

BOARD OF ZONING APPEALS DIVISION III

March 18th, 2025

Case Number: 2025-DV3-005
Property Address: 4475 Carson Avenue
Location: Perry Township, Council District #24
Petitioner: Megan Kloeker (Komlanc)
Current Zoning: D-2
Request: Variance of Development Standards of the Consolidated Zoning and Subdivision Ordinance to provide for the construction of a detached garage with a 17-foot front yard setback from Lindbergh Drive (25-feet required) and being larger than the primary building (not permitted).
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 of this variance petition.

STAFF RECOMMENDATION

Staff is recommending **denial** of this variance petition.

PETITION OVERVIEW

- This variance petition is requesting for a garage to be larger than the primary structure and to be constructed within the 25-foot front yard setback.
- This property is 0.39-acre in a D-2 zoning district. A smaller garage is currently on the property and is planned to be demolished for the proposed garage in this variance petition.
- According to the petitioner the garage will temporarily be a larger square footage than the primary structure until the planned remodel is completed, but the garage will remain taller than the primary structure. The remodel is currently not scheduled.
- The Infill Housing Guidelines does not recommend that an accessory structure, such as a garage, to overshadow a primary structure in scale, height, scale, and mass.
- The proposed garage is estimated to be 1,910 sqft in size and to be used for boat storage, vehicle storage, property storage, and as a workspace.
- The subject site is a corner lot and so the property has required two front yards.

- In a D-2 zoning district within the Metro context area the front yard setback for a local street (Lindbergh Drive) is 25 feet while along a secondary arterial (Carson Avenue) is 35 feet.
- Staff is recommending **denial** because there is no practical difficulty. The size of the garage and its extension into the setback is a design choice on a property that has sufficient space for an accessory structure. The garage being a larger size than the primary structure is not permitted by the Ordinance, nor recommended by the Infill Housing Guidelines. The goal of the Infill Housing guidelines is to prevent large accessory structures from overshadowing the primary structure. The needs for the garage, such as the vehicle and boat storage, can be accomplished by making use of the proposed new driveway on the property or other off site permitted locations for recreation vehicles.

GENERAL INFORMATION

Existing Zoning	D-2	
Existing Land Use	Residential	
Comprehensive Plan	Suburban Neighborhood	
Surrounding Context	Zoning	Surrounding Context
	North:	D-A North: Suburban Neighborhood
	South:	D-2 South: Suburban Neighborhood
	East:	D-2 East: Suburban Neighborhood
	West:	D-2 West: Suburban Neighborhood
Thoroughfare Plan		
Lindbergh Drive	Local Street	50 feet of right-of-way existing and 50 feet proposed
Carson Avenue	Secondary Arterial	65 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	2/20/2025	
Site Plan (Amended)	N/A	
Elevations	N/A	
Elevations (Amended)	N/A	
Landscape Plan	N/A	
Findings of Fact	2/10/2025	
Findings of Fact (Amended)	N/A	

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 (pg. 17).

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

- 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.
- 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.

Indy Moves

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

- Not Applicable to the Site.

ZONING HISTORY

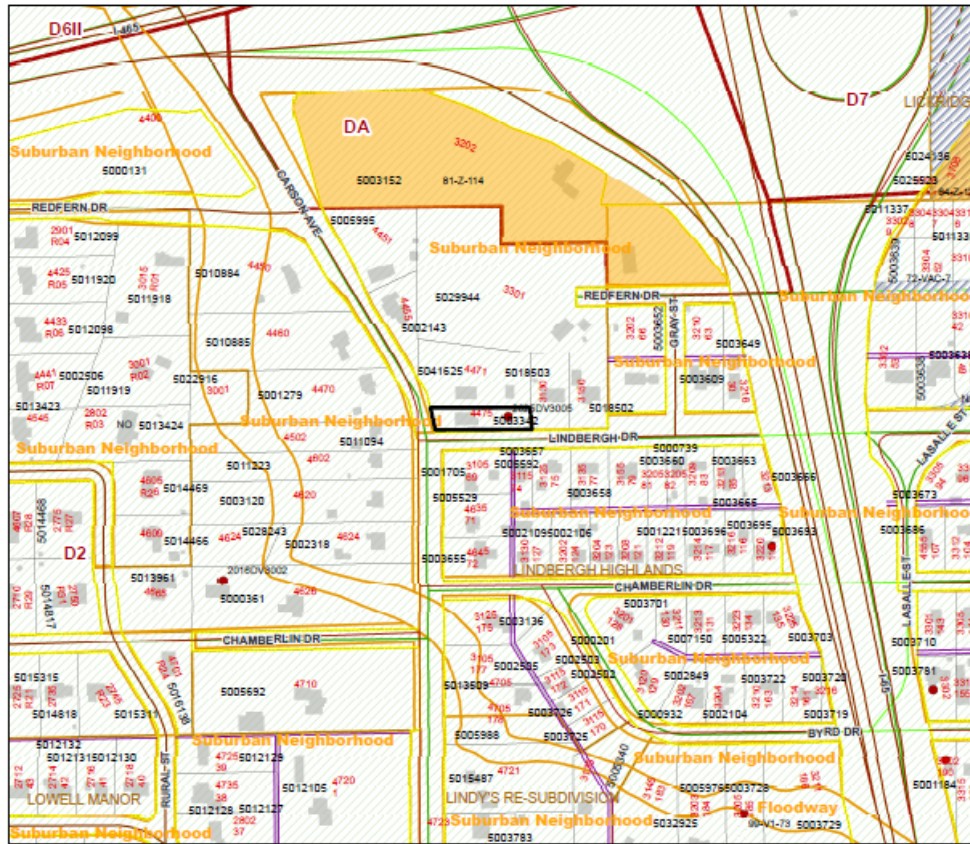
ZONING HISTORY – SITE

- N/A

ZONING HISTORY – SURROUNDING AREA

- 2006-DV1-010: 3302 Byrd Drive
 - Variance of Development Standards of the Dwelling Districts Zoning Ordinance to provide for the construction of pergolas with a zero-foot rear yard setback (minimum 25-foot rear setback required) and a zero-foot east side yard setback (minimum seven-foot side setback required).
 - AP
- 2008-UV1-032: 3302 Byrd Drive
 - Variance of Use and Development Standards of the Dwelling Districts Zoning Ordinance to provide for a 320-square foot accessory structure as a primary use (not permitted), with a zero-foot front setback from the proposed (existing) right-of-way of Byrd Street (minimum 25-foot front setback required) and a nine-foot side setback from the right-of-way of Interstate 65 (minimum twenty-foot setback from an interstate right-of-way required).
 - Approved
- 2016-DV3-002: 4626 Carson Avenue
 - Variance of Development Standards of the Dwelling Districts Zoning Ordinance to provide for a 1,920-square foot pole barn, creating an accessory building area of 2,040 square feet, or 107.5% of the main floor area of the primary dwelling (maximum 75% permitted).
 - Approved
- 2018-DV1-058: 4555 Earlham Drive
 - Variance of Development Standards of the Consolidated Zoning and Subdivision Ordinance to provide for the construction of a 24.33-foot tall, 1728-square foot garage taller than the primary dwelling (not permitted).
 - Withdrawn

EXHIBITS



0 0.01 0.035 0.07 0.105 0.14 Miles

Legend

- ZoningApprovals
- ZoningLncu
- ZoningVariances
- Rezoning
- ZoningVacations
- ZoningPlats
- CCGIS.ThoroughfarePlan
- CCGIS.EASEMENT
- CCGIS.RIGHTOFWAY
- CCGIS.STREETS
- Built/Platted
- OPER_STATUS**
- REMOVED
- VACATED
- VACATED/BUILT
- VACATED/LOCATOR
- CCGIS.DMDLandUsePlanBase
- CCGIS.lhpc
- CCGIS.ZONING
- PARCELSTATEPIN
- PARCELS
- PLATTEDSUBDIVISION
- CCGIS.Buildings



Exhibit 1: ArcGIS area map around subject site.



METROPOLITAN DEVELOPMENT COMMISSION
HEARING EXAMINER
METROPOLITAN BOARD OF ZONING APPEALS, Division III
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 Structure will be utilized by the Petitioner for vehicular storage, light property storage, boat storage, and as a workshop area for improvement projects pertaining to the Petitioner's Primary Structure. The line of sight for adjacent properties will not be affected by modification of the setback variance. A grant will not be injurious to the public health, safety, morals, and general welfare of the community.

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 Accessory Structure will be entirely replacing the Existing Accessory Structure, which has inadequate storage space, on the Petitioner's Property. The Proposed Accessory Structure will be constructed to the standards and style of the existing Primary Structure and surrounding properties within the neighborhood.

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

The Proposed modifications to the width, height, and South setback are required to meet the Petitioner's needs for vehicular, property, and boat storage. The Primary Structure does not have adequate storage space, due to the age and layout of the Structure. The limited access to and temperature fluctuations in the attic space within the Primary Structure are not suitable for storage of property. The Proposed Accessory Structure will not exceed 4' above the Primary Structure's height. The Corner Lot restrictions limit the ability to construct an adequately sized structure to meet the Petitioner's needs without approval of requested variances to the zoning ordinances.

Exhibit 2: Findings of Fact submitted by the petitioner.

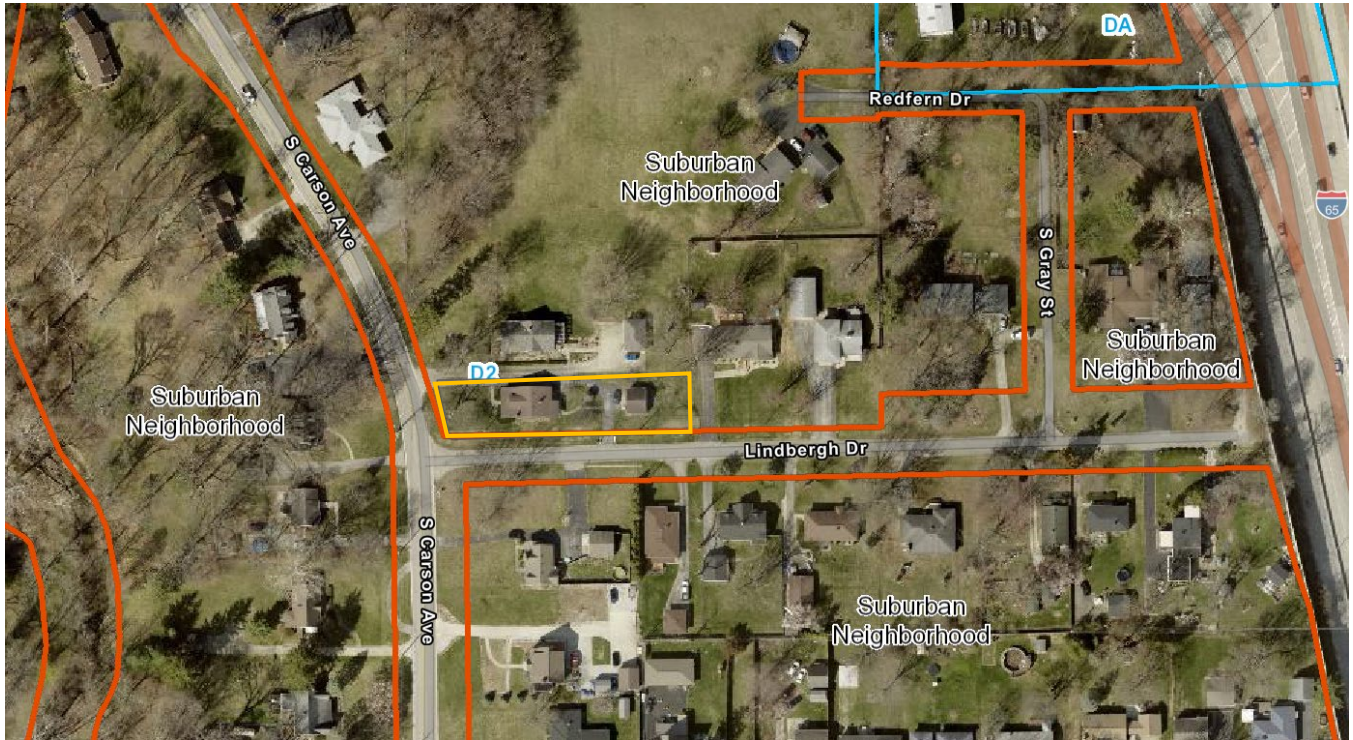
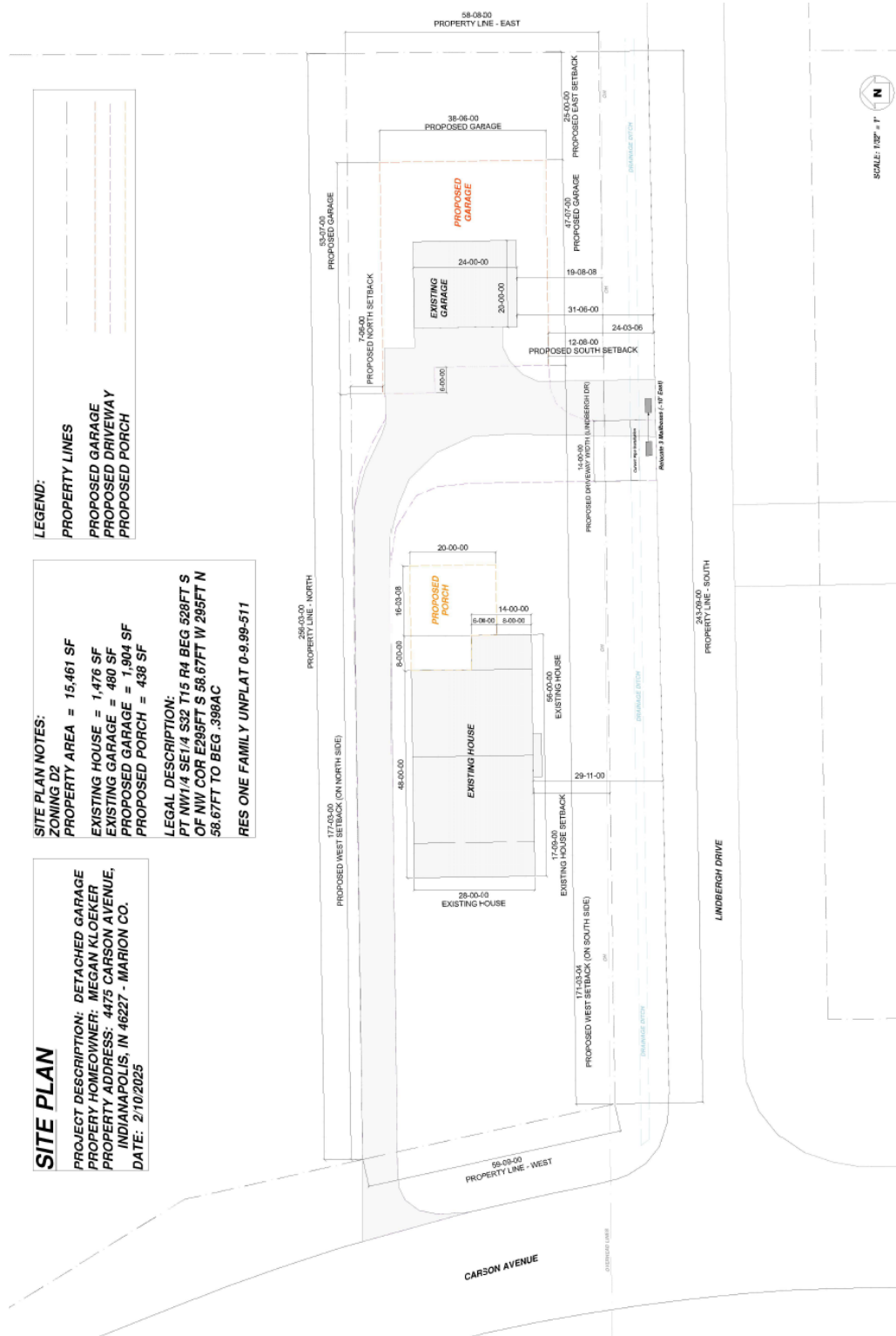


Exhibit 3: Aerial of subject site.



LEGEND:
 PROPERTY LINES
 PROPOSED GARAGE
 PROPOSED DRIVEWAY
 PROPOSED PORCH

SITE PLAN NOTES:
 ZONING D2
 PROPERTY AREA = 15,461 SF
 EXISTING HOUSE = 1,476 SF
 EXISTING GARAGE = 480 SF
 PROPOSED GARAGE = 1,904 SF
 PROPOSED PORCH = 438 SF
 LEGAL DESCRIPTION:
 PT NW1/4 SE1/4 S32 T15 R4 BEG 528FT S
 OF NW COR E295FT S 58.67FT W 295FT N
 58.67FT TO BEG .398AC
 RES ONE FAMILY UNPLAT 0-9-99-511

SITE PLAN
 PROJECT DESCRIPTION: DETACHED GARAGE
 PROPERTY HOMEOWNER: MEGAN KLOEGER
 PROPERTY ADDRESS: 4475 CARSON AVENUE,
 INDIANAPOLIS, IN 46227 - MARION CO.
 DATE: 2/10/2025

Exhibit 4: Submitted site plan.



Exhibit 5: The front of the primary structure on the subject site.



Exhibit 6: The back of the primary structure on the subject site.



Exhibit 7: The garage that is currently on the subject site looking northeast.



Exhibit 8: The garage that is currently on the subject site looking southwest.



Exhibit 9: Looking east down Lindbergh Drive where proposed garage will go into the setback.



Exhibit 10: Looking west down Lindbergh Drive.



Exhibit 11: Subject sites driveway off of Carson Avenue.



Exhibit 12: Subject sites driveway off Lindbergh Drive (Pulled from Google maps).