

## STAFF REPORT

### Department of Metropolitan Development Division of Planning Current Planning Section

**Case Number:** 2023-DV1-007  
**Address:** 3651 Five Points Road (approximate address)  
**Location:** Franklin Township, Council District #18  
**Zoning:** D-A / SU-43  
**Petitioner:** Kevin L. Strickford, by Russell L. Brown and Elizabeth Bentz Williams  
**Request:** Variance of development standards of the Consolidated Zoning and Subdivision Ordinance to provide for the construction of a barn with a 21-foot north and aggregate side yard setback (30-foot side yard setback, 75-foot aggregate required), partially located within the front yard of Five Points Road (accessory structures not permitted forward of the established building line).

### **RECOMMENDATIONS**

Staff **recommends approval** of this request with the following commitments:

1. The west elevation of the proposed barn must include windows and other architectural features consistent with residential structures, subject to administrative approval prior to issuance of an improvement location permit.
2. Screening landscaping must be provided in the front yard of the proposed barn, subject to administrative approval prior to issuance of an improvement location permit.

### **SUMMARY OF ISSUES**

The following issues were considered in formulating the recommendation:

#### **LAND USE**

##### EXISTING ZONING AND LAND USE

D-A / SU-43	Metro	Single-Family / Agriculture / Power Transmission Lines
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##### SURROUNDING ZONING AND LAND USE

North	D-A	Single-family residential / agriculture
South	SU-43	Power Transmission Lines
East	D-3	Undeveloped
West	D-A / SU-43	Single-family residential / Power Transmission Lines

##### COMPREHENSIVE PLAN

The Comprehensive Plan recommends Suburban Neighborhood and Linear Park development.

- ◇ The subject site is approximately 5 acres and split zoned D-A on the north and SU-43 on the south. This site is developed with a single-family dwelling and two barns including horse stables. This site also includes power transmission lines.

(Continued)

## **STAFF REPORT 2023-DV1-007 (Continued)**

### **VARIANCE OF DEVELOPMENT STANDARDS**

- ◇ This request would provide for construction of a barn with a 21-foot north side setback and partially located in the front yard of Five Points Road.
- ◇ The required side setback for the D-A district is 30 feet with an aggregate of 75 feet. Since this site is also zoned SU-43, the developable area is limited to the north side of the property. The rear yard already includes two barns related to the horse stables and the dwelling, so there is limited area within the D-A zoning for additional development. Staff would not be opposed to a reduced side yard setback where there is a practical difficulty.
- ◇ An agricultural operation is considered a permitted primary use in addition to a single-family dwelling in the D-A district. However, the primary dwelling shall establish the front building line. The proposed barn would be partially located in the front yard. As shown in the exhibit below, the location of the barn is to allow room for maneuvering a horse trailer. Although it is forward of the established front building line, the proposed front setback is 313 feet, which is well over the required 40-foot front setback.
- ◇ Staff would not be opposed to a structure partially within the front yard with the following commitments:
  1. The west elevation of the proposed barn must include windows and other architectural features consistent with residential structures, subject to administrative approval prior to issuance of an improvement location permit.
  2. Screening landscaping must be provided in the front yard of the proposed barn, subject to administrative approval prior to issuance of an improvement location permit.

### **GENERAL INFORMATION**

#### **THOROUGHFARE PLAN**

Five Points Road is classified in the Official Thoroughfare Plan for Marion County, Indiana as a primary collector, with a 40-foot existing right-of-way and an 80-foot proposed right-of-way.

#### **SITE PLAN**

File-dated January 27, 2023

#### **FINDINGS OF FACT**

File-dated January 27, 2023

### **ZONING HISTORY – VICINITY**

**2022-PLT-048, 7320 East Hanna Avenue**, approval of a Subdivision Plat, to be known as Grayson, dividing 78.74 acres into 178 lots, with a waiver requirement to connect to an existing public street to the north, **approved**.

**2021-ZON-075, 7320 East Hanna Avenue**, rezoning of 73.85 acres from the D-A and SU-43 district to the D-3 district, **approved**.

**2019-ZON-108, 7320 East Hanna Avenue**, rezoning of 81.24 acres from the SU-43 and D-A districts to the D-4 district, **withdrawn**.

(Continued)

**STAFF REPORT 2023-DV1-007 (Continued)**

**2015-MO2-003, 3729 Five Points Road**, Modification of the Site Plan, variance conditions and plan of operation related to 2002-UV2-042 and 2005-UV2-016 to provide for a 12,000-square foot building addition to a kennel, **approval**.

**2005-UV2-016, 3729 Five Points Road**, variance to provide for a 2,320-square foot addition to an existing dog kennel in D-A (permitted by 2002-UV2-042) to be used for storage and dog training classes, **approved**.

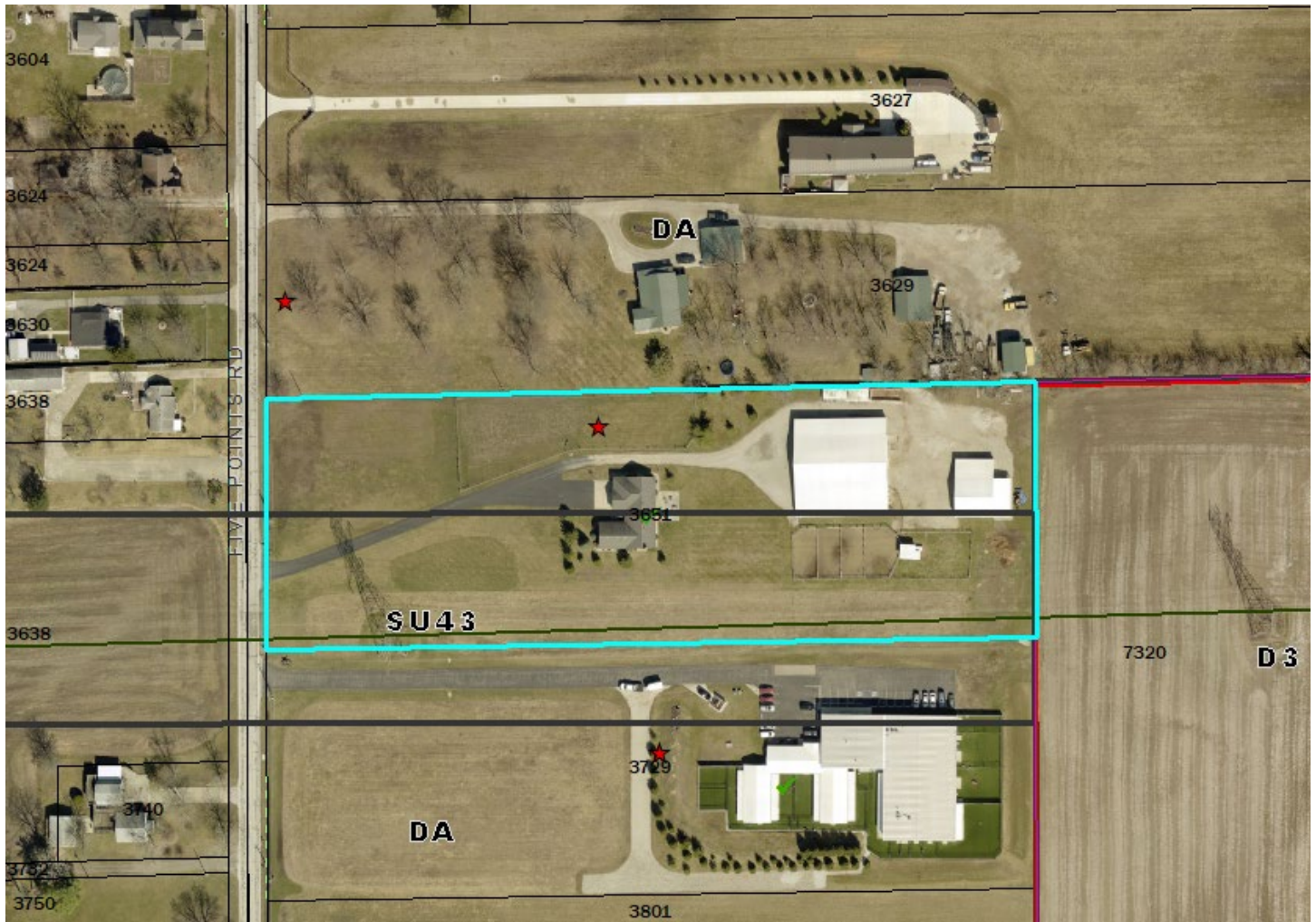
**2002-UV2-042, 3729 Five Points Road**, variance to permit a dog kennel in the D-A district, **approved**.

**97-V2-87, 3629 Five Points Road**, variance of use and development standards of the Dwelling Districts Zoning Ordinance to provide for the division of one lot into two lots, resulting in the widths of each lot being 183.31 and 203.89 feet, **approved**.

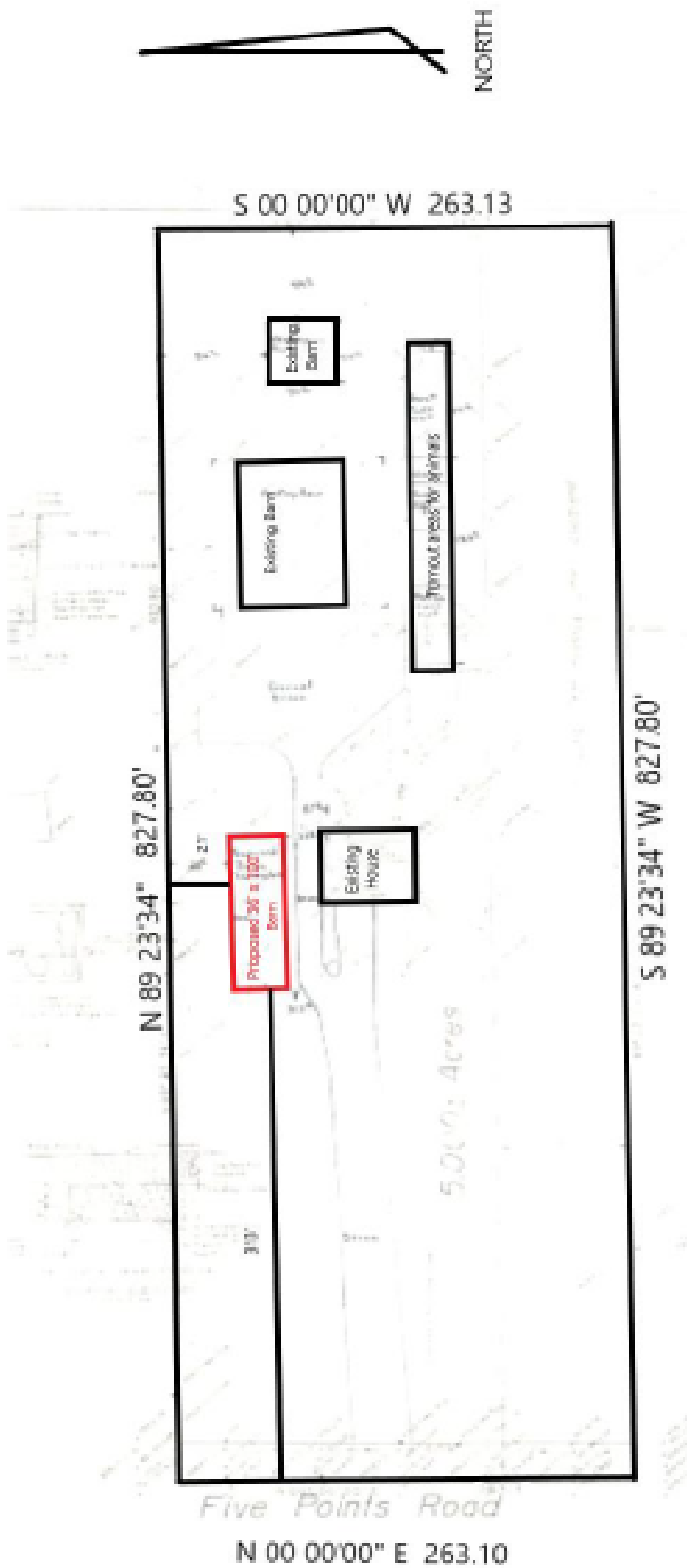
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**2023-DV1-007; Aerial Map**

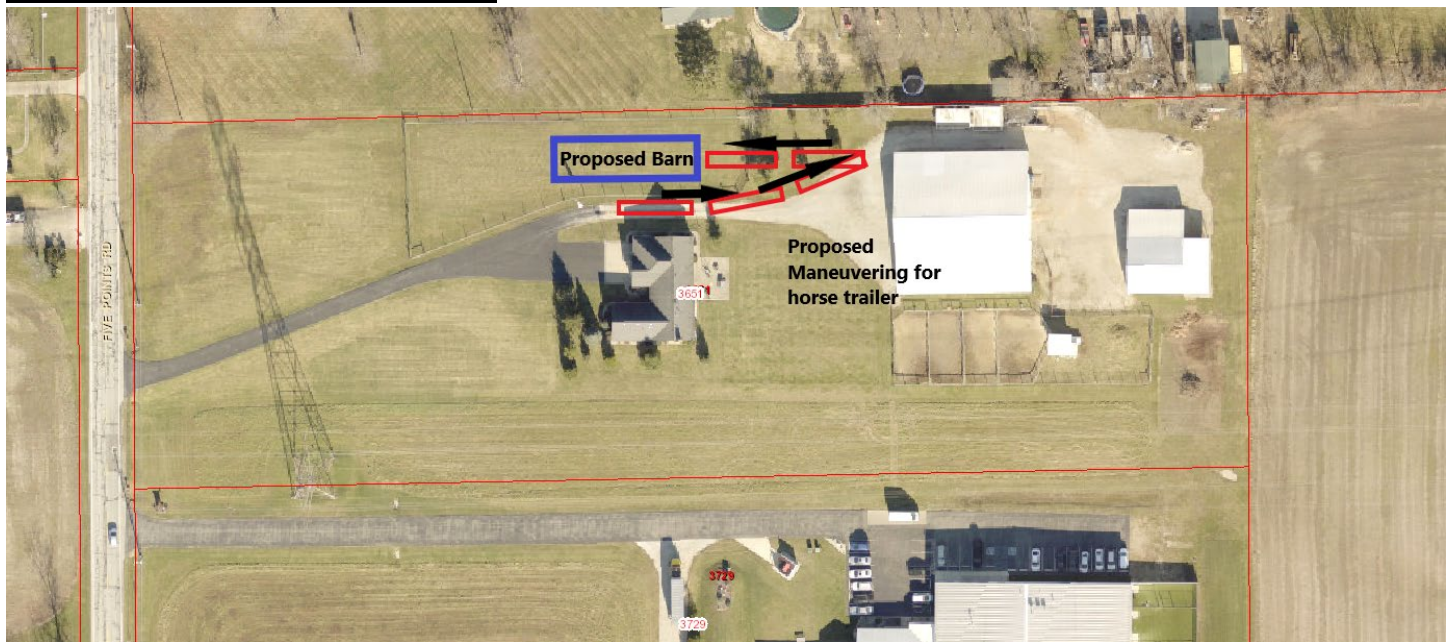


SITE PLAN





**2023-DV1-007; Petitioner Exhibit**





**2023-DV1-007; Photographs**



Proposed barn location right, looking west



Existing dwelling and driveway





Proposed barn location, looking east



View of street frontage from proposed barn setback, looking west.





Existing barn and corral



Existing barn, proposed maneuvering area for trailer related to the proposed barn