

STAFF REPORT

Department of Metropolitan Development Division of Planning Current Planning Section

Case Number: 2023-DV1-022 (Amended)
Address: 2247 Broadway Street (approximate address)
Location: Center Township, Council District #17
Zoning: D-8
Petitioner: Rueben & Katherine Maust, by Peter Meehan
Request: Variance of Development Standards of the Consolidated Zoning and Subdivision Ordinance to provide for the construction of a detached carriage house with a secondary dwelling containing 1,085 square feet (maximum 720 square feet permitted).

ADDEDUM FOR AUGUST 8, 2023

This petition was transferred from the **August 1, 2023 BZA I hearing to the August 8, 2023 BZA II hearing** due to lack of quorum.

August 1, 2023

This petition was continued from the **July 6, 2023 hearing to the August 1, 2023 hearing** for an indecisive vote.

July 6, 2023

This petition was continued for cause from **June 6, 2023 hearing to the July 6, 2023 hearing** to provide for an amendment.

RECOMMENDATIONS

Staff **recommends denial** of the request.

SUMMARY OF ISSUES

The following issues were considered in formulating the recommendation:

LAND USE

EXISTING ZONING AND LAND USE

D-8	Compact	Single-Family residential
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SURROUNDING ZONING AND LAND USE

North	D-8	Single-Family residential
South	D-8	Undeveloped
East	C-3	Commercial
West	D-8	Single-Family residential

(Continued)

STAFF REPORT 2023-DV1-022 (Continued)

COMPREHENSIVE PLAN

The Comprehensive Plan recommends Traditional Neighborhood development

- ◇ The subject site is a 7,080-square foot lot in the D-8 district, and is developed with a single-family dwelling and a detached garage (to be demolished). This house is in the Near Northside neighborhood

VARIANCE OF DEVELOPMENT STANDARDS

- ◇ This petition would provide for construction of a carriage house, which would include a secondary dwelling containing 1,085 square feet. The ordinance permits a maximum of 720 square feet for a secondary dwelling.
- ◇ The intent of the maximum floor area for a secondary dwelling is so that the secondary dwelling is clearly accessory and subordinate to the primary structure. Staff would also note that the minimum floor area for the D-8 district is 800 square feet—the proposed secondary dwelling is large enough to be considered a primary dwelling. Staff believes the practical difficulty for a larger secondary dwelling is self-imposed and is therefore recommending denial of the petition.

GENERAL INFORMATION

THOROUGHFARE PLAN

Broadway Street is classified in the Official Thoroughfare Plan for Marion County, Indiana as a local street, with a 70-foot existing and proposed right-of-way.

SITE PLAN

File-dated April 14, 2023

SITE PLAN (AMENDED)

File-dated June 15, 2023

FLOOR PLANS

File-dated June 15, 2023

FINDINGS OF FACT

File-dated June 15, 2023

ZONING HISTORY – VICINITY

2006-DV3-053, 2259 Broadway Street, variance to provide for the construction of a 1,520-square foot single-family dwelling, having a main floor area of 610 square feet, and resulting in an open space ratio of 51.57 percent, **approved**.

2006-DV3-024, 655 East 23rd Street, variance to provide for ten-foot front yard setbacks, and in the case of a corner lot, to provide for a ten-foot front setback for the elevation of the single-family dwelling with a primary entrance, and for a five-foot front setback for other elevations, **approved**.

2006-DV3-023, 2259 Broadway Street, variance to provide for ten-foot front yard setbacks, and in the case of a corner lot, to provide for a ten-foot front setback for the elevation of the single-family dwelling with a primary entrance, and for a five-foot front setback for other elevations, **approved**.

98-UV1-55, 2246 North College Avenue, variance to provide for religious uses with a gravel parking area, **approved**.

86-Z-60, 2246 North College Avenue, rezoning of 0.28 acre from the D-8 district to the C-3 district, **approved**.

2023-DV1-022; Aerial Map



2023-DV1-022; Site Plan

SITE DATA:

Total Existing Lot Area:	7080 SF
Zoning	D8
Minimum Open Space	55%

EXISTING

Main Home First Floor Area:	1980 SF
Detached Garage Area:	440 SF

EXISTING LOT COVERAGE (%): 34 %

PROPOSED

Main Home First Floor Area:	1980 SF
Proposed Garage Area:	1065 SF

PROPOSED LOT COVERAGE (%): 43 %

SITE PLAN LEGEND

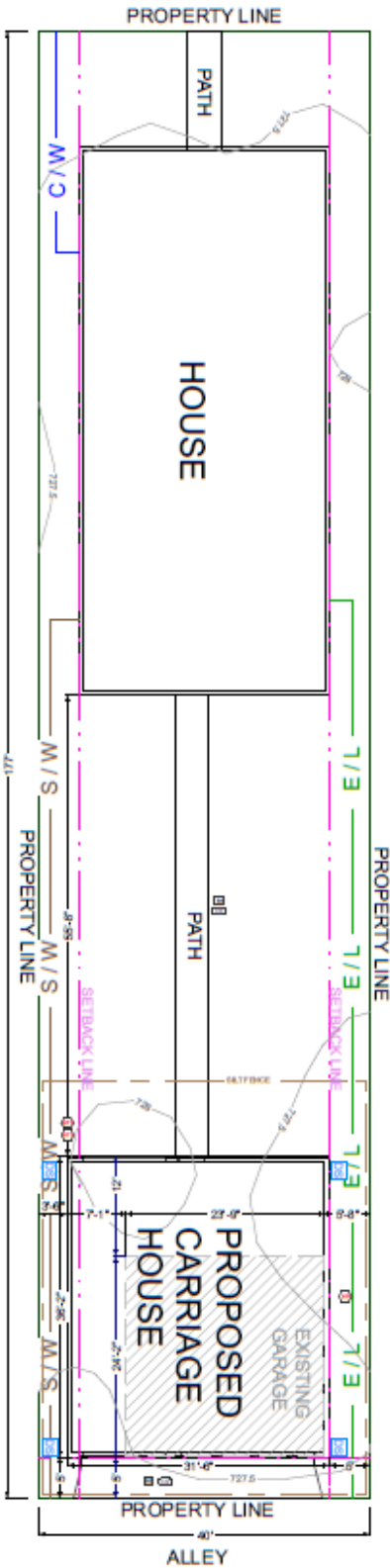
- C / W - WATER SERVICE
- E / L - ELECTRICAL SERVICE
- S / W - SEWER
- - - - - PROPERTY SET BACK LINE
- 728 SITE TOPOGRAPHY
- [] SILT FENCE / EROSION CONTROL

SITE PLAN NOTES		
NOTE	QTY	DESCRIPTION
S1	1	DEMO PAVER PATH FROM EXISTING GARAGE TO HOUSE.
S2	1	DEMO EXISTING GARAGE APRON

LANDSCAPING PLAN NOTES		
NOTE	QTY	DESCRIPTION
L1	1	TRIM TREES AS NEEDED FOR NEW STRUCTURE HEIGHT.

UNDERGROUND UTILITY NOTES		
NOTE	QTY	DESCRIPTION
UT1	1	NEW ELECTRICAL SERVICE TO BE BORED UNDERGROUND TO GARAGE BUILDING.
UT2	1	NEW SEWER SERVICE TO BE BORED UNDERGROUND TO GARAGE BUILDING.
UT3	1	NEW WATER SERVICE TO BE BORED UNDERGROUND TO GARAGE BUILDING.

CONCRETE PLATWORK PLAN NOTES		
NOTE	QTY	DESCRIPTION
CC1	1	NEW ~225 SF - BROOM FINISHED CONCRETE PATH TO BE INSTALLED FROM HOUSE TO NEW GARAGE.
CC2	1	NEW ~145 SF - BROOM FINISHED CONCRETE GARAGE APRON TO BE INSTALLED FROM NEW GARAGE TO ALLEY.



ARCHITECTURAL SITE PLAN
SCALE: 1"=20'

MAUST RESIDENCE

VARIANCE OF USE // 4/5/23

CUSTOMLIVING
design - plan - build

Notes: Existing lot size, driveway, setbacks, and other information are shown as they exist. The owner is responsible for verifying all information. The engineer is not responsible for determining the accuracy of the information provided by the owner. The engineer is not responsible for determining the accuracy of the information provided by the owner.

SITE DATA:

Total Existing Lot Area:

Dwelling

Minimum Open Space

EXISTING

Main House First Floor Area:

Detached Garage Area:

EXISTING LOT COVERAGE (%):

34 %

PROPOSED

Main House First Floor Area:

Proposed Garage First Floor Area:

PROPOSED LOT COVERAGE (%):

43 %

SITE PLANNOTES

NOTE	QTY	DESCRIPTION
(S1)	1	DENIO PAVING PATH FROM EXISTING GARAGE TO HOUSE.
(G2)	1	DENIO EXISTING GARAGE APRON

LANDSCAPING PLAN NOTES

NOTE	QTY	DESCRIPTION
(L1)	1	TWIN TREES AS NEEDED FOR NEW STRUCTURE WEIGHT.

UNDERGROUND UTILITY NOTES

NOTE	QTY	DESCRIPTION
(UT1)	1	NEW ELECTRICAL SERVICE TO BE BORED UNDERGROUND TO GARAGE BUILDING.
(UT2)	1	NEW SEWER SERVICE TO BE BORED UNDERGROUND TO GARAGE BUILDING.
(UT3)	1	NEW WATER SERVICE TO BE BORED UNDERGROUND TO GARAGE BUILDING.

CONCRETE FINISHING PLANNOTES

NOTE	QTY	DESCRIPTION
(C1)	1	NEW -2x8 SF- BRICKON FRESHED CONCRETE PATH TO BE INSTALLED FROM HOUSE TO NEW GARAGE.
(C2)	1	APRON TO BE INSTALLED FROM NEW GARAGE TO ALLEY.

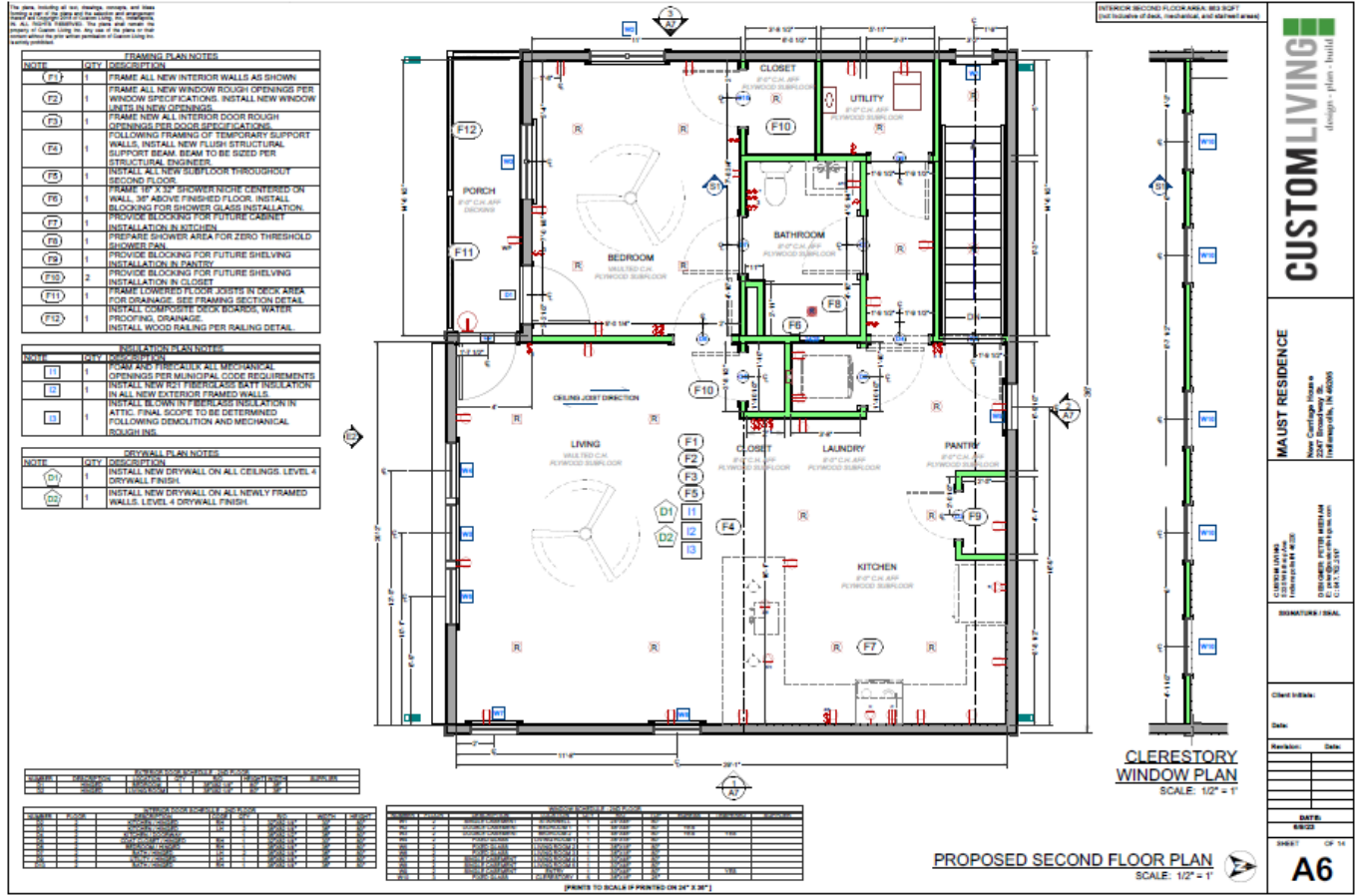
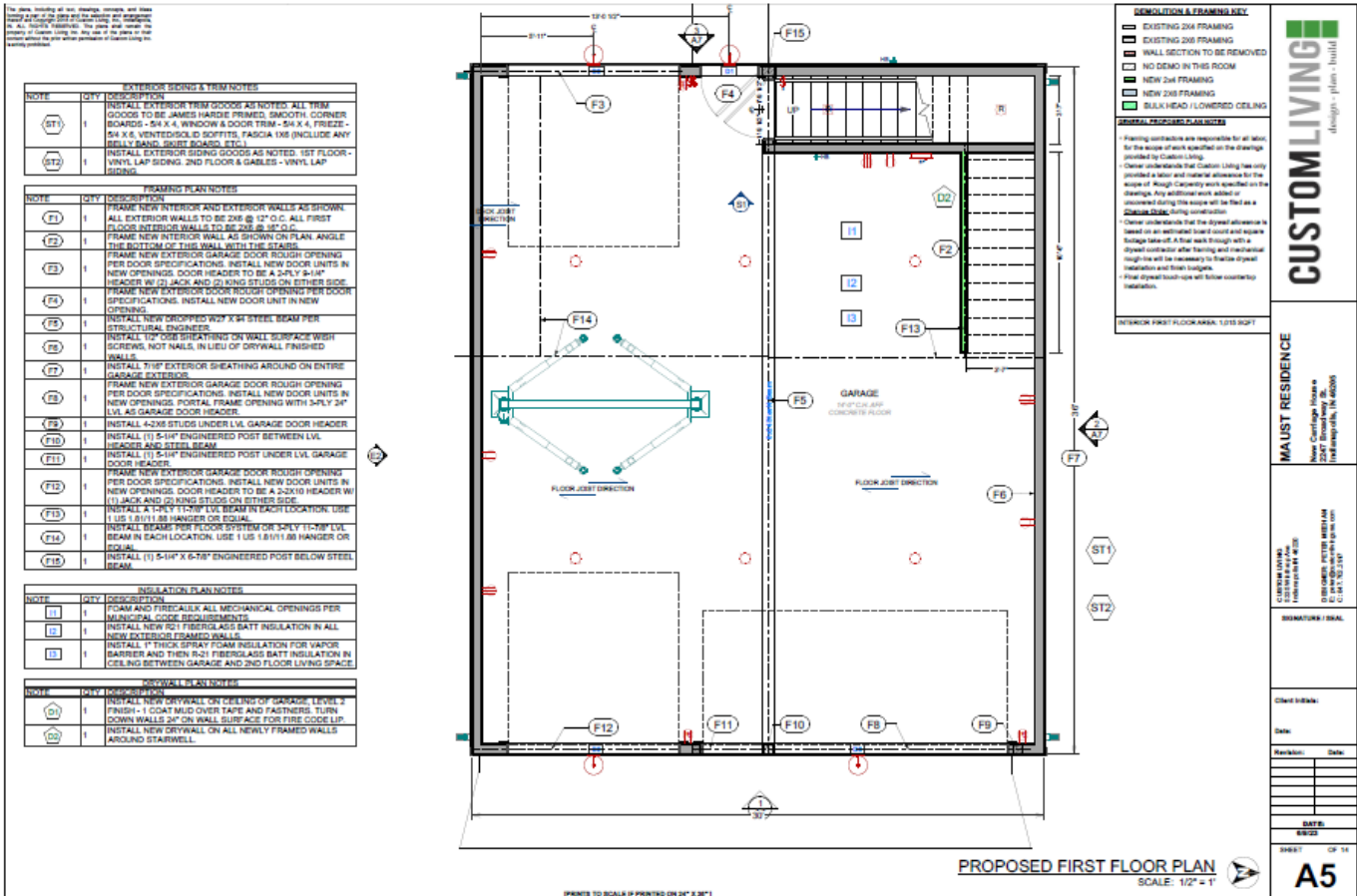
SITE PLAN LEGEND

- GAS SERVICE
- WATER SERVICE
- ELECTRICAL SERVICE
- SEWER
- PROPERTY SET BACK LINE
- SITE TOPOGRAPHY
- SILT FENCE / EROSION CONTROL

CUSTOMLIVING

design · plan · build

2023-DV1-022; Floor Plan



2023-DV1-022; Photographs



Subject site viewed from Broadway street



Existing garage 23.75 feet wide, to be demolished