



**BOARD OF ZONING APPEALS DIVISION III**

January 16, 2024

**Case Number:** 2023-DV3-053  
**Property Address:** 1711 Ringgold Avenue (approximate address)  
**Location:** Center Township, Council District #21 (#18 Beginning 2024)  
**Petitioner:** Delmar Investment LLC, by Jeanedward Berry  
**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 and detached garage with three-foot side yard setbacks (five-foot side setbacks required).  
**Current Land Use:** Vacant  
**Staff Recommendations:** Staff **recommends approval** of this petition, subject to substantial compliance with the site plan, file-dated January 9, 2024  
**Staff Reviewer:** Noah Stern, Associate Planner

**PETITION HISTORY**

This is the first public hearing for this petition.

**STAFF RECOMMENDATION**

Staff **recommends approval** of this petition, subject to substantial compliance with the site plan, file-dated January 9, 2024.

**PETITION OVERVIEW**

- This petition would provide for the construction of a single-family dwelling and detached garage with three-foot side yard setbacks (five-foot side yard setbacks required).
- The subject site is currently vacant, with a new single-family dwelling proposed for the lot. The site is a deficient lot, with a width of approximately 30 feet, with the side yard setback standard of 5 feet in place having been designed for lots of 40 or more feet in width. This represents a practical difficulty on the owner, making the petition for reduced side yard setbacks a reasonable request. Given this hardship, Staff is not opposed to the variance request for the reduced side yard setbacks of 3 feet.
- Staff is requesting substantial compliance with the proposed site plan, so that new construction does not encroach upon the side lot lines and, subsequently, the adjacent houses than the proposal calls for.



**GENERAL INFORMATION**

<b>Existing Zoning</b>	D5 (TOD)	
<b>Existing Land Use</b>	Vacant	
<b>Comprehensive Plan</b>	Traditional Neighborhood	
<b>Surrounding Context</b>	<b>Zoning</b>	<b>Surrounding Context</b>
North:	D5	North: Single-family residential
South:	D5	South: Single-family residential
East:	D5	East: Single-family residential
West:	D5	West: Single-family residential
<b>Thoroughfare Plan</b>		
Ringgold Avenue	Local Street Existing ROW: 45 feet Proposed ROW: 48 feet	
<b>Context Area</b>	Compact	
<b>Floodway / Floodway Fringe</b>	No	
<b>Overlay</b>	Yes	
<b>Wellfield Protection Area</b>	No	
<b>Site Plan</b>	12/13/23	
<b>Site Plan (Amended)</b>	1/9/24	
<b>Elevations</b>	12/13/23	
<b>Elevations (Amended)</b>	1/9/24	
<b>Landscape Plan</b>	N/A	
<b>Findings of Fact</b>	12/13/23	
<b>Findings of Fact (Amended)</b>	N/A	

**COMPREHENSIVE PLAN ANALYSIS**

**Comprehensive Plan**

- Marion County Land Use Plan Pattern Book
- Infill Housing Guidelines
- Greenways Master Plan

**Pattern Book / Land Use Plan**

- The Marion County Land Use Plan pattern Book recommends the Traditional Neighborhood living typology for this site.

### Red Line / Blue Line / Purple Line TOD Strategic Plan

- The subject site is located within ¼ mile of the Red Line route, with the closest station being the Pleasant Run station along Shelby Street (approximately 700 feet from the subject site). The Red Line TOD Strategic Plan has classified this area under the walkable neighborhood typology, characterized by a mix of uses at the station and primarily residential beyond, a mix of multi-family and single-family housing, and housing containing a maximum of 3 stories throughout.

### Neighborhood / Area Specific Plan

- Not Applicable to the Site.

### Infill Housing Guidelines

- With regards to setbacks and building spacing, the Infill Housing Guidelines document recommends:
  - Spacing between buildings should be similar to the surrounding context to establish a rhythm and pattern along the street
  - Leave sufficient space for maintenance
- The proposal is in accordance with the recommendations

### Indy Moves

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

- Greenways Master Plan
  - The subject site is located just north of the Pleasant Run Greenway Trail, with a bike/pedestrian bridge that connects the trail with E Pleasant Run Parkway North Drive located just to the east of the subject site.



## ZONING HISTORY

### ZONING HISTORY – SITE

N/A

### ZONING HISTORY – VICINITY

**2022ZON007; (north of site)**, Rezoning of 0.474 acre from the D-5 (TOD) and D-8 (TOD) districts to the SU-2 (TOD) district to allow for school use, **approved**.

**2020ZON065; 110 East Palmer Street (north of site)**, requested rezoning of 0.24 acre from the SU-1 district to the SU-2 district, **approved**.

**2018DV2020; 1810 Barth Avenue (south of site)**, Variance of development standards of the Consolidated Zoning and Subdivision Ordinance to provide for a garage addition with a six-foot front setback from Barth Avenue and to legally establish a five-foot front setback from Pleasant Run Parkway, a two-foot separation between primary dwellings and a one-foot side setback (18-foot front setback or average, 10-foot separation, three-foot side setback), **approved**.

**2017ZON071; 1001 East Palmer Street / 1634 and 1638 Barth Avenue, (north of site)**, requested rezoning of 1.33 acres from the SU-1 and D-5 districts to the D-8 classification, **approved**.

**98-Z-213; 1001 East Palmer Street (north of site)**, requested rezoning of 2.0 acres from the D-5 District to the SU-1 classification, **approved**.

EXHIBITS











