

**BOARD OF ZONING APPEALS DIVISION II**

**August 13 2024**

**Case Number:** 2024-DV2-028  
**Property Address:** 561 Jefferson Avenue (approximate address)  
**Location:** Center Township, Council District #13  
**Petitioner:** Lincoln & Lynda Brill, by Joseph Lese  
**Current Zoning:** D-5  
**Request:** Variance of Development Standards of the Consolidated Zoning and Subdivision Ordinance to provide for a detached garage addition including the connection to the primary building, resulting in a four-foot ten-inch rear yard setback (20-foot rear setback 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 detached garage addition including the connection to the primary building, resulting in a four-foot ten-inch rear yard setback (20-foot rear setback required).
- Since the proposal calls for an open-air breezeway to connect the existing primary building and the proposed detached garage (as opposed to a fully enclosed, air-conditioned connection), the garage would not be considered a part of the primary structure. Therefore, the request for a 20-foot rear setback is not necessary and the proposal would only need a 2-inch variance, as the proposed accessory garage structure would be permitted to have a 5-foot rear yard setback.
- The property is improved with a primary residence and a detached garage. The current detached garage would be removed and replaced with a new detached garage that would contain the same setbacks as the existing garage.

- Staff finds the request to be reasonable in nature, given that the location of the garage and its setbacks would not change as a part of this addition. Likewise, the addition proposal is moderate in nature with regards to height and bulk, and would match the design and style of the existing structures. Further, the proposal would meet all other setback standards and open space requirements. Therefore, Staff does not see the proposal as overdevelopment of the site. For these reasons, Staff is unopposed of the variance request. |

**GENERAL INFORMATION**

<b>Existing Zoning</b>	D-5	
<b>Existing Land Use</b>	Residential	
<b>Comprehensive Plan</b>	Traditional Neighborhood	
<b>Surrounding Context</b>	<b>Zoning</b>	<b>Surrounding Context</b>
North:	D-5	North Single-family residential
South:	D-5	South: Single-family residential
East:	D-5	East: Single-family residential
West:	D-5	West: Single-family residential
<b>Thoroughfare Plan</b>		
Jefferson Avenue	Local Street	60 feet of right-of-way existing and 48 feet proposed
<b>Context Area</b>	Compact	
<b>Floodway / Floodway Fringe</b>	No	
<b>Overlay</b>	No	
<b>Wellfield Protection Area</b>	No	
<b>Site Plan</b>	7/7/24	
<b>Site Plan (Amended)</b>	N/A	
<b>Elevations</b>	7/7/24	
<b>Elevations (Amended)</b>	N/A	
<b>Landscape Plan</b>	N/A	
<b>Findings of Fact</b>	7/12/24	
<b>Findings of Fact (Amended)</b>	N/A	

**COMPREHENSIVE PLAN ANALYSIS**

**Comprehensive Plan**

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

**Pattern Book / Land Use Plan**

- The Marion County Land Use Plan pattern Book recommends the Traditional Neighborhood 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

- With regards to new garages, the Infill Housing Guidelines recommends:
  - Locate accessory structures behind primary buildings
  - Access accessory buildings from alleys, when possible
  - Don't overshadow primary buildings |

#### Indy Moves

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

- Enter Recommendation by Indy Moves Plans or "Not Applicable to the Site." |

## ZONING HISTORY

### ZONING HISTORY – SITE

N/A

### ZONING HISTORY – VICINITY

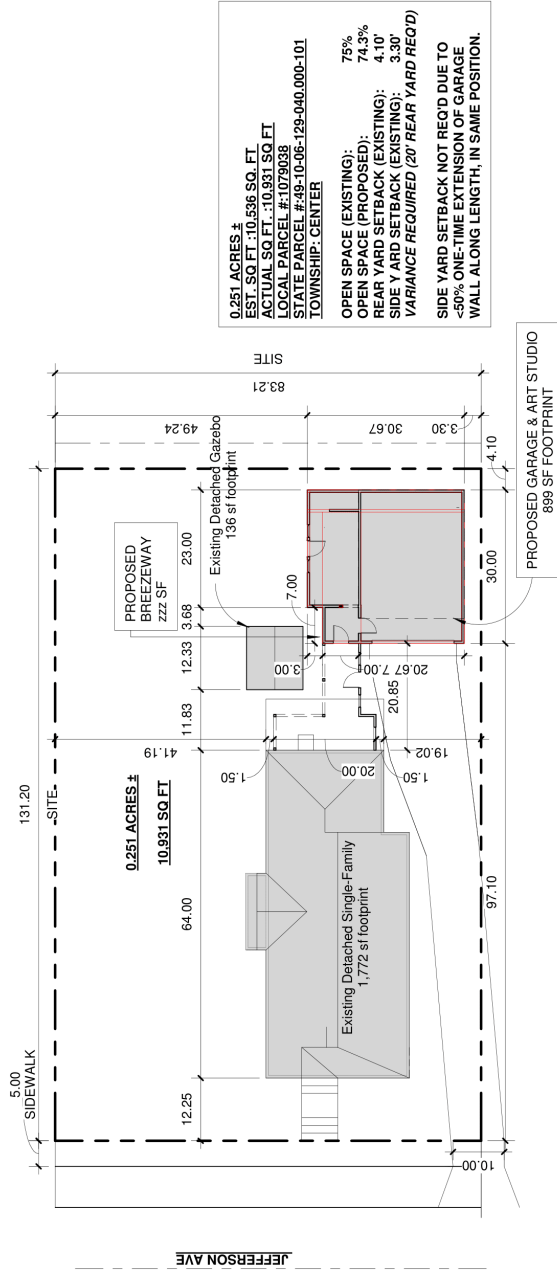
**2019UV2003; 552 Jefferson Avenue (west of site)**, Variance of use of the Consolidated Zoning and Subdivision Ordinance to legally establish a three-unit dwelling (not permitted), **withdrawn**.

**99-V2-124; (west of site)**, Variance of development standards of the dwelling districts Zoning Ordinance to provide for construction of a 720 square foot detached garage resulting in 61% open space (minimum 65% required), **approved**.

EXHIBITS








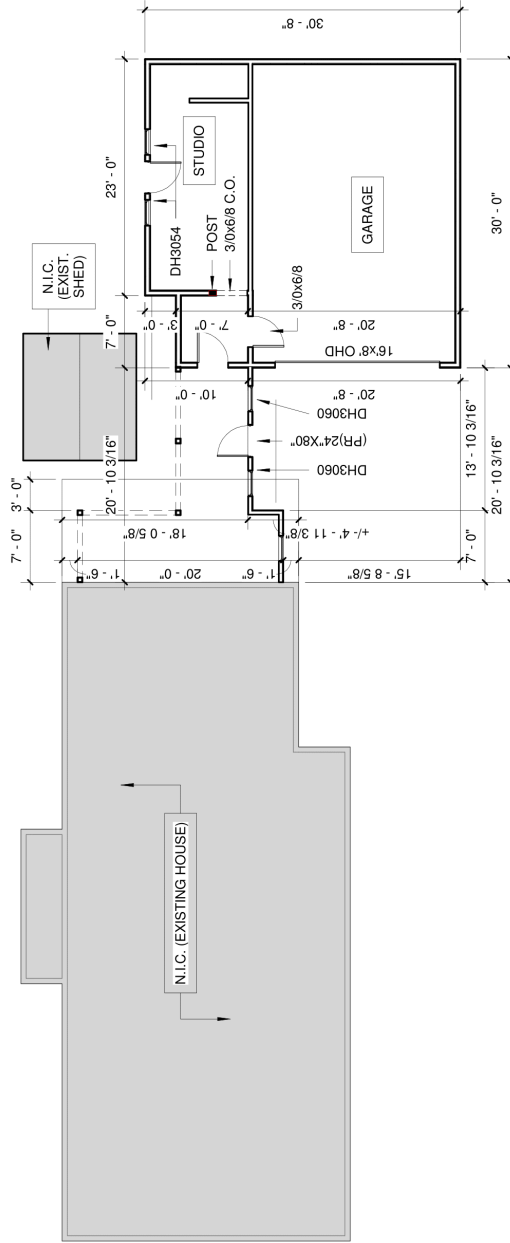
0.251 ACRES ±  
EST. SQ FT: 10,936 SQ. FT.  
ACTUAL SQ FT: 10,931 SQ. FT.  
SOCAL PARCEL #: 1079038  
STATE PARCEL #: 89-10-08-129-040-000-101  
TOWNSHIP: CENTER

75%  
74.3%  
4.10'  
3.30'  
3.30'

VARIANCE REQUIRED (20' REAR YARD REQ'D)  
SIDE YARD SETBACK NOT REQ'D DUE TO  
<50% ONE-TIME EXTENSION OF GARAGE  
WALL ALONG LENGTH, IN SAME POSITION.

1 FIRST FLOOR NEW SITE PLAN A1.2  
1" = 20'-0"

 <b>PROGRESS   STUDIO</b> 220 North College Avenue, Indianapolis, IN 46202 317-978-1100 www.theprogressstudio.com	CLIENT	LYNDA BRILL 561 JEFFERSON AVE. INDIANAPOLIS, IN 46201	PROJECT	BRILL GARAGE 561 Jefferson Ave. Indianapolis, IN 46201	DRAWING TITLE	NEW SITE PLAN	SHEET NUMBER	A1.2
						DRAWING DATE	6/24/24	



FIRST FLOOR NEW CONSTRUCTION

PLAN A1.3

1" = 10'-0"



SHEET NUMBER  
**A1.3**

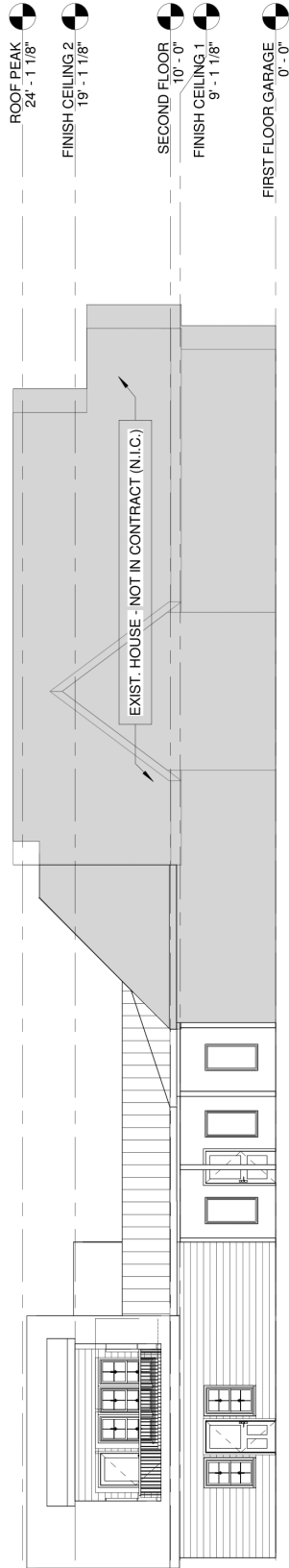
DRAWING TITLE  
**NEW CONSTRUCTION  
PLAN**  
DRAWING DATE  
6/24/24

PROJECT  
**BRILL GARAGE**  
561 Jefferson Ave.  
Indianapolis, IN 46201

CLIENT  
**LYNDA BRILL**  
561 JEFFERSON AVE.  
INDIANAPOLIS, IN 46201

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1 NORTH ELEVATION A1.4  
 1" = 10'-0"

CLIENT	PROJECT	DRAWING TITLE	SHEET NUMBER
LYNDA BRILL 561 JEFFERSON AVE. INDIANAPOLIS, IN 46201	BRILL GARAGE 561 Jefferson Ave. Indianapolis, IN 46201	EXTERIOR ELEVATION 1 DRAWING DATE 6/24/24	A1.4



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