



BOARD OF ZONING APPEALS DIVISION III

November 25, 2025

**Case Number:** 2025-DV3-037  
**Address:** 3331 North Hawthorne Lane (approximate address)  
**Location:** Warren Township, Council District #9  
**Zoning:** D-4  
**Petitioner:** Indy Real Estate Consulting LLC, by John Cross  
**Request:** Variance of Development Standards of the Consolidated Zoning and Subdivision Ordinance to provide for the construction of a duplex on an 82-foot wide lot (90 feet required).

**Current Land Use:** Undeveloped

**Staff Recommendation:** Staff recommends approval of this petition.

**Staff Reviewer:** Robert Uhlenhake, Senior Planner

PETITION HISTORY

This is the first hearing for this petition.

STAFF RECOMMENDATION

Staff recommends **approval** of this petition.

PETITION OVERVIEW

- ◇ The Ordinance intentionally establishes standards in the D-4 district for lot width. These standards apply broadly to all Dwelling Districts where single family and duplex dwellings are permitted, and serve several purposes:
  - Access for maintaining building exteriors without trespassing into adjacent properties.
  - Storm water runoff management.
  - Areas for landscaping/green space.
  - Access for emergency responders.
  - Separation between buildings to reduce risk of fires spreading.
- ◇ The proposed duplex would meet the side setback and open space requirements and have a similar footprint as several nearby existing duplex dwellings.
- ◇ The proposed duplex would be consistent with many of the existing dwellings within the immediate area. Therefore, providing for the proposed 82-foot lot width, would be supportable.
- ◇ Given the close proximity of other similarly developed properties, staff does not believe this would be a significant deviation from the Ordinance or negatively impact the character of development within the surrounding area, and therefore would be supportive of the Variance.

## GENERAL INFORMATION

|                            |        |                          |                                             |
|----------------------------|--------|--------------------------|---------------------------------------------|
| Existing Zoning            |        | D-4                      |                                             |
| Existing Land Use          |        | Undeveloped              |                                             |
| Comprehensive Plan         |        | Traditional Neighborhood |                                             |
| Surrounding Context        |        | <u><b>Zoning</b></u>     | <b>Surrounding Context</b>                  |
|                            | North: | D-4                      | Single-family dwelling                      |
|                            | South: | D-4                      | Single-family dwelling                      |
|                            | East:  | D-4                      | Undeveloped                                 |
|                            | West:  | D-4                      | Single-family dwellings                     |
| Thoroughfare Plan          |        |                          |                                             |
| Hawthorne Lane             |        | Local Street             | 50-foot existing and proposed right-of-way. |
| Context Area               |        | Compact area             |                                             |
| Floodway / Floodway Fringe |        | Yes, 500 on partial lot. |                                             |
| Overlay                    |        | N/A                      |                                             |
| Wellfield Protection Area  |        | No                       |                                             |
| Site Plan                  |        | October 1, 2025          |                                             |
| Elevations                 |        | N/A                      |                                             |
| Landscape Plan             |        | N/A                      |                                             |
| Findings of Fact           |        | October 1, 2025          |                                             |

## COMPREHENSIVE PLAN ANALYSIS

### Comprehensive Plan

- Marion County Land Use Plan Pattern Book (2019)
- Infill Housing Guidelines (2021)

### Pattern Book / Land Use Plan

- The Marion County Land Use Plan Pattern Book (2019) recommends Traditional Neighborhood development of the site.
- The Traditional Neighborhood typology includes a full spectrum of housing types, ranging from single family homes to large-scale multifamily housing. The development pattern of this typology should be compact and well-connected, with access to individual parcels by an alley when practical. Building form should promote the social connectivity of the neighborhood, with clearly defined public, semi-public, and private spaces. Infill development should continue the existing visual pattern, rhythm, or orientation of surrounding buildings when possible. A wide range of neighborhood-serving businesses, institutions, and amenities should be present. Ideally, most daily needs are within walking distance. This typology usually has a residential density of 5 to 15 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

- **BUILDING ELEVATIONS AND ARCHITECTURAL ELEMENTS**
  - **1. Utilize Foundation Styles and Heights that are Consistent with Nearby Houses:** The height of the foundation affects where doors, porches, and windows are located. Unless there are special circumstances that require additional height, such as the location is in or near a floodplain, the foundation height for new construction should be consistent with nearby buildings.
  - **2. Be Consistent with Surrounding Entry Locations:** Main entries should be visible from the street. Entries should not be hidden, obscured, or missing from the main street elevation (front). The entry should reflect a similar characteristic to those that surround it, such as formal or casual, recessed, or flush, narrow, or wide.
  - **3. Where Appropriate, Include Porches or Stoops:** Use context to determine if front porches are consistent elements used in the neighborhood. If so, add porches or stoops to new construction.
  - **4. Coordinate the Location and Door Style of Balconies with the Surrounding Neighborhood:** Balconies are common architectural elements in some neighborhoods, but uncommon in others. Balconies along the street should be used when appropriate. When a balcony is used, consider the appropriate door access for the type of balcony. For example, Juliet balconies, which are intended to bring the outside in, make the most sense when French doors are used.
  - **5. Consider Nearby Roof Styles:** The basic outline of a new building should reflect building outlines typical of the area. Roof selection and overall height contribute to the building outline. Select roof shapes that are frequently used in the neighborhood.
  - **6. Fenestration Should Relate to the Surrounding Context:** Windows and doors should be arranged on buildings so as not to conflict with the basic fenestration patterns in the neighborhood. The proportion of glass (windows) to solid materials (wood, bricks, and other materials) which is found within the surrounding context should be reflected in new construction. Every elevation (sides and rear) should have windows on each story to help break up the monotony of the façade.

- **7. Materials Used Should Reflect the Context of the Neighborhood:** Introducing new materials that are not used in the existing context should be done in a way where those materials are not the dominant material and make up less than 30% of the overall façade design.
- **8. Consider Unique Neighborhood Features:** In addition to the architectural features mentioned above, consider other common features like chimneys, dormers, gables, and overhanging eaves that shape the character of a neighborhood. When possible, include these features into new construction.

#### Indy Moves

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

- Not Applicable to the Site.

#### ZONING HISTORY

**2025-UV3-014; 3331 North Hawthorne Lane (subject site)**, requested a Variance of Use to provide for the construction of a four-unit townhome condominium, **withdrawn**.

**99-SE3-5; 3335 N. Hawthorne Lane (north of site)**, requested a Special Exception of the Dwelling Districts Zoning Ordinance to provide for the placement of a manufactured dwelling with dimensions of 27 by 44 feet, **granted**.

**97-SE3-10; 2712 North Hawthorne Lane (south of site)**, requests a Special Exception of the Dwelling Districts Zoning Ordinance to provide for the placement of a manufactured home, being 27 by 44 feet, **approved**.

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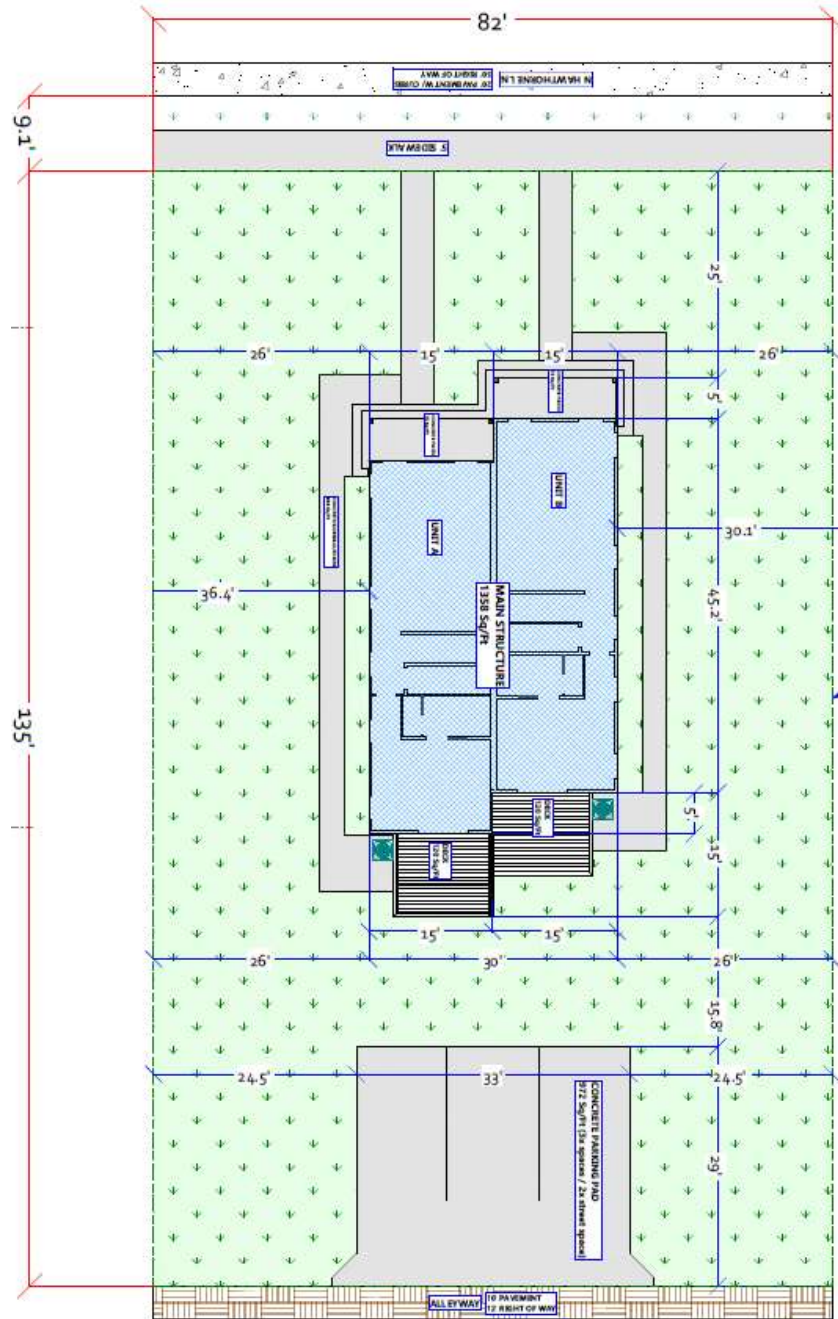
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## EXHIBITS

### Location Map



Site Plan





**Findings of Fact**

Petition Number \_\_\_\_\_

**METROPOLITAN DEVELOPMENT COMMISSION  
HEARING EXAMINER  
METROPOLITAN BOARD OF ZONING APPEALS, Division \_\_\_\_\_  
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 variance is minimal deviation from required standard and will permit the construction of a two-family dwelling (duplex) without the need for any other variances.

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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 variance is a minimal deviation and will permit the construction of a new two-family dwelling that will increase surrounding property values and also increase density in the area.

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

the lot is sufficient size to build a two-family dwelling except for the minimum lot width which will not impact the dwelling and does not require any other variances. The two-family dwelling is permitted in D4 zoning district but cannot be constructed without the variance.

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**Photographs**



Photo of subject site, looking east.



Photo of adjacent dwelling to the south, looking east



Photo of adjacent single family dwellings to the west.



Photo of adjacent dwelling to the north, looking east.