

BOARD OF ZONING APPEALS DIVISION II

May 19, 2026

Case Number:	2026-DV2-014
Address:	1618 East Market Street (approximate address)
Location:	Center Township, Council District #13
Zoning:	D-8 (TOD)
Petitioner:	Infinite Batteries Inc., by Josh Smith
Request:	Variance of Development Standards of the Consolidated Zoning and Subdivision Ordinance to provide for the construction of a duplex on a 3,449-square foot, 32-foot wide lot (7,200 square foot lot size required, 60-foot lot width required), with a parking pad having four-foot side setbacks (five-foot side setbacks required).
Current Land Use:	Undeveloped.
Staff Recommendation:	Staff recommends approval of this petition.
Staff Reviewer:	Robert Uhlenhake, Senior Planner

PETITION HISTORY

This is the first hearing for this petition.

STAFF RECOMMENDATION

Staff recommends **approval** of this petition.

PETITION OVERVIEW

- ◇ The Ordinance intentionally establishes standards in the D-8 district for lot size and lot width. These standards apply broadly to all Dwelling Districts where single family and duplex dwellings are permitted, and serve several purposes:
 - Access for maintaining building exteriors without trespassing into adjacent properties.
 - Storm water runoff management.
 - Areas for landscaping/green space.
 - Access for emergency responders.
 - Separation between buildings to reduce risk of fires spreading.
- ◇ The proposed duplex will meet the side setback and open space requirements and have a similar footprint as several nearby existing duplex dwellings. It would also be similar to a multi-unit house, which would be permitted on this size of lot.
- ◇ The proposed duplex would be consistent with many of the existing dwellings within the immediate area. Therefore, providing for the proposed duplex with a 3,449-square foot lot size, and 32-foot lot width, would be supportable.

- ◇ The proposed parking side setbacks would be generally consistent with other rear parking areas off the adjacent alley. The parking area would be separated from the property to the east by a 15-foot wide north-south alley right-of-way, and the parking pad on the adjacent parcel to the west has a 15-foot east side setback from the subject site.
- ◇ Given the close proximity of other similarly developed properties, staff does not believe this request would be a significant deviation from the Ordinance or negatively impact the character of development within the surrounding area and therefore would be supportive of the request.

GENERAL INFORMATION

Existing Zoning	D-8		
Existing Land Use	Undeveloped		
Comprehensive Plan	Traditional Neighborhood Uses		
Surrounding Context	Zoning	Surrounding Context	
	North:	D-8	Single-family dwelling
	South:	D-8	Single-family dwelling
	East:	D-8	Single-family dwelling
	West:	D-8	Single-family dwelling
Thoroughfare Plan			
	Market Street	Local Street	48-foot existing and proposed right-of-way.
Context Area	Compact area		
Floodway / Floodway Fringe	No		
Overlay	TOD		
Wellfield Protection Area	No		
Site Plan - revised	April 24, 2026		
Elevations	April 24, 2026		
Landscape Plan	N/A		
Findings of Fact	March 31, 2026		

COMPREHENSIVE PLAN ANALYSIS

Comprehensive Plan

- Marion County Land Use Plan Pattern Book (2019)

Pattern Book / Land Use Plan

- The Marion County Land Use Plan Pattern Book (2019) recommends the Traditional Neighborhood typology which includes a full spectrum of housing types, ranging from single family homes to large-scale multifamily housing. The development pattern of this typology should be compact and well-connected, with access to individual parcels by an alley when practical. Building form should promote the social connectivity of the neighborhood, with clearly defined public, semi-public, and private spaces. Infill development should continue the existing visual pattern, rhythm, or orientation of surrounding buildings when possible. A wide range of neighborhood-serving businesses, institutions, and amenities should be present. Ideally, most daily needs are within walking distance. This typology usually has a residential density of 5 to 15 dwelling units per acre.

Red Line / Blue Line / Purple Line TOD Strategic Plan

- Blue Line Transit Oriented Development Strategic Plan (2018).
- The subject site is located approximately 1,000 feet from the Arsenal Avenue Blue Line transit station.
- The Arsenal Drive transit station has been categorized as a District Center typology.
- District Center stations are located at the center of regionally significant districts with several blocks of retail or office at their core. Development opportunities include infill and redevelopment, dense residential, employment near transit stations, neighborhood retail and a focus on walkability and placemaking.
 - Characteristics of the District Center typology are:
 - A dense mixed-use hub for multiple neighborhoods with tall buildings
 - Minimum of 3 stories at core with no front or side setbacks
 - Multi-family housing with a minimum of 5 units
 - Structured parking only with active first floor.

Neighborhood / Area Specific Plan

- Not Applicable to the Site.

Infill Housing Guidelines

- The Infill Housing Guidelines were updated and approved in May 2021, with a stated goal “to help preserve neighborhood pattern and character by providing guiding principles for new construction to coexist within the context of adjacent homes, blocks, and existing neighborhoods. These guidelines provide insight into basic design concepts that shape neighborhoods, including reasons why design elements are important, recommendations for best practices, and references to plans and ordinance regulations that reinforce the importance of these concepts.”
- These guidelines apply to infill development in residential areas within the Compact Context Area and include the following features:

Site Configuration

- Front Setbacks
- Building Orientation
- Building Spacing
- Open Space
- Trees, Landscaping, and the Outdoors

Aesthetic Considerations

- Building Massing
- Building Height
- Building Elevations and Architectural Elements



Additional Topics

- Secondary Dwelling Units, Garages, and Accessory Structures
- Adapting to the Future

“As established neighborhoods experience new development, infill residential construction will provide housing options for new and existing residents. Increased population contributes positively to the local tax base, economic development, lively neighborhoods, and an interesting city. As infill construction occurs, it is important to guide development in a way that complements current neighborhoods. Each home in a neighborhood not only contributes to the existing context of adjoining houses and the block, but to the sense of place of the entire neighborhood.

Indy Moves

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

- Not Applicable to the Site.

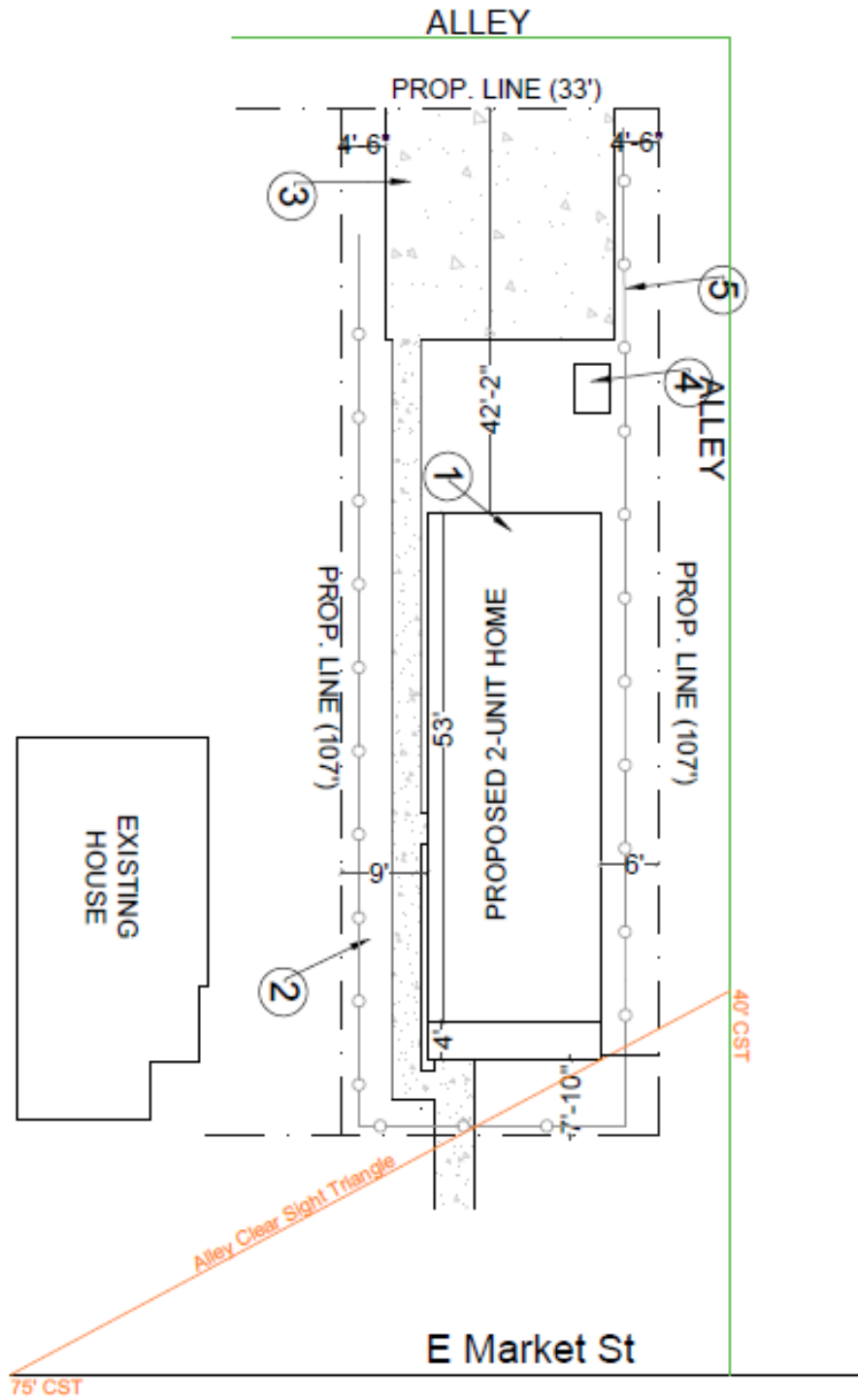
ZONING HISTORY

2018-HOV-026; 1537 East Ohio Street (west of site), requested a Variance of Development Standards of the Consolidated Zoning and Subdivision Ordinance to provide for a single-family dwelling and detached garage, with a 12-foot front setback, a two-foot side setback, a one-foot rear setback, two feet between dwellings and 42% open space, **granted**.

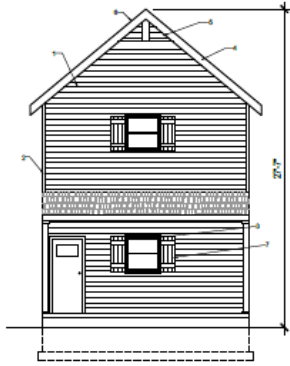
2015-UV2-027; 201 North Walcott Street (east of site), requested a Variance of Use to legally establish a two-family dwelling and a single-family dwelling on one lot, **granted**.

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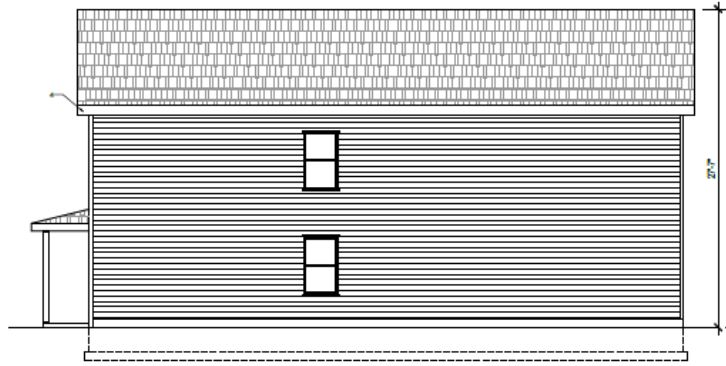
Site Plan



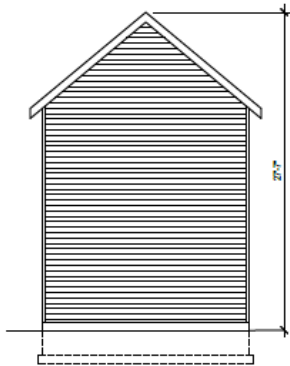
Elevations



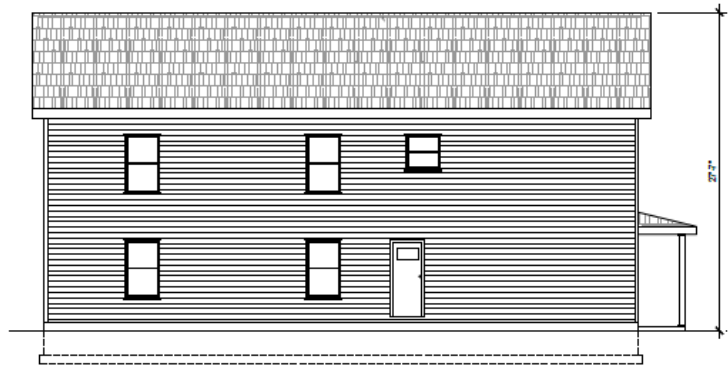
PROPOSED FRONT ELEVATION



PROPOSED RIGHT ELEVATION



PROPOSED BACK ELEVATION



PROPOSED LEFT ELEVATION



Findings of Fact

Petition Number

**METROPOLITAN DEVELOPMENT COMMISSION
HEARING EXAMINER
METROPOLITAN BOARD OF ZONING APPEALS, Division
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:

This proposed plan is consistent with D5 zoning in building a new home.

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:

By Granting this variance a new 2-unit multi-unit house will be built in line with the approved D5 uses.

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

Due the narrow dimension of this lot, it is 2 feet narrower than the standard for a multi-unit house. With the smaller width of the proposed home all other development standrds will be met including the required setbacks, lot area, and open space.

Photographs



Subject site, looking north.



Subject site, looking south.



Adjacent dwellings to the west, looking northwest.



Adjacent dwellings to the east, looking northeast.