



**METROPOLITAN DEVELOPMENT COMMISSION  
HEARING EXAMINER**

April 23, 2026

**Case Number:** 2026-ZON-020 / 2026-VAR-003  
**Address:** 3520 Robson Street (Approximate Address)  
**Location:** Center Township, Council District #13  
**Petitioner:** Freddy Licon and Doris Serrano, by Josh Smith  
**Request:** Rezoning of 0.078-acre from the I-4 district to the D-5 district to provide for residential uses.

Variance of Development Standards of the Consolidated Zoning and Subdivision Ordinance to provide for an expansion of the existing dwelling, with a zero-foot front setback (10-foot front setback required), a zero-foot east side setback (8-foot corner setback required), and a 14-foot rear setback (15-foot rear setback required).

**Staff Recommendations:** Approval  
**Current Land Use:** Residential accessory structure  
**Staff Reviewer:** Robert Uhlenhake, Senior Planner

**PETITION HISTORY**

This is the first hearing for this petition.

**STAFF RECOMMENDATION**

Staff recommends **approval** of the request.

**PETITION OVERVIEW**

**LAND USE**

The 0.078-acre site is comprised of a parcel developed with a residential structure. The site is adjacent to the east by single-family dwellings zoned D-3.



## REZONING

The request would rezone the property to the D-5 district to allow for residential uses that are not permitted in the existing I-4 district.

The I-4 District is intended for those heavy industrial uses which present an elevated risk to the general public and are typically characterized by factors that would be exceedingly difficult, expensive, or impossible to eliminate. These industries are therefore buffered by a sizeable area to minimize any detrimental aspects. The development standards and performance standards reflect the recognition of these problems. Location of this district should be as far as possible from protected districts and environmentally sensitive areas as practical and never be adjacent to protected districts.

The D-5 district is intended for medium and large-lot housing formats, primarily for detached houses, but may incorporate small-scale multi-unit building types in strategic locations. This district can be used for new, walkable suburban neighborhoods or for infill situation in established urban areas, including both low density and medium density residential recommendations of the Comprehensive Plan, and the Suburban Neighborhood and Traditional Neighborhood Typologies of the Land Use Pattern Book

## VARIANCE OF DEVELOPMENT STANDARDS

The request would legally establish the existing residential dwelling setbacks and provide for an expansion to the dwelling along the same side setback.

## STAFF ANALYSIS

The request would rezone the property to the D-5 district to legally establish existing residential uses.

According to Assessor's records, the residential accessory structure was constructed in 2014. It is believed that the construction was associated with an adjacent property and would have been considered as construction in a side yard, which would allow for it to be permitted without a residential component. In 2017, the property was sold to the petitioner, who does not live adjacent to the site. This resulted in the property being non-compliant without it being attached to a primary dwelling unit.

Staff is supportive of the rezoning because it would allow for residential development that is compatible with the surrounding area and would align with the Suburban Neighborhood recommendation of the Comprehensive Plan.

Staff is supportive of the variance of development standards because it would allow for residential development that is compatible with the surrounding area and would align with the Suburban Neighborhood recommendation of the Comprehensive Plan.



**GENERAL INFORMATION**

<b>Existing Zoning</b>	D-A		
<b>Existing Land Use</b>	Single Family Dwelling		
<b>Comprehensive Plan</b>	Light Industrial		
<b>Overlay</b>	N/A		
<b>Surrounding Context</b>	<b>Zoning</b>	<b>Surrounding Context</b>	
	North:	I-4	Single-family dwellings
	South:	I-4	Single-family dwelling
	East:	D-5	Single-family dwellings
	West:	I-4	Undeveloped
<b>Thoroughfare Plan</b>			
	Robson Street	Local Street	48-foot existing and proposed right-of-way.
<b>Context Area</b>	Compact		
<b>Floodway / Floodway Fringe</b>	N/A		
<b>Wellfield Protection Area</b>	N/A		
<b>Site Plan</b>	February 18, 2026		
<b>Elevations</b>	N/A		
<b>Landscape Plan</b>	N/A		
<b>Commitments</b>	N/A		
<b>Findings of Fact</b>	March 19, 2026		
<b>C-S / D-P Statement</b>	N/A		

**COMPREHENSIVE PLAN ANALYSIS**

**Comprehensive Plan**

The Comprehensive Plan recommends the Light Industrial typology provides for industrial, production, distribution, and repair uses conducted within enclosed structures and unlikely to create emissions of light, odor, noise, or vibrations. This typology is characterized by freestanding buildings or groups of buildings, often within industrial parks. Typical uses include warehousing, self-storage, assembly of parts, laboratories, wholesaling, and printing. Industrial or truck traffic should be separated from local/residential traffic.

**Pattern Book / Land Use Plan**

Not Applicable to the 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

The Infill Housing Guidelines were updated and approved in May 2021, with a stated goal “to help preserve neighborhood pattern and character by providing guiding principles for new construction to coexist within the context of adjacent homes, blocks, and existing neighborhoods. These guidelines provide insight into basic design concepts that shape neighborhoods, including reasons why design elements are important, recommendations for best practices, and references to plans and ordinance regulations that reinforce the importance of these concepts.”

These guidelines apply to infill development in residential areas within the Compact Context Area and include the following features:

### Site Configuration

- Front Setbacks
- Building Orientation
- Building Spacing
- Open Space
- Trees, Landscaping, and the Outdoors

### Aesthetic Considerations

- Building Massing
- Building Height
- Building Elevations and Architectural Elements

### Additional Topics

- Secondary Dwelling Units, Garages, and Accessory Structures
- Adapting to the Future

As established neighborhoods experience new development, infill residential construction will provide housing options for new and existing residents. Increased population contributes positively to the local tax base, economic development, lively neighborhoods, and an interesting city. As infill construction occurs, it is important to guide development in a way that complements current neighborhoods. Each home in a neighborhood not only contributes to the existing context of adjoining houses and the block, but to the sense of place of the entire neighborhood.”

## Indy Moves

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

Not Applicable to the Site.

## ZONING HISTORY

None.

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EXHIBITS

LOCATION MAP







**FINDINGS OF FACT**

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:

The smaller than required open space and setback will not change the proposed or allowed uses of the property. The property will remain a single family home in-line with the current use and the surrounding 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:

The use of the home and property will remain a single family home with a larger footprint. The single family use is consistent with the area.

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

This home was built prior to 1925 on a smaller lot (approx. 3300sf) with a 0'ft front and east setback for the existing home. The proposed addition would be in-line with the east side of the home. To meet the required 20ft setback would require an addition to be 5' smaller to the north. To meet the minimum open space of 40%, the proposed addition would need to be cut back by 205sf (approximately 1/3 the size).

**PHOTOS**



Photo of subject site, looking northwest from Gale Street frontage.



Photo of subject site, looking west from Gale Street.