

BOARD OF ZONING APPEALS DIVISION I

July 2, 2024

Case Number: 2024-DV1-023
Property Address: 6325 East Southport Road (approximate address)
Location: Franklin Township, Council District #24
Petitioner: Brian & Tiffany Lee Ann Elliot, by Josh Smith
Current Zoning: D-A
Request: Variance of Development Standards of the Consolidated Zoning and Subdivision Ordinance to provide for the construction of a pole barn, being two-feet taller and 195 square feet larger than the primary dwelling (not permitted).
Current Land Use: Residential
Staff Recommendations: Staff recommends denial of this petition
Staff Reviewer: Noah Stern, Senior Planner

PETITION HISTORY

- This is the first public hearing for this petition.

STAFF RECOMMENDATION

- Staff recommends denial of this petition

PETITION OVERVIEW

- This petition would provide for the construction of a pole barn, being two-feet taller and 195 square feet larger than the primary dwelling (not permitted).
- The subject site is improved with a primary residential structure. The Zoning Ordinance does not allow accessory structures to be larger in area nor taller in height than the primary structure. This standard is in place to promote orderly development, maintain residential aesthetics, and to limit the introduction of higher intensity uses into lower intensity areas.
- The petitioner has indicated that the proposed detached garage would be used for storing numerous private vehicles, many of which are larger and more intense than typical automobiles that will not fit in a standard size garage. Staff finds the reasons for a garage of this size to be entirely self-imposed by the owner and does not find there to be any practical difficulty that prohibits the owner from constructing an Ordinance-compliant garage.

- Staff has concerns of what the formal introduction of a use of this intensity and scale could mean for the future of the area, both through the potential expansion of the proposed use on this specific site, and the increased likelihood of the formulation of similar uses on nearby lots that could be sparked by the approval of this type of request. For these reasons, Staff recommends denial of the petition, and asks that the petitioner decrease the size and height of the proposed structure.

GENERAL INFORMATION

Existing Zoning	D-A	
Existing Land Use	Residential	
Comprehensive Plan	Suburban Neighborhood	
Surrounding Context	Zoning	Surrounding Context
North:	D-A	North: Single-family residential
South:	D-P	South: Single-family residential
East:	D-A	East: Single-family residential
West:	D-A	West: Single-family residential
Thoroughfare Plan		
East Southport Road	Primary Arterial	30 feet of right-of-way existing and 80 feet proposed
Context Area	Metro	
Floodway / Floodway Fringe	No	
Overlay	No	
Wellfield Protection Area	No	
Site Plan	5/2/24	
Site Plan (Amended)	N/A	
Elevations	5/2/24	
Elevations (Amended)	N/A	
Landscape Plan	N/A	
Findings of Fact	5/2/24	
Findings of Fact (Amended)	6/14/24	

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 Suburban 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 accessory structures, the Infill Housing Guidelines recommends:
 - Don't overshadow primary building

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

2018DV3060; 6251 E Southport Road (west of site), Variance of development standards of the Consolidated Zoning and Subdivision Ordinance to provide for a 17.5-foot tall detached garage with a 10-foot rear setback (accessory structures cannot be taller than the dwelling, 15-foot rear setback required), accessed by a shared drive, **approved**.

2015DV1015; 6330 E Southport Road (north of site), Variance of development standards of the Dwelling Districts Zoning Ordinance to provide for the construction of a 432-square foot garage addition, creating an accessory use area of 10,489 square feet or 177% of the total floor area of the primary dwelling (maximum 5,922 square feet or 99.9% permitted), **approved**.

2002DV2029; 6350 E Southport Road (north of site), 1,500 SF POLE BARN EXCEEDING ACC USE AREA AND ACC STR AREA, **approved**.

EXHIBITS



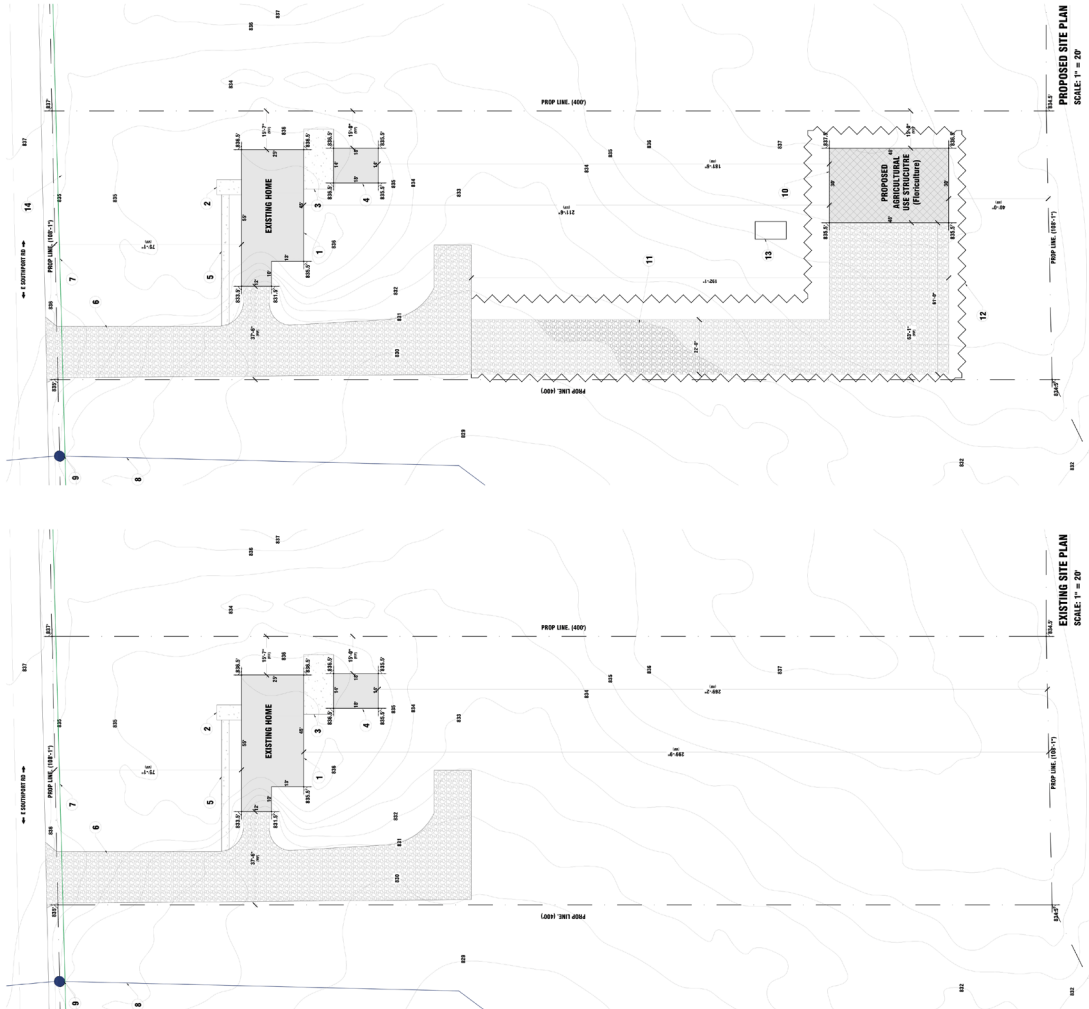
GENERAL SITE NOTES

1. THESE DRAWINGS ARE INTENDED TO OUTLINE THE GENERAL SCOPE OF THE WORK. CONTRACTORS SHALL BE RESPONSIBLE FOR VERIFYING ALL DIMENSIONS BEFORE STARTING ANY WORK. CONTRACTORS SHALL ALSO BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND GENERALLY ACCEPTED TRADE PRACTICES.
2. ALL CONSTRUCTION ACTIVITY ON THIS SITE TO BE PERFORMED IN COMPLIANCE WITH THE CURRENT CITY OF INDIANAPOLIS CONSTRUCTION SPECIFICATIONS MANUAL.
3. NO SURVEY HAS BEEN PROVIDED FOR THIS SITE. SITE FEATURES AND TOPOGRAPHIC DATA HAVE BEEN OBTAINED FROM THE CITY OF INDIANAPOLIS. ALL SITE INVESTIGATION, FIELD VERIFICATION AND OTHER RELIABLE MEANS OF INVESTIGATION, ALL UTILITIES SHALL BE FIELD VERIFIED. ALL UTILITIES SHALL BE FIELD VERIFIED. ALL UTILITIES SHALL BE FIELD VERIFIED. ALL UTILITIES SHALL BE FIELD VERIFIED. ALL UTILITIES SHALL BE FIELD VERIFIED.
4. ALL SITE UTILITIES ARE PRESUMED TO BE EXISTING, UNLESS NOTED OTHERWISE. CONTRACTORS SHALL OBTAIN ALL NECESSARY PERMITS FROM THE CITY OF INDIANAPOLIS AND LOCAL UTILITY COMPANIES AS REQUIRED TO PROVIDE SERVICES FOR SANITARY SEWER & WASTE DISCHARGE ELECTRICAL SERVICE, NATURAL GAS SERVICE, AND TELECOMMUNICATIONS.
5. THIS SCOPE OF WORK IS DESCRIBED IN MATTER. CONTRACTORS SHALL BE RESPONSIBLE FOR VERIFYING ALL DIMENSIONS BEFORE STARTING ANY WORK. CONTRACTORS SHALL ALSO BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND GENERALLY ACCEPTED TRADE PRACTICES. UNFORESEEN CHALLENGES CAN BE RESOLVED BY CONTRACTORS. CONTRACTORS SHALL BE RESPONSIBLE FOR VERIFYING ALL DIMENSIONS BEFORE STARTING ANY WORK. CONTRACTORS SHALL ALSO BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND GENERALLY ACCEPTED TRADE PRACTICES.



PLAN NOTES: XX

1. EXISTING RESIDENCE
2. EXISTING PORCH SLAB
3. EXISTING PATIO SLAB
4. EXISTING COVERED GARAGE
5. EXISTING CONCRETE PATHWAY
6. EXISTING GRAVEL DRIVEWAY
7. SANITARY SEWERS
8. STORM SEWERS
9. STORM MANHOLES
10. PROPOSED GARAGE (F.P.C. - 438.5)
11. PROPOSED GRAVEL DRIVEWAY
12. PROVIDE SILT FENCE FOR EROSION CONTROL AROUND PROJECT AREA AS REQUIRED BY THE LOCAL AUTHORITY
13. PROVIDE CONCRETE WALK OUT AT THE ACCESS TO CONSTRUCTION SITE FROM EXISTING DRIVEWAY TO REMOVE SOIL AND DEBRIS FROM CONSTRUCTION SITE
14. ACCESS TO CONSTRUCTION SITE FROM EXISTING DRIVEWAY TO REMOVE SOIL AND DEBRIS FROM CONSTRUCTION SITE



LEGAL DESCRIPTION

49-15-14-109-024-000-300
 6325 SOUTHPORT RD
 INDIANAPOLIS, IN 46237

SITE CALCULATIONS

LOT AREA: 4325 SQ. FT.
 EXISTING RESIDENCE (EQUIPMENT): 1,400 SQ. FT.
 EXISTING PATIO SLAB: 200 SQ. FT.
 EXISTING COVERED GARAGE: 250 SQ. FT.
 EXISTING DRIVEWAY: 4,250 SQ. FT.
 PROPOSED GARAGE: 1,400 SQ. FT.
 PROPOSED DRIVEWAY: 6,000 SQ. FT.
 TOTAL AREA: 2,850 SQ. FT.
 TOTAL OPEN SPACE PERCENTAGE: 65.2%

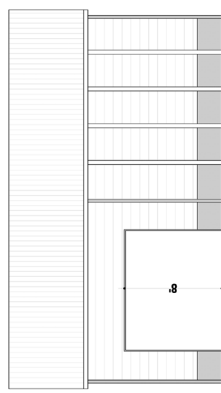
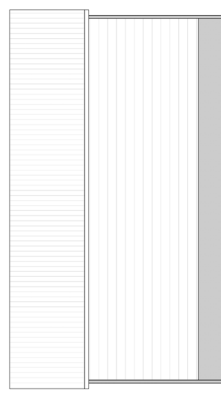
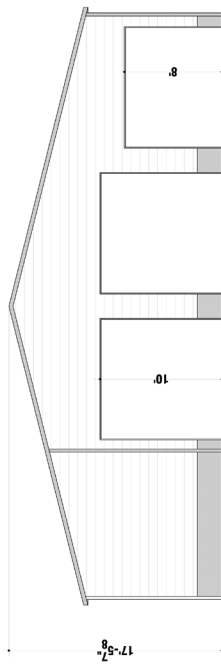
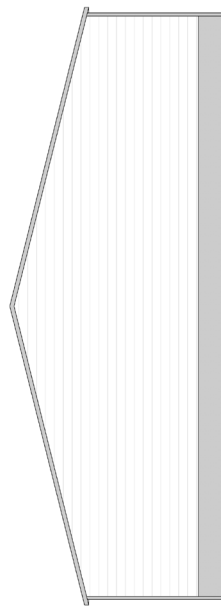
PROPOSED ELEVATION
 SCALE: 1/4" = 1'

PROJECT
 6325 SOUTHPORT RD
 INDIANAPOLIS, INDIANA
 46237

DRAWN BY
 IZEL CHACON
 DATE: FEBRUARY 5, 2024

CERTIFIED BY
 C1
 SCALE: 1/4" = 1'

RIVERA GEOTECH
 1571 AVENUE AVENUE
 INDIANAPOLIS, IN 46221
 317-438-1514
 ADMIN@RIVERAGEOTECH.COM



PROJECT 6325 SOUTHPORT RD INDIANAPOLIS, INDIANA 46237	DRAWN BY IZEL CHACON	PROPOSED ELEVATION	 RIVERKA GROUP LLC 1972 OLIVER AVENUE INDIANAPOLIS, IN 46221 PLANNING@RIVERKAGROUP.COM
	DATE CERTIFIED BY	SCALE: 1/4"=1'-0" A1	



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:

The proposed accessory building is designed in a similar manner and style as other accessory buildings in the area and will be toward the rear of the property being less visible from the street. With the topography of the back yard, the roofline of the proposed garage will be within a few inches of the same elevation.

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:

The nature and scale of the proposed improvement is consistent with several neighbors on the same side of the same block on Southport Rd There will be no use changes and with the addition of the garage, the property owner will be able to move his hobby vehicles indoors.

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

The design and hopeful storage capacity of the enclosed space would no longer be able to meet the needs of the current owner. Some of the hobby vehicles that the owner works on are lifted off-road type vehicles that cannot drive through a standard height garage door. These require a larger overhead door that forces the roof to moved upwards as well.

DECISION

IT IS THEREFORE the decision of this body that this VARIANCE petition is APPROVED.

Adopted this _____ day of _____, 20 ____





