

STAFF REPORT

Department of Metropolitan Development Division of Planning Current Planning Section

Case Number: 2023-DV1-016
Address: 2701 Wheeler Street (approximate address)
Location: Center Township, Council District #17
Zoning: D-8
Petitioner: Georgia May Craig, by Gary S. Cole
Request: Variance of Development Standards of the Consolidated Zoning and Subdivision Ordinance to provide for vehicular access from 27th Street (exclusive vehicular access from an improved alley required).

ADDENDUM MAY 23, 2023

This petition was continued and transferred to the May 23, 2023, hearing of Board III, at the request of the petitioner.

May 9, 2023

RECOMMENDATIONS

Staff **recommends denial** for street access to an existing detached garage.

SUMMARY OF ISSUES

LAND USE

EXISTING ZONING AND LAND USE

Compact	D-8	Undeveloped
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SURROUNDING ZONING AND LAND USE

North	D-8	Two-family dwelling
South	D-5	Single-family dwelling
East	D-5	Single-family dwellings
West	D-8	Single-family dwelling

COMPREHENSIVE PLAN

The Comprehensive Plan recommends traditional neighborhood development for the site.

- ◇ The subject site is a 0.35 acre (15,248 square feet) undeveloped lot located in the Rosedale Subdivision in the Martindale Brightwood neighborhood. The surrounding neighborhood consists of single-family dwellings and a duplex to the north of the site.

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STAFF REPORT 2023-DV1-016 (Continued)

- ◇ The subject site is zoned D-8 (Dwelling District Eight). The D-8 district is intended for a variety of housing formats, with a mix of small-scale multi-unit building types. This district can be used as a part of new mixed-use areas, or for infill situations in established urban areas, including medium and high-density residential recommendations of the Comprehensive Plan, and the Traditional Neighborhood, City Neighborhood, and Village or Urban Mixed-Use Typologies of the Land Use Pattern Book.

VARIANCE OF DEVELOPMENT STANDARDS

- ◇ The grant of the request would allow for a proposed garage and driveway to have street access from 27th street where it is not permitted.
- ◇ Section 744-301. A. of the Ordinance note that "...if a lot abuts an improved alley and the street frontage is less than 200 feet, vehicle access to that lot shall be exclusively from that alley." In addition, per Section 744-404. D.3.c. of the Ordinance "...no curb cut for street access to an accessory parking area in the Compact Context area, shall be approved if the property has an improved alley along the side or rear lot line."
- ◇ The Infill Housing Guidelines (2021) suggests that, when possible, to access accessory buildings from alleys and to avoid front-loading garages and driveways where alleys are available.
- ◇ The subject site abuts an improved north / south alley located to the east of the rear lot line. Staff is wholly opposed to this request where there is no practical difficulty resulting in the alley not being used for vehicular access. The purpose of having vehicular access exclusively from the alley is to decrease vehicle and pedestrian conflict, which would further create a safer street scape. This requirement is relatively new to the Ordinance (2016) and was specifically added as a safety measure to reduce the number of driveways accessing public streets. This variance request would be in direct conflict with the goal of the ordinance amendment.
- ◇ The grant of the request would be injurious to the safety and general welfare of the community by increasing the number of new curb cuts across sidewalks, which would disrupt the pedestrian experience along the sidewalk and increase the probability of accidents. Instead, the proposed garage and driveway could be relocated along the eastern property boundary for alley access.
- ◇ The strict application of the terms of the zoning ordinance would not result in practical difficulties in the use of the property because the site can be developed to accommodate the garage and driveway from the alley without the need for a variance.

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STAFF REPORT 2023-DV1-016 (Continued)

GENERAL INFORMATION

THOROUGHFARE PLAN	This portion of Wheeler Street is classified in the Official Thoroughfare Plan for Marion County, Indiana as a local street, with a 48-foot existing and proposed right-of-way.
THOROUGHFARE PLAN	This portion of East 27 th Street is classified in the Official Thoroughfare Plan for Marion County, Indiana as a local street, with a 48-foot existing and proposed right-of-way.
SITE PLAN	File-dated March 15, 2023.
FINDINGS OF FACT	File-dated March 15, 2023.

ZONING HISTORY

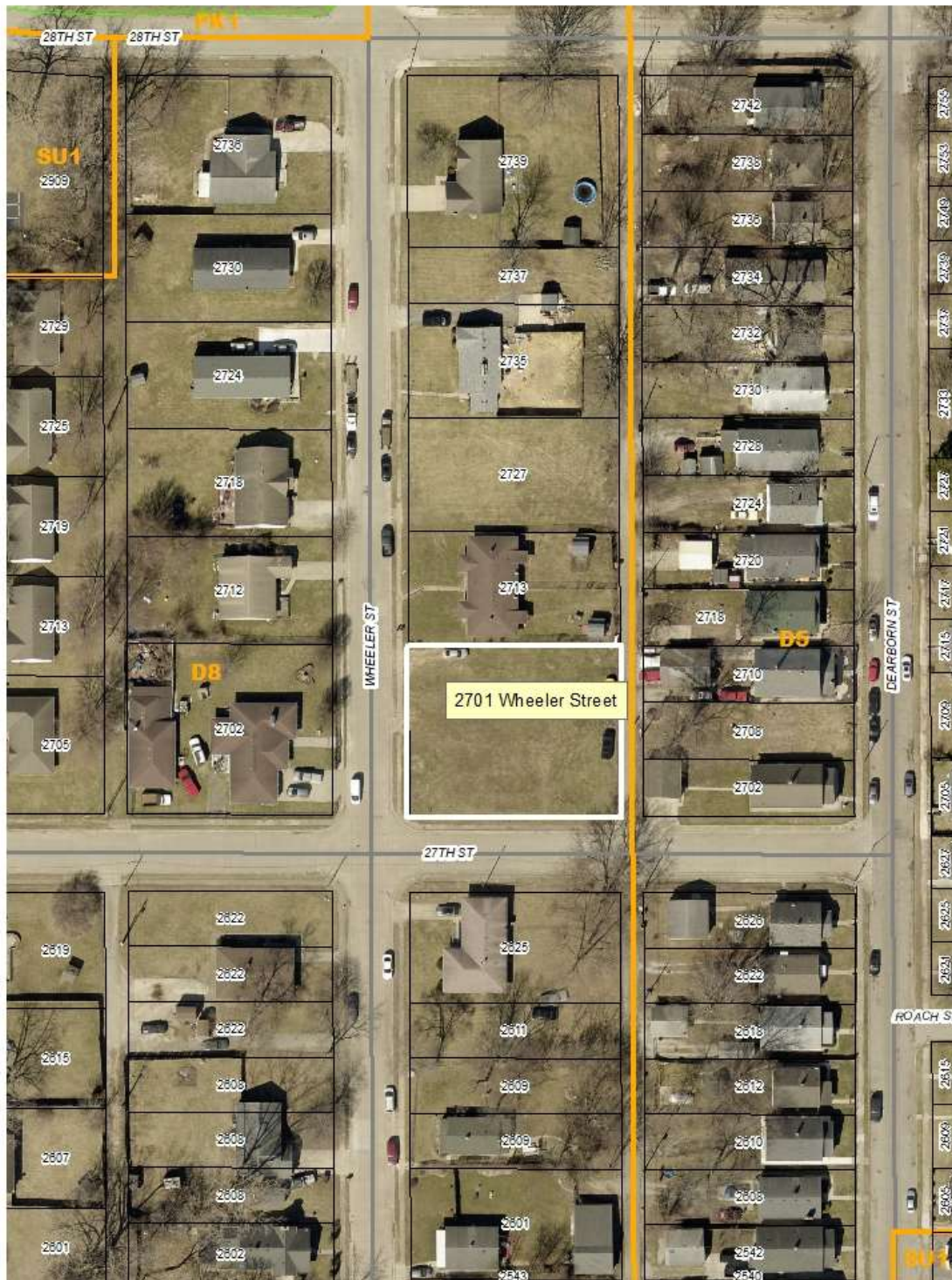
2022-DV1-034; 2727 Wheeler Street (north of site), requested a variance of development standards of the Consolidated Zoning and Subdivision Ordinance to provide for duplex with vehicular access to Wheeler Street, **granted**.

2004-UV3-047; 3216 East 25th Street (south of site), requested a variance of use to provide for a child day care center, **granted, subject to conditions**.

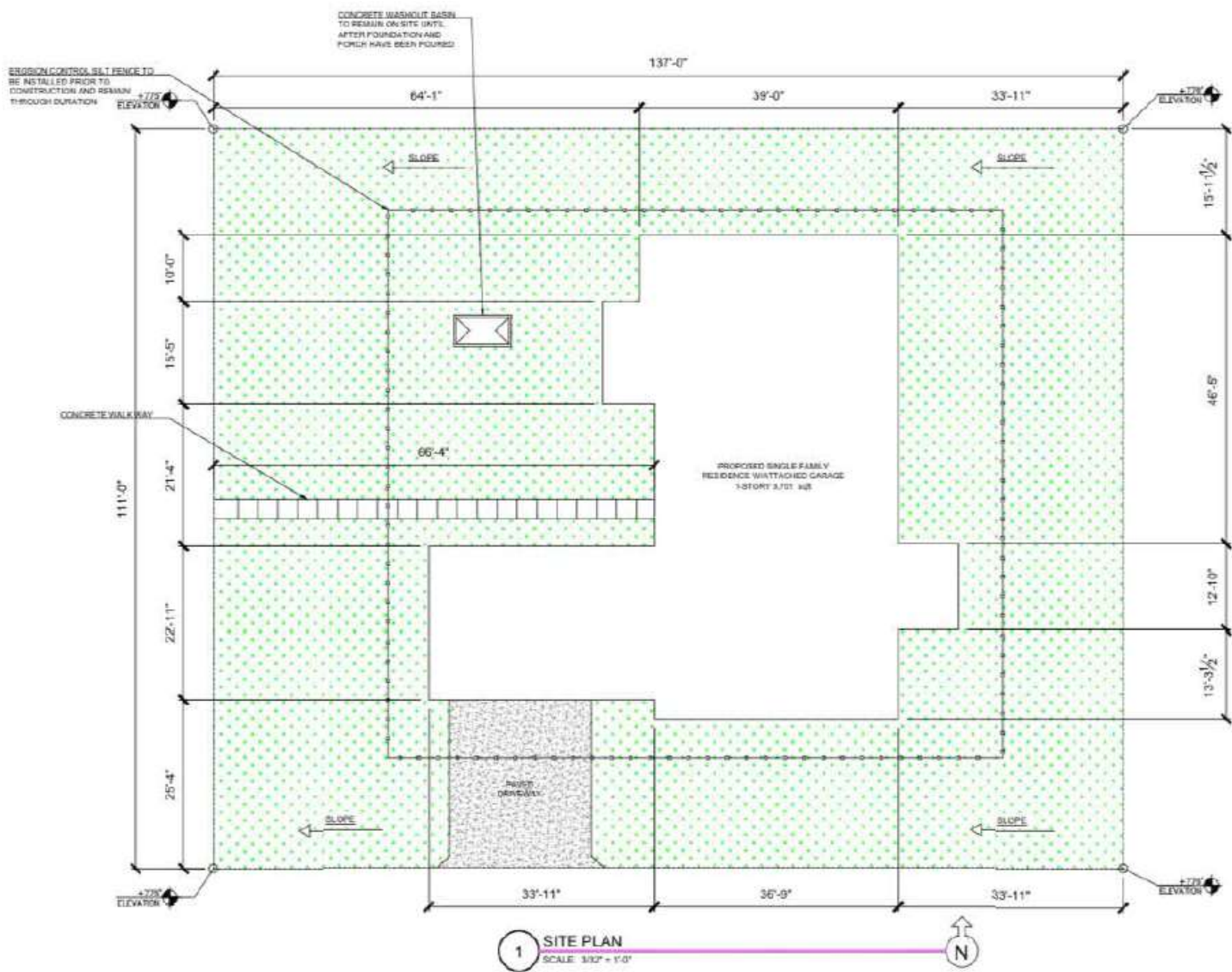
97-HOV-52; 2304 North Dearborn Street (east of site), requested a variance of development standards to provide for the construction of a single-family dwelling with the aggregate side yards totaling nine feet, **granted**.

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2023-DV1-016; Location Map



2023-DV1-016; Proposed Site Plan



2023-DV1-016; Photographs



Subject site looking east.



Existing improved north-south alley to the rear of subject site, with adjacent properties having alley access as well.



Adjacent duplex to the north (with non-permitted curbcut), looking east.



Adjancet single-family dwellign to the west, with existing curb cut that pre-dates current Ordiance, looking northwest.