

BOARD OF ZONING APPEALS DIVISION II

October 13, 2026

Case Number: 2026-DV2-035

Property Address: 215 South Davidson Street (approximate address)

Location: Center Township, Council District #18

Petitioner: Neu Eckert Development LLC-S, by Kevin Eckert

Current Zoning: D-8 (RC)

Request: Variance of Development Standards of the Consolidated Zoning and Subdivision Ordinance to allow for the development of three total 2-unit homes that are 3 stories in height (limited to the lesser of 2.5 stories or 35 feet) and to allow for the development of these 2-unit homes on lots that are 33 feet wide (35 feet required).

Current Land Use: Undeveloped

Staff Recommendations: Staff recommends **approval** of this petition, subject to commitment(s).

Staff Reviewer: Josh Levesque, Senior Planner

PETITION HISTORY

This is the first hearing for this petition.

STAFF RECOMMENDATION

Staff recommends **approval** of this petition, subject to the following commitment: The height of each 2-unit home shall not exceed 35 feet.

PETITION OVERVIEW

215 South Davidson refers to three (3) parcels totaling roughly 0.15 acre. Each lot is roughly thirty-three (33) feet wide and roughly 75 feet long. All three lots are zoned D-8. Lots directly to the north and south are zoned I-4. The lot to the west is zoned CBD-2. The parcels are bordered by I-70/I-65 to the east. The proposed variance is being sought to allow for the development of three (3) total 2-unit homes each with a height of three (3) stories.

The petitioner is requesting two variances. The first is to allow for the development of three 2-unit homes that are three stories in height. D-8 height requirements limit such homes to the lesser of 2.5 stories or thirty-five (35) feet. Staff will note that, while the building height would go beyond 2.5 stories, the height would not go beyond thirty-five (35) feet.

The second variance is to allow for these 2-unit homes to be developed on lots that are thirty-three (33) feet wide. The minimum lot width requirements for a 2-unit home in D-8 is thirty-five (35) feet.

The Ordinance indicates that the D-8 district is “intended for a variety of housing formats, with a mix of small-scale multi-unit building types. This district can be used as part of new mixed-use areas, or for infill situations in established urban areas, including medium density and high-density residential recommendations of the Comprehensive Plan, and the Traditional Neighborhood, City Neighborhood, and Village or Urban Mixed-Use Typologies of the Land Use Pattern Book”.

The Comprehensive Plan designates these parcels as part of the City Neighborhood typology. This typology “consists largely of multifamily housing, and is stepped down to other living typologies with attached housing. This typology is dense and walkable with a full range of city services and public amenities. Ideally, block lengths are shorter than 500 feet and publicly-accessible pedestrian connections are provided through large developments. Access to individual parcels is generally by an alley or internal parking structures. Public spaces are typically of smaller and more intimate scale in the form of smaller parks, streetscapes, and interior courtyards or rooftop spaces. Residential development activates the sidewalk with externalized doors and public or semi-public spaces. The City Neighborhood typology typically has a residential density in excess of 15 dwelling units per acre.”

As the Ordinance suggests, D-8 should provide a variety of small-scale multi-unit residential types. With large-scale multi-unit housing across Davidson, single-family attached to the southwest, and two single-family homes at each end of Davidson, 2-unit homes fill in a gap for small-scale multi-family homes. D-8 standards limit what can be built on a lot of less than thirty-five (35) feet. The only options would be for single-family attached homes. In staff’s review, the lot widths represent a practical difficulty for development and the two-foot difference from the Ordinance standard represents minor relief. The proposed duplexes would be 24 feet wide with 3-foot setbacks on the northern side of each structure and 6-foot setbacks on the southern side setback of each structure for an aggregate side setback of 24 feet.

Staff will note that the properties do not have alley access. This means that required off-street parking must also be included on the lot. The lots are not wide enough to each support a 2-unit house and a driveway for two (2) vehicles. For a standard vehicle the minimum required parking stall width is 9 feet. If the extra three feet in the southern side setbacks are included, an additional 15 feet would be required for each lot to accommodate the structure as designed and two parking spaces. To alleviate this, plans indicate parking would be provided on the lowest level, reducing the amount of living space available. Staff will note that the garage will need to provide at least one (1) parking space per unit or two (2) per structure . Allowance for an additional story would provide the homes with two (2) livable stories. Additionally, the petitioner will commit to ensuring that the houses do not rise above 35 feet, a height that is contemplated within D-8 standards. In staff’s review, this represents a minor deviation from the height standards.

Based on the practical difficulties provided by the deficient lot width and the lack of on-street parking, along with minimal relief being sought in these variances, staff recommends approval of this petition subject to the following commitment: The height of each 2-unit home shall not exceed 35 feet.

GENERAL INFORMATION

Existing Zoning	D-8 (RC)	
Existing Land Use	Undeveloped	
Comprehensive Plan	City Neighborhood	
Surrounding Context	<u>Zoning</u>	Surrounding Context
North:	I-4	North: Residential
South:	I-4	South: Undeveloped
East:	N/A (Interstate)	East: N/A (Interstate)
West:	CBD-2	West: Multifamily Residential
Thoroughfare Plan		
Davidson Street	Local Street	40-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	11/20/2025	
Site Plan (Amended)	N/A	
Elevations	N/A	
Elevations (Amended)	N/A	
Landscape Plan	N/A	
Findings of Fact	7/30/2026	
Findings of Fact (Amended)	N/A	

COMPREHENSIVE PLAN ANALYSIS

Comprehensive Plan

- Marion County Land Use Plan Pattern Book

Pattern Book / Land Use Plan

- “The City Neighborhood typology consists largely of multifamily housing, and is stepped down to other living typologies with attached housing. This typology is dense and walkable with a full range of city services and public amenities. Ideally, block lengths are shorter than 500 feet and publicly-accessible pedestrian connections are provided through large developments. Access to individual parcels is generally by an alley or internal parking structures. Public spaces are typically of smaller and more intimate scale in the form of smaller parks, streetscapes, and interior courtyards or rooftop spaces. Residential development activates the sidewalk with externalized doors and public or semi-public spaces. The City Neighborhood typology typically has a residential density in excess of 15 dwelling units per acre. should be provided as cut-through’s. This typology has a residential density of at least 25 to 75 units per acre.”

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.

Indy Moves

(Thoroughfare Plan, Pedestrian Plan, Bicycle Master Plan, Greenways Master Plan)

- Not Applicable to the Site.

ZONING HISTORY

ZONING HISTORY – SITE

2020-REG-063; 215 South Davidson, Regional Center Approval to provide for the demolition or removal of one residential structure, **approved**.

2025-ZON-103; 215 South Davidson, Requesting rezoning of 0.54 acre from the C-3 and I-4 districts to the D-8 district, **approved**.

ZONING HISTORY – VICINITY

2018-ZON-033; 235 South College Avenue (west of site), Requesting rezoning of 2.83 acres from the C-3 and I-4 districts to the CBD-2 district, **approved**.

2021-REG-002; 231 South College Avenue and 745 Bates Street (west & southwest of site), Regional Center Approval to construct a multi-family residential development with 138 multi-family dwellings, including the conversion of an existing office building into 14 multi-family dwelling units and a propose six-story structure, containing 124 multi-family dwelling units, two levels of structured parking, and a small surface parking lot west of the existing office building, for a total of 147 off-street parking spaces, **approved**.

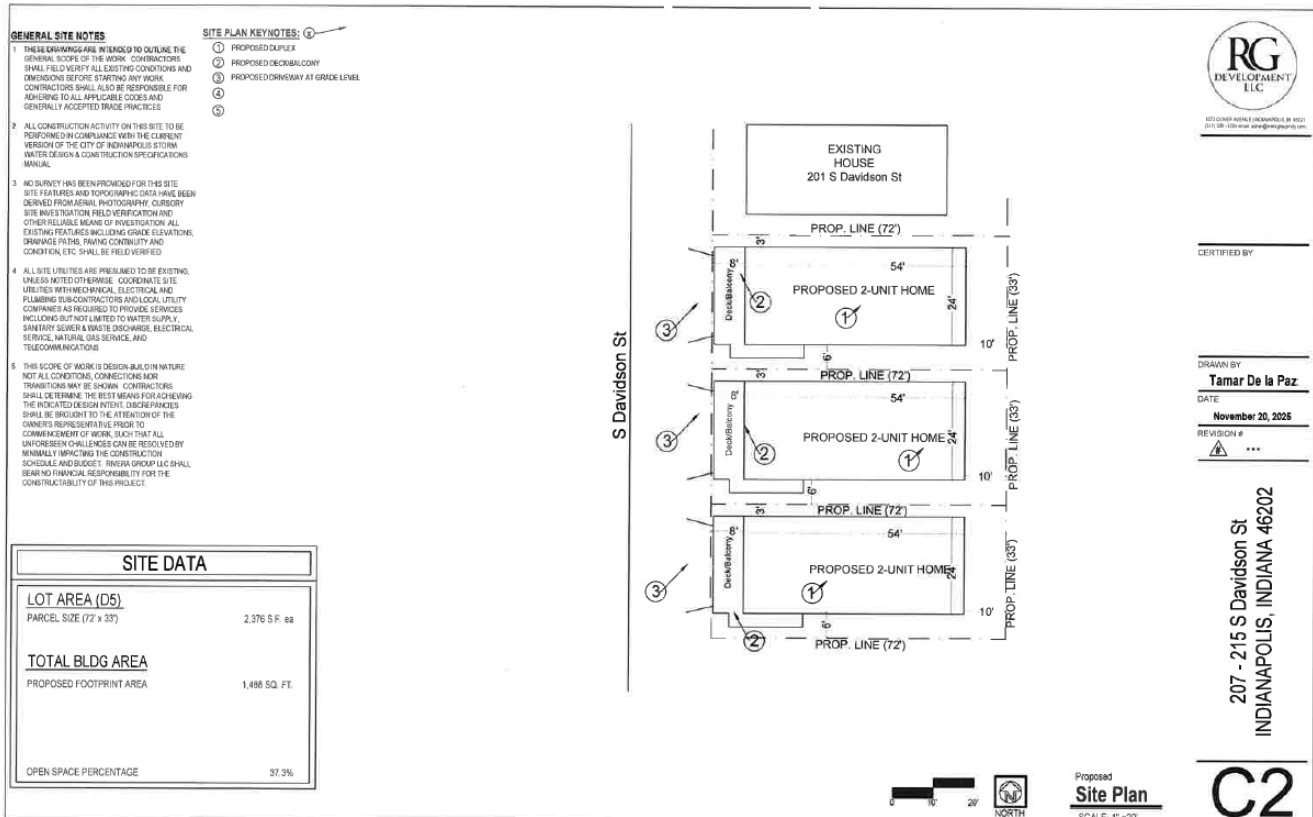
2024-REG-005; 745 Bates Street (southwest of site), Regional Center Approval to provide for building signage, **approved**.

EXHIBITS

2026DV2035; Aerial Map



2026DV2035: Site Plan



2026DV2035; Findings of Fact

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

We are simply seeking a variance to build similar housing to what is currently constructed along Bates St

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:

There are currently 3 story townhomes located all along Bates St within a block of this property

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

Restrictive space does not allow for sufficient parking. Therefore the 3rd story is being utilized for garage parking

2026DV2035; Photographs



Photo 1: View of parcels from Davidson Street

2026DV2035; Photographs (continued)



Photo 2: Another view of parcels from Davidson Street

2026UV2035; Photographs (continued)



Photo 3: View of southern parcel from Davidson Street

2026DV2035; Photographs (continued)



Photo 4: Looking south down Davidson Street

2026DV2035; Photographs (continued)



Photo 5: View of multi-unit development across Davidson Street

2026UV2035; Photographs (continued)



Photo 5: Looking north on Davidson Street



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