

**BOARD OF ZONING APPEALS DIVISION II**

**February 13, 2024**

**Case Number:** 2023-DV2-036

**Property Address:** 7508 Central Avenue (approximate address)  
Town of Meridian Hills

**Location:** Washington Township, Council District #2

**Petitioner:** John and Marcia Taylor, by Brian J. Tuohy

**Current Zoning:** D-1

**Request:** Variance of development standards of the Consolidated Zoning and Subdivision Ordinance to provide for the construction of a single-family dwelling with a 107.66-foot front yard setback from Central Avenue (114.25-foot front yard setback required).

**Current Land Use:** Residential

**Staff Recommendations:** Staff recommends approval of this petition

**Staff Reviewer:** Noah Stern, Associate Planner

**PETITION HISTORY**

**ADDENDUM FOR FEBRUARY 13, 2024 BZA II HEARING**

- This petition was automatically continued by a registered neighborhood organization from the January 4, 2024 BZA II hearing to the February 13, 2024 BZA II hearing.

**STAFF RECOMMENDATION**

Staff recommends approval of this petition.

**PETITION OVERVIEW**

- This request would provide for the construction of a single-family dwelling with a 107.66-foot front yard setback from Central Avenue (114.25-foot front yard setback required).
- The subject site is located within the Town of Meridian Hills and is zoned R-2 under the Town of Meridian Hills zoning designations. In R-2 zoning, on blocks in which at least 50% of the lots are improved with a dwelling unit, as this block of Central Avenue where the subject site is located has, the front setback standard is the average setback of the existing dwelling units on the block. That average front setback was calculated to be approximately 114.25 feet. The petitioner is seeking a variance of development standards just shy of 7 feet for the front setback. The house that previously existed on site was torn down for the proposed new primary residence to be built.

- Several large, mature trees exist towards the back of the subject site (depicted in site photos and site plan). Placing the proposed residence at least 114.25 feet from the front property line would result in the structure lying within a few feet of many of these trees, representing a practical difficulty on the petitioner. Additionally, the Infill Housing Guidelines recommends building within the front setback range of the surrounding houses when the setbacks are different, to which this proposal adheres. Given this, Staff finds this to be a reasonable request and is not opposed to the front setback variance.

## GENERAL INFORMATION

<b>Existing Zoning</b>	D-1	
<b>Existing Land Use</b>	Residential	
<b>Comprehensive Plan</b>	Rural or Estate Neighborhood	
<b>Surrounding Context</b>	<b>Zoning</b>	<b>Surrounding Context</b>
North:	D-1	North: Single-family residential
South:	D-1	South: Single-family residential
East:	D-S	East: Single-family residential
West:	D-1	West: Single-family residential
<b>Thoroughfare Plan</b>		
Central Avenue	Local Street Proposed ROW: 50 feet Existing ROW: 60 feet	
<b>Context Area</b>	Metro	
<b>Floodway / Floodway Fringe</b>	No	
<b>Overlay</b>	No	
<b>Wellfield Protection Area</b>	No	
<b>Site Plan</b>	11/15/23	
<b>Site Plan (Amended)</b>	N/A	
<b>Elevations</b>	N/A	
<b>Elevations (Amended)</b>	N/A	
<b>Landscape Plan</b>	N/A	
<b>Findings of Fact</b>	11/15/23	
<b>Findings of Fact (Amended)</b>	N/A	

## 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 Rural or Estate Neighborhood living typology on 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 front setbacks, the Infill Housing Guidelines document recommends:
  - When setbacks are different, build within the “set back range”
- The proposal is in accordance with the recommendations

#### 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

**2019DV3023; 7474 Central Avenue (south of site)**, Variance of development standards of the Consolidated Zoning and Subdivision Ordinance to provide for a dwelling addition with two-foot overhangs with a six-foot side setback and an eight-foot aggregate side setback (minimum 10-foot side setback and 25.5-foot aggregate side setback required), **approved**.

**2017DV1058; 365 75<sup>th</sup> Street (south of site)**, Variance of development standards of the Consolidated Zoning and Subdivision Ordinance to provide for a five-foot tall wrought iron fence, with taller columns, having a zero-foot front setback (maximum 3.5-foot tall fence permitted within the front yard), **denied**.

**2016DV1045; 475 75<sup>th</sup> Street (south of site)**, Variance of development standards of the Consolidated Zoning and Subdivision Ordinance to provide for the construction of a single-family dwelling, with a 40-foot setback from 75th Street and 67-foot setback from Central Avenue (average setback required) with a portion of a 48-inch tall wrought iron fence, with gates, within the clear sight triangles of the lot, **approved**.

**2014HOV048; 7505 Central Avenue (east of site)**, variance of development standards of the Dwelling Districts Zoning Ordinance to provide for a single-family dwelling, with a 73.5-foot front setback from Central Avenue, **approved**.

**2013ZON036; 609 and 619 E 75<sup>th</sup> Street (east of site)**, rezoning of 4.17 acres, from the D-1 District to the SU-2 classification to provide for educational uses, **approved**.

**2012ZON053; 7404 and 7456 N College Avenue (east of site)**, rezoning of 10.435 acres, from the D-p and D-1 Districts, to the SU-2 classification to provide for educational use, **approved**.

**2009DV3009; 7474 Central Avenue (south of site)**, variance of development standards of the Dwelling Districts Zoning Ordinance to legally establish a 266-square foot deck with a two-foot south side setback and to provide for a 224-square foot screen porch addition with a two-foot south side yard setback, **approved**.

**2008DV1069; 464 75<sup>th</sup> Street (south of site)**, variance of development standards of the Dwelling Districts Zoning Ordinance to legally establish a 5.33-foot tall wrought iron fence with up to 8.5-foot tall posts, and eight-foot tall, wrought iron gates within the required front yard along 75<sup>th</sup> Street, and a portion of a four-foot tall wire mesh fence along the east property line within the required front yard, and a 6.25-foot tall wood privacy fence along the north property line, **approved**.



Department of Metropolitan Development  
Division of Planning  
Current Planning

**2002DV3034; 7510 Morningside Drive (east of site)**, variance of development standards of the Dwelling Districts Zoning Ordinance to provide for a 228.2 square foot addition located 14.8 feet from the rear property line, **approved**.

**2001DV2002; 7555 Central Avenue (east of site)**, variance of development standards to provide for a 161 square foot addition to an attached garage creating a 10-foot side yard setback, and a 25.1 aggregate side yard setback, **approved**.

**85-V3-86; 7575 Central Avenue (north of site)**, variance of development standards to provide for an in-ground swimming pool to be located seven feet from the rear property line, **approved**.

EXHIBITS











