

STAFF REPORT

Department of Metropolitan Development Division of Planning Current Planning Section

Case Number: 2022-DV3-056 (Amended)
Address: 4411 East Thompson Road (approximate address)
Location: Perry Township, Council District #24
Zoning: D-A
Petitioner: Dana Eveland
Request: Variance of development standards of the Consolidated Zoning and Subdivision Ordinance to provide for the construction of a 20.08-foot detached garage, being taller than the 13-foot tall primary structure (not permitted).

ADDENDUM FOR FEBRUARY 21, 2023

This petition was continued from the January 17, 2023 to the February 21, 2023 hearing at the request of staff.

Amendment: The petitioner provided updated plans noting a reduced 44-foot by 29-foot garage that resulted in the 85% open space being met. This eliminated the open space variance, which did not require new notice to be provided.

Staff **recommends approval** of the request as amended.

January 17, 2023

RECOMMENDATIONS

Staff **recommends denial** of the request as submitted.

If the petitioner were to **meet the 85% open space and remove the commercial vehicles from the site**, then staff would recommend approval of an amended request.

SUMMARY OF ISSUES

The following issues were considered in formulating the recommendation:

LAND USE

EXISTING ZONING AND LAND USE

D-A	Metro	Residential (Single-family dwelling)
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SURROUNDING ZONING AND LAND USE

North	D6-II	Residential (Multi-family dwellings)
South	D-A	Residential (Single-family dwelling)
East	D-A	Residential (Single-family dwelling)
West	D-A	Residential (Single-family dwelling)

(Continued)

STAFF REPORT 2022-DV3-056 (Continued)

COMPREHENSIVE PLAN

The Comprehensive Plan recommends suburban neighborhood development.

- ◇ The subject site is developed with a one-story single-family dwelling, detached garage, storage shed, and an in-ground pool. It is surrounded by single-family dwellings in each direction except for the multi-family dwellings to the north.

VARIANCE OF DEVELOPMENT STANDARDS

- ◇ The grant of the request would allow for the construction of a pole barn to be taller than the primary structure with 83% open space.
- ◇ Section 743-306.A states that any accessory use shall be customarily incidental, accessory and subordinate to, and commonly associated with, the operation of the primary use of the lot. This regulation is in place to prevent residential districts being developed with garages and barns that are out of character with the development pattern of the area.
- ◇ Furthermore, the Ordinance does not allow for the height of an accessory building to exceed the height of the primary building. As proposed, the pole barn would measure 20.08 feet tall, which would be 7.08 feet taller than the existing 13-foot-tall dwelling.
- ◇ Staff determined that there is a practical difficulty regarding the height of the primary structure and the limitation it poses on an accessory structure that would require 12- to 13-foot-tall garage doors to store a recreational vehicle.
- ◇ Due to the proposed placement of the structure being at the rear of the property and with it being screened from the street frontage, staff is not opposed to the height variance requested.
- ◇ However, the 85% required open space of the D-A district could be met with a reduction of the size of the proposed pole barn.
- ◇ The petitioner confirmed that the storage shed would be removed with the construction of the new pole barn, which would have otherwise decreased the amount of open space on site.
- ◇ A revised site plan was provided with accurate dimensions of the single-family dwelling and garage, which increased the open space to 84.6%. Staff would still require that the 85% be met.
- ◇ With the conclusion of the site visit, it was brought to staff's attention that two commercial vehicles, a storage unit and an open trailer measuring longer than 12 feet in length, were stored on site. Since the storage of such vehicles is not permitted in a dwelling district, the petitioner confirmed that they would be removed from the property and would not be stored on site.

(Continued)

STAFF REPORT 2022-DV3-056 (Continued)

GENERAL INFORMATION

THOROUGHFARE PLAN	Thompson Road is classified in the Official Thoroughfare Plan for Marion County, Indiana as a primary arterial street, with a 100-foot existing right-of-way and a 90-foot proposed right-of-way.
SITE PLAN	File-dated December 7, 2022.
AMENDED SITE PLAN	File-dated January 3, 2022.
FINAL SITE PLAN	File-dated January 23, 2022.
ELEVATIONS	File-dated December 7, 2022.
FINAL ELEVATIONS	File-dated January 23, 2022.
FLOOR PLAN	File-dated December 7, 2022.
FINAL FLOOR PLAN	File-dated January 23, 2022.
FINDINGS OF FACT	File-dated December 7, 2022.

ZONING HISTORY – SITE

EXISTING VIOLATIONS

None.

PREVIOUS CASES

None.

ZONING HISTORY – VICINITY

2006-DVB-004; 1709 South 9th Avenue (northeast of site), Variance of development standards of the Dwelling Districts Zoning Ordinance to provide for an aluminum awning with a 20-foot front yard setback (minimum 30-foot front yard setback), **denied**.

97-V2-26; 4419 East Thompson Road (east of site), Variance of development standards of the Dwelling Districts Zoning Ordinance to provide for the construction of a 26 by 36-foot addition to a detached garage being 1,656 square feet or 88% of the main floor area of the primary structure (maximum 1,398 square feet or 75% of the primary structure required) for an existing single-family residence, **granted**.

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STAFF REPORT 2022-DV3-056 (Continued)

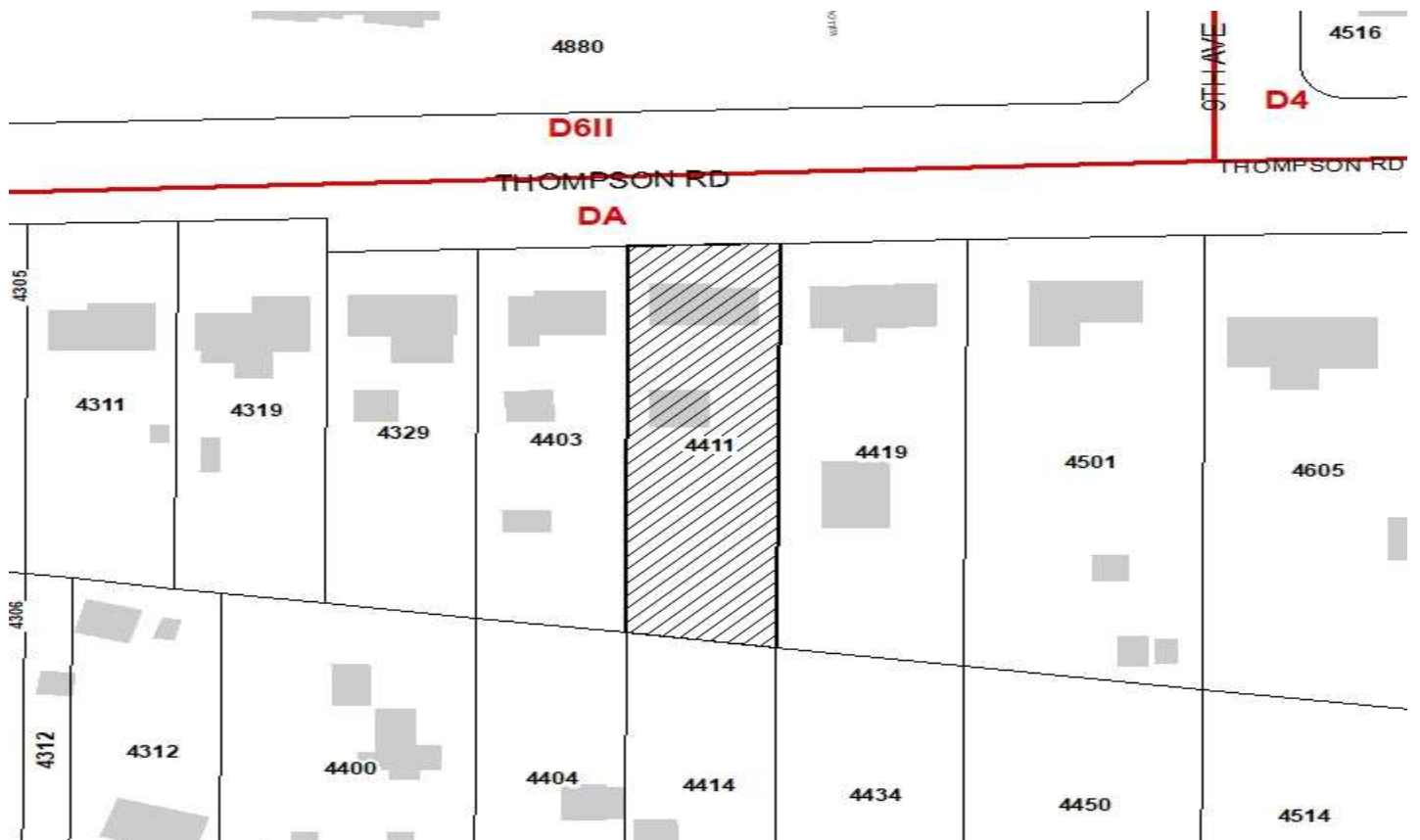
93-UV2-33; 4701 East Thompson Road (east of site), Variance of use of the Dwelling Districts Zoning Ordinance to provide for the sale of flowers, bushes grown on site and the sale of garden and lawn supplies and accessories and a variance of development standards of the Sign Regulations of Marion County to permit the placement of a 32 square foot ground sign (one square foot permitted), **denied.**

90-UV2-70; 4701 East Thompson Road (east of site), Variance of use and development standards to permit a lawn and garden center with retail sales, outdoor storage and a 4 by 8-foot ground sign, **denied.**

83-V2-83; 4715 East Thompson Road (east of site), Variance to allow a door to be added to the carport approved by the previous variance, **granted.**

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2022-DV3-056; Location Map



2022-DV3-056; Aerial Map



2022-DV3-056; Site Plan

SITE PLAN LEGEND

- — 6' PRIVACY FENCE (EXIST)
- P / L — PROPERTY LINE
- SILT FENCE PERIMETER
- STORM WATER FLOW DIRECTION
- ▨ EXISTING STRUCTURE OUTLINE (TO REMAIN)
- NEW WORK (PROPOSED)
- ⊗ CONCRETE WASHOUT LOCATION (SEE DETAIL)



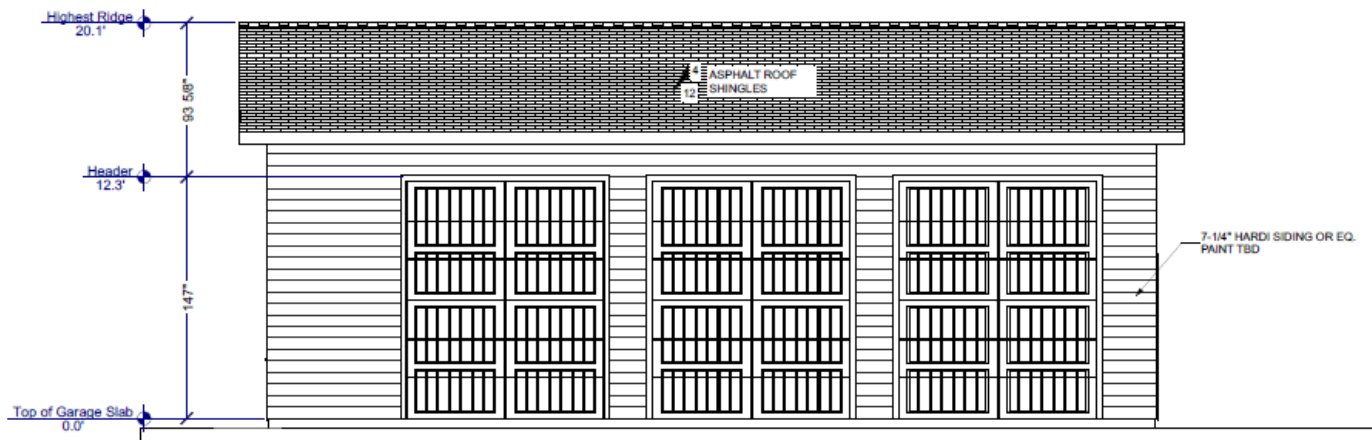
SITE PLAN LEGEND

- ——— E/PRIVACY FENCE (EXIST)
- P / L — PROPERTY LINE
- S/LT FENCE PERIMETER
- STORM WATER FLOW DIRECTION
- ▨ EXISTING STRUCTURE OUTLINE (TO REMAIN)
- NEW WORK (PROPOSED)
- ⊗ CONCRETE WASHOUT LOCATION (SEE DETAIL)

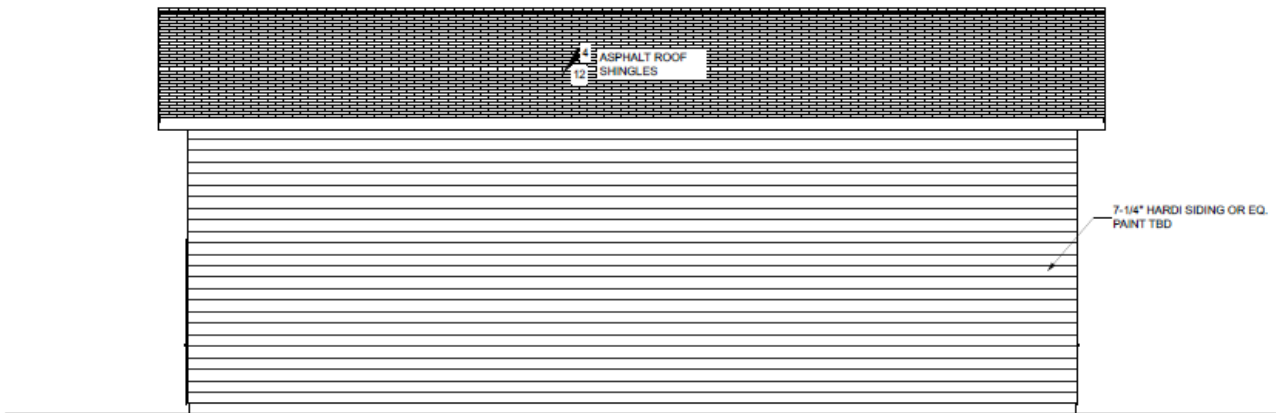




2022-DV3-056; Elevations

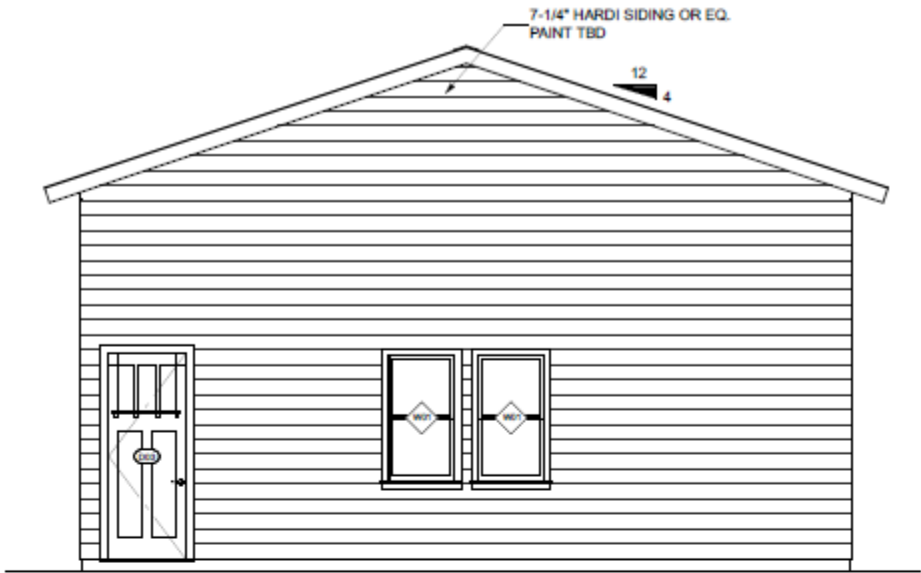


1 FRONT ELEVATION
A3 SCALE: 1/4"=1'

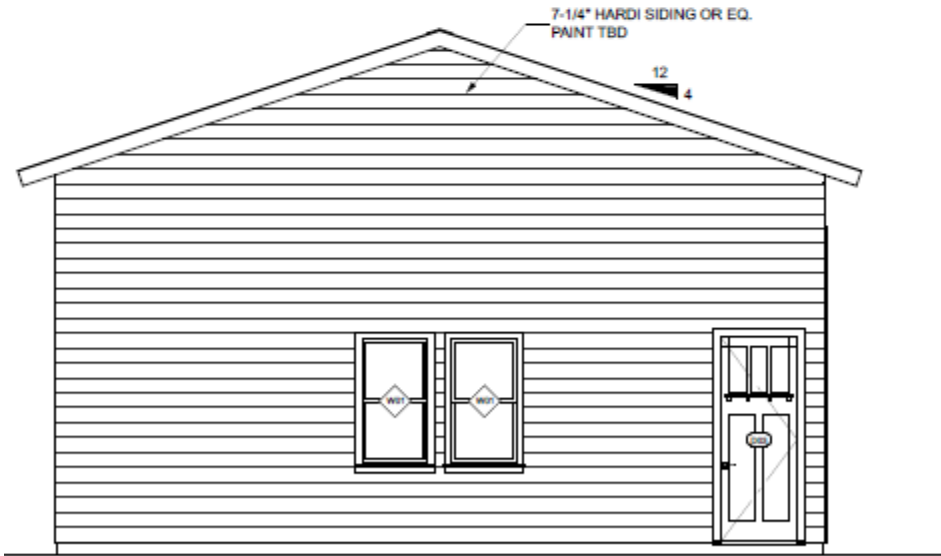


3 REAR ELEVATION
A3 SCALE: 1/4"=1'

2022-DV3-056; Elevations (Continued)

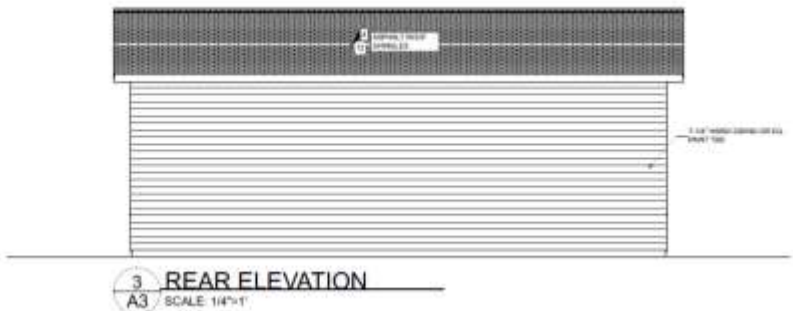


2
A3 RIGHT ELEVATION
SCALE: 1/4"=1'

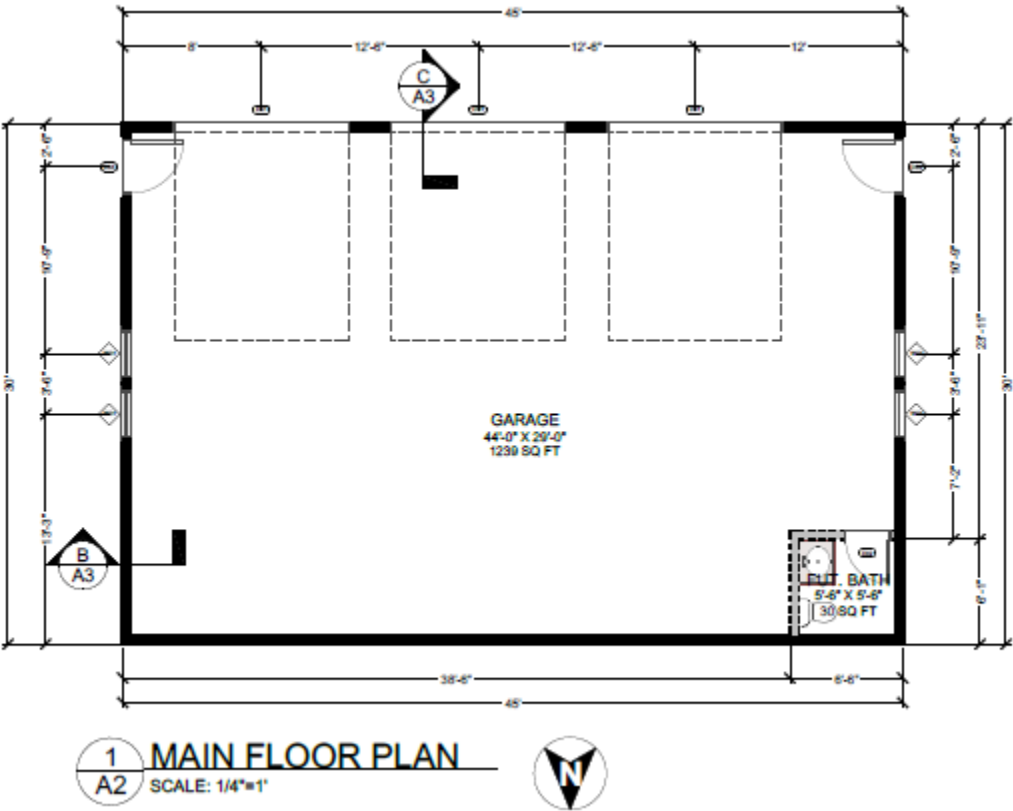


4
A3 LEFT ELEVATION
SCALE: 1/4"=1'

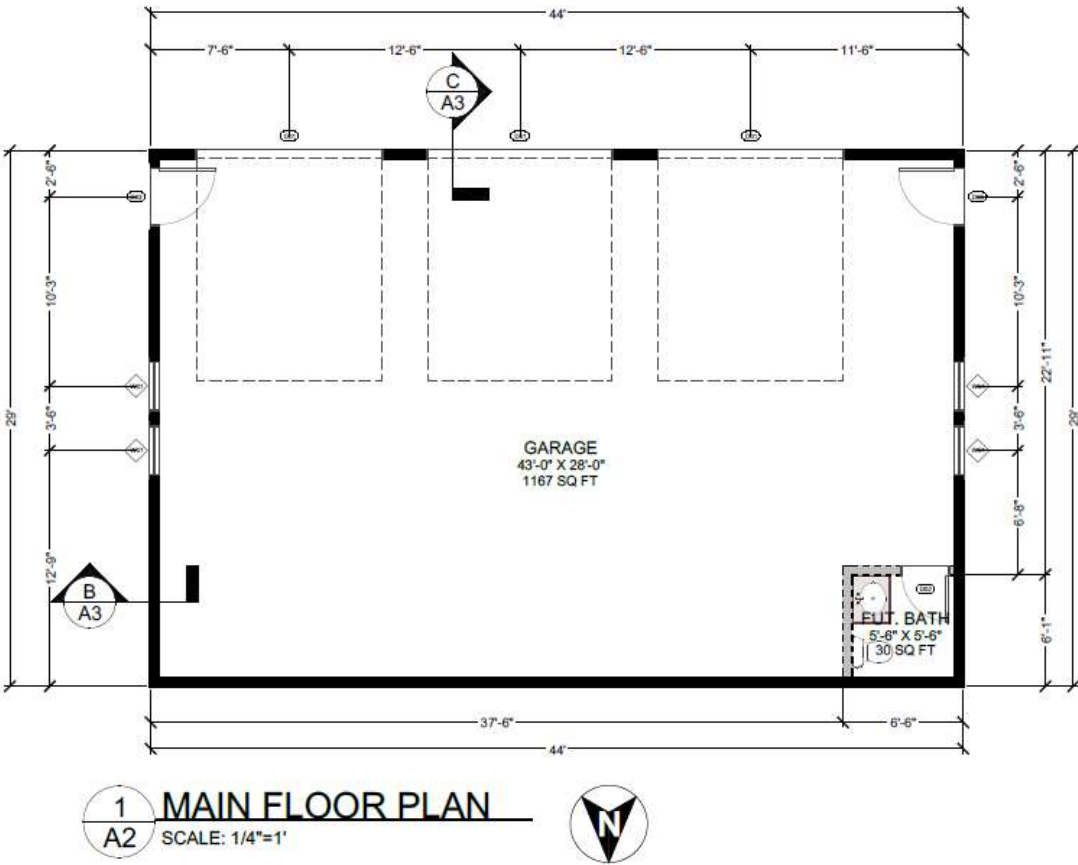
2022-DV3-056; Final Elevations



2022-DV3-056; Floor Plan



2022-DV3-056; Final Floor Plan



2022-DV3-056; Photographs



Photo of the Subject Property: 4411 East Thompson Road



Photo of the existing pool area.



Photo of the stoorage shed to be removed.



Photo of the proposed location of the pole barn.



Photo of the commercial vehicle on site.