Department of Metropolitan Development
Division of Planning
Current Planning

BOARD OF ZONING APPEALS DIVISION I — November 10, 2026

Case Number:	2026-DV1-054
Property Address:	2401 Guilford Ave (approximate address)
Location:	Center Township, Council District #8
Petitioner:	Christopher & Mary Provence, by Kendrick Davis
Current Zoning:	D8
Request:	Variance of Development Standards of the Consolidated Zoning and Subdivision Ordinance to allow for a 1-foot rear yard setback (15 feet required) and a 2-foot corner side yard setback (8 feet required) for the construction of a detached accessory garage.
Current Land Use:	Residential
Staff Recommendations:	Staff recommends **approval** for this petition
Staff Reviewer:	David Arrom Garza AICP, Senior Planner

PETITION HISTORY

This is the first public hearing for this petition.

STAFF RECOMMENDATION

Staff recommends **approval** for this petition.

PETITION OVERVIEW

The petition would allow for a 1-foot rear yard setback (15 feet required) and a 2-foot corner side yard setback (8 feet required) for the construction of a detached accessory garage.

SITE PLAN

The site plan, file-dated July 13, 2026, depicts an approximately 900 square foot proposed detached accessory garage structure with driveway access onto E 24th Street.

STAFF ANALYSIS

The subject lot, zoned D8, is a corner Compact Lot bounded to the west by Guilford Ave and to the south by E 24th St; two local streets providing primary residential access and neighborhood connectivity.

As Compact Lot, with a total lot size area of approximately 4,200 square feet supporting an existing detached single-family residence, a rear yard setback of 15' and a corner side yard setback of 8' would be required for a proposed accessory garage structure in a D8 dwelling district.

Practical site difficulties occur for the construction of a detached parking garage due to the location of the primary residence on a corner lot, existing driveway ingress/egress access configuration onto E 24th, along with an insufficient rear and corner side yard area to meet dimensional setback standards required for the construction of an accessory garage structure, allowed by right in a D8 dwelling district.

Moreover, staff find that the alignment of the proposed garage at the northern elevation of the primary residence satisfies Infill Housing Guidelines which promote the location of accessory structures behind primary buildings with coordinated rooflines between primary and accessory structures.

For these reasons, staff recommend approval for this petition finding that practical difficulties imposed by the corner lot location in the D8 dwelling district impact the ability of the property to be used for a permitted residential purpose.

GENERAL INFORMATION

Existing Zoning	D8	
Existing Land Use	Residential	
Comprehensive Plan	Traditional Neighborhood	
Surrounding Context	**Zoning**	**Surrounding Context**
North:	D8	North: Single-family dwelling
South:	D8	South: Single-family dwelling
East:	D8	East: Single-family dwelling
West:	D8	West: Single-family dwelling
Thoroughfare Plan		
Guilford Ave	Local Street	30' R/W existing (no curb)
E 24th St	Local Street	24' R/W existing (no curb)
Context Area	Compact	
Floodway / Floodway Fringe	No	
Overlay	No	
Wellfield Protection Area	No	
Site Plan	July 13, 2026	
Site Plan (Amended)	N/A	

Elevations	N/A
Elevations (Amended)	N/A
Landscape Plan	N/A
Findings of Fact	September 2, 2026
Findings of Fact (Amended)	N/A

COMPREHENSIVE PLAN ANALYSIS

Comprehensive Plan

- Marion County Land Use Plan Pattern Book

Pattern Book / Land Use Plan

- The Marion County Land Use Plan ("Pattern Book") recommends the Traditional Neighborhood living typology for this site. Traditional Neighborhood typology includes a full spectrum of housing types, ranging from single family homes to large-scale multifamily housing. The development pattern of this typology should be compact and well-connected, with access to individual parcels by an alley when practical. Building form should promote the social connectivity of the neighborhood, with clearly defined public, semi-public, and private spaces. Infill development should continue the existing visual pattern, rhythm, or orientation of surrounding buildings when possible. A wide range of neighborhood serving businesses, institutions, and amenities should be present. Ideally, most daily needs are within walking distance. This typology usually has a residential density of 5 to 15 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

- The Infill Housing Guidelines apply to infill development in residential areas within the Compact Context Area.

- For garages and accessory structures, the Infill Housing Guidelines recommend new construction:
    - Locate accessory structures behind primary buildings
    - Coordinate primary and accessory structures

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

- Subject site with ¼ mile of Monon Trail, an existing greenway.

ZONING HISTORY

ZONING HISTORY – VICINITY

2025ZON063; 2351 Carrollton Ave, Center Township, rezoning of 0.56-acre from the SU-1 district to the D8 district to provide for a residential development, **approved.**

2020ZON086; 2351 Carrollton Ave, Center Township, rezoning of 0.56 acre from the D8 district to the SU-1 district, **approved**.

2026ZON073; 2355 N College Ave, Center Township, rezoning of 0.16-acre from the C1 district to the D8 district to provide for detached single-family residential use, **approved**.

2023ZON015; 2444 Winthrop Ave, Center Township, rezoning of 1.35 acres from the I2 district to the D8 district, **approved**.

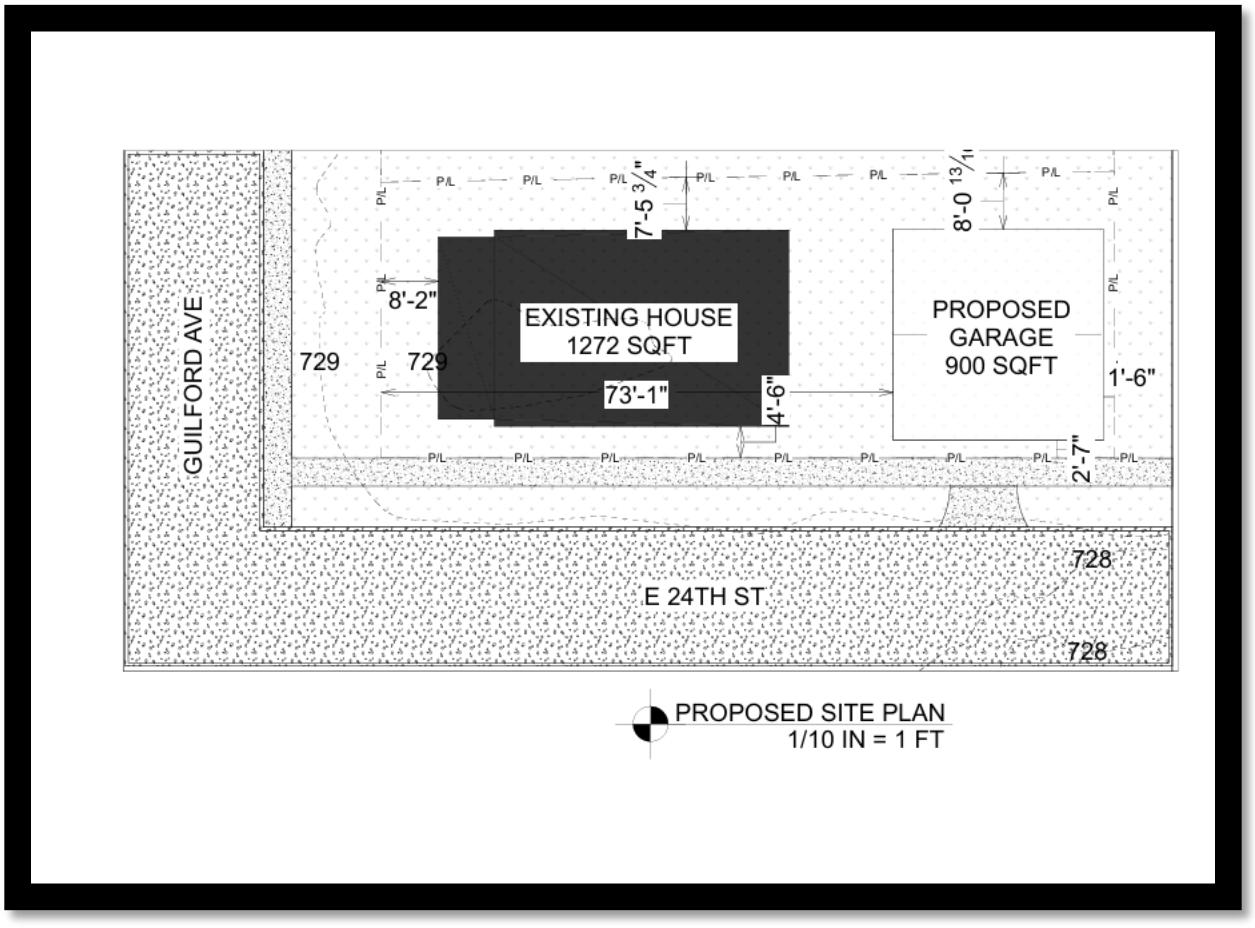
2021ZON031; 919 E 24th St, Center Township, rezoning of 0.22 acre from the I2 district to the D8 district, **approved**.

EXHIBITS

Location Map



Site Plan


GUILFORD AVE
E 24TH ST
EXISTING HOUSE
1272 SQFT
PROPOSED
GARAGE
900 SQFT
7'-5 3/4"
8'-0 13/16"
8'-2"
73'-1"
4'-6"
1'-6"
2'-7"
729
729
728
728
P/L
PROPOSED SITE PLAN
1/10 IN = 1 FT

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:

The grant of the variance will not be injurious to the public health, safety, morals, or general welfare of the community because the proposed 30-foot by 30-foot detached garage will replace an existing detached garage and will remain accessory to the existing residential use of the property. the proposed garage will be constructed in accordance with applicable building codes and in accordance with the submitted site plan. The requested rear and corner-side setback reductions will allow reasonable improvement of the property without changing its residential use or creating an incompatible use within the surrounding neighborhood.

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 use or value of the area adjacent to the subject property will not be affected in a substantially adverse manner because the proposed structure is a residential accessory garage that will replace an existing garage on the property. The proposed garage is compatible with the residential character and existing development pattern of the surrounding neighborhood. The requested setback variances will not change the principal residential use of the property, and the will remain located entirely within the subject property.

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

The existing lot dimensions, corner-lot configuration, and required rear and corner-side setbacks substantially constrain the area available for a reasonbly sized detached garage. The property currently contains a detached garage, and the petitioner proposes to replace that structure with a new 30-foot by 30-foot detached garage. Strict compliance with both setback requirements would significantly restrict the location and usable dimensions of the replacement garage. The requested variances provide a reasonable relief from these dimension constraints while allowing the property to continue its existing residential use.

DECISION

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

Adopted this _____ day of _____ , 20 ____

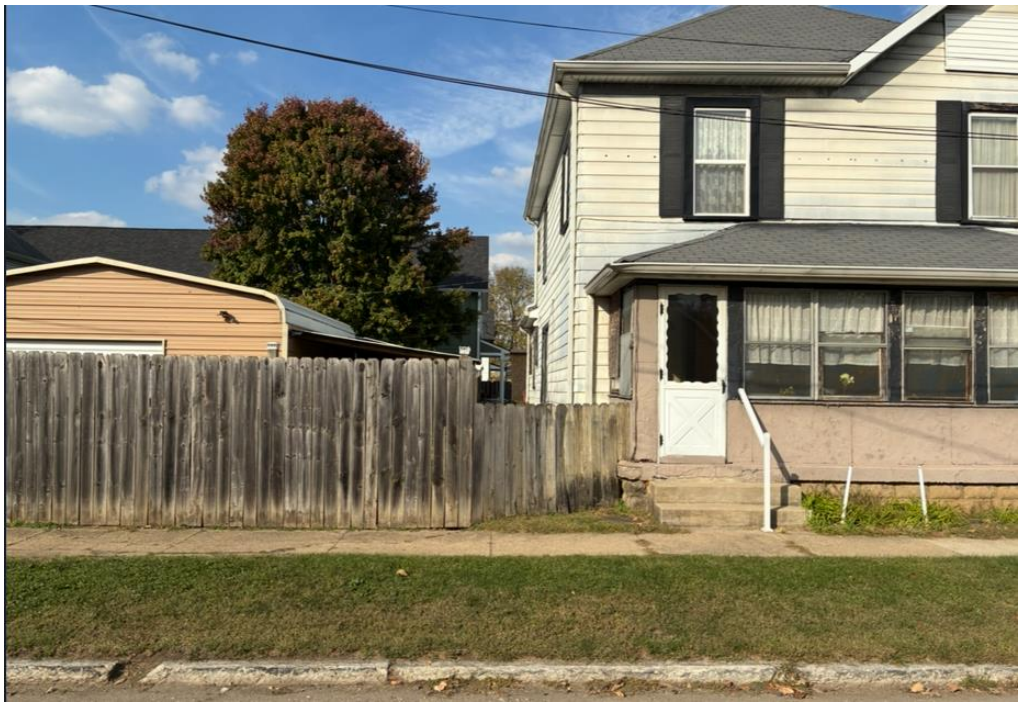
2026DV1054 Site Photographs



View of residential lot frontage from Guilford Ave



View from E 24th St looking north onto corner side yard and rear yard area



View of rear yard property line to adjacent residence at 914 E 24th St