

BOARD OF ZONING APPEALS DIVISION II

September 8, 2026

Case Number: 2026-DV2-025
Address: 6160 Evanston Avenue (approximate address)
Location: Washington Township, Council District #7
Zoning: D-5
Petitioner: James and Tanya Lott
Request: Variance of Development Standards of the Consolidated Zoning and Subdivision Ordinance to legally establish a detached accessory structure with a 4-foot south side setback (5-foot side setback required), and a 4-foot rear setback (5-foot rear setback required).

Current Land Use: Single-Family Dwelling
Staff Reviewer: Robert Uhlenhake, Senior Planner

PETITION HISTORY

This is the first hearing for this petition.

STAFF RECOMMENDATION

Staff recommends **approval** of this petition.

PETITION OVERVIEW

VARIANCE OF DEVELOPMENT STANDARDS

- ◇ Development Standards of the Consolidated Zoning and Subdivision Ordinance, specifically those relating to setbacks, are intended to ensure orderly development and protect surrounding property values by providing for open buffer areas along lot lines, and to ensure adequate access around buildings.
- ◇ The proposed detached garage would replace a previous garage that existed at the end of the driveway. Moving the proposed garage to meet the five-foot compliant side setback, would place it further behind the dwelling. This would increase the existing maneuverability issue for vehicles in the driveway trying to access the garage. Instead of a straight back rear access the previous garage provided, the new garage with a compliant side setback would have a more difficult degree of turn radius to access the garage further behind the dwelling in the back yard.
- ◇ Staff is supportable of the request as the four foot side and rear setbacks for the proposed detached garage would be compatible with the minimal rear setbacks provided for other detached garages in the immediate vicinity. The proposed detached garage would be comparable with the existing development pattern established in this area. Adjacent to the rear of the subject site is an unimproved alley. Therefore, the required rear setback for alley access and vehicular maneuverability is not a factor in this instance.

GENERAL INFORMATION

Existing Zoning	D-5	
Existing Land Use	Single-Family Dwelling	
Comprehensive Plan	5-8 Residential units per acre	
Overlay	N/A	
Surrounding Context	<u>Zoning</u>	Surrounding Context
	North: D-5	Single-family dwelling
	South: D-5	Single-family dwelling
	East: D-5	Single-family dwelling
	West: D-5	Single-family dwelling
Thoroughfare Plan		
Evanston Avenue	Local Street	48-foot existing and proposed right-of-way.
Context Area	Compact	
Floodway / Floodway Fringe	N/A	
Wellfield Protection Area	N/A	
Site Plan	July 27, 2026	
Elevations	N/A	
Plan of Operation	N/A	
Commitments	N/A	
Landscape Plan	N/A	
Findings of Fact	July 27, 2026	

COMPREHENSIVE PLAN ANALYSIS

Comprehensive Plan

- The Comprehensive Plan has recommended 5 – 8 Residential units per acre uses for this site.

Pattern Book / Land Use Plan

- Not Applicable.

Red Line / Blue Line / Purple Line TOD Strategic Plan

- Not Applicable.

Neighborhood / Area Specific Plan

- The Comprehensive Plan has recommended 5-8 Residential units per acre uses for this 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

97-V2-42; 6141 Crittenden Avenue (west of site), requested a Variance of Development Standards to provide for the construction of a single-family residence with a detached garage located one foot from the rear lot line, **granted**.

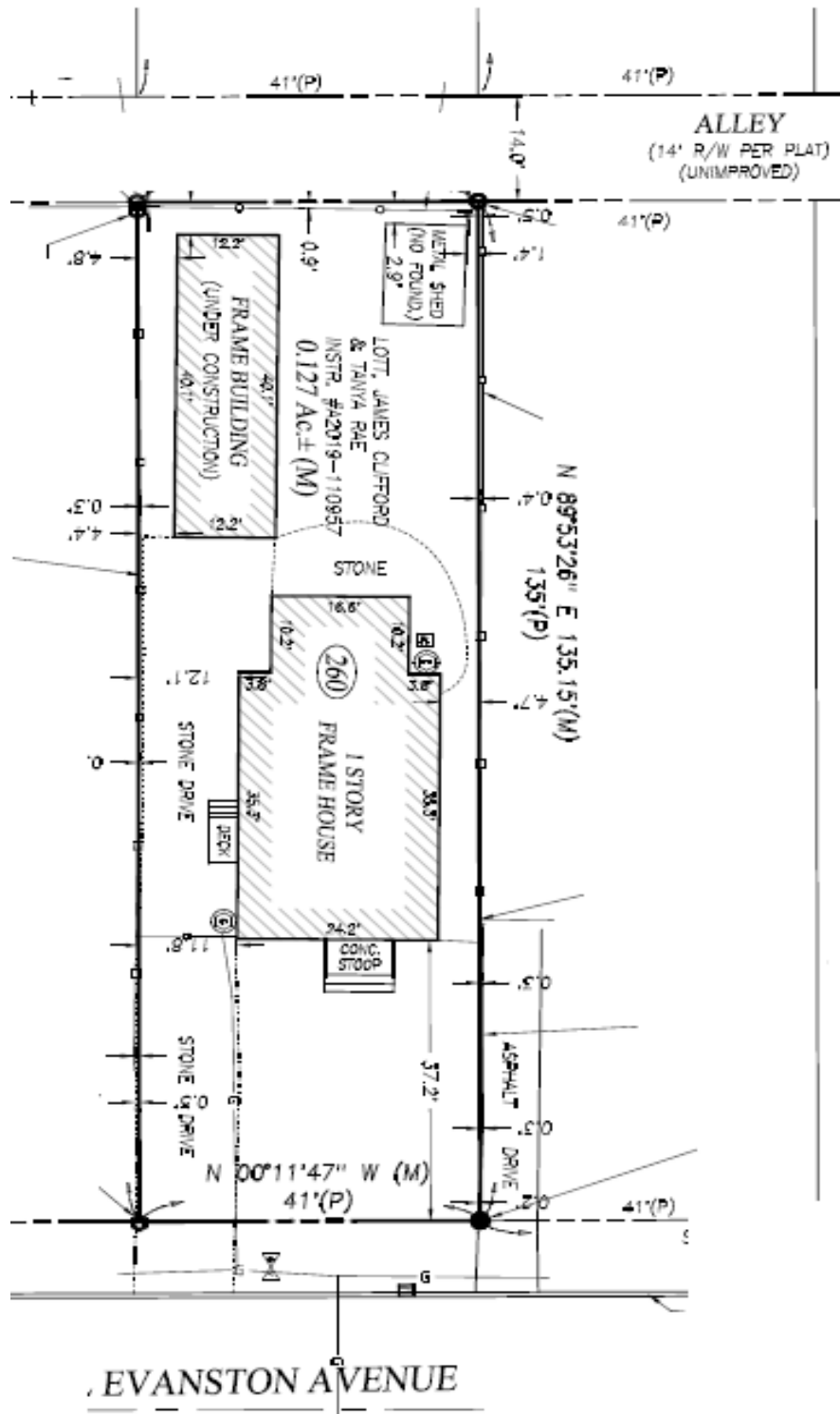
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EXHIBITS

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:

The requested variance seeks relief for a foundation encroachment of 8 3/8" along the west property line and 7 3/16" along the south property line. The structure is a detached accessory residential workshop on a single family residential property. The encroachment does not create a public safety hazard, does not obstruct public access, does not interfere with utilities, and does not alter the residential character of the neighborhood.

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 requested variance does not change the use of the property, density of development, or character of the neighborhood. The structure remains a permitted accessory residential building serving the existing single family residence. The encroachment is limited to a few inches and does not materially impact adjacent properties or their use and enjoyment. The requested relief is also consistent with the established development pattern of the surrounding neighborhood, where numerous existing accessory structures are located at or near the alley and rear property boundary.

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

A licensed property survey completed during construction determined that the foundation extends 8 3/8" into the required setback along the west property line and 7 3/16" into the required setback along the south property line. Requiring compliance through relocation or reconstruction of the foundation and structure would create substantial cost and hardship that is disproportionate to the minor nature of the encroachment. Granting the variance would allow completion of a permitted accessory structure while maintaining the intended residential use of the property.

Photographs



Subject site, looking west.



Subject site proposed garage location with four foot south side setback, looking west.



Subject site proposed garage location with four foot rear setback, looking south.



Unimproved alley located to the rear of the subject site, looking north.



Adjacent dwelling to the east, with garage having reduced south side setback.



Adjacent dwelling to the north of subject site, looking west.