

BOARD OF ZONING APPEALS DIVISION I

August 04, 2026

Case Number: 2026-DV1-032

Property Address: 3213 Lowry Rd. (approximate address)

Location: Wayne Township, Council District #11

Petitioner: Josh Smith

Current Zoning: D-5

Request: Variance of development standards of the Consolidated Zoning and Subdivision Ordinance to legally establish a garage and primary bedroom addition attached to an existing home within a 4-foot east side yard setback (required 7-foot side yard setback).

Current Land Use: Residential - Single Family Dwelling

Staff Recommendations: Staff recommend **approval** of this petition.

Staff Reviewer: Jasmine Dillard Nikolich, Senior Planner

PETITION HISTORY

This is the first public hearing of this petition.

STAFF RECOMMENDATION

Staff recommends **approval** for this petition.

PETITION OVERVIEW

3213 Lowry Road is a residential parcel within the suburban subdivision Eagledale 3rd Section Part 2 between West 34th Street and Thrush Drive. The currently improved single-family residence was originally constructed around 1972 and with a garage & master bedroom addition that appears to have been built in Fall 2025 from aerial photography. The property is accessed by driveway from Lowry Rd to the south and surrounding land-uses are single-family residential in nature.

The parcel has a split flood zone with a 100-year flood fringe and a 500-year flood fringe (flood zone X). The garage and master bedroom addition is placed on the 500-year flood fringe (flood zone x). According to FEMA, "a 500-year flood fringe is the portion of the floodplain that lies outside the floodway with 0.2% chance of flood at any given year." Therefore, adding additions will have a very little to no impact of flood risks. This property is zoned D-5 (Dwelling District Five) to allow for single-family dwelling in the 'Metro Context Area' and 'Medium Lot'. Staff will note that the property complies with all other D-5 regulations which meet the required minimum lot width of 60 feet and rear yard setbacks at 20 feet.

Approval of this petition would allow for an attached garage and master bedroom addition like its surrounding areas with a deficient 4-foot side yard setback (required 7 side yard setback). Estimated measurements of aerial imagery show that multiple homes on this block do not meet the required 7-foot side setbacks. Some seem to have as little as 2 or 3 feet. Staff would note that a separation of less than 5 feet requires firewall to be placed and a recommendation for approval would not exempt the surrounding homes from those standards. Also, a 4-foot side setback would not be out of context with the neighborhood and would still provide enough spacing for egress.

Placing the garage in the front yard as an attachment to the existing home would not be unusual, as several homes on this block have garages in the front yard. The home immediately to the south is one with single car garage attached to an existing home (3228 Lowry Rd) facing the street. There are several other homes in the neighborhood with attached garages facing the street (4608 Thrush, 4526 Thrush, 3162 Midvale, 4344 Thrush, 4338 Thrush, 4519 Bertrand).

The Infill Housing Guidelines state that “accessory buildings should be located behind the existing building unless there is a precedent otherwise.” Staff will note that this is not an Infill Housing development, this is an addition to the existing home.

Given that there is no alley access to the rear of the property, it is necessary to place the garage in the front yard with a driveway access connecting to Lowry Road. Estimated measurements of aerial imagery show that the width of the front-loaded garage door is approximately 22.5 feet wide, which would meet the maximum façade requirement of 45% at the front building line. Additionally, estimated measurements of aerial imagery show the original driveway width to be approximately 35 feet wide. The Zoning Ordinance (section 744-404-A-2) allows up to a 30-foot-wide parking area to the front yard. The petitioner has agreed to work with the homeowner to reduce the width of the driveway to 23 feet wide to meet zoning requirements. Staff would note that despite the amendment to the driveway, the aerial imagery shows surrounding homes to have driveways that exceed past the 30 feet wide zoning requirement.

The height of the proposed addition will be 26 feet, and the existing home is 13 feet. According to Zoning Ordinance, the maximum height is 35 feet. Therefore, the height of the proposed addition does not exceed the maximum height standard.

Based on the Zoning Ordinance standards, a D-5 lot is required to have a minimum lot open space of 60%. There is currently 89% of open space. However, most of the open space is located on the northwest side of the lot due to the unusual angle of where the existing home is located on the lot. The open space to the east is limited to where the garage and bedroom addition is built.

Based on the established precedent of properties on this block having garages in the front setback, and the context of existing setbacks for surrounding properties, staff recommends **approval** of this petition.

GENERAL INFORMATION

Existing Zoning	D-5	
Existing Land Use	Residential	
Comprehensive Plan	Suburban Neighborhood	
Surrounding Context	<u>Zoning</u>	<u>Land Use</u>
North:	D-5	Single-Family Residential
South:	D-5	Single-Family Residential
East:	D-5	Single-Family Residential
West:	D-5	Single-Family Residential
Thoroughfare Plan		
Lowry Road	Primary Arterial	50-foot existing right-of-way and 50-foot proposed right-of-way
Context Area	Metro	
Floodway / Floodway Fringe	Yes, 500 year and 100-year flood fringe split	
Overlay	No	
Wellfield Protection Area	No	
Site Plan	6-16-2026	
Site Plan (Amended)	Yes, 6-25-2026	
Elevations	6-16-2026	
Elevations (Amended)	N/A	
Landscape Plan		
Findings of Fact	6/16/2026	
Findings of Fact (Amended)	N/A	
C-S/D-P Statement	N/A	

COMPREHENSIVE PLAN ANALYSIS

Comprehensive Plan

- Marion County Land Use Plan Pattern Book

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” (pg. 17).

Red Line / Blue Line / Purple Line TOD Strategic Plan



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

- “Not Applicable to the Site.”

Neighborhood / Area Specific Plan

- “Not Applicable to the Site.”

Infill Housing Guidelines

- “Accessory buildings should be located behind the existing building unless there is a precedent otherwise” (pg. 27).

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

2021-ZON-038: 3325 Lowry Rd (north of site), request a rezoning of one acre from the SU-37 (FF) district to the C-1 (FF) district, **approved**.

93-UV2-57: 3346 Lowry Rd (northwest of site), Variance of Use and Development Standards of the Consolidated Zoning and Subdivision Ordinance to legally establish and provide for a church, **approved**.

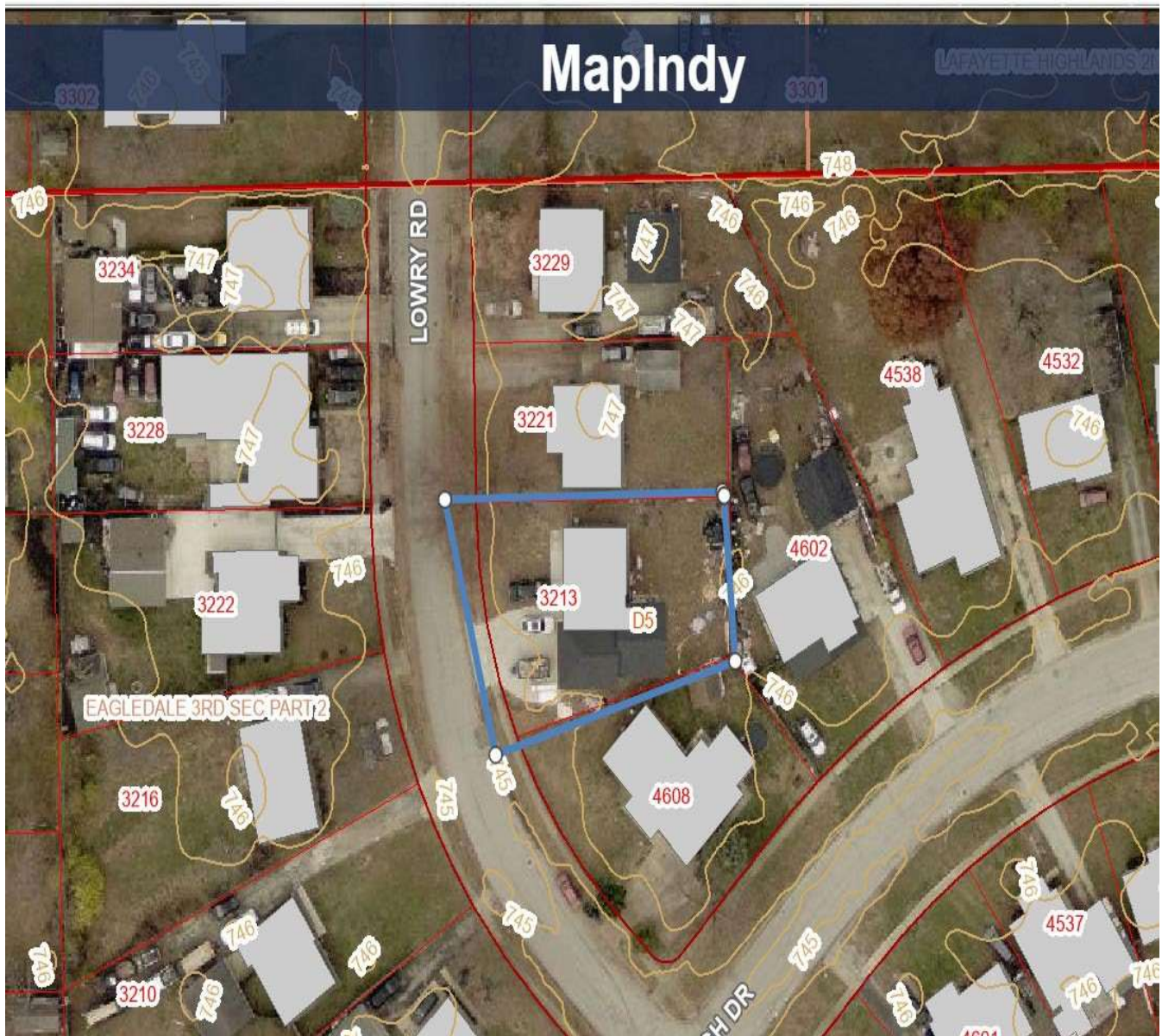
89-V1-45: 3310 Brewer Dr. (south of site), Variance of Development Standards of the Consolidated Zoning and Subdivision Ordinance to legally establish a detached garage, **approved**.

84-V2-95: 4525 W. 34th St (north of site), Variance of Development Standards of the Consolidated Zoning and Subdivision Ordinance to legally establish a storage shed, **denied**.

2021-ZON-038 (Rezone), request a rezoning of one acre from the SU-37 (FF) district, **approved**.

EXHIBITS

2026-DV1-032; Aerial Map



2026-DV1-032 ; Aerial Map of Driveway



2026-DV1-032; Site Plan

GENERAL SITE NOTES

1. THESE DRAWINGS ARE INTENDED TO OUTLINE THE GENERAL SCOPE OF THE WORK. CONTRACTORS SHALL FIELD VERIFY ALL EXISTING CONDITIONS AND DIMENSIONS BEFORE STARTING ANY WORK. CONTRACTORS SHALL ALSO BE RESPONSIBLE FOR ADHERING TO ALL APPLICABLE CODES AND GENERALLY ACCEPTED TRADE PRACTICES.
2. ALL CONSTRUCTION ACTIVITY ON THIS SITE TO BE PERFORMED IN COMPLIANCE WITH THE CURRENT VERSION OF THE CITY OF INDIANAPOLIS STORM WATER DESIGN & CONSTRUCTION SPECIFICATIONS MANUAL.
3. NO SURVEY HAS BEEN PROVIDED FOR THIS SITE. SITE FEATURES AND TOPOGRAPHIC DATA HAVE BEEN DERIVED FROM AERIAL PHOTOGRAPHY, CURSORY SITE INVESTIGATION, FIELD VERIFICATION AND OTHER RELIABLE MEANS OF INVESTIGATION. ALL EXISTING FEATURES INCLUDING GRADE ELEVATIONS, DRAINAGE PATHS, PAVING CONTINUITY AND CONDITION, ETC. SHALL BE FIELD VERIFIED.
4. ALL SITE UTILITIES ARE PRESUMED TO BE EXISTING, UNLESS NOTED OTHERWISE. COORDINATE SITE UTILITIES WITH MECHANICAL, ELECTRICAL AND PLUMBING SUB-CONTRACTORS AND LOCAL UTILITY COMPANIES AS REQUIRED TO PROVIDE SERVICES INCLUDING BUT NOT LIMITED TO WATER SUPPLY, SANITARY SEWER & WASTE DISCHARGE, ELECTRICAL SERVICE, NATURAL GAS SERVICE, AND TELECOMMUNICATIONS.
5. THIS SCOPE OF WORK IS DESIGN-BUILD IN NATURE. NOT ALL CONDITIONS, CONNECTIONS NOR TRANSITIONS MAY BE SHOWN. CONTRACTORS SHALL DETERMINE THE BEST MEANS FOR ACHIEVING THE INDICATED DESIGN INTENT. DISCREPANCIES SHALL BE BROUGHT TO THE ATTENTION OF THE OWNER'S REPRESENTATIVE PRIOR TO COMMENCEMENT OF WORK, SUCH THAT ALL UNFORESEEN CHALLENGES CAN BE RESOLVED BY MINIMALLY IMPACTING THE CONSTRUCTION SCHEDULE AND BUDGET. RIVERA GROUP LLC SHALL BEAR NO FINANCIAL RESPONSIBILITY FOR THE CONSTRUCTIBILITY OF THIS PROJECT.

SITE PLAN KEYNOTES:

1. PROPOSED HOUSE ADDITION
2. PROPOSED FRONT PORCH
3. PROVIDE CONCRETE WASH-OUT
4. PROVIDE SILT FENCE FOR EROSION CONTROL
5. ACCESS TO CONSTRUCTION SITE
REMOVE SOIL AND DEBRIS FROM CONSTRUCTION SITE

SITE DATA

LOT AREA (DS) - METRO

PARCEL SIZE (120' x 58') 8,673 S.F.

TOTAL BLDG AREA

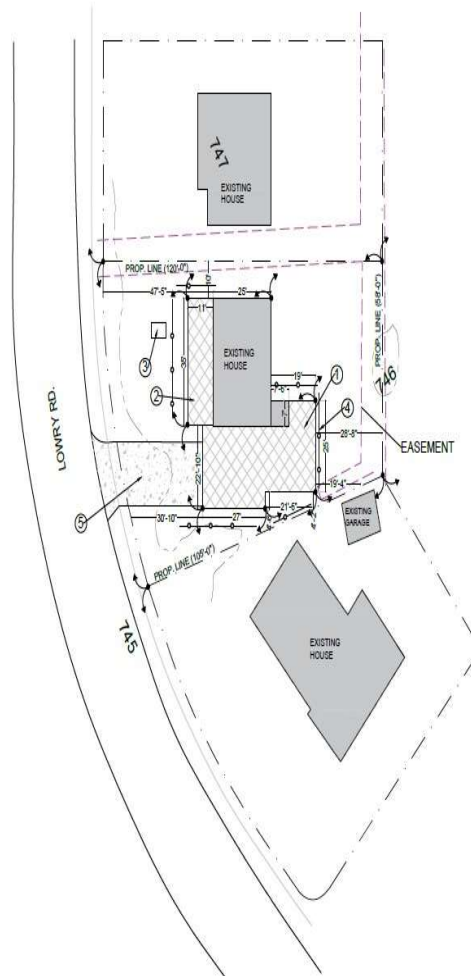
EXISTING FOOTPRINT AREA 928.2 SQ. FT.

EXISTING CONCRETE PATH 1,162 SQ. FT.

PROPOSED HOUSE ADDITION AREA 1,251.7 SQ. FT.

EXISTING FRONT PORCH AREA 385 SQ. FT.

OPEN SPACE PERCENTAGE 70%



1870 EAST AVENUE INDIANAPOLIS, IN 46219
317.558-1738 email: info@rgdevelopment.com

CERTIFIED BY

DRAWN BY

Tamar de la Paz

DATE

JUN.08.2026

REVISION #

1

3213 Lowry Rd.
INDIANAPOLIS, INDIANA, 46222



Proposed
Site Plan
SCALE 1/32" = 1'-0"

C2

2026-DV1-032: Existing & Proposed Elevations

t E-Sign

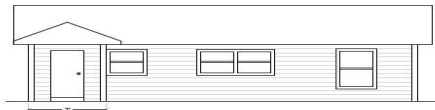
Find text, tools, or help



EXISTING WEST ELEVATION



EXISTING NORTH ELEVATION



EXISTING EAST ELEVATION



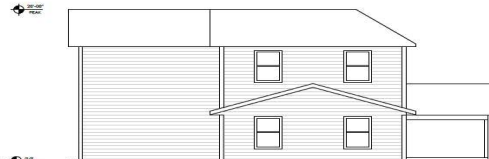
EXISTING SOUTH ELEVATION



Existing
Elevations
 SCALE: 1/8" = 1'-0"



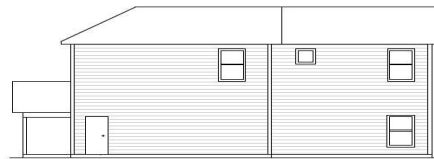
PROPOSED WEST ELEVATION



PROPOSED NORTH ELEVATION



PROPOSED EAST ELEVATION



PROPOSED SOUTH ELEVATION



Proposed
Elevations
 SCALE: 3/32" = 1'-0"

CERTIFIED BY

DRAWN BY
Tamar de la Paz

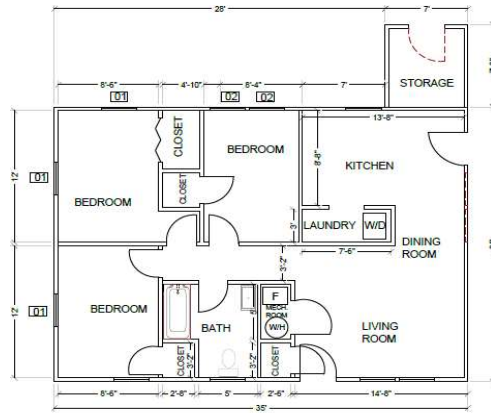
DATE
JUN 08, 2026

REVISION #

3213 Lowry Rd.
 INDIANAPOLIS, INDIANA 46222

A5

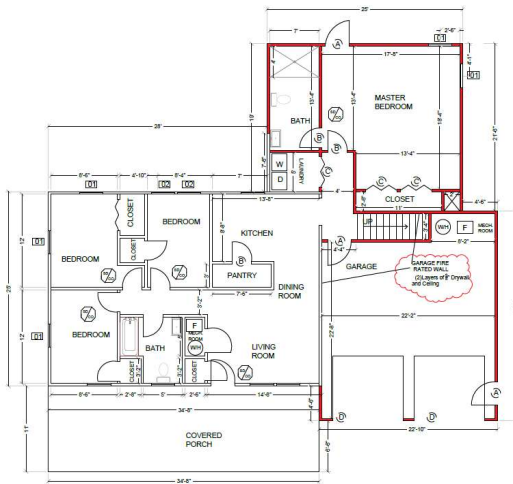
2026-DV1-032; Existing & Proposed Floor Plan



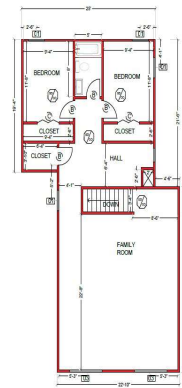
EXISTING WINDOW SCHEDULE				
MARK	COUNT	WIDTH	HEIGHT	TYPE
01	3	3'-0"	5'-0"	EGRESS
02	1	3'-0"	3'-0"	

LEGEND DEMO	
	EXISTING WALL TO REMAIN THE SAME
	EXISTING DOOR TO REMOVE
	EXISTING WINDOW TO REMOVE

EXISTING FLOOR PLAN



PROPOSED 1st FLOOR PLAN



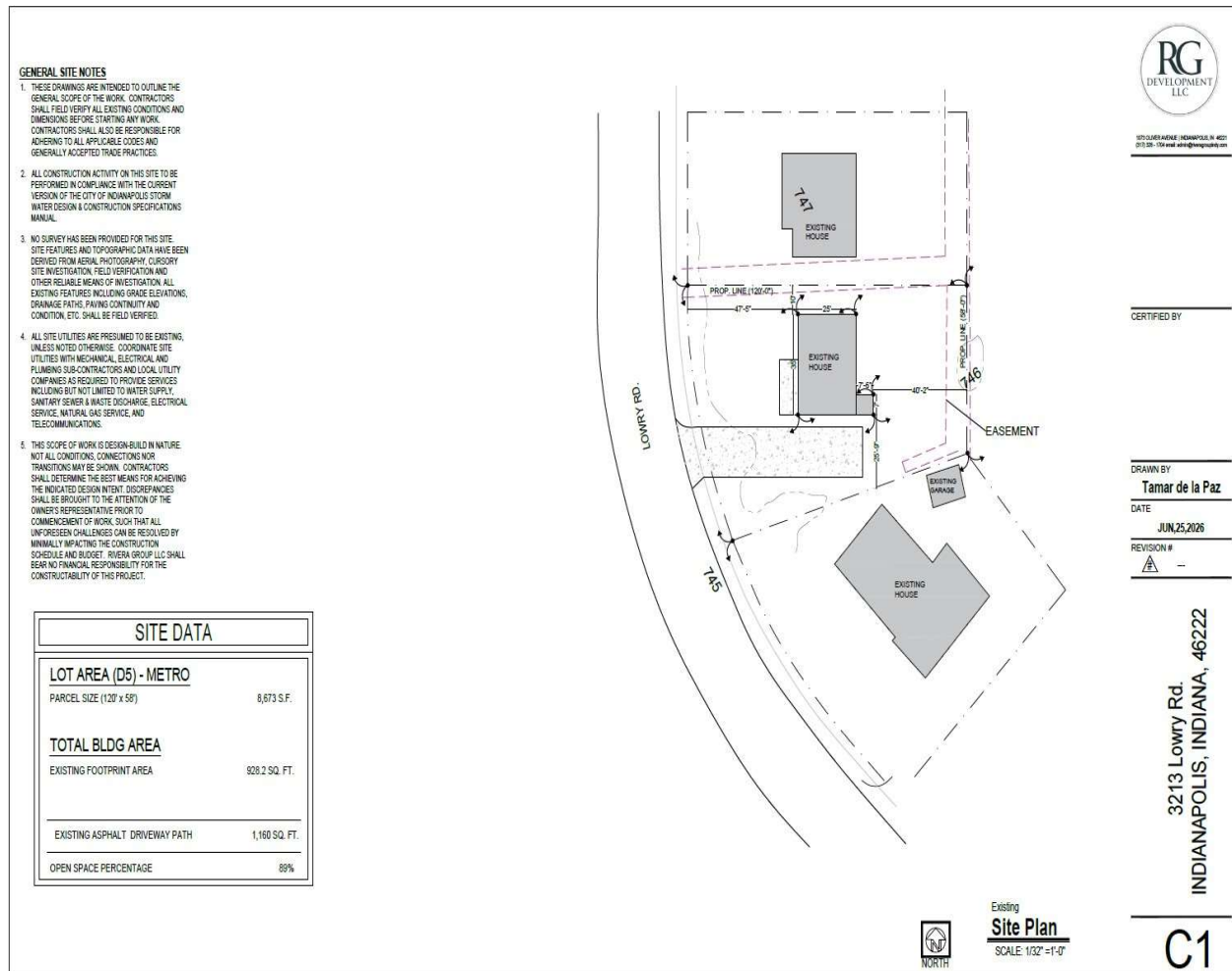
PROPOSED 2nd FLOOR PLAN

LEGEND					
	SMOKE DETECTORS IN CARBON MONOXIDE DETECTOR				
	NEW WALL				
LEGEND					
	NEW DOORS				
MARK	COUNT	WIDTH	HEIGHT	TYPE	
B	4	2'-8"	6'-8"		
C	2	4'-0"	6'-8"		
NEW WINDOW SCHEDULE					
MARK	COUNT	WIDTH	HEIGHT	TYPE	NOTES
01	4	3'-0"	5'-0"	EGRESS	
02	1	2'-0"	2'-0"		
03	2	6'-0"	4'-0"		GL24107 Header
NOTES					
Add New Double hung window. Window size: 30"x40" Opening Area: 30'x40" Net Opening Area: 27'x36" (37.44 sq. ft.)					

2026-DV1-032 ; Amended Driveway Plan

Convert E-Sign

Find text, tools, or help



2026-DV1-032; Findings of Fact

1. The grant will not be injurious to the public health, safety, morals, and general welfare of the community because:

This property will remain single family residential and in compliance with all other D5 regulations.

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 variance allows the expansion of the residential use with a garage and master suite behind the garage. The design follows the character of the existing home and surrounding neighborhood.

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

Due the original layout of the home on this lot, and absence of a garage, there is limited room to add onto the house with a functional garage and master suite while maintaining egress windows in existing bedrooms and kitchen window.

2026DV1032; Photographs

Photo 1: Subject Site View from Front



Photo 2: Subject Site View from the Rear



Photo 3: Subject Site View from the East



Photo 4: Subject Site View from the West



Photo 5: Subject Site View of existing driveway



Photo 6: Surrounding Homes w/ front yard garages

4608 Thrush



4526 Thrush



4344 Thrush



4338 Thrush

