

STAFF REPORT

Department of Metropolitan Development Division of Planning Current Planning Section

Case Number: 2023-DV2-010
Address: 526 Blue Ridge Road (approximate address)
Location: Washington Township, Council District #7
Zoning: D-5
Petitioner: Butler University, by Andrew Wert
Request: Variance of Development Standards of the Consolidated Zoning and Subdivision Ordinance to provide for the construction of a 43-foot 10-inch-tall single-family dwelling (maximum 35-foot height permitted) with a 10-foot rear yard setback (20-foot rear setback required) without a primary entry on the front façade (required).

RECOMMENDATIONS

Staff **recommends approval** of the request.

SUMMARY OF ISSUES

The following issues were considered in formulating the recommendation:

LAND USE

EXISTING ZONING AND LAND USE

D-5	Compact	Residential (Single-family dwelling)
-----	---------	--------------------------------------

SURROUNDING ZONING AND LAND USE

North	D-5	Residential (Single-family dwelling)
South	D-5	Residential (Single-family dwelling)
East	D-5	Residential (Single-family dwelling)
West	UQ-1	University Dorm

COMPREHENSIVE PLAN	The Comprehensive Plan recommends institution-oriented mixed-use development.
--------------------	---

- ◇ The 0.32-acre subject site is developed with a single-family dwelling with a four-foot-tall fence. The site border's a university to the west, zoned UQ-1, and single-family dwellings to the north, east and south, zoned D-5.

VARIANCE OF DEVELOPMENT STANDARDS

- ◇ The grant of the request would allow for the construction of a 43-foot 10-inch-tall single-family dwelling with a 10-foot rear yard setback, without a primary entry on the front façade.
- ◇ The height limitation of the Ordinance is in place to maintain the character of neighborhoods. Excessively tall buildings create inconsistencies where infill housing development occurs.

(Continued)

STAFF REPORT 2023-DV2-010 (Continued)

- ◇ The subject site is located next to a four-story university housing building to the west, and two-story single-family dwellings north, east and south. The two dwellings north and south are owned by the university. The proposed dwelling, although taller than the 35-foot maximum permitted, would be in line with the context of the immediate surrounding area and would not be injurious to the public health, safety, morals, and general welfare of the community.
- ◇ The proposed building will be oriented towards Sunset Avenue, which is considered a corner side yard instead of being oriented south along Blue Ridge Road which is the front yard. Due to the orientation of the building, the front entrance would be along the side building façade instead of the front building façade. Staff determined that this would be a slight technicality change because the front of the dwelling would have a primary entrance and would not affect the use and value of the area adjacent to the property in a substantially adverse manner.
- ◇ Lastly, the required 20-foot rear setback would need to be along the northern property boundary, but the orientation of the proposed dwelling would have a 10-foot north rear setback to allow for the location of the garage to align with the existing curb cut and driveway. Staff would support this reduced rear yard setback to prevent the location of a driveway closer to the intersection of Sunset Avenue and Blue Ridge Road which could potentially cause pedestrian and vehicular conflicts.
- ◇ For these reasons, staff is recommending approval of the request.

GENERAL INFORMATION

THOROUGHFARE PLAN

Blue Ridge Road is classified in the Official Thoroughfare Plan for Marion County, Indiana as a local street, with a 70-foot existing right-of-way and a 48-foot proposed right-of-way.

Sunset Avenue is classified in the Official Thoroughfare Plan for Marion County, Indiana as a primary collector street, with an 80-foot existing right-of-way and a 56-foot proposed right-of-way.

SITE PLAN

File-dated May 3, 2023.

AMENDED SITE PLAN

File-dated June 13, 2023.

ELEVATIONS

File-dated May 3, 2023.

FLOOR PLANS

File-dated May 3, 2023.

PLAN OF OPERATION

File-dated May 3, 2023.

FINDINGS OF FACT

File-dated May 3, 2023.

(Continued)

STAFF REPORT 2023-DV2-010 (Continued)

ZONING HISTORY – SITE

EXISTING VIOLATIONS

None.

PREVIOUS CASES

70-V2-114; 526 Blue Ridge Road (subject site), Variance of use and rear yard requirements to permit construction of an addition to existing dormitory residence to house 70 girls, with sorority crest affixed to the house, with off-street parking available across Sunset Avenue, **granted by BZA and reversed and denied by the Superior Court of Marion County.**

61-V-216; 526 Blue Ridge Road (subject site), Request for permission to use the existing dwelling house as a dormitory for students, with off-street parking provided, **granted.**

ZONING HISTORY – VICINITY

2020-DV3-037; 4321 Clarendon Road; 3909 Cornelius Ave, 723 W 44th St, 406 Buckingham Dr, 4340 Sunset Ave, 503 West 49th St, 402 West 41st St, 4454 Boulevard Pl, 4321 Crown St, 325 West 47th St, 245 West 40th St (northeast of site), Variance of development standards of the Consolidated Zoning and Subdivision Ordinance to provide for 39-foot to 49.2-foot tall wood and metal poles for small cell wireless communications facilities, with associated equipment and antennas within the right-of-way (underground utilities only permitted after January 1, 1973.), **denied.**

2014-CVR-835; 340 South White River Parkway (northwest of site), Variance of use of the Central Business Districts Zoning Ordinance to provide for a county jail, community corrections and related uses and facilities associated with a consolidated justice center (SU-8 uses, correctional and penal institutions not permitted), **granted.**

2011-CVR-824 / 525 Blue Ridge Road and 530 West Hampton Road (south of site), Variance of use and development standards of the Special Districts Zoning Ordinance to provide for the University President's House (Carter House; 525) and the Efroymsen Center for Creative Writing (530), which would have lectures by visiting writers and authors and other university uses, as well as provide for housing for the writers, authors and up to three graduate students, and to provide for an attached garage, with a 0.75-foot front setback from Sunset Avenue (25-foot front setback required), **granted.**

2011-CZN-824; 525 Blue Ridge Road and 530 West Hampton Road (south of site), Rezoning of 0.645 acre from the D-5 District to the UQ-1 classification to provide for the University President's House (Carter House; 525) and the Efroymsen Center for Creative Writing (530), which would have lectures by visiting writers and authors and other university uses, as well as provide for housing for the writers and authors, **withdrawn.**

2006-DV2-023; 524 Buckingham Drive (north of site), Variance of development standards of the Dwelling Districts Zoning Ordinance to provide for the construction of a 360-square foot addition to an existing detached garage with a 1.5-foot north side setback, a 1.5-foot aggregate side setback, and to provide for a six-foot tall fence within the right-of-way of Sunset Avenue, **granted.**

(Continued)

STAFF REPORT 2023-DV2-010 (Continued)

2004-HOV-023; 527 West 46th Street (north of site) Variance of the development standards of the Dwelling Districts Zoning Ordinance to legally establish a 420-square foot detached garage located zero feet from the east property line (minimum four-foot side yard setback required) and to provide for a two-story 1,800-square foot building addition to the existing single-family dwelling resulting in the attachment of the nonconforming detached garage to the existing single-family dwelling, **granted**.

99-V1-90; 517 West 46th Street (north of site), Variance of development standards of the Dwelling Districts Zoning Ordinance to provide for a second story garage and addition to an existing detached garage for a recreation room with an overall height of 24.5 feet (maximum 20 feet permitted) creating 1,465.1 square feet of detached accessory uses, or 83% of the size of the main floor area of the primary dwelling (maximum 1,313 square feet of 75% of the size of the main floor area of the primary residence permitted), with total accessory uses being 2,290 square feet, or 130% of the size of the main floor area of the primary residence (maximum 1,733 square feet of 99% of the size of the main floor area of the primary residence permitted), having a rear yard setback of two feet (minimum five feet required) and having a side yard setback of two feet (minimum five feet required), **withdrawn**.

93-Z-103; 525 Blue Ridge Road (south of site), Rezoning of 0.21 acre from D-5 district to UQ01 classification to provide for university-related office uses, **withdrawn**.

89-UV3-35; 518 Buckingham Drive (north of site), Variance of use to permit an addition to an existing detached garage to be used as an artist studio, **granted**.

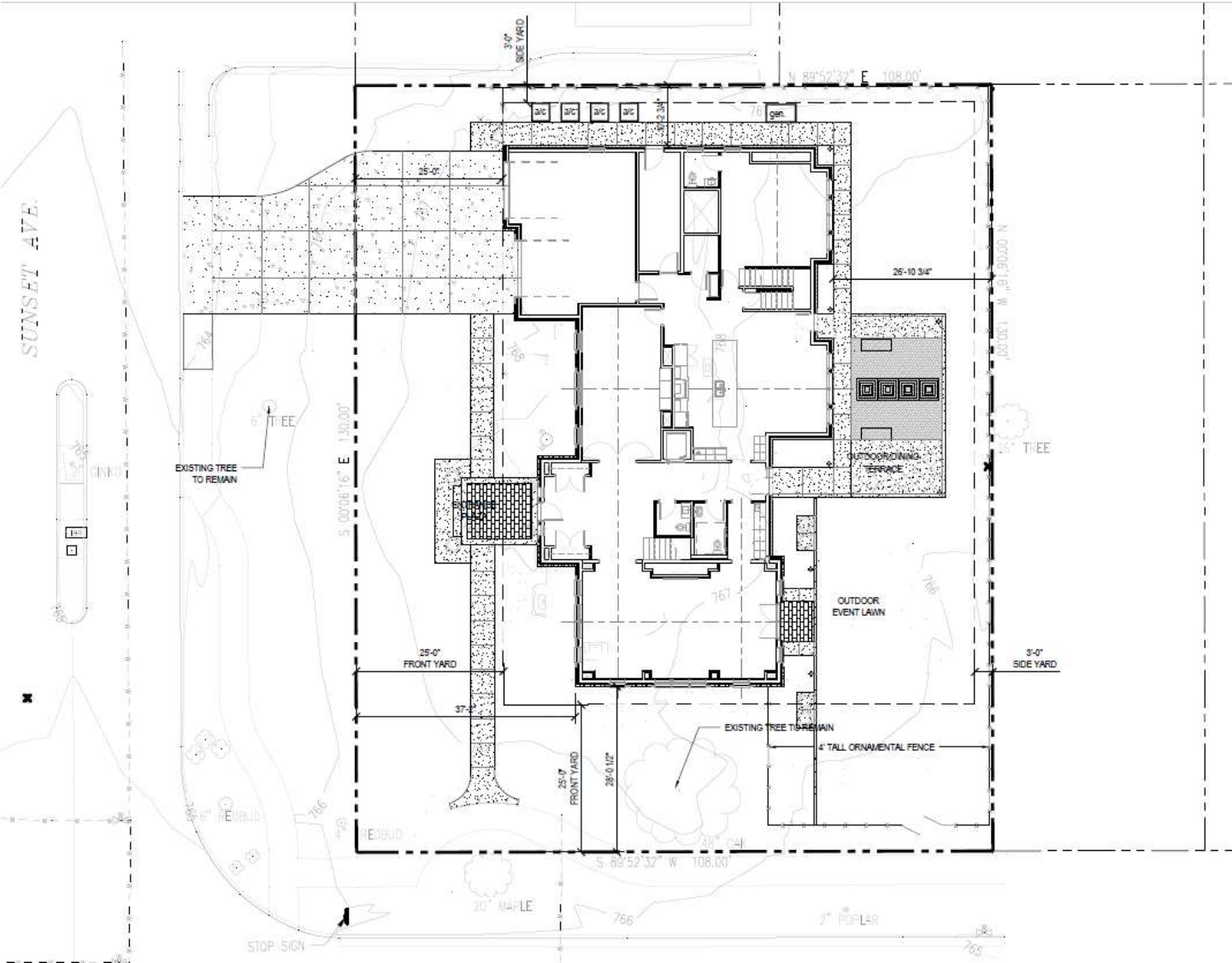
87-HOV-118; 429 Buckingham Drive (northeast of site), Variance of development standards of the Dwelling Districts Zoning Ordinance to provide for the installation of an in-ground swimming pool with a rear setback of six feet (20 feet required), **denied**.

82-V1-133; 502 Blue Ridge Road (east of site), Variance of development standards to permit an indoor pool and family room addition to the existing residence within the 20-foot rear yard setback, a 15-foot setback is proposed with a storeroom coming within 7.4 feet of the rear property line, **granted**.

59-V-500; 445 Blue Ridge Road (southeast of site), Variance of rear yard requirements to permit construction of a carport attached to the existing dwelling house and extending to 15'3" from the rear lot line, **granted**.

MI

2023-DV2-010; Site Plan



2023-DV2-010; Elevations



EXTERIOR ELEVATION - WEST

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



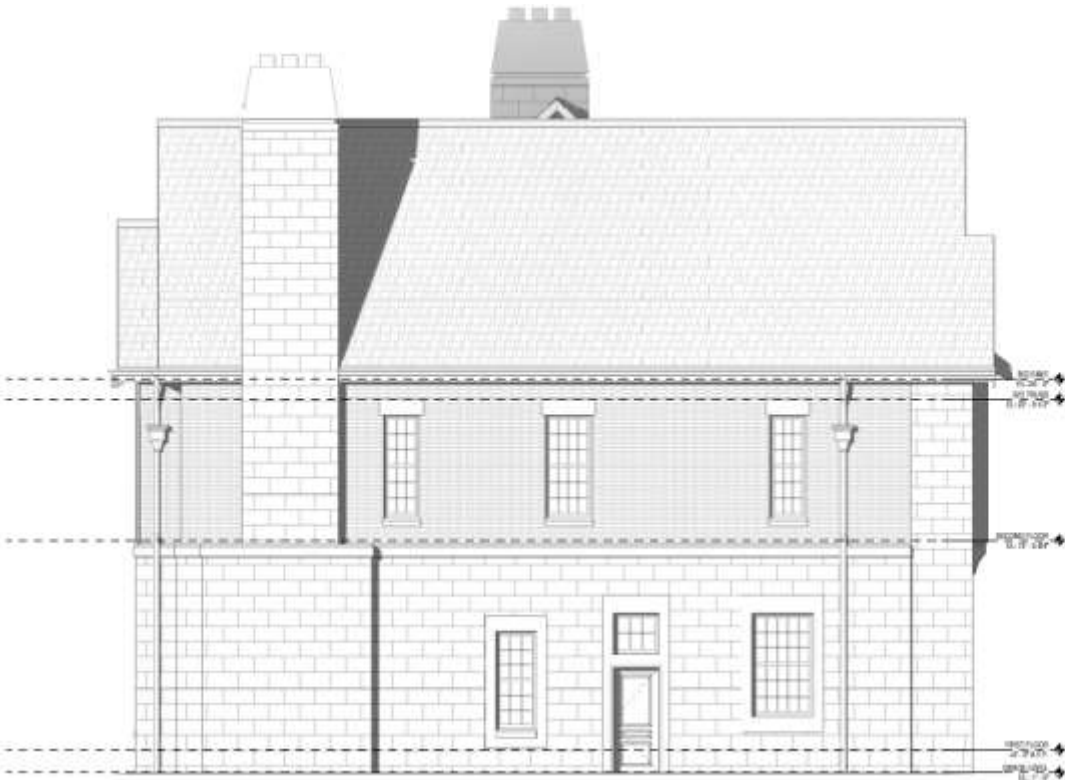
VIEW OF THE FRONT OF BUTLER HOUSE

2023-DV2-010; Elevations (Continued)



VIEW OF THE BACK OF BUTLER HOUSE

2023-DV2-010; Elevations (Continued)

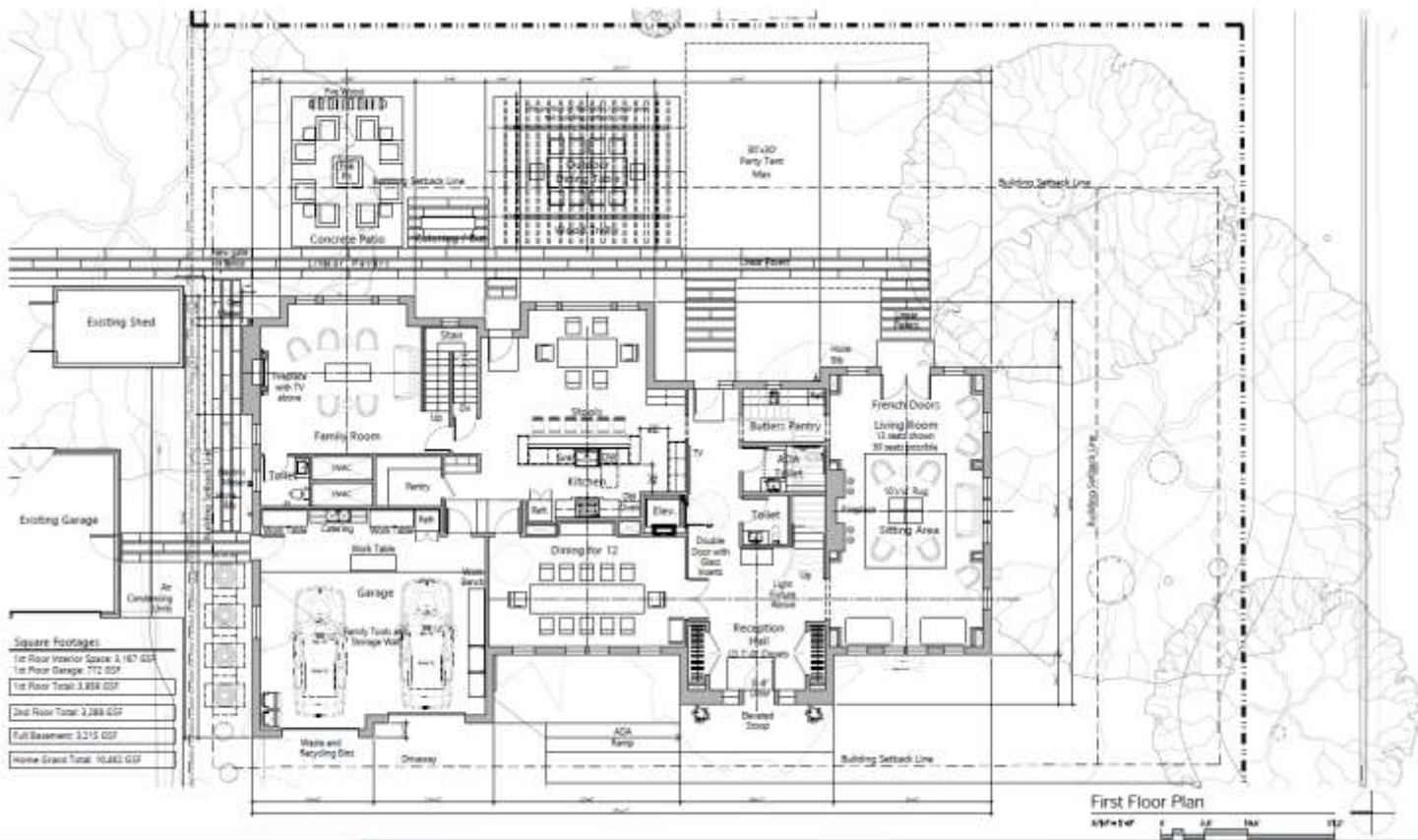


NORTH ELEVATION
SCALE: 1/4" = 1'-0"



SOUTH ELEVATION
SCALE: 1/4" = 1'-0"

2023-DV2-010; Floor Plans



2023-DV2-010; Floor Plans (Continued)



Plan of Operation

Butler University, Development Standards Variance petition

526 Blue Ridge Road

Butler University has plans to construct a new residence for the University President at 526 Blue Ridge Road, which is the northeast corner of Blue Ridge and Sunset Avenue. The residence is part of a development initiative known as the Gateway Project that seeks to improve the form and function of the campus. The current President's residence is located across the street to the south. The new structure will address limitations that exist with the current President's house. These include lack of sufficient space to hold indoor-outdoor events, ADA compliance, limited space for catering and lack of a garage.

Butler is seeking a development standards variance to allow an increase in the height of the structure. The existing D-5 zoning calls for a maximum height of 35 feet. The new residence will be 43 feet 10 inches in height. This is measured from grade to the highest ridge of the home.

While this will be a new structure, great effort has been made by the design team to complement the period architecture most prominently featured in the area. The Tudor design reflects a high-pitched roof and gable ends typical of the style. Total area of the new residence will be 10,462 square feet.

Butler believes the proposed structure will enhance the appearance of this part of campus. They respectfully seek approval of the requested variance.

2023-DV2-010; Photographs



Photo of the subject property looking north.



Photo of the subject property looking east.



Photo of the existing side yard.



Photo of the single-family dwelling north of the site.



Photo of Butler University west of the site.



Photo of the single-family dwelling east of site.



Photo of the single-family dwellings south of site.