

## STAFF REPORT

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

**Case Number:** 2023-UV2-011  
**Address:** 818 and 822 Union Street (*Approximate Address*)  
**Location:** Center Township, Council District #16  
**Petitioner:** The Redevelopment Group, by Russell L. Brown  
**Request:** Variance of Use and Development Standards of the Consolidated Zoning and Subdivision Ordinance to legally establish a single-family dwelling on each lot and allow for building additions with a 2.5-foot south side yard setback at 818 Union Street and 1.3-foot north side yard setback at 822 Union Street (zero or 10-foot side yard setbacks required).

### RECOMMENDATIONS

Staff **recommends approval** of the variance request.

### SUMMARY OF ISSUES

The following issues were considered in formulating the recommendation:

#### LAND USE

##### EXISTING ZONING, CONTEXT AREA AND LAND USE

CBD-2 (RC) Compact	Two single-family dwellings
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##### SURROUNDING ZONING AND LAND USE

North -	C-5 (RC)	Residential / office
South -	CBD-2 (RC)	Undeveloped
East -	I-4 (RC)	Interstate on- and off-ramps
West -	C-5 (RC)	Office / commercial

##### COMPREHENSIVE PLAN

The Comprehensive Plan recommends the site for Urban Mixed-uses.

#### HISTORY

- ◇ These two sites are improved with a single-family dwelling on each lot, with each dwelling dating to at least 1898, with 818 Union Street used as a two-family dwelling for a time. The parcels are zoned CBD-2 (RC) and the two structures pre-date the establishment of zoning in the city.

(Continued)

## **STAFF REPORT 2023-UV2-011 (Continued)**

### **REGIONAL CENTER APPROVAL**

- ◇ Along with this petition, a Regional Center Approval petition was filed for the proposed building additions, plus exterior renovations for two existing single-family dwellings. This petition, 2023-REG-071, would be subject to the approval of the subject variance petition.

### **VARIANCE REQUEST**

- ◇ This petition seeks to provide for an expansion and exterior renovations to both structures. Single-family dwellings are not permitted in CBD-2 (RC). While the existing dwellings are legally established, any addition to the existing structures for use as a single-family dwelling, would require a rezoning or a variance of use.
- ◇ The work proposed for 818 Union Street includes a proposed two-story addition to the rear, with exterior renovation including new windows, replacement windows, and infill brick to reduce size of window openings, The work proposed for 822 Union Street includes a proposed attached garage, with renovations including replacement windows.
- ◇ In CBD-2 (RC), there are no required setbacks, however, if the lots do not abut alleys, then a side yard setback of zero feet or 10 feet are required. This is to allow for room between structures if the buildings do not connect to each other.
- ◇ The site is recommended for Urban Mixed-Uses, according to the Land Use Plan. Urban Mixed-Uses would include dense, pedestrian-oriented development with a wide range of businesses, services, and institutions that serve both adjacent neighborhoods and the broader City. Typically, buildings in urban mixed-use areas are four- to eight-stories in height with large entrances facing the street. This site is nearly two blocks from a major thoroughfare and would typically be included in a proposed larger development. A practical difficulty exists in that the existing dwellings could not obtain permits for small additions or a garage, without the need for a variance. Additionally, the adjacent neighborhood would not be materially affected in a negative manner if this variance request would be granted.

### **GENERAL INFORMATION**

THOROUGHFARE PLAN	The Official Thoroughfare Plan for Marion County indicates that Sycamore Street and Charles Street are local streets, with 48-foot rights-of-way existing and proposed
URBAN DESIGN GUIDELINES DISTRICT TYPOLOGY	The site is within Village Mixed-Use District typology of the Regional Center Urban Design Guidelines
TRANSIT-ORIENTED DEVELOPMENT	The site is not located within a transit-oriented development area.
SITE PLAN	File-dated, September 5, 2023
FINDINGS OF FACT	File-dated, September 5, 2023

(Continued)

## **STAFF REPORT 2023-UV2-011 (Continued)**

### **ZONING HISTORY - SITE**

**2023-CZN-806 / 2023-CPL-806 / 2023-CVC-806; 818, 822, 826, 830, 834 and 838 Union Street, 831, 835 and 837 Charles Street, and 23, 27 and 31 Sycamore Street,** requested a rezoning of 0.18-acre from D-8 (RC) to the CBD-2 (RC), approval of a subdivision plat to be known as Meridian Enclave, dividing 0.99-acre into eighteen lots and one common area, and a vacation of the first and second alleys south of Sycamore Street, from Union street to the Charles Street, with a waiver of the assessment of benefits.

**2023-REG-071; 818 and 822 Union Street,** requested a Regional Center Approval petition to provide for building additions to existing structures and exterior renovations, for residential use, **pending**.

### **ZONING HISTORY – VICINITY**

**2022-REG-024; 815 South Meridian Street and 25 East McCarty Street,** requested Regional Center Approval to provide for updated plans for a proposed seven-story hotel (previously approved for a six-story hotel, through 2019-REG-107 and 2021-REG-063), with apartments and amenities, including a restaurant, courtyard, and roof-top lounge, **approved**.

**2022-ZON-048; 25 East McCarty Street,** requested a rezoning of 0.26-acre, from the C-5 (RC) district to the CBD-2 (RC) district, **approved**.

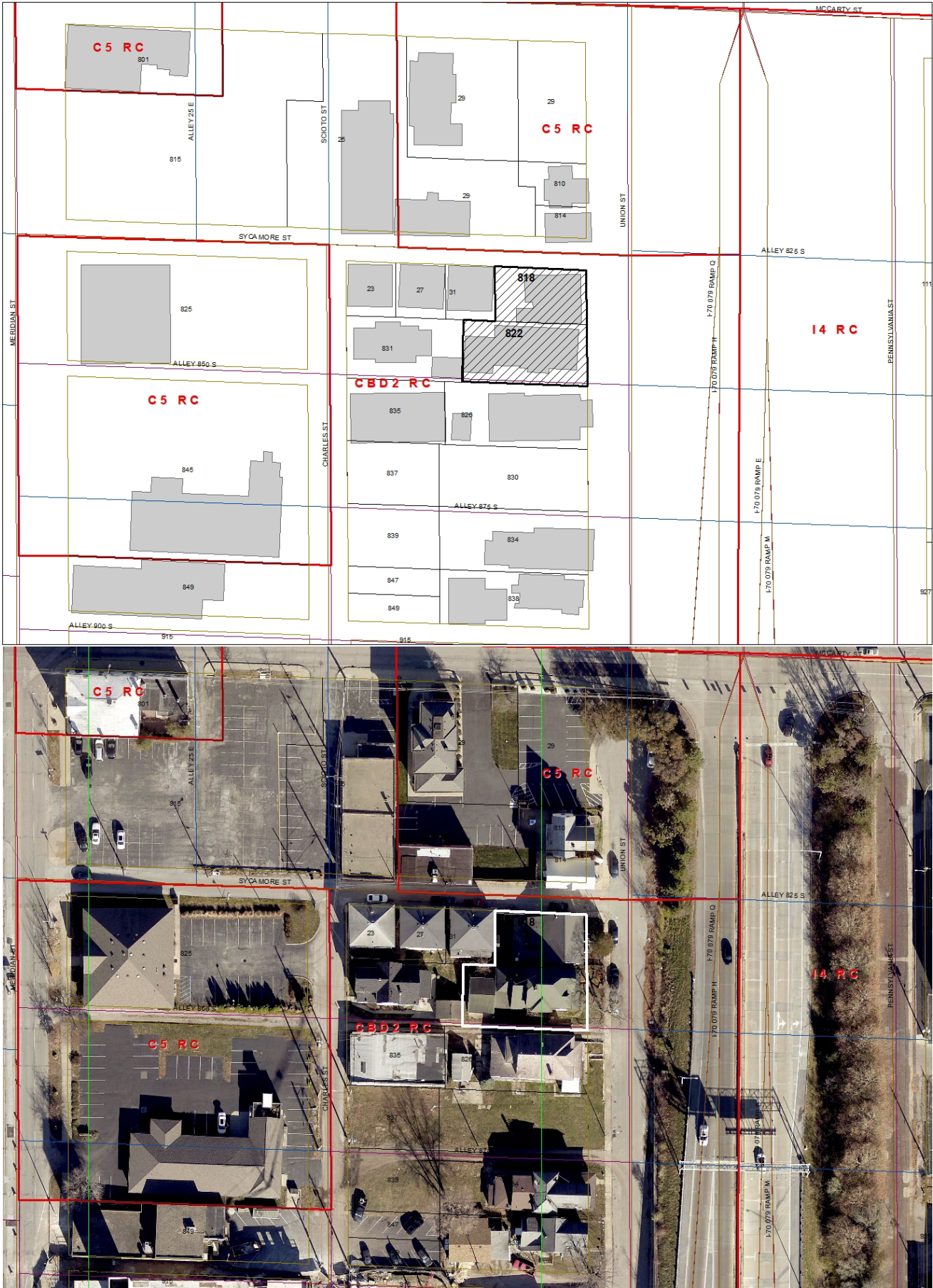
**2022-DV3-007; 815 South Meridian Street and 25 East McCarty Street,** requested a variance of development standards of the Consolidated Zoning and Subdivision Ordinance to provide for a seven-story hotel structure, with encroachments into the sky exposure Plane Two and to provide for a nine-foot-tall courtyard wall, **granted**.

**2021-REG-063; 19 and 25 East McCarty Street,** requested Regional Center Approval to provide for demolition of an existing one-story commercial structure and for updated plans of a six-story hotel, previously approved through 2019-REG-107, **approved**.

**2019-REG-107; 19 East McCarty Street,** requested Regional Center Approval to provide for the construction of a six-story hotel, with 119 rooms, **approved**.

**2019-REG-061; 850 South Meridian Street,** requested Regional Center Approval for demolition of a one-story office building and construction of a five-story hotel, with 146 units, conference facilities and a restaurant, **approved**.

STAFF REPORT 2023-UV2-011 (Maps)





# STAFF REPORT 2023-UV2-011 (Findings of Fact)

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

## METROPOLITAN BOARD OF ZONING APPEALS, Division \_\_\_\_\_ OF MARION COUNTY, INDIANA

### PETITION FOR VARIANCE OF USE

#### FINDINGS OF FACT

1. The grant will not be injurious to the public health, safety, morals, and general welfare of the community because:

The structures have been utilized residentially for many years. The variance will allow for the buildings to be modernized with garages and other upgrades in lieu of the previous ad hoc renovations. The proposed renovated uses will fit in with the character of the proposed nearby development while allowing for the modernization of these relevant structures.

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 will allow for modernization and improvements of two single family homes long utilized for that purpose. The variance will allow for improvements to be made to the structures, including the addition of a garage and various upgrades to make the structures functional and marketable in a modern marketplace.

3. The need for the variance arises from some condition peculiar to the property involved and the condition is not due to the general condition of the neighborhood because:

The location had historically been improved with single family homes, some of which had either fallen into disrepair, or were structurally unsound. These two parcels contained relevant structures which were sound enough to renovate and repair, but because they are located in a zoning classification which does not allow single family homes the variance is needed to conduct the repairs and modernization.

4. The strict application of the terms of the zoning ordinance constitutes an unusual and unnecessary hardship if applied to the property for which the variance is sought because:

The two structures are viable as single family homes, but have limited reuse ability for uses permitted by right on sight. The structures as non-conforming uses are not viable because they lack amenities (including but not limited to a garage) which are necessary in the current marketplace. Without a variance, the structures would have limited reuse capacity.

5. The grant does not interfere substantially with the Comprehensive Plan because:

The Comprehensive Plan contemplates Urban Mixed Use. The reuse of these homes for single family homes with newly constructed alley fed garages will allow for a marketable use on a block which will have newly constructed attached housing and multi-floor multi-family housing completed in the near future. This variance will allow for yet another viable housing type in this walkable, redeveloping neighborhood.

#### DECISION

IT IS THEREFORE the decision of this body that this VARIANCE petition is APPROVED.

Adopted this \_\_\_\_\_ day of \_\_\_\_\_, 20 \_\_\_\_

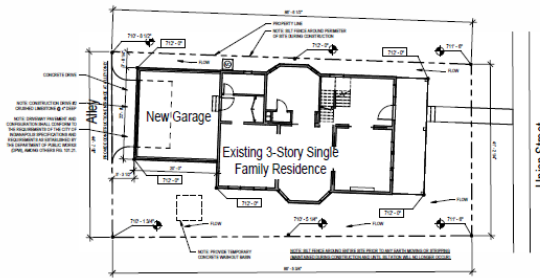
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_____	_____
_____	_____



# 822 Union

822 Union Street, Indianapolis  
BID SET  
06.15.23

Architect:  
WOVE Design, LLC  
1617 Cornell Avenue  
Indianapolis, IN 46202

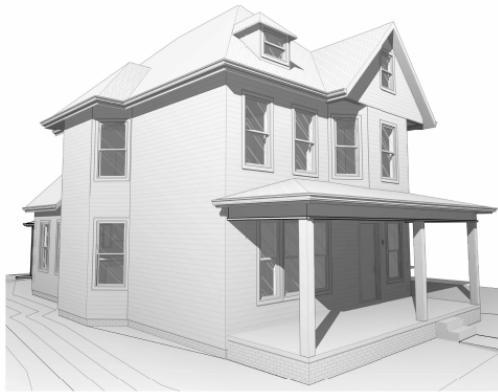
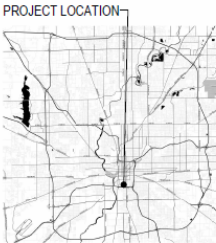
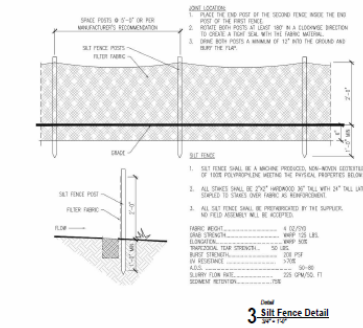


Site Areas		Floor Areas	
Area	Area	Area	Area
Lot Area	10,000	Garage	1,000
Garage Area	1,000	First Floor	2,000
First Floor Area	2,000	Second Floor	1,500
Second Floor Area	1,500	Third Floor	1,500
Third Floor Area	1,500	Roof Area	1,000
Roof Area	1,000	Total Area	7,500

GENERAL NOTES:  
1. THE OWNER SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE CITY OF INDIANAPOLIS.  
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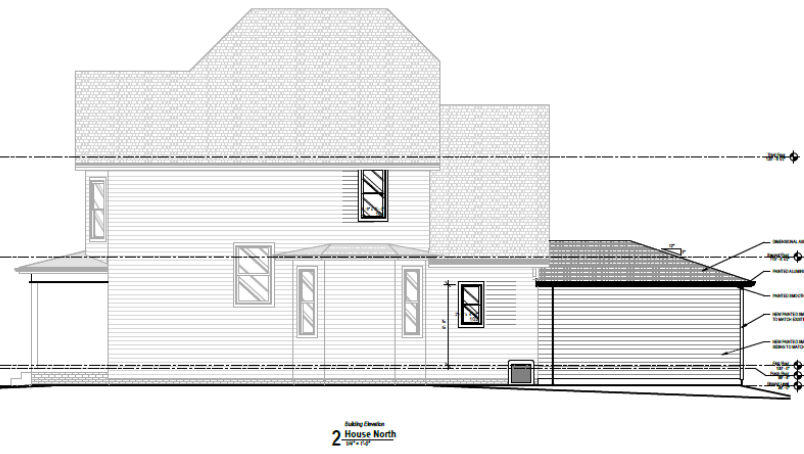
ABBREVIATIONS:  
A. ALUMINUM  
B. BRICK  
C. CONCRETE  
D. CEMENT  
E. GLASS  
F. IRON  
G. MASONRY  
H. METAL  
I. ROOFING  
J. Siding  
K. STONE  
L. TILE  
M. WOOD  
N. OTHER  
O. UNFINISHED  
P. FINISHED  
Q. PAINT  
R. STAIN  
S. STAINLESS STEEL  
T. TYPICAL  
U. UNUSUAL  
V. VARIATION  
W. WORKMANSHIP  
X. EXISTING  
Y. NEW  
Z. ZONE

Sheet Schedule	
Sheet	Description
822 Union	Architectural
822 Union	Structural
822 Union	Mechanical
822 Union	Electrical
822 Union	Plumbing
822 Union	HVAC
822 Union	Roofing
822 Union	Foundation
822 Union	Exterior
822 Union	Interior
822 Union	Detail



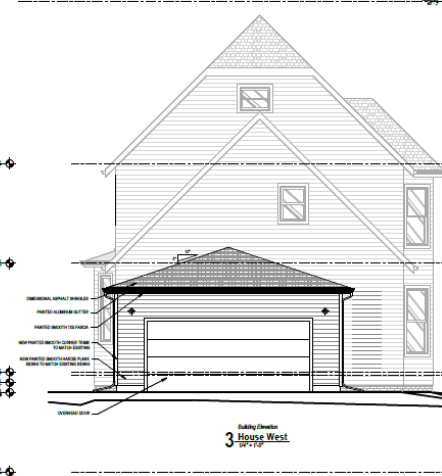
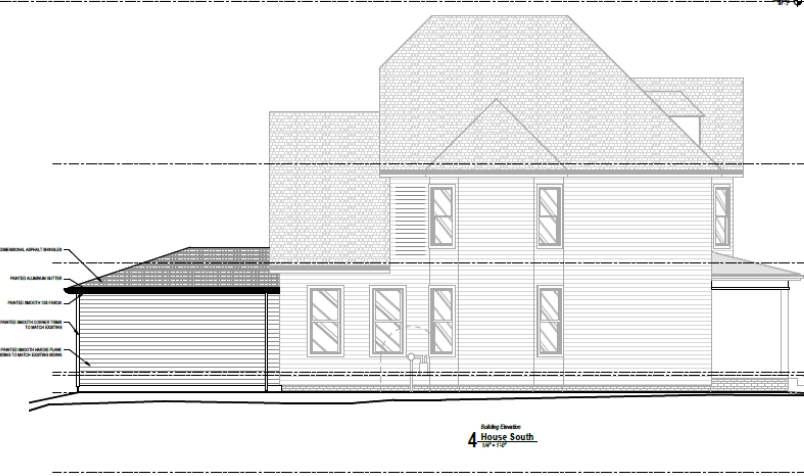
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Window Schedule	
Window	Description
W1	12" x 16" Double Hung
W2	12" x 16" Double Hung
W3	12" x 16" Double Hung
W4	12" x 16" Double Hung
W5	12" x 16" Double Hung
W6	12" x 16" Double Hung
W7	12" x 16" Double Hung
W8	12" x 16" Double Hung
W9	12" x 16" Double Hung
W10	12" x 16" Double Hung

Door Schedule	
Door	Description
D1	36" x 80" Double Door
D2	36" x 80" Double Door
D3	36" x 80" Double Door
D4	36" x 80" Double Door
D5	36" x 80" Double Door
D6	36" x 80" Double Door
D7	36" x 80" Double Door
D8	36" x 80" Double Door
D9	36" x 80" Double Door
D10	36" x 80" Double Door



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**STAFF REPORT 2023-UV2-011 (Photos)**



View of 822 Union Street





View of 822 Union Street





View of 818 Union Street





Views of 818 Union Street and 818 and 822 Union Street





View of 818 and 822 Union Street