

## STAFF REPORT

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

**Case Number:** 2023-DV2-005  
**Address:** 4540 Park Avenue (approximate address)  
**Location:** Washington Township, Council District #7  
**Zoning:** D-2 (TOD)  
**Petitioner:** Thomas and Kelly Creveling, by Mark Demerly  
**Request:** Variance of development standards of the Consolidated Zoning and Subdivision Ordinance to provide for the construction of a detached carriage house with a secondary dwelling containing 850 square feet (maximum 720 square feet), resulting in an open space of 72 percent (75 percent open space required).

#### July 11, 2023

This petition was continued for cause by the petitioner, due to only three Board members being present, from the June 13, 2023 hearing to the July 11, 2023 hearing.

#### June 13, 2023

Due to an error related to publication of the notice, this petition was continued to another hearing of Division II, with additional notice.

#### RECOMMENDATIONS

Staff **recommends approval** of the request to provide for the construction of a detached carriage house resulting in an open space of 72 percent.

Staff **recommends denial** of the request to provide for a secondary dwelling containing 850 square feet.

#### SUMMARY OF ISSUES

The following issues were considered in formulating the recommendation:

##### **LAND USE**

##### **EXISTING ZONING AND LAND USE**

D-2	Compact	Single-Family residential
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##### **SURROUNDING ZONING AND LAND USE**

North	D-2	Single-Family residential
South	D-2	Single-Family residential
East	D-2	Single-Family residential
West	D-2	Single-Family residential

##### **COMPREHENSIVE PLAN**

The Comprehensive Plan recommends Traditional Neighborhood development

(Continued)

## **STAFF REPORT 2023-DV2-005 (Continued)**

- ◇ The subject site is an 11,172 square foot lot in the D-2 district, and is developed with a single-family dwelling and a detached garage (to be demolished). This house is near the Oliver Johnson's Woods Historic District of the National Register of Historic Places.

### **VARIANCE OF DEVELOPMENT STANDARDS**

- ◇ This request would provide for the construction of a detached carriage house, with a secondary dwelling containing 850 square feet, resulting in an open space of 72 percent.
- ◇ The minimum required open space for the D-2 district is 75 percent. This standard is based on a minimum lot area of 15,000 square feet. The existing lot is 11,127 square feet. Staff would not be opposed to a slight reduction of the open space for a lot less than the minimum lot area.
- ◇ This request would provide for a secondary dwelling with 850 square feet. The ordinance allows a secondary dwelling with a maximum square footage of 720 square feet. This standard's purpose is to ensure the incidental and subordinate use for accessory structures. Staff would note that the applicant could reduce the size of the secondary dwelling to meet the ordinance, therefore there is no practical difficulty for this request.

### **GENERAL INFORMATION**

THOROUGHFARE PLAN	Park Avenue is classified in the Official Thoroughfare Plan for Marion County, Indiana as a local street, with a 60-foot existing and proposed right-of-way.
SITE PLAN	File-dated April 5, 2023
ELEVATIONS & FLOOR PLANS	File-dated April 5, 2023
SITE SURVEY	File-dated April 5, 2023
FINDINGS OF FACT	File-dated April 5, 2023

### **ZONING HISTORY – SITE**

None

### **ZONING HISTORY – VICINITY**

**2021-DV3-023, 4519 Central Avenue**, variance to provide for a detached garage with a four-foot south side setback and 72% open space, **approved**.

**2020-DV3-017, 4545 Central Avenue**, variance to provide for a dwelling addition with a 4.5-foot north side setback, **approved**.

**2018-DV2-003, 4535 Park Avenue**, variance to provide for the construction of a detached garage, with access from Park Avenue, **approved**.

**2018-DV1-047, 4565 Park Avenue**, variance to legally establish a six-foot tall opaque fence in the front yard of 46th Street and within the clear sight triangle of the abutting street and alley, and to legally establish a four-foot-tall wrought iron fence in the right-of-way of Park Avenue and the clear sight triangle of the abutting streets, **approved**.

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## **STAFF REPORT 2023-DV2-005 (Continued)**

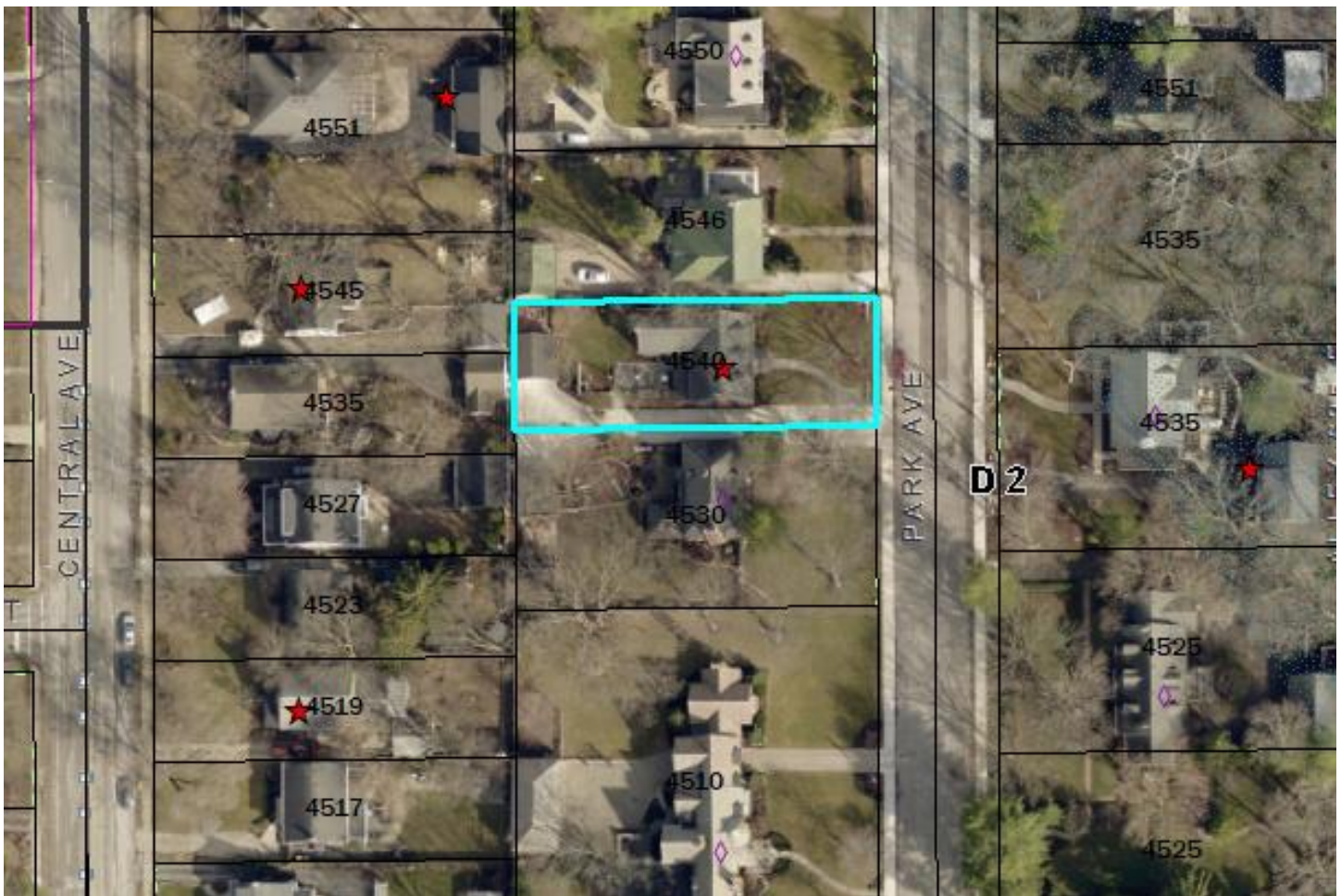
**2016-DV2-011, 4551 Central Avenue**, variance to provide for the construction of a detached garage, with a 1.75-foot rear setback, **approved**.

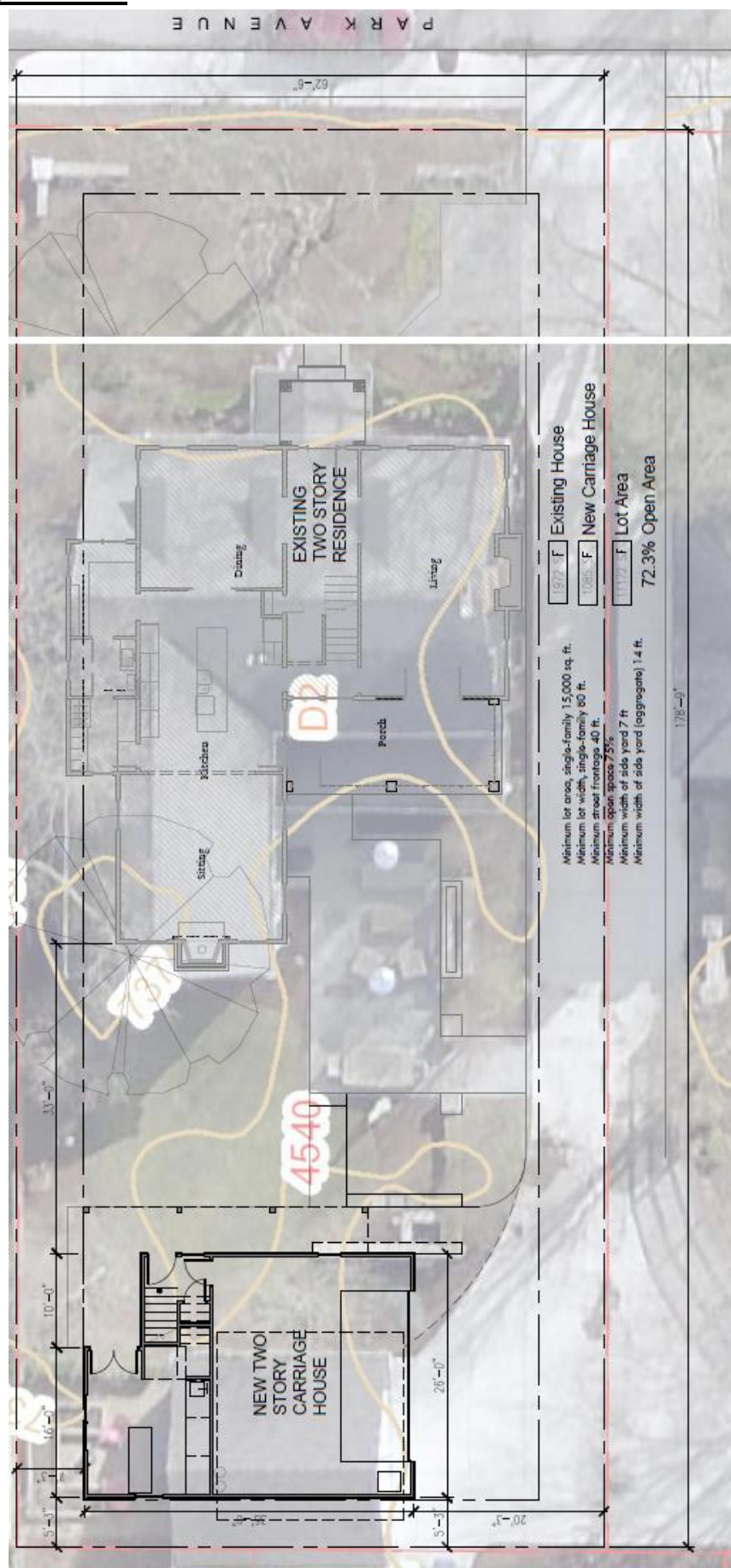
**2014-DV1-046, 4559 Central Avenue**, variance to provide for single-family dwellings on two proposed 8,228-square foot lots, a) with the single-family dwelling on the northern lot having a 10.5-foot front setback from 46th Street, b) with the detached garage on the northern lot having an approximately 20-foot front setback from 46th Street and five-foot side setbacks for a 10-foot aggregate side yard, c) with the single-family dwelling on the southern lot having a 18-foot aggregate side setback, d) with the detached garage on the southern lot having a five-foot side setback, e) with the southern lot having a lot width of 46 feet, and f) with both lots having an open space of 73%, **withdrawn**.

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### **2023-DV2-005; Aerial Map**





Demerly Architects



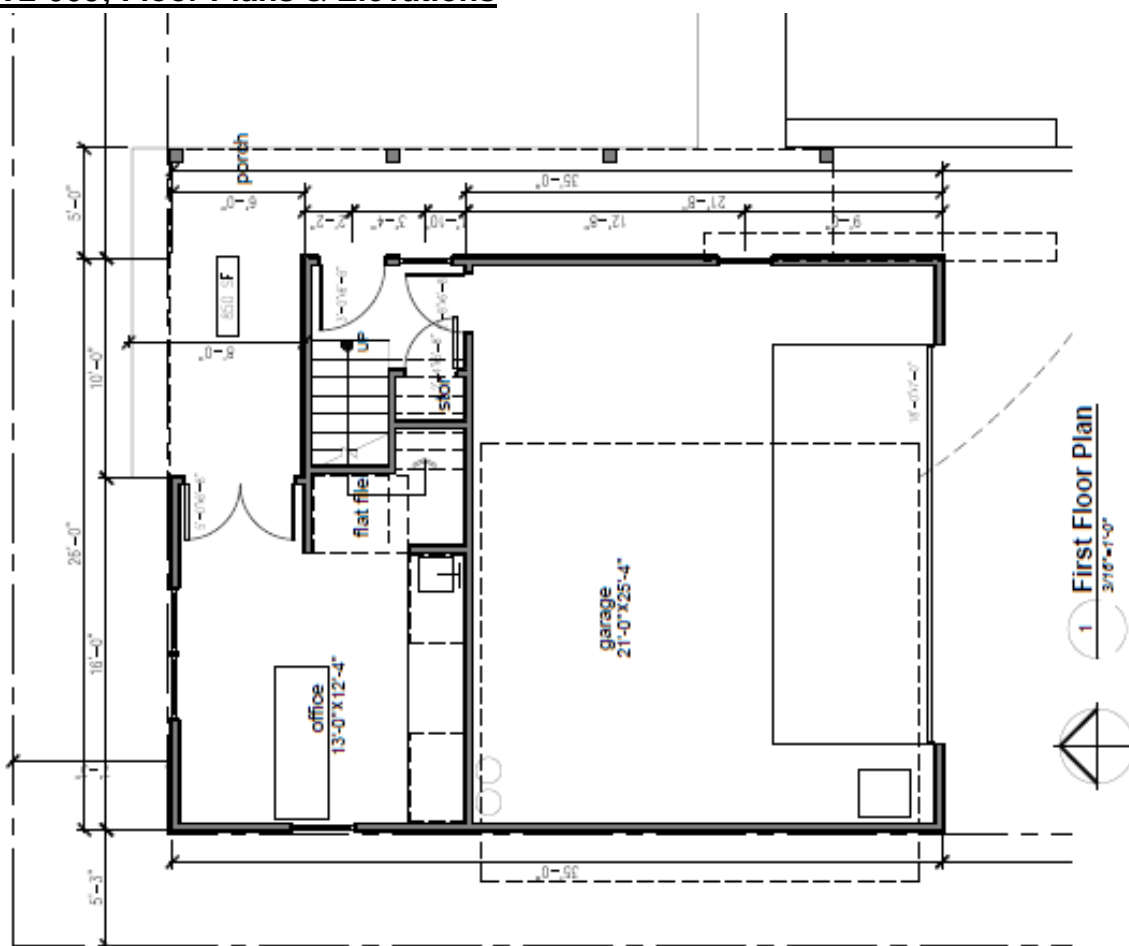
north

## Site Plan

1"=10'-0"



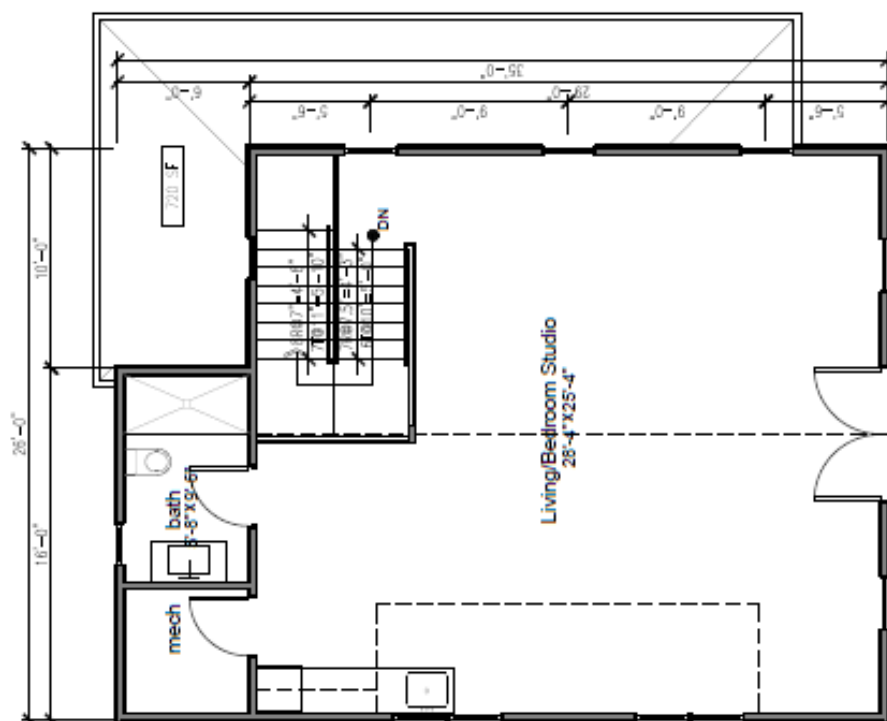
**Creveling Carriage House 001**  
4541 Dade Ave. Indianapolis, IN



1 First Floor Plan  
3/16"=1'-0"

**Creveling Carriage House**  
4540 Park Ave., Indianapolis  
11.22.22

4540 Park Ave., Indianapolis  
11.22.22



2 Second Floor Plan  
3/16"=1'-0"







2 South  
Exterior Elevation  
3/16"=1'-0"

1 Front East  
Exterior Elevation  
3/16"=1'-0"

DemerlyArchitects  
ARCHITECTURE / INTERIORS / PLANNING

Creveling Carriage House 201  
4540 Park Ave., Indianapolis 11.22.22  
SD

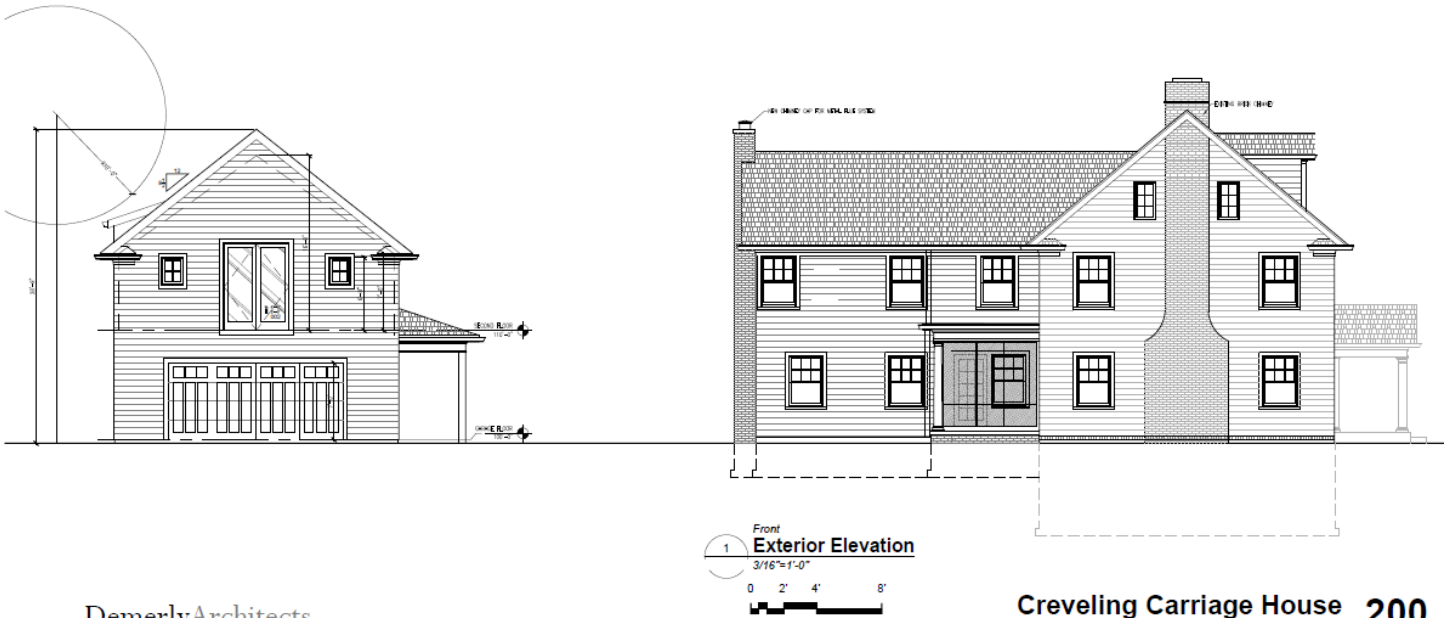


3 North  
Exterior Elevation  
3/16"=1'-0"

4 West  
Exterior Elevation  
3/16"=1'-0"

DemerlyArchitects  
ARCHITECTURE / INTERIORS / PLANNING

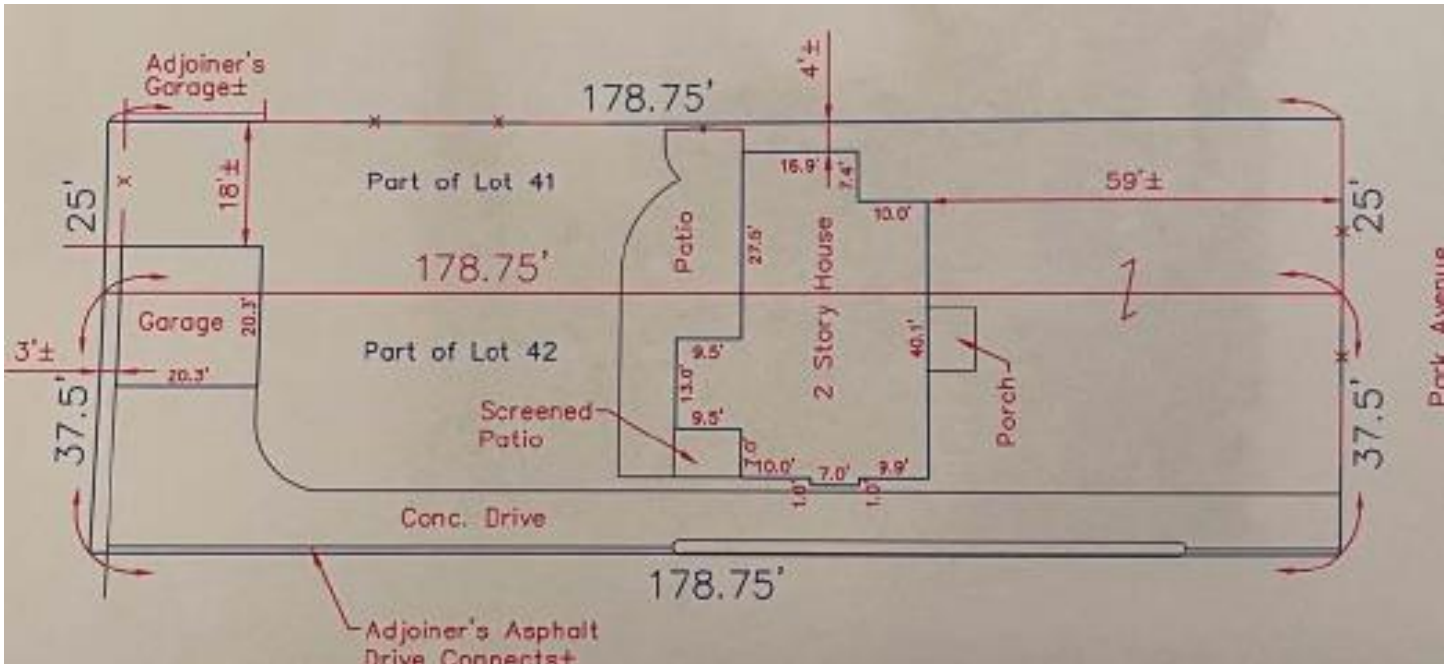
Creveling Carriage House 202  
4540 Park Ave., Indianapolis 11.22.22  
SD



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ARCHITECTURE / INTERIORS / PLANNING

Creveling Carriage House 200  
4540 Park Ave, Indianapolis 11.22.22  
SD

### 2023-DV2-005; Site Survey Existing



**2023-DV2-005; Findings of Fact**

**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:

There are existing conditions within the neighborhood that are consistent with the proposed less than 75 percent open area.

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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 condition of a less than 75% open area is already present in the area.

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

The buildable width of the lot would be too narrow for the proposed two car carriage house with a first floor office. According to Table 742.103.04, D-2 is required a minimum 75 percent open area. Given that the existing historical plotted lot is smaller than the required 15,000 SF lot for a D-2 zoning, the open area requirement of 75 percent is excessive for a lot of this size.

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**2023-DV2-005; Photographs**



Subject site, Park Avenue Frontage, looking west



Adjacent site to the south, looking west



Existing shared driveway





Existing detached garage to be replaced with the proposed carriage house, looking northeast



View of rear yard, looking north