

STAFF REPORT

Department of Metropolitan Development Division of Planning Current Planning Section

Case Number: 2023-DV1-047
Address: 775 Braeside Drive South (approximate address)
Location: Washington Township, Council District #2
Zoning: D-S (FW) (FF)
Petitioner: Clayton & Julie Dilts
Request: Variance of Development Standards of the Consolidated Zoning and Subdivision Ordinance to provide for the construction of a detached garage with a five-foot southern side yard setback (15-foot side yard setback 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-S	Metro	Single-Family residential
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SURROUNDING ZONING AND LAND USE

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

COMPREHENSIVE PLAN The Comprehensive Plan recommends Rural or Estate Neighborhood/Floodway development.

- ◇ The subject site is around 3.9 acres and developed with a single-family dwelling. This site is in the Spring Mill Woods subdivision in the Nora/Far Northside neighborhood. Williams Creek runs along the rear of the property, which has many existing trees. The rear yard slopes down to the creek and is within a floodplain. A tributary of Williams Creek runs diagonally through the property.

VARIANCE OF DEVELOPMENT STANDARDS

- ◇ This request would provide for the construction of a detached garage with a five-foot side setback where a fifteen-foot setback is required.

(Continued)

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- ◇ As shown on the topographic map, the proposed location of the garage is one of the few relatively flat locations that is not in the front yard. Staff would not be opposed to a reduction of setbacks due to a practical difficulty related to site topography.

GENERAL INFORMATION

THOROUGHFARE PLAN

Braeside Drive South is classified in the Official Thoroughfare Plan for Marion County, Indiana as a local street, with a 50-foot existing and proposed right-of-way.

SITE PLAN

File-dated August 9, 2023

FINDINGS OF FACT

File-dated August 9, 2023

ZONING HISTORY – SITE

None

ZONING HISTORY – VICINITY

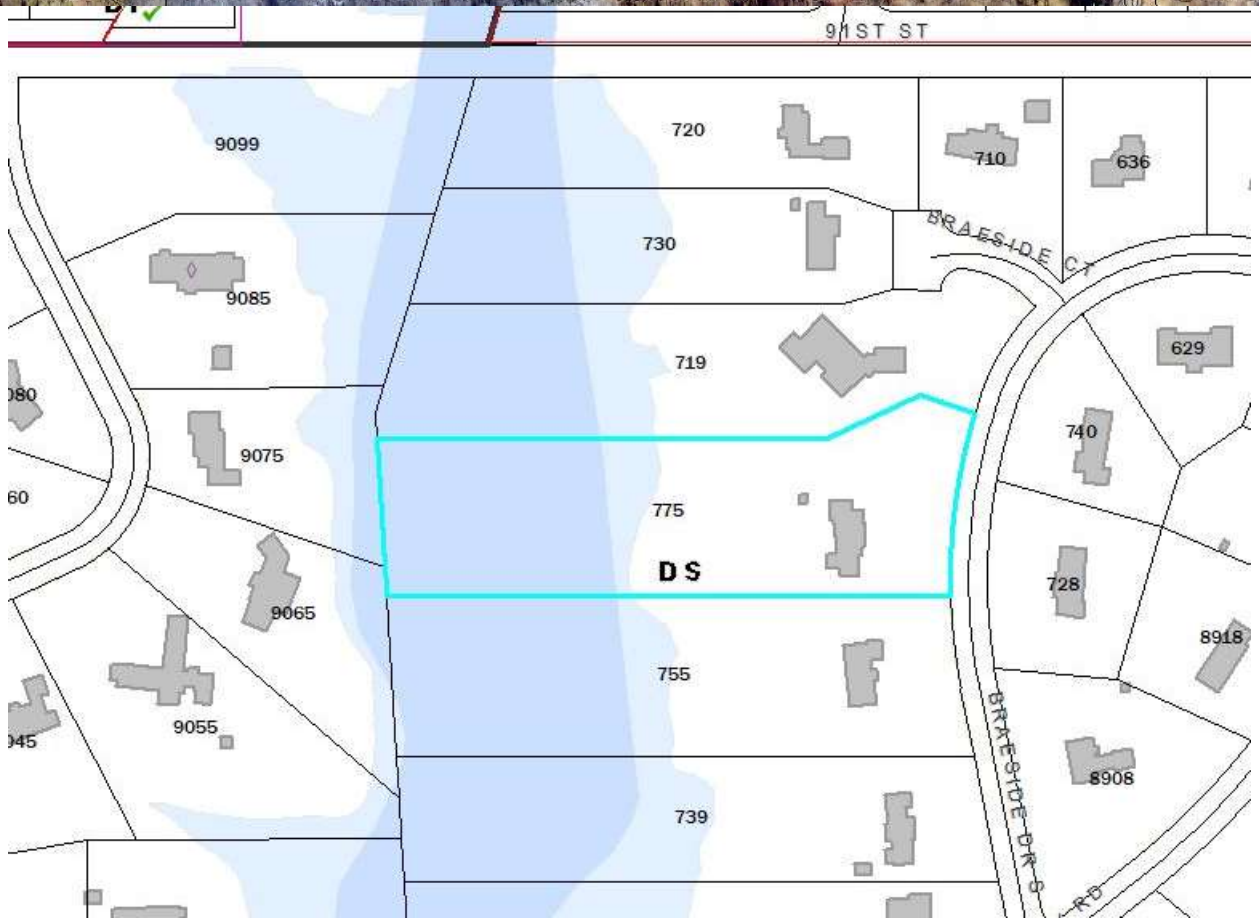
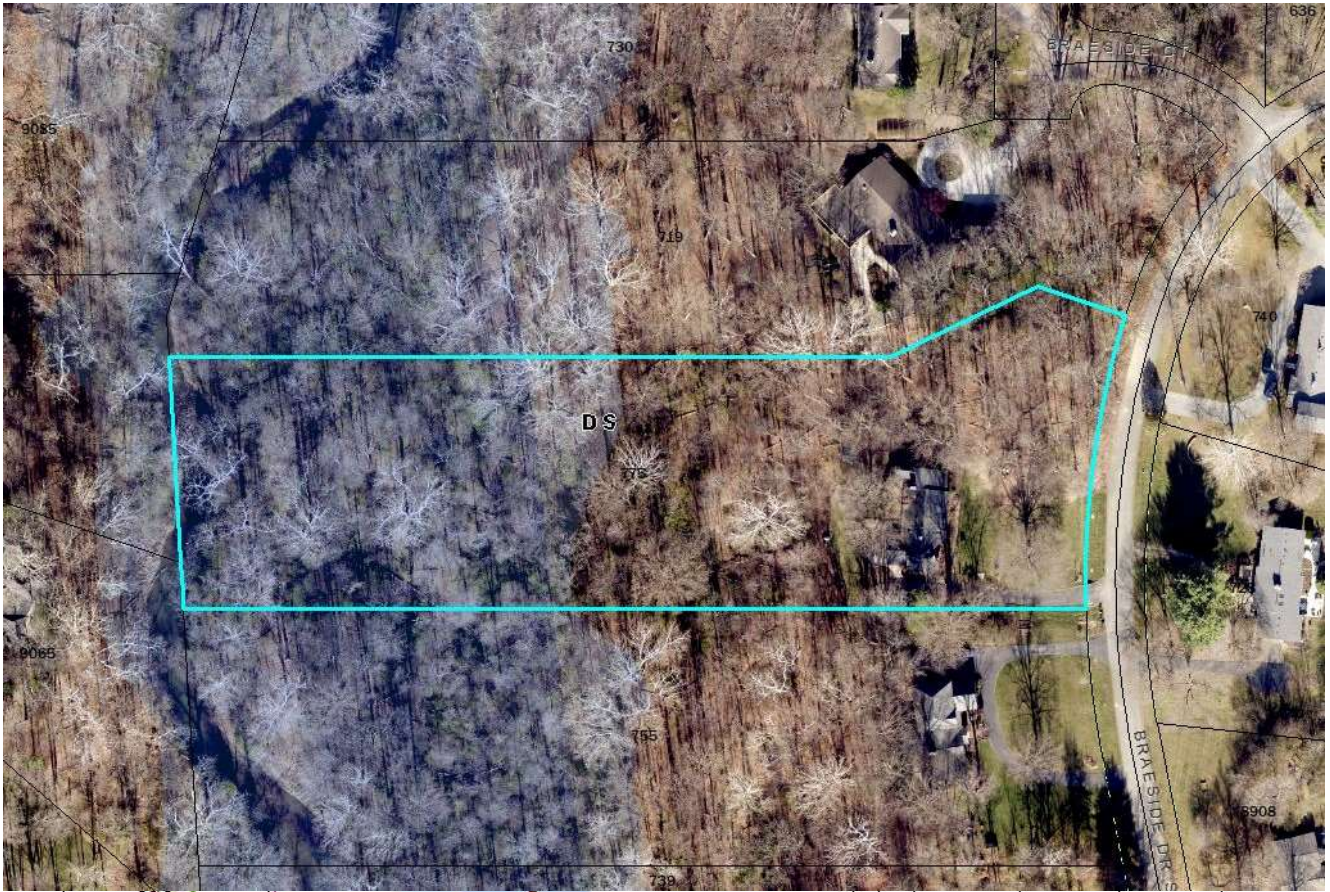
88-AP-189, 902 West 91st Street, a modification of the site plan approved as part of the rezoning petition 79-Z-145 to permit relocation of a recreation area, **approved**.

86-AP-23, 902 West 91st Street, a modification of commitments of the rezoning petition 79-Z-145 to state that the development is governed by the Indiana Horizontal Property Regime Act or any ordinance, laws and regulations governing planned unit developments, **approved**.

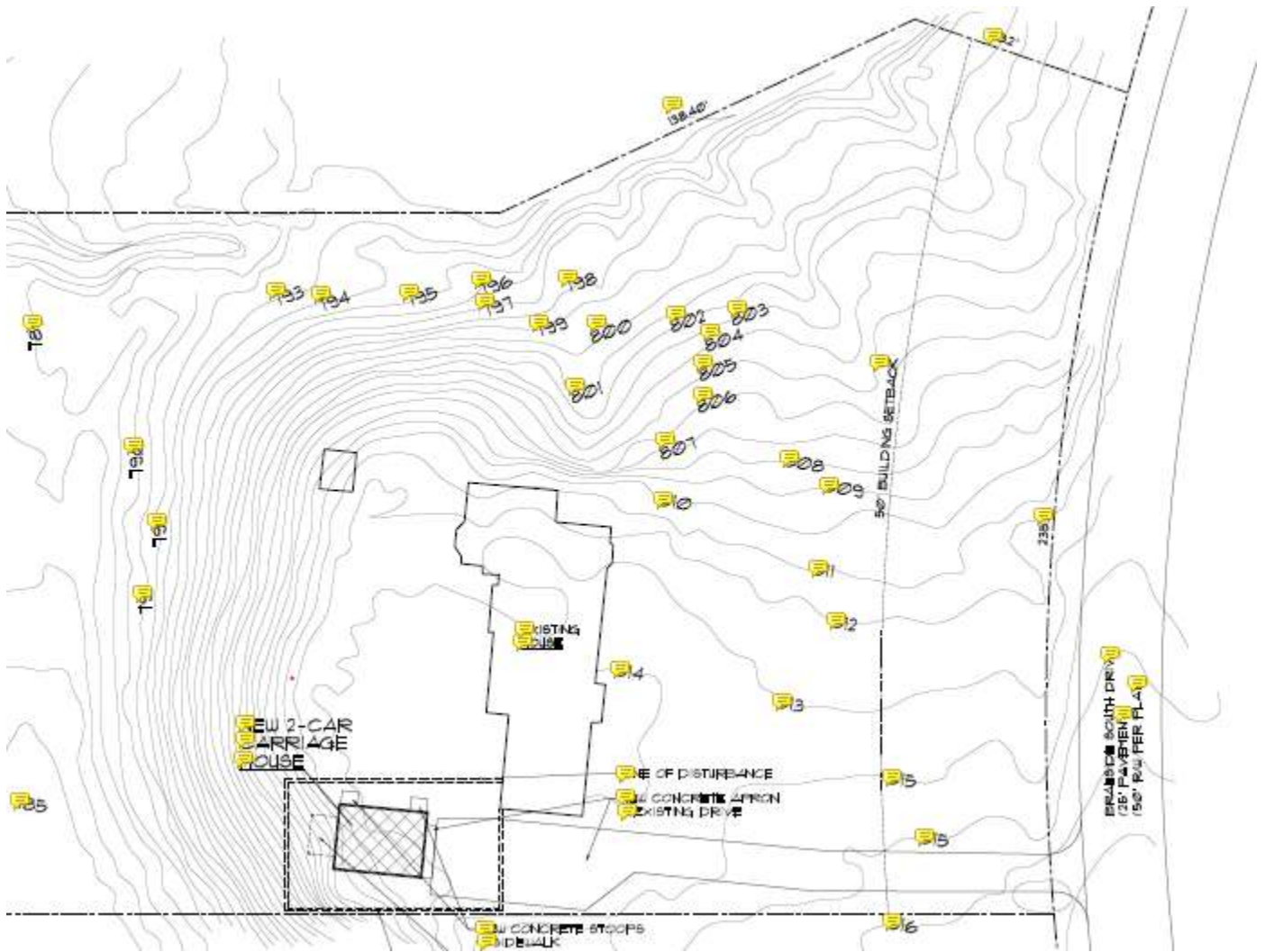
79-Z-145, 902 West 91st Street, rezoning of 58.3 acres from the A-2 district to the D-P district, **approved**.

AR

2023-DV1-047; Aerial Map



Site Plan Detail



**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 proposed structure will be entirely in the back yard of the residence, over 150' from the road. The use is for garage and personal work shop.

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 proposed structure does not affect the views or use of adjacent property. The area of the adjacent property along the south property line closest to the proposed structure is not buildable due to slope . The proposed structure should increase the value of the property and therefore benefit any adjacent property.

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

There is not an alternate location for a garage other than in front of the house, which would not be beneficial to property values. With a 4/5 bedroom house and large lot to maintain, additional garage space is needed for parking, equipment and tools.

2023-DV1-047; Photographs



Subject site viewed from Braeside Drive South, looking west. Proposed garage location at the end of the driveway



Proposed garage location, looking west



View of rear yard, looking west