



BOARD OF ZONING APPEALS DIVISION II

February 13, 2024

Case Number:	2024-DV2-003
Property Address:	2415 & 2427 North Rural Street (approximate address)
Location:	Center Township, Council District #8
Petitioner:	Martindale Brightwood Community Development Corporation, by Susie Wilson
Current Zoning:	D-5
Request:	Variance of Development Standards of the Consolidated Zoning and Subdivision Ordinance to provide for the construction of a two-family dwelling on each lot, both with 30-foot lot widths and lot areas of 4,065 square feet (minimum lot width of 60 feet and area of 7,200 square feet required), each with a parking pad with a three-foot south side yard setback (five-foot side yard setbacks required).
Current Land Use:	Partially Constructed Two-Family Dwellings
Staff Recommendations:	Approval
Staff Reviewer:	Eddie Honea, Principal Planner II

PETITION HISTORY

This petition is scheduled for initial hearing on February 13, 2024, before Division II of the Board of Zoning Appeals.

STAFF RECOMMENDATION

Staff **recommends approval** of the request.

PETITION OVERVIEW

- The request, as proposed, would allow for the construction of a Two-Family Dwelling on each 30-foot wide lot, containing a total lot area of 4,065 square feet. The Ordinance requires minimum lot widths of 60 feet and an area of 7,200 square feet for this typology. All other development standards are met.
- This block of Rural Street is comprised primarily of single-family dwellings, with undeveloped lots and multi-family dwellings interspersed.
- Permits were issued in error by the Department of Business and Neighborhood Services, resulting in the site being improved with partially erected Two-Family Dwellings.



**Department of Metropolitan Development
Division of Planning
Current Planning**

- While the request does not meet the minimum lot standards for a Two-Family Dwelling, Staff would note that it would substantially comply with the requirements of a two-unit-multi-unit-home, including setbacks, lot area, and open space, which would otherwise be permitted within the D-5 District. This use would require a 35-foot lot width, however, so a variance filing would still be required. Staff would note that the primary difference between these two land uses is the ability of each unit of a Two-Family Dwelling being able to be individually owned.
- The Land Use Pattern Book recommends Traditional Neighborhood development. Specifically, Two-Family Dwellings are encouraged to be located on corner lots, or along a block, so long as they do not comprise greater than 25% of the primary buildings. While there are multi-family structures in the area, the request would represent the only two two-family dwellings along this portion of the 2400 block of North Rural Street. Therefore, the request would comply with the Land Use Pattern Book.
- The Infill Housing Guidelines is a component of the overall Marion County Comprehensive Plan that advises residential infill development, with particular regard to site configuration and aesthetic considerations. These guidelines specifically emphasis vicinity context regarding setbacks, building orientation, building spacing, massing, open space, and landscaping. After review of the filed site-plan, Staff has determined that the request complies with these guidelines and does not propose any deviation.
- Staff would note that this portion of Martindale Brightwood is bound by institutional uses to the west, including religious uses, a juvenile detention center and a court facility. Enterprise Park, an industrial integrated center, is also located directly to the southwest, and I-70 is located directly south. Staff believes this proximity to such uses establishes the immediate area as a transitional buffer, and that increased density would be appropriate.
- In addition, Staff believes this increased density advances the Livability Principles of the Ordinance, specifically to promote equitable, affordable housing through the introduction of four new dwelling units; and enhancing economic competitiveness by providing increased housing stock near employment centers.

GENERAL INFORMATION

Existing Zoning	D-5	
Existing Land Use	Partially Constructed Two-Family Dwellings	
Comprehensive Plan	Traditional Neighborhood	
Surrounding Context	Zoning	Surrounding Context
North:	D-5	North: Undeveloped Lots & Single-Family Dwellings
South:	D-5	South: Undeveloped Lots & Single-Family Dwellings
East:	D-5	East: Single-Family Dwellings



West:	D-5	West:	Single-Family Dwellings
Thoroughfare Plan			
Rural Street	Local Street		
Context Area	Compact		
Floodway / Floodway Fringe	No		
Overlay	No		
Wellfield Protection Area	No		
Site Plan	December 28, 2023		
Site Plan (Amended)	N/A		
Elevations	N/A		
Elevations (Amended)	N/A		
Landscape Plan	N/A		
Findings of Fact	December 28, 2023		
Findings of Fact (Amended)	N/A		

COMPREHENSIVE PLAN ANALYSIS

Comprehensive Plan

- Land Use Pattern Book; Infill Housing Guidelines

Pattern Book / Land Use Plan

- Enter Recommendation by Pattern Book or “Not Applicable to the Site. Please see Neighborhood / Area Specific Plan (etc.) below.”

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

- Two-Family Dwellings are encouraged to be located on corner lots, or along blocks where no more than 25% of the primary residential structures comprise of Two-Family Dwellings



Indy Moves

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

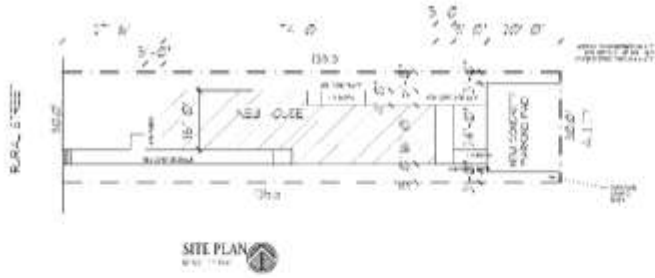
- Not Applicable to the Site



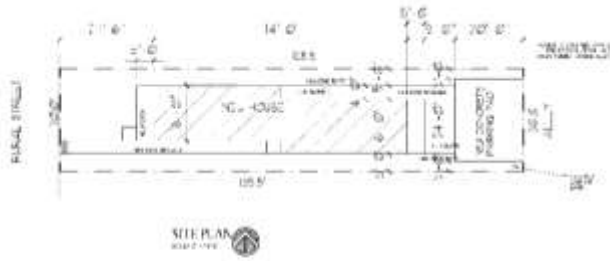
ZONING HISTORY

None.

EXHIBITS



YORING
 ARCHITECTURE
 2415 S RURAL STREET
 INDIANAPOLIS, IN 46204



YORING
 ARCHITECTURE
 2415 S RURAL STREET
 INDIANAPOLIS, IN 46204

NEW HOUSE
 2415 S RURAL STREET
 INDIANAPOLIS, IN 46204

NEW HOUSE
 2415 S RURAL STREET
 INDIANAPOLIS, IN 46204



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:

Proposed plans for development on this site would not be injurious to any property adjacent. The request for 2 family dwellings would benefit and provide a new overall facade to the existing area.

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:

This petition is within the single family dwelling development plan for the area. Petitioning for this approval will give access to provide affordable housing for residents within the community.

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

This project was approved and issued permits to begin construction and has such begun construction of these dwellings. Plan review for additional projects, the matter was brought to attention of the development requirements for the parcel and as such, the petition is necessary to obtain proper approval to continue with completion of these parcels.

DECISION

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

Adopted this _____ day of _____, 20 ____

