

BOARD OF ZONING APPEALS DIVISION I

January 2, 2024

Case Number: 2023-DV1-060

Property Address: 1202 and 1244 Hartford Street (approximate address)

Location: Center Township, Council District #21 (#18 Beginning 2024)

Petitioner: Latitude Community Investments LLC, by Mark and Kim Crouch

Current Zoning: D-5 (TOD)

Request: Variance of Development Standards of the Consolidated Zoning and Subdivision Ordinance to provide for the construction of a single-family dwelling on each lot with a one-foot front yard setback from Hartford Street and a three-foot rear yard setback (10-foot front, 20-foot rear yard setbacks required), with each lot having a surface parking lot with a two-foot front yard setback (20-foot setback required) and a main floor area of 634 square feet at 1244 Hartford Street (660 square foot main floor area required).

Current Land Use: Residential

Staff Recommendations: Staff recommends approval of this request.

Staff Reviewer: Michael Weigel, Senior Planner

PETITION HISTORY

This is the first public hearing for this petition.

STAFF RECOMMENDATION

Staff recommends approval of this request.

PETITION OVERVIEW

- These parcels are currently undeveloped land that is bordered by residential development to the north and east and by an I-65 off-ramp to the west and south. This petition would allow for the legal placement of two single-family residences on the lots with deficient front and rear setbacks, deficient surface parking setbacks, and a main floor square footage below ordinance standards for the property at 1244 Hartford.
- These parcels are zoned D-5 (Dwelling District Five) to allow for medium and large-lot housing formats, primarily for detached houses. The Zoning Ordinance indicates that D-5 zoning is appropriate for infill situations within established urban areas. Additionally, the Marion County Land Use Plan Pattern Book indicates that Detached Housing is an acceptable land use within

the Traditional Neighborhood typology. Although the TOD Overlay within the Pattern Book indicates that detached housing is not recommended as new development, these lots are substandard and irregular enough that staff feels placement of new housing would be appropriate.

- Setback standards allow for adequate separation between neighboring properties and between structures and public roadways. Additionally, uniform front setbacks help shape the perceived size of streets. Table 744-701-2 of the Indianapolis Zoning Ordinance indicates that along Terrace frontages a minimum front building line of 10' is required. Additionally, 20-foot rear setbacks are required within D-5 zoning per Table 744-201-1 of the Ordinance.
- This request would establish 1-foot front setbacks and 3-foot rear setbacks along a block that is currently undeveloped. Staff has no objection to this request given that the existing lot is substandard to the point that complaint development would not be feasible.
- In November of 2021, additional ordinance standards were added to encourage walkable streetscapes in residential areas that minimize the impact of car access by limiting driveways and the extent of parking in front yards. Table 744-701-2 of the Indianapolis Zoning Ordinance indicates that along Terrace frontages, surface parking be placed either behind the front building line or at least 20 feet from the front property line (whichever is greater).
- This request would establish surface parking lots with 2-foot front setbacks. Staff has no objection to this request given that the existing lot is substandard to the point that complaint development would not be feasible.
- Minimum dwelling sizes allow for adequate safety and livability and limit overcrowding. Table 744-201-1 of the Indianapolis Zoning Ordinance indicates that the minimum floor area for a primary dwelling unit within D-5 zoning is 660 square feet.
- This request would establish a primary residence on 1244 Hartford Street with an area of only 634 square feet. Staff has no objection to this request given that the existing lot is substandard to the point that complaint development would not be feasible.

GENERAL INFORMATION

Existing Zoning	D-5 (TOD)	
Existing Land Use	Residential	
Comprehensive Plan	Traditional Neighborhood	
Surrounding Context	<u>Zoning</u>	Surrounding Context
North:	D-5	North: Traditional Neighborhood
South:	D-5	South: Traditional Neighborhood
East:	D-5	East: Traditional Neighborhood
West:	D-5	West: Traditional Neighborhood
Thoroughfare Plan		
Hartford Street	Local Street	Existing ROW: 40' Prop ROW: 48'

Context Area	Compact
Floodway / Floodway Fringe	No
Overlay	Yes
Wellfield Protection Area	No
Site Plan	11/07/2023
Site Plan (Amended)	N/A
Elevations	N/A
Elevations (Amended)	N/A
Landscape Plan	N/A
Findings of Fact	11/07/2023
Findings of Fact (Amended)	N/A

COMPREHENSIVE PLAN ANALYSIS

Comprehensive Plan

- Marion County Land Use Plan Pattern Book
- 2020 Red Line TOD Strategic Plan
- Infill Housing Guidelines

Pattern Book / Land Use Plan

- The Marion County Land Use Plan Pattern Book recommends the Traditional Neighborhood living typology for this site.
- This site is also within the Transit-Oriented Development Overlay which indicates that “where detached housing already exists, secondary units are encouraged. Detached Housing is not recommended as new development”.

Red Line / Blue Line / Purple Line TOD Strategic Plan

- The subject site falls at the edge of the 1000-foot buffer around the existing Red Line. The homes would be built closest to a District Center BRT stop which allows for attached and detached single family residences further away from the stop itself.

Neighborhood / Area Specific Plan

- Not Applicable to the Site.

Infill Housing Guidelines

- The Infill Housing Guidelines (IHG) are used to promote good practice with regards to form, massing, aesthetics, landscaping, etc. of new infill housing projects.
- The IHG recommends that front setbacks should match the context of the existing block and be built within existing setback ranges of adjacent properties (not relevant for this undeveloped block).
- The IHG does not make recommendations related to the placement of surface parking lots or to minimum sizes of dwelling units.

Indy Moves

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

- Not Applicable to the Site.

ZONING HISTORY

ZONING HISTORY – SITE

N/A

ZONING HISTORY – VICINITY

2023DV2032; 911 Sanders Street (north of site), variance of Development Standards of the Consolidated Zoning and Subdivision Ordinance to provide for the construction of either:

A single-family dwelling: On a medium lot typology with an area of 2,817 square feet (minimum lot area of 7,200 square feet required); a six-foot front yard setback from Sanders Street (20-feet required); a three-foot front yard setback from Hartford Street; a five-foot front yard setback from I-65; a five-foot rear yard setback (20-foot rear yard setback required); an open space of 40 percent (60 percent required); and a front-loaded garage comprising 100 percent of a façade along Hartford Street (prohibited).

Or a two-unit multi-unit home: On a small lot with an area of 2,817 square feet (minimum lot area of 5,000 square feet required); a six-foot front yard setback from Sanders Street (20-feet required); a three-foot front yard setback from Hartford Street; a five-foot front yard setback from I-65; a five-foot rear yard setback (20-foot rear yard setback required); and a front-loaded garage comprising 100 percent of a façade along Hartford Street (prohibited), **pending**.

2021UV1021; 929 Sanders Street (east of site), variance of use and development standards of the Consolidated Zoning and Subdivision Ordinance to provide for the renovation of existing buildings for a community center with light hosting capabilities, to provide for community meetings, artist pop-up exhibits, family gatherings such as reunions, or small business milestone celebrations and similar events (not permitted) and to provide for pavers and/or stamped concrete improvements and an arbor with 0.8-foot east side setback and a planter with a zero-foot west side setback (three-foot side setback required), **withdrawn**.

2014HOV014; 914 Sanders Street (north of site), variance of development standards of the Dwelling Districts Zoning Ordinance to provide for the construction of a 440-square foot garage, and an open space ratio of 50% (minimum 65% open space required), **granted**.

2004DV1018; 1305 Hartford Street (southeast of site), variance of development standards of the Dwelling Districts Zoning Ordinance to attach an existing detached 29-foot tall, 2,250-square foot accessory structure to the primary structure, creating a five-foot rear setback along the east property line (20-foot rear setback required), **granted**.

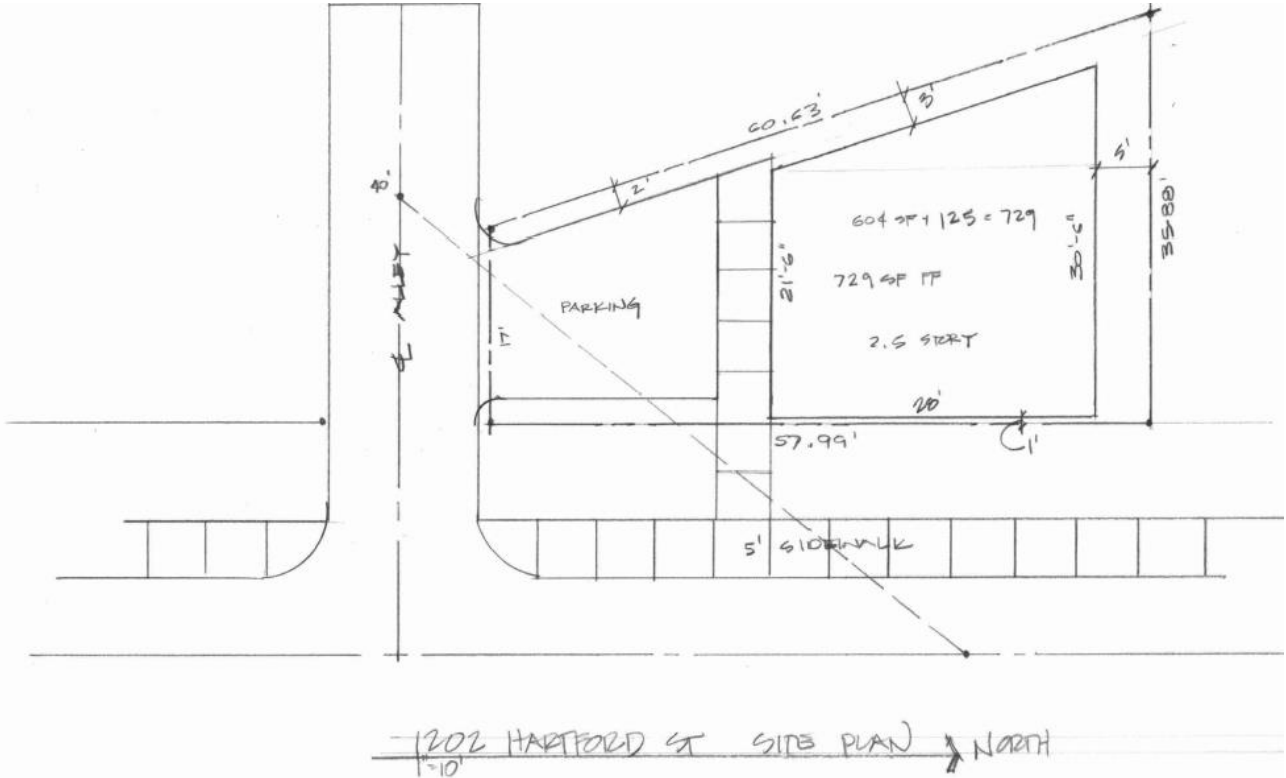
95-UV3-5; 929 Sanders Street (east of site), variance of use of the Dwelling Districts Zoning Ordinance to legally establish give dwelling units on one parcel (one dwelling unit per parcel permitted), **granted**.

EXHIBITS

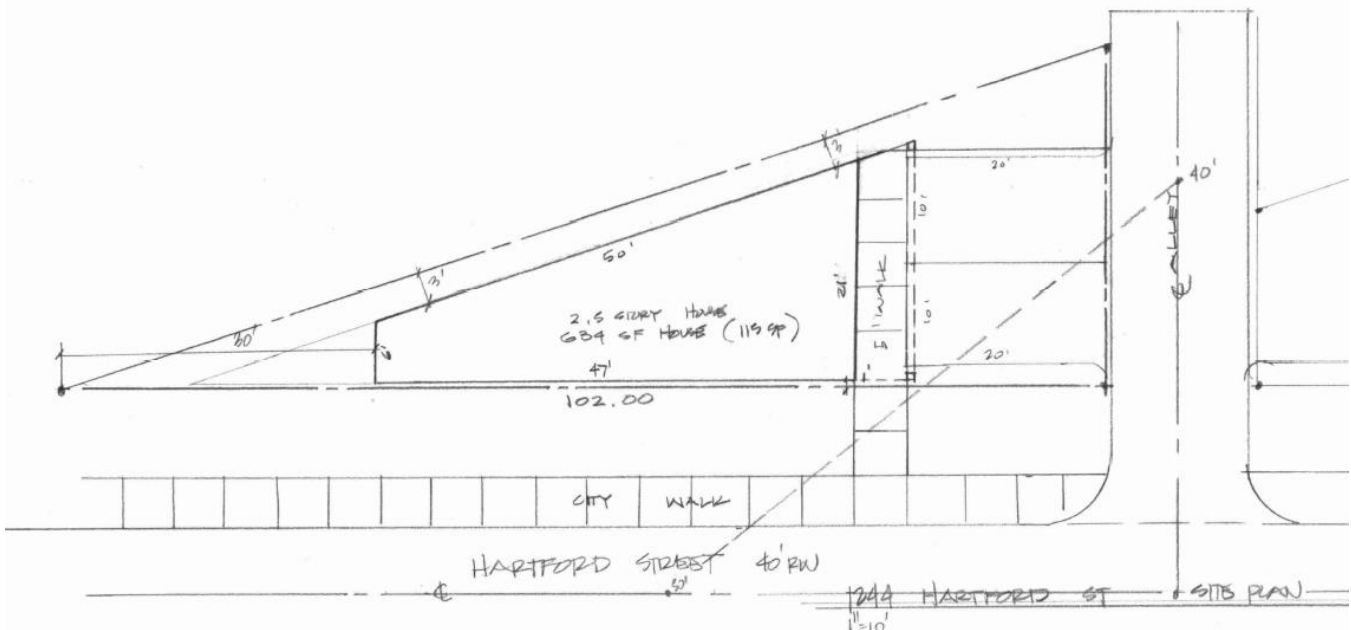
2023DV1060 ; Aerial Map



2023DV1060 ; Site Plan (1202 Hartford)



2023DV1060 ; Site Plan (1244 Hartford)





2023DV1060 ; 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 grant will allow for the construction of a single family residence for private residential use.

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 proposed residence will be consistent with the development in the area and adjacent area.

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

lot is smaller than zoning minimums resulting in a need to reduce rear and front yard setback requirements. Without variance approval, proposed proposed residence will not be built.

2023DV1060 ; Pictures



Photo 1: Facing West Toward Interstate



Photo 2: Facing East, Toward Adjacent Properties Along Hartford

2023DV1060 ; Pictures (continued)



Photo 3: Facing South Toward 1244 Hartford



Photo 4: Facing North Toward 911 Sanders (outside scope) & Adjacent Properties Along Sanders