

STAFF REPORT

Department of Metropolitan Development Division of Planning Current Planning Section

Case Number: 2023-DV1-034 (Amended)
Address: 517 Prospect Street (approximate address)
Location: Center Township, Council District #16
Zoning: D-8
Petitioner: K&D Epic Holdings LLC, by Mark and Kim Crouch
Request: Variance of Development Standards of the Consolidated Zoning and Subdivision Ordinance to provide for the construction of a two-unit multi-unit house on a 30-foot wide 2,700 square-foot lot (minimum 35-foot lot width and lot area of 3,500 square feet required), with a four-foot front yard setback and within the clear sight triangle of abutting street and alley (minimum 10-foot front yard setback and structures not permitted in the clear sight triangle).

Due to the lack of a quorum, this petition was transferred from the August 1, 2023, hearing of Division I to the August 15, 2023, hearing of Division III. No additional information was provided to the case file. Therefore, this petition was continued for cause to the September 19, 2023 hearing, at the request of staff.

RECOMMENDATIONS

Staff **recommends approval** of the request as amended.

SUMMARY OF ISSUES

The following issues were considered in formulating the recommendation:

LAND USE

EXISTING ZONING AND LAND USE

D-8	Compact	Undeveloped
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SURROUNDING ZONING AND LAND USE

North	D-8	Residential (Multi-unit house)
South	D-8	Undeveloped
East	D-8	Residential (Single-family dwelling)
West	C-5	Retail (Car dealership)

COMPREHENSIVE PLAN

The Comprehensive Plan recommends village mixed-use development.

- ◇ The 0.06-acre subject is an undeveloped lot that is surrounded by an undeveloped lot to the south, single-family dwelling to the east, three-unit dwelling north, and a car dealership to the west.

(Continued)

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VARIANCE OF DEVELOPMENT STANDARDS

- ◇ The initial request was for a three-unit multi-unit house without entrances facing the street on a lot that is smaller than required and with a zero-foot front yard setback without landscaping.
- ◇ The grant of the amended request would permit a two-unit multi-unit house on a lot that is smaller than required and with a four-foot front yard setback and within the clear sight triangle of the abutting street and ally. The changes reduced the unit count, allowed for the entrances to face Prospect Street and provided for sufficient room to providing landscaping in the front yard.
- ◇ The site is classified as having a Terrace Frontage, which requires a minimum front building line range from 10 feet to 19.9 feet. The proposal would allow for a reduced four-foot front setback which would not be out of line with the context of the surrounding area.
- ◇ Updates to the Infill Housing Guidelines adopted in 2021 note that when considering building elevations and architectural elements the “main entrances should be visible from the street. Entries should not be hidden, obscured, or missing front the main street elevation (front). The entry should reflect a similar characteristic to those that surround it, such as formal or casual, recessed or flush, narrow or wide.”
- ◇ As proposed, the entrances for the two units were altered to be located on the front building façade and would provide street activation and promote eyes on the street to deter crime.
- ◇ There is an alley along the western property boundary that would provide access to the rear parking area behind the building. Initially, this alley was not reflected on the City’s mapping system, but that was updated when the mapping error was verified.
- ◇ Although development within the clear sight triangle is not permitted, the encroachment into this area is very minimal as noted in Staff Exhibit 1.
- ◇ Due to the changes in the site layout to provide a four-foot front setback with the installation of landscaping, while promoting an increase in dwelling units that is more appropriate for the site, staff is now recommending approval of the request as amended.

GENERAL INFORMATION

THOROUGHFARE PLAN

Prospect Street is classified in the Official Thoroughfare Plan for Marion County, Indiana as a primary arterial street, with a 60-foot existing right-of-way and a 56-foot proposed right-of-way.

SITE PLAN

File-dated June 27, 2023.

AMENDED SITE PLAN

File-dated September 11, 2023.

ELEVATIONS

File-dated September 11, 2023.

(Continued)

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FLOOR PLANS

File-dated September 11, 2023.

FINDINGS OF FACT

File-dated June 27, 2023.

ZONING HISTORY – SITE

EXISTING VIOLATIONS

None.

PREVIOUS CASES

None.

ZONING HISTORY – VICINITY

2023-UV3-010; 1041 South East Street (northwest), Variance of use and development standards of the Consolidated Zoning and Subdivision Ordinance to provide for primary and accessory residential uses (not permitted), with an eight-foot front transitional yard (10-foot front transitional yard required) and to legally establish a 2.33-foot north side setback, 2.5-foot south side setback, and 14.92-foot rear setback (10-foot side and 15-foot rear setbacks required), **granted**.

2020-UV2-014; 368, 372, 376, 382 Prospect Street (northwest of site), Variance of use and development standards of the Consolidated Zoning and Subdivision Ordinance to provide for a dog park (not permitted) with a six-foot tall fence in the front yard, with banner yard signs on the perimeter fence (3.5-foot maximum fence height in a front yard, yard signs permitted as freestanding signs, maximum size six square feet), **granted**.

2019-CVR-838; 643, 701, 705, 709, 713, 717 and 721 Prospect Street (east of site), Variance of development standards of the Consolidated Zoning and Subdivision Ordinance to provide for six single-family dwellings, as follows: a) 643 Prospect Street (Lot One); 25-foot street frontage and lot width, an eleven-foot front setback, 4.5 and eight feet between dwellings and a three-foot side setback (30-foot street frontage and lot width, 18-foot front setback or average, 10 feet between dwellings and four foot side setback required); b) 701 Prospect Street (Lot Two); an eleven-foot front setback and eight feet between dwellings (18-foot front setback or average and 10 feet between dwellings required); c) 705 Prospect Street (Lot Three); an eleven-foot front setback and eight feet between dwellings (18-foot front setback or average and 10 feet between dwellings required); d) 709 Prospect Street (Lot Four); a seven-foot front setback and eight feet between dwellings (18-foot front setback or average and 10 feet between dwellings required); e) 713 Prospect Street (Lot Five); a ten-foot front setback, eight feet between dwellings, and a nine-foot rear setback (18-foot front setback or average, ten feet between dwellings, 15-foot rear setback required); and f) 717-721 Prospect Street (Lot Six); a five-foot front setback, less than 25-foot lot width, within the clear sight triangle of the abutting street and alley (18-foot front setback or average, 30-foot lot width required and structures not permitted within the clear sight triangle), **granted**.

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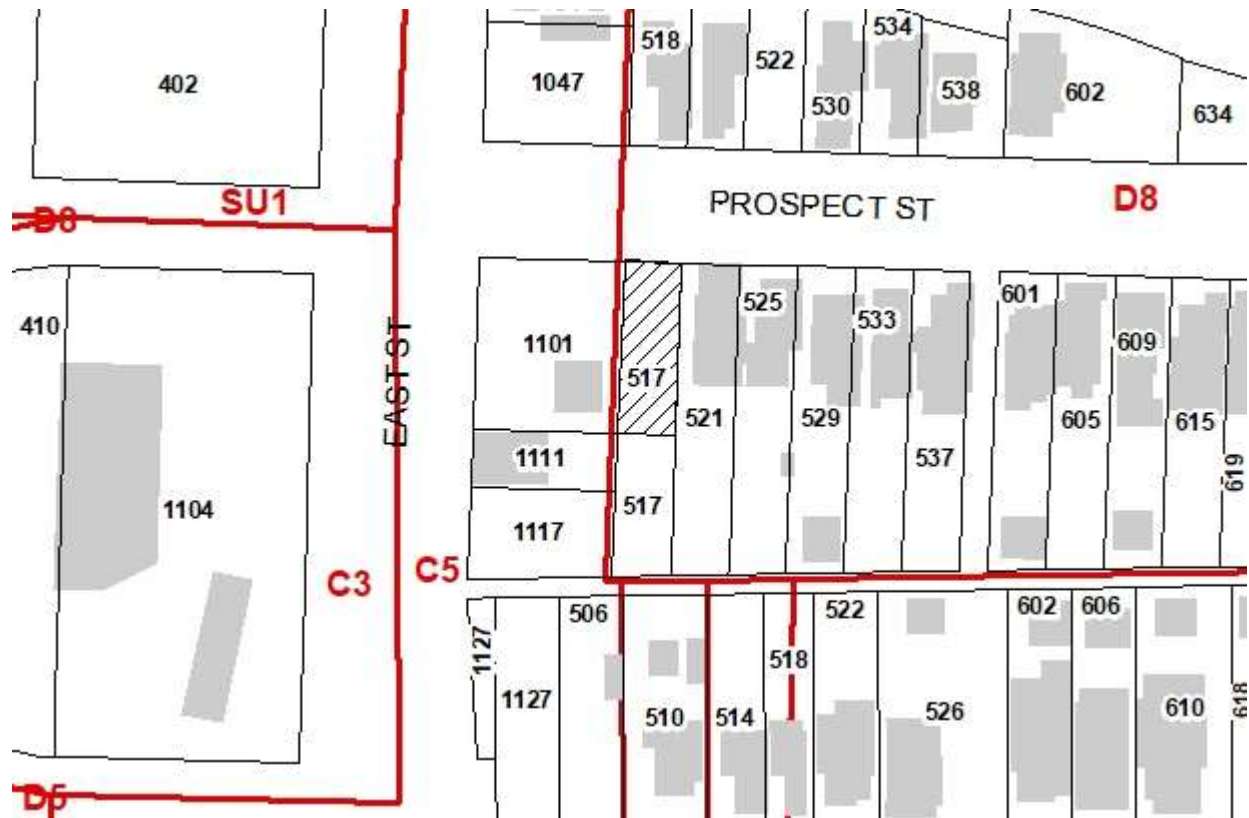
2018-HOV-009; 606 East Morris Street (southeast), Variance of development standards of the Consolidated Zoning and Subdivision Ordinance to provide for a single-family dwelling, with a 15-foot front setback, with 4.5 feet between primary dwellings, and creating an open space of 56% (18-foot front setback, 10 feet between dwellings, and 60% open space required), **granted.**

2006-DV2-014; 1032 South East Street (northwest), Variance to provide for construction of a 2,987-square foot family restaurant building with a 60-foot front setback from the centerline of South East Street, with a zero-foot front setback from the proposed right-of-way of Interstate 70, with a six-foot west side transitional yard, with eight off-street parking spaces, **granted.**

90-V3-64; 1104 South East Street (west) Variance to permit 26 square feet of sign area per pump island and to permit a sign to be placed on an existing canopy with less than the required setback, **granted.**

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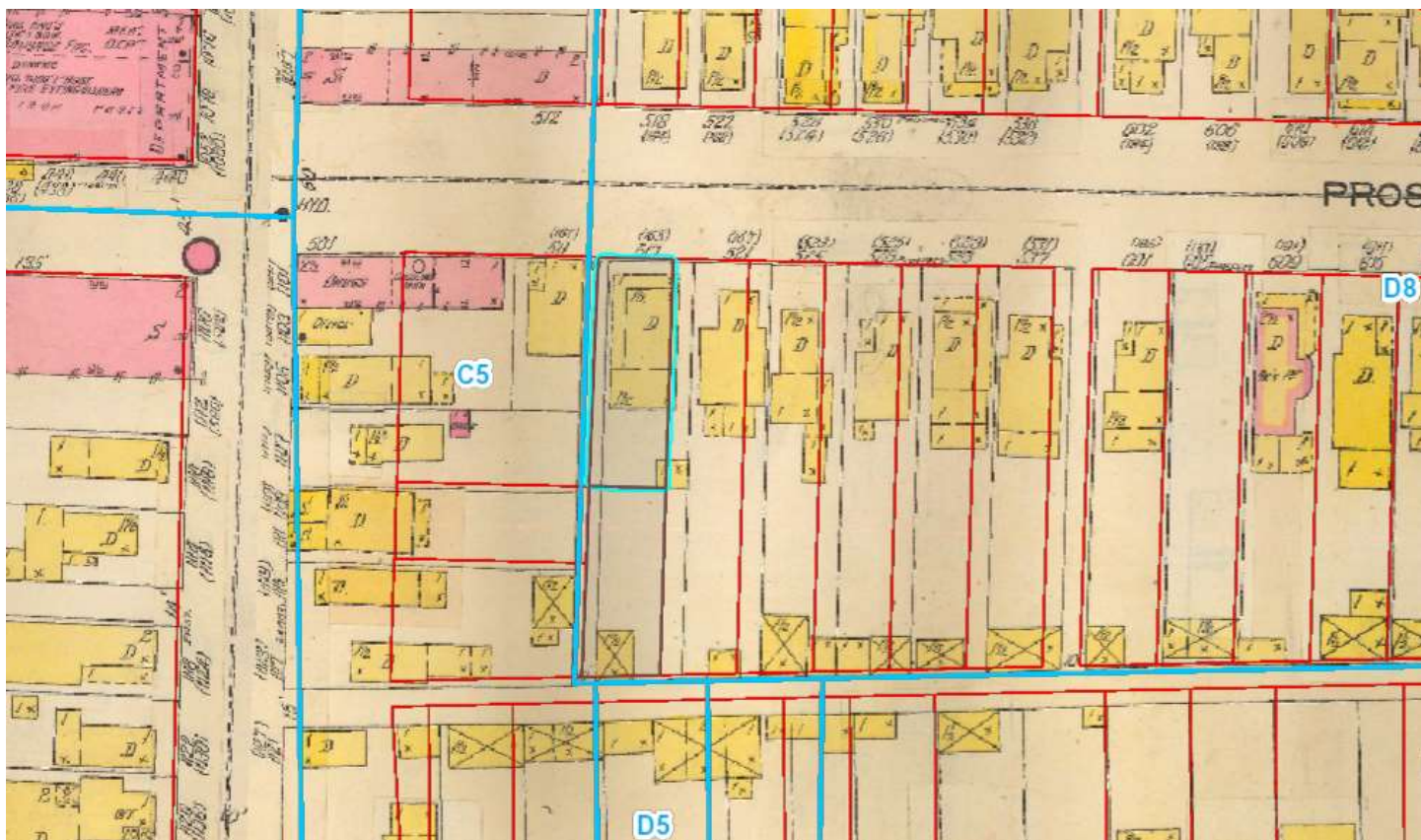
2023-DV1-034; Location Map



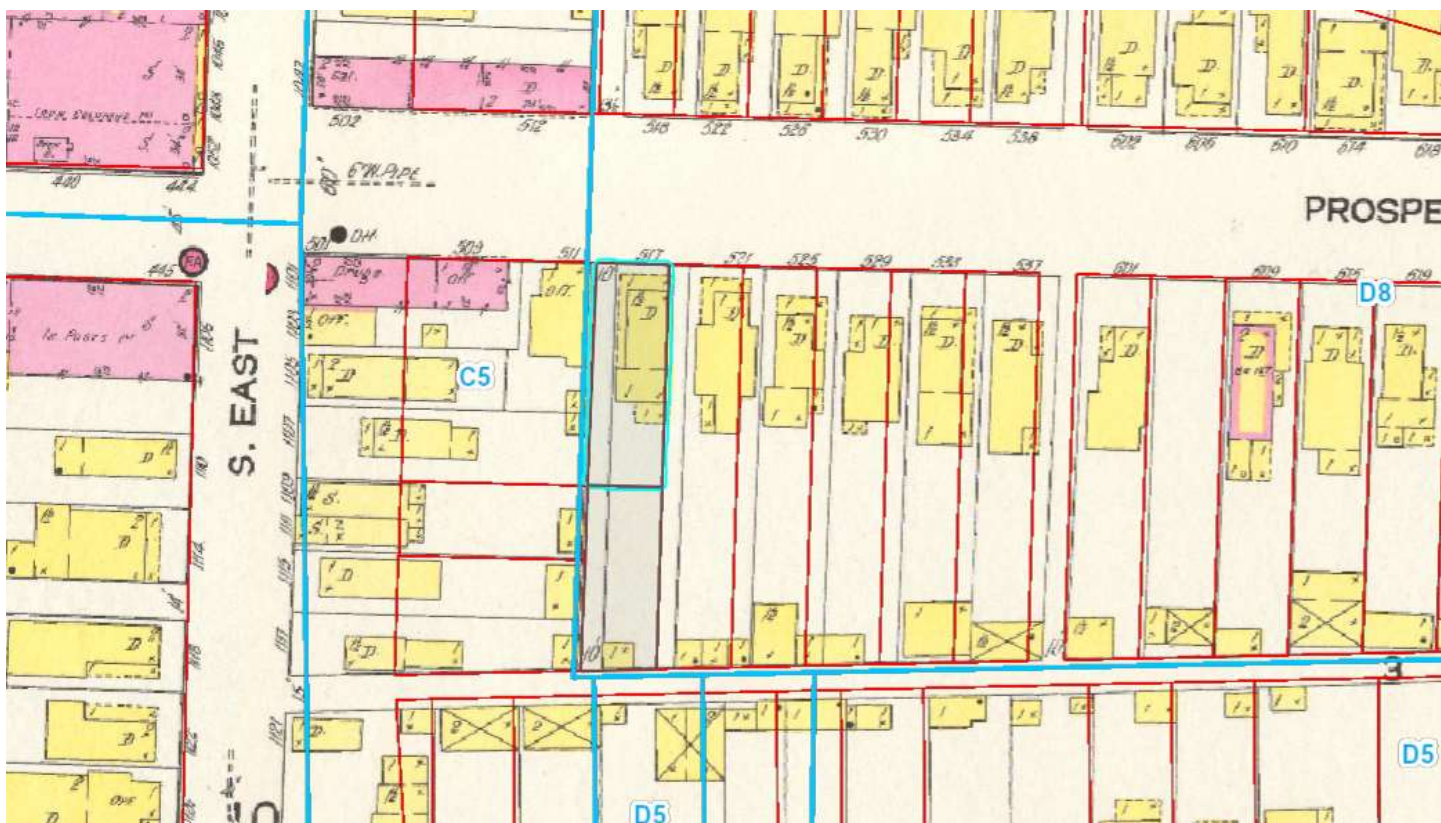
2023-DV1-034; Aerial Map



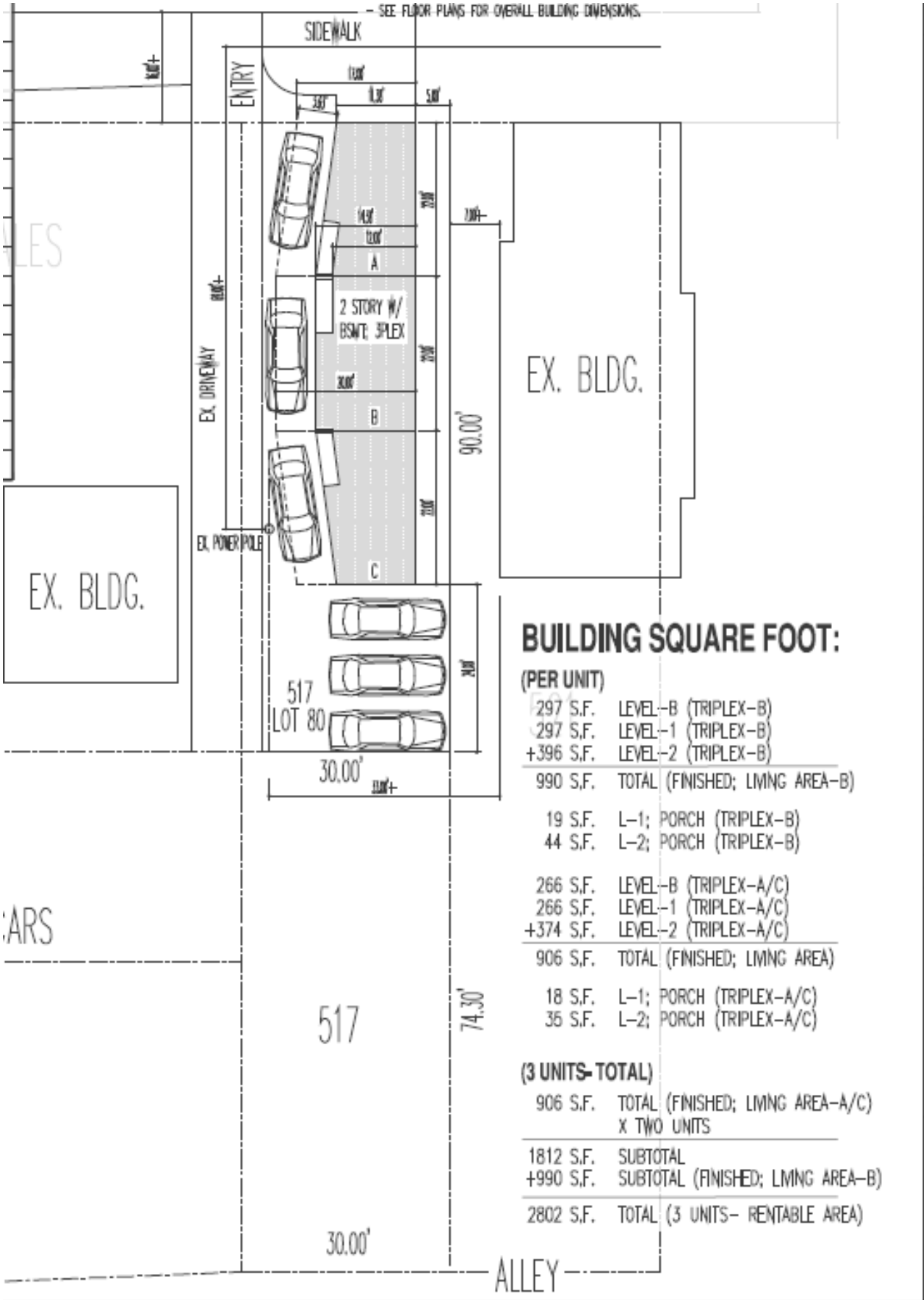
2023-DV1-034; Sanborn (1898)

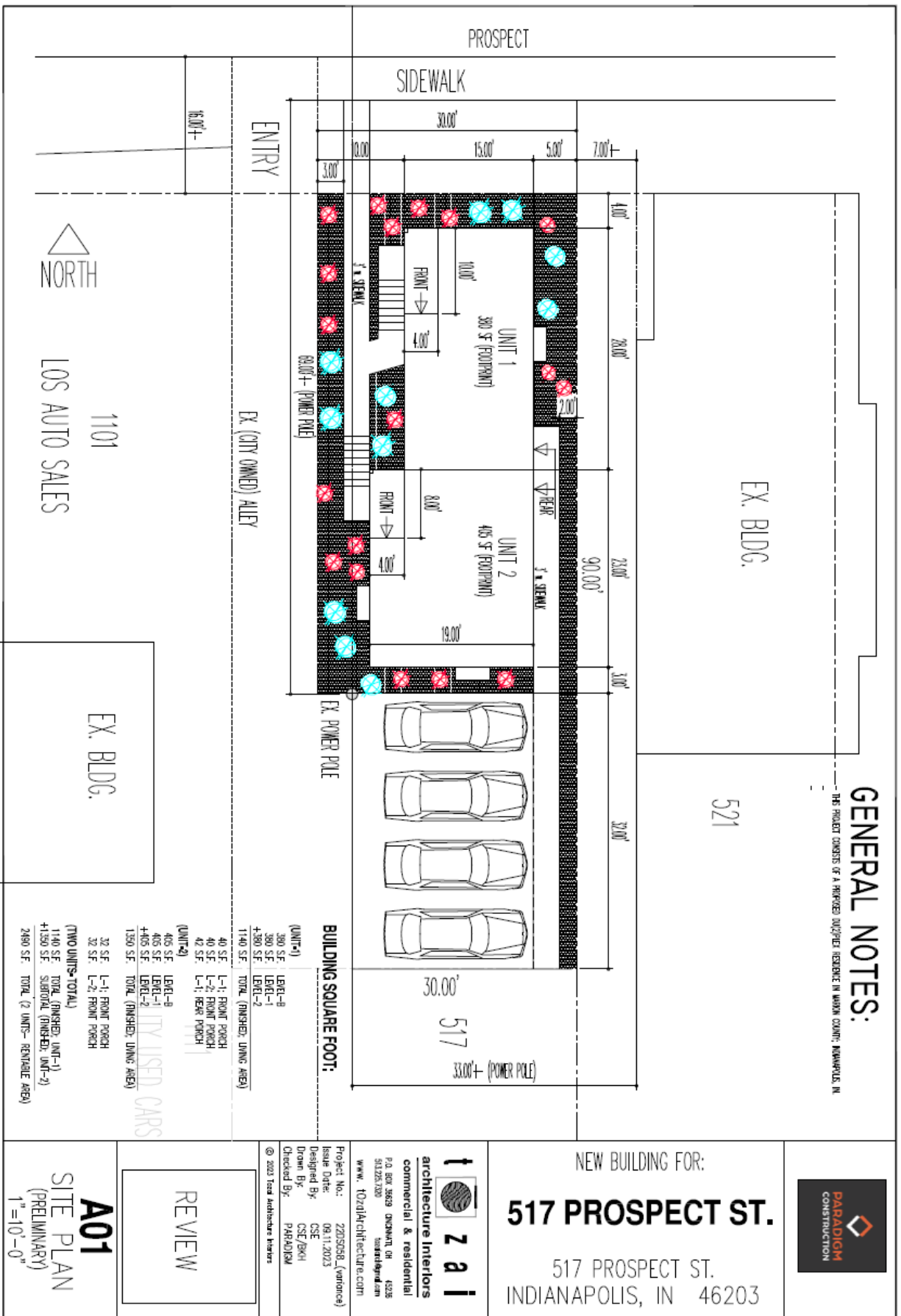


2023-DV1-034; Sanborn (1915)

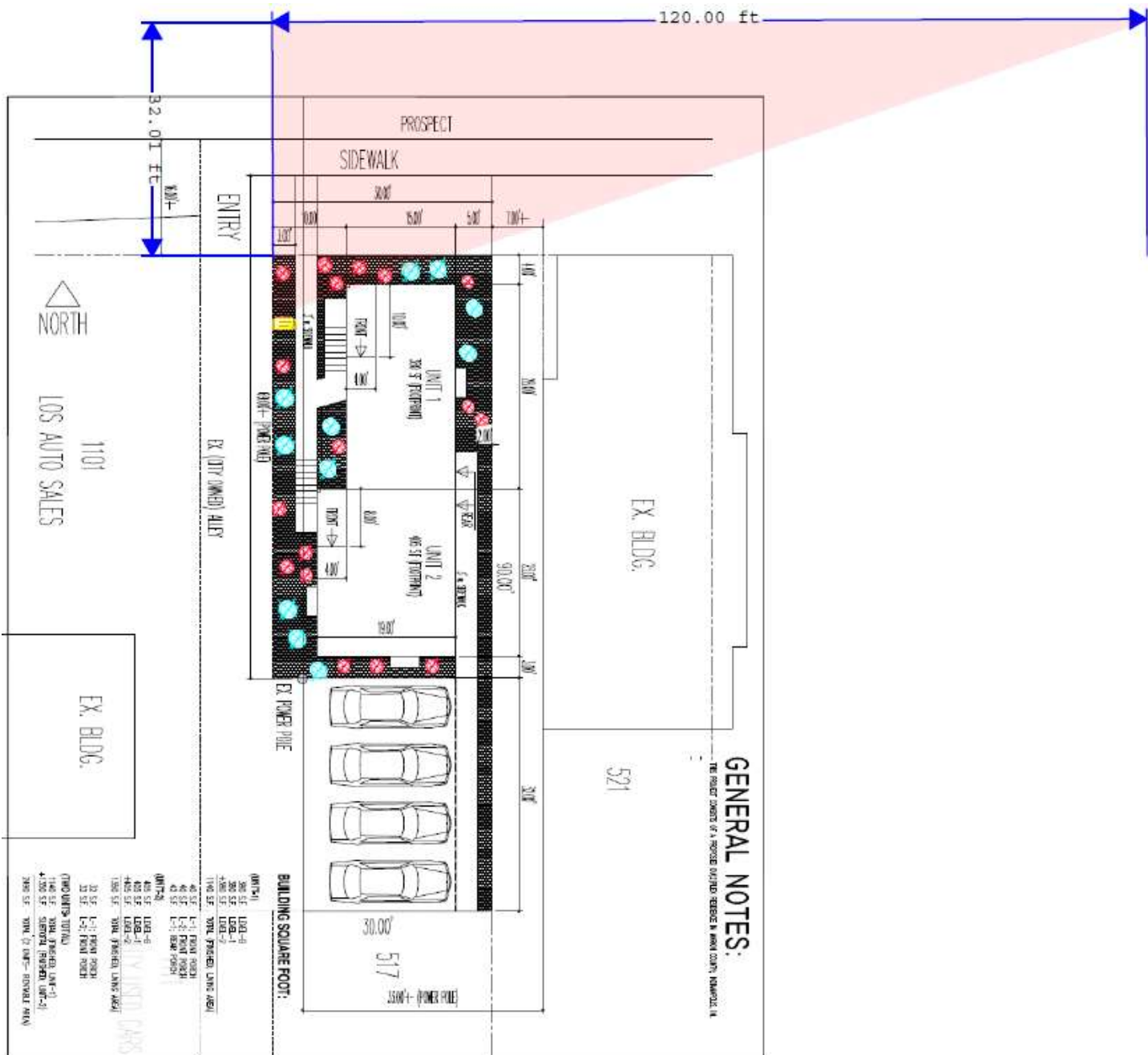


2023-DV1-034; Site Plan

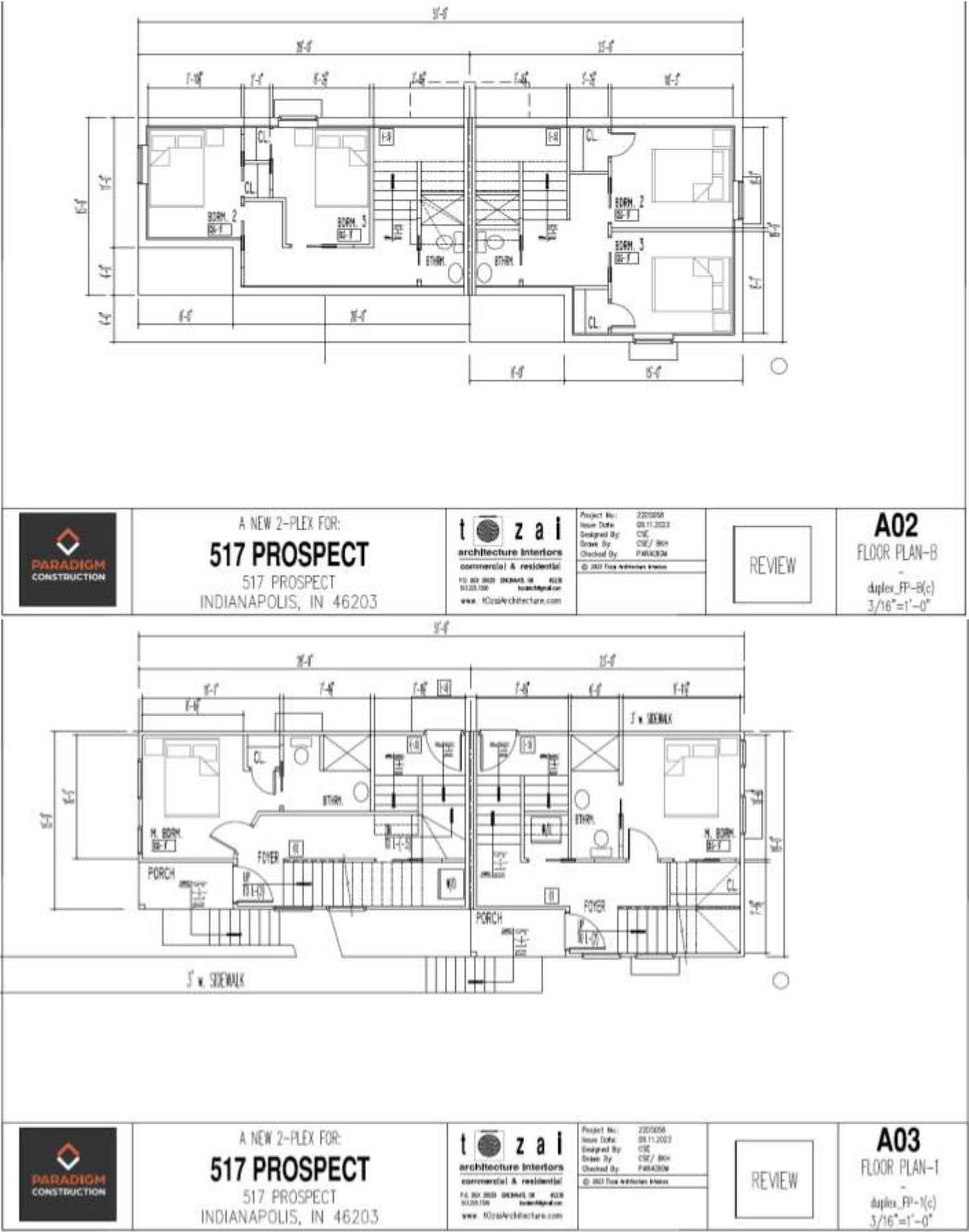




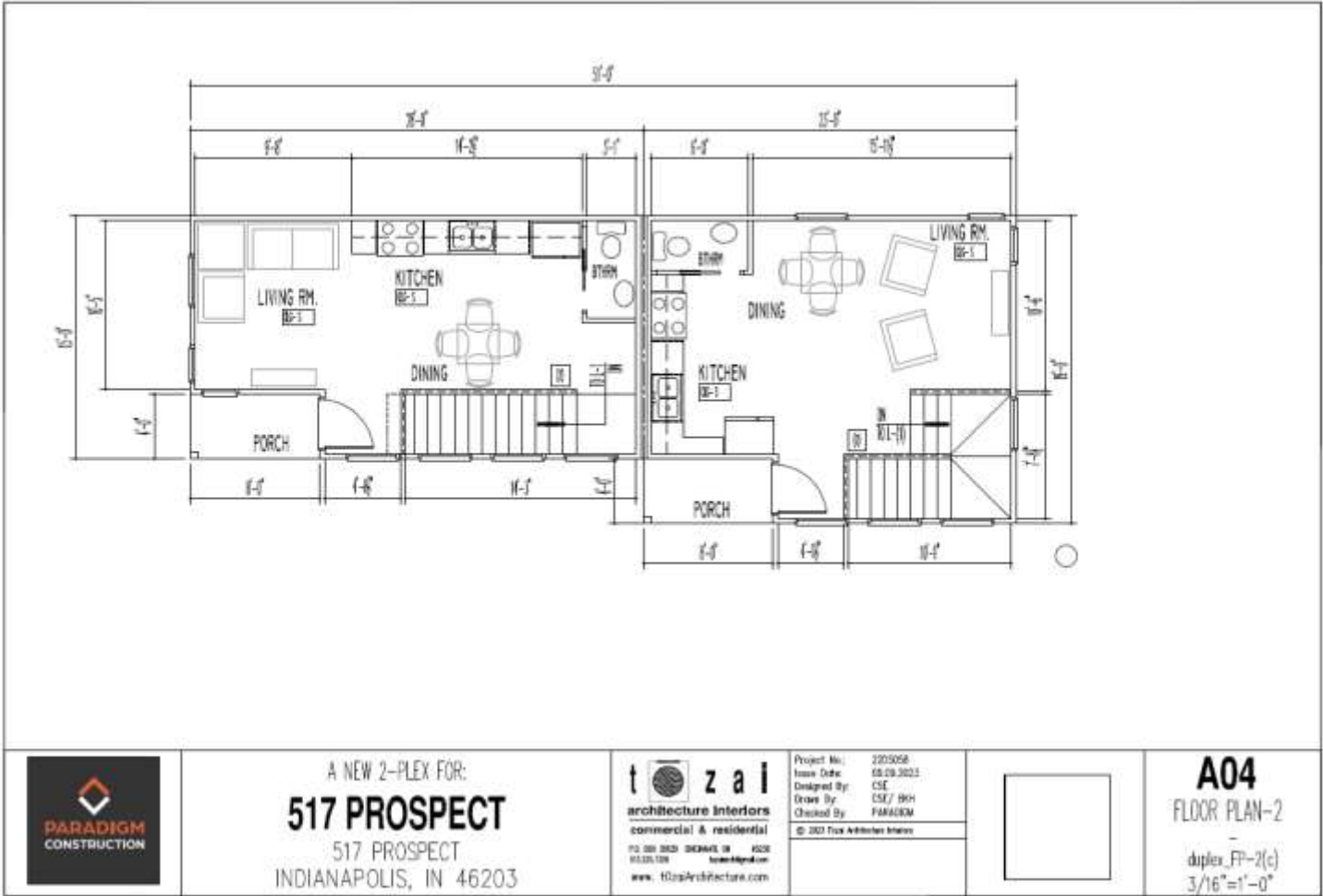
2023-DV1-034; Staff Exhibit 1-Clear Sight Triangle



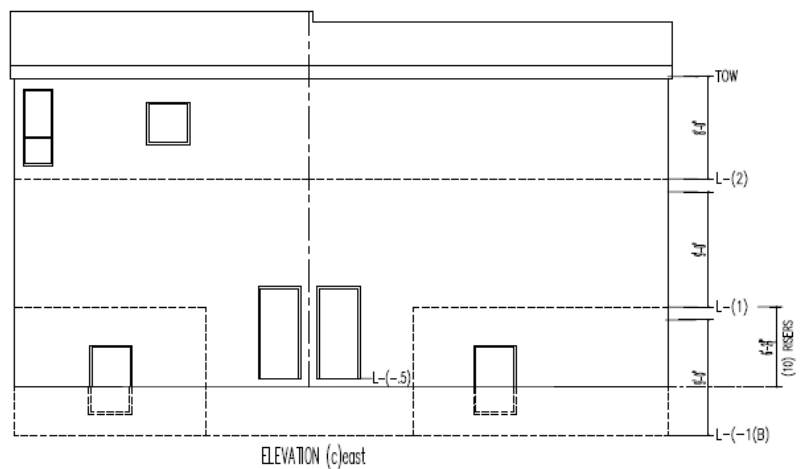
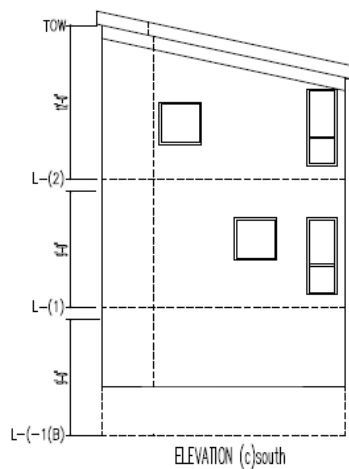
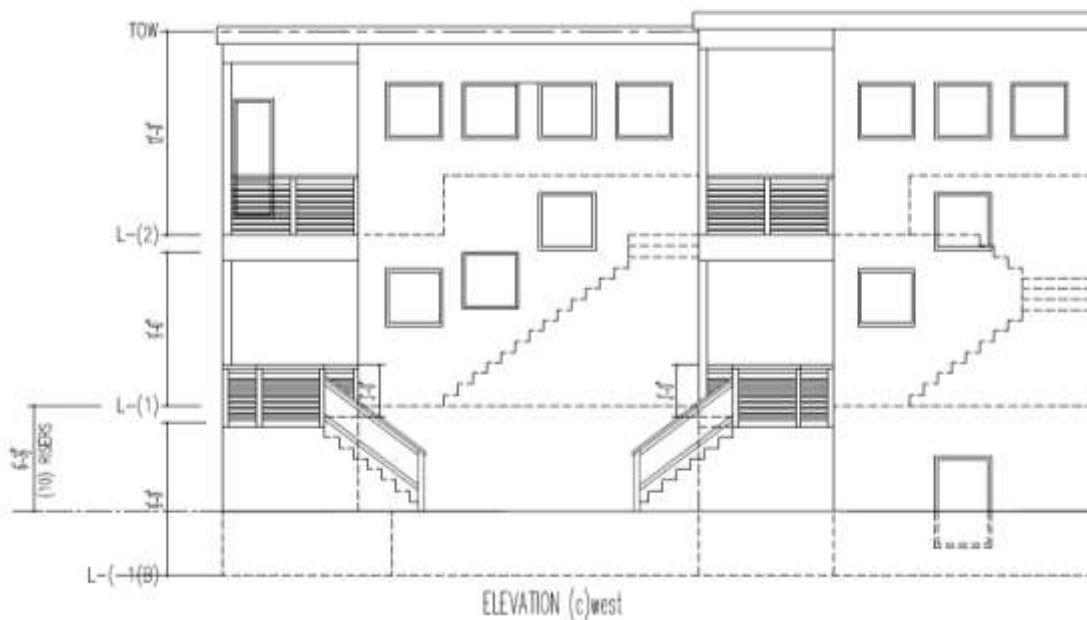
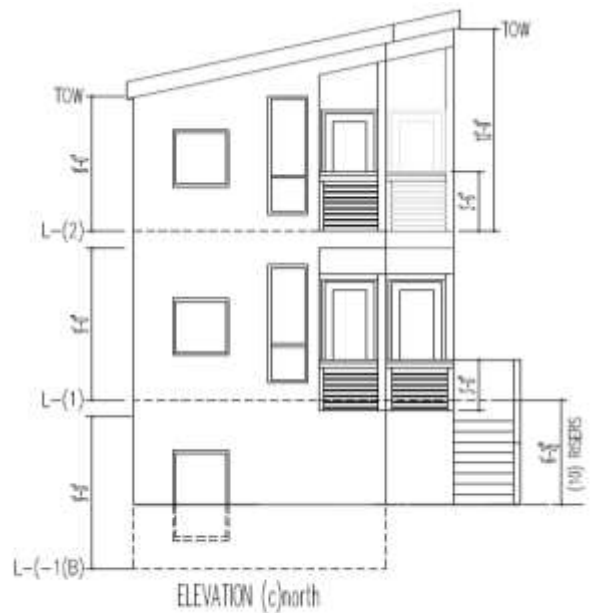
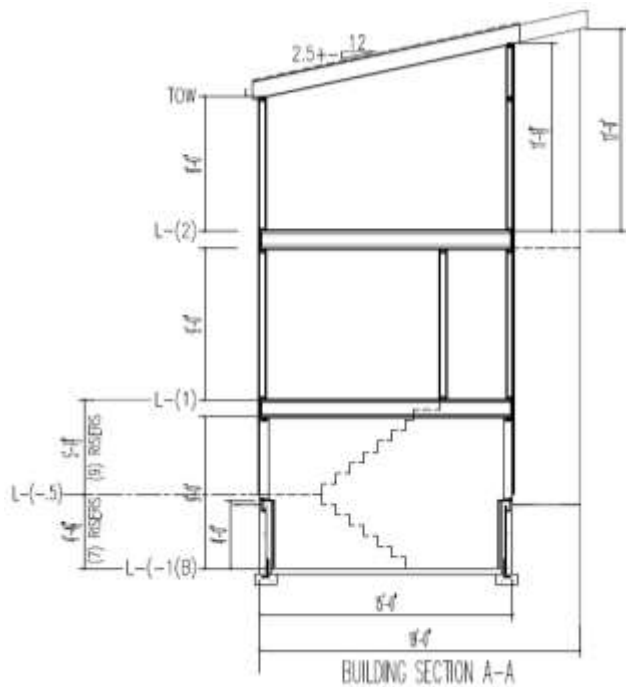
2023-DV1-034; Floor Plans



2023-DV1-034; Floor Plans



2023-DV1-034; Elevations



2023-DV1-034; Photographs



Photo of the Subject Property: 517 Prospect Street



Photo of the street frontage.



Photo of the undeveloped site south of the site.



Photo of the alley south of the undeveloped lot.



Photo of the single-family dwellings east of the subject site



Photo of the car dealership west of the subject site and



Photo of the residential dwellings north of the subject site.



Photo of the car dealership north west of the subjeet site.