

**BOARD OF ZONING APPEALS DIVISION II**

**February 10, 2026**

**Case Number:** 2026-DV2-002  
**Property Address:** 5375 Graceland Avenue (*approximate address*)  
**Location:** Washington Township, Council District #7  
**Petitioner:** Scott Brady  
**Current Zoning:** D-5 (FF)  
**Request:** Variance of Development Standards of the Consolidated Zoning and Subdivision Ordinance to provide for a building addition resulting in a 16-foot rear yard setback (twenty feet required).  
**Current Land Use:** Residential  
**Staff Recommendations:** Staff recommends **approval** of this petition.  
**Staff Reviewer:** Michael Weigel, Senior Planner

**PETITION HISTORY**

This is the first public hearing for this petition.

**STAFF RECOMMENDATION**

Staff recommends **approval** of this petition.

**PETITION OVERVIEW**

- 5375 Graceland Avenue is a residential corner parcel at the intersection of Graceland and 54<sup>th</sup> Street. The property is currently improved with a single-family residence and a 2-car detached garage in the eastern rear yard accessed from 54<sup>th</sup>. Adjacent properties also contain residences.
- Approval of this petition would allow for demolition of the existing detached garage and for a building addition of a 3-car attached garage with new patio and living area to be constructed. The current detached garage has a 26-foot rear setback from the eastern property line, and the proposed addition would result in a rear setback of only 16 feet. Given that the Ordinance standard for rear setbacks would be 20 feet, a variance would be required for the 4-foot deviation.
- The submitted site plan (within Exhibits below) indicates that the project would comply with other applicable dimensional standards such as site open space and other setbacks. Additionally, since the property lacks alley access, the placement of a garage with vehicle access onto 54<sup>th</sup> Street would be permitted from a zoning perspective.

- This property is zoned D-5 and is recommended to the Traditional Neighborhood typology by the Comprehensive Plan Pattern Book to allow for residential development within primarily compact settings. The Infill Housing Guidelines indicate that building separation should reinforce spacing on the existing block while limiting uncharacteristically large gaps and leaving room for basic maintenance. Staff feels that the proposed addition is consistent with these Guidelines.
- Findings of Fact from the applicant indicate that the proposed addition would result in a positive impact on property values for the subject site as well as adjacent areas. Staff would also note that a 16-foot rear setback would be in character with existing rear setbacks in the area (many of which appear to be less than 16 feet) and that the proposed addition wouldn't appear to have any impact on existing trees in the area. The proposed deviation of four (4) feet is also minor in nature and would likely be difficult to ascertain by casual observers. Given this context and the congruence with recommendations from the Infill Housing Guidelines, staff recommends approval.

## GENERAL INFORMATION

<b>Existing Zoning</b>	D-5 (FF)	
<b>Existing Land Use</b>	Residential	
<b>Comprehensive Plan</b>	Traditional Neighborhood	
<b>Surrounding Context</b>	<b><u>Zoning</u></b>	<b>Surrounding Context</b>
North:	D-5	North: Residential
South:	D-5	South: Residential
East:	D-5	East: Residential
West:	D-5	West: Residential
<b>Thoroughfare Plan</b>		
Graceland Avenue	Local Street	50-foot existing right-of-way and 48-foot proposed right-of-way
54 <sup>th</sup> Street	Local Street	50-foot existing right-of-way and 48-foot proposed right-of-way
<b>Context Area</b>	Compact	
<b>Floodway / Floodway Fringe</b>	Yes	
<b>Overlay</b>	Yes	
<b>Wellfield Protection Area</b>	No	
<b>Site Plan</b>	01/05/2026	
<b>Site Plan (Amended)</b>	N/A	
<b>Elevations</b>	01/05/2026	
<b>Elevations (Amended)</b>	N/A	
<b>Landscape Plan</b>	N/A	
<b>Findings of Fact</b>	01/05/2026	
<b>Findings of Fact (Amended)</b>	N/A	

## COMPREHENSIVE PLAN ANALYSIS

### Comprehensive Plan

- Marion County Land Use Plan Pattern Book
- Infill Housing Guidelines

### 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 building when possible.

### 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

- Building separations should reinforce spacing on the existing block, and new construction should maintain the perceived regularity or lack of regularity of spacing while leaving room for maintenance and limiting uncharacteristically large gaps between houses.

### Indy Moves

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

- Not Applicable to the Site.

## ZONING HISTORY

### ZONING HISTORY – SITE

**2014ADM237**, 1 of 49 sites for the addition of wireless communication facilities to utility poles, or other utility infrastructure generally within public right-of-way, **approved**.

### ZONING HISTORY – VICINITY

**2025DV2018 ; 5469 N Capitol Avenue (northeast of site)**, Variance of Development Standards of the Consolidated Zoning and Subdivision Ordinance to provide for the construction of a single-family dwelling with a five-foot rear yard setback (20 feet required), **approved**.

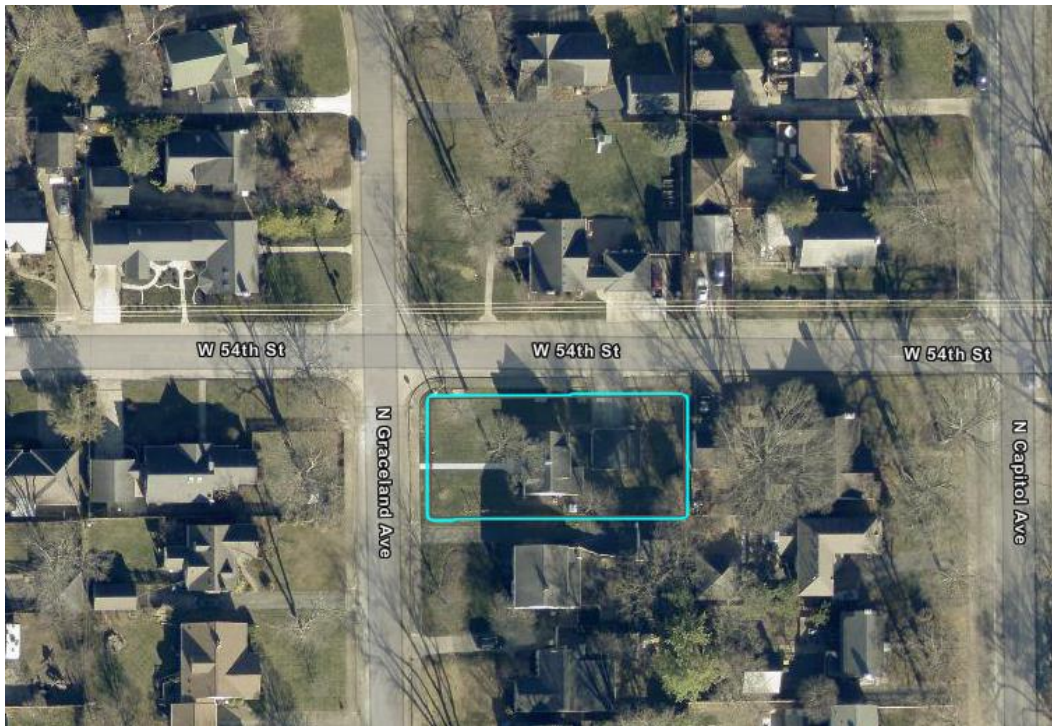
**2016DV2001 ; 5239 N Capitol Avenue (southeast of site)**, Variance of development standards of the Dwelling Districts Zoning Ordinance to provide for 576-square foot detached garage, with a zero-foot north side setback, creating a four-foot aggregate side yard (minimum four-foot side setback and 10-foot aggregate side yard required), **denied**.

**2001DV1051 ; 5402 Graceland Avenue (northwest of site)**, variance of development standards of the Dwelling Districts Zoning Ordinance to provide for the construction of a 1,183 square foot addition, of which 400 square feet is an attached garage, to an existing single-family dwelling, with a 3.5-foot side yard setback (minimum 4-foot side yard setback required), and an 8.2-foot aggregate side yard (minimum 10-foot aggregate side yard required), **approved**.

**2001DV1021 ; 5464 N Capitol Avenue (north of site)**, variance of development standards of the Dwelling Districts Zoning Ordinance to provide for a 27.5-foot tall, two-story detached workshop/garage (maximum height of accessory structure not permitted to exceed 20 feet), being 24 by 30, and creating an accessory building area of 1,531.83 square feet of 164.9% (accessory building area not permitted to exceed 75% of the main floor area of the primary dwelling), **approved**.

**EXHIBITS**

**2026DV2002 ; Aerial Map**

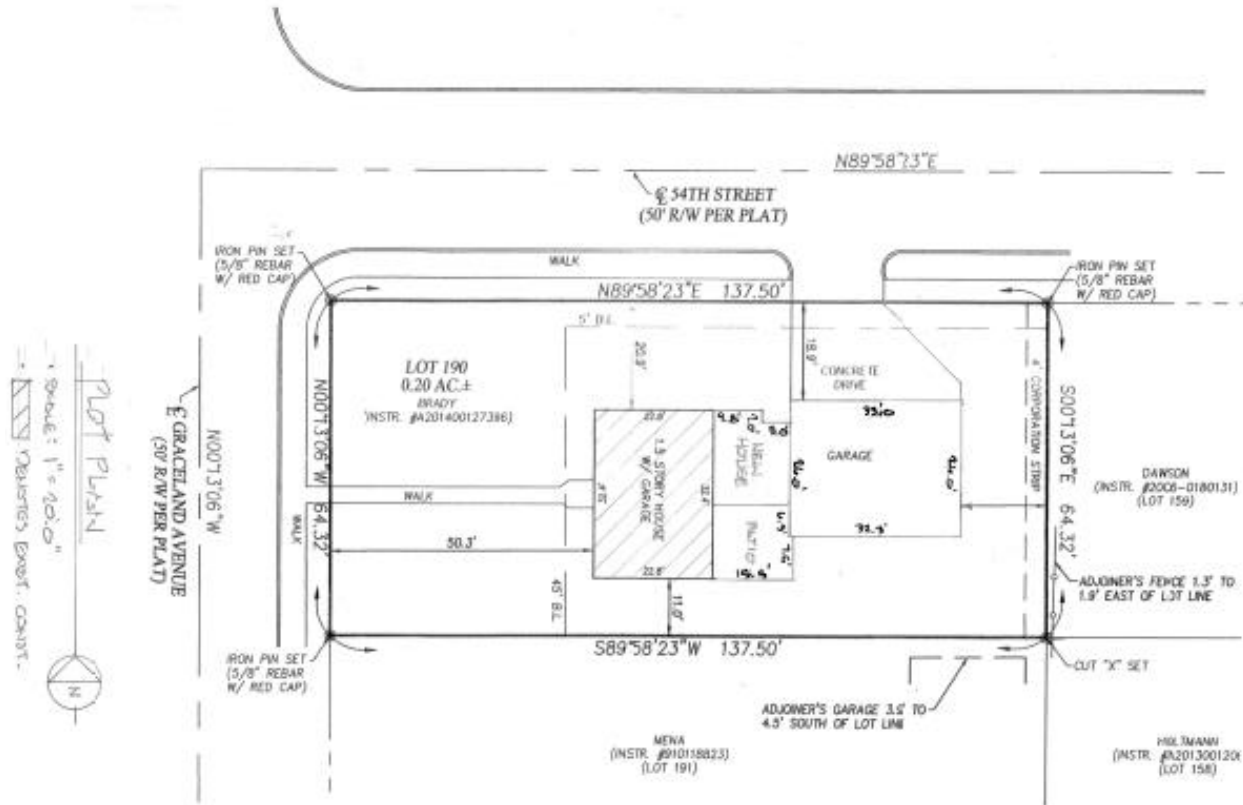


**2026DV2002 ; Aerial Map (Zoomed)**





**2026DV2002 ; Site Plan**



**2026DV2002 ; Elevation (North)**



## **2026DV2002 ; Findings of Fact**

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

There will be no change in use, as the property will continue to be used as a single-family dwelling. The general value and overall appearance of the property will be greatly improved. The requested variance will not change existing setbacks for the front or sides of the home, including those facing the streets and sidewalks. The variance will also not interfere with the corporation strip at the rear of the property, and does not impact any other open space requirements.

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 renovations are consistent with recent developments in the area and adjacent areas. The value of the property will increase to approximately \$670,000 from \$270,000 (see Exhibit A). As such, the overall value of adjacent properties and other properties in the area will improve.

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

Without variance approval, the proposed addition/renovation cannot be completed without significant revision to building plans, and would require elimination of space needed for structural balance, practical use and aesthetic beauty. Notably, the extra space sought for the expansion will allow for a side doorway and safe entrance area to replace the back door, which will be eliminated as the home will be expanded and connected to where the detached garage currently sits. The variance will also allow for a third garage bay (the current structure has two car bays and a lean-to storage space) and eliminate the need for street parking or stacking cars in the small driveway.

**2026DV2002 ; Photographs**



Photo 1: Subject Site Viewed from West



Photo 2: Subject Site Viewed from North



**2026DV2002 ; Photographs (continued)**



Photo 3: Subject Site Viewed from Northeast



Photo 4: Adjacent Property to North



**2026DV2002 ; Photographs (continued)**



Photo 5: Adjacent Property to East (July 2017)



Photo 6: Adjacent Property to Northwest

**2026DV2002 ; Photographs (continued)**



Photo 7: Adjacent Property to West



Photo 8: Adjacent Property to South (June 2024)