

BOARD OF ZONING APPEALS DIVISION I

March 4th, 2025

Case Number: 2025-UV1-002
Property Address: 6145 North Ewing Street (*Approximate Address*)
Location: Washington Township, Council District #3
Petitioner: Janna & Jonathan Mayes
Current Zoning: D-S
Request: Variance of Use and Development Standards of the Consolidated Zoning and Subdivision Ordinance to provide for the construction of a second 1,085-square-foot primary dwelling associated with a detached garage (one primary use per lot permitted) with an eight-foot north side yard setback (15 feet required).
Current Land Use: Residential
Staff Recommendations: Staff recommends **denial** of this variance petition.
Staff Reviewer: Kiya Mullins, Associate Planner

PETITION HISTORY

This is the first public hearing for this variance petition.

STAFF RECOMMENDATION

Staff recommends **denial** of this variance petition.

PETITION OVERVIEW

- This variance petition is requesting two items 1) for a 1085 sqft secondary dwelling unit that is 365 sqft higher than the maximum size permitted and 2) for the secondary dwelling unit to be 8 feet from the north property line and be within the 15 ft setback.
- This property is 1.31 acres and is within a D-S zoning district.
- The maximum permitted size of a secondary dwelling unit is 720 sqft.
- The required side yard setback for a D-S zoned property is 15 feet from the property line.
- Staff is recommending denial of this variance petition because there is no practical difficulty. The lot has the space to still meet the setback standards, and proposed the secondary dwelling unit can be decreased in size to meet the permitted size.

GENERAL INFORMATION

Existing Zoning	D-S	
Existing Land Use	Residential	
Comprehensive Plan	Suburban Neighborhood	
Surrounding Context	Zoning	Surrounding Context
	North:	North: Suburban Neighborhood
	South:	South: Suburban Neighborhood
	East:	East: Suburban Neighborhood
	West:	West: Suburban Neighborhood
Thoroughfare Plan		
Ewing Street	Local Street	50 feet of right of way existing and 50 feet of right of way proposed.
Context Area	Metro	
Floodway / Floodway Fringe	No	
Overlay	No	
Wellfield Protection Area	No	
Site Plan	12/27/2024	
Site Plan (Amended)	N/A	
Elevations	N/A	
Elevations (Amended)	N/A	
Landscape Plan	N/A	
Findings of Fact	12/27/2024	
Findings of Fact (Amended)	2/12/2025	

COMPREHENSIVE PLAN ANALYSIS

Comprehensive Plan

- Marion County Land Use Plan Pattern Book
- Infill Housing Guidelines

Pattern Book / Land Use Plan

- 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 be supported by 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

- Secondary Dwelling Units (pg. 27-28)
 - In addition to traditional accessory structures like garages and sheds, there has also been growth in secondary dwelling units. These dwellings units offer many benefits, including the potential to increase adorability, to increase the diversity of housing options in the neighborhoods, and to enable seniors to stay near families.
 - Secondary Dwelling Units: Secondary dwelling units are secondary living areas that are often disconnected from a house that can support another family. In recent years, secondary dwelling units have been created in separate buildings, including above garages. In many other places these units are known as “accessory dwelling units”.
 - Accessory buildings should be located behind the existing building unless there is a precedent otherwise.
 - The scale, height, sized and mass should relate to the primary building and should not overshadow it.
 - Coordinate roof lines, window openings, and key architectural styles on accessory buildings with existing primary buildings.
 - Where secondary dwelling units are allowed, the Zoning Ordinance establishes a maximum square footage. If additional space is needed, another form of building, such as a duplex or triplex, might be more appropriate. An addition to an existing house may also be appropriate. .

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 – SURROUNDING AREA

- 2001-HOV-020 – 3660 E 62nd Street
 - 6.9 foot tall 47.2 square foot pylon sign.
 - AP
- 2008-DV3-011 – 3778 E 62nd Street
 - Variance of Development Standards of the Dwelling Districts Zoning Ordinance to provide for the construction of a 264-square foot detached accessory structure with a six-foot east side setback (minimum fifteen-foot side setback required).
 - AP
- 2010-DV2-020 – 6320 E Ewing Street
 - Variance of development standards of the Dwelling Districts Zoning Ordinance to provide for a dwelling addition with an 11-foot south side setback (minimum 15-foot side setback required).
 - Approved
- 2013-DV1-017 – 6320 N Ewing Street
 - Variance of development standards of the Dwelling Districts Zoning Ordinance to provide for an approximately 23-foot tall (29-foot tall, with cupola), 432-square foot accessory barn and an approximately 23-foot tall (30-foot tall with chimney) 1,345-square foot accessory pavilion (maximum 24-foot tall accessory building permitted), creating an accessory use area of 11,036-square feet or 280.53% of the total floor area of the primary structure (maximum 99.9% of the total floor area of the primary building or 3,930 square feet permitted).
 - Approved
- 2020-CZN-851 – 3660 E 62nd Street
 - Rezoning of 6.06 acres from the SU-2 district to the SU-37 district.
 - Approved
- 2023-CVR-813 – 6206 N Olney Street
 - Variance of Development Standards of the Consolidated Zoning and Subdivision Ordinance to provide for a detached accessory structure in the established front yard along 62nd Street (not permitted).
 - Approved
- 2023-CZN-813 – 6206 N Olney Street
 - Rezoning of 0.76 acre from the SU-2 district to the D-1 district.
 - Approved

EXHIBITS

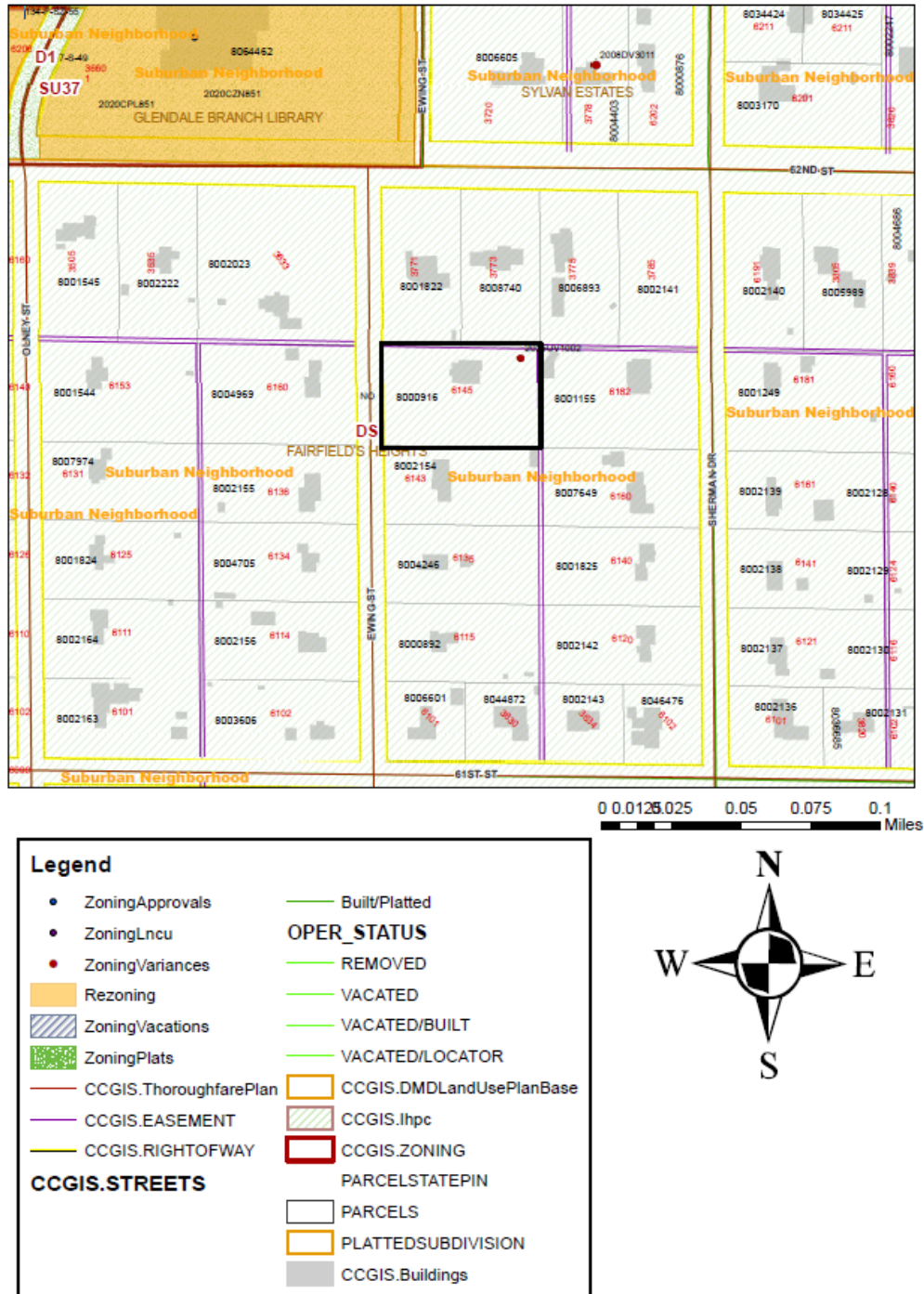


Exhibit 1: ArcGIS map of subject site.



Exhibit 2: Aerial of area around subject site.



METROPOLITAN DEVELOPMENT COMMISSION
HEARING EXAMINER
METROPOLITAN BOARD OF ZONING APPEALS, Division [redacted]
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 proposal and proposed use is consistent with other detached outbuildings in not only adjacent properties (6143 N. Ewing St., 6182 N. Sherman Dr., 3775 E. 62nd St.) but also consistent with other similar detached garages and living spaces within the Fairfield Heights subdivision (6161 N. Sherman Dr., 6141 N. Sherman Dr., & 6038 N. Olney St.). Furthermore, the second primary dwelling nature of the structure is only a slight change from the development standards and adds to the overall value of the property and neighborhood. The property owners closest to the variance--Steve and Shelia Pluckebaum (3773 E. 62nd St.) have no concerns with the project.

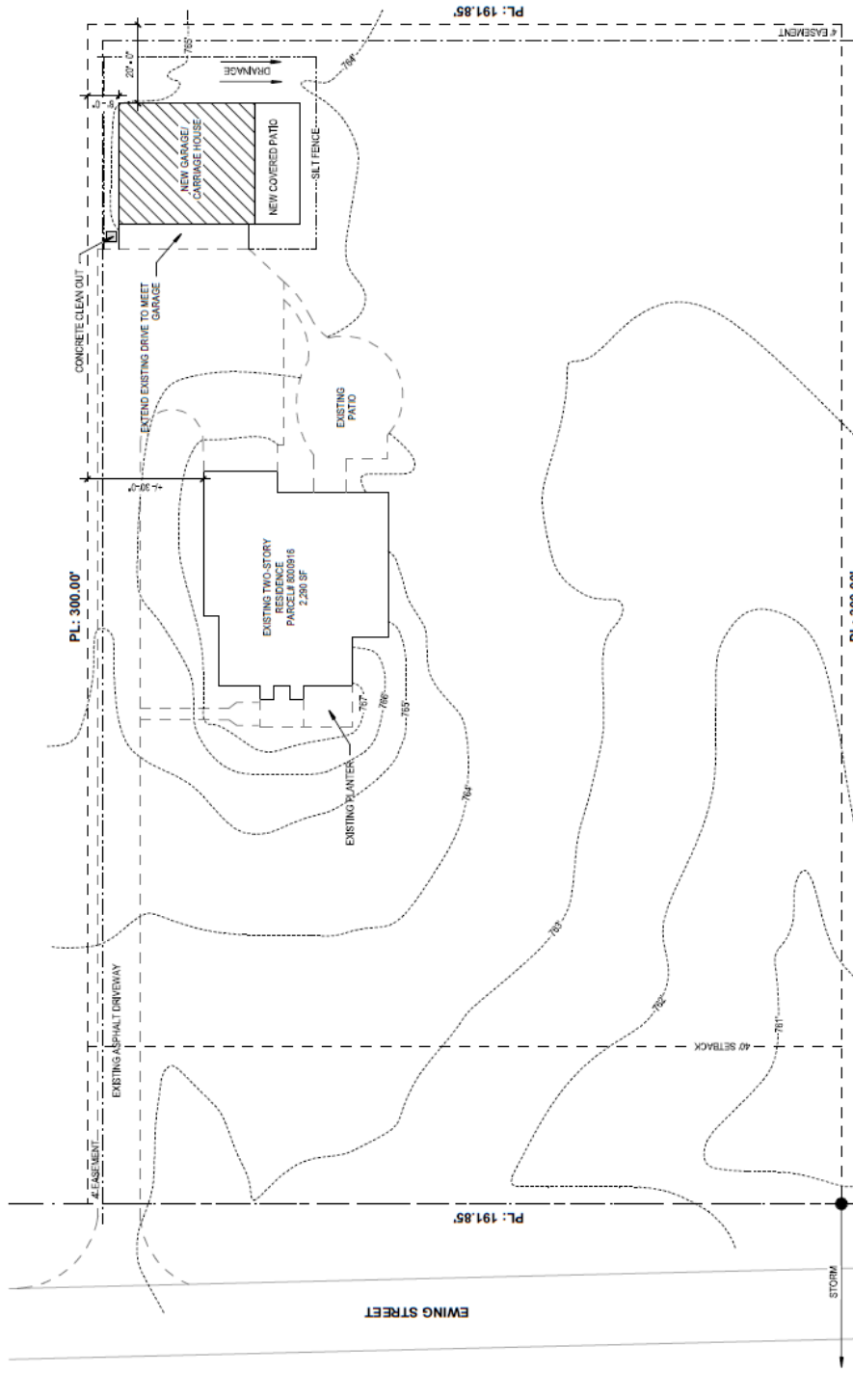
2. The use or value of the area adjacent to the property included in the variance will not be affected in a substantially adverse manner because:

The design will be consistent with design standards and will enhance the value of neighboring property.

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

the location of the detached garage, in proximity to the driveway servicing access to the garage, runs along the northern boundary. Along the eastern boundary was the location of a new septic system, its location required by the Marion County Health Department consistent with code applicable to septic systems. But to comply with the setback requirement pushes the location of the detached garage away from the driveway and into the existing septic field. Furthermore, the secondary primary dwelling standards inhibit liveable space for inlaws.

Exhibit 3: Findings of Fact submitted by the petitioner.



1 SITE PLAN
 AS/01 1" = 20'-0"

NOTE: DIMENSIONS ARE APPROXIMATE AND SHOULD BE CONFIRMED ON SITE OR WITH A SURVEY.

Exhibit 4: Site Plan.



Exhibit 5: The primary dwelling on the subject site.



Exhibit 6: General location of the proposed secondary dwelling unit looking east.



Exhibit 7: General location of the secondary dwelling looking north.



Exhibit 8: North property line looking east.



Exhibit 9: Property that is north of the proposed location of the secondary dwelling unit.



Exhibit 10: Back of primary dwelling unit.