

## STAFF REPORT

### Department of Metropolitan Development Division of Planning Current Planning Section

**Case Number:** 2023-UV1-010  
**Address:** 1946 North Euclid Avenue (approximate address)  
**Location:** Center Township, Council District #17  
**Zoning:** D-5  
**Petitioner:** Daria Powell, by Kevin J. Powell  
**Request:** Variance of use of the Consolidated Zoning and Subdivision Ordinance to provide for the conversion of a single-family dwelling into a multi-unit house (2 units) (not permitted) and conversion of the detached garage into a third dwelling unit (not permitted) without any of the units on site being owner occupied (secondary dwelling units only permitted with single-family detached dwellings and owner shall occupy a unit on the lot as their permanent residence).

### ADDENDUM FOR JULY 6, 2023

This petition was automatically continued from the June 6, 2023 hearing to July 6, 2023 hearing at the request of a registered neighborhood organization.

Staff continues to **recommend denial** of the request.

### June 6, 2023

### RECOMMENDATIONS

Staff **recommends denial** of this request.

### SUMMARY OF ISSUES

The following issues were considered in formulating the recommendation:

#### **LAND USE**

##### EXISTING ZONING AND LAND USE

D-5	Compact	Residential (Single-family dwelling)
-----	---------	--------------------------------------

##### SURROUNDING ZONING AND LAND USE

North	D-5	Residential (Single-family dwelling)
South	D-5	Residential (Single-family dwelling)
East	D-5	Residential (Single-family dwelling)
West	D-5	Residential (Single-family dwelling)

##### COMPREHENSIVE PLAN

The Comprehensive Plan recommends traditional neighborhood development.

(Continued)

## **STAFF REPORT 2023-UV1-010 (Continued)**

- ◇ The 0.12-acre subject site is developed with a single-family dwelling and detached garage. The property is surrounded by similarly developed single-family dwellings with associated detached accessory structures.

### **VARIANCE OF USE**

- ◇ The grant of the request would allow three units on site with two proposed in the single-family dwelling and one in the detached garage. The property owner would not reside on site.
- ◇ The D-5 district allows new construction of multi-unit dwellings. However, a variance is needed to convert a single-family dwelling into a multi-unit dwelling.
- ◇ The Ordinance only permits secondary dwelling units for properties with single-family detached dwellings and requires that the property owner occupy one of the dwelling units as a permanent resident.
- ◇ As proposed, this request would result in a density of 25 units per acre, which exceeds the Comprehensive Plan recommended density of five to 15 units per acre for the traditional neighborhood typology. Staff is supportive of the addition of density throughout the city, but there is a limit that can be placed per small individual residential lots. Additionally, the context of the neighborhood should be considered when reviewing variance proposals and staff was unable to locate any two-family or multi-family dwellings in the immediate area.
- ◇ Staff determined that the two units proposed in the existing dwelling would not be appropriate because it is unusually small measuring approximately 750 square feet per the site plan or 720 square feet per the floor plan compared to the minimum 900 square-foot main floor area required for a single-family dwelling. Two units within the existing dwelling would have a minimum floor area of 375 square feet or 360 square feet, but the petitioners' application noted that a one-bedroom apartment and studio apartment would be proposed resulting in one of the units being much smaller in size.
- ◇ An increase in housing units could be accomplished if the single-family dwelling were to remain and the garage converted to a secondary dwelling for a maximum of two units on site without the need for variances. This would result in an approximate density of 16 units per acre that would be more in line with the Comprehensive Plan recommendation.
- ◇ The requirement related to the property owner occupying one of the dwelling units as their permanent residence is to discourage the possibility of absentee owners and the resulting negative impact on adjacent residences and neighborhood such as neglect in property maintenance.
- ◇ The need for the variance does not arise from some condition peculiar to the property involved because two appropriately sized dwelling units could be proposed on site without the need for a variance.

(Continued)

## **STAFF REPORT 2023-UV1-010 (Continued)**

- ◇ The strict application of the terms of the zoning ordinance would not constitute an unnecessary hardship if applied to the property for which the variance is sought because the site could continue to be used as is without variances.
- ◇ For these reasons, staff is recommending denial of the requests.

## **GENERAL INFORMATION**

THOROUGHFARE PLAN	Euclid Avenue is classified in the Official Thoroughfare Plan for Marion County, Indiana as a local street, with a 50-foot existing right-of-way and a 48-foot proposed right-of-way.
SITE PLAN	File-dated May 1, 2023.
FLOOR PLAN	File-dated May 1, 2023.
FINDINGS OF FACT	File-dated May 1, 2023.

## **ZONING HISTORY – SITE**

### EXISTING VIOLATIONS

None.

### PREVIOUS CASES

None.

## **ZONING HISTORY – VICINITY**

**2008-HOV-023; 1949 Forest Manor Avenue** (northwest of site), Variance of use of the Dwelling Districts Zoning Ordinance to provide for the construction of a 578-square foot attached garage with a three-foot rear setback (minimum twenty-foot rear setback required), **granted.**

**95-V2-10; 2002 North Linwood Avenue** (northeast of site), Variance of development standards of the Dwelling Districts Zoning Ordinance to legally establish a six-foot tall fence within the required front yard along 20<sup>th</sup> Street (minimum 42 inches in height required within the front yard) and within the right-of-way of 20<sup>th</sup> Street (not permitted), **granted.**

MI

\*\*\*\*\*

**D5** 20TH ST

COLORADO AVE

EUCLID AVE

2006  
2002  
1962  
1958  
1952  
1948  
1944  
1940  
1936

2005  
2001  
1957  
1953  
1949  
1945  
1941  
1937

2008  
2004  
1958  
1954  
1950  
1946  
1942  
1938

2005  
2001  
1989  
1985  
1949  
1947  
1941  
1937

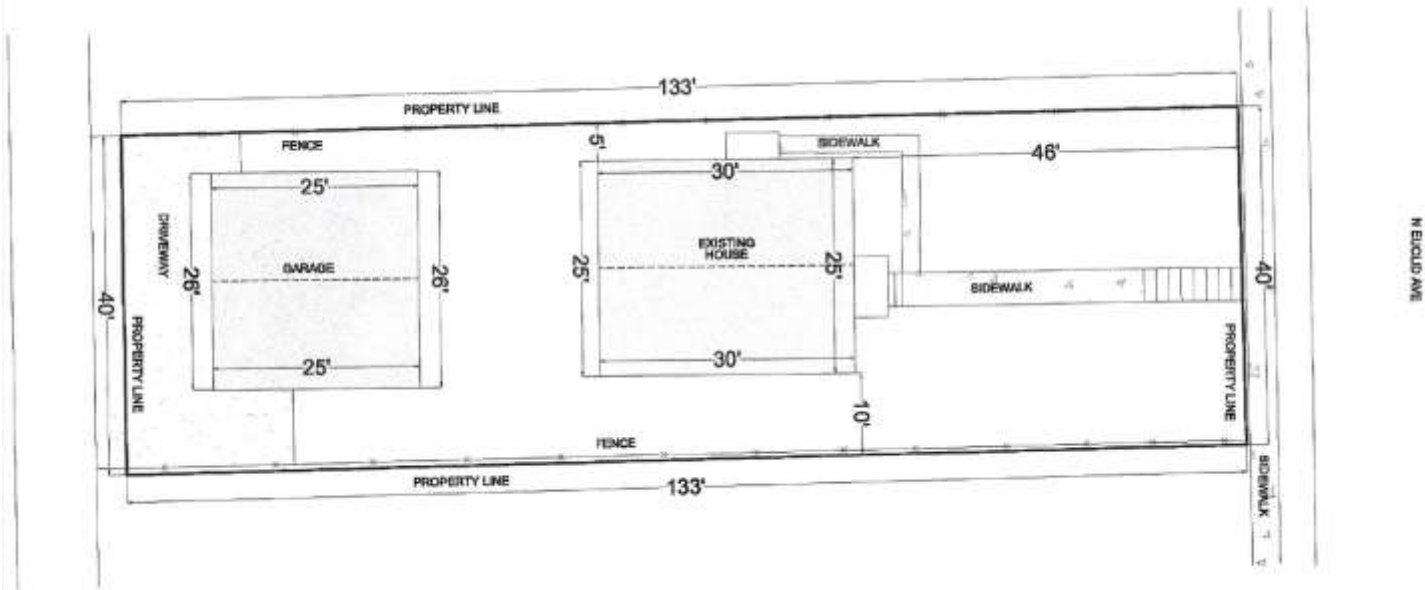
06  
02  
62  
58  
52  
48  
44  
40  
36

2005  
2001  
2008  
2004  
2005  
2001  
20TH ST

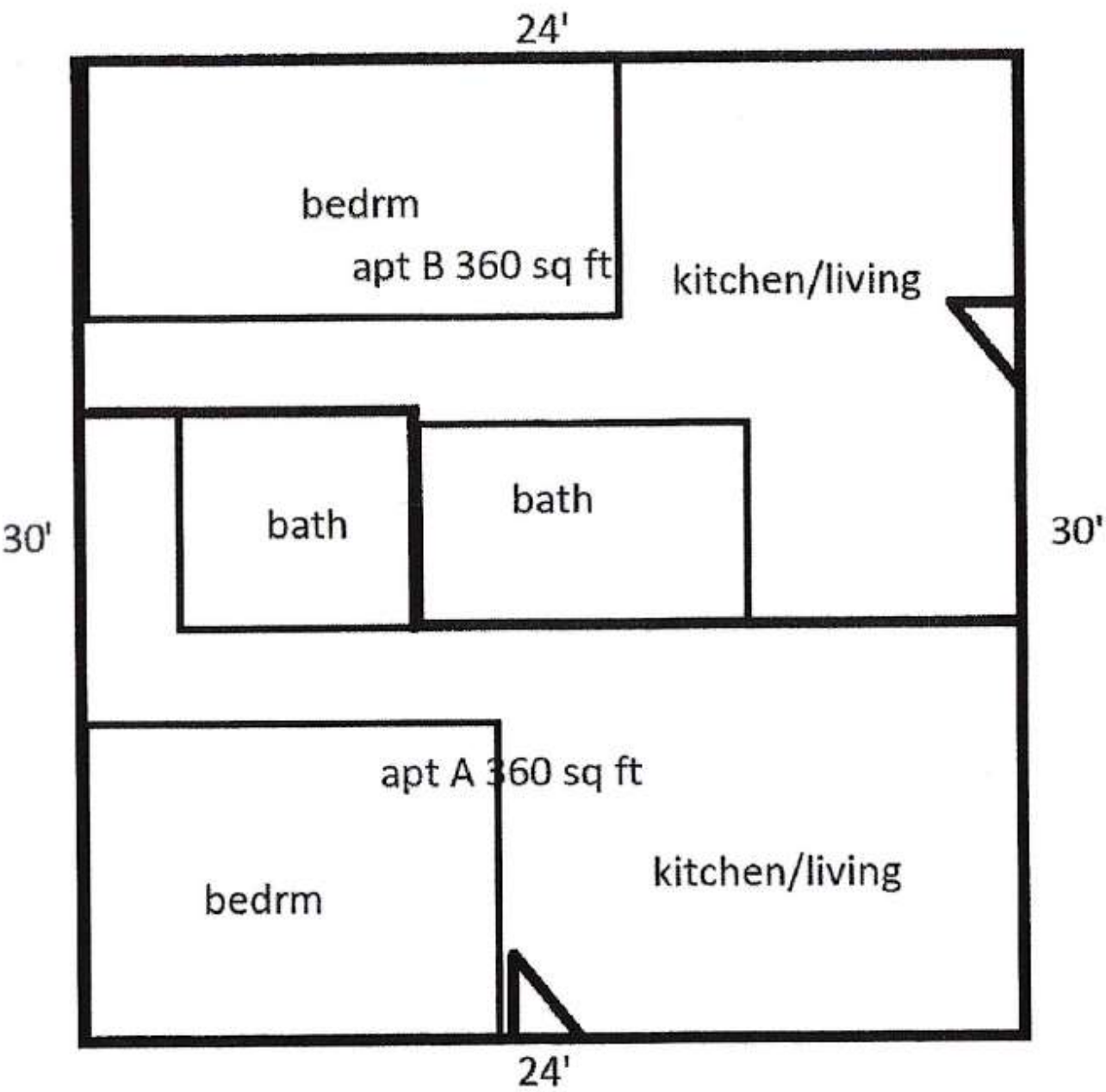
1957  
1953  
1949  
1945  
1941  
1937  
1958  
1954  
1950  
1946 D5  
1942  
1938  
1989  
1985  
1949  
1947  
1941  
1937  
CLID AVE

VE  
EY 4350 E  
EY 4450 E

2023-UV1-010; Site Plan



1946 N. Euclid, Indianapolis, IN. 46218



## **2023-UV1-010; Plan of Operation**

PLAN OF OPERATION  
1946 N EUCLID AVENUE  
INDIANAPOLIS, IN 46218

The workforce would be maintenance, grass cutting, landscaping, performed done by the owner and/or subcontractors who are not W-2 employees.

Clients/Customers would be the occupants/tenants. There is parking in the detached two-car garage, street parking, plus a side area next to the garage.

The processes conducted on site would be providing safe, functional housing for tenants.

The materials used would be appliances and maintenance materials.

There will be no shipping and receiving other than regular mail

There will be no waste other than normal trash generated by tenants.



**2023-UV1-010; Photographs**



Photo of southern building façade at 1946 North Euclid Avenue.



Photo of the northern buiding façade at 1946 North Euclid Avenue.





Photo of the detached garage and north side setback.



Photo of the detached garage and south side setback.





Photo of the single-family dwellings north of the site.



Photo of the single-family dwellings east of the site.



Photo of a corner lot that could potentially be a two-family dwelling, but this was not confirmed.