

**BOARD OF ZONING APPEALS DIVISION I**

**April 1, 2025**

**Case Number:** 2025-DV1-004  
**Address:** 1135 & 1141 North Tacoma Avenue (approximate address)  
**Location:** Center Township, Council District #13  
**Zoning:** D-5  
**Petitioner:** Ariana & Joel Mathews, by Paul J. Lambie  
**Request:** Variance of Development Standards of the Consolidated Zoning and Subdivision Ordinance to provide for the construction of a duplex on each of the two lots with deficient lot widths of 45 and 40 feet, respectively (60-foot lot width required).

**Current Land Use:** Undeveloped

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

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

**PETITION HISTORY**

This petition was automatically continued from the March 4, 2025, hearing to the April 1, 2025, hearing, by a Registered Neighborhood Organization.

**STAFF RECOMMENDATION**

Staff recommends **approval** of this petition.

**PETITION OVERVIEW**

- ◇ The Ordinance intentionally establishes standards in the D-5 district for lot width. These standards apply broadly to all properties zoned D-58 across Marion County 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 duplexes would meet the side setback and open space requirements and have a similar footprint as several nearby existing duplex dwellings.
- ◇ The proposed duplexes would be consistent with many of the existing dwellings within the immediate area. Therefore, providing for the proposed 45-foot and 40-foot lot widths, respectively 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 would therefore, be supportable.

**GENERAL INFORMATION**

|                                   |                              |                            |   |
|-----------------------------------|------------------------------|----------------------------|---|
| <b>Existing Zoning</b>            | D-5                          |                            |   |
| <b>Existing Land Use</b>          | Undeveloped                  |                            |   |
| <b>Comprehensive Plan</b>         | Traditional Neighborhood     |                            |   |
| <b>Surrounding Context</b>        | <b>Zoning</b>                | <b>Surrounding Context</b> |   |
|                                   | North:                       | D-5                        | Three-family dwelling                       |
|                                   | South:                       | D-5                        | Single-family dwelling                      |
|                                   | East:                        | D-5                        | Single-family dwelling / Undeveloped        |
|                                   | West:                        | D-5                        | Single-family and Two-family dwellings      |
| <b>Thoroughfare Plan</b>          |                              |                            |   |
|                                   | Tacoma Avenue                | Local Street               | 60-foot existing and proposed right-of-way. |
|                                   | East 12 <sup>th</sup> Street | Local Street               | 48-foot existing and proposed right-of-way. |
| <b>Context Area</b>               | Compact area                 |                            |   |
| <b>Floodway / Floodway Fringe</b> | No                           |                            |   |
| <b>Overlay</b>                    | N/A                          |                            |   |
| <b>Wellfield Protection Area</b>  | No                           |                            |   |
| <b>Site Plan - updated</b>        | January 10, 2025             |                            |   |
| <b>Elevations</b>                 | N/A                          |                            |   |
| <b>Landscape Plan</b>             | N/A                          |                            |   |
| <b>Findings of Fact</b>           | January 10, 2025             |                            |   |

**COMPREHENSIVE PLAN ANALYSIS**

**Comprehensive Plan**

- Marion County Land Use Plan Pattern Book (2019)
- The Near Eastside Quality of Life Plan (2020)
- 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.
- **Conditions for All Housing**
  - A mix of housing types is encouraged.
  - Should be within a one-mile distance (using streets, sidewalks, and/or off-street paths) of a school, playground, library, public greenway, or similar publicly accessible recreational or cultural amenity that is available at no cost to the user.
  - Primary structures should be no more than one and a half times the height of other adjacent primary structures.
  - Should be oriented towards the street with a pedestrian connection from the front door(s) to the sidewalk. Driveways/parking areas do not qualify as a pedestrian connection.
  - Developments with densities higher than 15 dwelling units per acre should have design character compatible with adjacent properties. Density intensification should be incremental with higher density housing types located closer to frequent transit lines, greenways, or parks.
- **Detached Housing**
  - The house should extend beyond the front of the garage. Garages should be loaded from an alley or side street when possible and should be detached if located on the side of the house.
  - Secondary units are encouraged.
  - Lots should be no larger than one and a half times the adjacent lots.
- **Attached Housing**
  - Duplexes should be located on corner lots, with entrances located on different sides of the lot.
  - It is preferred that townhomes should be organized around intersections of neighborhood collector streets, greenways, parks or public squares, or neighborhood-serving retail.
  - If the above conditions are not met, individual buildings of attached housing (not part of a complex) may be interspersed with single-family homes but should not make up more than 25% of the primary residential structures on a block.

### Red Line / Blue Line / Purple Line TOD Strategic Plan

- Not Applicable to the Site.

### Neighborhood / Area Specific Plan

- The site falls within The Near Eastside Quality of Life Plan (2020).
- One priority of this plan is to develop quality affordable and market-rate homeownership opportunities.
- Another priority is to develop quality affordable and market-rate rental opportunities. An action step is to develop carriage houses for low-moderate income households in areas experiencing rapid increase in property values in order to increase density and enable homeowners to stay in the neighborhood.
- Ultimately, these two priorities of the Plan could be met if variances for the development standards were sought instead of attempting to introduce them by rezoning sites that could already be developed appropriately.

### 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

**2024-ZON-139; 1135 and 1141 North Tacoma Avenue (subject site),** requested the rezoning of 0.36 acres from the D-5 district to the D-5II classification to provide for residential uses, **withdrawn.**

**2005-LNU-027; 1213 North Tacoma Avenue** (north of site), Certificate of Legally Established Non-Conforming Use (LNCU) to legally establish a three-dwelling unit building in a D-5 zoning district, **denied.**

**90-UV2-79; 1128-1130 North Tacoma Avenue** (southwest of site), Variance of use and development standards of the Dwelling District Zoning Ordinance to permit the continued use of a four-unit apartment building with exterior stairway and landing 2.5 feet from south property line (four feet required) and a lot width of 42 feet (50 feet required), **denied.**

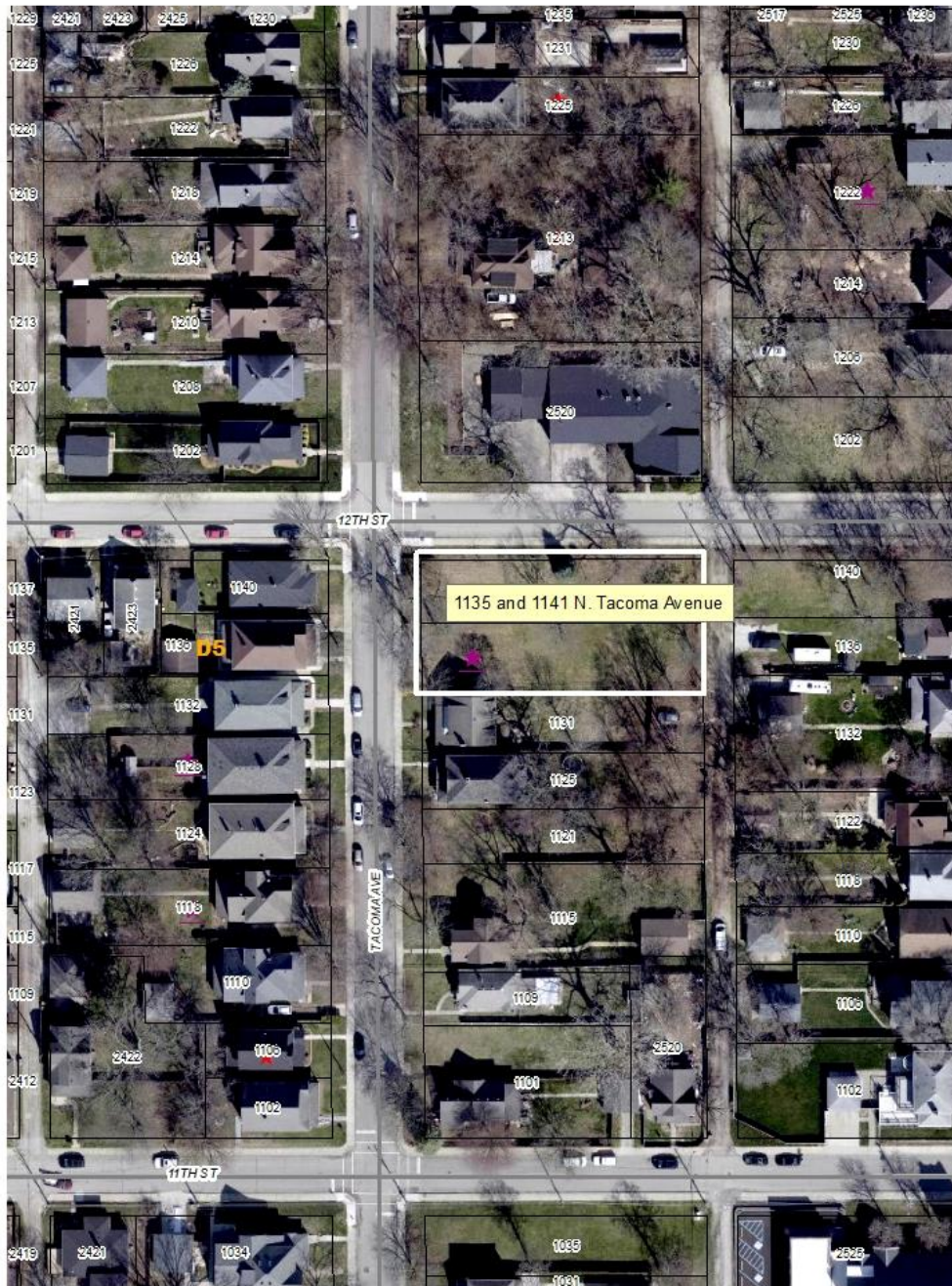
**87-UV2-117; 1118 North Tacoma Avenue** (southwest of site), Variance of use and development standards of the Dwelling Districts Zoning Ordinance to legally establish the conversion of a single-family residence into a two-family residence with exterior stairs that encroach into the required side yard, **withdrawn.**

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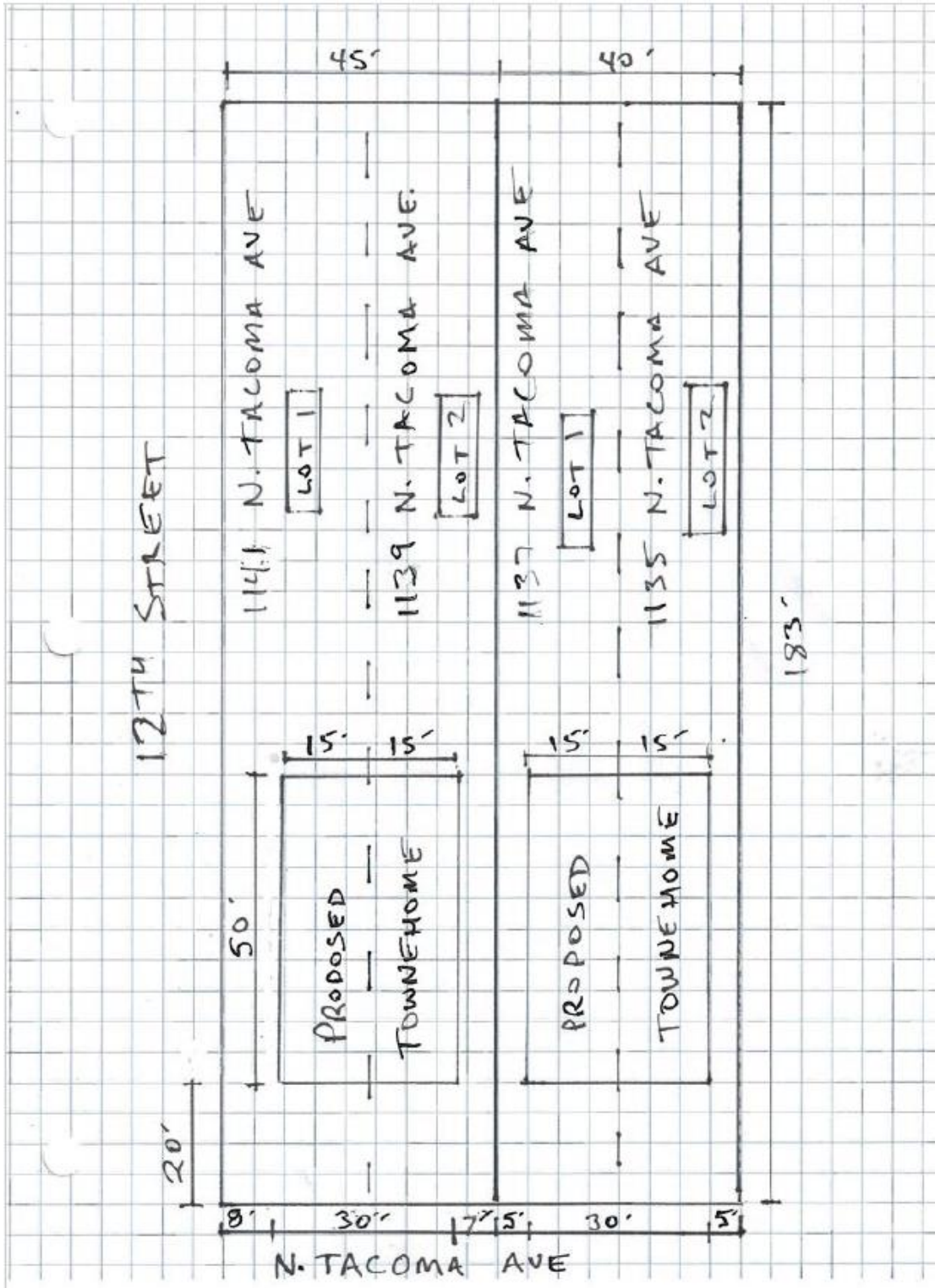
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**EXHIBITS**

**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:

duplexes on lots of similar widths are common in the on this block, and all setback and open space requirements will be met ensuring that the proposed development will fit the scale of the existing development pattern of the neighborhood.

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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:

duplexes are common on the block on lots of similar widths, and all setback and open space requirements will be met.

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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 Comprehensive Plan recommendation of Traditional Neighborhood allows for multi-unit developments, but the Ordinance would limit such development on these properties to a building type that could not be re-platted in the future for individual owner occupancy of each housing unit.

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**Photographs**



Photo of 1135 parcel subject site, looking east.



Photo of 1141 parcel subject site, looking east.



Photo of adjacent dwelling to the south, looking east



Photo of adjacent duplex dwelling to the west.



Photo of adjacent triplex dwelling to the north, looking northeast.



Photo of adjacent undeveloped lot to the east.