

BOARD OF ZONING APPEALS DIVISION I

September 5, 2023

Case Number: 2023-DV1-040

Property Address: 2058 Cornell Avenue (approximate address)

Location: Center Township, Council District #17

Petitioner: Benjamin J. A. and Alisha D. Gibbs

Current Zoning: D-8

Request: Variance of Development Standards of the Consolidated Zoning and Subdivision Ordinance to provide for the construction of detached garage and secondary dwelling unit, with a 1.75-foot north side yard setback (three-foot side yard setbacks required).

Current Land Use: Residential

Staff Recommendations: Staff recommends approval of this request

Recommended Motion: Motion to approve petition 2023-DV1-040

Staff Reviewer: Noah Stern, Associate Planner

PETITION HISTORY

This is the first public hearing for this petition.

STAFF RECOMMENDATION

Staff recommends approval of this request.

PETITION OVERVIEW

- This request would provide for the construction of a detached garage and a secondary dwelling unit above, with a 1.75-foot north side yard setback (3-foot side yard setbacks required).
- Both detached garages and secondary dwelling units that are accessed via alley are common development patterns of the surrounding area. The proposed designs will include a 633 sq. ft. secondary dwelling unit and small attic space above the detached garage. The height of the accessory structure is to be shorter than the height of the primary structure and, therefore, in compliance with the Ordinance.
- The width of the subject site is 37 feet, narrower than many lots in the D-8 district that have widths exceeding 40 feet. Likewise, the proposed building footprint of the accessory structure will have a matching north side yard setback as the primary structure- 1.75 feet. With the subject site being

narrow, and the accessory structure north side yard setback not exceeding the primary structure north side yard setback, Staff, therefore, is not opposed to reduced side yard setback to accommodate a new accessory structure.

GENERAL INFORMATION

Existing Zoning	D-8	
Existing Land Use	Residential	
Comprehensive Plan	Traditional Neighborhood	
Surrounding Context	Zoning	Surrounding Context
	North: D-8	North: Church
	South: D-8	South: Single-family residential
	East: D-8	East: Single-family residential
	West: D-8	West: Single-family residential
Thoroughfare Plan		
Cornell Avenue	Local Street: Existing ROW: 50 feet Proposed ROW: 48 feet	
Context Area	Compact	
Floodway / Floodway Fringe	No	
Overlay	No	
Wellfield Protection Area	No	
Site Plan	7/20/2023	
Site Plan (Amended)	8/18/2023	
Elevations	7/20/2023	
Elevations (Amended)	8/18/2023	
Landscape Plan	N/A if not applicable	
Findings of Fact	7/20/2023	
Findings of Fact (Amended)	N/A if not applicable	

COMPREHENSIVE PLAN ANALYSIS

Comprehensive Plan

- Marion County Land Use Plan Pattern Book
- Infill Housing Guidelines

Pattern Book / Land Use Plan

- The Marion County Land Use Plan recommends the Traditional Neighborhood living typology for this site.
- In the Traditional Neighborhood living typology, the Pattern Book:
 - Encourages secondary units
 - Recommends garages be loaded and accessed from an alley, when possible
- The request is in accordance with these recommendations.

Red Line / Blue Line / Purple Line TOD Strategic Plan

- Not Applicable to the Site

Neighborhood / Area Specific Plan

- Enter Recommendation by Pattern Book or “Not Applicable to the Site.”

Infill Housing Guidelines

- The Infill Housing Guidelines (IHG) document is used to promote good practice with regards to form, massing, aesthetics, landscaping, etc. of new infill housing projects for all scales and types.
- The Infill Housing Guidelines document recommends:
 - Locate accessory structures behind primary building
 - Access accessory buildings from alleys
 - Don’t overshadow primary buildings
 - Coordinate the architectural styles and aesthetics of primary and accessory structures
- This proposal is in accordance with these recommendations.

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

99-UV3-82; 2062 Bellefontaine Street (west of site), Variance of Use to provide for a 1,152 sq. ft. variety store in an existing building, **approved**.

2004UV2003; 1002 E 21st Street (north of site), Variance of Use to provide for a thrift store in a warehouse in an I-3 district, **approved**.

2010DV2027; 2009 Bellefontaine Street (west of site), Variance of development standards of the Dwelling Districts Zoning Ordinance to provide for a two-family dwelling with a 7.42-foot setback from the right-of-way of East 20th Street, and a parking pad with a 5.625-foot front yard setback, **approved**.

2011ZON073; 1013 e 20th Street (south of site), Rezoning of 2.139 acres from the I-3-U District to the D-P classification to provide for 84 multifamily units at a density of 39.27 units per acre, **approved**.

2018DV2016; 2037 Bellefontaine Street (south of site), Variance of development standards of the Consolidated Zoning and Subdivision Ordinance to provide for an addition with an attached garage to a single-family dwelling, creating an open space of 49% (minimum 55% required) and to legally establish a 12-foot front setback and eight feet between dwellings (18-foot front setback and 10 feet between dwellings required), **withdrawn**.

2020DV1040; 2041 Cornell Avenue (south of site), Variance of development standards of the Consolidated Zoning and Subdivision Ordinance to provide for a two-family dwelling with a five-foot front setback and a detached garage, both with three-foot side setbacks and 44% open space (18-foot front setback or average, four-foot side setbacks and 55% open space required), **approved**.

2020DV1063; 2103 Bellefontaine Street (north of site), Variance of development standards of the Consolidated Zoning and Subdivision Ordinance to provide for the construction of a single-family dwelling and detached garage, on a lot with 28.5 feet of frontage (30 feet of frontage required), with a 0.5-foot front yard along Bellefontaine Street, 4.5-foot separation between dwellings, and with an eleven-foot rear setback (18-foot front setback or average, 10 feet between dwellings and 15-foot rear setback required), **approved**.

2020DV2050; 816 e 21st Street (north of site), Variance of development standards of the Consolidated Zoning and Subdivision Ordinance to provide for a single-family dwelling with five-foot front setback, five-foot rear setback and 44% open space (18-foot front setback or average, 15-foot rear setback and 55% open space required), **approved**.



**Department of Metropolitan Development
Division of Planning
Current Planning**

2021DV2021; 823 E 21st Street (west of site), Variance of development standards of the Consolidated Zoning and Subdivision Ordinance to provide for a single-family dwelling with a one-foot setback from the right-of-way of 21st Street, a five-foot rear setback and 48% open space (18-foot front setback or average, 15-foot rear setback and 55% open space required), **approved**.

EXHIBITS

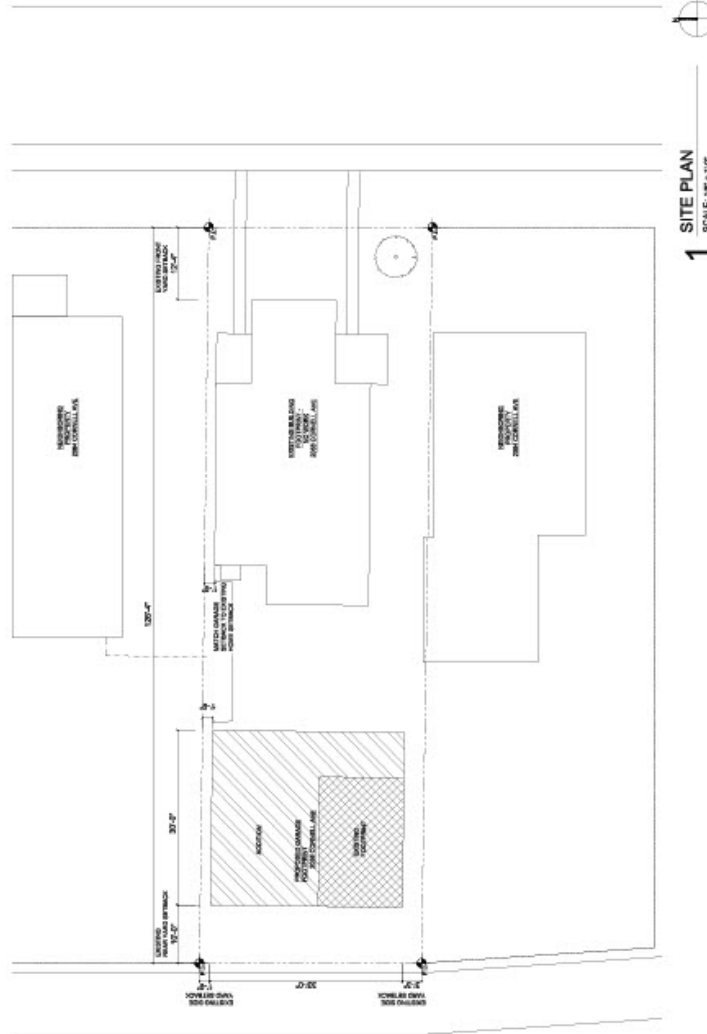
GENERAL NOTES

1. CONSTRUCTION TO MEET ALL DIMENSIONS ON SITE AND TO BE IN ACCORDANCE WITH THE CITY OF CHICAGO ZONING ORDINANCE.
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LEGEND

EXISTING WALL CONSTRUCTION TO REMAIN
 EXISTING WALL CONSTRUCTION TO BE REMOVED
 NEW WALL CONSTRUCTION FOR NEW USE
 PARTITION TYPE
 WINDOW
 DOORWAY
 FLOORING
 CEILING
 LIGHTING TO BE INSTALLED

PROJECT: RESIDENCE
 SHEET: A000
 TITLE: SITE PLAN
 ISSUE: VARIANCE PERMIT
 DATE: JULY 11, 2022





LEGEND

=====	EXISTING WALL CONSTRUCTION TO REMAIN
=====	EXISTING WALL CONSTRUCTION TO BE REMOVED
=====	NEW WALL CONSTRUCTION SEE B-47 AND
P1	PARTITION TYPE
W1	WINDOW
D1	DOOR
PO	POSING OCCUPANCY
ILL	ILLUMINATE DET SIGN

PROJECT _____
 CONNO _____ RESIDENCE _____
 TITLE _____ SHEET _____
 FLOOR PLANS _____
 A100
 ISSUE _____
 VARIANCE PERMIT _____
 DATE _____
 JULY 11, 2002



GENERAL NOTES

1. CONTRACTOR TO VERIFY ALL DIMENSIONS ON SITE AND CORRECT ANY DISCREPANCIES PRIOR TO COMMENCEMENT OF CONSTRUCTION.
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LEGEND

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PROJECT RESIDENCE
DATE 7/11/2022
DESIGNER A200
SCALE 1/8" = 1'-0"
DATE 7/11/2022

