single-family dwelling on lot with a 26-foot tall, 22 by 27-foot detached garage (maximum 20-foot height permitted), containing a second floor dwelling (one single-family dwelling permitted per lot), and with an 18-foot tall, 1,820-square foot pole barn, creating an accessory building area of 3,158 square feet or 121.2% of the main floor area of the primary building and accessory use area of 5,632 square feet or 100.6% of the total floor area of the primary building (maximum 1,550 square feet of accessory building area or 75% of the main floor area of the primary dwelling, maximum 99.9% of the total floor area of the primary dwelling or 5,597 square feet).
 - Approved
- 2017-CVR-804: 7926 West 88th Street
 - Variance of development standards of the Consolidated Zoning and Subdivision Ordinance to legally establish a lot with 96 feet of street frontage and lot width (minimum 250 lot width and 125 feet of street frontage required).
 - Approved
- 2017-HOV-081: 8927 Copper Road
 - Variance of development standards of the Consolidated Zoning and Subdivision Ordinance to provide for a 22-foot-tall storage barn (accessory buildings cannot be taller than the primary dwelling).
 - Approved
- 2021-UV1-024: 8356 Lafayette Road
 - Variance of use of the Consolidated Zoning and Subdivision Ordinance to provide for automobiles sales (not permitted).
 - Approved
- 2021-UV3-015: 8440 West 82nd Street
 - Variance of use of the Consolidated Zoning and Subdivision Ordinance to provide for an artisan winery with indoor/outdoor events and live entertainment.
 - Approved
- 2021-ZON-060: 8356 Lafayette Road
 - Rezoning of 0.57 acre from the D-2 and C-4 districts to the C-5 district.
 - Withdrawn



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- 2022-UV1-011: 8620 West 82nd Street
 - Fees were paid in 2022-CMP-815. Variance of use and development standards of the Consolidated Zoning and Subdivision Ordinance to provide for a 145-foot tall monopole wireless communication tower with a five-foot lightning rod (not permitted), with landscaping on two sides of the tower site (landscaping around entire tower site required).
 - Approved
- 2022-ZON-044: 8320 West 86th Street
 - Rezoning of 4.04 acres from the D-P district to the D-P district to add self storage as permitted use.
 - Withdrawn

EXHIBITS

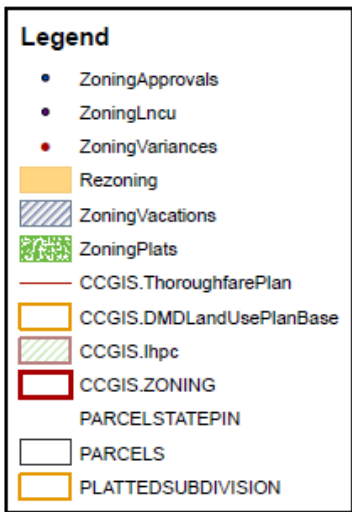
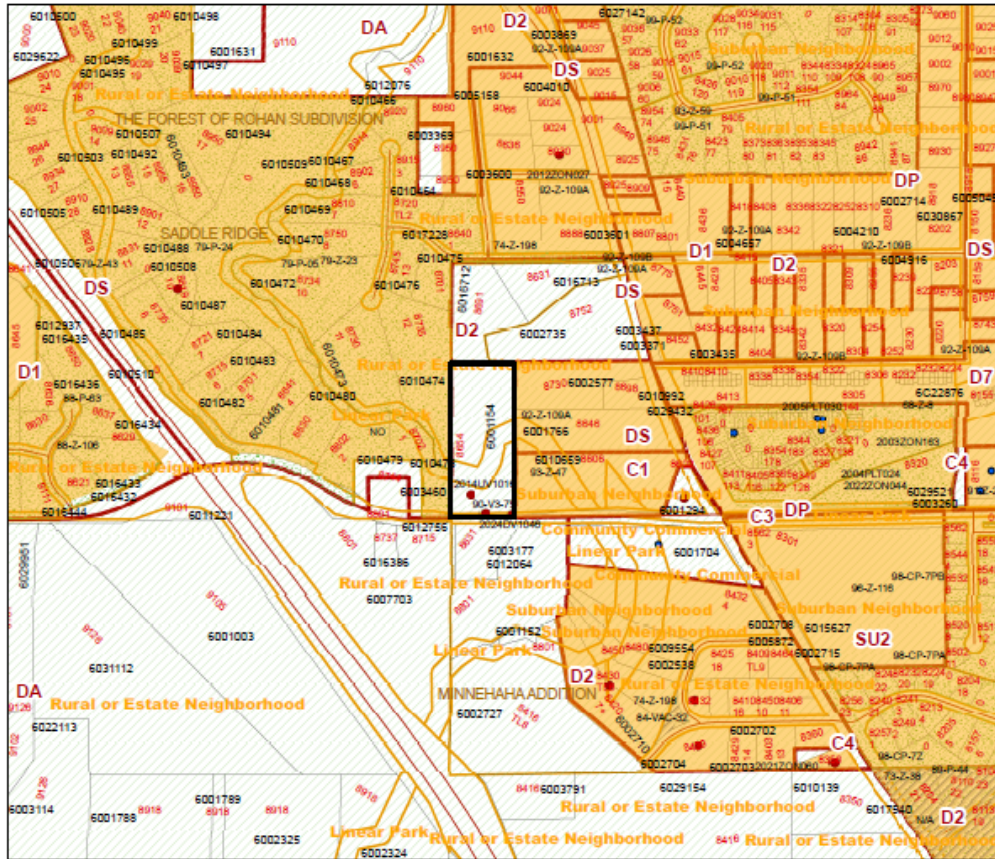


Exhibit 1: ArcGIS map of surrounding area around 8654 West 86th Street.



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

PROPERTY BORDERS W86TH ST, 35 MPH SPEED LIMIT, 25 MPH SCHOOL ZONE WITH MATURE TREES SURROUNDING STREET. THE 6' HIGH DECORATIVE ESTATE METAL FENCE ALONG WITH ITS BRICK COLUMNS LOCATED EVERY 24' AND 11' FROM ROAD WITH LESS THAN 30% OPACITY WILL NOT BE ANYMORE INJURIOUS TO THE PUBLIC HEALTH SAFETY, MORALS, AND GENERAL WELFARE OF THE COMMUNITY THAN A 4' HIGH FENCE THAT DOES NOT REQUIRE A VARIANCE.

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

A DECORATIVE ESTATE FENCE IS THE MOST ATTRACTIVE FENCING A HOMEOWNER CAN ADD TO THEIR PROPERTY. PROPERTY OWNERS ALONG W86TH THAT BORDERS PETITIONER'S PROPERTY AND OWNER DIRECTLY ACROSS FROM PETITIONER AGREE THE 6' DECORATIVE ESTATE FENCE WILL ADD BEAUTY AND ELEGANCE TO THE AREA, INCREASE CURB APPEAL AND WILL INCREASE PROPERTY VALUES IN THE SURROUNDING AREA.

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

PROPERTY HAS A TAX ACCESSED VALUE OF ~\$1.6 MILLION, AND ACCORDING TO THE LANDSCAPE ARCHITECT, FACTORS LIKE FENCE DISTANCE FROM HOME, COLOR, MATERIAL, LENGTH OF FENCE, HOME STYLE AND HOME SIZE MUST BE CONSIDERED TO PROPERLY FRAME THE PROPERTY. TO ACHIEVE THAT, LANDSCAPE ARCHITECT, FENCE COMPANY AND BRICK MASON THAT SPECIALIZES IN DECORATIVE ESTATE FENCES, ALL RECOMMEND A METAL ORNAMENTAL ESTATE 6' H FENCE WITH BRICK COLUMNS SPACED EVERY 24'.

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 PETITIONER, PROPERTY OWNERS ALONG W86TH STREET, MARION COUNTY, PIKE TOWNSHIP AND TRADERS POINT WILL BE MISSING AN OPPORTUNITY TO ADD A TOUCH OF ELEGANCE AND BEAUTY TO THE TRADERS POINT WEST 86TH STREET AREA.

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

INSTEAD OF AN UNATTRACTIVE 4' CHAIN LINK FENCE ALONG W86TH ST, IT WILL BE A 6' BLACK METAL DECORATIVE ESTATE FENCE W/BRICK COLUMNS EVERY 24' W/ACCENT SEASONAL FLOWER BOXES. METAL FENCING IS THE MOST ATTRACTIVE FENCING A PROPERTY OWNERS CAN ADD TO THEIR HOME THAT IMMEDIATELY ADDS A PRESTIGIOUS LOOK, INCREASES CURB APPEAL AND BRINGS A SENSE OF BEAUTY AND ELEGANCE TO THE AREA WHILE INCEASING SURROUNDING PROPERTY VALUES.

Exhibit 2: The submitted Findings of Fact.

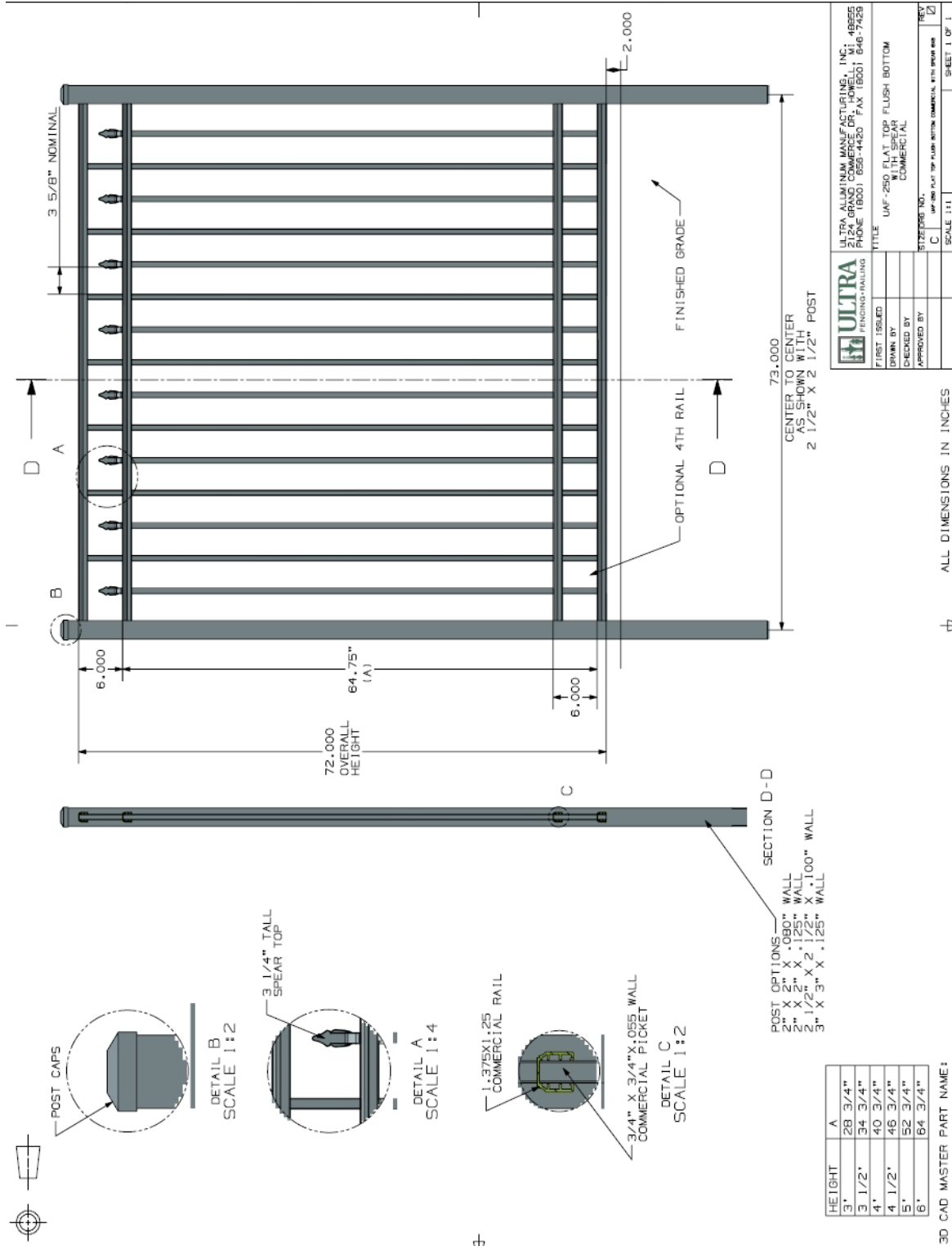


Exhibit 3: The proposed fence design.

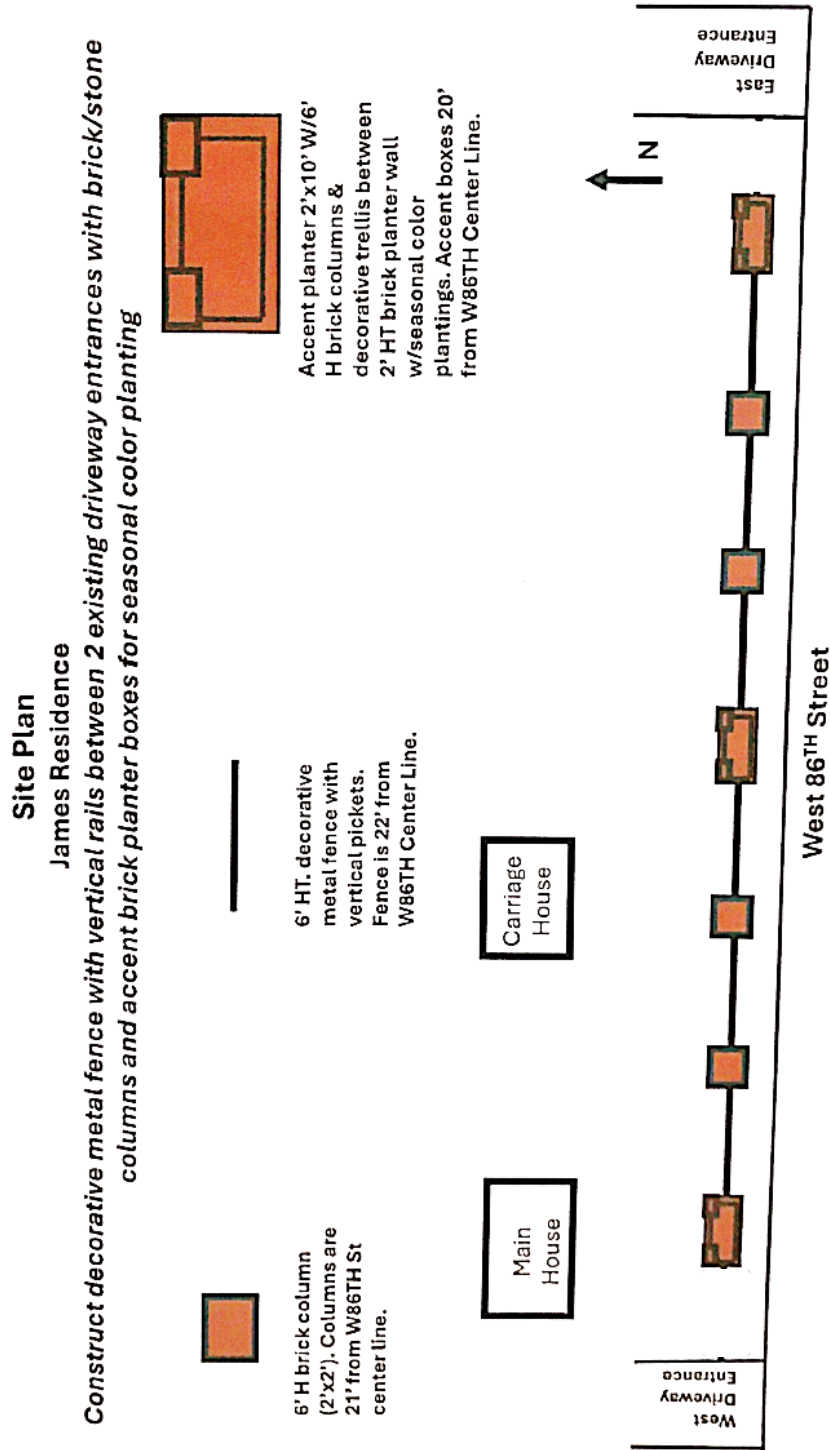


Exhibit 4: Proposed site plan for the decorative fence.



Addendum to Petition

Petitioner: Mickey James

Address of Subject Property: 8654 W86TH ST, Indianapolis IN 46278

Request: Variance of Development Standards.

Provide a Detailed Description of the Proposal: Petitioner's property contains two driveway entrances along W86TH Street. One entrance is at the far SE corner of the property and the second entrance is at the far SW corner of the property. Property owner wishes to construct an Decorative Wrought Iron/Aluminum fence between the two entrances with 10 Stone/Brick Columns and 3 Stone/Brick Accent Brick Planter Boxes for seasonal color planting.

Decorative Fence is Wrought Iron/Aluminium 6' High with Vertical Rails and will be constructed between the Stone/Brick Columns and step with existing elevation. Decorative fence will be 22' from the center line of W86TH ST. No fence will be constructed in the Accent Planter Box locations.

Stone/Brick Columns will use the same brick and stone used on the petitioner's main house. Columns are 2' Square and 6' High. Columns will be spaced every 24' and step with existing elevation. Six of the 10 brick columns will be used in the Accent Brick Planter Boxes. Columns will be 21' from the center line of W86TH ST.

Accent Planter Boxes for seasonal color planting are 2' HT x 10' L with two 6' H Brick Columns. A 6' H decorative metal trellis will be between the brick columns on the back of the Accent Planter Boxes. Accent boxes will be 20' from the center line of W86TH ST.

Exhibit 5: Detailed explanation of fence design, submitted by the petitioner.



Exhibit 6: The primary structure at 8654 West 86th Street.



Exhibit 7: West Driveway Entrance, the bricks of the fence will match the bricks of these columns.



Exhibit 8: East Driveway Entrance.



Exhibit 9: Looking east down West 86th Street, where the proposed fence is currently planned to be constructed.



Exhibit 10: Looking west down West 86th Street, where the proposed fence is currently planned to be constructed



Exhibit 11: Looking at 8654 West 86th Street from across the street.



Exhibit 12: The home across the street from 8654 West 86th Street with their existing within compliance fence.



Exhibit 13: Another image of the home across the street from 8654 West 86th Street with their existing within compliance fence.



BOARD OF ZONING APPEALS DIVISION I **March 4th, 2025**

Case Number: 2024-UV1-030 (Amended)

Property Address: 2927 West Washington Street (*Approximate Address*)

Location: Warren Township, Council District #18

Petitioner: Teklit Fecadu

Current Zoning: C-4 (TOD)

Request: Variance of Use of the Consolidated Zoning and Subdivision Ordinance to provide for a four-unit multi-family building (not permitted) and a fifth detached dwelling unit (not permitted).

Current Land Use: Commercial

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

Staff Reviewer: Kiya Mullins, Associate Planner

PETITION HISTORY

This is the third public hearing for this variance petition.

The second public hearing occurred on February 4th, 2025, where this variance petition was continued due to an insufficient number of board member needed to cast a vote.

The first public hearing for this case occurred on January 7th, 2024, where it was continued to allow for changes to the petition request and legal notice.

STAFF RECOMMENDATION

Staff recommends **denial** of this variance petition.

PETITION OVERVIEW

- The petitioner is requesting two items: 1) to allow for a four-unit multifamily dwelling in a C-4 zoning district and 2) to also allow a fifth detached dwelling unit in the rear yard.
- This property is 0.23 acres and is within a C-4 zoning district and Transit Oriented Development (TOD) Secondary District, in a location where the land use plan suggests Village Mixed-Use.
- The C-4 zoning district is designed to provide for the development of major business groupings and regional size shopping centers to serve a population ranging from a community or neighborhoods to a major segment of the total metropolitan area. There are no dwellings that are permitted within the C-4 zoning district.
- This building and an accessory building have been in this location at least since 1915 per aerials.



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- Currently renters are living in the detached dwelling unit and the main house.
- Staff is recommending denial of this variance petition because this is an intense use for a small lot that does not have the space to accommodate for five (5) households. The small size of the lot with five (5) apartments located on this property would negatively impact the parking for this site and potential for traffic flow in the area.

GENERAL INFORMATION

Existing Zoning	C-4 (TOD)	
Existing Land Use	Commercial	
Comprehensive Plan	Village Mixed-Use	
Surrounding Context	Zoning	Surrounding Context
	North: D-P	North: Village Mixed-Use
	South: D-5	South: 5-8 Residential Units per Acre
	East: C-4	East: Village Mixed-Use
	West: Enter Zoning	West: Special Use
Thoroughfare Plan		
Washington Street	Primary Arterial	80 feet of right of way existing and 88 feet of right of way proposed.
Hancock Street	Local Street	30 feet of right of way existing and 48 feet of right of way proposed.
Harris Avenue	Local Street	50 feet of right of way existing and 48 feet of right of way proposed.
Context Area	Compact	
Floodway / Floodway Fringe	No	
Overlay	Yes	
Wellfield Protection Area	No	
Site Plan	10/14/2024	
Site Plan (Amended)	N/A	
Elevations	N/A	
Elevations (Amended)	N/A	
Landscape Plan	N/A	
Findings of Fact	10/14/2024	
Findings of Fact (Amended)	N/A	

COMPREHENSIVE PLAN ANALYSIS
Comprehensive Plan

- Marion County Land Use Plan Pattern Book



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

- Blue Line TOD Strategic Plan

Pattern Book / Land Use Plan

- The Village Mixed-Use typology creates neighborhood gathering places with a wide range of small businesses, housing types, and public facilities. This typology is intended to strengthen existing, historically small-town centers as well as to promote new neighborhood centers. Businesses found in this typology serve adjacent neighborhoods, rather than the wider community. This typology is compact and walkable, with parking at the rear of buildings. Buildings are one to four stories in height and have entrances and large windows facing the street. Pedestrian-scale amenities such as lighting, landscaping, and sidewalk furniture also contributes to a walkable environment in this typology. Uses may be mixed vertically in the same building or horizontally along a corridor. Public spaces in this typology are small and intimate, such as pocket parks and sidewalk cafes. This typology has a residential density of 6 to 25 dwelling units per acre. (pg 18)
- The Transit-Oriented Development (TOD) overlay is intended for areas within walking distance of a transit station. The purpose of this overlay is to promote pedestrian connectivity and a higher density than the surrounding area (pg 22).

Red Line / Blue Line / Purple Line TOD Strategic Plan

- Blue Line TOD Strategic Plan
 - Central Greens Blvd and Washington Existing Conditions
 - Direct access to the Historic Central State Hospital Campus and Central Greens Redevelopment to the north.
 - Washington Street have both suburban style retail with surface parking and historical, pedestrian oriented storefront retail providing character.
 - Older residential housing follows historical street grid patterns in the South and East sides of the Station. To the southwest are several large automobile junkyards along eagle creek.

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)



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

Not Applicable to the Site.

ZONING HISTORY

ZONING HISTORY – SITE

- N/A

ZONING HISTORY – SURROUNDING AREA

- 2010-DV2-009: 3234 West Washington Street
 - Variance of Development Standards of the Commercial Zoning Ordinance to provide for retail sale of adult films and lingerie located approximately 305 feet from a D-P District (500-foot separation required between an adult entertainment business and a dwelling district).
 - Denied
- 2010-HOV-016: 337 North Warman Avenue
 - Variance of use of the Dwelling Districts Zoning Ordinance to provide for a charter school (not permitted).
 - Approved
- 2010-ZON-044: 337 North Warman Avenue
 - Rezoning of 1.68 acres, from the D-5 (W-5) District, to the SU-1 (W-5) classification to provide for religious uses.
 - Approved
- 2011-ZON-048: 2504 West Washington Street
 - Rezoning of 0.22 acre, from the C-4 District, to the C-3 classification to provide for neighborhood commercial uses.
 - Approved
- 2013-DV2-017: 2327 West Washington Street
 - Variance of development standards of the Commercial Zoning Ordinance to provide for a five-foot south side transitional yard (10-foot transitional yard required along an alley) and to provide for a parking lot with deficient maneuvering (adequate maneuvering required).
 - Denied
- 2013-DV3-028A: 204 North Tremont Street
 - Variance of development standards of the Dwelling Districts Zoning Ordinance to provide for an eight-foot tall fence (maximum six-foot tall fence permitted).
 - Approved
- 2013-DV3-028B: 204 North Tremont Street
 - Variance of development standards of the Dwelling Districts Zoning Ordinance to provide for a pergola, with a zero-foot front setback along Ohio Street, being in front of the established front building line (25-foot front setback or average setback required, detached structures not permitted in front of the established building line).
 - Approved
- 2013-HOV-044: 35 North Mount Street

- Variance of development standards of the Dwelling Districts Zoning Ordinance to provide for the construction of a 528-square foot detached garage, creating an open space of 54.1% (minimum 65% open space required).
 - Approved
- 2013-ZON-065: 3000 West Washington Street
 - Rezoning of 115 acres from the D-P district to the D-P classification to provide for the following permitted uses; breweries, with accessory tasting rooms, indoor-outdoor event centers, student housing and urban farming, generally with respect to the re-use of historic buildings within the Cultural Village Section of the Central Greens Planned Unit Development.
 - Approved
- 2016-PLT-028: 3000 West Washington Street
 - Approval of a Subdivision Plat to be known as Central Greens, dividing 2.645 acres into 18 lots and one townhome lot.
 - Approved
- 2017-DV1-006: 305 Harris Avenue
 - Variance of development standards of the Consolidated Zoning and Subdivision Ordinance to provide for a carport addition, within the clear sight triangle of the alley (not permitted), with a one-foot side setback and three-foot rear setback (three-foot side and five-foot rear required), creating an open space of 49% (60% open space required), and to provide for and legally establish a five-foot front setback, a two-foot side setback and five feet between dwellings for the existing dwelling and dwelling addition (18-foot front setback, three-foot side setback and 10 feet between dwellings required).
 - Approved
- 2017-PLT-004: 3000 West Washington Street
 - Approval of a Subdivision Plat to be known as Central Greens Commercial, dividing 5.5 acres into five lots.
 - Approved
- 2017-PLT-050: 218 North Warman Avenue
 - Approval of a Subdivision Plat, to be known as Central Greens 2, dividing 7.299 acres into 70 lots.
 - Approved
- 2018-PLT-039: 218 North Warman Avenue
 - Approval of a Subdivision Plat, to be known as Replat of Block A of 58 Bahr at Central State (and adjoining property), dividing 1.256 acres into 10 lots, with waivers to provide for a 38-foot public street right-of-way (45-foot right-of-way required), to provide for a dead-end public street, to provide for no open space components, and to provide for no sidewalks along the east side of Williams Street.
 - Approved
- 2018-PLT-050: 76 Central Greens Boulevard
 - Approval of a Subdivision Plat, to be known as The Townhomes at Central Greens, dividing 0.32 acre into four townhome lots.
 - Approved
- 2018-PLT-081: 3255 West Washington Street

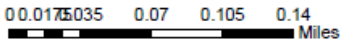
- Approval of a Subdivision Plat, to be known as Brackin Commercial, dividing 4.137 acres into three lots.
 - Approved
- 2019-PLT-042: 3000 West Washington Street
 - Approval of a Subdivision Plat, to be known as Site 12 at Central State, dividing 13.063 acres into 99 lots, with waivers of the open space requirements and natural landscaping requirements.
 - Approved
- 2019-PLT-089: 3000 West Washington Street
 - Approval of a Subdivision Plat, to be known as Central Greens Apartments, dividing 82.441 acres into two lots, with a waiver to permit the creation of subdivision without including all the parent tract of Instrument #2004-0083696 (subdivision of three acres or more without new streets or easements of access permitted for residentially and agriculturally zoned or used land).
 - Approved
- 2020-PLT-055: 3000 West Washington Street
 - Approval of a Subdivision Plat, to be known as Site 11 at Central Greens, dividing 9.22 acres into 81 lots, with a waiver of the minimum required street offset and open space components.
 - Approved
- 2021-ZON-084: 2610 West Washington Street
 - Rezoning of 0.16 acre from the C-4 district to the D-5 district.
 - Approved
- 2022-CZN-847: 2627 West Washington Street
 - Rezoning of 0.39 acre from the C-4 (TOD) district to the MU-2 (TOD) district to provide for mixed-use development.
 - Approved
- 2022-DV1-051A: 3127 West Washington Street
 - (Amended) Variance of development standards of the Consolidated Zoning and Subdivision Ordinance to provide for the construction of retail building along a Connector Frontage, with a 32-foot front setback from Washington Street (maximum 25-foot setback permitted).
 - Approved
- 2022-DV1-051B: 3127 West Washington Street
 - (Amended) Variance of development standards of the Consolidated Zoning and Subdivision Ordinance to provide for the construction of retail building along a Connector Frontage, with a building comprising 44% of the building line (60 percent building line width required).
 - Approved
- 2022-ZON-031: 373 North Holmes Avenue
 - Rezoning of 0.76 acre from the D-5 district to the D-5II district to provide for a mixed-use development. Amended from request to MU-2.
 - Approved
- 2023-ZON-028: 320 N Tibbs Avenue



Department of Metropolitan Development
Division of Planning
Current Planning

- Rezoning of 3.75 acres from the D-5, D-7 and C-3 districts to the HD-1 district.
 - Approved
- 2023-ZON-030: 50 N Tibbs Avenue
 - Rezoning of 12.07 acres from the I-2 and D-P (TOD) Districts to the D-10 (TOD) District to provide for multi-family residential development.
 - Approved
- 2023-ZON-089: 2918 Jackson Street
 - Rezoning of 0.23 acre from the D-5 (TOD) district to the D-8 (TOD) district to provide for a small apartment use.
 - Approved
- 2024-PLT-041: 50 N Tibbs Avenue
 - Approval of a Subdivision Plat, to be known as 50 North Tibbs Subdivision, subdividing 12.92 acres into two lots and two blocks.
 - Approved
- 2024-ZON-065: 132 N Belmont Avenue
 - Rezoning of 0.18-acre from the C-3 (TOD) district to the D-5 (TOD) district to provide for residential uses.
 - Approved

EXHIBITS



Legend

- ZoningApprovals
- ZoningLncu
- ZoningVariances
- Rezoning
- ZoningVacations
- ZoningPlats
- CCGIS.ThoroughfarePlan
- CCGIS.EASEMENT
- CCGIS.RIGHTOFWAY
- CCGIS.STREETS

- Built/Platted
- OPER_STATUS**
- REMOVED
- VACATED
- VACATED/BUILT
- VACATED/LOCATOR
- CCGIS.DMDLandUsePlanBase
- CCGIS.Ihpc
- CCGIS.ZONING
- PARCELSTATEPIN
- PARCELS
- PLATTEDSUBDIVISION
- CCGIS.Buildings



Exhibit 1: ArcGIS map of the surrounding area.



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

The property is maintained and adheres to all current safety regulations, ensuring a secure environment for the community. Regular updates and inspections guarantee that it meets the highest standards of public health and safety. Furthermore, the property is equipped with modern amenities that align with best practices for maintaining overall welfare and community well-being.

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 property will continue to be maintained in accordance with current zoning and aesthetic standards. The use of the property is consistent with the surrounding neighborhood, ensuring compatibility and minimizing disruption. Additionally, any changes made will enhance the overall appeal and functionality of the area, potentially increasing its value through carefully strategized renovations and upgrades.

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

The property layout and function has been utilized for multi-family use for the past decades; however, due to it's location, the current zoning categorize this property as commercial. In doing so, I intend to continue to use this property for multi-family use, which, complements the surrounding residential properties.

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

When I purchased the property for \$ 200,000 eight months ago, I intended to continue its use for multifamily purposes, consistent with its function for the past 30 years. Restricting the zoning ordinance now would adversely affect my revenue and property value, as the layout is not suitable for commercial use. I had no intention of using the property for commercial use, and enforcing this restriction would hinder me from affording to pay the morgage and supporting my family.

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

There is no plan to make changes to the land use and structural change to the property that will interfere substantially with the comprehensive plan.

Exhibit 2: Findings of Fact submitted by the petitioner.



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

Plan of Operation for 2927 W. Washington Street, Indianapolis, Indiana 46222

Description of the Business

The property at 2927 W. Washington Street will operate as a multifamily dwelling, featuring five residential units designed to offer comfortable living spaces. Each unit is equipped with full kitchen and bathroom facilities, including modern appliances such as refrigerators, cooking ranges, and microwaves. The layout of the property encourages a sense of community while providing individual privacy for residents.

Key Operational Issues

1. Workforce:
 - a. The property will be managed solely by the owner, who will oversee all aspects of operations, including tenant relations, property maintenance, and administrative tasks. This hands-on management approach ensures that residents receive prompt attention and personalized service.
2. Clients & Customers:
 - a. The target clients for this multifamily dwelling include small families, young professionals, and individuals seeking quality, affordable housing in a convenient urban location. The property aims to foster a welcoming environment that promotes community engagement among residents.
3. Processes Conducted on Site:
 - a. Routine processes will include regular maintenance checks to ensure all appliances and systems are functioning correctly. The owner will be responsible for managing tenant requests, conducting repairs as needed, and maintaining common areas, such as outdoor spaces and hallways, to enhance the overall living experience.
4. Materials Used:
 - a. Maintenance will involve the use of standard residential materials, such as plumbing fixtures, electrical components, and general cleaning supplies. Emphasis will be placed on using eco-friendly products wherever possible to promote sustainability and reduce environmental impact.
5. Shipping & Receiving:
 - a. While the property is not expected to engage in regular shipping and receiving activities, any necessary deliveries for maintenance supplies or tenant-related items will be carefully coordinated to minimize disruption to residents and neighbors. Deliveries will be scheduled during non-peak hours whenever possible.
6. Waste:
 - a. Residents are provided multiple garbage containers that are collected weekly by the city of Indianapolis.
7. Impact Mitigation
 - a. To minimize any potential negative impacts on neighboring properties, the following measures will be implemented:
 - i. Noise Control: The owner will establish quiet hours and communicate expectations to residents regarding noise levels, encouraging a respectful atmosphere within the community.
 - ii. Parking Management: Five designated parking spaces are allocated for residents, ensuring that the surrounding streets remain accessible and prevent overflow parking from disrupting the neighborhood.
 - iii. Communication: The owner is assertive to create meaningful relationships with tenants to foster a welcoming environment.
8. Conclusion
 - a. This detailed Plan of Operation outlines the intended use of 2927 W. Washington Street as a multifamily dwelling and addresses critical operational issues. By adhering to this plan, the owner aims to create a harmonious living environment that respects community standards while ensuring the property has a positive impact on the neighborhood.

Exhibit 3: Plan of Operation submitted by the petitioner.

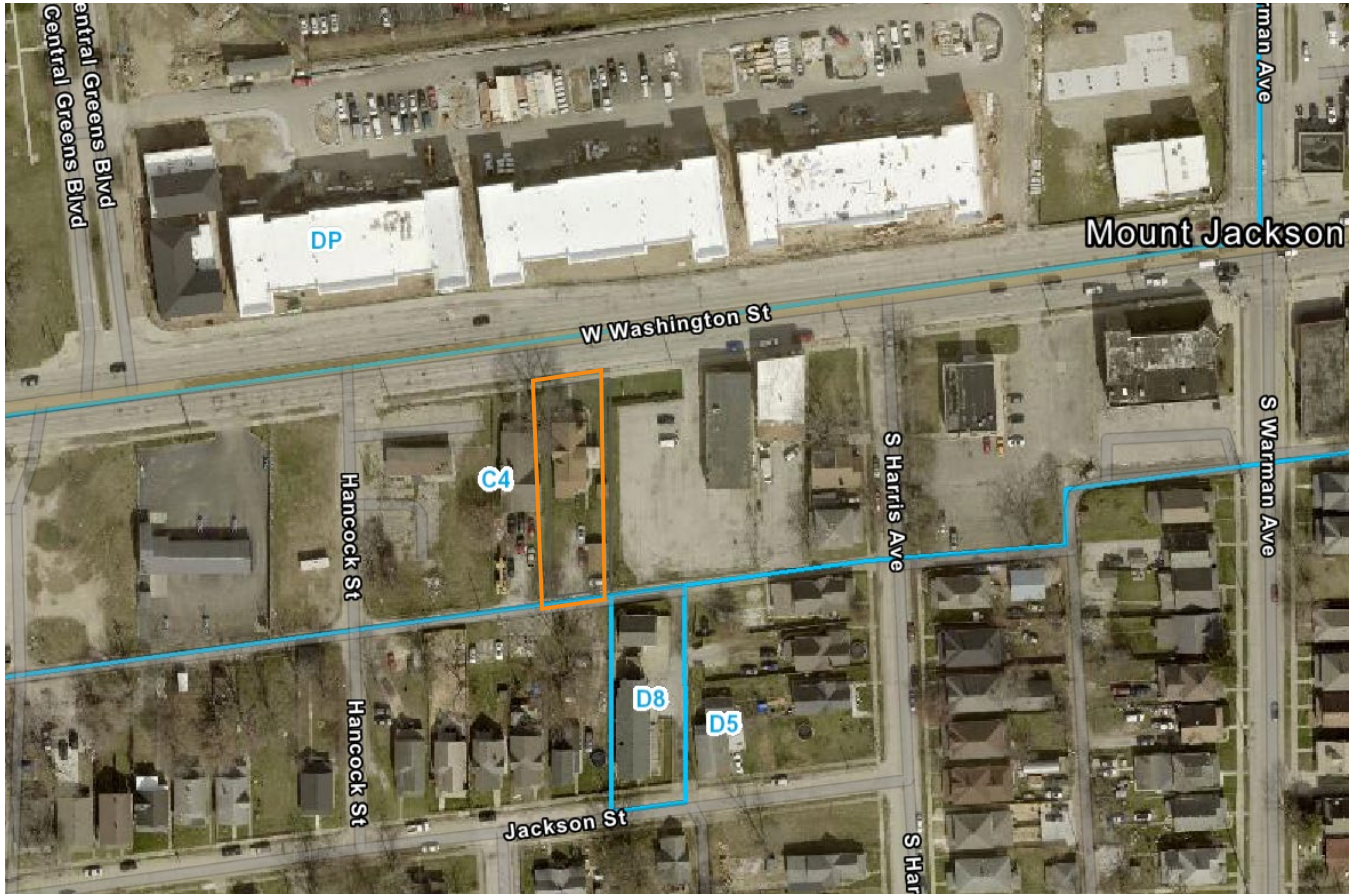


Exhibit 4: Aerial of area around 2927 West Washington Street.

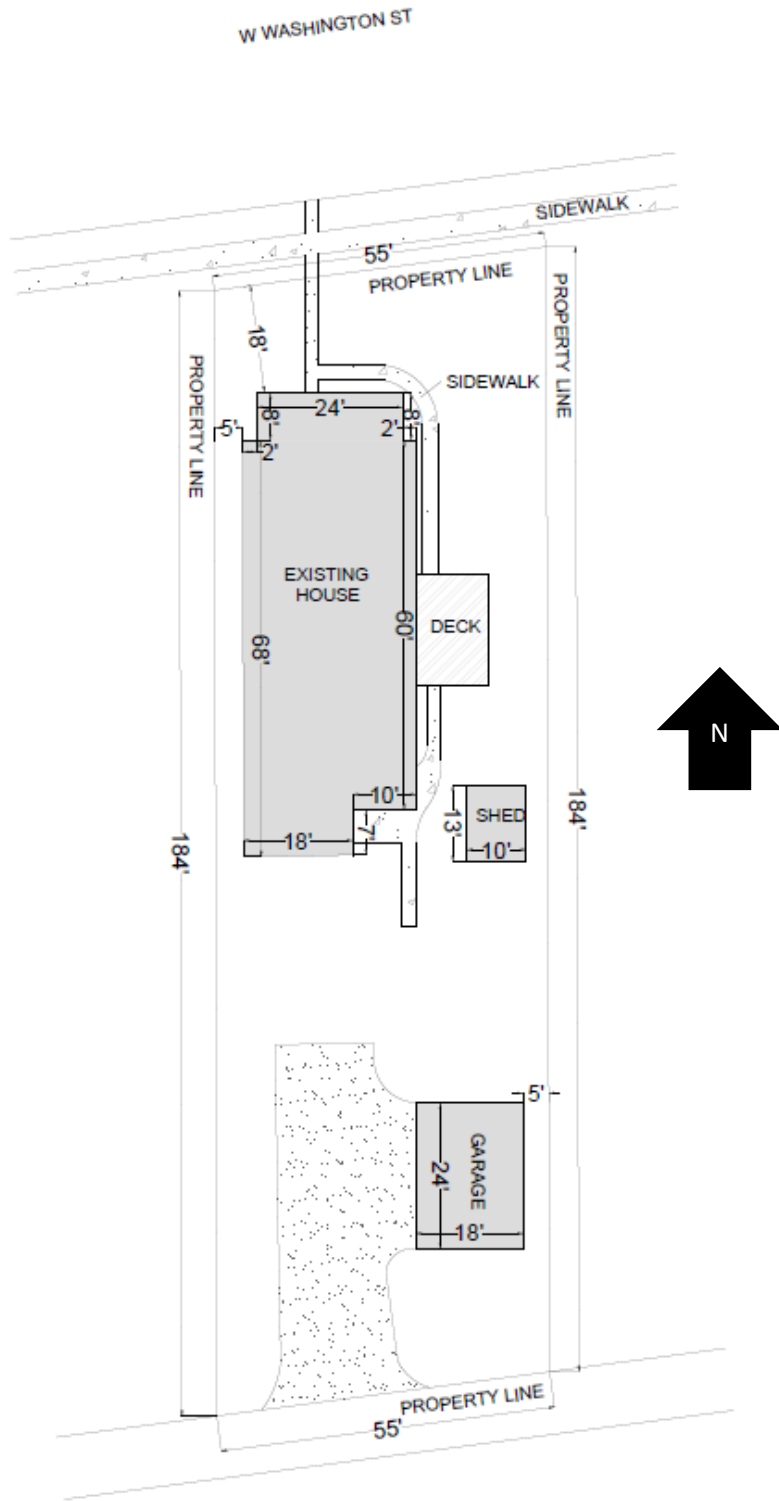


Exhibit 5: Site plan of 2927 West Washington Street.



Exhibit 6: Floor plan of 2927 West Washington Street



Exhibit 7: Apartment breakdown of floor plan.



Exhibit 8: Front of 2927 West Washington Street



Exhibit 9: Back of 2927 West Washington Street.



Exhibit 10: Detached Unit in the back of 2927 West Washington Street.



Exhibit 11: Parking area of the subject site.



Exhibit 12: Commercial business to the east of the subject site.



Exhibit 13: Dwelling to the west of the subject site.



Exhibit 14: Apartment complex to the north of the subject site.

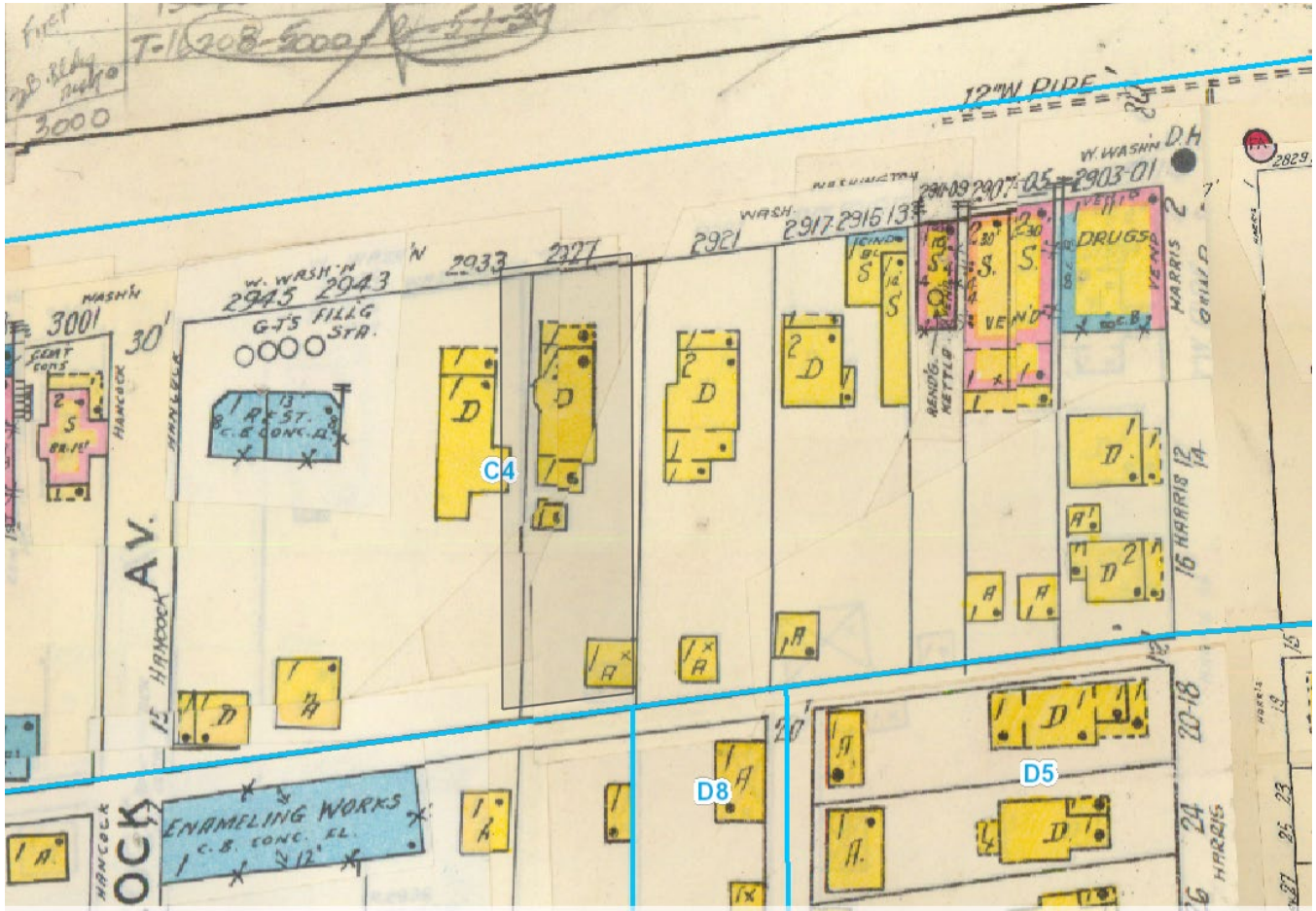


Exhibit 15: 1915 Sanborn map of the subject site.



BOARD OF ZONING APPEALS DIVISION I **March 4, 2025**

Case Number: 2024-DV1-044 (Amended)
Address: 289 North Cole Street (approximate address)
Location: Wayne Township, Council District #16
Zoning: D-4
Petitioner: Humberto Carreon Rubio, by Mark and Kim Crouch
Request: Variance of Development Standards of the Consolidated Zoning and Subdivision Ordinance to provide for the construction of a detached garage in front of the primary dwelling (not permitted).

Current Land Use: Single-family dwelling

Staff Recommendation: Staff recommends denial of this petition.

Staff Reviewer: Robert Uhlenhake, Senior Planner

PETITION HISTORY

This petition was amended at the January 7, 2025, hearing, to withdraw the request to provide for the construction of a detached garage with a floor area greater than the primary dwelling.

The amended petition was continued for cause at the request of a remonstrator, from the January 7, 2025, hearing, to the March 4, 2025, hearing.

STAFF RECOMMENDATION

Staff recommends **approval** of the amended request to provide for the construction of a detached garage in front of the primary dwelling.

PETITION OVERVIEW

- ◇ The proposed garage would replace an existing detached garage in a similar location in front of the primary dwelling.
- ◇ The site has a practical difficulty in locating the garage to the side or rear of the primary dwelling due to a significant elevation change to the side, and the primary dwelling is located to the rear of the lot, leaving inadequate space to locate the proposed garage to the rear of the dwelling.



GENERAL INFORMATION

Existing Zoning	D-4	
Existing Land Use	Single-Family Dwelling	
Comprehensive Plan	Rural of Estate Neighborhood	
Surrounding Context	Zoning	Surrounding Context
	North:	D-4 Single-Family dwelling
	South:	D-4 Single-Family dwelling
	East:	PK-1 City Park
	West:	D-A Single-Family dwelling
Thoroughfare Plan		
	Cole Street	Local street 35-foot existing right of way, and 50-foot proposed right-of-way.
Context Area	Metro area	
Floodway / Floodway Fringe	N/A	
Overlay	N/A	
Wellfield Protection Area	N/A	
Site Plan (Amended)	February 14, 2025	
Elevations	N/A	
Landscape Plan	N/A	
Findings of Fact	November 4, 2024	

COMPREHENSIVE PLAN ANALYSIS

Comprehensive Plan

- The Comprehensive Plan recommends Rural or Estate Neighborhood uses for the site.

Pattern Book / Land Use Plan

- The Marion County Land Use Plan Pattern Book recommends the Rural or Estate Neighborhood typology for this site. This typology provides for rural or agricultural areas and historic, urban areas with estate-style homes on large lots. In both forms, this typology prioritizes the exceptional natural features – such as rolling hills, high quality woodlands, and wetlands – that make these areas unique. Development in this typology should work with the existing topography as much as possible. Typically, this typology has a residential density of less than one dwelling unit per acre unless housing is clustered to preserve open space.

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.

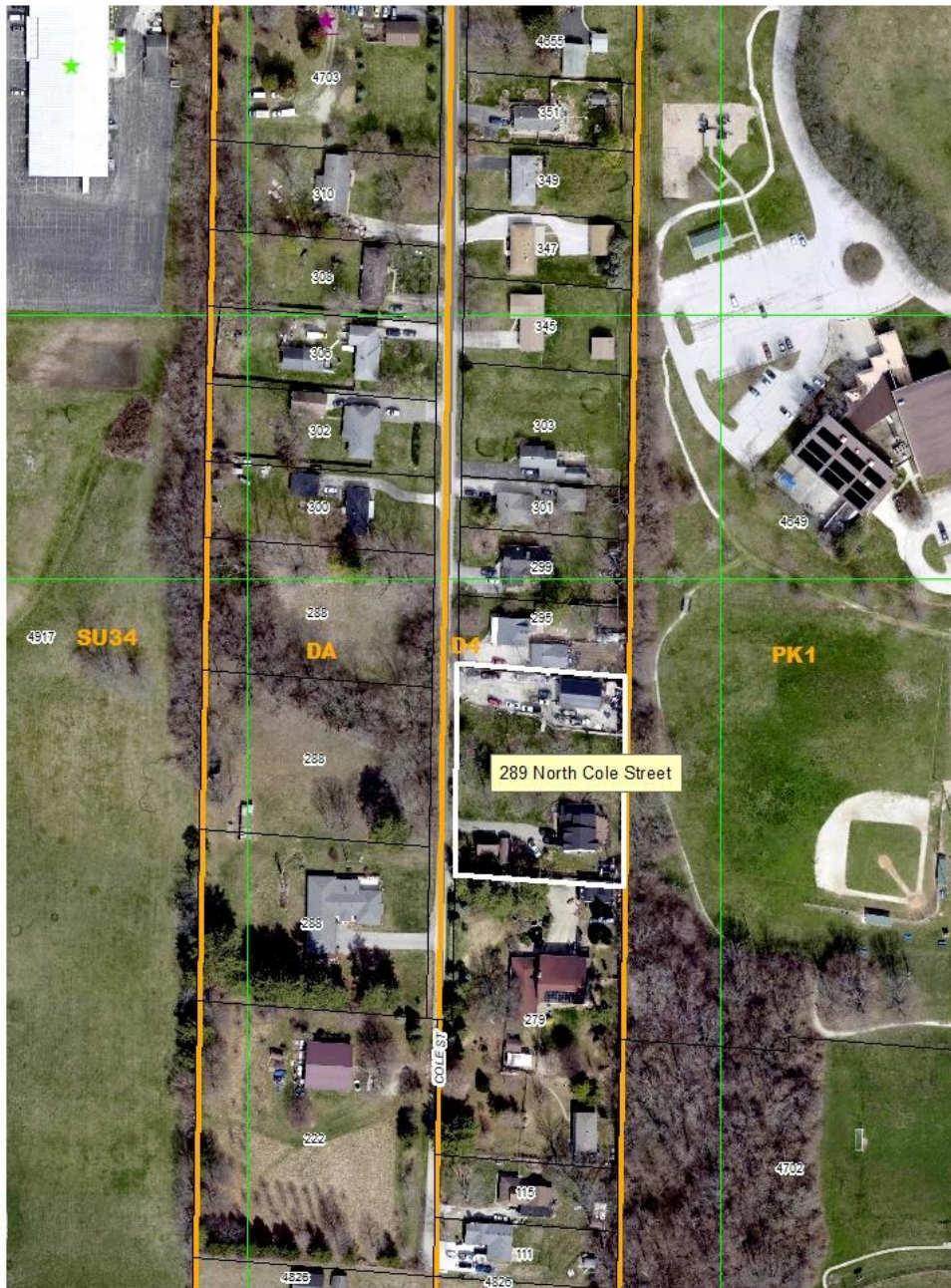
ZONING HISTORY

99-V1-125; 289 North Cole Street (subject site) requested a variance of development standards to provide for the construction of a pole barn, creating 2,160 square feet of detached accessory uses, or 140% of the size of the main floor area of the primary dwelling, **granted.**

RU

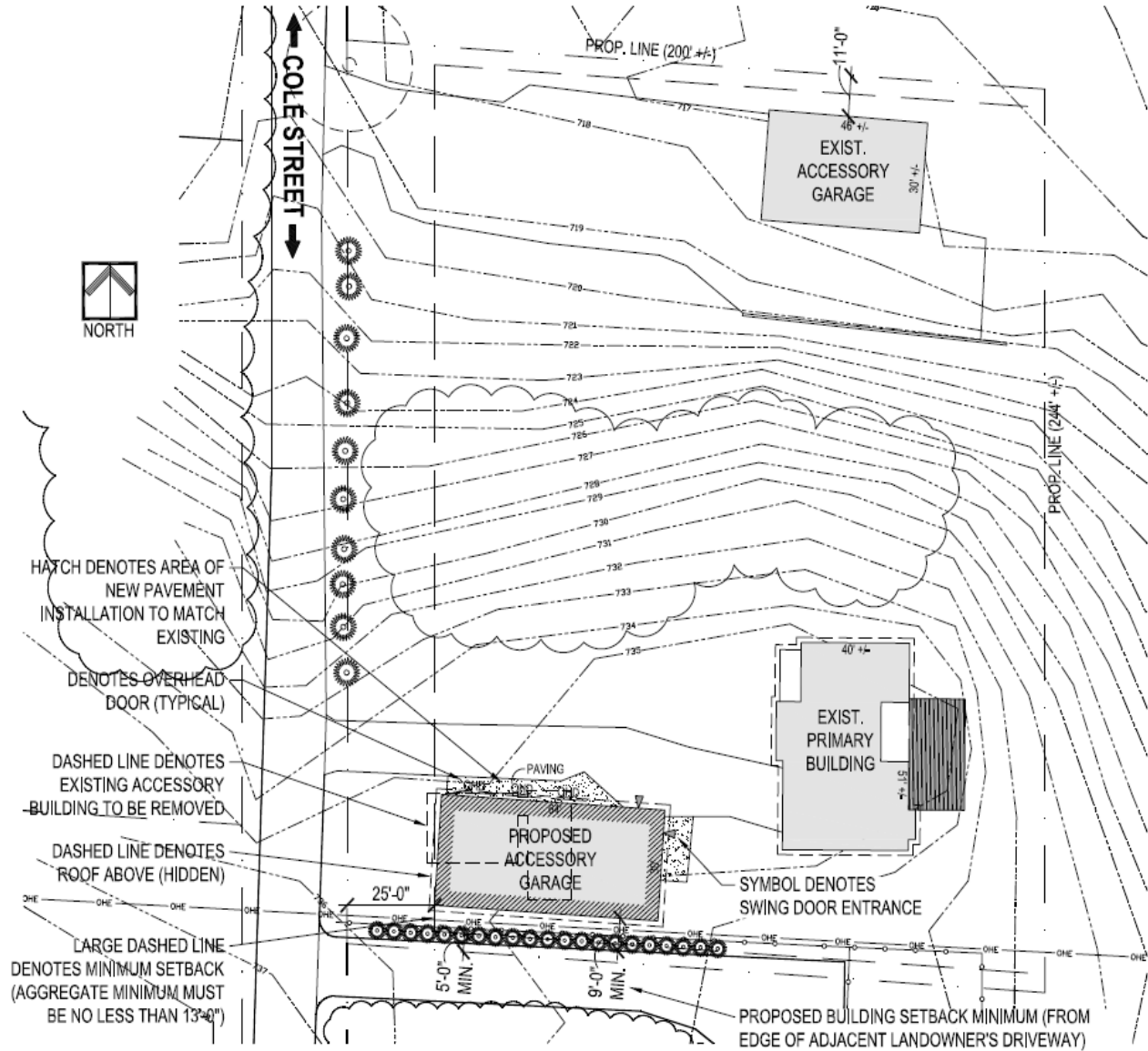
EXHIBITS

Location Map



Site Plan

289 N COLE STREET, INDIANAPOLIS, IN 46224
FEBRUARY 14, 2025 | 2 of 2





Findings of Fact

Petition Number _____

**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 grant will allow for the construction of a new detached garage for private residential use.

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 detached garage will be consistent with development in the area and adjacent area.

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

contour of the property slopes significantly to the north and there is no space behind existing residence to allow for detached garage to be built resulting in a need to place proposed detached garage in front of the residence. Without variance approval, proposed garage will not be built.

Photographs



Photo 1 - Subject property looking east.



Photo 2 - Subject property existing garage to be removed and replaced with a larger garage, looking southeast.



Photo 3 - Subject property line, additional detached accessory pole barn, with commercial contractor equipment, looking east.



Photo 4- Close up of additional contractor equipment being stored outside of accessory pole barn.



Photo 5 - Adjacent properties to the north that are zoning complaint, looking east.



Photo 6 - Adjacent property to the west that is zoning complaint.



BOARD OF ZONING APPEALS DIVISION III **March 4, 2025**

Case Number: 2025-DV1-003
Property Address: 2703 Cardigan Road (approximate address)
Location: Pike Township, Council District #1
Petitioner: Jose Luis Martinez Marcial, by Arnolando Gonzales Vasquez
Current Zoning: D-3 / D-A
Request: Variance of Development Standards of the Consolidated Zoning and Subdivision Ordinance to provide for the location of a 53-foot-wide parking area within the front yard (maximum 30-foot width permitted).
Current Land Use: Residential

Staff Reviewer: Michael Weigel, Senior Planner

PETITION HISTORY

A timely automatic continuance request was filed by a registered neighborhood organization to move this petition to the April 1st hearing of Division I. A full staff report will be made available in advance of that hearing.



BOARD OF ZONING APPEALS DIVISION I **March 4, 2025**

Case Number: 2025-DV1-005

Property Address: 6462 Broadway Street (approximate address)

Location: Washington Township, Council District #2

Petitioner: Melissa Jackson and Andrew Mehlhop, by Hannah Able

Current Zoning: D-4 (TOD) (FF)

Request: Variance of Development Standards of the Consolidated Zoning and Subdivision Ordinance to provide for a detached garage addition with a one-foot south side yard setback (four feet required) and a three-foot rear yard setback (five feet required).

Current Land Use: Residential

Staff Reviewer: Michael Weigel, Senior Planner

PETITION HISTORY

Prior to the date of publication, the applicant indicated their intent to request a for-cause continuance to the April 1, 2025 hearing date in order to allow for additional coordination with a neighborhood group. Staff has no objection to this request, and will publish a full report in advance of the April date.



BOARD OF ZONING APPEALS DIVISION I

March 4th, 2025

Case Number:	2025-UV1-001
Property Address:	3854 Washington Boulevard (<i>Approximate Address</i>)
Location:	Washington Township, Council District #7
Petitioner:	Timothy & Karissa Funston
Current Zoning:	D-5 (TOD)
Request:	Variance of Use of the Consolidated Zoning and Subdivision Ordinance to provide for a 999-square foot second primary dwelling (one primary use per lot permitted).
Current Land Use:	Residential
Staff Recommendations:	Staff recommends denial of this variance petition.
Staff Reviewer:	Kiya Mullins, Associate Planner

PETITION HISTORY

This is the first public hearing for this variance petition.

STAFF RECOMMENDATION

Staff recommends **denial** of this variance petition.

PETITION OVERVIEW

- The petitioner is requesting a secondary dwelling unit in the rear yard of the property to be 279 sqft larger than the maximum size permitted (720 sqft).
- The subject site is 0.18 acres in a D-5 zoning district and Transit Oriented Development (TOD) Secondary District.
- The 999 sqft secondary dwelling unit is already constructed and has been on the property since 2001.
- The petitioner plans on renting this property out.
- The maximum permitted size of a secondary dwelling unit is 720 sqft.
- Staff is recommending **denial** of this variance petition because its large size and the deficient lot size.
- Staff believes that a second dwelling unit on the property would negatively impact the parking for this site and potential for traffic flow in the area.



GENERAL INFORMATION

Existing Zoning	D-5 (TOD)	
Existing Land Use	Residential	
Comprehensive Plan	Traditional Neighborhood	
Surrounding Context	Zoning	Surrounding Context
North:	D-5	North: Traditional Neighborhood
South:	D-9	South: Village Mixed-Use
East:	D-5	East: Traditional Neighborhood
West:	C-1	West: Urban Mixed-Use
Thoroughfare Plan		
Washington Blvd	Local Street	100 feet of right of way existing and 48 feet of right of way proposed.
Context Area	Compact	
Floodway / Floodway Fringe	No	
Overlay	Yes	
Wellfield Protection Area	No	
Site Plan	11/21/2025	
Site Plan (Amended)	N/A	
Elevations	N/A	
Elevations (Amended)	N/A	
Landscape Plan	N/A	
Findings of Fact	11/21/2024	
Findings of Fact (Amended)	1/12/2025	

COMPREHENSIVE PLAN ANALYSIS

Comprehensive Plan

- Marion County Land Use Plan: Pattern Book
- Infill Housing Guidelines

Pattern Book / Land Use Plan

The Traditional Neighborhood typology includes a full spectrum of housing types, ranging from single family homes to large-scale multifamily housing. The development pattern of this typology should be compact and well-connected, with access to individual parcels by an alley when practical. Building form should promote the social connectivity of the neighborhood, with clearly defined public, semi-public, and private spaces. Infill development should continue the existing visual pattern, rhythm, or orientation of surrounding buildings when possible. A wide range of neighborhood-serving businesses, institutions, and amenities should be present. Ideally, most daily



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

needs are within walking distance. This typology usually has a residential density of 5 to 15 dwelling units per acre, but a higher density is recommended if the development is within a quarter mile of a frequent transit line, greenway, or park (pg. 17-18).

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

- Secondary Dwelling Units (pg. 27-28)
 - In addition to traditional accessory structures like garages and sheds, there has also been growth in secondary dwelling units. These dwellings units offer many benefits, including the potential to increase adorability, to increase the diversity of housing options in the neighborhoods, and to enable seniors to stay near families.
 - Secondary Dwelling Units: Secondary dwelling units are secondary living areas that are often disconnected from a house that can support another family. In recent years, secondary dwelling units have been created in separate buildings, including above garages. In many other places these units are known as “accessory dwelling units”.
 - Accessory buildings should be located behind the existing building unless there is a precedent otherwise.
 - The scale, height, sized and mass should relate to the primary building and should not overshadow it.
 - Coordinate roof lines, window openings, and key architectural styles on accessory buildings with existing primary buildings.
 - Where secondary dwelling units are allowed, the Zoning Ordinance establishes a maximum square footage. If additional space is needed, another form of building, such as a duplex or triplex, might be more appropriate. An addition to an existing house may also be appropriate.

Indy Moves

(Thoroughfare Plan, Pedestrian Plan, Bicycle Master Plan, Greenways Master Plan)

- Not Applicable to the Site.

ZONING HISTORY

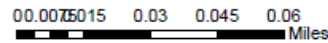
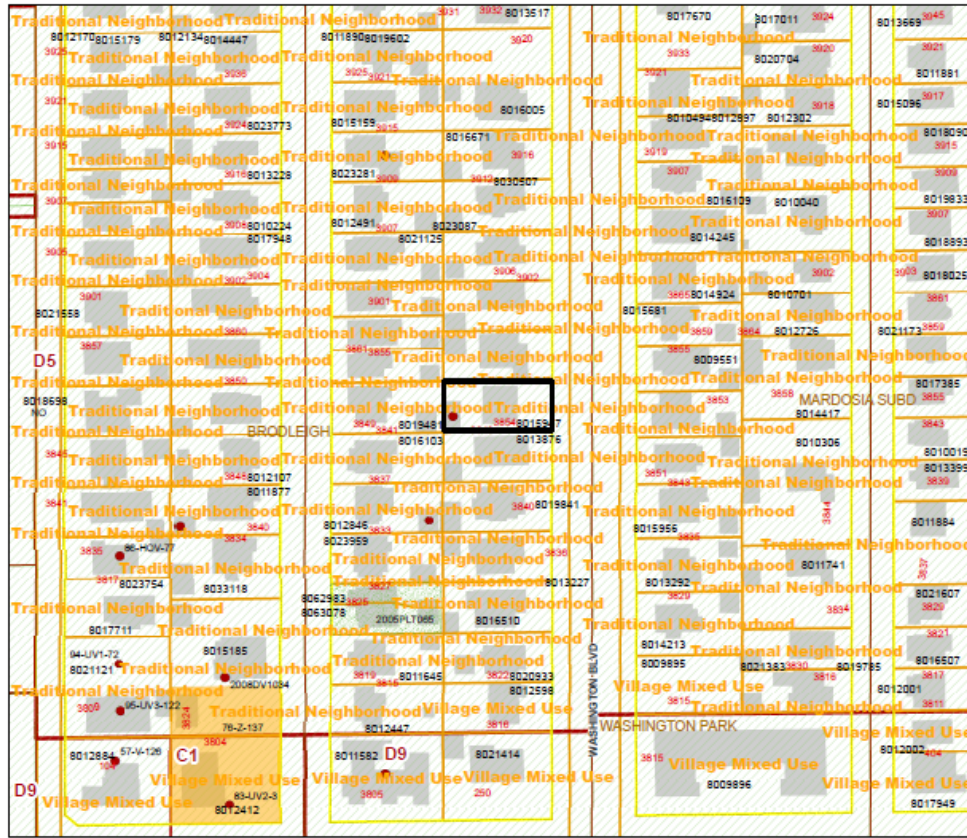
ZONING HISTORY – SITE

- N/A

ZONING HISTORY – SURROUNDING AREA

- 2002-DV1-012 – 3805 N Delaware Street
 - 4-foot-tall fence in front yard/no clear sight.
 - AP
- 2005-DV2-003 – 3915 N Delaware Street
 - Variance of development standards of the Dwelling Districts Zoning Ordinance to provide for a 418-square foot attached garage with a 3.2-foot south side yard setback.
 - AP
- 2005-DV2-049- 3939 N Delaware Street
 - Variance of development standards of the Dwelling Districts Zoning Ordinance to provide for the construction of a 576-square foot detached garage with a 1.5-foot north side yard setback, and with a 1.5-foot rear yard setback.
 - AP
- 2008-DV1-034 – 3824 N Delaware Street
 - Variance of Development Standards of the Dwelling Districts Zoning Ordinance to: a) provide for a six-foot tall solid fence within the required 25-foot front yard along Delaware Street (maximum 3.5-foot tall fence permitted within the required front yard), b) legally establish an accessory building area of 1,516.17 square feet or 81.04 percent of the main floor area of the primary structure (maximum 1,403.25 square feet or 75 percent of the main floor area of the primary dwelling permitted), and c) legally establish an accessory use area of 4,500.15 square feet or 126.55 percent of the total living area of the primary structure (maximum 3,555 square feet or 99.99 percent of the total living area of the primary structure permitted).
 - AP
- 2013-HOV-070 – 3836 Central Avenue
 - Variance of use of the Dwelling Districts Zoning Ordinance to legally establish a multi-family dwelling (not permitted), per plans filed.
 - Approved
- 2014-HOV-019 – 3837 N Delaware Street
 - Variance of development standards of the Dwelling Districts Zoning Ordinance to provide for the construction of a 624-square foot detached garage, with a 1.5-foot south side setback and a 2.4-foot east rear yard setback (minimum 4-foot side setback and five-foot rear setback required).
 - Approved

EXHIBITS



Legend

• ZoningApprovals	— Built/Platted
• ZoningLncu	OPER_STATUS
• ZoningVariances	— REMOVED
■ Rezoning	— VACATED
▨ ZoningVacations	— VACATED/BUILT
■ ZoningPlats	— VACATED/LOCATOR
— CCGIS.ThoroughfarePlan	■ CCGIS.DMDLandUsePlanBase
— CCGIS.EASEMENT	▨ CCGIS.lhpc
— CCGIS.RIGHTOFWAY	■ CCGIS.ZONING
CCGIS.STREETS	□ PARCELSTATEPIN
	□ PARCELS
	■ PLATTEDSUBDIVISION
	■ CCGIS.Buildings



Exhibit 1: ArcGIS map of the surrounding area.

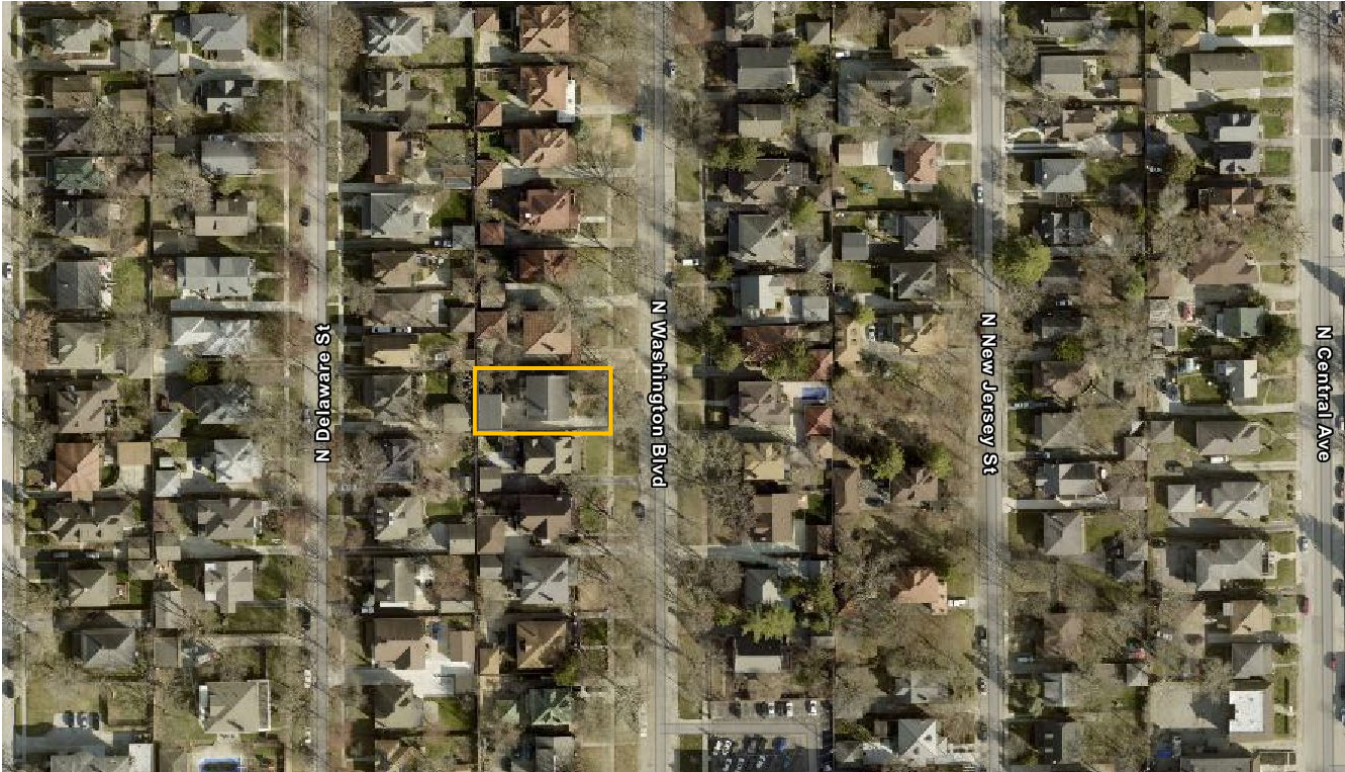


Exhibit 2: Aerial of the area.



METROPOLITAN DEVELOPMENT COMMISSION
HEARING EXAMINER
METROPOLITAN BOARD OF ZONING APPEALS, Division [redacted]
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

THE CARRIAGE HOUSE ABOVE THE ACCESSORY STRUCTURE (GARAGE) ALREADY EXISTED CIRCA 2001 AND FUNCTIONED AS SUCH.

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 PROPERTY WAS ALREADY IN EXISTENCE AND HAS NOT UNDERGONE SUBSTANTIAL ADDITIONS OR RENOVATIONS. IT IS CURRENTLY BEING TAXED AS A SECONDARY DWELLING UNIT.

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

IT EXCEEDS THE 720 SQUARE FOOT ALLOWANCE FOR A DETACHED SECONDARY DWELLING UNIT. (APPROXIMATELY SQUARE FOOTAGE IS 970 SQUARE FEET THUS EXCEEDING THE ALLOWABLE LIMIT BY 250 SQUARE FEET.) IN ADDITION THE CARRIAGE HOUSE EXCEEDS THE MIN. SQUARE FEET FOR A PRIMARY DWELLING.

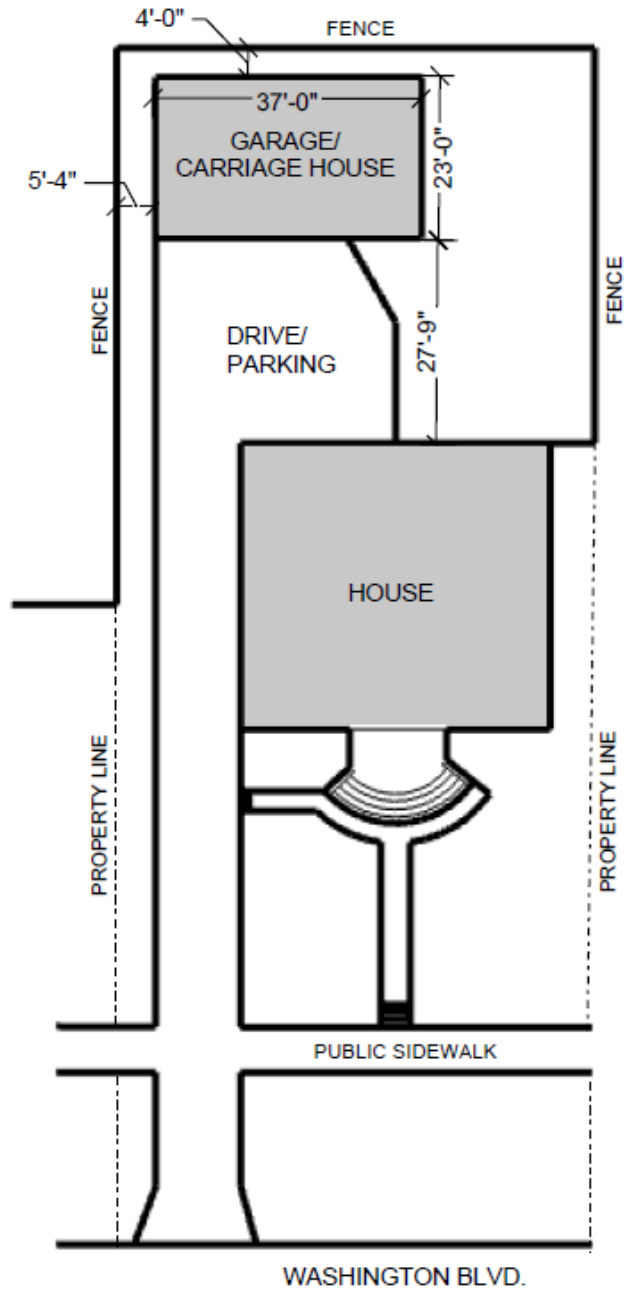
4. THE STRICT APPLICATION OF THE TERMS OF THE ZONING ORDINANCE CONSTITUTES AN UNUSUAL AND UNNECESSARY HARDSHIP IF APPLIED TO THE PROPERTY FOR WHICH THE VARIANCE IS SOUGHT BECAUSE

THE DETACHED SECONDARY DWELLING CAN NOT BE USED FOR IT APPROVED USE IN WHICH IT IS CURRENTLY BEING TAXED.

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

THE EXISTING DETACHED SECONDARY DWELLING (CARRIAGE HOUSE ABOVE GARAGE) WILL REMAIN REGARDLESS OF VARIANCE. THE ACTUAL USE OF THE SPACE WILL BE THE ONLY THING IMPACTED.

Exhibit 3: Findings of Fact submitted by the petitioner.



SITE PLAN- 3854 WASHINGTON BLVD

SCALE: 1:20

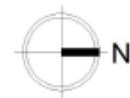
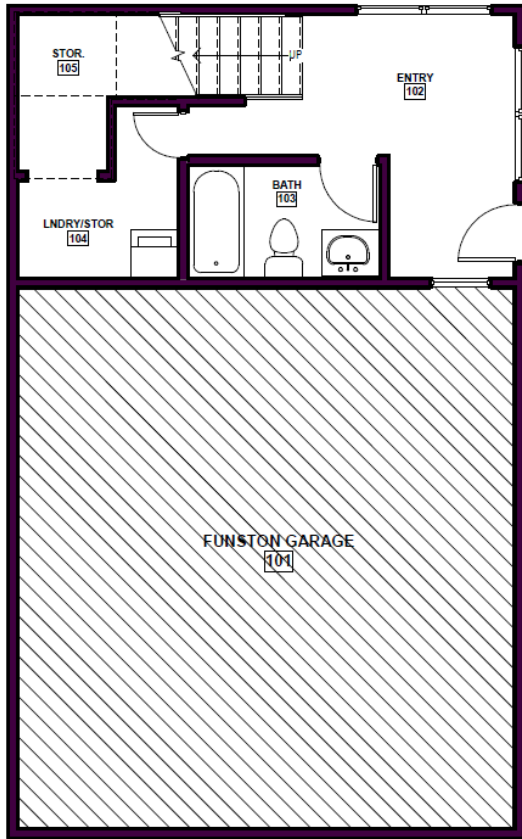
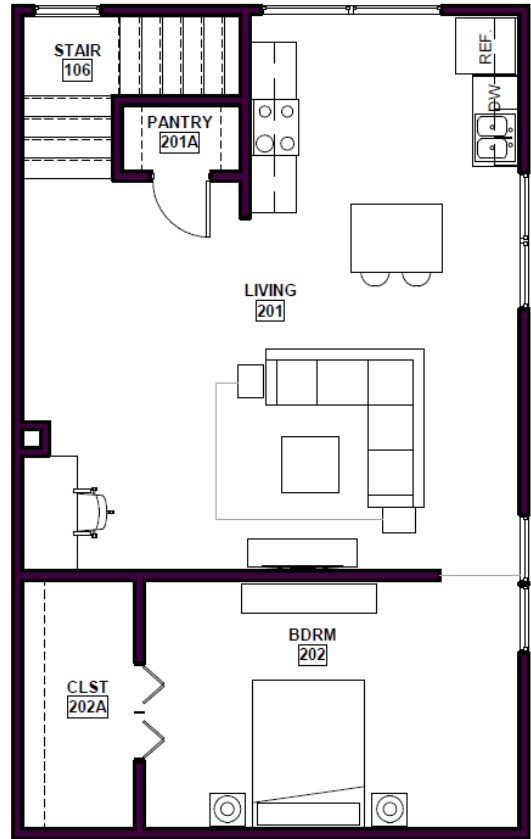


Exhibit 4: Site plan of the subject site.



1 FIRST FLOOR PLAN
3/16" = 1'-0"



2 SECOND FLOOR PLAN
3/16" = 1'-0" ?

Exhibit 5: Floor plan of the secondary dwelling unit.



Exhibit 6: Primary dwelling on the property.



Exhibit 7: Driveway leading to the secondary dwelling unit.



Exhibit 8: The secondary dwelling unit.



Exhibit 9: Area between the secondary dwelling unit and the primary dwelling.



Exhibit 10: Garage of neighbor to the north.



Exhibit 11: Garage of neighbor to the northwest.



Exhibit 12: Garage of neighbor to the west.



BOARD OF ZONING APPEALS DIVISION I

March 4th, 2025

Case Number:	2025-UV1-002
Property Address:	6145 North Ewing Street (<i>Approximate Address</i>)
Location:	Washington Township, Council District #3
Petitioner:	Janna & Jonathan Mayes
Current Zoning:	D-S
Request:	Variance of Use and Development Standards of the Consolidated Zoning and Subdivision Ordinance to provide for the construction of a second 1,085-square-foot primary dwelling associated with a detached garage (one primary use per lot permitted) with an eight-foot north side yard setback (15 feet required).
Current Land Use:	Residential
Staff Recommendations:	Staff recommends denial of this variance petition.
Staff Reviewer:	Kiya Mullins, Associate Planner

PETITION HISTORY

This is the first public hearing for this variance petition.

STAFF RECOMMENDATION

Staff recommends **denial** of this variance petition.

PETITION OVERVIEW

- This variance petition is requesting two items 1) for a 1085 sqft secondary dwelling unit that is 365 sqft higher than the maximum size permitted and 2) for the secondary dwelling unit to be 8 feet from the north property line and be within the 15 ft setback.
- This property is 1.31 acres and is within a D-S zoning district.
- The maximum permitted size of a secondary dwelling unit is 720 sqft.
- The required side yard setback for a D-S zoned property is 15 feet from the property line.
- Staff is recommending denial of this variance petition because there is no practical difficulty. The lot has the space to still meet the setback standards, and proposed the secondary dwelling unit can be decreased in size to meet the permitted size.



GENERAL INFORMATION

Existing Zoning	D-S	
Existing Land Use	Residential	
Comprehensive Plan	Suburban Neighborhood	
Surrounding Context	Zoning	Surrounding Context
	North:	North: Suburban Neighborhood
	South:	South: Suburban Neighborhood
	East:	East: Suburban Neighborhood
	West:	West: Suburban Neighborhood
Thoroughfare Plan		
Ewing Street	Local Street	50 feet of right of way existing and 50 feet of right of way proposed.
Context Area	Metro	
Floodway / Floodway Fringe	No	
Overlay	No	
Wellfield Protection Area	No	
Site Plan	12/27/2024	
Site Plan (Amended)	N/A	
Elevations	N/A	
Elevations (Amended)	N/A	
Landscape Plan	N/A	
Findings of Fact	12/27/2024	
Findings of Fact (Amended)	2/12/2025	

COMPREHENSIVE PLAN ANALYSIS

Comprehensive Plan

- Marion County Land Use Plan Pattern Book
- Infill Housing Guidelines

Pattern Book / Land Use Plan

- The Suburban Neighborhood typology is predominantly made up of single-family housing but is interspersed with attached and multifamily housing where appropriate. This typology should be supported by a variety of neighborhood-serving businesses, institutions, and amenities. Natural Corridors and natural features such as stream corridors, wetlands, and woodlands should be treated as focal points or organizing systems for development. Streets should be well-connected, and amenities should be treated as landmarks that enhance navigability of the development. This typology generally has a residential density of 1 to 5 dwelling units per acre, but a higher density is



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recommended if the development is within a quarter mile of a frequent transit line, greenway, or park.

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

- Secondary Dwelling Units (pg. 27-28)
 - In addition to traditional accessory structures like garages and sheds, there has also been growth in secondary dwelling units. These dwellings units offer many benefits, including the potential to increase adorability, to increase the diversity of housing options in the neighborhoods, and to enable seniors to stay near families.
 - Secondary Dwelling Units: Secondary dwelling units are secondary living areas that are often disconnected from a house that can support another family. In recent years, secondary dwelling units have been created in separate buildings, including above garages. In many other places these units are known as “accessory dwelling units”.
 - Accessory buildings should be located behind the existing building unless there is a precedent otherwise.
 - The scale, height, sized and mass should relate to the primary building and should not overshadow it.
 - Coordinate roof lines, window openings, and key architectural styles on accessory buildings with existing primary buildings.
 - Where secondary dwelling units are allowed, the Zoning Ordinance establishes a maximum square footage. If additional space is needed, another form of building, such as a duplex or triplex, might be more appropriate. An addition to an existing house may also be appropriate. .

Indy Moves

(Thoroughfare Plan, Pedestrian Plan, Bicycle Master Plan, Greenways Master Plan)

- Not Applicable to the Site.

ZONING HISTORY

ZONING HISTORY – SITE

- N/A

ZONING HISTORY – SURROUNDING AREA

- 2001-HOV-020 – 3660 E 62nd Street
 - 6.9 foot tall 47.2 square foot pylon sign.
 - AP
- 2008-DV3-011 – 3778 E 62nd Street
 - Variance of Development Standards of the Dwelling Districts Zoning Ordinance to provide for the construction of a 264-square foot detached accessory structure with a six-foot east side setback (minimum fifteen-foot side setback required).
 - AP
- 2010-DV2-020 – 6320 E Ewing Street
 - Variance of development standards of the Dwelling Districts Zoning Ordinance to provide for a dwelling addition with an 11-foot south side setback (minimum 15-foot side setback required).
 - Approved
- 2013-DV1-017 – 6320 N Ewing Street
 - Variance of development standards of the Dwelling Districts Zoning Ordinance to provide for an approximately 23-foot tall (29-foot tall, with cupola), 432-square foot accessory barn and an approximately 23-foot tall (30-foot tall with chimney) 1,345-square foot accessory pavilion (maximum 24-foot tall accessory building permitted), creating an accessory use area of 11,036-square feet or 280.53% of the total floor area of the primary structure (maximum 99.9% of the total floor area of the primary building or 3,930 square feet permitted).
 - Approved
- 2020-CZN-851 – 3660 E 62nd Street
 - Rezoning of 6.06 acres from the SU-2 district to the SU-37 district.
 - Approved
- 2023-CVR-813 – 6206 N Olney Street
 - Variance of Development Standards of the Consolidated Zoning and Subdivision Ordinance to provide for a detached accessory structure in the established front yard along 62nd Street (not permitted).
 - Approved
- 2023-CZN-813 – 6206 N Olney Street
 - Rezoning of 0.76 acre from the SU-2 district to the D-1 district.
 - Approved

EXHIBITS

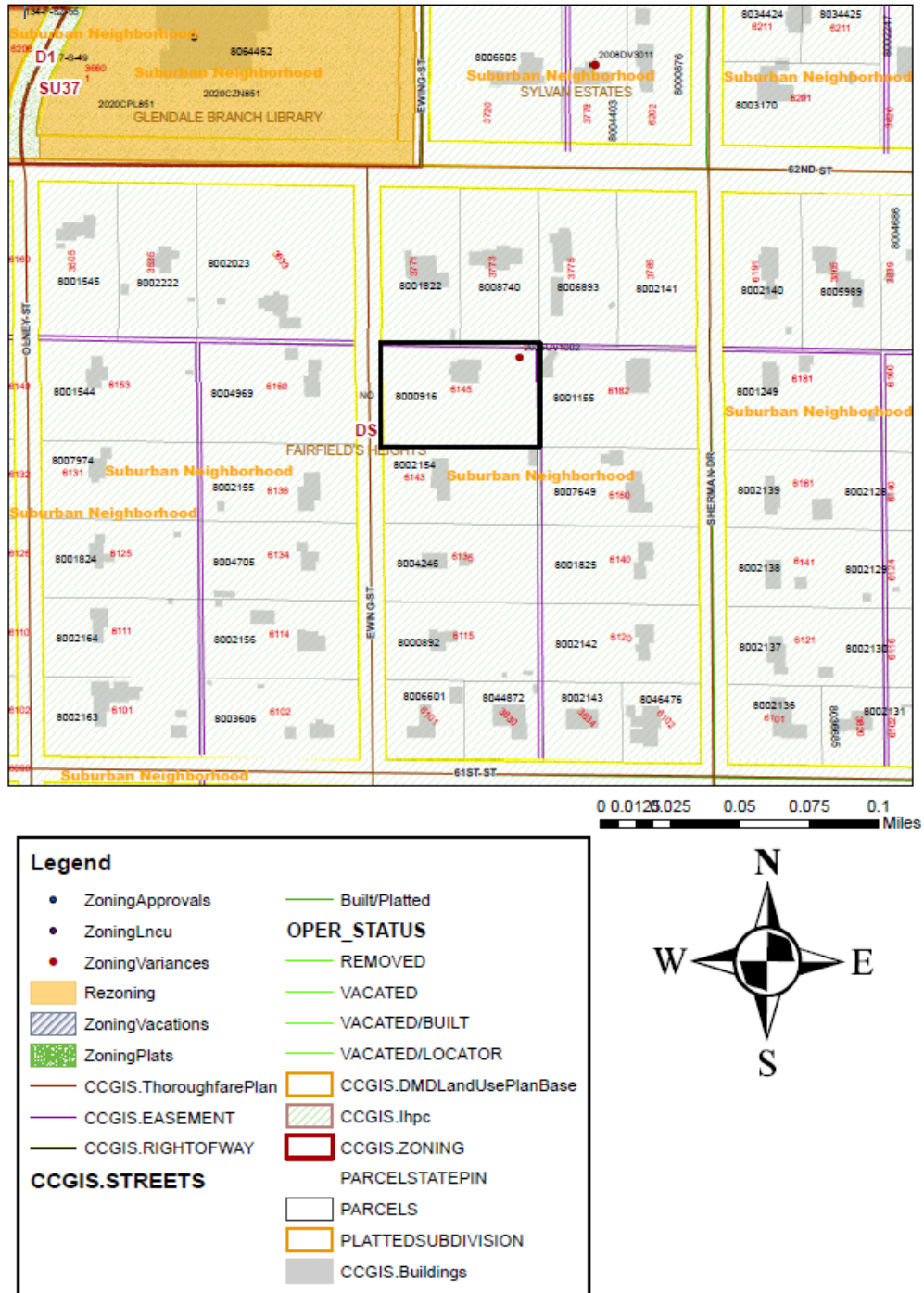


Exhibit 1: ArcGIS map of subject site.



Exhibit 2: Aerial of area around subject site.



**METROPOLITAN DEVELOPMENT COMMISSION
HEARING EXAMINER
METROPOLITAN BOARD OF ZONING APPEALS, Division [redacted]
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 proposal and proposed use is consistent with other detached outbuildings in not only adjacent properties (6143 N. Ewing St., 6182 N. Sherman Dr., 3775 E. 62nd St.) but also consistent with other similar detached garages and living spaces within the Fairfield Heights subdivision (6161 N. Sherman Dr., 6141 N. Sherman Dr., & 6038 N. Olney St.). Furthermore, the second primary dwelling nature of the structure is only a slight change from the development standards and adds to the overall value of the property and neighborhood. The property owners closest to the variance--Steve and Shelia Pluckebaum (3773 E. 62nd St.) have no concerns with the project.

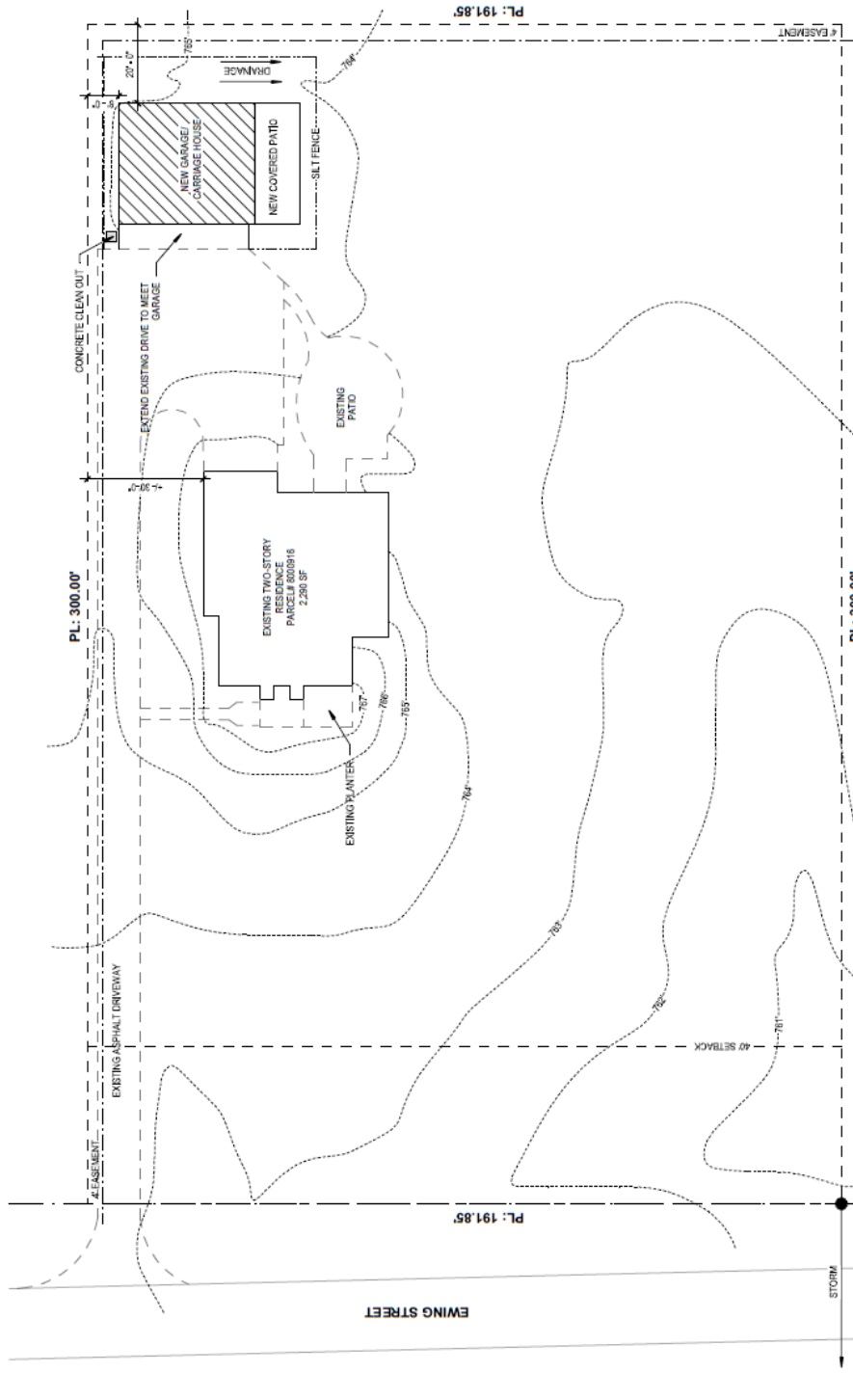
2. The use or value of the area adjacent to the property included in the variance will not be affected in a substantially adverse manner because:

The design will be consistent with design standards and will enhance the value of neighboring property.

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

the location of the detached garage, in proximity to the driveway servicing access to the garage, runs along the northern boundary. Along the eastern boundary was the location of a new septic system, its location required by the Marion County Health Department consistent with code applicable to septic systems. But to comply with the setback requirement pushes the location of the detached garage away from the driveway and into the existing septic field. Furthermore, the secondary primary dwelling standards inhibit liveable space for inlaws.

Exhibit 3: Findings of Fact submitted by the petitioner.



1 SITE PLAN
 ASB01 1" = 20'-0"

NOTE: DIMENSIONS ARE APPROXIMATE AND SHOULD BE CONFIRMED ON SITE OR WITH A SURVEY.

Exhibit 4: Site Plan.



Exhibit 5: The primary dwelling on the subject site.



Exhibit 6: General location of the proposed secondary dwelling unit looking east.



Exhibit 7: General location of the secondary dwelling looking north.



Exhibit 8: North property line looking east.



Exhibit 9: Property that is north of the proposed location of the secondary dwelling unit.



Exhibit 10: Back of primary dwelling unit.



BOARD OF ZONING APPEALS DIVISION I

March 4, 2025

Case Number:	2025-UV1-003
Property Address:	9615 Southeastern Avenue (approximate address)
Location:	Franklin Township, Council District #25
Petitioner:	Grateful Ventures LLC, by Greg Ilko
Current Zoning:	D-A
Request:	Variance of Use of the Consolidated Zoning and Subdivision Ordinance to provide for the operation of a financial planning and insurance office, per the filed plan of operation (not permitted).
Current Land Use:	Residential
Staff Recommendations:	Staff recommends denial for this petition
Staff Reviewer:	Noah Stern, Senior Planner

PETITION HISTORY

- This is the first public hearing for this petition.

STAFF RECOMMENDATION

- Staff **recommends denial** of this petition

PETITION OVERVIEW

- This petition would provide for the operation of a financial planning and insurance office, per the filed plan of operation (not permitted).
- The subject site is improved with a single-family residence and accessory structures. The site is zoned D-A and the Comprehensive Plan recommends rural or estate neighborhood for the property. Staff has concerns about the proposed commercial use on a residential site in an existing residential area. The proposed use goes against the Comprehensive Plan, and would represent the introduction of commercial uses on the north side of Thompson Road, which has always been used residentially, mostly for larger lots. Staff would note that a prior Use Variance on this site (85-UV2-131) for the operation of a welding business was denied by the Board.
- Staff has fears of future expansion of the proposed use if approved, and of other commercial features such as signage being added on site as a result. Further, Staff believes the proposed use to be an undesired precedent for the area that may result in similar requests on other sites nearby.



**Department of Metropolitan Development
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- Staff does not believe there to be sufficient practical difficulty for needing the variance, and that the property is in sufficient condition to be used for D-A permitted uses. Likewise, Staff would note that the proposed use would be a permitted home occupation use (requiring that the owner live on site, and meet all other standards related to home occupations) and the petitioner would not need variance approval if operated as such. Given that the request would go against the Comprehensive Plan, represents a type of use that is not found in the area, and that Staff does not find there to be any practical difficulty, Staff recommends denial of the petition.

GENERAL INFORMATION

Existing Zoning	D-A	
Existing Land Use	Residential	
Comprehensive Plan	Rural or Estate Neighborhood	
Surrounding Context	Zoning	Surrounding Context
North:	D-3	North: Residential
South:	D-A / C-5	South: Agricultural
East:	D-A	East: Agricultural
West:	D-A	West: Residential
Thoroughfare Plan		
Southeastern Avenue	Primary Collector	100 feet of right-of-way existing and 90 feet proposed
Thompson Road	Primary Arterial	50 feet of right-of-way existing and 119 feet proposed
Context Area	Metro	
Floodway / Floodway Fringe	No	
Overlay	No	
Wellfield Protection Area	No	
Site Plan	1/23/25	
Site Plan (Amended)	N/A	
Elevations	N/A	
Elevations (Amended)	N/A	
Landscape Plan	N/A	
Findings of Fact	1/23/25	
Findings of Fact (Amended)	N/A	

COMPREHENSIVE PLAN ANALYSIS

Comprehensive Plan



- Marion County Land Use Plan Pattern Book

Pattern Book / Land Use Plan

- The Marion County Land Use Plan pattern Book recommends the Rural or Estate Neighborhood living typology for this site.

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.



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Division of Planning
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ZONING HISTORY

ZONING HISTORY – SITE

85-UV2-131, variance of use of the Marion County Master Plan Permanent Zoning Ordinance to provide for a welding business in an existing detached garage, **denied**.

ZONING HISTORY – VICINITY

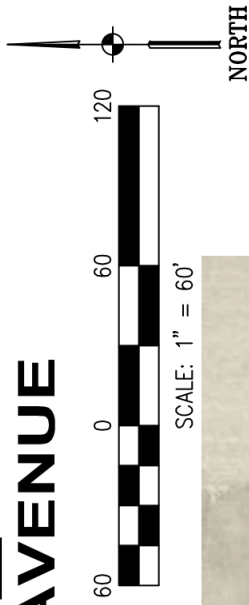
2018ZON017; 9600 Southeastern Avenue (north of site), Rezoning of 61 acres, from the D-A (FF) district, to the D-3 (FF) classification, **approved**.

EXHIBITS





EXISTING CONDITIONS SITE PLAN JEFF GANTZ 9615 SOUTHEASTERN AVENUE

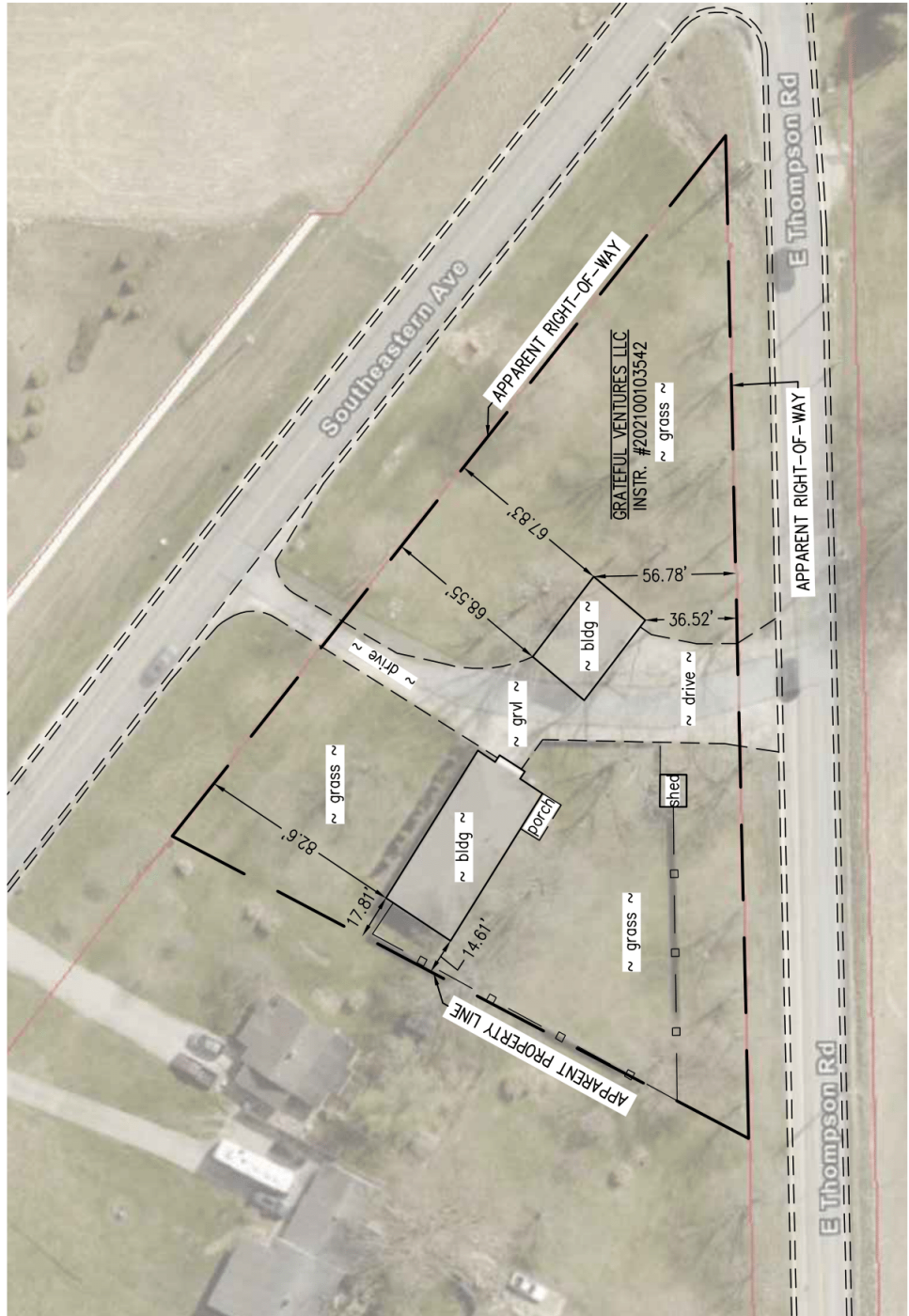


- EXISTING LEGEND
- PROPERTY LINE
 - - - PAVEMENT LINE
 - PRIVACY FENCE

PREPARED BY:



Transportation &
 Development Consultants
 1814 W. 10th Street
 - JANUARY 3, 2025



GRATEFUL VENTURES, LLC

PLAN OF OPERATION

PURPOSE

- Grateful Ventures, LLC will operate its financial planning and insurance operations out of the existing structure.

WORKFORCE

- Grateful Ventures, LLC currently has two full-time employees.

CLIENTS & CUSTOMERS

- Individuals seeking financial planning advice and insurance policy needs.
- On average, approximately one (1) client per day is expected to come to the actual place of business.

PROCESSES CONDUCTED ON SITE

- Day-to-day office/administrative tasks including, but not limited to:
 - Client phone conversations
 - Teams/Zoom meetings
 - Occasional in-person scheduled meetings
- Typical Hours of Operation:
 - Monday - Friday
 - 9:00am - 5:00pm

MATERIALS USED

- General office supplies: computers, monitors, printers, scanners, phones, etc.
- No hazardous materials utilized or stored on-site

SHIPPING AND RECEIVING

- Occasional UPS and FedEx envelope deliveries.
- Occasional Amazon deliveries for office supplies.

WASTE

- Generated waste includes general office waste.
- Recycling of applicable office supplies includes paper, printer cartridges, etc.
- Roll out-trash can with regularly scheduled Thursday pick-ups



Department of Metropolitan Development
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Current Planning

Petition Number _____

METROPOLITAN DEVELOPMENT COMMISSION
HEARING EXAMINER
METROPOLITAN BOARD OF ZONING APPEALS, Division I _____
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
the proposed used will be conducted within the existing structure and experience negligible increases of traffic realized by an allowable single-family Home Business accessory use. The operations of the proposed use will essentially go unnoticed.

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 will cause little change to the existing property and the outward appearance will remain consistent with the adjacent areas.

3. THE NEED FOR THE VARIANCE ARISES FROM SOME CONDITION PECULIAR TO THE PROPERTY INVOLVED BECAUSE
the property is in a Dwelling Agriculture District at the NW corner of a high traffic intersection that is slated for improvements, including a potential roundabout. Both the SE and SW corners are zoned commercially as C4 and C5.

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 DA zone has no provisions for low-intensity office use, very similar to an accessory use of a Home Business that is allowable within the DA zone.

5. THE GRANT DOES NOT INTERFERE SUBSTANTIALLY WITH THE COMPREHENSIVE PLAN BECAUSE
the property will still make use of the existing structures, and the Use Variance will run with the owner and not the land, such as would be the case with a rezone.

DECISION

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

Adopted this _____ day of _____, 20 ____









