

Board of Zoning Appeals Division I

September 1, 2026

Case Number: 2026-UV1-019
Property Address: 8185 Sycamore Road (*approximate address*)
Location: Washington Township, Council District #2
Petitioner: Rachel M. Simon, by Thomas Kail and Troy Whitaker
Current Zoning: D-2
Request: Variance of Development Standards of the Consolidated Zoning and Subdivision Ordinance to permit the construction of a 24' x 36' (864 square feet) playhouse in the established front yard (minor residential structures not permitted in the established front yard setback).
Current Land Use: Single-family home
Staff Recommendations: Staff recommends **approval** of this petition, subject to commitments.
Staff Reviewer: Josh Levesque, Senior Planner

PETITION HISTORY

N/A

STAFF RECOMMENDATION

Staff recommends **approval** of this petition, subject to the following commitment:

- The petitioner shall combine the lots commonly addressed as 8185 Sycamore Road, 8195 Sycamore Road, and 321 East 82nd Street into one parcel.

PETITION OVERVIEW

- 8185 Sycamore Road, along with two parcels addressed as 8195 Sycamore Road and another parcel addressed as 321 East 82nd Street, are all under the same ownership and function as a single lot. These lots are all zoned D-2. To the north and east, lots are also zoned D-2 while the lots to the south and west are zoned D-S.
- The petitioner is requesting to build a 24-foot by 36-foot playhouse on the parcel addressed as 321 East 82nd Street.
- As currently platted, 321 East 82nd Street is its own parcel. 743-306.A.1.c of the Ordinance indicates that “accessory uses or structures shall not be permitted on a lot prior to the erection of the primary building”. As the primary building is located on 8185 Sycamore and not 321 East 82nd Street, a variance would normally be required to allow for the construction of an accessory building without a primary building. The petitioner has, however, committed to combining the 4 parcels into one lot. This would then ensure that the primary building (the house) would be on the same

lot as the accessory unit. Given this commitment, staff determined that a variance for an accessory use without a primary building was unnecessary.

- The Ordinance indicates “in the case of a corner lot, both lot lines separating the lot from the street rights-of-way are considered front lot lines”. This means that both Sycamore Road and East 82nd Street count as front lot lines. With front lot lines come front yard setbacks. The Ordinance defines a front yard as “an open space, unobstructed to the sky, extending fully across the lot while situation between the front lot line and a line parallel to the front lot line, that passes through the nearest point of any building and terminates at the intersection of any side lot line.” An example of this can be seen in the exhibits below. Additionally, a diagram showing the front yards of the subject site can be seen in the exhibits below. As the diagram shows, due to how far the primary dwelling is setback, it creates a large front yard area fronting 82nd Street. This drastically reduces the amount of buildable area left on the lot where a variance would not be required. Furthermore, the area that is “buildable” from a setback perspective contains a number of trees. Removing these trees could present a practical difficulty and may be undesirable from an environmental and drainage perspective.
- Given that petitioner will correct the lack of a primary structure on the lot through a commitment to combine the lots and given the site-specific practical difficulty of the large front yard and limited buildable area, staff recommends **approval** of this petition, subject to the following commitment:
 - The petitioner shall combine the lots commonly addressed as 8185 Sycamore Road, 8195 Sycamore Road, and 321 East 82nd Street into one parcel.

GENERAL INFORMATION

Existing Zoning	D-2	
Existing Land Use	Single-Family Residence	
Comprehensive Plan	Suburban Neighborhood	
Surrounding Context	<u>Zoning</u>	Surrounding Context
North:	D-2	North: Residential
South:	D-S	South: Residential
East:	D-2	East: Residential
West:	D-S	West: Residential
Thoroughfare Plan		
Sycamore Road	Local Street	70-foot existing right-of-way and 50-foot proposed right-of-way
82 nd Street	Primary Collector	40-foot existing right-of-way and 80-foot proposed right-of-way
Context Area	Metro	
Floodway / Floodway Fringe	No	
Overlay	No	
Wellfield Protection Area	No	
Site Plan	6/22/2026	
Site Plan (Amended)	7/8/2026	

Elevations	N/A
Elevations (Amended)	N/A
Landscape Plan	N/A
Findings of Fact	6/22/2026
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 (2019)

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.

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

- Not Applicable to the Site

Indy Moves

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

- Not Applicable to the Site.

ZONING HISTORY

ZONING HISTORY – SITE

2019-DV1-036; Variance of Development Standards of the Consolidated Zoning and Subdivision Ordinance to provide for a five-foot tall metal fence and a five-foot tall masonry wall with 5.5-foot tall posts in the front yard, and to provide for a retaining wall taller than six feet without terracing and landscaping exceeding six feet in height where topography drops more than two feet, **approved subject to commitments.**

ZONING HISTORY – VICINITY

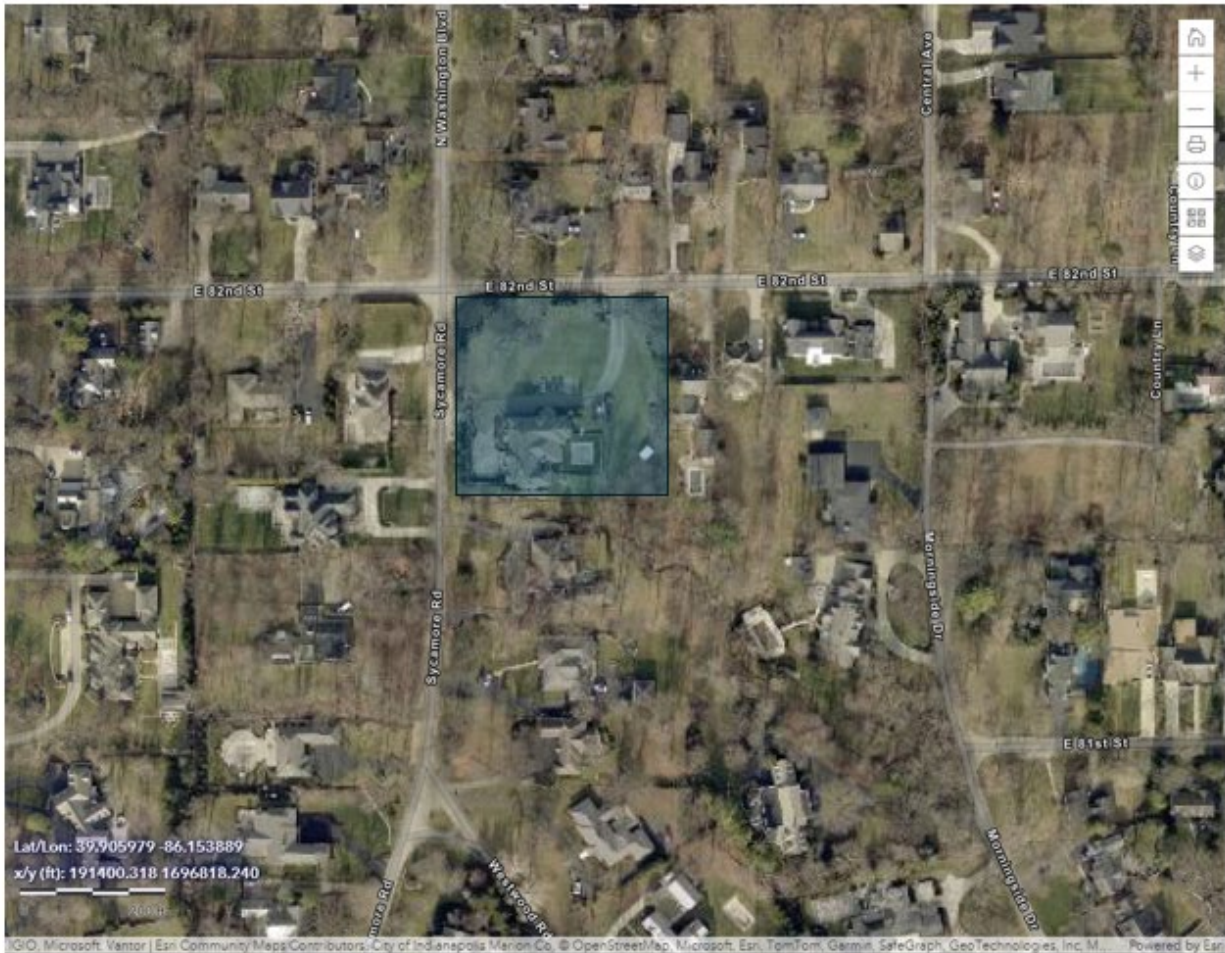
94-UV2-32; 8141 Sycamore Road (south of site), Variance of Use of the Dwelling Districts Zoning Ordinance to provide for the continued operation of a 696 square foot office within an existing single-family residence with two nonresident employees, **approved subject to conditions.**

2016-DV3-022; 465 East 82nd Street (east of site), Variance of Development Standards of the Consolidated Zoning and Subdivision Ordinance to provide for a 78-foot wide parking area, with 16-foot front setbacks, **approved.**

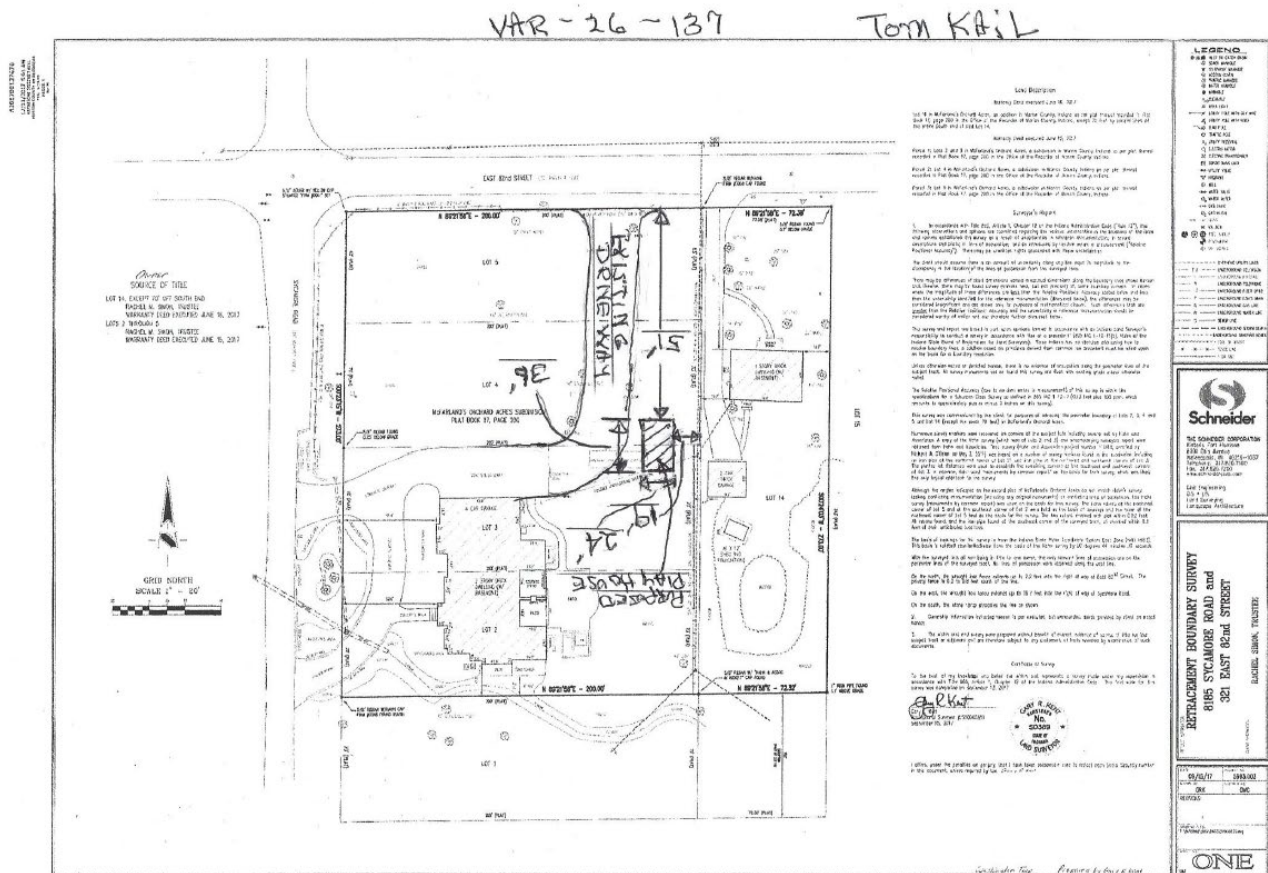
2018-DV3-010; 8192 Sycamore Road (west of site), Variance of Development Standards of the Consolidated Zoning and Subdivision Ordinance to provide for an expanded rear (west) porch, creating an open space of 83%, **approved, subject to commitments.**

EXHIBITS

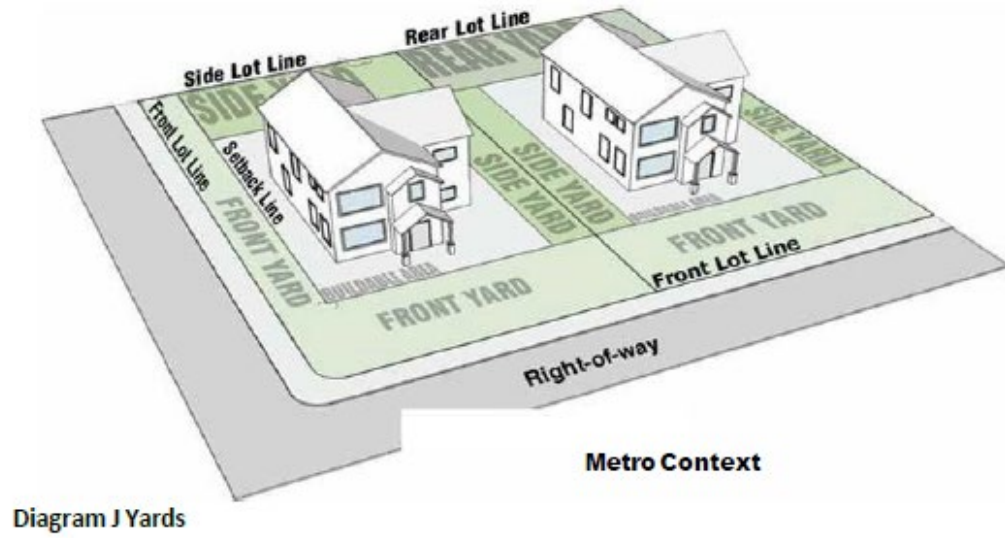
2026UV1019; Aerial Map



2026UV1019; Site Plan



2026UV1019; Yard Diagram



2026UV1019: Front Yard of Site



2026UV1019; Photographs



Photo 1: Area of property where proposed playhouse will be constructed

2026UV1019; Photographs (continued)



Photo 2: Subject site looking out to 82nd Street

2026UV1019; Photographs (continued)



Photo 3: Front yard; all of this area would require a variance to build an accessory structure in the front yard.