

## STAFF REPORT

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

**Case Number:** 2022-DV2-044  
**Address:** 305 North Beville Avenue (approximate address)  
**Location:** Center Township, Council District #17  
**Zoning:** D-8  
**Petitioner:** Indianapolis Neighborhood Housing Partnership, by Jeff Hasser  
**Request:** Variance of development standards of the Consolidated Zoning and Subdivision Ordinance to provide for the construction of a single-family dwelling with a rear patio maintaining a seven-foot rear setback (15-foot rear setback required).

### RECOMMENDATIONS

Staff **recommends approval** of this request.

### SUMMARY OF ISSUES

#### LAND USE

### GENERAL INFORMATION

#### EXISTING ZONING AND LAND USE

D-8	Undeveloped
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#### SURROUNDING ZONING AND LAND USE

North - D-5	Single-family dwelling
South - D-8	Single-family dwelling
East - D-8	Undeveloped
West - C-3	Commercial retail

#### COMPREHENSIVE PLAN

The Comprehensive Plan recommends Traditional Neighborhood uses with a Blue Line Transit Oriented Overlay for the site.

### VARIANCE OF DEVELOPMENT STANDARDS

- ◇ Development Standards of the Consolidated Zoning and Subdivision Ordinance, specifically those relating to setbacks are intended to provide a minimum distance between property improvements and help reduce drainage overflows onto adjacent properties. Additionally, setbacks provide the required space needed to construct and maintain structures on a property without requiring access through adjacent properties.

(Continued)

## **STAFF REPORT 2022-DV2-044 (Continued)**

- ◇ The requested seven-foot rear setback is a result of the reduced lot size and depth. The subject site, at approximately 72 feet deep, is shorter than other typical lots. The proposed dwelling with the seven-foot rear setback, would roughly match the rear setback of other existing dwellings in the area. Therefore, Staff believes the reduced rear setback would have no impact on the surrounding property owners, and would represent a minor deviation from the Ordinance
- ◇ The proposed seven-foot rear setback would still provide sufficient area for accessibility and maintenance without negatively impacting the adjoining property.
- ◇ 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.

### **THOROUGHFARE PLAN**

This portion of Beville Avenue is classified in the Official Thoroughfare Plan for Marion County, Indiana as a local street, with a 60-foot existing and proposed right-of-way.

### **SITE PLAN**

File-dated November 9, 2022.

### **FINDINGS OF FACT**

File-dated November 9, 2022.

## **ZONING HISTORY**

**2001-ZON-803 / 2001-VAR-803; 2222 East New York Street (west of site)**, requested the rezoning of 0.306 acre from D-8 to C-3, to provide for commercial uses, **approved**; and a variance of use of the Commercial Zoning Ordinance to provide for automobile detailing within an existing commercial building, **granted**.

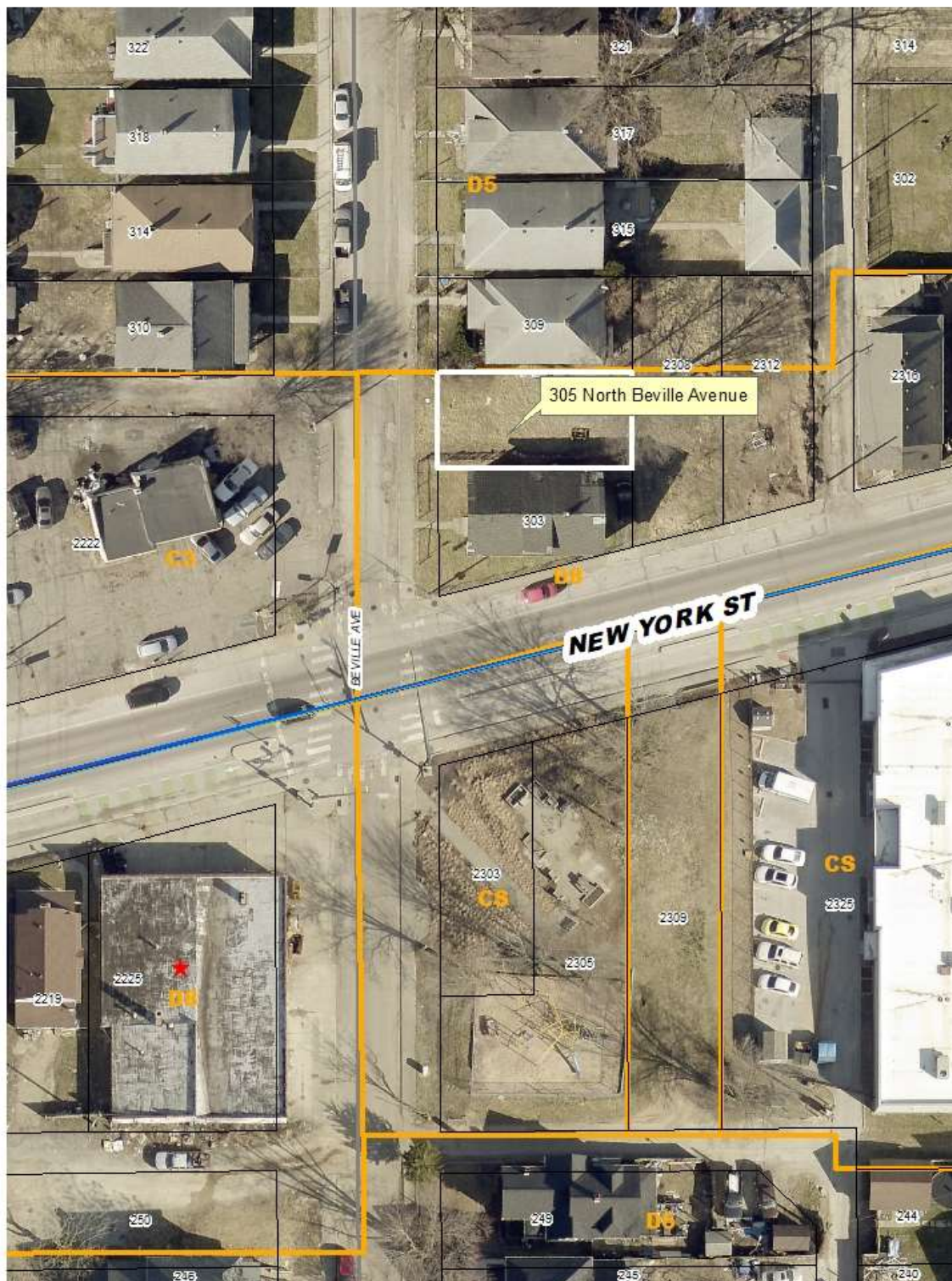
**2000-UV1-050; 321 North Beville Avenue (north of site)**, requested a variance of use to provide for a painting company, with storage of paint and paint materials within an existing detached garage, **withdrawn**.

**96-UV2-113; 2209-2211 East New York Street (west of site)**, requested a variance of use and development standards to legally establish zero off-street parking spaces and a major livability ratio of .0068 for an existing 4-unit multi-family dwelling structure, **granted**.

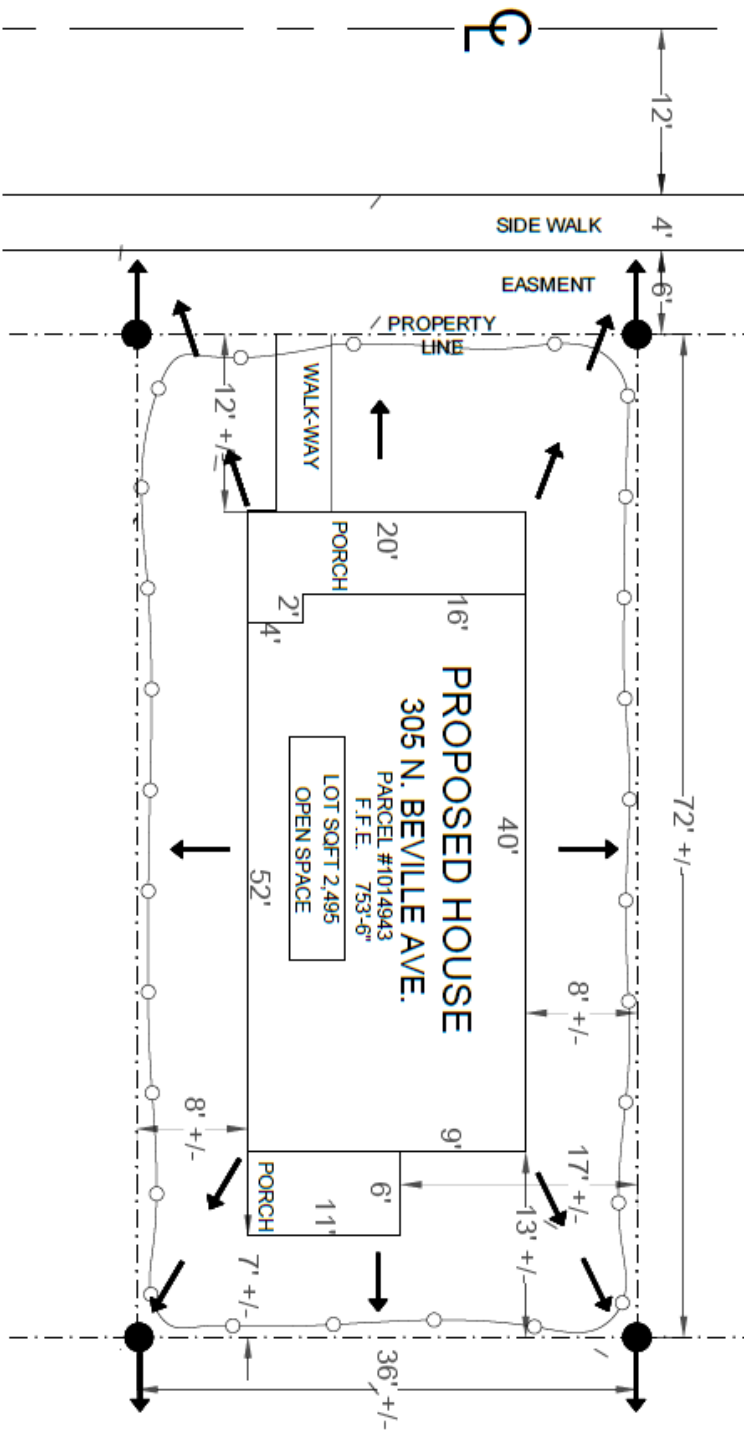
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**2022-DV2-044; Location Map**



N. BEVILLE AVE.





**2022-DV2-044; Photographs**



Subject site, looking east.



Adjacent property to the south, looking east.



Adjacent property to the north, looking east.



Adjacent undeveloped property to the east, looking north.