

STAFF REPORT

Department of Metropolitan Development Division of Planning Current Planning Section

Case Number: 2023-DV3-032
Address: 1441 Fletcher Avenue (approximate address)
Location: Center Township, Council District #17
Zoning: D-5
Petitioner: Aaron Mang, by David Kingen & Emily Duncan
Request: Variance of Development Standards of the Consolidated Zoning and Subdivision Ordinance to provide for the construction of a detached accessory garage with three-foot side yard setbacks and legally establish the dwelling's zero-foot west side yard setback (five-foot side yard setbacks required).

RECOMMENDATIONS

Staff **recommends approval** of the request.

SUMMARY OF ISSUES

The following issues were considered in formulating the recommendation:

LAND USE

EXISTING ZONING AND LAND USE

D-5	Compact	Single-Family residential
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SURROUNDING ZONING AND LAND USE

North	D-5	Single-Family residential
South	D-5	Single-Family residential
East	D-5	Single-Family residential
West	D-5	Single-Family residential

COMPREHENSIVE PLAN	The Comprehensive Plan recommends Traditional Neighborhood development
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- ◇ The subject site is a 3,750-square foot lot developed with a single-family dwelling. This property is within the Spann & Co's Subdivision in the Fountain Square neighborhood.

(Continued)

STAFF REPORT 2023-DV3-032 (Continued)

VARIANCE OF DEVELOPMENT STANDARDS

- ◇ This request would provide the construction of a detached garage with three-foot side yard setbacks, and to legally establish a dwelling with a zero-foot side yard setback.
- ◇ The D-5 district has a five-foot required side yard setback; however, this requirement is based on a minimum lot size of 5,000 square feet and a minimum lot width of 40 feet. The subject site has a lot size of 3,750 square feet and a width of 30 feet. A lot of this size is more aligned with the compact lot standards, but those standards apply to districts D-5II, D-8, and D-9.
- ◇ Staff believes the deficient lot width creates a practical difficulty in meeting the required five-foot setback and is not opposed to the variance to provide for a three-foot side setback.
- ◇ The primary dwelling at this site has existed since at least 1915 as shown on the historic Sanborn Map below. Staff would not be opposed to a variance to legally establishing a zero-foot setback for a historic non-compliant dwelling.

GENERAL INFORMATION

THOROUGHFARE PLAN

Fletcher Avenue 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 August 8, 2023

FINDINGS OF FACT

File-dated August 8, 2023

ZONING HISTORY—SITE

None

ZONING HISTORY – VICINITY

2021-DV3-036, 1448 and 1452 Fletcher Avenue, variance to provide for two single-family dwellings and detached garages with eight-foot front setbacks, and five and six feet between dwellings and 50% open space, **approved**.

2019-DV2-007, 1440 Hoyt Avenue, variance to provide for the construction of a detached garage creating 41% open space to legally establish the existing 13-foot front setback, zero-foot side setbacks and zero-foot separation of the primary dwelling from the adjoining dwellings, **approved**.

2014-HOV-041, 7373 Holliday Drive, variance to provide for a detached garage, with a seven-foot east side setback, an eight-foot north side setback and a 15-foot aggregate side setback, **approved**.

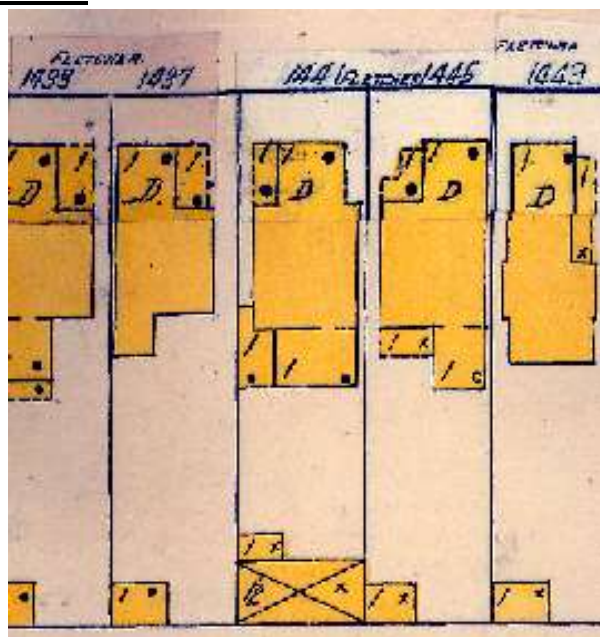
2014-HOV-040, 1445 Fletcher Avenue, variance to provide for the construction of a detached garage, with a three-foot west side setback and eight-foot aggregate side setback, creating an open space of 50 percent, **approved**.

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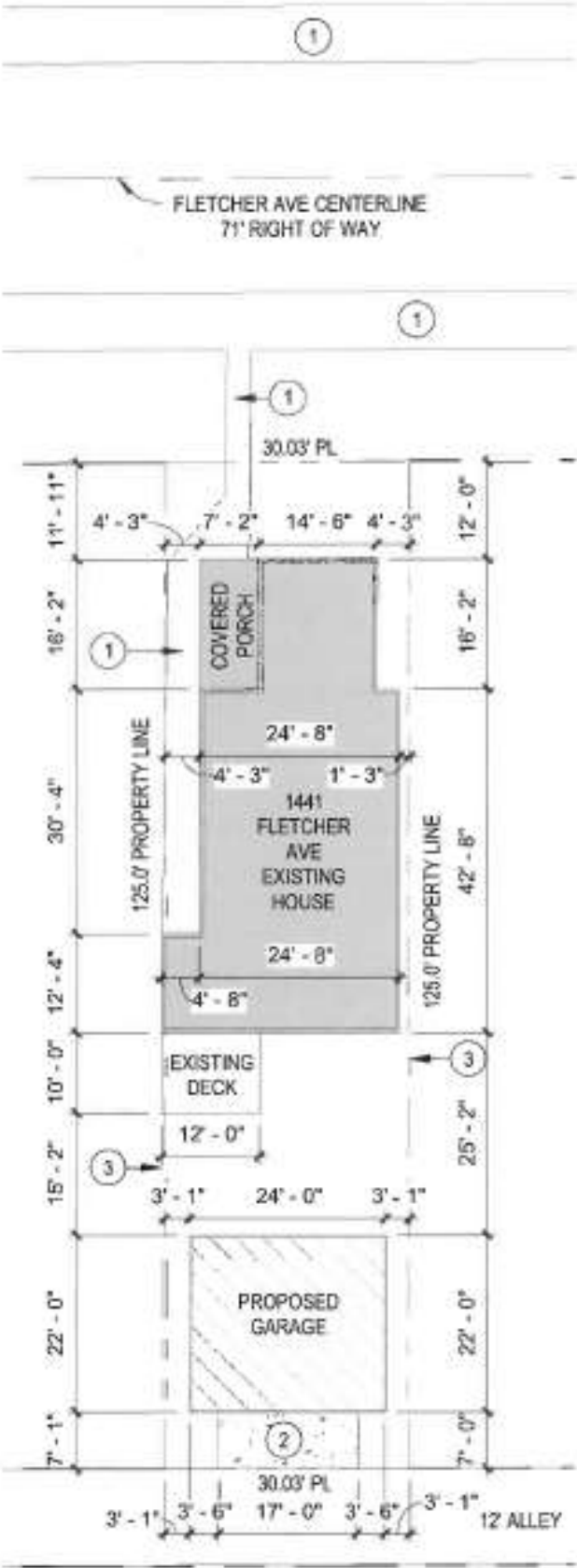
2023-DV3-032; Aerial Map



2023-DV3-032 Sanborn Map 1915



2023-DV3-032; Site Plan



SITE PLAN GENERAL NOTES

- A. VERIFY ALL DIMENSIONS IN FIELD
- B. NO CHANGES TO EXISTING DRAINAGE EXIT FROM THE SITE WILL BE ALLOWED
- C. PROVIDE SILT FENCE AT ALL AREAS OF SOIL TO BE DISTURBED

SITE PLAN NOTES

- 1. EXISTING SIDEWALK
- 2. PROPOSED DRIVEWAY
- 3. EXISTING FENCE



SITE PLAN
CLIFFS CONSTRUCTION - CLF_004
27 JUN 2023
1441 FLETCHER AVE
INDIANAPOLIS, IN 46225



2023-DV3-032; Findings of Fact

**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 proposed setbacks are similar to other for dwellings and accessory buildings up and down Fletcher Avenue and throughout the Fountain Square area.

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 use and value of the residential area in the vicinity shall be enhanced as several other nearby dwellings and accessory buildings do not meet the minimum setbacks in the D5 zoned nearby area.

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

The strict application of the terms of the zoning ordinance would only allow for a one auto accessory building and would force more dwellers to park on the already crowded street.

2023-DV3-032; Photographs



Subject site viewed from Fletcher Avenue. Existing zero-foot setback shown.



Site viewed from Fletcher Avenue



Site Viewed from Alley, proposed garage location



View of neighboring garages on the alley, looking west