Department of Metropolitan Development
Division of Planning
Current Planning

METRPOLITAN DEVELOPMENT COMMISION HEARING EXAMINER — November 19, 2026

Case Number:	2026-MOD-006
Property Address:	12148 Bay Ridge Court (approximate address)
Location:	Lawrence Township, Council District #4
Petitioner:	Nicole and Zachary Tomlinson
Current Zoning:	DP
Request:	Modification of the Development Statement related to 85-Z-3 to allow a 6-foot side yard setback (8-foot minimum required) for a 15-foot aggregate side yard setback (22-foot aggregate minimum required) for the construction of a proposed accessory structure. The development statement requires residential setbacks to be set by the Plat Restrictions as noted on the recorded plat, recorded as Instrument No. 87-0019406.
Current Land Use:	Residential
Staff Recommendations:	Staff recommends **approval** for this petition
Staff Reviewer:	David Arrom Garza AICP, Senior Planner

PETITION HISTORY

This is the first public hearing for this petition. Due to lack of notice ahead of the November 12th Hearing Examiner hearing, this case must be continued to the November 19th hearing date.

STAFF RECOMMENDATION

Staff recommends **approval** for this petition.

PETITION OVERVIEW

In accordance with I.C. 36-7-4-918.8 and I.C. 36-7-4-105, the owner of real estate located in Marion County, Indiana associated to 12148 Bay Ridge Court, Indianapolis, IN 46236 (approximate address) seeks modification of the Conditions and Commitments related to 85-Z-3 to allow for the construction of a new, 580 square foot, standard residential 2-car garage structure with above furnished suite accessory to the primary single-family residence.

The modification will accommodate the construction of a residential accessory 2-car garage structure with specific dimensional relief requested. The development statement requires residential setbacks to be set by the Plat Restrictions as noted on the recorded plat, recorded as Instrument No. 87-0019406. Applicable zoning standards recorded to Instrument No. 87-0019406 require a minimum aggregate side yard setback of twenty-two (22) feet with a minimum side yard setback of eight (8) feet.

MODIFICATION

The request for modification would allow for the establishment of a 6-foot side setback on the east property line for the new accessory structure, resulting in the proposed 15-foot aggregate side yard setback (22 feet required). The modification would request a reduction of the aggregate side yard setback requirement by approximately 7 feet. The existing 9-foot side yard setback on the west property line would remain in place.

SITE PLAN

The site plan, file-dated July 06, 2026, depicts an approximately 580-square foot proposed accessory living garage structure with driveway access onto Bay Ridge Court, a cul-de-sac residential street.

STAFF ANALYSIS

The Comprehensive Plan calls for Suburban Neighborhood living typologies.

The Suburban Neighborhood typology is predominantly made up of single-family housing but is interspersed with attached and multifamily housing where appropriate. This typology generally has a residential density of 1 to 5 dwelling units per acre, but a higher density is recommended if the development is within a quarter mile of a frequent transit line, greenway, or park.

Outside of DP district, accessory dwelling units (ADUs) are permitted by right for all dwelling districts within Marion County.

Staff find that the size and scale of the proposed accessory living garage outbuilding would be compatible with the surrounding suburban neighborhood context.

For these reasons, staff recommend approval for the petitioner request for modification to Conditions and Commitments related to 85-Z-3.

GENERAL INFORMATION

Existing Zoning	DP	
Existing Land Use	Residential	
Comprehensive Plan	Suburban Neighborhood	
Surrounding Context	**Zoning**	**Surrounding Context**
North:	DP	North: Single-family dwelling
South:	DP	South: Single-family dwelling
East:	DP	East: Single-family dwelling
West:	DP	West: Single-family dwelling
Thoroughfare Plan		
Bay Ridge Court	Cul De Sac	24’ R/W existing

Promontory Rd	Local Street	28’	R/W existing
Context Area	Metro		
Floodway / Floodway Fringe	No		
Overlay	No		
Wellfield Protection Area	No		
Site Plan	July 06, 2026		
Site Plan (Amended)	N/A		
Elevations	N/A		
Elevations (Amended)	N/A		
Landscape Plan	N/A		
Findings of Fact	July 06, 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 Marion County Land Use Plan (“Pattern Book”) recommends the Suburban Neighborhood living typology for this site. The Suburban Neighborhood typology is predominantly made up of single family housing, but is interspersed with attached and multifamily housing where appropriate. This typology should support a variety of neighborhood-serving businesses, institutions, and amenities. Natural Corridors and natural features such as stream corridors, wetlands, and woodlands should be treated as focal points or organizing systems for development. Streets should be well-connected, and amenities should be treated as landmarks that enhance navigability of the development. This typology generally has a residential density of 1 to 5 dwelling units per acre, but a higher density is recommended if the development is within a quarter mile of a frequent transit line, greenway, or park.

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 – VICINITY

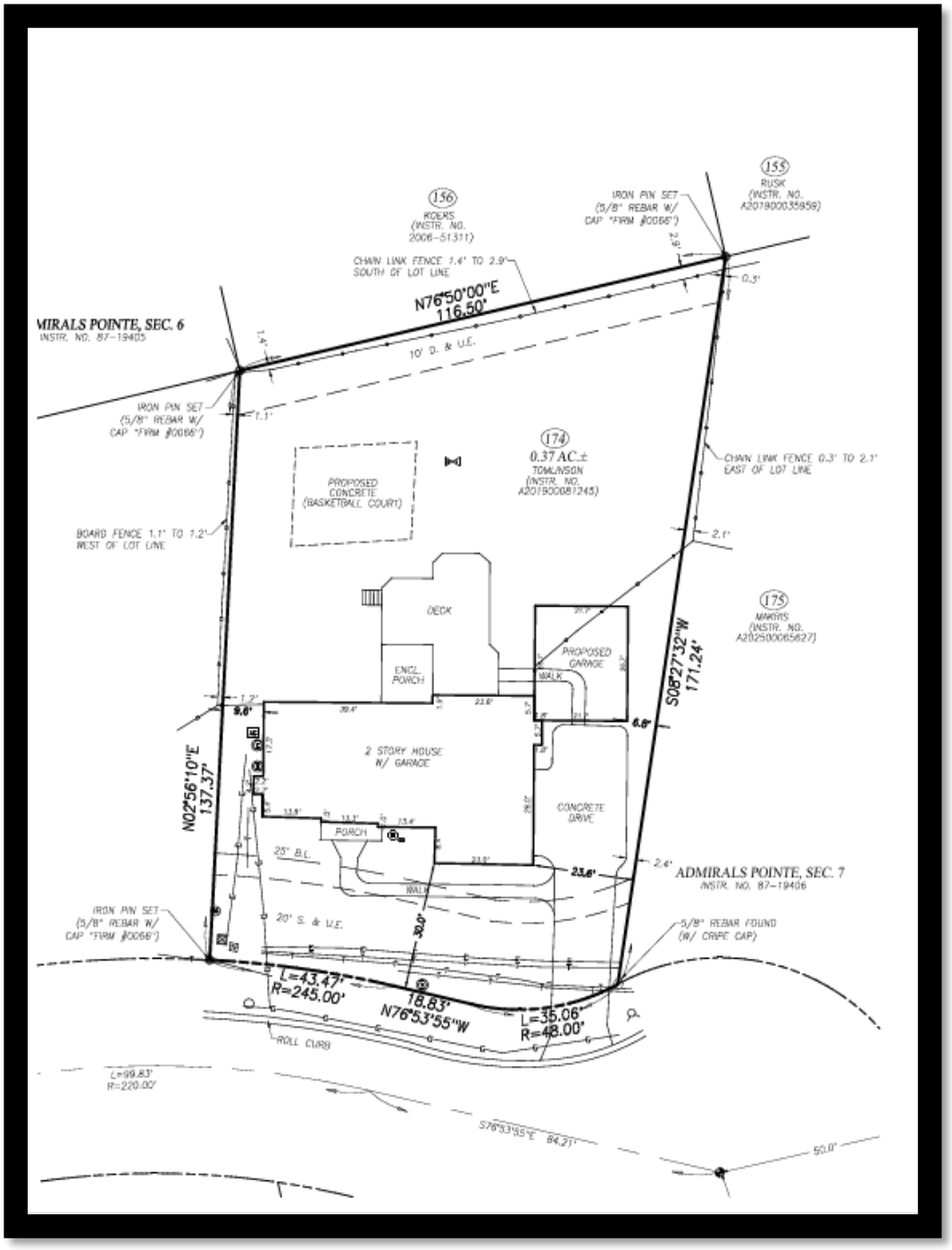
2014CAP812; at 9067 Admirals Bay Dr. Modification of the development statement for 79-Z-191 (79-DP-5) to permit the setback for Lot 134 of Admirals Bay, Section Three, as recorded as Instrument #90-55825 in the Office of the Marion County Recorder to be 12.8 feet from the private drive (Block “A” of said plat), encroaching 2.2 feet into a 15-foot wide sewer and utility easement. (setback requirements are as shown on the recorded plat, which requires a 20-foot setback).

EXHIBITS

Location Map



Site Plan


156
ROGERS
(INSTR. NO.
2006-51311)
155
RUSK
(INSTR. NO.
A201800035859)
IRON PIN SET
(5/8" REBAR W/
CAP "FIRM #0066")
CHAIN LINK FENCE 1.4' TO 2.9'
SOUTH OF LOT LINE
N76°50'00"E
116.50'
10' D. & U.E.
MIRALS POINTE, SEC. 6
INSTR. NO. 87-19405
IRON PIN SET
(5/8" REBAR W/
CAP "FIRM #0066")
174
0.37 AC.±
TOMLINSON
(INSTR. NO.
A201900087245)
PROPOSED
CONCRETE
(BASKETBALL COURT)
CHAIN LINK FENCE 0.3' TO 2.1'
EAST OF LOT LINE
BOARD FENCE 1.1' TO 1.2'
WEST OF LOT LINE
175
MAKRYS
(INSTR. NO.
A202500065627)
DECK
ENCL.
PORCH
PROPOSED
GARAGE
WALK
S08°27'32"W
171.24'
2 STORY HOUSE
W/ GARAGE
CONCRETE
DRIVE
PORCH
N02°56'10"E
137.37'
25' B.L.
20' S. & U.E.
WALK
ADMIRALS POINTE, SEC. 7
INSTR. NO. 87-19406
IRON PIN SET
(5/8" REBAR W/
CAP "FIRM #0066")
5/8" REBAR FOUND
(W/ CRIPE CAP)
L=43.47'
R=245.00'
N76°53'55"W
18.83'
L=35.06'
R=48.00'
ROLL CURB
L=99.83'
R=220.00'
S76°53'55"E 84.21'
50.0'

Findings of Fact

Petition Number _____

METROPOLITAN DEVELOPMENT COMMISSION
HEARING EXAMINER
METROPOLITAN BOARD OF ZONING APPEALS, Division III Lawrence
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 new structure will remain entirely within established property lines and will be used for residential purposes accessory to the primary residence. The slight reduction in the aggregate setback will not impede sightlines for drivers, block utility easements, or create any environmental or safety hazards for the surrounding neighborhood.

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 proposed structure will maintain an 6.8-foot setback from the property line. Because the neighboring home sits at an angle and 12 feet away from the shared boundary, a substantial 18.8-foot total separation is maintained between the buildings. This ample buffer ensures that the adjacent property will retain full access to light, air, and privacy, preventing any negative impact on its use or market value.

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

the unique narrowness and configuration of the existing lot makes it physically impossible to construct a standard residential garage structure while maintaining a 22-foot aggregate setback. Forcing a strict 22-foot aggregate would restrict the building footprint to an unusable width, creating an unnecessary hardship that denies the owner the same reasonable use of their property enjoyed by neighboring lots.

DECISION

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

Adopted this _____ day of _____ , 20 ____

2026MOD006 Site Photographs



North view of residence and side yard to eastern property edge



View of driveway and proposed location area for accessory dwelling garage structure