

**METROPOLITAN DEVELOPMENT COMMISSION
HEARING EXAMINER**

September 24, 2026

Case Number: 2026-CZN-851 / 2026-CVR-851

Property Address: 2202 North Sherman Drive & 3724 East 22nd Street (*Approximate Addresses*)

Location: Center Township, Council District #8

Petitioner: Rock Impact, LLC, by Howard Stevenson

Current Zoning: UQ-1
Rezoning of 0.24-acre from the UQ-1 district to the D-5 district to provide for residential uses.

Request: Variance of Development Standards of the Consolidated Zoning and Subdivision Ordinance to provide proposed detached single-family dwellings to encroach into the clear sight triangle.

Current Land Use: Undeveloped

Staff Recommendation: Staff recommends **approval** of the rezoning.
Staff recommends **denial** of the variance.

Staff Reviewer: Josh Levesque, Senior Planner

PETITION HISTORY

N/A

STAFF RECOMMENDATION

Staff recommends **approval** of the requested rezone.

Staff recommends **denial** of the requested variance.

PETITION OVERVIEW

LAND USE

The parcels at 3724 East 22nd Street and 2202 North Sherman Drive combine for roughly 0.24-acre. Both lots are currently vacant and zoned UQ-1. Historical aerial images show what appeared to be single-family dwellings on each lot until fall of 2017. These two parcels, along with a number of others, were rezoned to UQ-1 in 2021 (2021-ZON-071). Parcels to the west are zoned D-5. Parcels to the north are split between the D-5 and I-3 zoning districts. Parcels to the south are zoned UQ-1.

Rezoning

Rezoning the two parcels to D-5 will allow for the construction of a single-family home on each lot, for a total of two single-family homes. While both parcels are designated as “Regional Special Use” under the Comprehensive Plan, this designation is a remnant of their connection to the now-defunct Martin University. The rezoning of these parcels would help to restore a natural buffer along 22nd Street separating residential uses to the north and the institutional uses to the south.

Given the context of the surrounding residential uses on the block, the fact that the land use plan of Regional Special Use no longer reflects the current context of the area, the fact that single-family housing corresponds to the Traditional Neighborhood typology directly to the north, and the restoration of the residential context this rezone would provide, staff recommends **approval** of this rezone.

Variance

The petitioner is seeking a variance to allow for the porches and porch fencing to encroach into the clear sight triangles. For 3724 East 22nd Street, site plans indicate that the encroachment into the clear sight triangle between 22nd and Station streets is minimal. However, this also indicates that the amount of adjustment needed for the site plans is also minimal.

If the property were to be rezoned to D-5, the Walkable Neighborhood Design Standards would apply (744-701). Through Staff’s analysis, it was determined that the Terrace Frontage Type would be the most appropriate designation for Station Street (where the house is proposed to front on). Terrace Frontage standards allow for a 10-foot to 19.9-foot front building line. Current site plans show the front building line setback 18 feet from Station Street, indicating that there are another 1.9-feet for the house to be moved back while remaining in compliance with Ordinance standards.

The petitioner has indicated concern that moving the house back further would lessen the amount of backyard available to the property. Part of this is due to the size and placement of the garage. Site plans indicate that the garage is setback 7 feet off the rear lot line. Garages can go up to 5 feet off the lot line. The site plans indicate that there is some room for the garage to be moved before it would encroach into the clear sight triangle of the alley and right-of-way. Additionally, Ordinance standards only require 1 off-street parking spot per dwelling unit. A two-car garage goes beyond the size and scope required by Ordinance standards. As street parking is available on both 22nd and Station, additional parking needs could utilize public on-street parking. If the house were moved back 1.9 feet and the garage moved back a full two feet, this would leave a 30.1-foot long backyard. Staff estimates there would be roughly 57 feet from the rear building line to the rear lot line. While many houses immediately to the north on Station Street have rear yards closer to 65 or 70 feet, it should be noted that many also do not have garages interrupting the amount of rear yard available.

The encroachment into the clear sight triangle for Sherman and 22nd is more severe. Site plans indicate the encroachment is 6 feet at its widest point. This difference stems from the fact that Sherman is classified as a primary arterial whereas Station and 22nd Street are classified as local streets. Primary arterials require a larger distance in clear sight triangle calculations. Given that Sherman is a primary arterial and this part of Sherman lacks quality pedestrian amenities staff finds that the Neighborhood

Frontage type is the most appropriate designation for this site. The Ordinance indicates that the front building line for this frontage type should be setback between 20 and 50 feet. The site plan shows the front building line setback to 26 feet. The house could be moved back another 6 feet and maintain compliance with the Ordinance. Again, the garage in this instance can be moved back closer to the rear lot line as well and decreased in size as only 1 off-street space is required and there is parking available on 22nd Street. If the house and garage were moved accordingly and the garage did not change in size, there would be roughly 24-foot long backyard. Staff estimates that there would be approximately 49 feet between the rear building line and the rear lot line. Lots with garages on Sherman average roughly 33.5 feet.

Under state law, a variance may only be approved upon a determination that ALL five of the following criteria are met:

- The approval will not be injurious to the public health, safety, morals, and general welfare of the community;
- The use and value of the area adjacent to the property included in the variance will not be affected in a substantially adverse manner;
- The need for the variance arises from some condition peculiar to the property involved;
- The strict application of the zoning ordinance will constitute an unnecessary hardship if applied to the property for which the variance is sought; and
- The approval does not interfere substantially with the comprehensive plan

Given that there are design solutions that exist to bring this property into compliance with the Ordinance, the site-specific practical difficulties and peculiar condition to the property cannot be met. As such, staff recommends **denial** of these variances.

GENERAL INFORMATION

Existing Zoning	UQ-1	
Existing Land Use	Undeveloped	
Comprehensive Plan	Regional Special use	
Surrounding Context	<u>Zoning</u>	Surrounding Context
North:	D-5 / I-3	North: Residential
South:	UQ-1	South: Institutional
East:	I-4	East: Heavy Industrial
West:	D-5	West: Residential
Thoroughfare Plan		
Sherman Drive	Primary Arterial	60-foot existing right-of-way and 88-foot proposed right-of-way
22 nd Street	Local Street	50-foot existing right-of-way and 48-foot proposed right-of-way
Station Street	Local Street	50-foot existing right-of-way and 48-foot proposed right-of-way

Context Area	Compact
Floodway / Floodway Fringe	No
Overlay	No
Wellfield Protection Area	No
Site Plan	8/11/2026
Site Plan (Amended)	9/15/2026
Elevations	7/8/2026
Elevations (Amended)	N/A
Landscape Plan	N/A
Findings of Fact	N/A
Findings of Fact (Amended)	N/A

COMPREHENSIVE PLAN ANALYSIS

Comprehensive Plan

- Marion County Land Use Plan Pattern Book

Pattern Book / Land Use Plan

The Comprehensive Plan assigns the “Regional Special Use” typology to the site. This typology “provides for public, semi-public and private land uses that serve a specific institutional purpose for a significant portion of the county. Examples are large-scale, generally stable institutional uses such as cemeteries, hospitals, universities, high schools, government complexes, large museums, the Indiana State Fairgrounds, and the Indianapolis Motor Speedway.”

Red Line / Blue Line / Purple Line TOD Strategic Plan

- Not Applicable to the Site.

Neighborhood / Area Specific Plan

- Not Applicable to the Site.

Infill Housing Guidelines

- Not Applicable to the Site.

ZONING HISTORY

ZONING HISTORY – SITE

2021-ZON-071; 3429 Massachusetts Avenue, 2202 North Sherman Drive, 2166 and 2172 Avondale Place, 2175 and 2187 North Olney Street, 2185 North Gale Street and 3724 East 22nd Street, Rezoning of 1.19 acres from the D-5, C-5, and I-3 districts to the UQ-1 district, approved.

ZONING HISTORY – VICINITY

99-CP-37Z; 2197 North Gale Street, Rezoning of 5.160 acres from D-5 to UQ-1, approved.

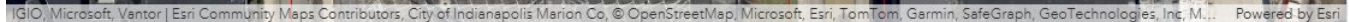
2000-ZON-127A; 2182 North Sherman Drive, Rezoning of 0.239 acre from I-3-U to UQ-1, approved.

2001-ZON-125; 2193 Station Street, Rezoning of 0.349 acre from D-5 to UQ-1, approved.

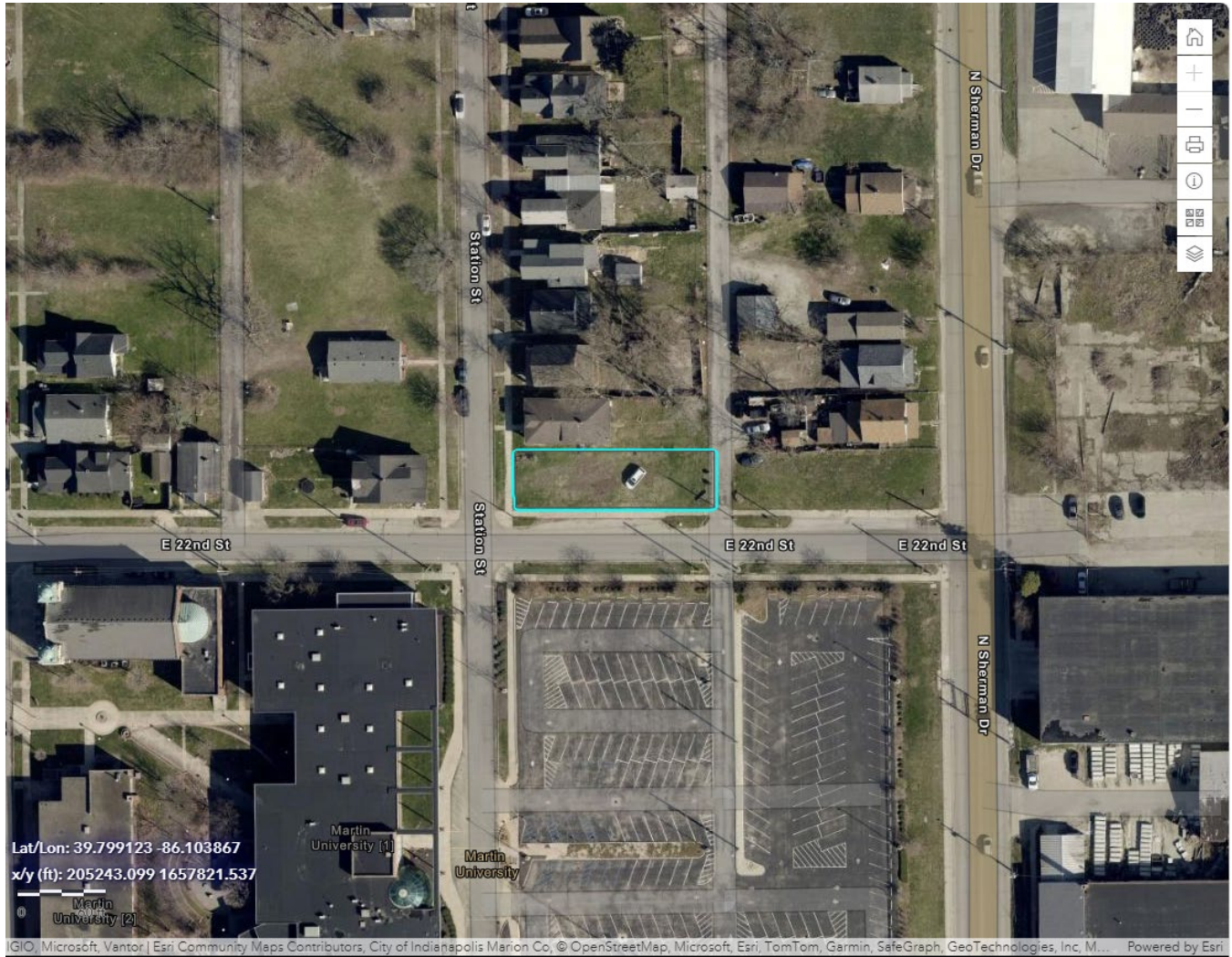
2004-ZON-011; 2186 North Sherman Drive, Rezoning of 0.449 acre from I-3-U to UQ-1, approved.

2010-CVR-816; 2178 Station Street, Variance of Development Standards of the University Quarter One District to provide for a parking lot with a 10-foot setback along 22nd Street (25-foot front setback required), a zero-foot setback along Sherman Drive (40-foot front setback required), and a 3.5-foot setback from the right-of-way of Interstate 70 (15-foot side setback required), approved subject to condition.

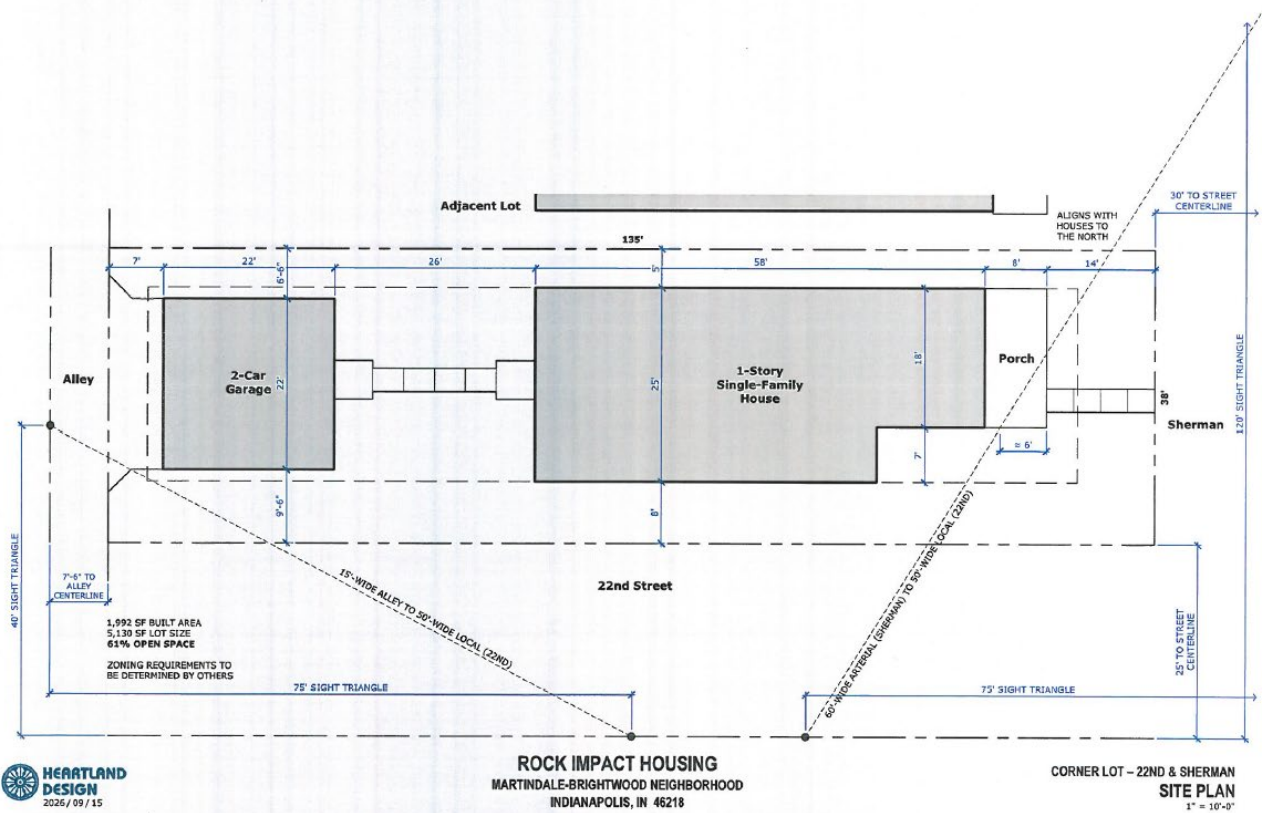
2026-CZN-851 / 2026-CVR-851; Aerial Map for 2202 North Sherman Drive



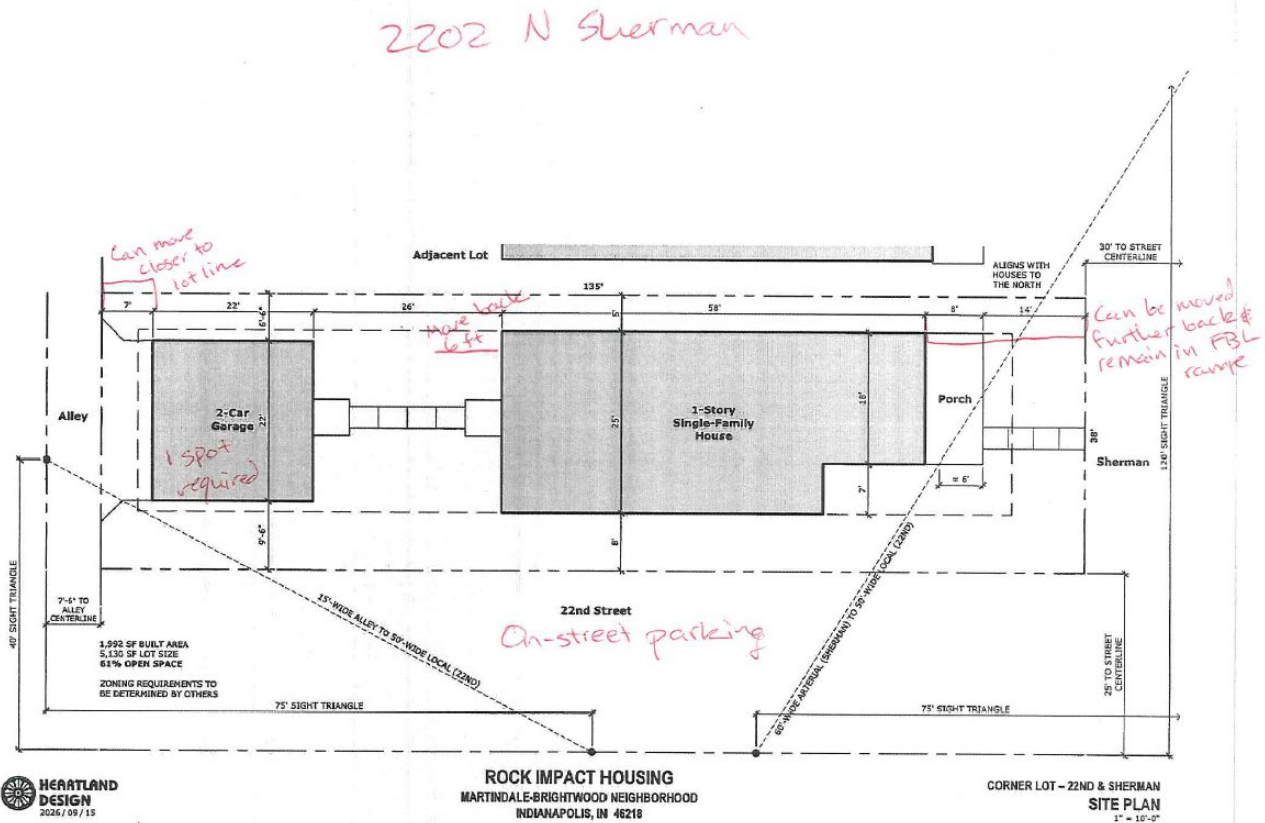
2026-CZN-851 / 2026-CVR-851; Aerial Map for 3724 East 22nd Street



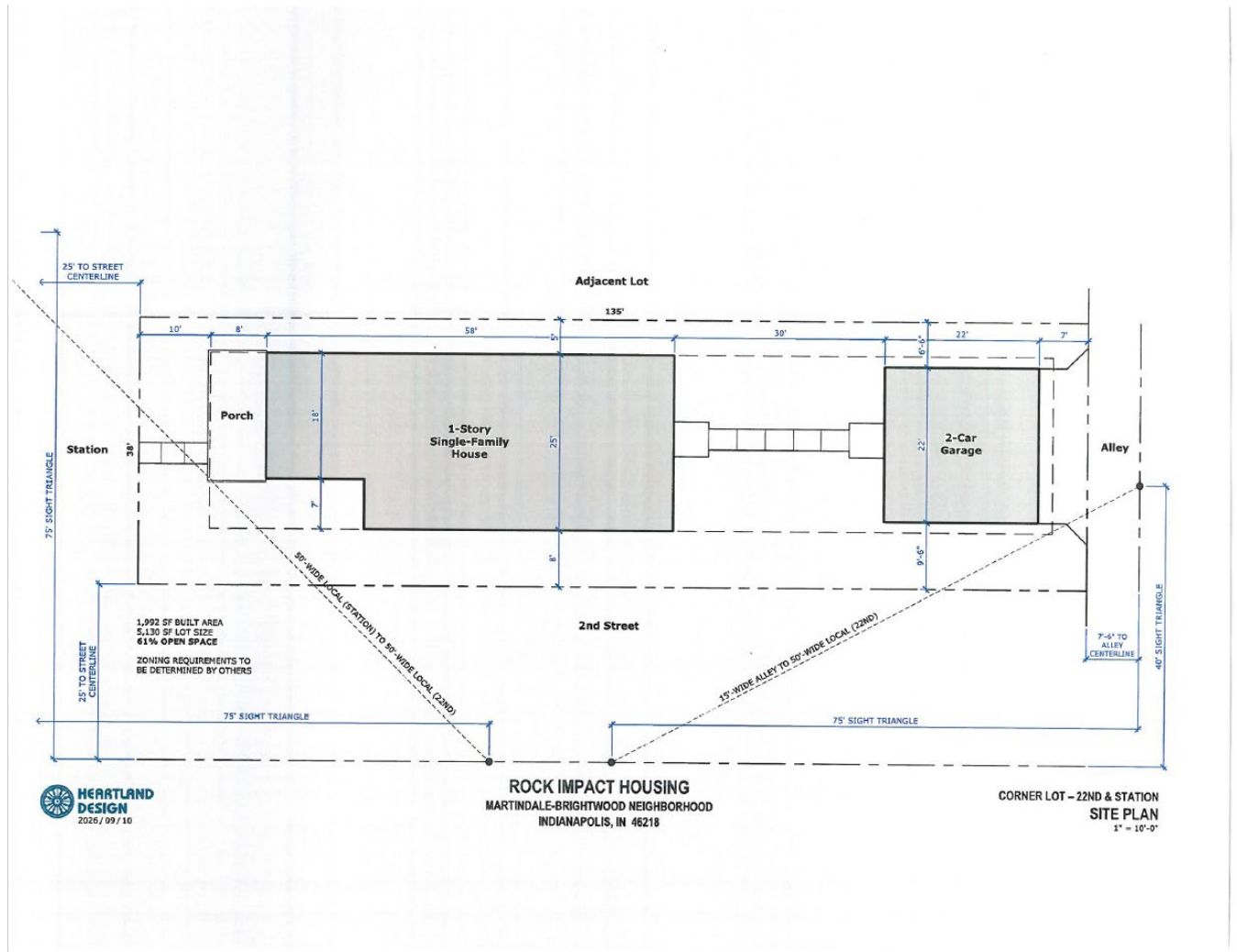
2026-CZN-851 / 2026-CVR-851; Site Plan for 2202 North Sherman Drive



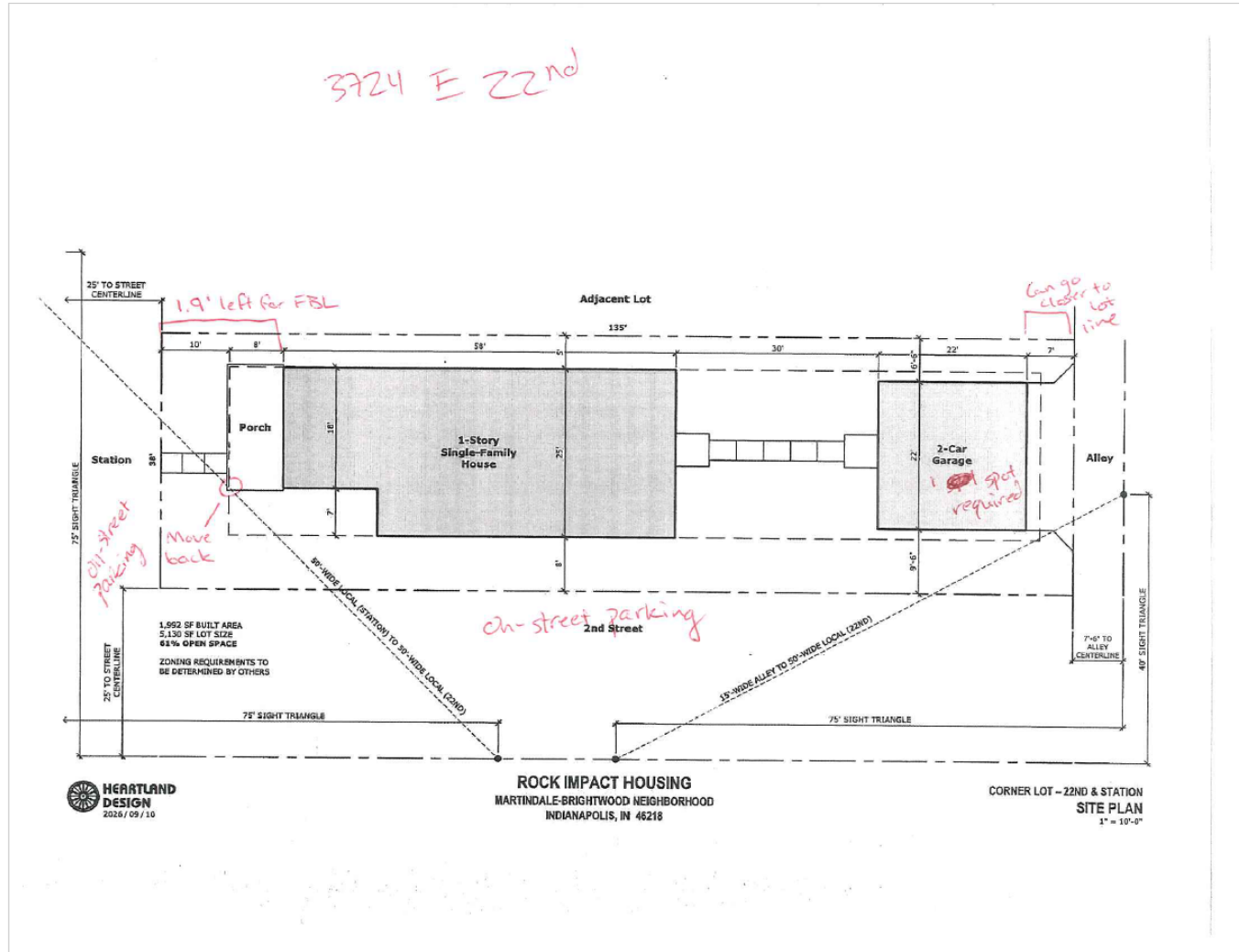
2026-CZN-851 / 2026-CVR-851; Staff Annotated Site Plan for 2202 North Sherman Drive



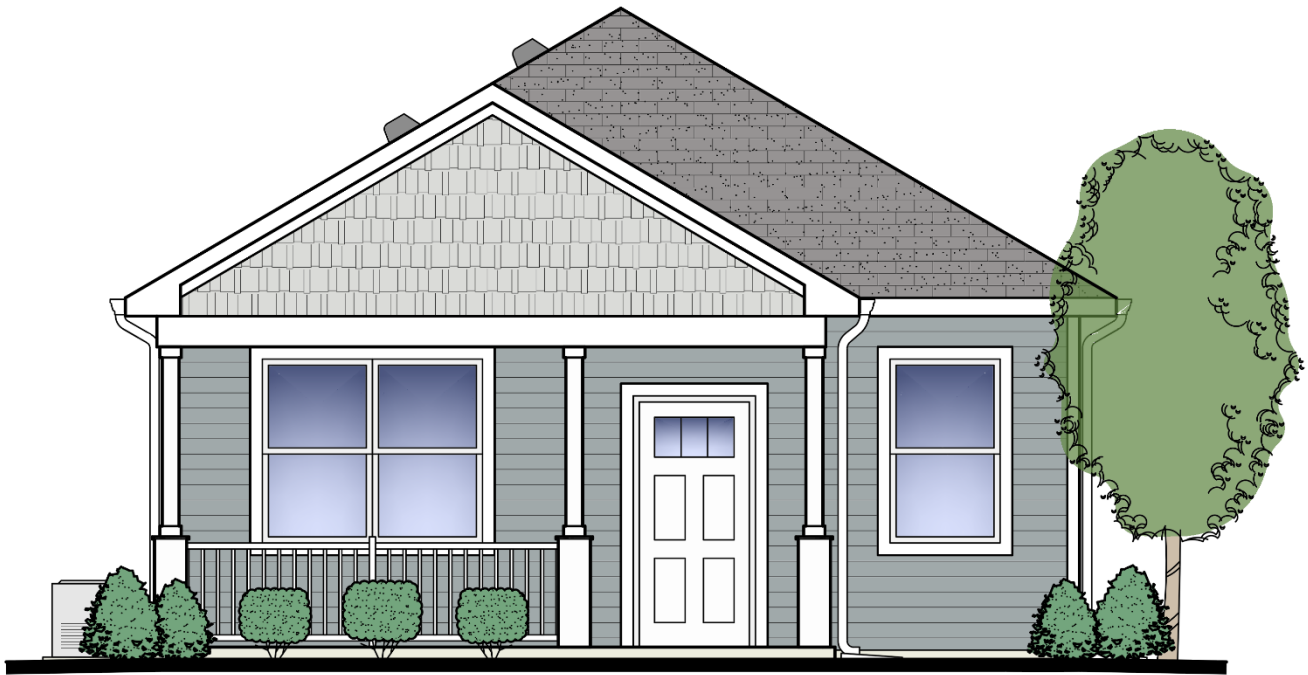
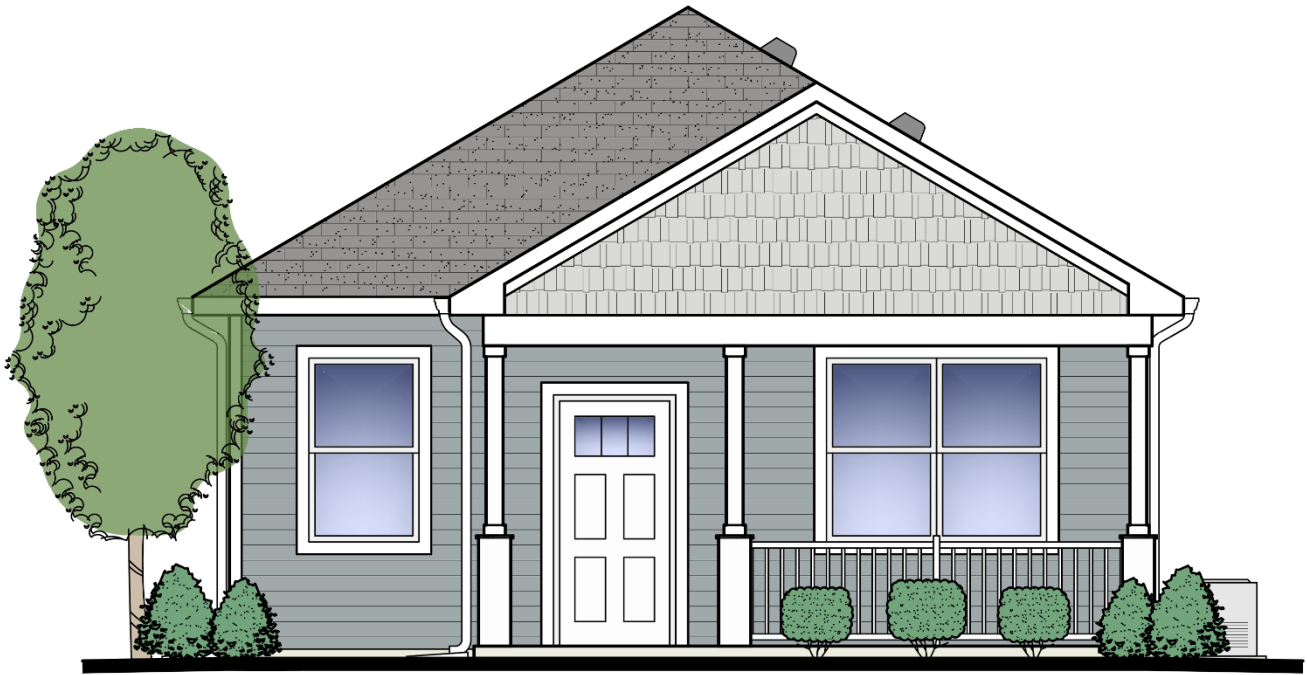
2026-CZN-851 / 2026-CVR-851; Site Plan for 3724 East 22nd Street



2026-CZN-851 / 2026-CVR-851; Staff Annotated Site Plan for 3724 East 22nd Street



2026-CZN-851 / 2026-CVR-851; Elevations



2026-CZN-845 / 2026-CVR-845; Findings of Fact

FINDINGS OF FACT

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

The proposed use for the property is to build single family dwellings that are consistent with the other properties in the community and consistent with the comprehensive plan

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 use for the property is to build single family dwellings with the objective of appreciating the value of the properties in the adjacent area.

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

The proposed use for the property to build the affordable single-family home based on site plans can't be built consistent with the current zoning ordinance as it relates to the sight triangular requirements.

2026-CZN-851 / 2026-CVR-851; Photographs



Photo 1: In alley looking east at 2202 North Sherman Drive

2026-CZN-851 / 2026-CVR-851; Photographs (continued)



Photo 2: In alley looking west at 3724 East 22nd Street

2026-CZN-851 / 2026-CVR-851; Photographs (continued)



Photo 3: On Sherman Drive looking north

2026-CZN-851 / 2026-CVR-851; Photographs (continued)



Photo 4: Looking east across Sherman Drive

2026-CZN-851 / 2026-CVR-851; Photographs (continued)



Photo 5: At intersection of Sherman and 22nd looking south

2026-CZN-851 / 2026-CVR-851; Photographs (continued)



Photo 6: At the intersection of Sherman and 22nd looking west

2026-CZN-851 / 2026-CVR-851; Photographs (continued)



Photo 7: Alley looking north with 3724 East 22nd Street on the left and 2202 North Sherman on the right

2026-CZN-851 / 2026-CVR-851; Photographs (continued)



Photo 8: Station street looking north

2026-CZN-851 / 2026-CVR-851; Photographs (continued)



Photo 9: Intersection of 22nd and Station Streets looking west