



## BOARD OF ZONING APPEALS DIVISION I

April 7, 2025

**Case Number:** 2026-DV1-009 (Amended)  
**Address:** 44 East 54th Street (approximate address)  
**Location:** Washington Township, Council District #7  
**Zoning:** D-2  
**Petitioner:** Charles and Julie Revard  
**Request:** Variance of Development Standards of the Consolidated Zoning and Subdivision Ordinance to provide for the construction of a detached garage with a 5-foot west side yard setback (7-foot side yard setback required), and an open space of 65% (75% open space required).

**Current Land Use:** Single-Family Dwelling.

**Staff Recommendation:** Staff recommends approval of this petition.

**Staff Reviewer:** Robert Uhlenhake, Senior Planner

## PETITION HISTORY

This is the first hearing for this petition.

## STAFF RECOMMENDATION

Staff recommends **approval** of this petition.

## PETITION OVERVIEW

- ◇ Development Standards of the Consolidated Zoning and Subdivision Ordinance, specifically those relating to setbacks, are intended to ensure orderly development and protect surrounding property values by providing for open buffer areas along lot lines, and to ensure adequate access around buildings.
- ◇ The requested side setback reductions are largely a result of the deficient size and width of the lot. The lot, at 8,678 square feet, is a D-4 sized lot, and the width, at 50 feet wide, is a D-5 sized lot in width. However, this site is within the D-2 district, which includes standards that would be difficult to meet, particularly when proposing development consistent with the neighborhood. Therefore, there is a practical difficulty in complying with development standards for the side setback.
- ◇ The requested open space reduction is also largely a result of the deficient lot size. The lot, at 8,678 square feet, is a D-4 sized lot which allows for 65% open space. However, this site is within the D-2 district, which requires a 75% open space for a typical 15,000sf lot, which would be difficult to meet, particularly when proposing development consistent with the neighborhood. Therefore, there is a practical difficulty in complying with development standards for the open space requirement.



- ◇ Generally, staff supports legally establishing property improvements if their location and characteristics do not negatively impact adjoining residential areas by causing a nuisance to the surrounding neighborhood. Staff believes that this would be true for this particular variance request; additionally, no public safety or health risks would come from the grant of this variance.

**GENERAL INFORMATION**

<b>Existing Zoning</b>	D-2	
<b>Existing Land Use</b>	Single Family Dwelling	
<b>Comprehensive Plan</b>	Traditional Neighborhood Uses	
<b>Surrounding Context</b>	<b>Zoning</b>	<b>Surrounding Context</b>
	North:	D-2 Single-Family Dwelling
	South:	D-2 Single-Family Dwelling
	East:	D-2 Single-Family Dwellings
	West:	D-2 Single-Family Dwelling
<b>Thoroughfare Plan</b>		
	East 54 <sup>th</sup> Street	Local Street 48-foot existing and proposed right-of-way.
<b>Context Area</b>	Compact area	
<b>Floodway / Floodway Fringe</b>	No	
<b>Overlay</b>	No	
<b>Wellfield Protection Area</b>	No	
<b>Site Plan</b>	November 17, 2025	
<b>Elevations</b>	N/A	
<b>Landscape Plan</b>	N/A	
<b>Findings of Fact</b>	November 17, 2025	

**COMPREHENSIVE PLAN ANALYSIS**

**Comprehensive Plan**

- Marion County Land Use Plan Pattern Book (2019)

**Pattern Book / Land Use Plan**

- The Marion County Land Use Plan Pattern Book (2019) recommends the Traditional Neighborhood typology which 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.

**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**

**2024-DV1-002; 5449 North Pennsylvania Street (north of site)**, requested a Variance of Development Standards of the Consolidated Zoning and Subdivision Ordinance to provide for building additions resulting in a nine-foot rear yard setback, **approved**.

**2020DV2007; 5456 N New Jersey Street (east of site)**, Variance of Development Standards of the Consolidated Zoning and Subdivision Ordinance to provide for a detached garage with three-foot side and rear setbacks, **approved**.

**2011-DV1-027; 5344 North Pennsylvania Street (east of site)**, requested a variance of development standards of the Dwelling Districts Zoning Ordinance to provide for the construction of a 64-square foot hot tub with a 3.5-foot north side setback and a four-foot rear setback, and a 300-square foot stone deck with a two-foot north side setback, resulting in a six-foot aggregate side setback, and a zero-foot rear setback, **granted**.

**2006-DV2-004; 35 East 54<sup>th</sup> Street (south of site)**, requested a variance of development standards of the Dwelling Districts Zoning Ordinance to legally establish a one-story, 432-square foot addition to an existing single-family dwelling with a linear distance of 26 feet along a nonconforming four-foot west side yard setback, and to legally establish a 726-square foot detached garage resulting in a lot open space of 67.89 percent, **granted**.

**2002-HOV-042; 33 East 56<sup>th</sup> Street (north of site)**, requested a variance of development standards of the Dwelling Districts Zoning Ordinance to provide for a 684.25-two story detached garage, with a four-foot rear and side yard setback, with a height of 22 feet, **granted**.

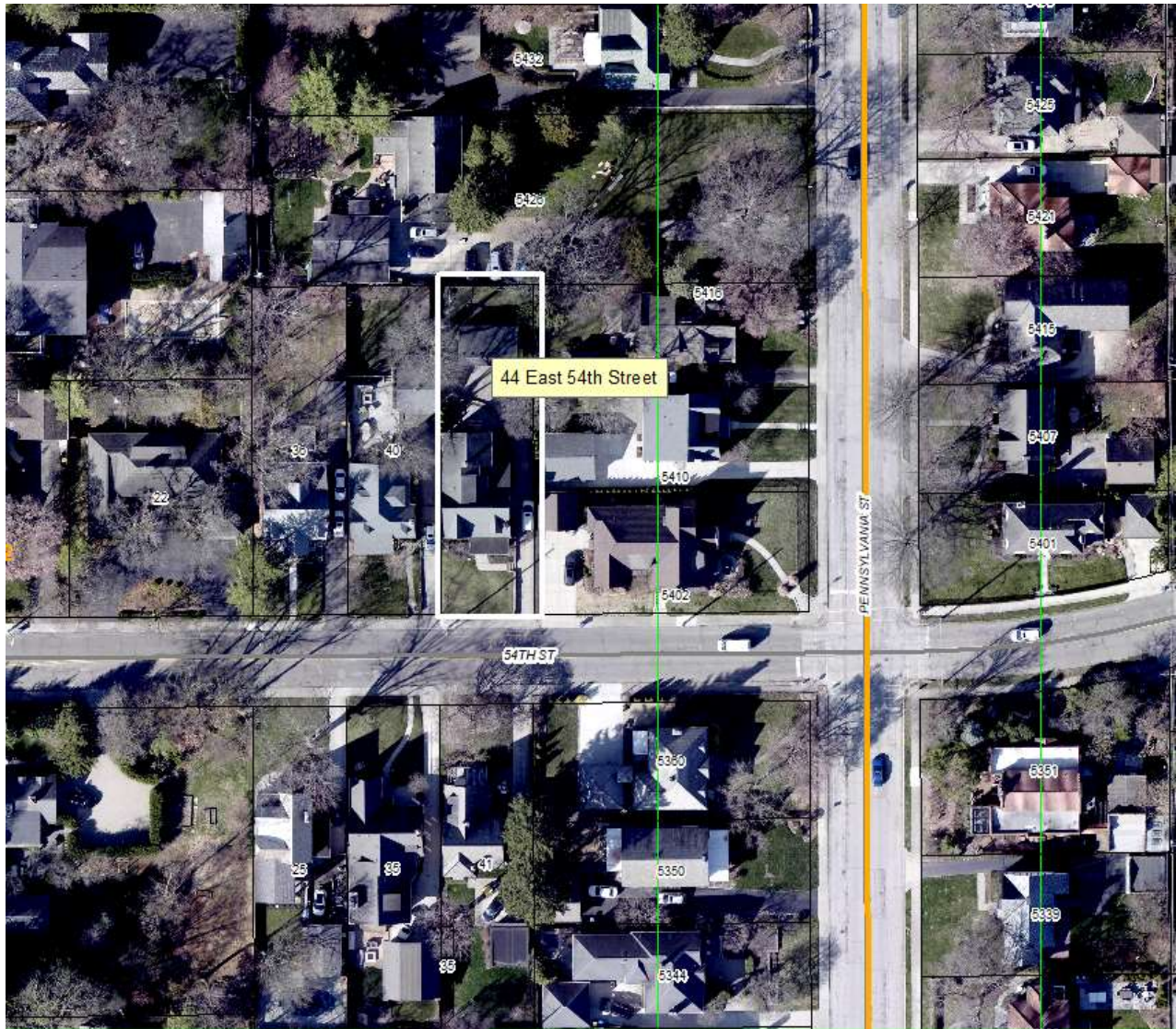
**2002-DV1-030; 5344 North Pennsylvania Street (south of site)**, requested a variance of development standards of the Dwelling Districts Zoning Ordinance to provide for the construction of a 440-square foot detached garage located two and half-feet from the south property line, **granted**.

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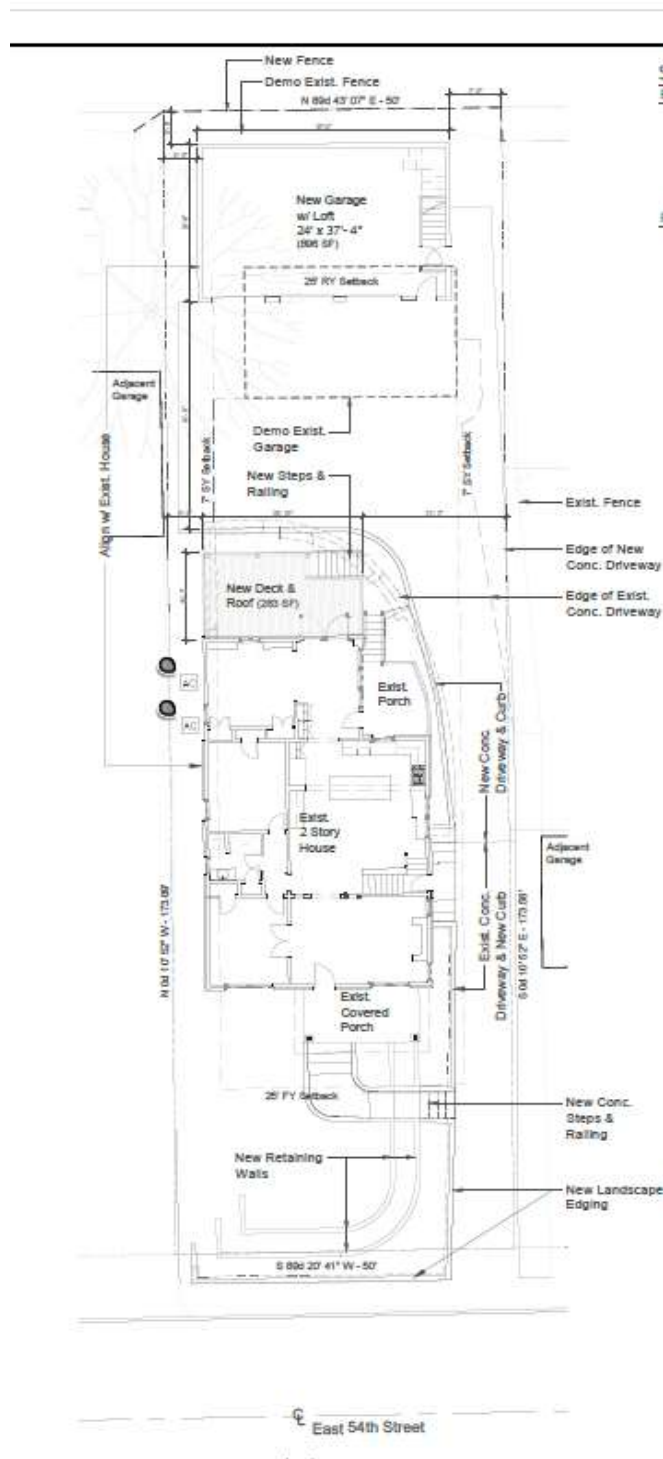
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**EXHIBITS**

Location Map



**Site Plan**



**Meridian Street Preservation Commission Certificate of Appropriateness:**



**MERIDIAN STREET PRESERVATION COMMISSION**

In the matter of an application filed by **Charles J. and Julie A. Revard** for the **Prior Approval of a Variance** for the property located at **44 E. 54th Street**

**FINAL ORDER GRANTING THE PRIOR  
APPROVAL OF A VARIANCE  
#V-MSPC 25-10**

The Meridian Street Preservation Commission, at a meeting held at 4:00 p.m. on December 16, 2025 in the Fellowship Hall of the Meridian Street United Methodist Church at 5500 N. Meridian Street, heard evidence and considered an application for a Certificate of Appropriateness filed by Charles J. and Julie A. Revard for improvements to be made at the property located at 44 E. 54th Street.

*Being duly advised in the premises, the Commission, by a vote of 6-1 of its seven (7) members present and voting AYE: (Norman, Vanderstel, Colby, Wolfe, Madden, Welling), NAY: (Fujawa), ABSTAIN: (None) finds that:*

1. The Commission has jurisdiction of this matter under Indiana Code 36-7-11.2-61.
2. The Certificate of Appropriateness requested approval for the:
  - Reduction of required Open Space in a D-2 district (75% to 66%).
  - Reduction in side yard setback in D-2 for a new detached garage (7 ft. to 5ft.)
3. Such improvements shall be per plans submitted on 12.3.25 and on file with the Commission, except as amended below.
4. Said improvement is appropriate to the preservation of the area comprised of Meridian Street and bordering properties and complies with the architectural and construction standards in said area.
5. The Certificate of Appropriateness requested by the applicant should be **GRANTED**, with the following commitment(s): **NONE**.

*It is, therefore, ORDERED AND DECREED by the Meridian Street Preservation Commission that the Certificate of Appropriateness for the aforesaid construction is hereby **GRANTED**, to be evidenced solely by this Final Order. This Final Order must be acted upon within 2 years of the hearing date of the Meridian Street Preservation Commission and all aspects must be completed in whole.*

*Shannon Norman*  
Shannon Norman, Chair

December 22, 2025  
Date



Findings of Fact

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 proposed use complies with all applicable zoning regulations, incorporates appropriate safeguards to mitigate potential impacts and aligns with the communities comprehensive plan. It will not generate excessive noise, traffic or pollution and will contribute positively to the neighborhood's character and economic vitality.

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 land use maintains appropriate setback and buffering, the design will respect the character of the neighborhood and will not diminish property values.

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

The requested variance is the minimum necessary to park larger modern automobiles required by a larger family. Our intent is the improve the property and bring it to a more modern standard and remain in the character of the neighborhood without undermining the intent of the zoning ordinance

DECISION

Photographs



Subject site, existing dwelling, looking north.



Subject site, proposed garage location with 5-foot west side setback, looking north.



Adjacent dwelling to the west, looking north.



Adjacent dwelling to the east, with similar garage setback, looking north.