

STAFF REPORT

Department of Metropolitan Development Division of Planning Current Planning Section

Case Number: 2023-DV1-052
Address: 2251 Sloan Avenue (approximate address)
Location: Center Township, Council District #21
Zoning: SU-2
Petitioner: Indianapolis Public Schools, by Russell McClure
Request: Variance of Development Standards of the Consolidated Zoning and Subdivision Ordinance to provide for the location of a six-foot tall chain link fence within the front yards of Sloan Avenue and Raymond Street (chain link fencing not permitted within front yards, maximum height of 3.5 feet permitted).

RECOMMENDATIONS

Staff **recommends denial** of the request.

SUMMARY OF ISSUES

The following issues were considered in formulating the recommendation:

LAND USE

EXISTING ZONING AND LAND USE

SU-2	Compact	School
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SURROUNDING ZONING AND LAND USE

North	D-4	Single-family Dwellings
South	I-3	Railroad Tracks
East	D6-II	Undeveloped
West	D-2	Single-family dwellings

COMPREHENSIVE PLAN	The Comprehensive Plan recommends Suburban Neighborhood development.
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- ◇ This 17.01-acre lot, zoned SU-2, is currently improved with an elementary school and associated playground equipment and surface parking. The property was rezoned from the D-2 District to the SU-2 District in 1972.
- ◇ North of the subject site, across Raymond Street, are single-family dwellings within the D-4 District. To the west are single-family dwellings, within the D-2 District. South of the subject site is a railroad track within the I-3 District. To the east is an undeveloped lot within the D6-II District

(Continued)

STAFF REPORT 2023-DV1-052 (Continued)

VARIANCE

- ◇ As proposed, the request would allow for the installation of a six-foot tall chain link fence and gates within the front yards of Sloan Avenue and Raymond Street. These improvements would restrict access to the schools parking area, with the intent of securing equipment and vehicles stored on-site.
- ◇ Chain link fences are not permitted within the front yards of most districts of the Ordinance to promote an enhanced aesthetic. Schools tend to be located within neighborhoods or along primary arterials. Given that this site is located within a residential neighborhood, Staff's opinion is that the proposed chain link fence and associated height would introduce an industrial aesthetic where inappropriate. Staff would note that the only Districts that provide for six-foot tall fences within the front yards are the I-3 and I-4 Districts.
- ◇ Staff's position is that the fence should be decorative in design and could incorporate design elements that would deter scaling or improper access. In addition, other security measures including video surveillance, security lighting, contracted security personnel and landscaping would provide sufficient security without the grant of a variance.
- ◇ Should the request be granted, Staff would request that a landscape plan incorporating ornamental grasses and shrubs be provided for Administrator's Approval in order to soften the visual impact of the proposed fence.

GENERAL INFORMATION

THOROUGHFARE PLAN

This portion of Sloan Avenue is classified as a Local Street in the Official Thoroughfare Plan for Marion County, Indiana with an existing right-of-way of 40 feet and proposed right-of-way of 50 feet.

This portion of Raymond Street is classified as a Primary Arterial in the Official Thoroughfare Plan for Marion County, Indiana with an existing and proposed right-of-way of 164 feet.

SITE PLAN

File-dated August 21, 2023.

FINDINGS OF FACT

File-dated August 21, 2023.

ZONING HISTORY – SITE

71-Z-206; 4851 East Raymond Street; requests rezoning of 18.42 acres from the D-2 District to the SU-2 classification to provide for a grade school; **approved.**

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STAFF REPORT 2023-DV1-052 (Continued)

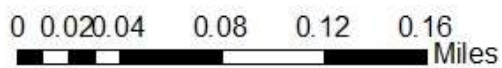
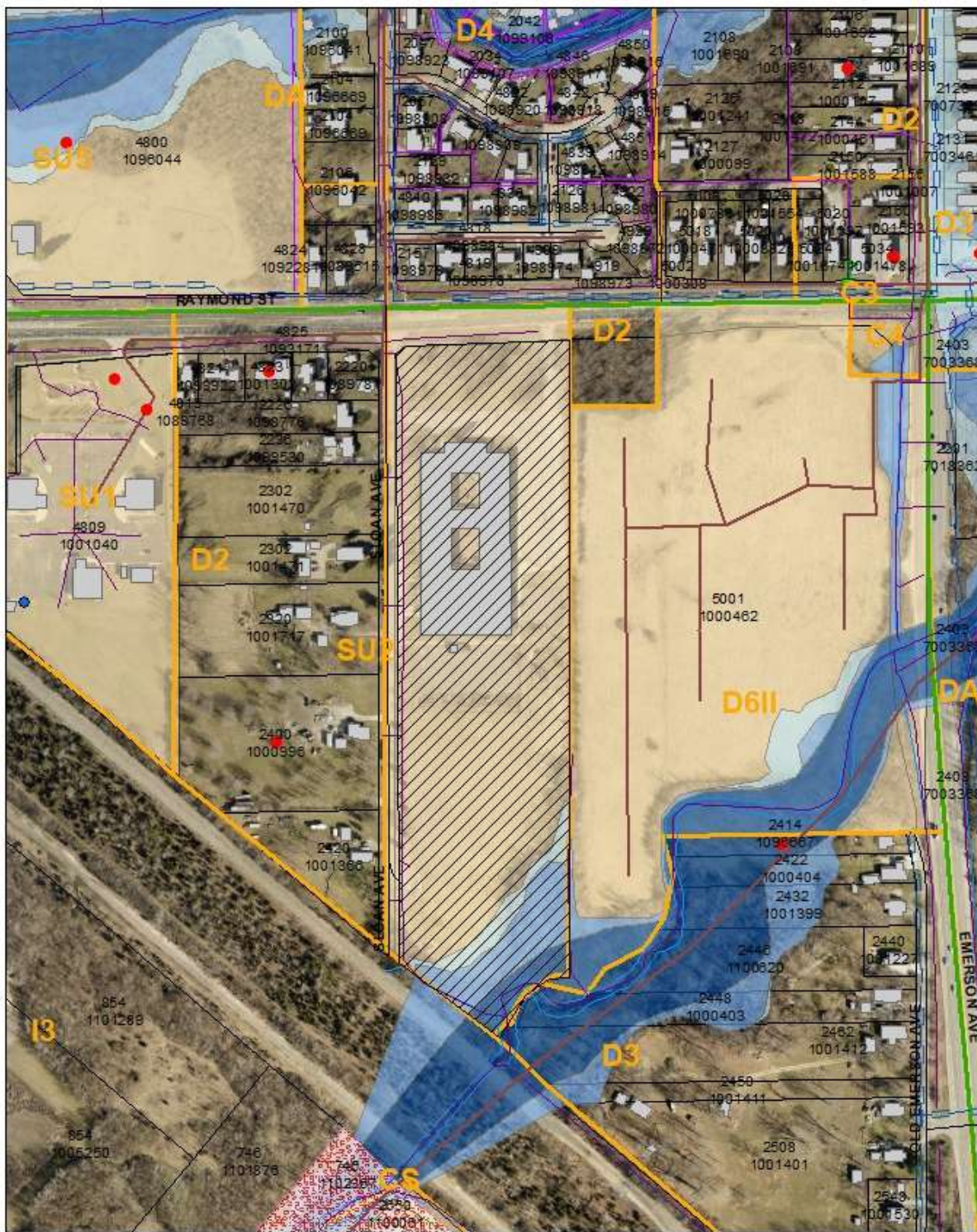
ZONING HISTORY – VICINITY

2007-UV1-016; 2400 Sloan Avenue; requests variance of use and development standards of the Dwelling Districts Zoning Ordinance to provide for the construction of a 2,800 square foot accessory building for commercial storage, resulting in an accessory building area of 3,520 or 266.26 percent of the main floor area of the primary structure, and also resulting in an accessory use area of 3,827 square feet or 144.74 percent of the total living area of the primary structure; **granted.2003-DV1-053; 4823 East Raymond Street;** requests variance of development standards of the Dwelling Districts Zoning Ordinance to legally establish a single-family dwelling with a five-foot south side setback, a carport with a 37-foot front setback, located within the established front yard, with a total accessory use area of 1,880 square feet, comprising 147.92 percent of the usable floor area of the primary structure; **granted.**

84-UV2-80; 4813 East Raymond Street; requests variance of use to provide for a truck maintenance, repair and storage business within a detached garage; **withdrawn.**

EDH

2023-DV1-052; Location Map



Petition Number _____

**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 fence height will not have an adverse effect on the adjoining property owners since the variance is only for fence height, which will not affect neighboring land uses. The fence will also allow for a measure of security that is not possible with a fence height that would be compliant with the ordinance.

2. The use and value of the area adjacent to the property included in the variance will not be affected in a substantially adverse manner because:

This fence will not interfere with any surrounding property uses or value. The fence will be installed as far from the public right of way as possible and still meet the security needs of the district.

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

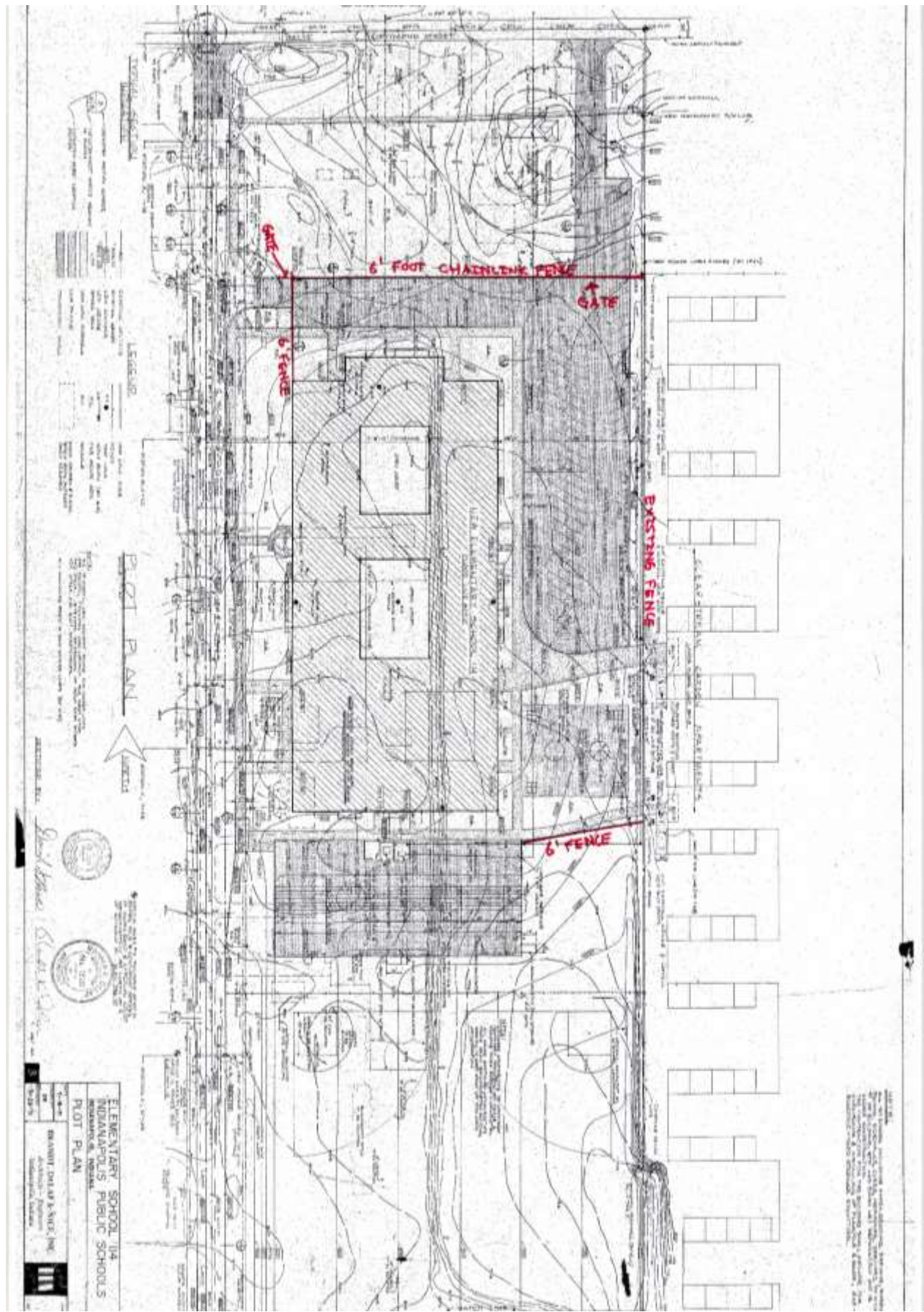
The ordinance allows for a 4 foot tall fence, which is not sufficient for security of the site. There will be vehicles and equipment stored on this site where security is critical. This security is necessary for the security of IPS property but is also necessary for the protection of anyone who may wander onto the property. In addition, this building is on a corner lot, which has two front yards. If the building was not on a corner lot, then the bulk of the fence would be in a side yard and would meet the standards of the ordinance.

DECISION

IT IS THEREFORE the decision of this body that this VARIANCE petition is APPROVED.

Adopted this _____ day of _____, 20 ____

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2023-DV1-052; Photographs



Photo One: Looking North Along Sloan Avenue



Photo Two: Looking South along Sloan Avenue



Photo Three: Portion of Proposed Enclosed Parking Area, Facing East



Photo Four: Portion of Proposed Enclosed Parking Area / Proposed Gate, Facing Northeast



Photo Five: Single-family Dwelling Adjacent to Proposed Fencing, Across Sloan Avenue