

Board of Zoning Appeals Division II

April 14, 2026

Case Number:	2026-DV2-011
Property Address:	215 East 33 rd Street (<i>approximate address</i>)
Location:	Center Township, Council District #8
Petitioner:	Ricky Woolridge
Current Zoning:	D-5
Request:	Variance of Development Standards of the Consolidated Zoning and Subdivision Ordinance to permit a 6-foot fence that is greater than 30% opaque in the front yard (fence height greater than 3.5 feet with opacity greater than 30% not permitted) and located within the clear sight triangle (not permitted).
Current Land Use:	Single-family home
Staff Recommendations:	Staff recommends denial of this petition.
Staff Reviewer:	Josh Levesque, Senior Planner

PETITION HISTORY

This is the first public hearing for this petition.

STAFF RECOMMENDATION

Staff recommends **denial** of this petition.

PETITION OVERVIEW

- 215 East 33rd Street is a mid-block parcel on 33rd Street between North Washington Boulevard and North Pennsylvania Street. Property record cards indicate the presence of a property at this location since around 1910. This parcel is zoned D-5 and the Mapleton-Fall Creek Land Use plan contemplates a density of 5-8 residential units per acre.
- The petitioner's request is to permit a 6-foot fence in their front yard that is greater than 30% opaque. While the fence runs perpendicular to the front door of the house, a front yard is considered to be the area in front of the front building line (see Exhibit 1). This means that approximately the first two (2) to three (3) panels of the fence are considered to be in the front yard.
- Fences in side yards are permitted to be 6 feet tall. The rest of the fence behind the front building line would appear to be in compliance. Staff indicated to the petitioner that they could remove the first three panels or step them down to comply with front yard regulations. The petitioner indicated the fence height is required to contain a large dog. Staff will note that the rest of the front yard (see Photos 1 and 5) is not fenced in or contained.

- A clear sight triangular area is an area in which (per Ordinance) no buildings, structures, landscaping or other elements may be located within, unless otherwise exempted. This is intended to prevent potential pedestrian and vehicular conflicts. A solid, 6-foot tall fence prevents proper viewsheds, posing public safety risks. Photos 5 and 6 emphasize this point. The signs in this photo caution pedestrians about the possibility of vehicles exiting. Instructions on calculating clear sight triangles and staff’s subsequent calculations can be found in Exhibit 2.
- In staff’s analysis, there appear to be no site-specific practical difficulties that would prevent the fence from being stepped down or constructed with different materials beyond the front building line. This is exhibited in Photo 2 which shows the presence of a shorter chain link fence in the front yard in 2019. Given the lack of site-specific practical difficulties, the risks posed by clear site obstructions, and the available remedies, staff recommends denial of this petition.

GENERAL INFORMATION

Existing Zoning	D-5		
Existing Land Use	Developed; Residential		
Comprehensive Plan	5-8 Residential Units per Acre		
Surrounding Context	Zoning	Surrounding Context	
	North:	D-5	North: Residential
	South:	D-5	South: Residential
	East:	D-5	East: Residential
	West:	D-5	West: Residential
Thoroughfare Plan			
East 33 rd Street	Local Street	55-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	2/13/2026		
Site Plan (Amended)	N/A		
Elevations	N/A		
Elevations (Amended)	N/A		
Landscape Plan	N/A		
Findings of Fact	2/9/2026		
Findings of Fact (Amended)	N/A		
C-S/D-P Statement	N/A		

COMPREHENSIVE PLAN ANALYSIS

Comprehensive Plan

- Mapleton-Fall Creek Neighborhood Land Use Plan (2013)

Pattern Book / Land Use Plan

- Not Applicable to the Site. Please see Neighborhood / Areas Specific Plan (etc.) below

Red Line / Blue Line / Purple Line TOD Strategic Plan

- Not Applicable to the Site

Neighborhood / Area Specific Plan

- The Mapleton-Fall Creek Neighborhood Land Use Plan recommends this site for “Residential Development greater than 5.00 and equal to or less than 8.00 units per acre.” It goes on to say “in suburban and rural areas, this is a common multi-family density and typically the highest density single-family category in suburban areas. In urban areas, it is common for both single-family and multi-family development. Development at this density is appropriate along bus corridors but should not take place in proximity to planned light rail transit stops.”

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

ZONING HISTORY – SITE

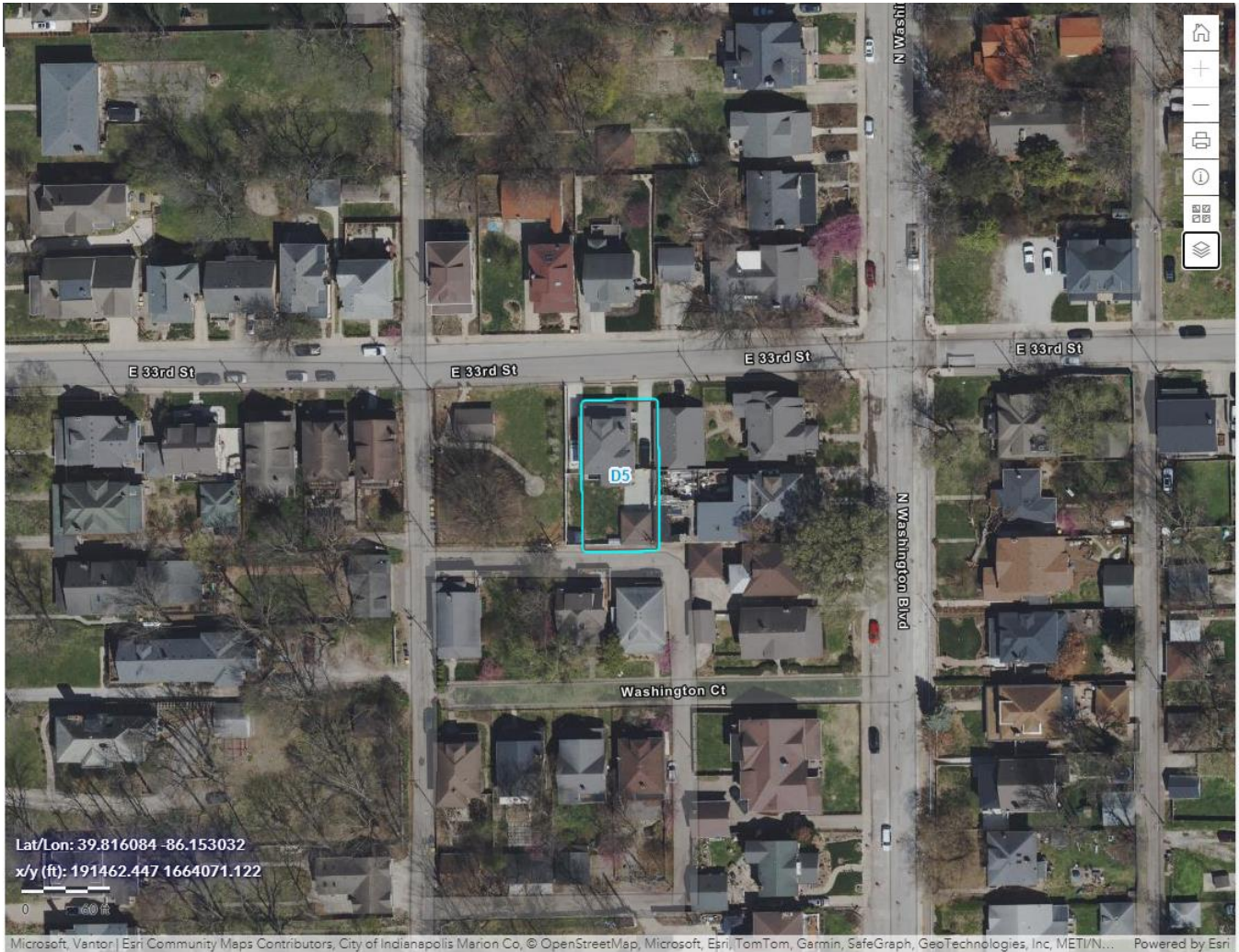
N/A

ZONING HISTORY – VICINITY

N/A

EXHIBITS

2026DV2011; Aerial Map



2026DV2011; Exhibit 1: Front Yard Diagram

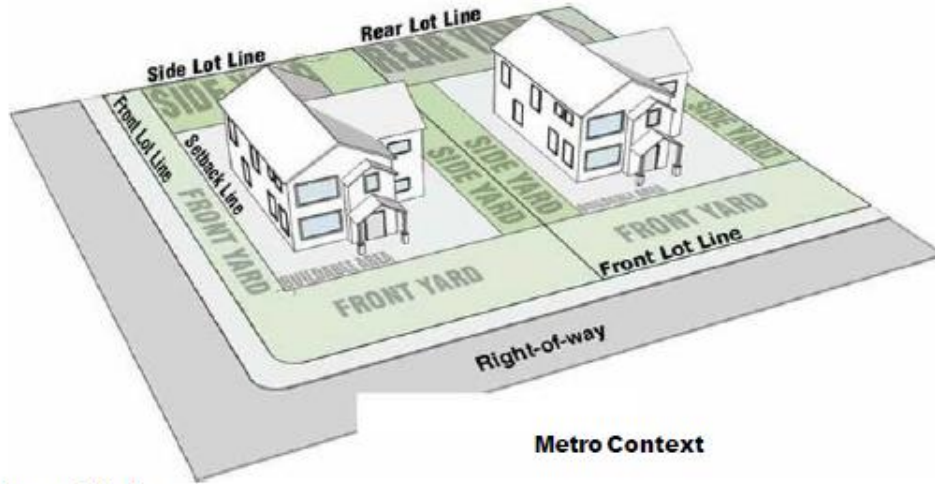
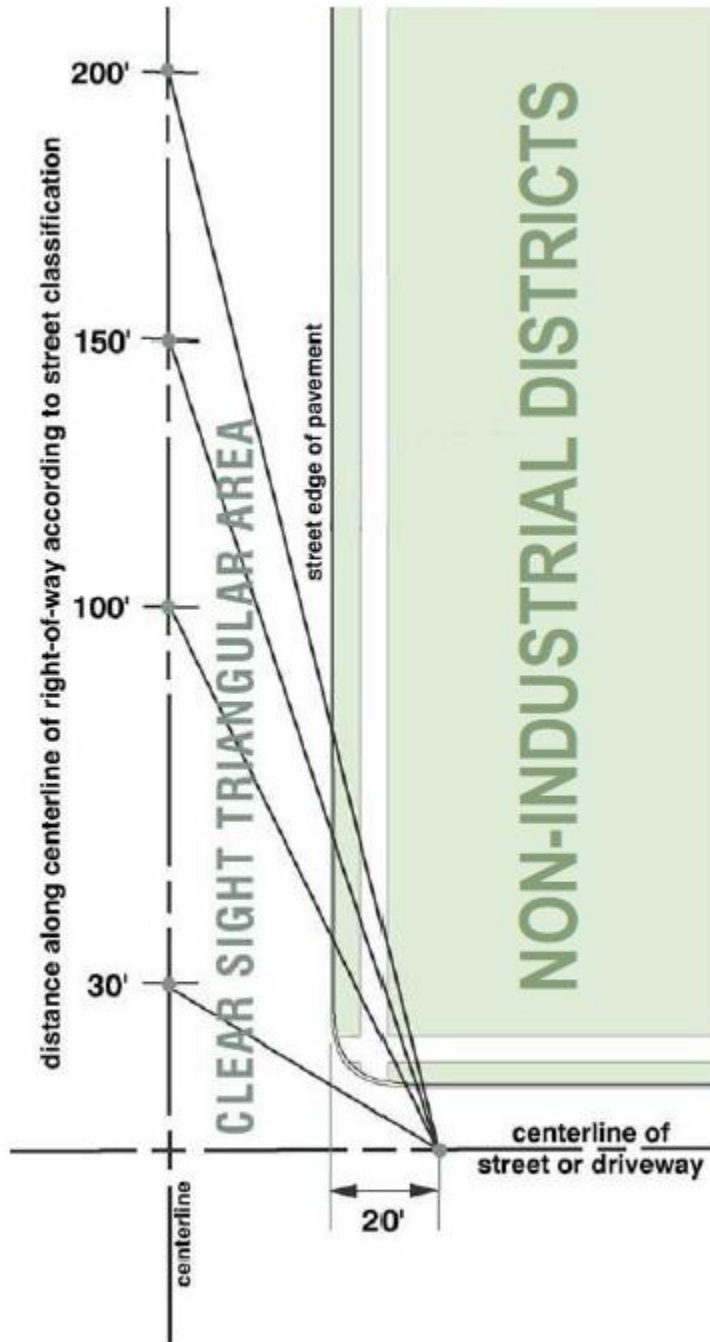


Diagram J Yards

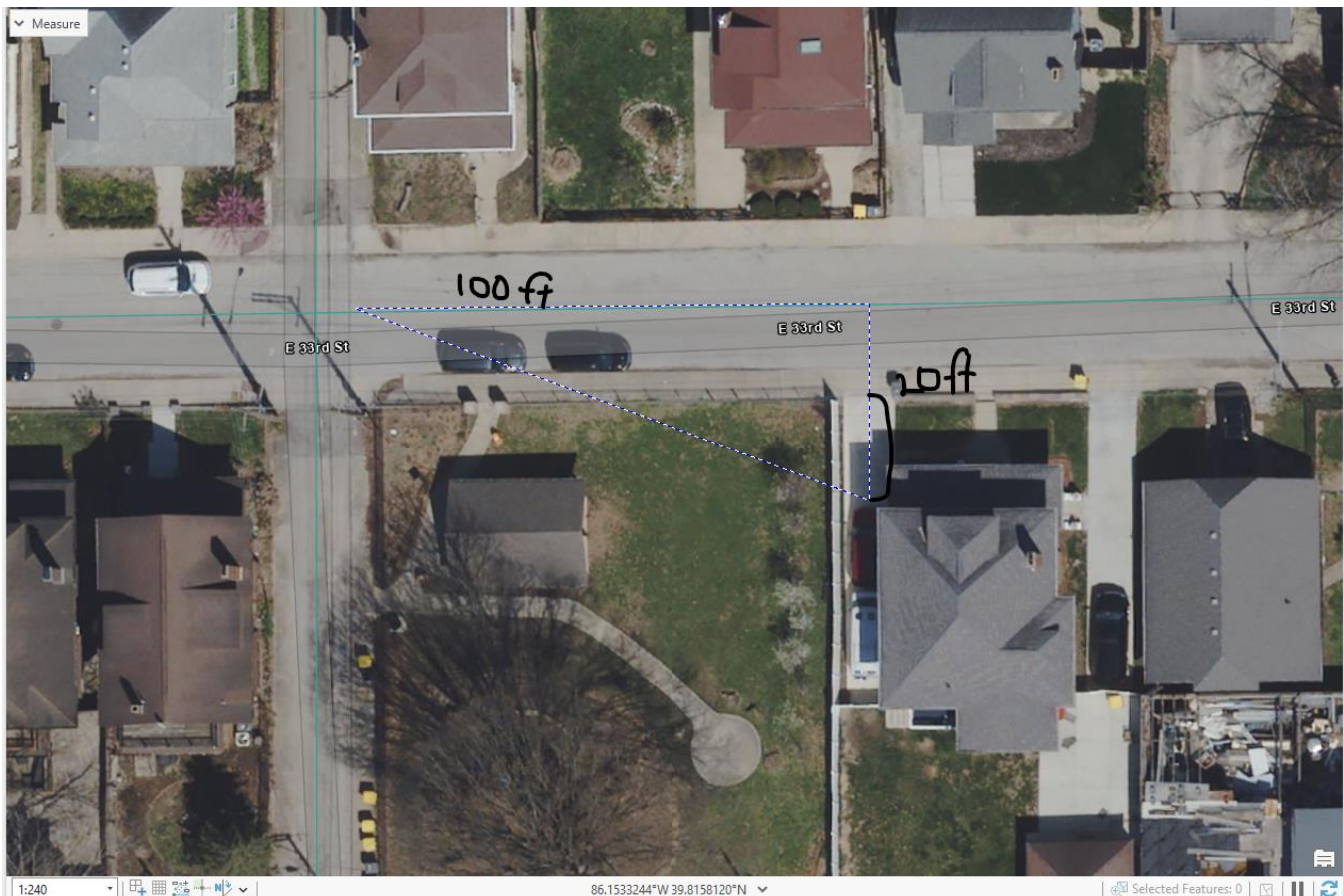
2026DV2011; Exhibit 2A: Clear Sight Triangle Calculations



2026DV2011; Exhibit 2B: Clear Sight Triangle Calculations

Table 740-304-A: Clear Sight distances for non-industrial districts	
Street classification	Distance along the right-of-way centerline
Expressway	Direct access not permitted
Arterials, Highways, or State Roads	200 feet
Collector	150 feet
Local	100 feet
Alley	30 feet
Railroad	75 feet
Greenway	20 feet

2026DV2011; Exhibit 2C: Clear Sight Triangle Calculations



Clear sight calculations 20 feet in from centerline of driveway with 100 feet of distance along right of way required for local roads.

2026DV2011; Photographs



Photo 1: Google Image of front of house

2026DV2011; Photographs (cont'd)



Photo 2: Google Image of subject site in 2019

2026DV2011; Photographs (cont'd)



Photo 3: Looking at fence bordering western driveway

2026DV2011; Photographs (cont'd)



Photo 4: Showing fence bordering western driveway and the fence of the neighboring yard

2026DV2011; Photographs (cont'd)



Photo 5: Looking east at both fences

2026DV2011; Photographs (cont'd)



Photo 6: Fence along eastern driveway; notice sign cautioning about vehicles

2026DV2011; Photographs (cont'd)



Photo 7: Fence of property northeast across the street from subject site

2026DV2011; Photographs (cont'd)



Photo 8: Rear yard fence of adjacent property

2026DV2011; Photographs (cont'd)



Photo 9: Front yard fence of property northwest across the street