

**BOARD OF ZONING APPEALS DIVISION I**

**June 3, 2025**

**Case Number:** 2025-DV1-026  
**Property Address:** 29 West Arizona Street (approximate address)  
**Location:** Center Township, Council District #18  
**Petitioner:** Ana Pereira, by Daniel Salazar  
**Current Zoning:** D-5  
**Request:** Variance of Development Standards of the Consolidated Zoning and Subdivision Ordinance to provide for the development of primary and accessory structures with three-foot side yard setbacks (five feet required).  
**Current Land Use:** Vacant  
**Staff Recommendations:** Staff recommends approval for this petition  
**Staff Reviewer:** Noah Stern, Senior Planner

**PETITION HISTORY**

- This is the first public hearing for this petition.

**STAFF RECOMMENDATION**

- Staff recommends approval of this petition

**PETITION OVERVIEW**

- This petition would allow for the development of primary and accessory structures with three-foot side yard setbacks (five feet required).
- The subject site was platted in 1898 and has been vacant since the former residence was torn down in approximately 2002. The site is zoned D-5 and has a lot width of approximately 34 feet, which is deficient from the lot width standard of 40 feet for the Detached House-Small Lot typology. Staff finds this to represent a reasonable practical difficulty for being able to meet the side setback requirement of 5 feet, which was designed for lots of at least 40 feet in width.
- Further, with reduced setbacks being present in the immediate vicinity, Staff does not find the proposal to be out of character for the neighborhood. Likewise, Staff finds the proposal to be in accordance with the Infill Housing Guidelines recommendations for building spacing and setbacks, which include, reinforce the existing spacing on the block, leaving room for maintenance, and avoid uncharacteristically large gaps in between houses.

- With Staff finding practical difficulty for meeting side setbacks, and with reduced setbacks being common in the area, Staff is unopposed to the request.

## GENERAL INFORMATION

<b>Existing Zoning</b>	D-5	
<b>Existing Land Use</b>	Vacant	
<b>Comprehensive Plan</b>	Traditional Neighborhood	
<b>Surrounding Context</b>	<b><u>Zoning</u></b>	<b>Surrounding Context</b>
North:	C-S	North: Industrial
South:	D-5	South: Single-family residential
East:	D-5	East: Single-family residential
West:	D-5	West: Single-family residential
<b>Thoroughfare Plan</b>		
West Arizona Street	Local Street	50 feet of right-of-way existing and 48 feet proposed
<b>Context Area</b>	Compact	
<b>Floodway / Floodway Fringe</b>	No	
<b>Overlay</b>	No	
<b>Wellfield Protection Area</b>	No	
<b>Site Plan</b>	5/8/25	
<b>Site Plan (Amended)</b>	N/A	
<b>Elevations</b>	N/A	
<b>Elevations (Amended)</b>	N/A	
<b>Landscape Plan</b>	N/A	
<b>Findings of Fact</b>	5/8/25	
<b>Findings of Fact (Amended)</b>	N/A	

## 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 pattern Book recommends the Traditional Neighborhood typology for this site.

### 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

- With regards to setbacks and building spacing, the Infill Housing Guidelines recommends:
  - Reinforce existing spacing on the block
  - Leave room for maintenance
  - Limit uncharacteristically large gaps in between houses

### 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

#### **2015-CZN / CVR-830; 1307 S Meridian Street (north of site),**

Rezoning of 4.89 acres from the I-3-U, D-8 and C-1 districts to the C-S classification to provide for a 17,500-square foot building addition and the manufacturing of construction equipment, air compressors and electric motor assemblies and I-2U uses, with exceptions (1334 and 114), C-3C uses (180 feet deep along the west side of Meridian Street (1334) and 100 feet deep along the east side of Meridian Street (1307 and 1319)) and multi-family dwelling units (1307, 1319, 1334 and 114), **approved.**

Variance of development standards of the Commercial Zoning Ordinance (1307 and 1319) to legally establish and provide for a six-foot transitional north front setback along Orange Street, a six-foot west side setback along Meridian Street and a 10-foot front transitional setback along Charles Street (10-foot front yard for parking and 70-foot setback from the centerline for buildings and a 20-foot front transitional yard required). Variance of development standards of the Commercial Zoning Ordinance (1334 and 114) to provide for a zero-foot front setback along Wisconsin Street (10-foot front and 20-foot front transitional yards required), a zero-foot front yard along Meridian Street (10-foot front yard for parking and 70-foot setback from the centerline for buildings required), and 10-foot south front and west side transitional yards (20-foot front transitional setback and 15-foot side transitional setback required), **granted.**

EXHIBITS









