Department of Metropolitan Development
Division of Planning
Current Planning

BOARD OF ZONING APPEALS DIVISION I — November 10, 2026

Case Number:	2026DV1045
Property Address:	4634 W Naomi St (*approximate address*)
Location:	Wayne Township, Council District #17
Petitioner:	Vicki McClain and Heather Warren
Current Zoning:	D-5, Airspace
Request:	Variance of Development Standards of the Consolidated Zoning and Subdivision Ordinance to permit an 8-foot fence (maximum permitted 6-foot) and a 4-foot side setback (7-foot required).
Current Land Use:	Residential
Staff Recommendations:	Staff recommends denial
Staff Reviewer:	Adrienne Baker, Principal Planner I

PETITION HISTORY

This is the first public hearing for this petition.

STAFF RECOMMENDATION

Staff recommends denial of this petition.

PETITION OVERVIEW

The petitioners requested a variance of development standards to permit the installation of an eight-foot fence and to allow a four-foot side yard setback on a residential property zoned D-5. The zoning ordinance limits fence height in this district to six feet and requires a minimum side yard setback of seven feet for minor residential structures. Staff reviewed the proposal in the context of the applicable zoning regulations, the surrounding residential environment, the Comprehensive Plan, and the Traditional Neighborhood typology that guides development in this area. This review concluded that the requested changes represent substantial departures from both the ordinance and the established neighborhood pattern. The petition did not demonstrate the type of practical difficulty or unique site condition needed to justify a variance.

Staff recommended denial as the requested variances conflict with development standards intended to maintain consistency, compatibility, and neighborhood character within the D-5 district. The proposed eight-foot fence exceeds the maximum height permitted for residential properties and is not supported by Comprehensive Plan guidance, which emphasizes maintaining visual openness, reinforcing neighborhood cohesion, and ensuring that accessory structures complement rather than disrupt existing development patterns. Excessively tall fencing can create a sense of enclosure that is inconsistent with

the Traditional Neighborhood typology, which values walkability, permeability, and a defined yet visually connected arrangement of private and semi-private spaces.

The requested reduction in side yard setback from seven feet to four feet presents similar concerns. The D-5 district requires minor residential structures to comply independently with required side setbacks in order to preserve adequate spacing between structures, to protect privacy and access to light and air, and to maintain a predictable spatial pattern across the block. Staff found that the property does not exhibit any unusual physical characteristics such as irregular lot configuration, environmental constraints, or easement limitations that would prevent compliance with standard requirements. In the absence of such conditions, the petition does not demonstrate a hardship or practical difficulty sufficient to support a variance. Staff also determined that approval could negatively affect the established pattern of the neighborhood by introducing an incompatible setback and visually dominant fence height, both of which would alter the character of a residential area defined by consistent spacing and modest accessory elements. Granting such a variance would constitute a special privilege rather than appropriately justified accommodation tied to the physical circumstances of the site. For these reasons, and because the findings of fact did not show that the variance would maintain public welfare or align with adopted planning policies, staff concluded that the request could not be supported.

GENERAL INFORMATION

Existing Zoning	D-5, Airspace	
Existing Land Use	Residential	
Comprehensive Plan	Traditional Neighborhood	
Surrounding Context	**Zoning**	**Surrounding Context**
North:	D-5	North: Residential
South:	D-5	South: Residential
East:	D-5	East: Residential
West:	D-5	West: Residential
Thoroughfare Plan		
N Naomi St	Local Street	Proposed ROW: 48 feet Existing ROW: 48 feet
Context Area	Compact	
Floodway / Floodway Fringe	No	
Overlay	No	
Wellfield Protection Area	No	
Site Plan	July 21, 2026	
Site Plan (Amended)	N/A	
Elevations	July 21, 2026	
Elevations (Amended)	N/A	
Landscape Plan	N/A	
Findings of Fact	July 21, 2026	
Findings of Fact (Amended)	N/A	

COMPREHENSIVE PLAN ANALYSIS

Comprehensive Plan

The D-5 district is intended for medium and large-lot housing formats, primarily for detached houses, but may incorporate small-scale multi-unit building types in strategic locations. This district can be used for new, walkable suburban neighborhoods or for infill situation in established urban areas, including both low density and medium density residential recommendations of the Comprehensive Plan, and the Suburban Neighborhood and Traditional Neighborhood Typologies of the Land Use Pattern Book.

Fences or fences combined with a wall shall be constructed of wood, stone, brick, decorative concrete block, wrought iron, (or products created to resemble these materials), vegetated cellular confinement system, or other material compatible with the primary building materials; or a combination of any of these materials. Chain link fencing or wire fencing is allowed in accordance with Table 744-510-1.

Minor Residential Structures: Structures that are subordinate and secondary to the primary residential use of a property, such as garages, carports, porches, decks or patios 18 inches or greater in height, mini-barns, sheds, workshops, swimming pools, hot tubs, porte-cocheres, bathhouses, cabanas, secondary dwelling unit, shelters for personal livestock, greenhouses, and other accessory buildings or structures similar and comparable in character to these uses. This definition does not include minor mobile home structures or residential support facility or amenity.

On lots in the D-A, D-S, D-1, D-2, D-3, D-4, D-5, D-5II and D-8 dwelling districts improved with a Single-family detached dwelling, Single-family attached dwelling, or Two-family dwelling, minor residential structures:

- Shall not be located closer to any front or side lot line than the required minimum front and side yard setbacks of the dwelling district, or, in the case of a front yard, the established front yard setback on the lot, whichever is greater.
- Shall not be located closer to any rear lot line than 5 feet.
- Shall comply with the minimum side yard requirements of the district independently of the side yards established by the primary building.
- Shall not encroach upon, as the primary building shall not encroach upon, any platted easement.

Minimum building setback lines are regulated by the zoning district in which the property is located. Larger setbacks may be platted at the subdivider's discretion; however, such excessive platted setbacks will not be enforced by the Commission unless such setbacks were required as a part of a commitment, condition, approval, or site plan tied to an approved land use petition.

Pattern Book / Land Use Plan

The 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.

A mix of housing types is encouraged, and developments should be located within one mile, using streets, sidewalks, or off-street paths, of a school, playground, library, public greenway, or similar free public recreational or cultural amenity. Primary structures should be no more than one and a half times the height of adjacent primary structures and should be oriented toward the street with a clear pedestrian connection from the front door to the sidewalk, excluding driveways or parking areas. Developments with densities higher than 15 dwelling units per acre should maintain a design character compatible with nearby properties, and increases in density should occur incrementally, with higher-density housing types located closer to frequent transit lines, greenways, or parks.

The house should extend beyond the front of the garage, and whenever possible, garages should be accessed from an alley or side street. If a garage is located on the side of the house, it should be detached. Secondary units are encouraged, and lot sizes should be limited to no more than one and a half times the size of adjacent lots.

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

Fencing around dwellings should be carefully placed. See-through fencing is the safest. In the front, fences should be ornamental in style. Do not install privacy fences in front yard.

Over time, individual lots may have been combined with neighboring lots. This creates lots that are larger than others in their surrounding context.

Consider both how additions and improvements meet the Comprehensive Plan goals and ways to mitigate impacts, particularly for accessory structures.

At the street setback, new infill housing should not be taller than adjacent houses by more than a story, providing the existing block context lends itself to homes that vary in height.

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

Not Applicable to the Site.

ZONING HISTORY

ZONING HISTORY – SITE

N/A

ZONING HISTORY – VICINITY

2023DV1020; 4505, 4506, 4509, 4510, 4605, 4609, 4613, 4617, 4621, 4622, and 4625 W Caven Street; Variance of Development Standards of the Consolidated Zoning and Subdivision Ordinance to provide for the construction of single-family dwellings on each lot with front-loaded garages in excess of 30% of the façade at the building line (garages limited to 30% of the width of the front façade when located 0-12 feet behind front building line) and allow for a three-foot corner side yard setback at 4622 West Caven Street (eight-foot corner side setback required), 16-foot front setbacks at 4505, 4605, 4613, and 4621 Caven Street, 17-foot front setback at 4510 Caven Street (20 to 50-foot front setback required for neighborhood yard frontages), and a six-foot corner side yard setback at 4625 Caven Street (eight-foot corner side setback required); approved.

2000HOV021; 4602 W Naomi Street; Variance of Development Standards of the Dwelling Districts Zoning Ordinance to provide for the construction of a 640-square foot addition to a single-family dwelling, expanding 16-feet along a legally nonconforming 14.5-foot front setback or 72. 7 percent of the linear frontage of the original dwelling (maximum 11-foot expansion along a legally nonconforming 14.5-foot front setback or 50 percent of the linear frontage of the original dwelling permitted); approved.

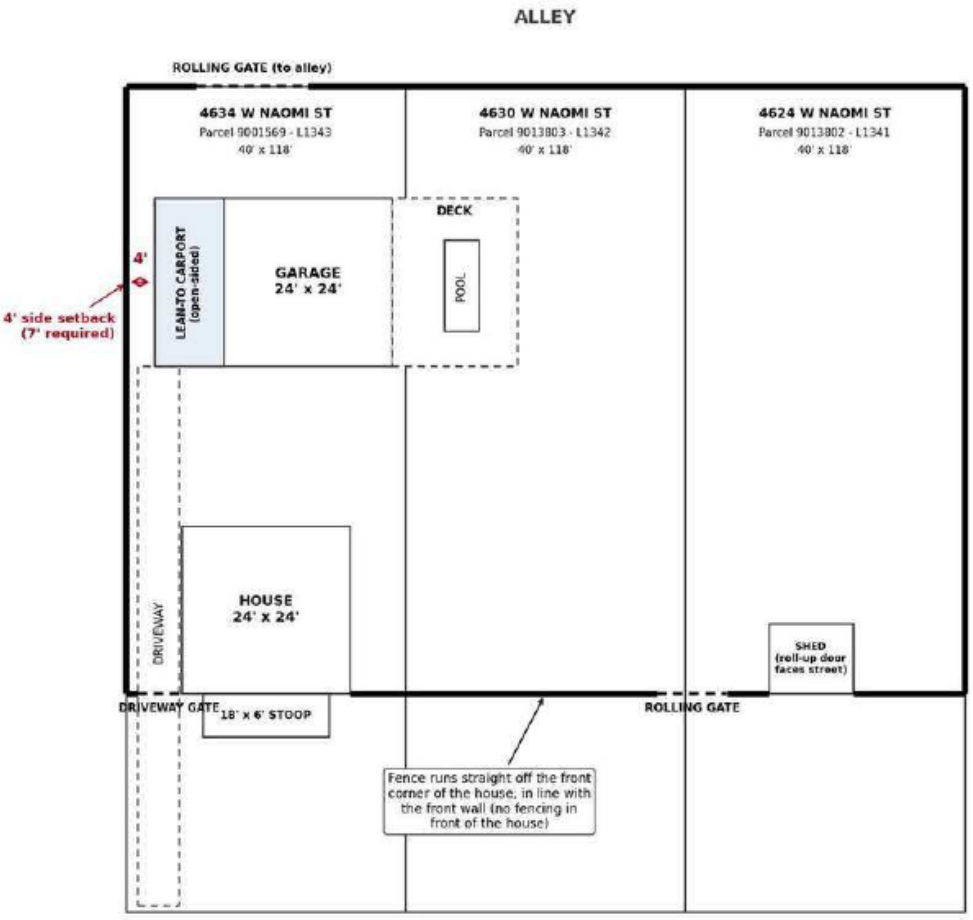
99-SE1-1; 2601 S Denison Street; Variance of Development standards of the Dwelling Districts Zoning Ordinance to provide for the construction of a 640-square foot addition to a single-family dwelling, expanding 16-feet along a legally nonconforming 14.5-foot front setback or 72. 7 percent of the linear frontage of the original dwelling (maximum 11-foot expansion along a legally nonconforming 14.5-foot front setback or 50 percent of the linear frontage of the original dwelling permitted); approved.

EXHIBITS

SITE PLAN:

REVISED SITE PLAN - FENCE AND SIDE SETBACK VARIANCE

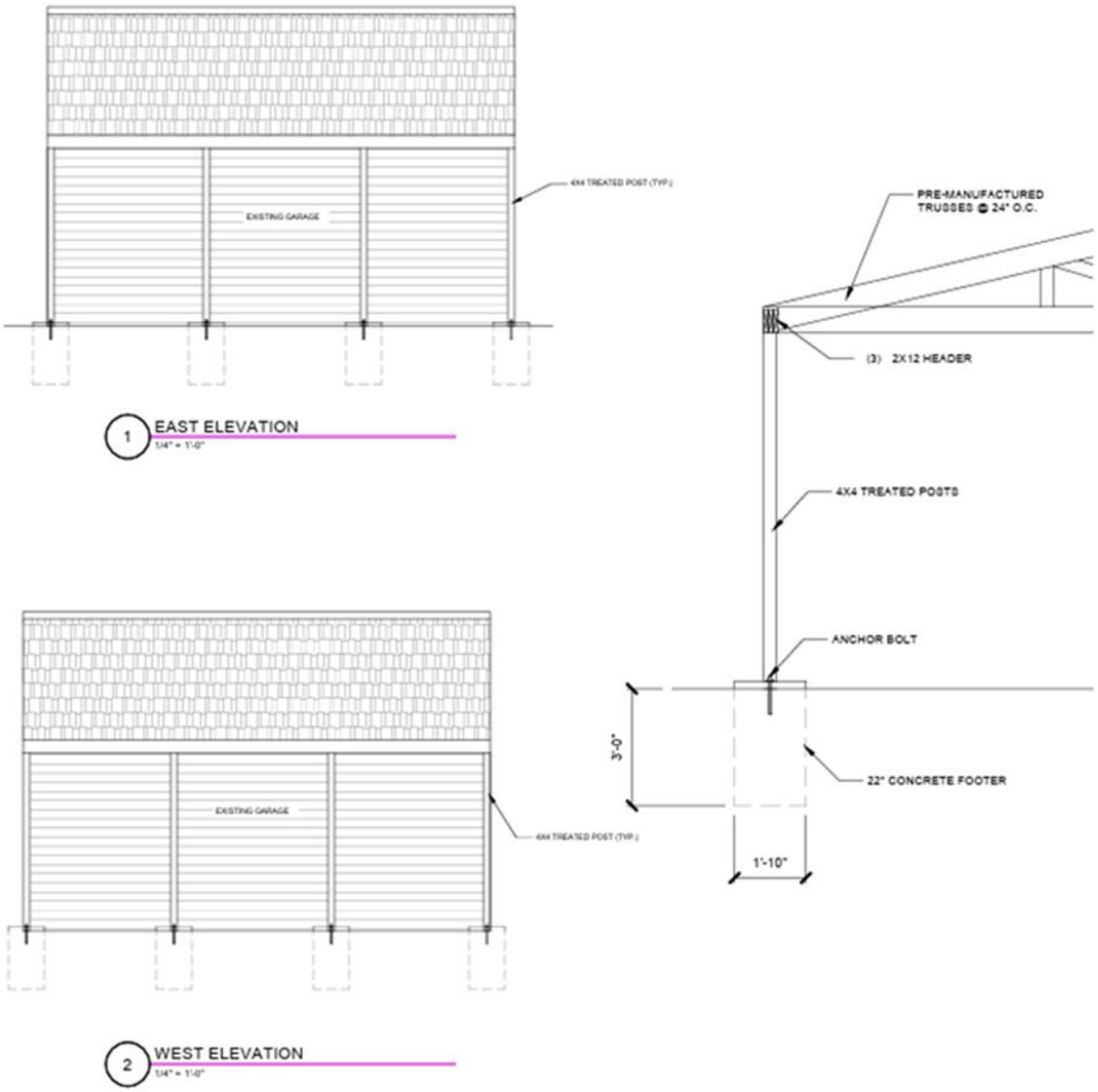
4624 / 4630 / 4634 W. Naomi Street, Indianapolis, Indiana | Case No. 2026-DV1-045 | Revised October 6, 2026



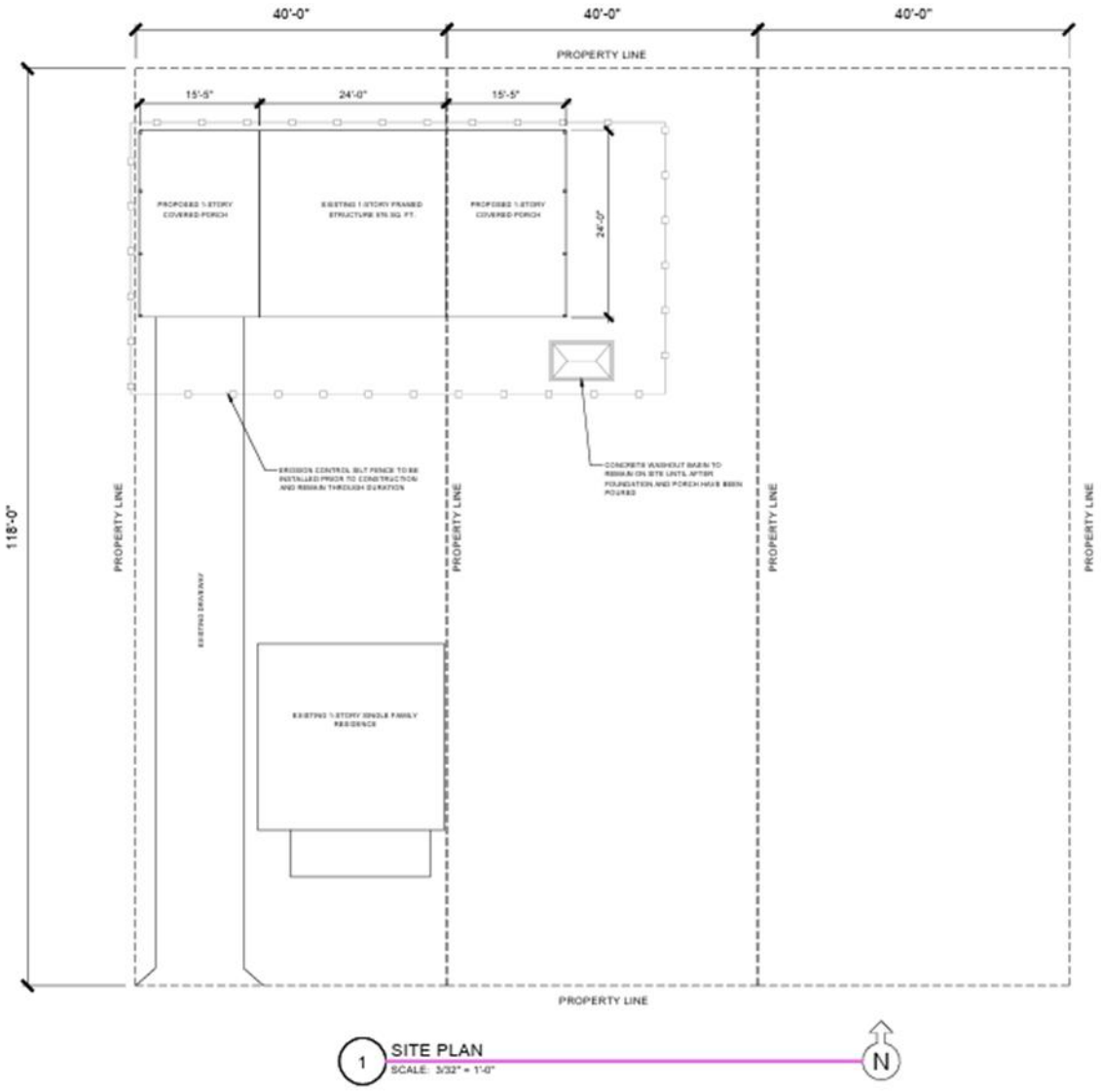
PLAN NOTES

- Heavy line: existing 8' wood privacy fence, the subject of this Variance of Development Standards request.
- The front run of the fence is aligned with the front wall of the house; there is no fencing in front of the house.
- Lean-to carport: open-sided roof attached to the side of the garage; subject of the 4' side setback request (7' required).
- Shed sits in the front fence line; it was moved straight back when the fence was moved back to align with the house.
- All three parcels are under common ownership.
- Revises the earlier site plan (packet p. 143), which showed the front run stepping toward the street.
- Schematic drawing; not to scale; not a survey. Parcel sizes from the earlier site plan; structure sizes and positions approximate.

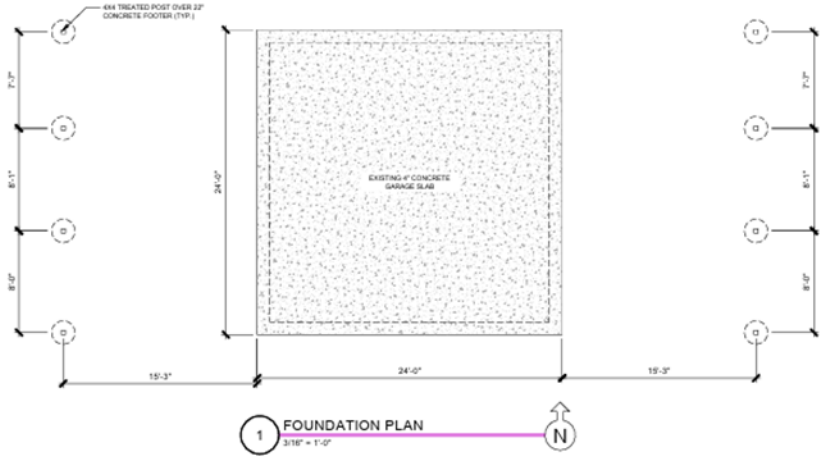
SITE PLAN:


4X4 TREATED POST (TYP.)
EXISTING GARAGE
1 EAST ELEVATION
1/4" = 1'-0"
PRE-MANUFACTURED TRUSSES @ 24" O.C.
(3) 2X12 HEADER
4X4 TREATED POSTS
ANCHOR BOLT
3'-0"
22" CONCRETE FOOTER
1'-10"
EXISTING GARAGE
4X4 TREATED POST (TYP.)
2 WEST ELEVATION
1/4" = 1'-0"

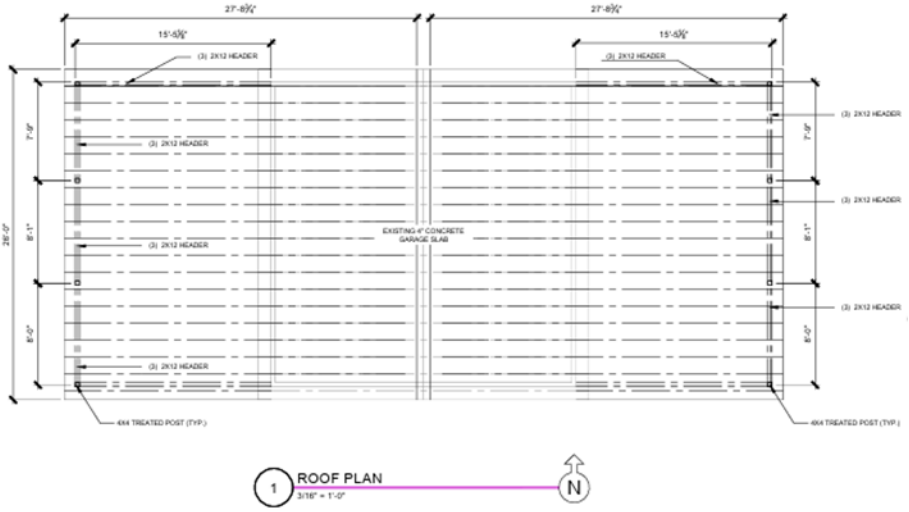
SITE PLAN:


40'-0"
40'-0"
40'-0"
PROPERTY LINE
15'-5"
24'-0"
15'-5"
PROPOSED 1-STORY COVERED PORCH
EXISTING 1-STORY FRAMED STRUCTURE 976 SQ. FT.
PROPOSED 1-STORY COVERED PORCH
24'-0"
EROSION CONTROL SILT FENCE TO BE INSTALLED PRIOR TO CONSTRUCTION AND REMAIN THROUGH DURATION
CONCRETE WASHOUT BASIN TO REMAIN ON SITE UNTIL AFTER FOUNDATION AND PORCH HAVE BEEN POURED
EXISTING DRIVEWAY
EXISTING 1-STORY SINGLE FAMILY RESIDENCE
118'-0"
PROPERTY LINE
PROPERTY LINE
PROPERTY LINE
PROPERTY LINE
PROPERTY LINE
1
SITE PLAN
SCALE: 3/32" = 1'-0"
N

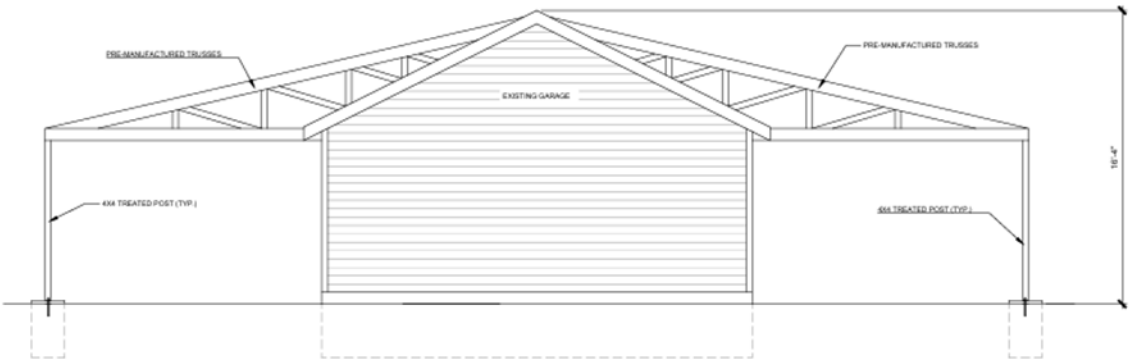
SITE PLAN:


4X4 TREATED POST OVER 22" CONCRETE FOOTER (TYP.)
EXISTING 4" CONCRETE GARAGE SLAB
24'-0"
15'-3"
24'-0"
15'-3"
1 FOUNDATION PLAN
3/16" = 1'-0"
N


EXISTING GARAGE TO REMAIN
24'-0"
24'-0"
2 FIRST FLOOR PLAN
N


27'-6½"
15'-5½"
(3) 2X12 HEADER
EXISTING 4" CONCRETE GARAGE SLAB
4X4 TREATED POST (TYP.)
1 ROOF PLAN
3/16" = 1'-0"
N

SITE PLAN:



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



2 SOUTH ELEVATION
1/4" = 1'-0"

FINDINGS OF FACT:

1. The grant will not be injurious to the public health, safety, morals, and general welfare of the community because:

The existing eight-foot privacy fence is located on my property and was installed for privacy, safety, security, and the reasonable enjoyment of my residential property. The fence does not obstruct vehicular or pedestrian visibility at an intersection or driveway and does not create a public safety hazard. The property is not a corner lot, and the fence does not extend across the front of the residence. The additional fence height provides needed screening and security due to the property's surroundings, including nearby roadway/highway activity, neighboring properties, pets, and the need for reasonable residential privacy. The fence also allows me to maintain privacy while respecting the privacy and differing cultural and religious practices of surrounding neighbors.

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 fence is a residential privacy improvement that does not change the use of my property or prevent adjacent properties from being used for their existing residential purposes. The neighboring property already has substantial fencing, including a tall chain-link fence with screening/tarp material. The owner of the adjacent rental property was aware of my fence installation and did not object to it. In addition, the neighboring occupants have attached and hung numerous items on my fence from their side, demonstrating that the fence itself does not prevent their continued use and enjoyment of their property. The fence is maintained on my property and provides separation, privacy, and screening between neighboring residential uses rather than creating a substantially adverse effect on surrounding property.

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

Strict application of the fence height and opacity requirements would require removal or substantial alteration of an existing eight-foot privacy fence that was installed to address the actual privacy, safety, security, and screening needs of this property. The configuration of my property, its relationship to the roadway and surrounding properties, and the existing conditions on the adjacent property make a lower or substantially more open fence inadequate for its intended purpose. The fence also replaced an existing chain-link fence that was damaged during a plumbing-related incident involving the adjacent property in September 2025. Requiring the fence to be substantially reduced in height or opacity would eliminate much of the privacy and screening the replacement fence was specifically intended to provide while imposing significant expense and disruption. Granting the variance would allow the existing residential fence to remain while preserving the reasonable use, privacy, safety, and enjoyment of my property.

DEVELOPMENT STATEMENT:

The proposed development consists solely of the existing eight-foot privacy fence that is the subject of this Variance of Development Standards petition. The fence has already been constructed; therefore, there are no proposed phases of construction or development associated with this request.

No additional buildings, structures, changes in land use, or other major project elements are proposed as part of this variance request. The property will continue to be used for its existing residential purpose.

There are no proposed covenants associated with this request. The owner will comply with the commitments submitted in connection with the variance petition and will maintain the fence in a safe and structurally sound condition in accordance with the variance as approved.

PHOTOS:



Photo 1: Shed



Photo 2: Interstate 70



Photo 3: Looking Northeast



Photo 4: Looking Northeast towards fence and shed



Photo 5: Looking Northwest



Photo 6: Looking East



Photo 7: Neighboring houses



Photo 8: Neighboring houses



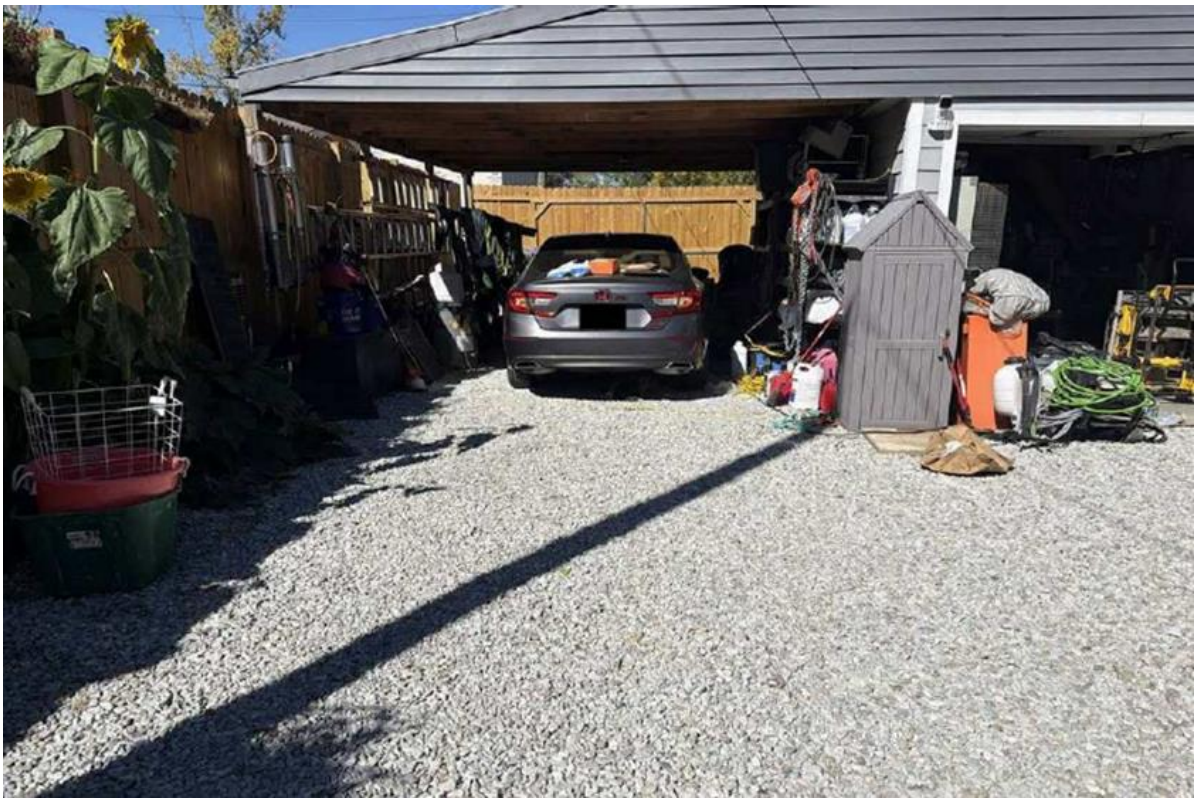
Photo 9: Neighboring houses



Photo 10: Neighboring houses

PETITIONER PHOTOS:





Petitioner's carport


Marker showing 6'
View from yard facing South


Marker showing 6'
View facing
South / Southeast

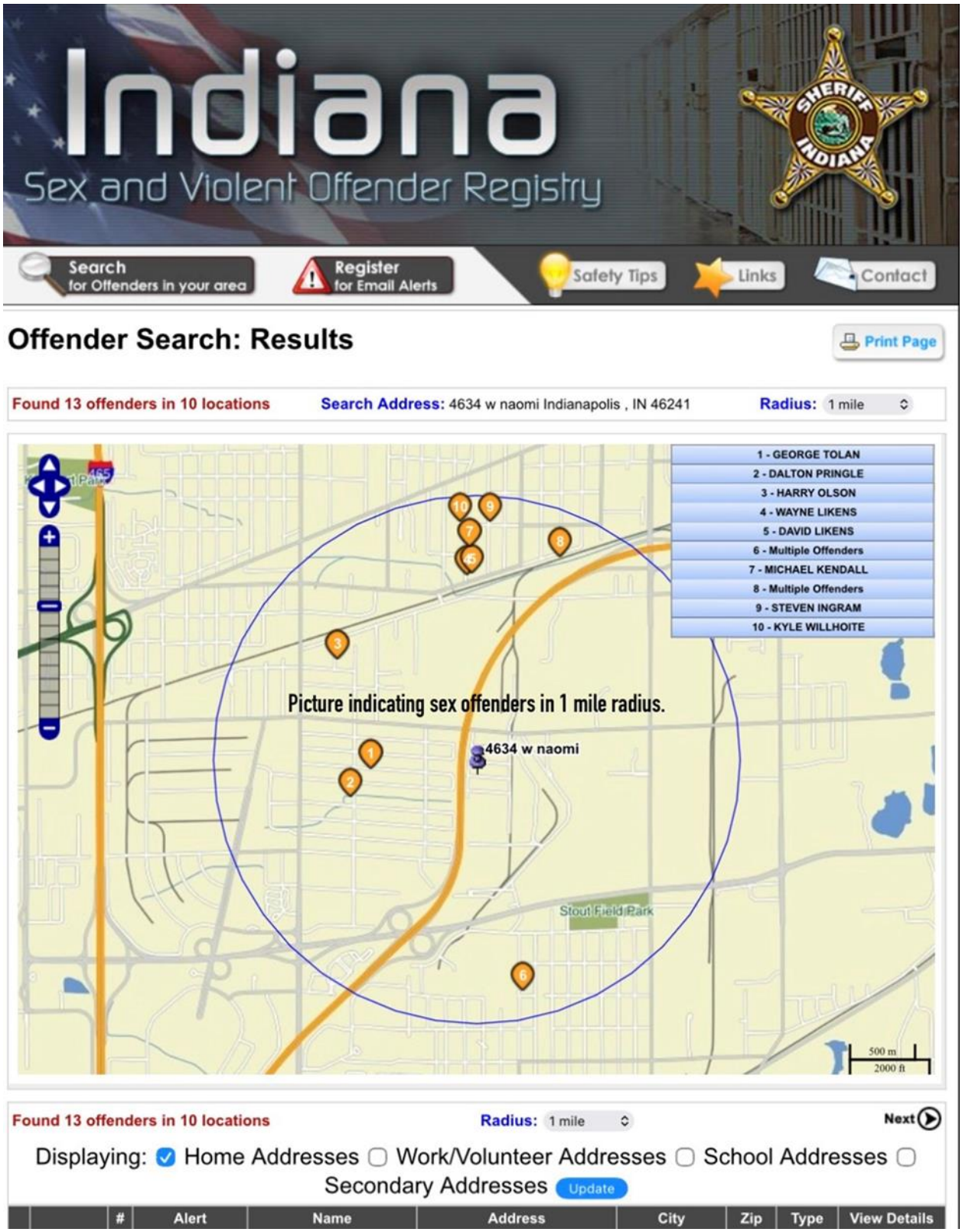

Further back side yard facing I70


Further back side yard facing I70 (2)


Marker showing 6'
KARAVAN
View from driveway facing I70


Marker showing 6'
prime
View from yard facing I70


View from yard facing I70
Marker showing 6'


Indiana
Sex and Violent Offender Registry
SHERIFF
INDIANA
Search for Offenders in your area
Register for Email Alerts
Safety Tips
Links
Contact
Offender Search: Results
Print Page
Found 13 offenders in 10 locations
Search Address: 4634 w naomi Indianapolis , IN 46241
Radius: 1 mile
1 - GEORGE TOLAN
2 - DALTON PRINGLE
3 - HARRY OLSON
4 - WAYNE LIKENS
5 - DAVID LIKENS
6 - Multiple Offenders
7 - MICHAEL KENDALL
8 - Multiple Offenders
9 - STEVEN INGRAM
10 - KYLE WILLHOITE
Picture indicating sex offenders in 1 mile radius.
4634 w naomi
Stout Field Park
500 m
2000 ft
Found 13 offenders in 10 locations
Radius: 1 mile
Next
Displaying: Home Addresses Work/Volunteer Addresses School Addresses
Secondary Addresses
Update
Alert Name Address City Zip Type View Details