

STAFF REPORT

Department of Metropolitan Development Division of Planning Current Planning Section

Case Number: 2023-DV1-039
Address: 209, 217, & 223 North Temple Avenue (approximate address)
Location: Washington Township, Council District #17
Zoning: D-5 (TOD)
Petitioner: City of Indianapolis – Department of Metropolitan Development, by Joseph D. Calderon
Request: Variance of Development Standards of the Consolidated Zoning and Subdivision Ordinance to provide for the construction of a duplex on each lot, with 4.5-foot side yard setbacks and an open space of 52.5 percent (five-foot side yard setbacks, 60 percent open space required) with each lot maintaining a 40-foot lot width and lot area of 5,000 square feet (minimum 60-foot lot width and lot area of 7,200 square feet required).

RECOMMENDATIONS

Staff **recommends approval** of the request.

SUMMARY OF ISSUES

The following issues were considered in formulating the recommendation:

LAND USE

EXISTING ZONING AND LAND USE

D-5	Compact	Single-Family residential
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SURROUNDING ZONING AND LAND USE

North	D-5	Single-Family residential
South	D-5	Single-Family residential
East	D-5	Single-Family residential
West	D-5	Single-Family residential

COMPREHENSIVE PLAN	The Comprehensive Plan recommends Traditional Neighborhood development
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- ◇ The subject site includes three undeveloped lots, 5,000 square feet each, located on the same block on the east side of Temple Avenue. These lots are within the Near Eastside Redevelopment Area.

VARIANCE OF DEVELOPMENT STANDARDS

- ◇ This request would provide the construction of a duplex on each lot, with 4.5-foot side yard setbacks and an open space of 52.5 percent, with each lot maintaining a 40-foot lot width and lot area of 5,000 square feet.

(Continued)

STAFF REPORT 2023-DV1-039 (Continued)

- ◇ The walkable neighborhood district standards for duplexes require a 60-foot lot width and a 7,200 square foot lot area. A multi-unit house may have two to four units with a 40-foot lot width and a 5,000 square foot lot area; however, a multi-unit house may not be subdivided into single-family attached dwellings. Row houses may have 20-foot lot widths and a 2,000-square foot lot area, but are only permitted in D-5II or higher.
- ◇ Staff would note that the proposed duplexes would generally comply with the standards for multi-unit houses or row house standards, which would allow for the same number of units. The comprehensive plan recommendation for traditional neighborhood development would support two-family dwellings. Staff would note that this neighborhood has historically contained a mix of one and two-family dwellings, and existing non-conforming duplexes may be platted as single-family attached dwellings per Section 741-105.C. Therefore, staff would not be opposed to reduced lot width and area where it generally meets the intent of the development standards, and the project is compatible with the existing neighborhood development.
- ◇ This request would provide for 52.5 percent open space where 60 percent is required. Staff would note that this requirement is based on a 7,200 square foot lot area. The open space requirement for 5,000 square foot lots, whether single-family or a multi-unit dwelling, is 40 percent. Staff would not be opposed to a reduction for open space where it is a slight reduction that is consistent with the lot size.
- ◇ This request would provide for 4.5-foot side yards where 5 feet is required. The findings point out that the compact context standards for the D-3 and D-4 districts, which have less density, allow for a 4-foot side yard. Therefore, staff would not be opposed to a slight reduction of the side yards where it is consistent with similar districts.

GENERAL INFORMATION

THOROUGHFARE PLAN

Temple Avenue is classified in the Official Thoroughfare Plan for Marion County, Indiana as a local street, with a 60-foot existing and proposed right-of-way.

FINDINGS OF FACT

File-dated August 7, 2023

SITE PLAN

File-dated August 7, 2023

FLOOR PLAN

File-dated August 7, 2023

ELEVATIONS

File-dated August 7, 2023

ZONING HISTORY – SITE

None

ZONING HISTORY – VICINITY

2021-UV2-018, 228 North Temple Avenue and others, variance of use and development standards for two-family dwellings, **approved**.

(Continued)

STAFF REPORT 2023-DV1-039 (Continued)

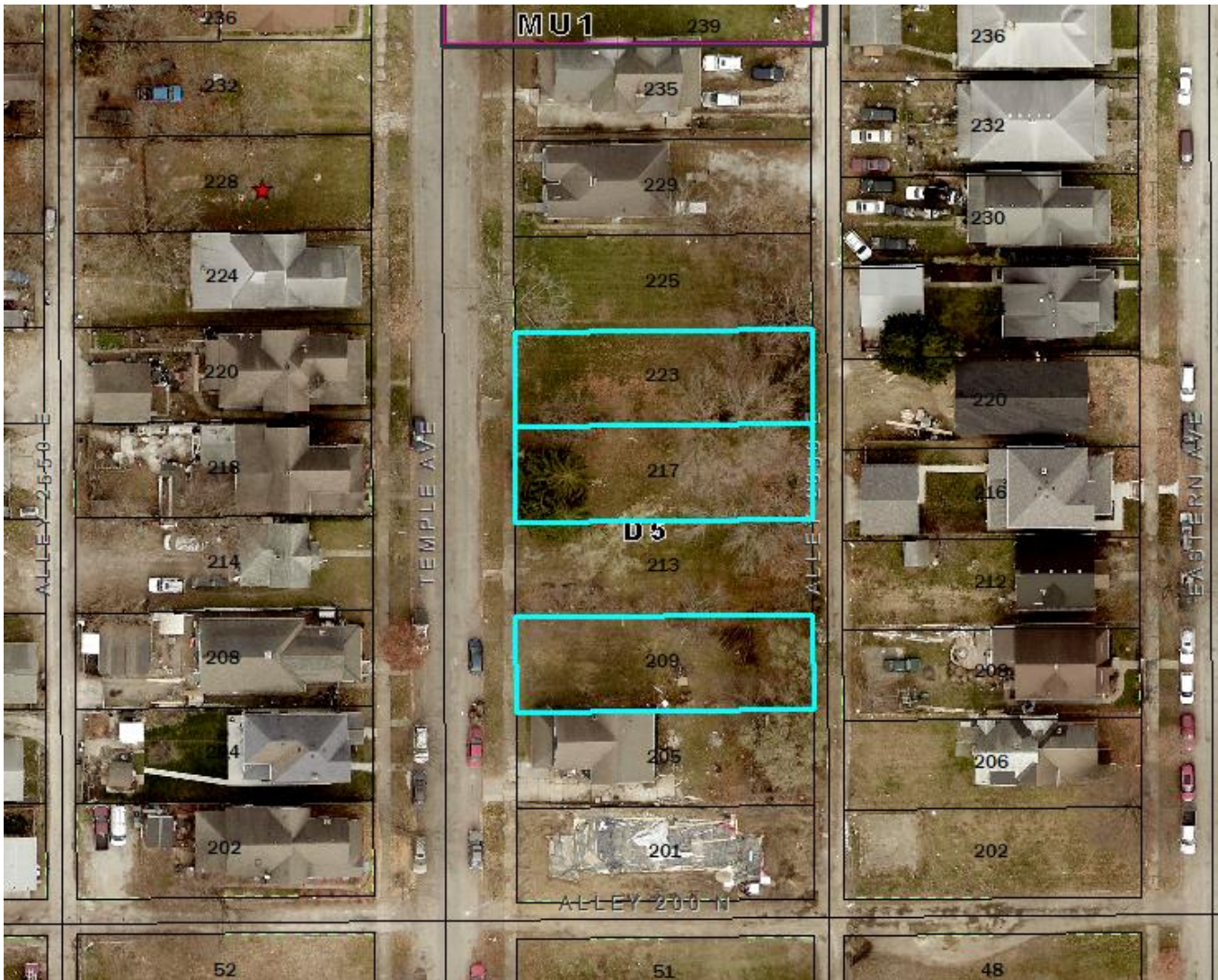
2019-CVR-816, 244 North Temple Avenue, variance to provide for the construction of two mixed-use buildings a) within the clear sight triangles of the abutting streets, b) with 9.75-foot (west) and 8.75-foot front transitional (east) setbacks from New York Street, c) with 2.4-foot (west) and 2.5-foot (east) front setbacks from Temple Avenue, without landscaping, d) with 10.7-foot (west) and 8.9-foot (east) side transitional setbacks, e) with a 9.9-foot west side and 11-foot south side transitional setback for the western parking lot and drive, f) a zero-foot east side transitional setback for the eastern parking and trash enclosure without landscaping, g) a 9.9-foot west side transitional setback for the western trash enclosure, and h) with 57, 162-square foot parking spaces, without interior landscaping and with access from Temple Avenue, **approved**.

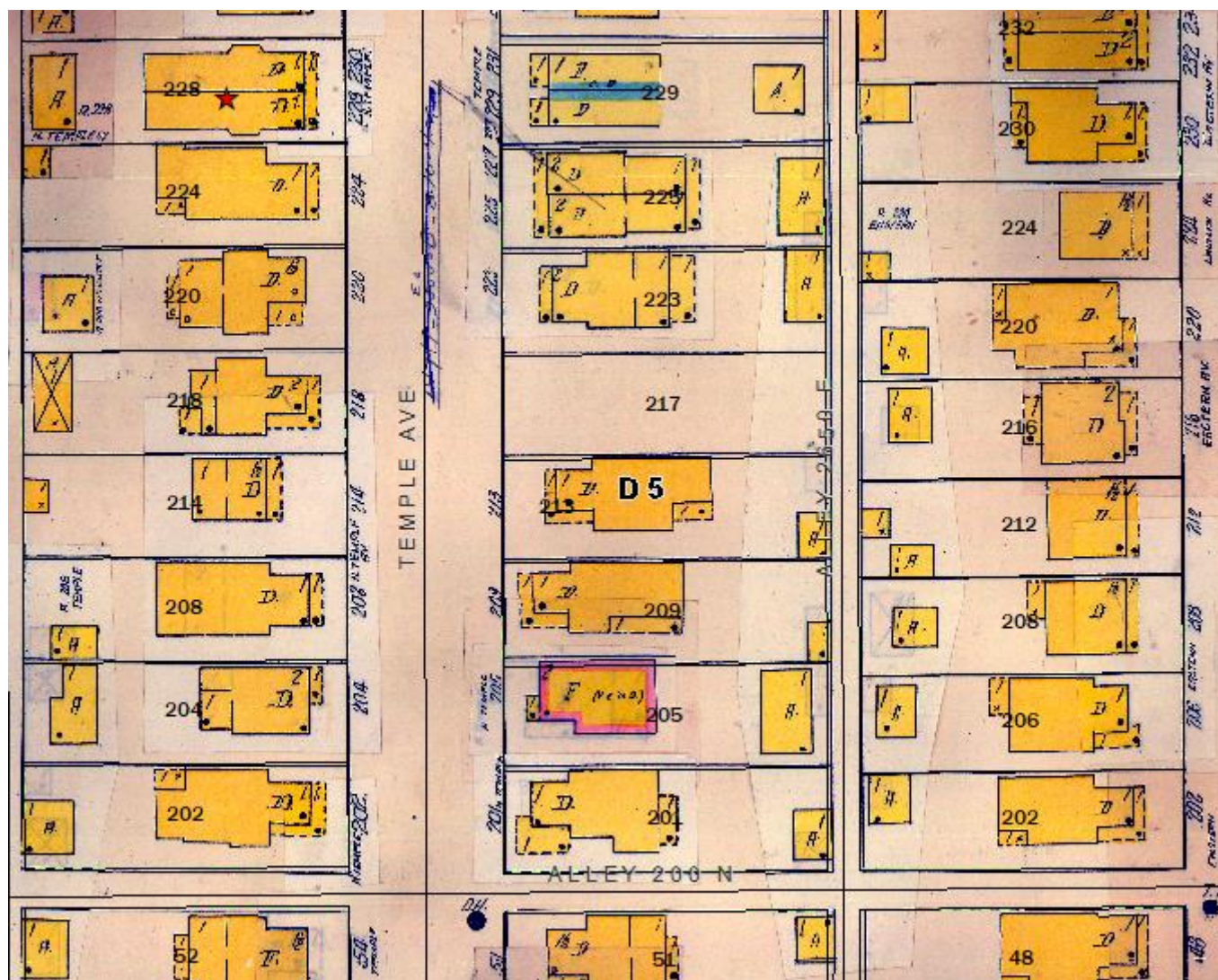
2019-CZN-816, 244 North Temple Avenue, rezoning of 1.04 acres from the SU-1, D-8 and D-5 districts to the MU-1 classification to provide for two mixed-use buildings and 1,664-square feet of community space, **approved**.

98-Z-92, 2601 East New York Street, rezoning of 0.6 acres from the D-5/D-8 district to the SU-1 district, **approved**.

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2023-DV1-039; Aerial Map





**METROPOLITAN DEVELOPMENT COMMISSION
HEARING EXAMINER
METROPOLITAN BOARD OF ZONING APPEALS, Division I
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 duplex units will have adequate setbacks consistent to promote public safety, and side yard setbacks consistent with less dense zoning districts, such as D-3 and D-4. The proposed duplexes will be placed on the lots to provide new, safe and clean housing with adequate build-to lines and connectivity to sidewalks, thereby promoting the walkable neighborhood district goals, and this promoting the public health, safety and general welfare.

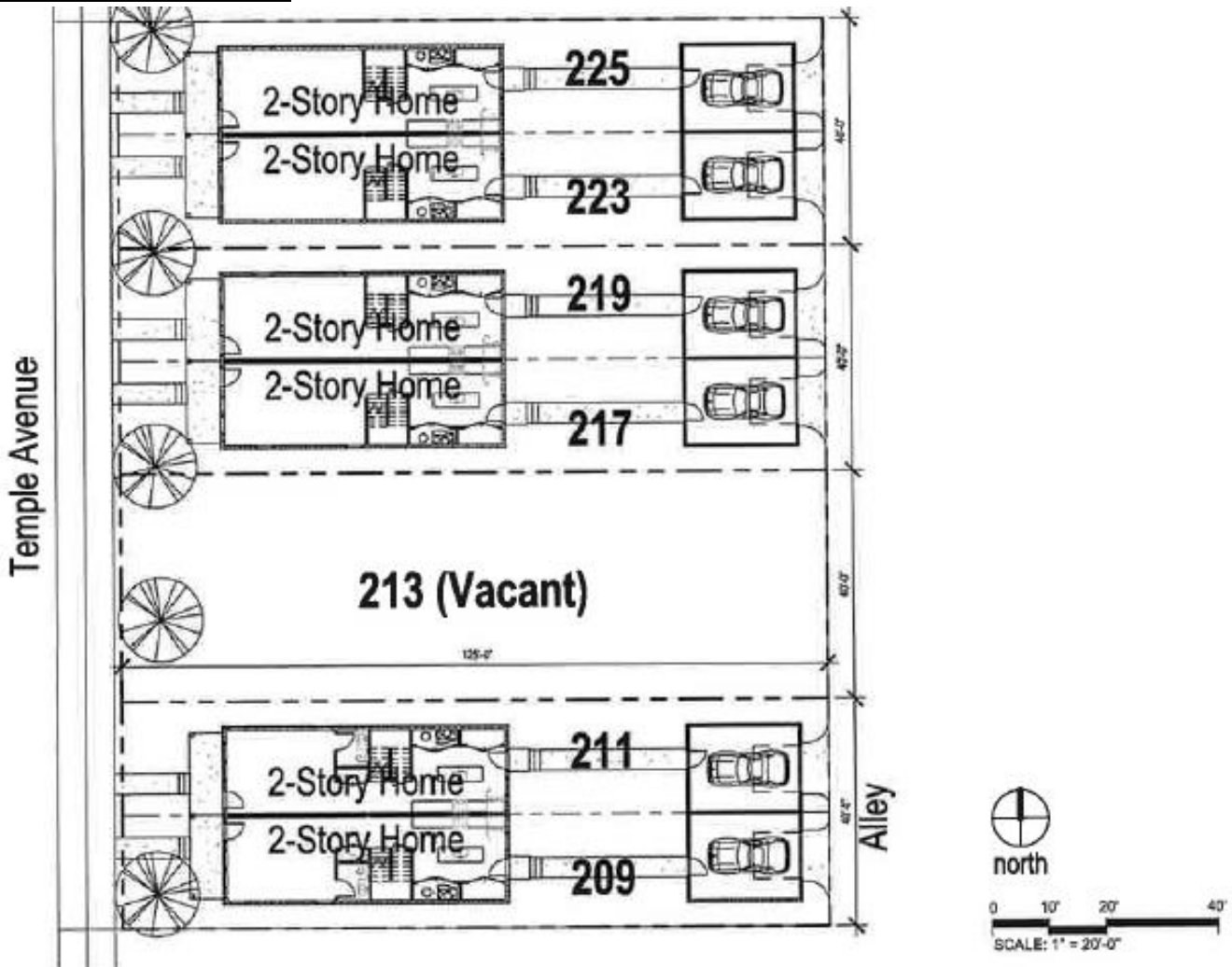
2. The use or value of the area adjacent to the property included in the variance will not be affected in a substantially adverse manner because:

the lots will be developed in a manner consistent with the homes in the immediate neighborhood and will help support property values by providing investment in new, safe and clean housing.

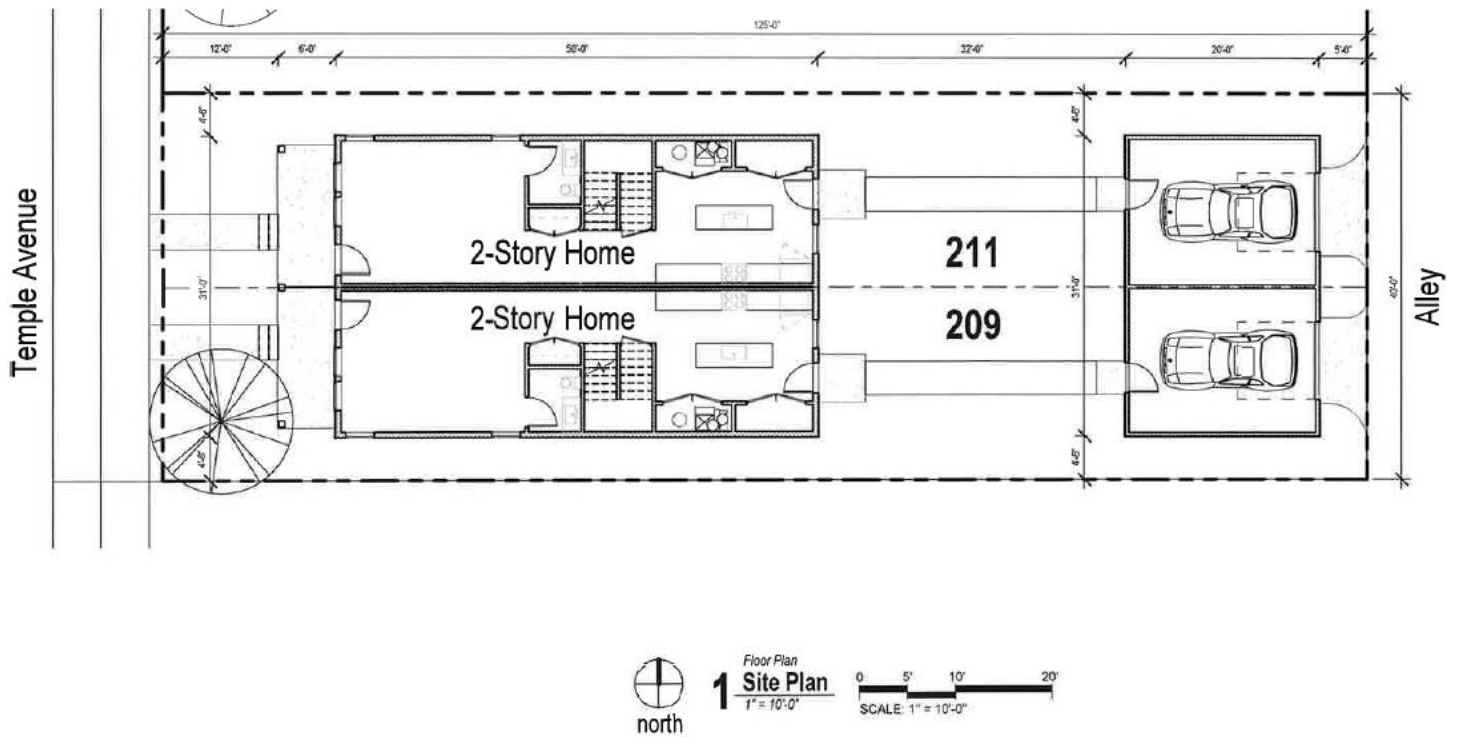
3. The strict application of the terms of the zoning ordinance will result in practical difficulties in the use of the property because:

the existing lots are platted, the proposed use is permitted, but the most recent standards apply to the redevelopment, thus imposing the need for a few variances, which are minor deviations from the ordinance standards.

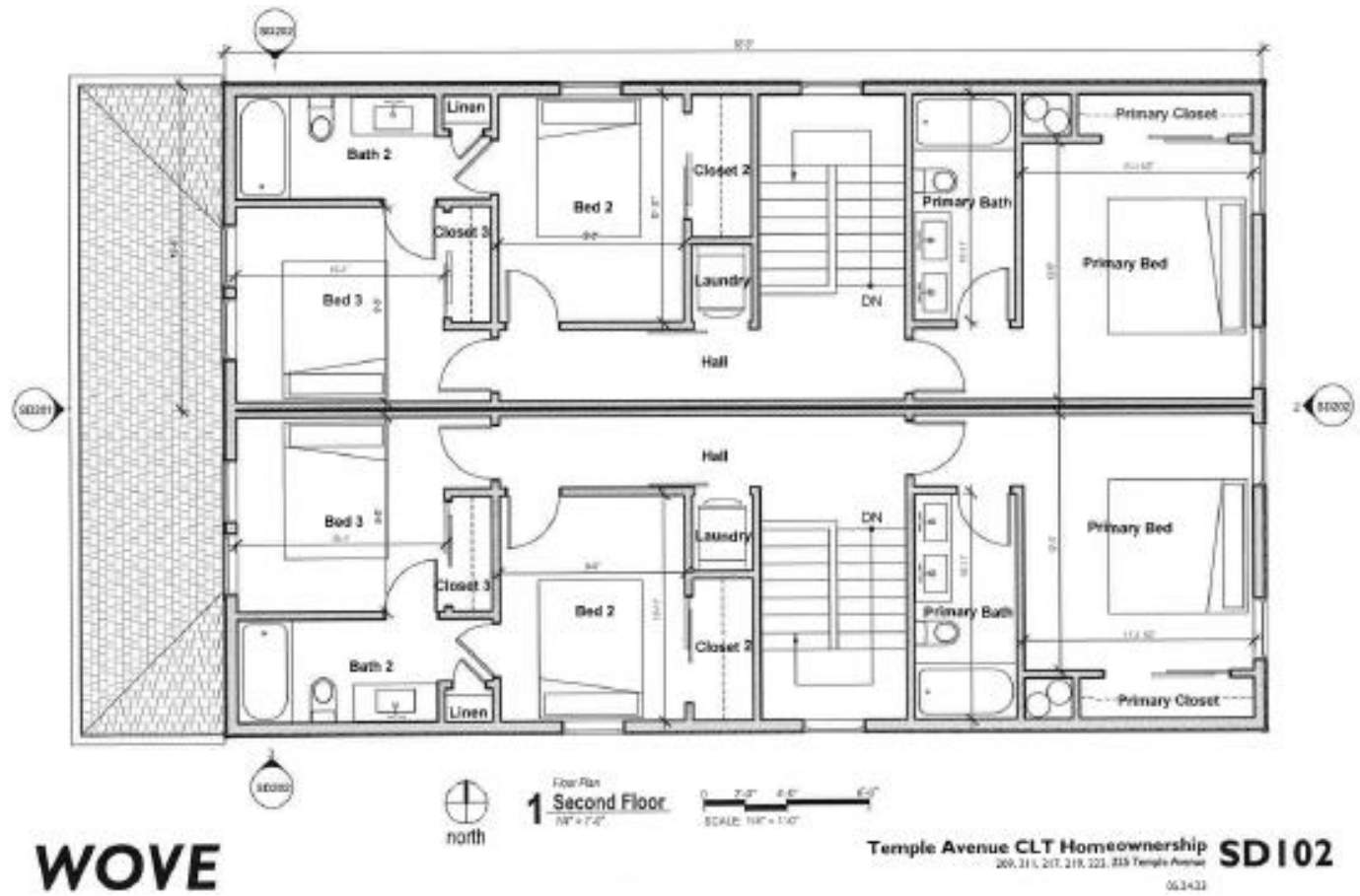
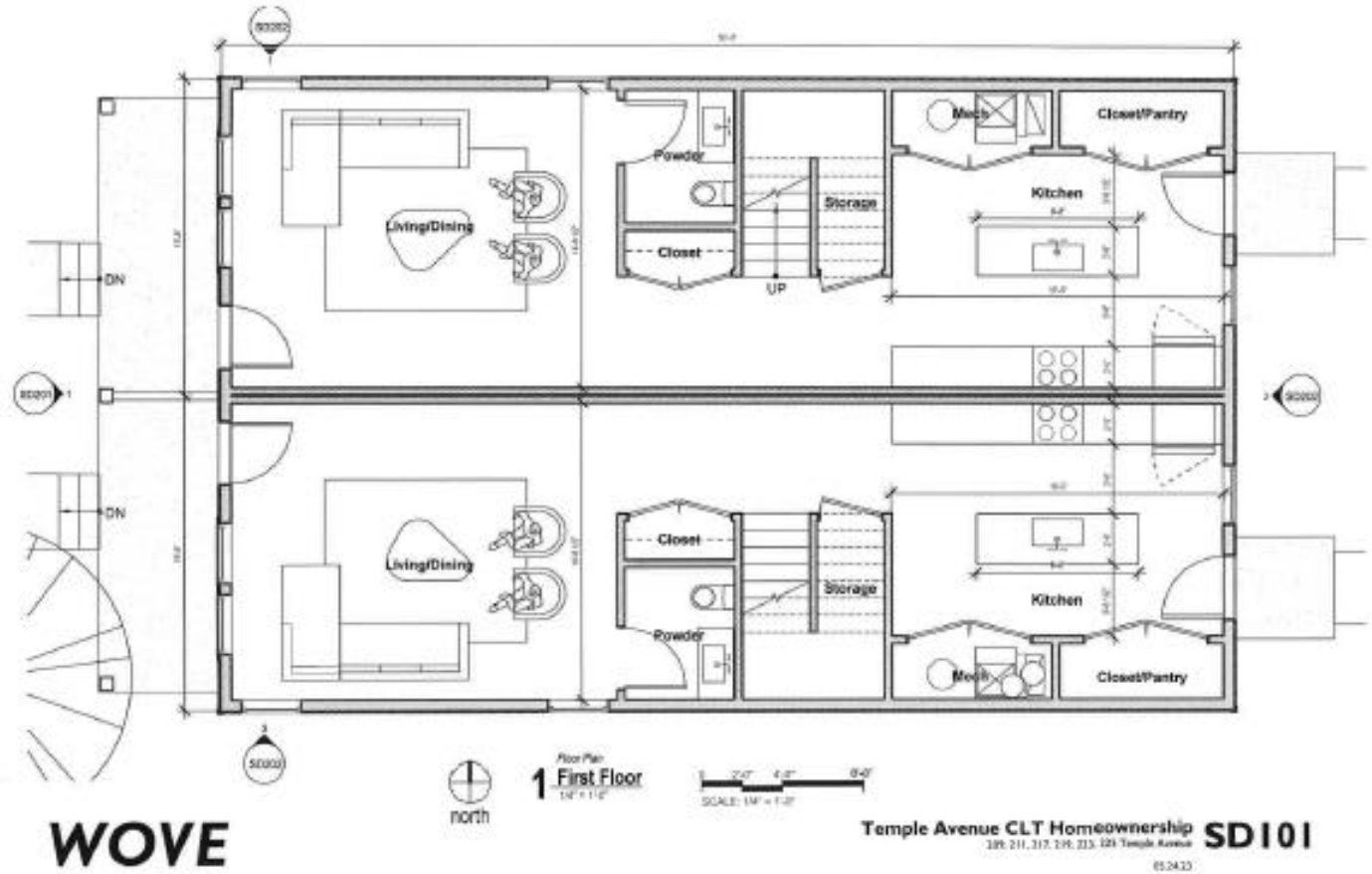
2023-DV1-039; Site Plan



Plan Detail



2023-DV1-039; Floor Plans



2023-DV1-039; Elevations



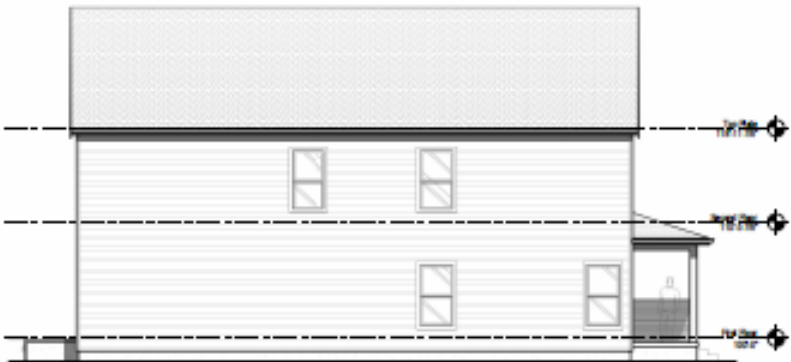
Building Elevation
1 Front/West
1/8" = 1'-0"

0 2'-0" 4'-0" 8'-0"
SCALE: 1/8" = 1'-0"

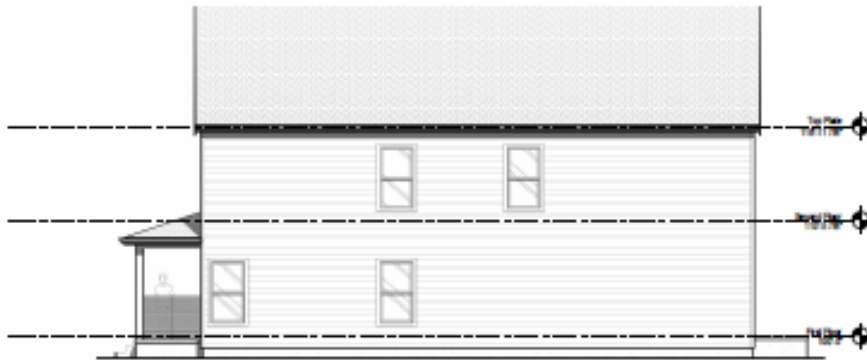
Temple Avenue CLT Homeownership **SD201**
209, 211, 217, 219, 223, 225 Temple Avenue
05.24.23



Building Elevation
2 Rear/East
1/8" = 1'-0"



Building Elevation
1 North
1/8" = 1'-0"



Building Elevation
3 South
1/8" = 1'-0"

0 4'-0" 8'-0" 16'-0"
SCALE: 1/8" = 1'-0"

Temple Avenue CLT Homeownership **SD202**
209, 211, 217, 219, 223, 225 Temple Avenue
05.24.23



WOVE

3D View
1 Perspective

Temple Avenue CLT Homeownership **SD203**
209, 211, 217, 219, 223, 225 Temple Avenue
05.24.23



Building Elevation
1 Streetscape
1" = 10'-0"

0 10' 20' 40'
SCALE: 1" = 20'-0"

WOVE
ARCHITECTURE + DESIGN

Temple Avenue CLT Homeownership **SD204**
209, 211, 217, 219, 223, 225 Temple Avenue
05.24.23

2023-DV1-039; Photographs



Subject Site, Temple Avenue frontage



Subject Site, 209 North Temple Avenue



Subject site, 217 North Temple Avenue



Subject site, 217 & 223 North Temple Avenue