

BOARD OF ZONING APPEALS DIVISION III

April 15, 2025

Case Number: 2025-DV3-011
Property Address: 1022 Grassy Branch Drive (approximate address)
Location: Warren Township, Council District #20
Petitioner: Taylor Morrison of Indiana LLC, by John Cross
Current Zoning: D-3 (FF)
Request: Variance of Development Standards of the Consolidated Zoning and Subdivision Ordinance to provide for the construction of a single-family dwelling resulting in an open space of 67 percent (70 percent required).
Current Land Use: Vacant
Staff Recommendations: Staff recommends denial for this petition
Staff Reviewer: Noah Stern, Senior Planner

PETITION HISTORY

- This is the first public hearing for this petition.

STAFF RECOMMENDATION

- Staff recommends denial of this petition.

PETITION OVERVIEW

- This petition would allow for the construction of a single-family dwelling resulting in an open space of 67 percent (70 percent required).
- The subject site is currently vacant and is of sufficient lot area, lot frontage, and lot width for the standards for the site's D-3 zoning classification. The subdivision where it is located was platted in 2022 with all of the lots containing sufficient lot size standards as well. Since the subdivision was approved in 2022, almost all of the lots have been developed, with none of the new residences requesting variances for any of the development standards, including the open space requirement of 70%. The open space is in place to provide consistent form and massing, allow for additional greenery, and reduce runoff in environmentally sensitive areas.
- Staff does not find there to be any reasonable practical difficulty for needing the requested variance, as this lot is newly platted, with sufficient sizing for the D-3 district. Staff also finds that the proposal is not in accordance with the Infill Housing Guidelines recommendation of reinforcing the existing spacing on the block. With all other residences providing at least 70% open space, a variance request



for a reduction from that standard is unprecedented for this block. Given these points, Staff does not find it appropriate to recommend approval of such a request, and seeks to uphold the Ordinance standards for lots of sufficient sizing. Staff recommends denial of the request and suggests the petitioner revise the site plan to show compliance.

GENERAL INFORMATION

Existing Zoning	D-3 (FF)	
Existing Land Use	Vacant	
Comprehensive Plan	Suburban Neighborhood	
Surrounding Context	Zoning	Surrounding Context
North:	D-3 (FF)	North: Single-family residential
South:	D-3 (FF)	South: Single-family residential
East:	D-3 (FF)	East: Single-family residential
West:	PK-1 (FF)	West: Park / Wetlands
Thoroughfare Plan		
Grassy Branch Drive	Local Street	50 feet of right-of-way existing and 48 feet proposed
Context Area	Metro	
Floodway / Floodway Fringe	Yes, 500-Year	
Overlay	No	
Wellfield Protection Area	No	
Site Plan	3/13/25	
Site Plan (Amended)	N/A	
Elevations	N/A	
Elevations (Amended)	N/A	
Landscape Plan	N/A	
Findings of Fact	3/13/25	
Findings of Fact (Amended)	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 Suburban 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 open space, the Infill Housing Guidelines recommends:
 - Reinforce spacing on the block

Indy Moves

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

- Not Applicable to the Site.



ZONING HISTORY

ZONING HISTORY – SITE

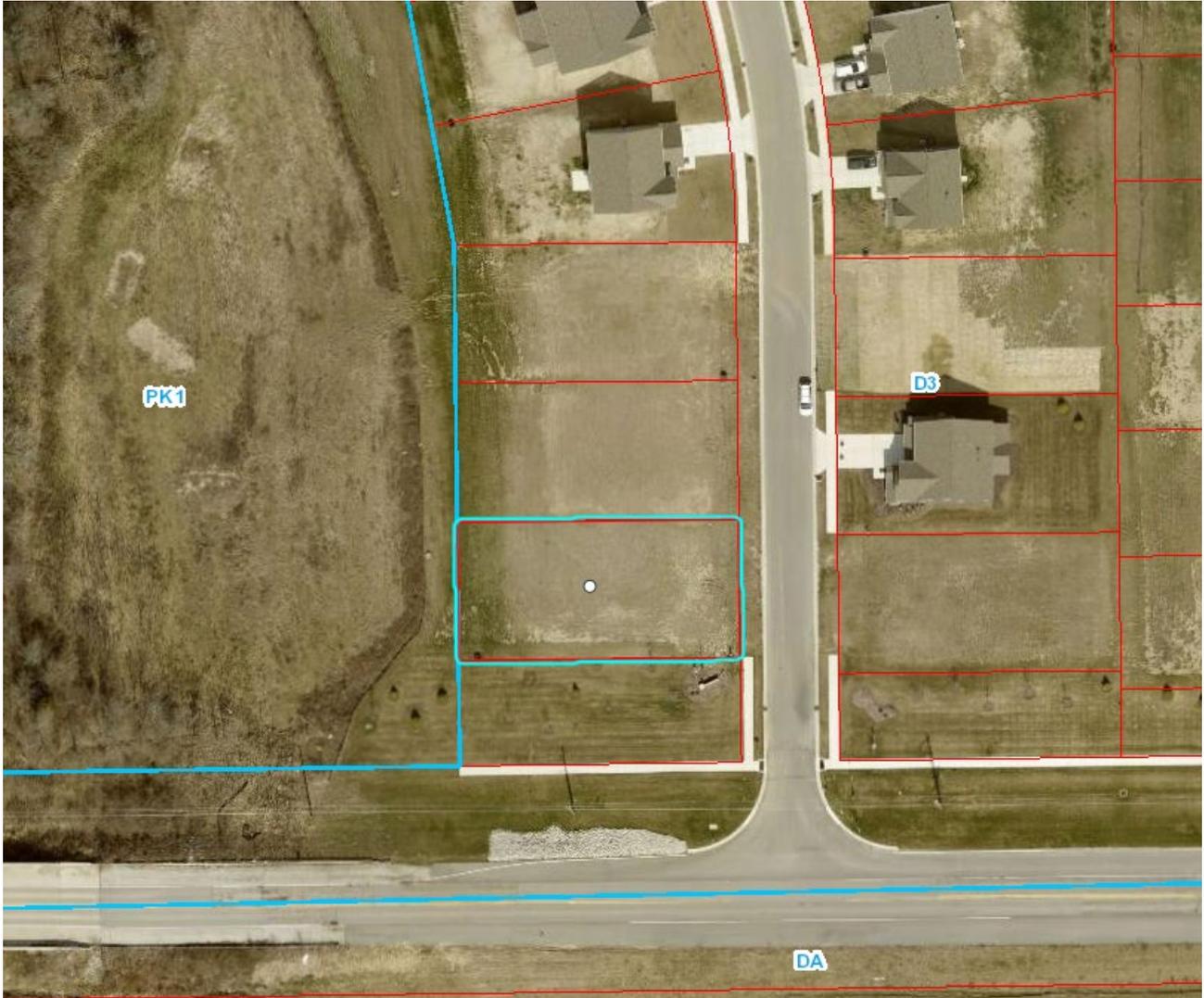
2005ZON007, Petitioner requests the rezoning of 41.6 acres from D-A (FW)(FF) to D-3 (FW)(FF) to provide for the development of a single-family residential community, **approved**.

ZONING HISTORY – VICINITY

2023ZON040; 10600 Prospect Street (west of site), Rezoning of 10.45 acres from the D-3 (FW) (FF) district to the PK-1 (FW) (FF) district to park uses, **approved**.

98-Z-82; 1550 South German Church Road (south of site), rezone of 65.79 acres from D-A (FF) (FW) to DP (FF) (FW) to provide for a single-family residential community of 135 units, **denied**.

EXHIBITS

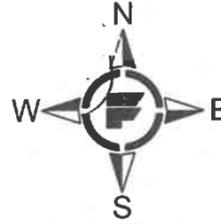


PLOT PLAN

THIS DOCUMENT HAS BEEN PREPARED AND BASED UPON THE CONSTRUCTION DOCUMENTS, RECORD DRAWINGS AND ADDITIONAL INFORMATION PREPARED FOR THIS DEVELOPMENT BY OTHERS. THIS DOCUMENT IS NOT A FIELD SURVEY AND FOREFRONT SURVEYING AND ENGINEERING DOES NOT WARRANT THE ACCURACY OR COMPLETENESS OF THIS INFORMATION.

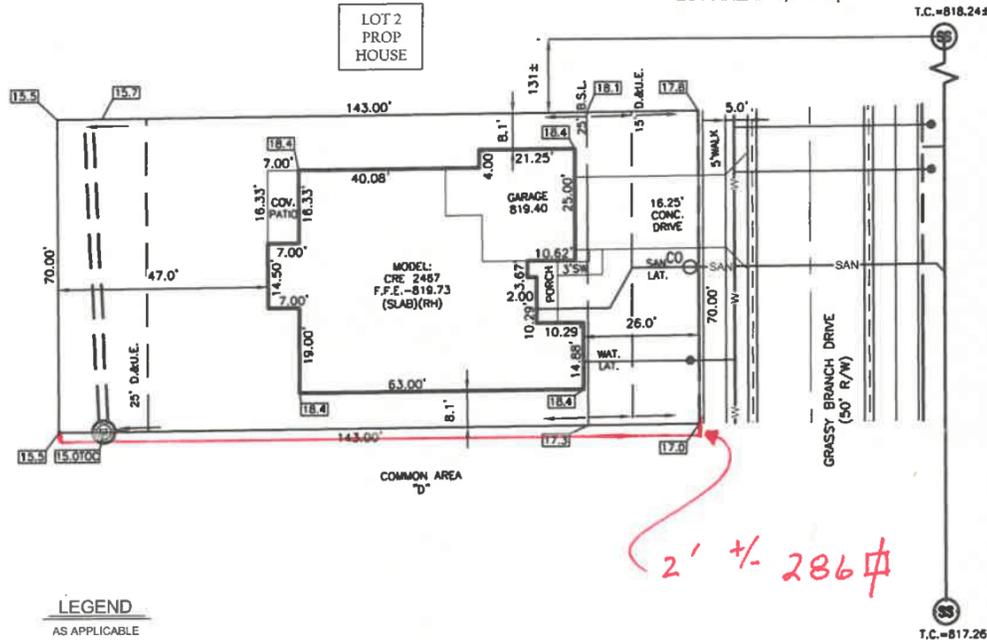
1022 GRASSY BRANCH DRIVE
 INDIANAPOLIS, IN, 46239
 WARREN TOWNSHIP
 MARION COUNTY

LOT 1
 HIGHLANDS AT GRASSY CREEK
 SECTION ONE
 NST. #A202100170873



0 15 30
 SCALE: 1" = 30'

LOT AREA: 10,010 Sq.Ft.



2' +/- 286#

LEGEND

AS APPLICABLE

- ELEVATION PER PLAN
- SANITARY MANHOLE
- WATER METER
- WATER VALVE
- FIRE HYDRANT
- STORM STRUCTURE
- CURB INLET
- END SECTION
- SITE BENCHMARK
- EMERGENCY FLOOD ROUTE
- B.L. BUILDING LINE
- D.&U.E. DRAINAGE & UTILITY EASEMENT
- D.U.&S.S.E. DRAINAGE, UTILITY & SANITARY SEWER EASEMENT
- S.S.E. SANITARY SEWER EASEMENT
- T.F. TOP OF FOUNDATION
- EXC. EXCLUSIVE
- F.P. FIREPLACE

MINIMUM LOWEST
 ADJACENT GRADE=818.4

BUILDING SETBACK LINES:
 6' MINIMUM SIDE YARD
 16' MINIMUM AGGREGATE
 20' MINIMUM REAR YARD

FLOOD HAZARD STATEMENT: A portion of this Property DOES lie in a special Flood Hazard Zone per the Flood Insurance Rate Map, Community Panel Number 18097C0188 F, dated April 19, 2016.

SOD: 1,764 Sq.Ft.
 SEED: 4,730 Sq.Ft.
 PRIVATE WALK: 38 Sq.Ft.
 PUBLIC WALK: 269 Sq.Ft.
 DRIVEWAY: 653 Sq.Ft.

Certified this 27th day of November, 2024

Dewey L. Witte

Dewey Witte
 Professional Land Surveyor
 Indiana No. LS29800022



PREPARED FOR: TAYLOR MORRISON
 JOB #: 24SE-946



FOREFRONT
 SURVEYING + ENGINEERING

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REV. NO.	DATE	REVISIONS	DRAWN BY: CML
			CHECKED BY: DLW
			DATE: 11/27/2024
			PAGE 1 OF 1



Petition Number _____

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 variance is a minimal deviation from the required open space total so will not have an injurious impact on the community.

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 variance is a minimal deviation from the required open space total and will permit the construction of a single-family dwelling comarable to those on nearby lots so that it will not have any substantial adverse impact on adjacent properties.

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

the house to be built is similar to nearby properties but cannot be built given the additional open space factors. The lot is comparable in size to other properties and the to-be-constructed home is as well, so the home cannot be built without the variance. Without a variance the home cannot be constructed consistently with neighboring homes.

DECISION

IT IS THEREFORE the decision of this body that this VARIANCE petition is APPROVED.

Adopted this _____ day of _____, 20 ____





