

BOARD OF ZONING APPEALS DIVISION I

December 3, 2024

Case Number: 2024-DV1-042
Address: 8002 North Pennsylvania Street (approximate address)
Town of Meridian Hills
Location: Washington Township, Council District #2
Zoning: D-S
Petitioner: Rachel A Lechleiter Irrevocable Trust, by William Brosius
Request: Variance of Development Standards of the Consolidated Zoning and Subdivision Ordinance to provide for the addition of a covered rear porch resulting in an open space of 83 percent (85 percent required).

Current Land Use: Single Family Dwelling

Staff Recommendation: Staff recommends approval of this petition.

Staff Reviewer: Robert Uhlenhake, Senior Planner

PETITION HISTORY

This is the first public hearing for this petition.

STAFF RECOMMENDATION

Staff recommends **approval** of this petition.

PETITION OVERVIEW

- ◇ Development Standards of the Consolidated Zoning and Subdivision Ordinance, specifically those relating to open space requirements, are intended to maintain a consistent development pattern within residential districts by discouraging the overdevelopment of lots, and the resulting cluttered appearance that would negatively impact adjacent property owners.
- ◇ The development standards for single-family dwellings in the D-S district are based on a minimum lot size of one acre. This site is 30,656 square feet, or around seven-tenths of an acre.
- ◇ Staff feels the reduced lot creates a practical difficulty in meeting the minimum required open space and would have no impact on the character of development within the surrounding area. Therefore, Staff is not opposed to the requested reduced open space.
- ◇ Generally, Staff supports property improvements if their location and characteristics do not negatively impact adjoining residential areas by causing a nuisance to the surrounding neighborhood. Staff believes that this would be true for this particular variance request, and additionally that no public safety or health risks would come from the grant of this variance.

GENERAL INFORMATION

Existing Zoning	D-S	
Existing Land Use	Single Family Dwelling	
Comprehensive Plan	Suburban Neighborhood	
Surrounding Context	Zoning	Surrounding Context
	North:	D-S Single-Family dwelling
	South:	D-S Single-Family dwelling
	East:	D-S Single-Family dwelling
	West:	D-S Single-Family dwelling
Thoroughfare Plan		
North Pennsylvania Street	Local Streetl	90-foot existing and proposed right-of-way.
Context Area	Metro area	
Floodway / Floodway Fringe	No	
Overlay	N/A	
Wellfield Protection Area	No	
Site Plan	November 4, 2024	
Elevations	N/A	
Landscape Plan	N/A	
Findings of Fact	November 4, 2024	

COMPREHENSIVE PLAN ANALYSIS

Comprehensive Plan

- The Comprehensive Plan recommends Suburban Neighborhood uses for the site.

Pattern Book / Land Use Plan

- The Marion County Land Use Plan Pattern Book recommends the Suburban Neighborhood typology which is predominantly made up of single-family housing but is interspersed with attached and multifamily housing where appropriate. This typology should be supported by a variety of neighborhood-serving businesses, institutions, and amenities. Natural Corridors and natural features such as stream corridors, wetlands, and woodlands should be treated as focal points or organizing systems for development. Streets should be well-connected, and amenities should be treated as landmarks that enhance navigability of the development. This typology generally has a residential density of 1 to 5 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

- Not Applicable to the Site.

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

- Not Applicable to the Site.

ZONING HISTORY

2020-DV3-019; 7960 North Pennsylvania Street (south of site), requested a variance of development standards of the Consolidated Zoning and Subdivision Ordinance to provide for the construction of a pergola creating 79.8% open space, **granted**.

2017-DV3-039, 7940 North Pennsylvania Street (south of site), requested a variance to provide for an accessory pavilion with a 10-foot south side setback, **approved**.

2017-DV2-042, 7900 North Pennsylvania Street (south of site), requested a variance to provide for a single-family dwelling, with a 37-foot front setback from Williams Creek Boulevard and a 70-foot setback from North Pennsylvania Street, **approved**.

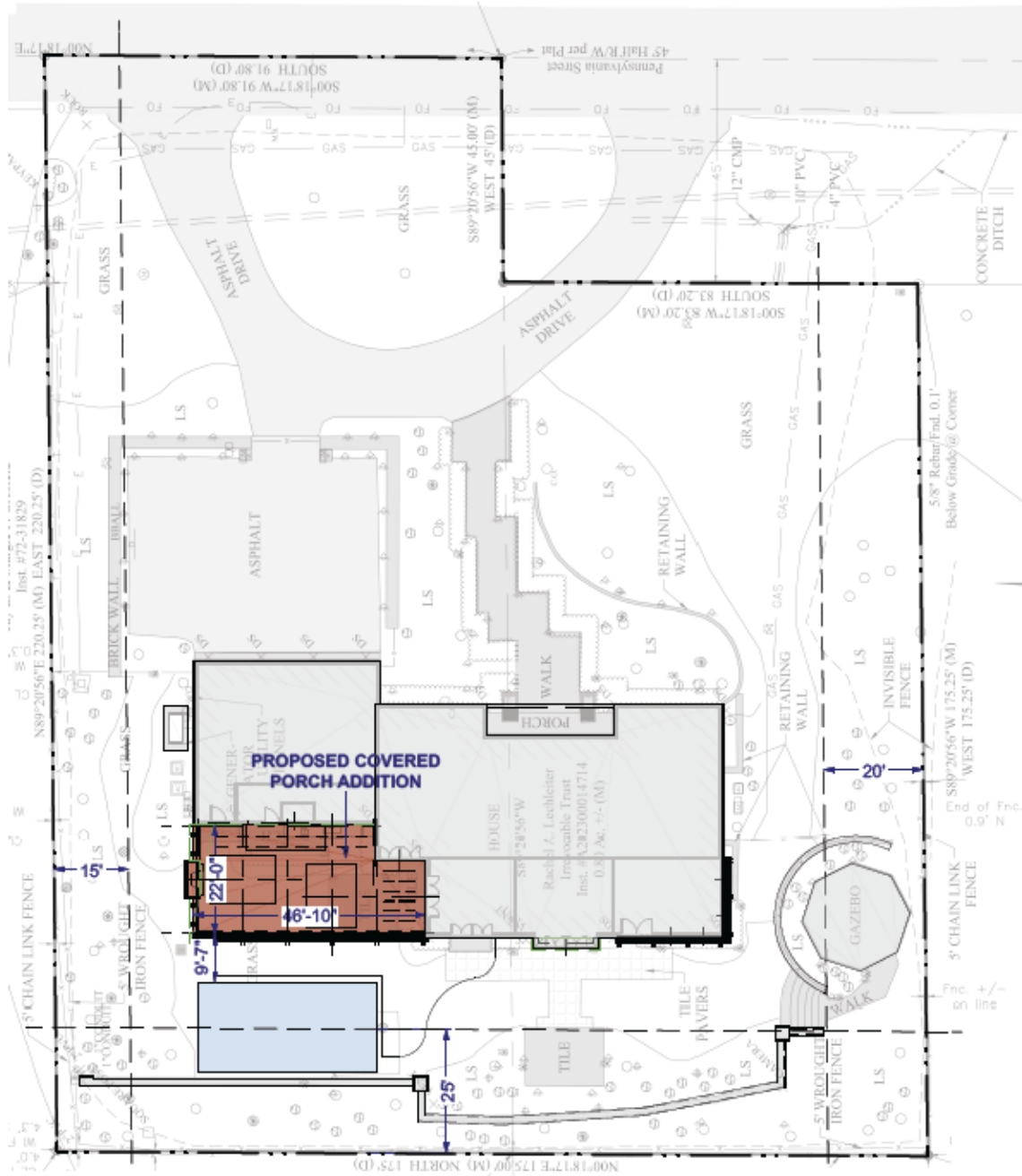
2016-DV1-059, 7801 North Pennsylvania Street (south of site), requested a variance to provide for an addition to an existing detached garage within the established front setback of the primary dwelling, with a 30.5-foot front setback, **approved**.

2012-DV2-040, 8080 North Pennsylvania Street (north of site), requested a variance to provide for an open space of 78.6 percent, **approved**.

2004-LNU-017, 8002 North Pennsylvania Street (subject site), certificate to legally establish a non-conforming accessory structure (gazebo), **approved**.

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Site Plan





Findings of Fact

Petition Number 2024-DV1-042

**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:

Granting this variance of development standards will not be injurious to the public health, safety, morals, or general welfare of the community because the proposed change is minimal, only affecting a relatively small portion of the property, and does not introduce any significant risks or disruptions to the surrounding area, while still allowing for the reasonable use of the land.

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 proposed variance is only impacting the specific, unique characteristics of the subject property, and will not create a negative impact on the surrounding properties' usability or market value. Granting the proposed variance will likely lead to an increased market value of the subject property, thus also likely improving the property values of reasonable use of the land.

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

The strict application of the Minimum Open Space requirement of 85% results in practical difficulties because the Dimensional Standards for the D-S District is based on Minimum Lot Area being 1 acre. This lot is considerably less than an acre (34,791 s.f. versus 43,560 s.f. per acre). The Standard thereby inadvertently limits the amount of allowable Covered Space. Were it not for the fact that the lot size is less than the minimum required 1 acre, this petition for variance would not be necessary. The County's GIS map doesn't reflect the portion of property that was carved out of the rectangular lot shown on the GIS map. The "carve out" is being used to manage storm water and is not part of the homeowner's lot.

Photographs



Photo of subject site, looking west.



Photo of rear of subject site, proposed covered porch addition area, looking south.



Photo of adjacent dwelling to the north, looking west



Photo of adjacent dwelling to the south, looking west