

BOARD OF ZONING APPEALS DIVISION III

September 15, 2026

Case Number:	2026-DV3-036 (amended)
Property Address:	2403 East Thompson Road (approximate address)
Location:	Perry Township, Council District #23
Petitioner:	Bruce W. Potts, by Alejandro Lopez
Current Zoning:	D-A
Request:	Variance of Development Standards of the Consolidated Zoning and Subdivision Ordinance to provide for the construction of a single-family residence resulting in a 24-foot front yard setback (40 feet required), a 12-foot side yard setback (15 feet required), a 32-foot aggregate side yard setback (75 feet required), and an open space ratio of 81% (85% required).
Current Land Use:	Residential
Staff Recommendations:	Staff recommends approval for this petition
Staff Reviewer:	David Arrom Garza, Senior Planner

PETITION HISTORY

This is the first public hearing for this petition.

STAFF RECOMMENDATION

Staff recommends approval for this petition.

PETITION OVERVIEW

The petition would allow for the construction of a single-family residence resulting in a 24-foot front yard setback (40 feet required), a 12-foot side yard setback (15 feet required), a 32-foot aggregate side yard setback (75 feet required), and an open space ratio of 81% (85% required). A variance for a driveway width of 80 feet (30 feet minimum) was withdrawn by the petitioner after a modification to the site plan was submitted for a reduced driveway width of 30 feet further eliminating the need for a variance.

SITE PLAN

The site plan, file-dated August 12, 2026, and updated August 28, 2026, depicts an approximately 1,500 square foot residential dwelling as primary use with all detached accessory garage structures (existing) remaining onsite for an open space of 81 percent. Single-family residential is permitted use in a D-A dwelling district. A 462-square-foot and a 572-square-foot main garage currently occupy the lot. Driveway access is provided off Keystone Avenue from an existing driveway opening.

PLANNING ANALYSIS

The subject lot, zoned D-A, is a corner lot bounded to the north by E Thompson Road and to the west by S Keystone Avenue, both primary thoroughfares. The character of the lot differs from a typical D-A lot requiring a minimum lot area of 3 acres and a minimum lot width of 250-feet. The subject lot area is 0.33-acres, with a lot width of 70-feet which is undersized for a D-A district context.

Practical site difficulties occur with the construction of a single-family residence due to reduced lot size area to meet D-A dimensional standards. Frontage along a secondary thoroughfare requires a minimum setback of 40 feet in a D-A Metro context area. The single family proposed residential structure width is 30 feet, providing a 12-foot side yard setback (15 feet required). With a total lot width (as measured from east to west) of 66 feet, there is no ability to meet both setback standards. Approximately 1,034 square feet of accessory space exist onsite between two existing garage structures. With the addition of a 1,500 square foot primary residence, nearly 19 percent of the lot will be building area providing 81 percent open space; four percent less than what is required for a D-A district requiring a variance.

Reducing residential square footage to meet the open space requirement would not be practical to maintain a minimum main floor area (1-story) of 1,200 square feet required in a D-A dwelling district.

For these reasons, staff requested the petitioner consider a rezone of the subject lot under a D3 district which would allow greater flexibility to meet dimensional standards, reducing the total number of variances required from five to one; a variance for a 24-foot front yard setback (35 feet minimum required under D3). After consideration by the petitioner, it was requested that the petition be unchanged.

Staff supports **approval** for this petition, finding that practical difficulties imposed by lot physical dimensions impact the ability of the property to be used for a permitted residential purpose. Staff would also note that the development proposed would be compatible with the surrounding suburban neighborhood context recommended by the Comprehensive Plan.

GENERAL INFORMATION

Existing Zoning	D-A	
Existing Land Use	Residential	
Comprehensive Plan	Suburban Neighborhood	
Surrounding Context	<u>Zoning</u>	Surrounding Context
North:	D-2	North: Single-Family dwelling
South:	D-A	South: Single-family dwelling
East:	D-A	East: Single-family dwelling
West:	D-3	West: Single-family dwelling
Thoroughfare Plan		
S Keystone Ave	Secondary Arterial	25' R/W existing (no curb)
E Thompson Rd	Secondary Arterial	22' R/W existing (no curb)
Context Area	Metro	
Floodway / Floodway Fringe	No	
Overlay	No	
Wellfield Protection Area	No	
Site Plan	August 12, 2026	
Site Plan (Amended)	August 28, 2026	
Elevations	N/A	
Elevations (Amended)	N/A	
Landscape Plan	N/A	
Findings of Fact	August 12, 2026	
Findings of Fact (Amended)	N/A	

COMPREHENSIVE PLAN ANALYSIS

Comprehensive Plan

- Marion County Land Use Plan Pattern Book

Pattern Book / Land Use Plan

- The Marion County Land Use Plan ("Pattern Book") recommends the Suburban Neighborhood living typology for this site. The Suburban Neighborhood typology is predominantly made up of single family housing, but is interspersed with attached and multifamily housing where appropriate. This typology should support a variety of neighborhood-serving businesses, institutions, and

amenities. Natural Corridors and natural features such as stream corridors, wetlands, and woodlands should be treated as focal points or organizing systems for development. Streets should be well-connected, and amenities should be treated as landmarks that enhance navigability of the development. This typology generally has a residential density of 1 to 5 dwelling units per acre, but a higher density is recommended if the development is within a quarter mile of a frequent transit line, greenway, or park.

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

- Not Applicable to the Site

Indy Moves

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

- Not Applicable to the Site



ZONING HISTORY

ZONING HISTORY – VICINITY

2004ZON068; Southside Church of the Nazarene at 2423-2447 East Thompson Rd, Perry Township, rezoned to a SU-1 classification, approved.

EXHIBITS

Location Map





Findings of Fact

Petition Number

**METROPOLITAN DEVELOPMENT COMMISSION
HEARING EXAMINER
METROPOLITAN BOARD OF ZONING APPEALS, Division III
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 single-family residence is consistent with the surrounding residential neighborhood and will be constructed in compliance with applicable building and safety codes. The requested variances will not adversely affect the public health, safety, morals, or general welfare of 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 proposed single-family residence is compatible with the surrounding residential neighborhood and will not negatively impact adjacent properties.

The requested variances are limited to addressing the property's unique physical constraints and will allow for reasonable residential use without substantially affecting neighboring property values or uses.

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

The property is a legally existing lot that is deficient in both lot area and lot width under the current DA zoning standards.

Due to these pre-existing conditions and the location of the existing garages, it is impractical to construct a reasonable single-family residence in full compliance with the zoning ordinance.

Even if one of the existing garages were removed, the lot would still require one or more variances because of its deficient size and development constraints.

The requested variances are therefore the minimum relief necessary to allow reasonable residential development of the property.

2026DV3036 Site Photographs



View looking south from E Thompson Rd



View looking west from Keystone Ave



View of existing accessory garage structures from Keystone Ave