

## STAFF REPORT

### Department of Metropolitan Development Division of Planning Current Planning Section

**Case Number:** 2023-DV2-026  
**Address:** 5515 Guilford Avenue (approximate address)  
**Location:** Washington Township, Council District #9  
**Zoning:** D-5 (TOD)  
**Petitioner:** Anthony & Julia Nicholson, by Jerry Meyers  
**Request:** Variance of Development Standards of the Consolidated Zoning and Subdivision Ordinance to provide for the construction of a detached carriage house with a two-foot northern side yard setback (five-foot side yard setback required).

### **RECOMMENDATIONS**

Staff **recommends approval** of the request.

### **SUMMARY OF ISSUES**

The following issues were considered in formulating the recommendation:

#### **LAND USE**

##### EXISTING ZONING AND LAND USE

D-5 (TOD)	Compact	Single-Family residential
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##### SURROUNDING ZONING AND LAND USE

North	D-5	Single-Family residential
South	D-5	Single-Family residential
East	D-5	Single-Family residential
West	D-5	Single-Family residential

##### COMPREHENSIVE PLAN

The Comprehensive Plan recommends Traditional Neighborhood development.

##### SECONDARY ZONING DISTRICT

Transit-Oriented Development Overlay

(Continued)

## **STAFF REPORT 2023-DV2-026 (Continued)**

### **VARIANCE OF DEVELOPMENT STANDARDS**

- ◇ The request would provide for the construction of a detached garage, with a two-foot northern side yard setback. The proposed garage is located within the footprint of a previous detached garage.
- ◇ Section 740-602.A.2 allowed for legally established accessory garages to be able to be reconstructed, even if such reconstruction does not comply with modern setbacks, so long as such reconstruction occurs on the existing foundation. The exception is intended to promote the reuse of such foundations to maintain historic development patterns, or bring properties into closer compliance with modern zoning regulations as they develop.
- ◇ While the previous foundation would not be reused for the reconstruction of this garage, Staff would note that the vast majority of homes in the immediate area have detached garages that have minimal setbacks on one side or the other. In addition, the approval of this request allows for the continued use of the historic location of the alley access point and be parallel to the garage door of the detached garage across the alley, mitigating the potential for vehicular conflict.

### **GENERAL INFORMATION**

#### **THOROUGHFARE PLAN**

Pennsylvania Street is classified in the Official Thoroughfare Plan for Marion County, Indiana as a Primary Arterial, with a 70-foot existing and proposed right-of-way.

#### **SITE PLAN**

File-dated August 11, 2023

#### **FINDINGS OF FACT**

File-dated August 11, 2023

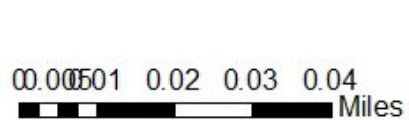
### **ZONING HISTORY**

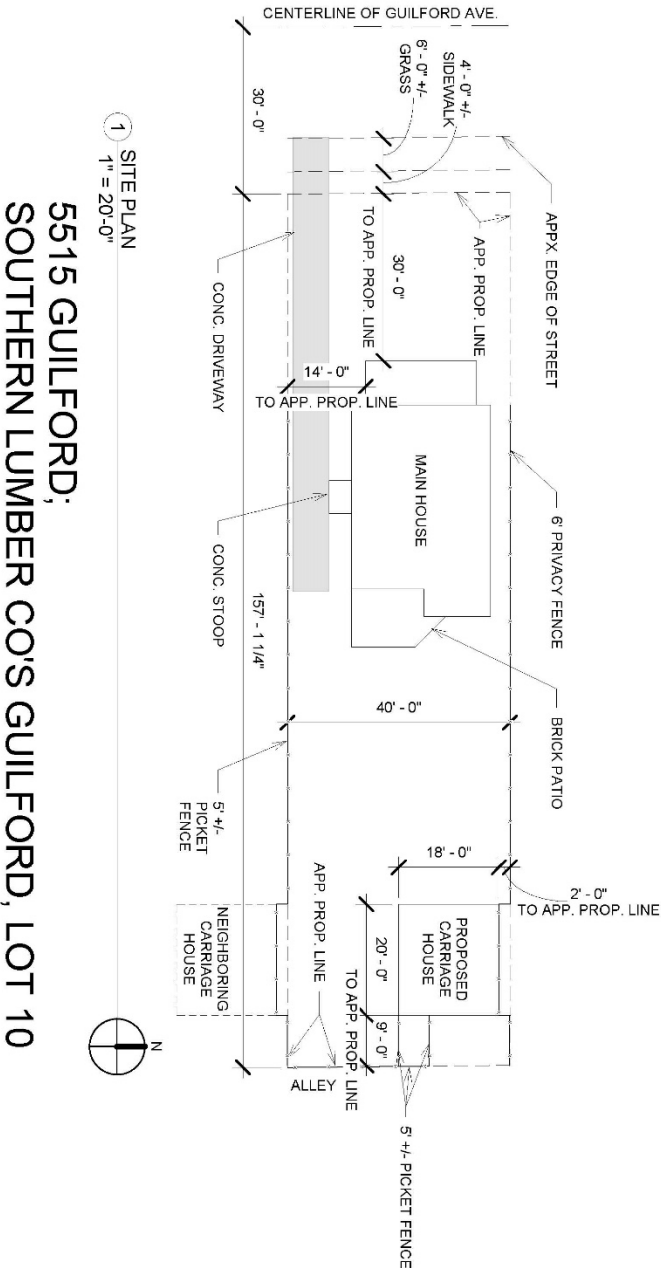
None.

EDH

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## 2023-DV2-026; Location Map







**2023-DV2-026; Photographs**



Photo One: Looking North Along Guilford Avenue.



Photo Two: Front of Subject Site.





Photo Three: Alley Along Rear Lot Line of Subject Site.



Photo Four. Rear Lot Line of Subject Site.





Photo Five: Location of Proposed Garage.