

STAFF REPORT

Department of Metropolitan Development Division of Planning Current Planning Section

Case Number: 2023-UV1-009
Address: 409 Lincoln Street (approximate address)
Location: Center Township, Council District #16
Zoning: C-1
Petitioner: 2 Jets LLC, by Joe Fall
Request: Variance of use and development standards of the Consolidated Zoning and Subdivision Ordinance to provide for an addition to an existing single-family dwelling (not permitted) resulting in a two-foot west transitional side yard (10-foot transitional side yards required).

RECOMMENDATIONS

Staff **recommends approval** of this petition.

SUMMARY OF ISSUES

LAND USE

EXISTING ZONING AND LAND USE

Compact	C-1	Single-family dwelling
---------	-----	------------------------

SURROUNDING ZONING AND LAND USE

North -	C-1	Single-family dwelling
South -	D-5	Single-family dwelling
East -	C-3	Single-family dwelling
West -	D-5	Single-family dwelling

COMPREHENSIVE PLAN	The Comprehensive Plan recommends traditional neighborhood uses for the site.
--------------------	---

VARIANCE OF USE

- ◇ This request would provide for an addition to an existing originally built single-family dwelling in a C-1 zoned Commercial District. The records of the Assessor's Office indicate that the single-family dwelling was originally constructed on the site in 1882, prior to the adoption of the zoning code.
- ◇ The subject site is adjacent to a D-5 District, and properties to the north and east of the subject site are residential structures within the C-1 and C-3 districts. In Staff's opinion, the request would be consistent with surrounding residential properties.

(Continued)

STAFF REPORT 2023-UV1-009 (Continued)

VARIANCE OF DEVELOPMENT STANDARDS

- ◇ This request would legally establish an existing, originally built two-foot west side transitional setback for a single-family dwelling and would provide for an above grade addition to the dwelling.
- ◇ The proposed two-foot side transitional setback is existing and would not be the result of any horizontal floor plan expansion. It would roughly match the setbacks of other existing single-family dwellings in the area. Therefore, Staff believes that the reduced setback would have no impact on the streetscape or the surrounding property owners and would represent a minor deviation from the Ordinance.

GENERAL INFORMATION

THOROUGHFARE PLAN	This portion of Lincoln Street is classified in the Official Thoroughfare Plan for Marion County, Indiana as a local street, with a 64-foot existing and proposed right-of-way.
SITE PLAN	File-dated May 1, 2023.
FINDINGS OF FACT	File-dated May 1, 2023.

ZONING HISTORY

2019-HOV-056; 438 Lincoln Street (north of site), requested a variance of use and development standards to provide for the construction of a porch, with a five-foot west side transitional yard, attached to a single-family dwelling in a C-1 zoned district, and located within the clear-sight triangle of the abutting street and alley, with zero-foot front and front transitional yards, **granted**.

2018-DV1-014; 329 Lincoln Street (west of site), requested a variance of development standards of the Consolidated Zoning and Subdivision Ordinance to provide for a single-family dwelling and detached garage, with a 15-foot front setback, two-foot side setback, four feet between dwellings and 50% open space, **granted**.

2018-UV1-020; 334 Lincoln Street (west of site), requested a variance of use and development standards of the Consolidated Zoning and Subdivision Ordinance to provide for primary and accessory single-family residential uses, including, but not limited to a single-family dwelling and detached garage, with a six-foot front setback and a four-foot side transitional setback, **granted**.

2017-ZON-016; 1401, 1425, 1441, 1460, 1462, 1464, 1502, 1816 and 1827 South East Street; 828 Beecher Street; 306, 310, 318, 322, 329, 353 and 401 Lincoln Street; 510 East Morris Street; 1538, 1542, 1551 and 1555 South New Jersey Street; 438 Orange Street; 445 and 446 Parkway Avenue (includes sites south, east and west of site), requested the rezoning of 1.95 acres, from the C-1, C-3, C-5 and I-4 districts, to the D-5 classification, **approved**.

(Continued)

STAFF REPORT 2023-UV1-009 (Continued)

2016-DV3-030; 1502-1510 South New Jersey Street (north of site), requested a variance of development standards of the Consolidated Zoning and Subdivision Ordinance to reconfigure three existing lots into four 30-foot wide lots, with eight feet, internally, and four feet, externally, between primary buildings, **granted**.

2015-UV3-018; 1533 South Alabama Street (north of site), requested a variance of use of the Dwelling Districts Zoning Ordinance to convert a detached garage into a second dwelling, **denied**.

2003-UV3-028; 1514 South New Jersey Street (north of site), Variance of use and development standards of the Dwelling Districts Zoning Ordinance (Part A) to legally establish a 2,288-square foot dwelling and a 468-square foot attached carport with a zero-foot north side yard setback and a 23-foot front yard setback and (Part B) to provide for a second 720 square foot dwelling on the same parcel with a five-foot rear yard, **granted Part A, denied Part B**.

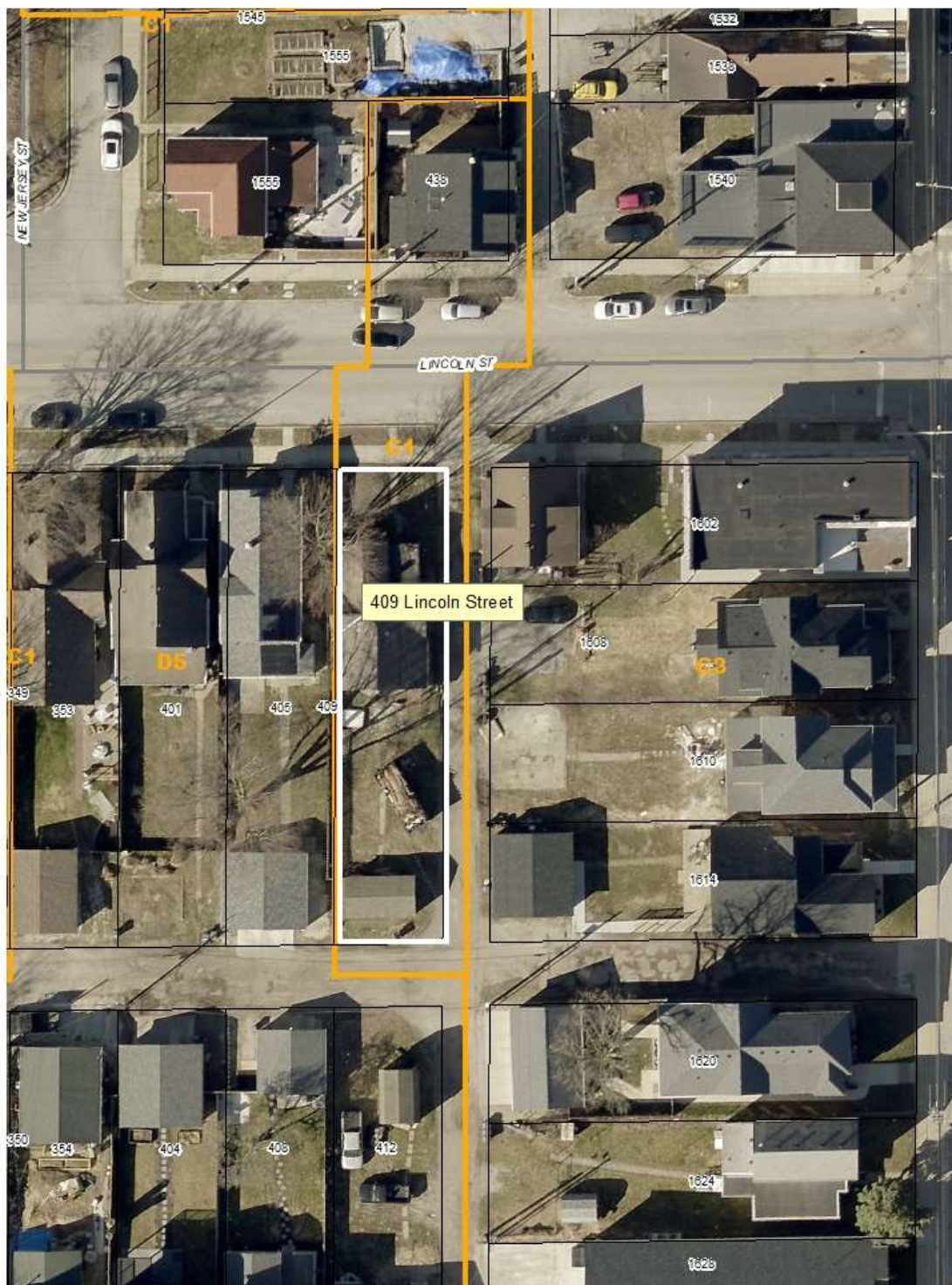
2001-HOV-004; 1538 South New Jersey Street (east of site), Variance of development standards of the Commercial Zoning Ordinance to legally establish a 1,193-square foot single-family dwelling, with a 0.5-foot side transitional yard, and to provide for the construction of a 320-square foot detached garage, with a six-foot side transitional yard, and a two-foot side yard setback, **granted**.

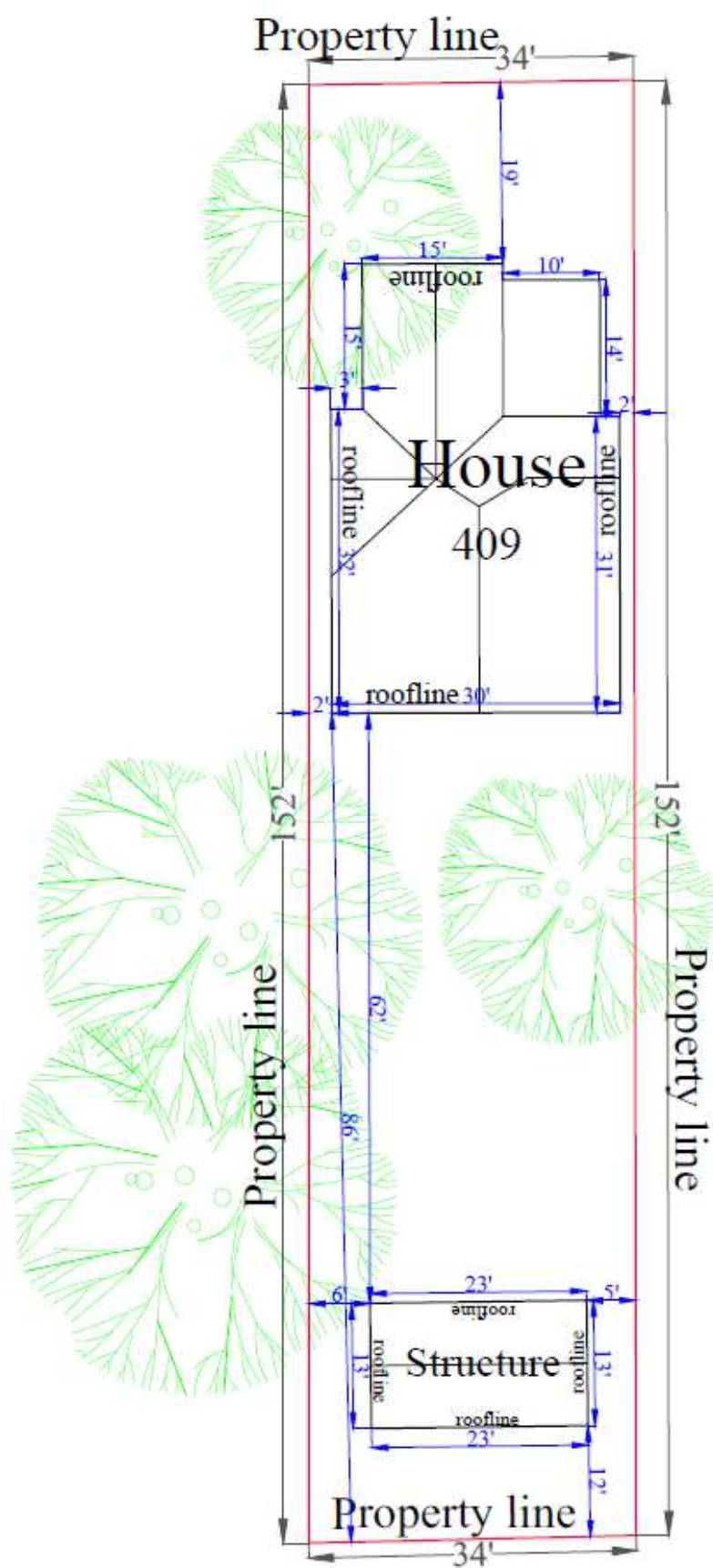
94-UV1-129; 341 Lincoln Street (south of site), requested a variance of use of the Commercial Zoning Ordinance to provide for construction of a 140-square foot room addition for an existing single-family residence, **granted**.

RU

STAFF REPORT 2023-UV1-009 (Continued)

2023-UV1-009: Location Map





2023-UV1-009: Photographs



Subject site looking south, with existing two-foot west transitional yard setback



Rear of subject site looking north.



Adjacent residential uses to the west, looking south.



Adjacent residential use to the east of subject site, looking south.