

STAFF REPORT

Department of Metropolitan Development Division of Planning Current Planning Section

Case Number: 2023-DV1-003
Address: 8838 West 21st Street (approximate address)
Location: Wayne Township, Council District #6
Zoning: D-A
Petitioner: Paul Brannon
Request: Variance of development standards of the Consolidated Zoning and Subdivision Ordinance to provide for the construction of a 3,450 square foot detached accessory structure to be used as a hobby shop, being larger than the primary dwelling (not permitted).

RECOMMENDATIONS

Staff **recommends denial** of this petition.

SUMMARY OF ISSUES

LAND USE

EXISTING ZONING AND LAND USE

D-A	Single-family dwelling
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SURROUNDING ZONING AND LAND USE

North -	D-4	Single-family dwellings
South -	SU-10	Single-family dwellings
East -	D-A	Single-family dwelling
West -	D-A	Single-family dwelling

COMPREHENSIVE PLAN	The Comprehensive Plan recommends suburban neighborhood uses for the site.
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DEVELOPMENT STANDARDS

- ◇ Chapter 743, Article III. Section 6.A.2.b. of the Ordinance notes that “the horizontal land area covered by any one accessory building or minor residential structure must be less than the horizontal land area covered by the primary building.”
- ◇ The Ordinance maintains an appropriate development pattern in a dwelling district by limiting the square footage of accessory buildings in an effort to maintain the dominance of the primary dwelling. To maintain that relationship, accessory buildings should be incidental and subordinate to that dwelling.
- ◇ This request would permit an accessory building with 3,456 square feet, or 116% larger than the primary dwelling. In Staff’s opinion, this increase in accessory building use area would disrupt and adversely impact the relationship and scale between the primary structure and accessory structures. Additionally, the residential scale of the neighborhood and the adjacent properties would be affected in a substantial adverse manner.

(Continued)

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- ◇ With the primary dwelling at 2,913 square feet, the proposed accessory structure at 3,456 square feet, would minimize the importance and dominance of the primary dwelling as a result of the excess accessory building floor area. Furthermore, the size and location of the proposed pole barn lends itself to parking and storing vehicles and equipment related to commercial and industrial enterprises, if not for the petitioner, then possibly for future purchasers of the property.
- ◇ In this instance, a practical difficulty does not exist since an accessory structure smaller in footprint than the primary dwelling can be installed on the site. Or, if additional square footage is needed, then multiple accessory buildings, each with a footprint smaller than the primary dwelling can be installed on site, as long as the 15% maximum lot coverage (21,542sf) is not exceeded. For these reasons, staff is recommending denial of the request.

GENERAL INFORMATION

THOROUGHFARE PLAN	This portion of West 21 st Street is classified in the Official Thoroughfare Plan for Marion County, Indiana as a primary collector, with a 32-foot existing right-of-way, and an 80-foot proposed right-of-way.
SITE PLAN	File-dated, January 17, 2023
FINDINGS OF FACT	File-dated, January 17, 2023

ZONING HISTORY

2019-SE1-002; 8240 West 21st Street (east of site), requested a special exception of the Consolidated Zoning and Subdivision Ordinance to provide for a parking lot accessory to an existing religious use at 2215 Country Club Road, **granted**.

2014-UV2-013; 8434 West 21st Street (east of site), requested a variance of use and development standards of the Dwelling Districts Zoning Ordinance to provide for the erection of a 1,500-square foot pole barn to house horses, cows and/or maintenance equipment, prior to the erection of a single-family dwelling, **granted**

2007-UV1-004, 8434 West 21st Street, (east of site), requested a variance of use of the Dwelling Districts Zoning Ordinance to provide for the construction of a twenty-foot tall, 2,048-square foot pole barn without a primary structure on the lot, **granted (subject to the construction of a primary dwelling within 18 months of approval-not completed)**.

2005-DV1-044, 8410 West 21st Street, (east of site), requested a variance of development standards of the Dwelling Districts Zoning Ordinance to provide for the construction of a 2,120-square foot accessory building resulting in 2,648 square feet of accessory building area, or 262 percent of the main floor area of the primary structure, **withdrawn**.

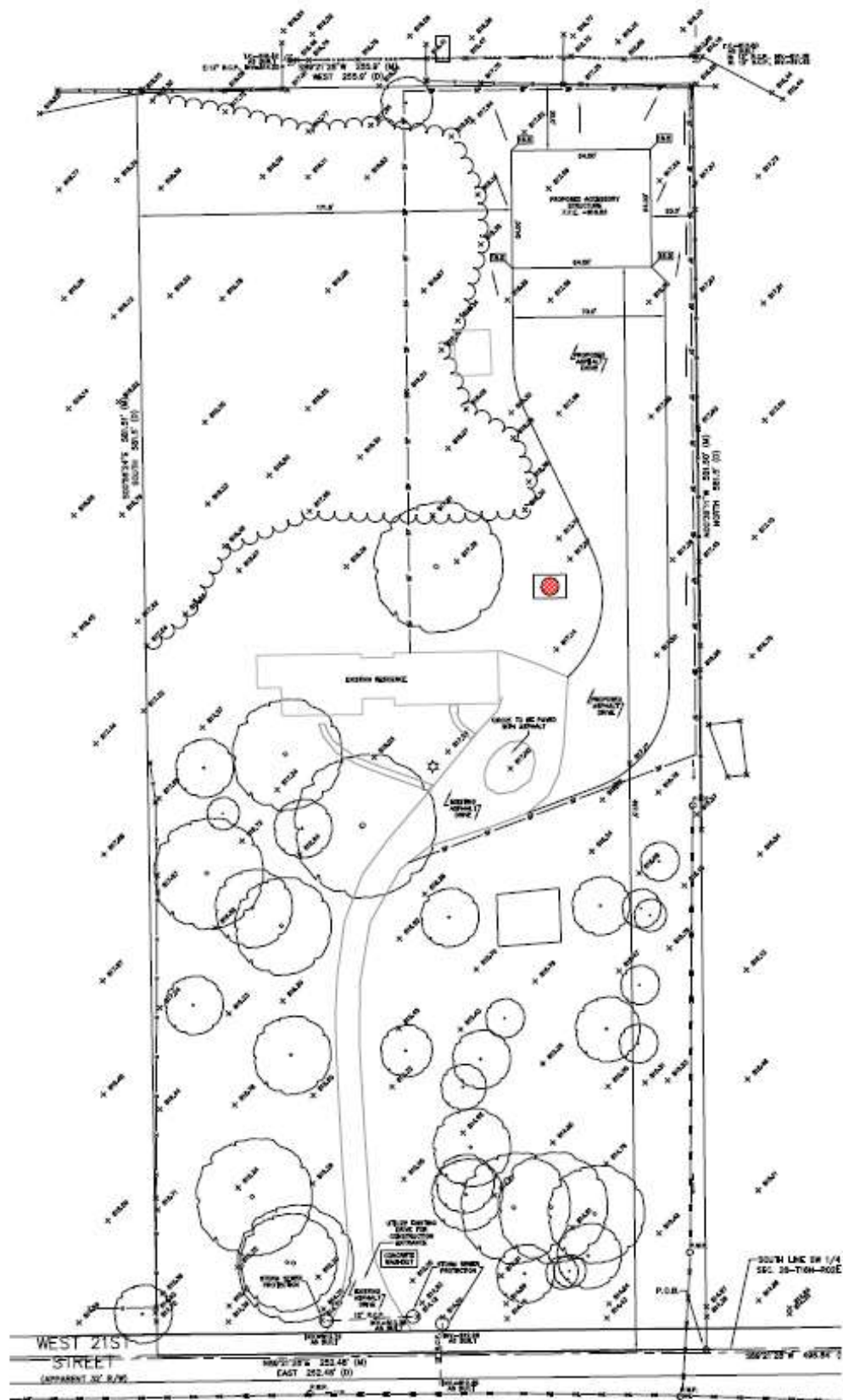
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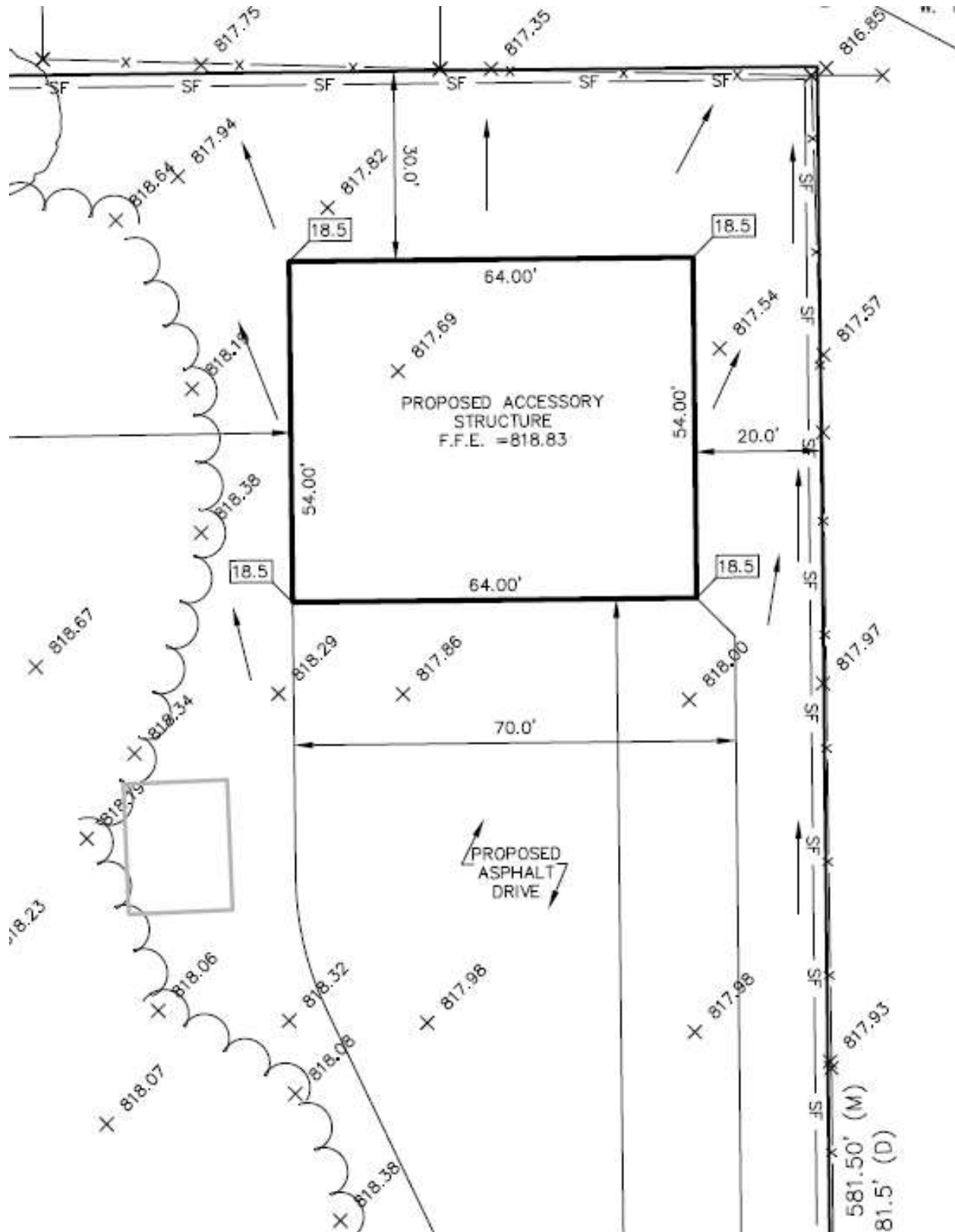
2023-DV1-003; Location Map



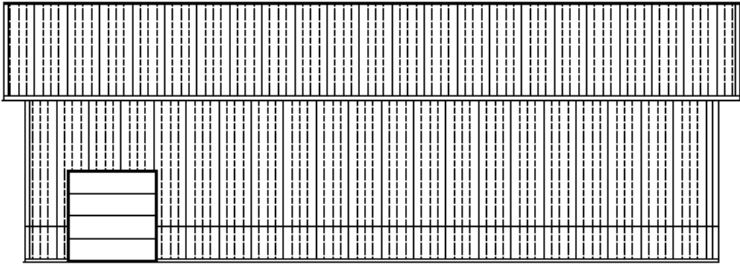
2023-DV1-003; Site Plan



2023-DV1-003; Close Up of Proposed Accessory Structure

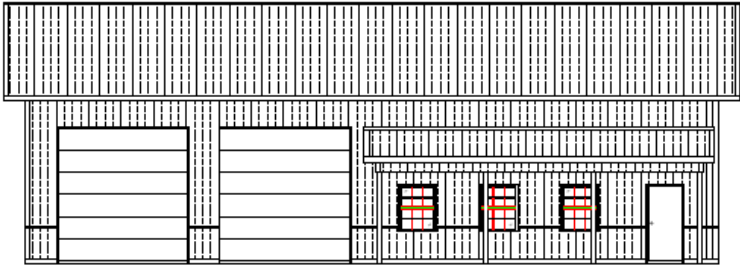


2023-DV1-003; Elevations



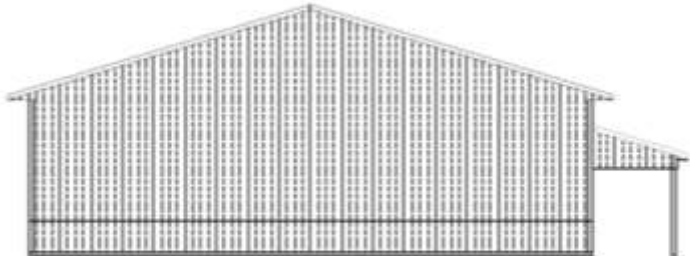
NORTH ELEVATION

SCALE: 3/8" = 1'-0"



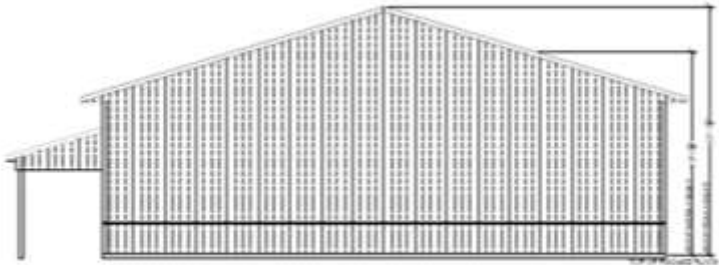
SOUTH ELEVATION

SCALE: 3/8" = 1'-0"



WEST ELEVATION

SCALE: 3/8" = 1'-0"



EAST ELEVATION

SCALE: 3/8" = 1'-0"

2023-DV1-003; Pictures



Subject site primary dwelling, looking north.



Subject site rear yard, proposed accessory structure location, looking north.



Adjacent dwellings to the north.



Adjacent dwelling to the west.



Adjacent dwelling to the east



Adjacent undeveloped property to the south.