



BOARD OF ZONING APPEALS DIVISION I

February 6, 2024

Case Number: 2024-DV1-001
Property Address: 4120 North Illinois Street (approximate address)
Location: Washington Township, Council District #7
Petitioner: Emily West, by Paul Ewer
Current Zoning: D-5 (MSPC)
Request: Variance of development standards of the Consolidated Zoning and Subdivision Ordinance to provide for building additions resulting in a four-foot south side yard setback (seven-foot side yard setbacks required).
Current Land Use: Residential
Staff Recommendations: Staff recommends approval of this petition
Staff Reviewer: Noah Stern, Associate Planner

PETITION HISTORY

- This is the first public hearing for this petition.

STAFF RECOMMENDATION

- Staff recommends approval of this petition

PETITION OVERVIEW

- This petition would provide for building additions resulting in a four-foot south side yards setback (seven-foot side yard setbacks required).
- The primary structure on the subject site was built in 1937 and the formerly detached (now attached) garage has been an existence since at least the 1950s. The garage has a side yard setback of approximately one foot. The proposed addition will set further from the property line, with a setback of four feet from the side yard. The proposed addition is of a similar development pattern to much of the surrounding area and properties that contain primary and accessory structures with reduced/minimal setbacks. Given that the proposed addition will not encroach the side property line any further than current development on site, Staff is unopposed to the variance request.
- Additionally, the subject site lies within the Meridian Street Preservation Area, which seeks to maintain and preserve the character and aesthetics of Meridian Street and parallel streets from 39th Street to



58th Street. The Meridian Street Preservation Commission heard and approved the request at its December 19, 2023 meeting.

GENERAL INFORMATION

Existing Zoning	D-5 (MSPC)	
Existing Land Use	Residential	
Comprehensive Plan	Rural or Estate Neighborhood	
Surrounding Context	Zoning	Surrounding Context
North:	D-5 (MSPC)	North: Single-family residential
South:	D-5 (MSPC)	South: Single-family residential
East:	D-2 (MSPC)	East: Single-family residential
West:	D-5 (MSPC)	West: Single-family residential
Thoroughfare Plan		
North Illinois Street	Primary Collector Existing ROW: 60 feet Proposed ROW: 56 feet	
Context Area	Compact	
Floodway / Floodway Fringe	No	
Overlay	No	
Wellfield Protection Area	No	
Site Plan	8/28/23	
Site Plan (Amended)	N/A	
Elevations	8/28/23	
Elevations (Amended)	N/A	
Landscape Plan	N/A	
Findings of Fact	8/28/23	
Findings of Fact (Amended)	N/A	

COMPREHENSIVE PLAN ANALYSIS
Comprehensive Plan

- Marion County Land Use Plan Pattern Book
- Meridian Street Preservation Area Plan (2004)

Pattern Book / Land Use Plan

- The Marion County Land Use Plan Pattern Book recommends the Rural or Estate Neighborhood living typology for this site.



Red Line / Blue Line / Purple Line TOD Strategic Plan

- Not Applicable to the Site.

Neighborhood / Area Specific Plan

- The Meridian Street Preservation Area Plan (2004) recommends very low-density single-family (0-2 units/acre) residential for this 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

ZONING HISTORY – SITE

N/A

ZONING HISTORY – VICINITY

2023ZON064; 40 W 40th Street (south of site), Rezoning of 2.37 acres from the D-2 (MSPC) district to the SU-7 (MSPC) district to legally establish for establish a community center, **approved**.

2023DV2027; 4110 N Illinois Street (south of site), Variance of Development Standards of the Consolidated Zoning and Subdivision Ordinance to provide for the erection of an eight-foot wooden privacy fence within the side and rear yards (maximum six-foot tall fence permitted), **withdrawn**.

2018DV1021; 4030 N Illinois Street (south of site), Variance of development standards of the Consolidated Zoning and Subdivision Ordinance to provide for a seven-foot tall fence in the side and rear yards (maximum six-foot tall), **approved**.

2003ZON062; 4035, 4037, 4047 N Capitol Avenue (south of site), Rezoning of 0.30 acres from D-5 to SU-2 to provide for educational uses, **approved**.

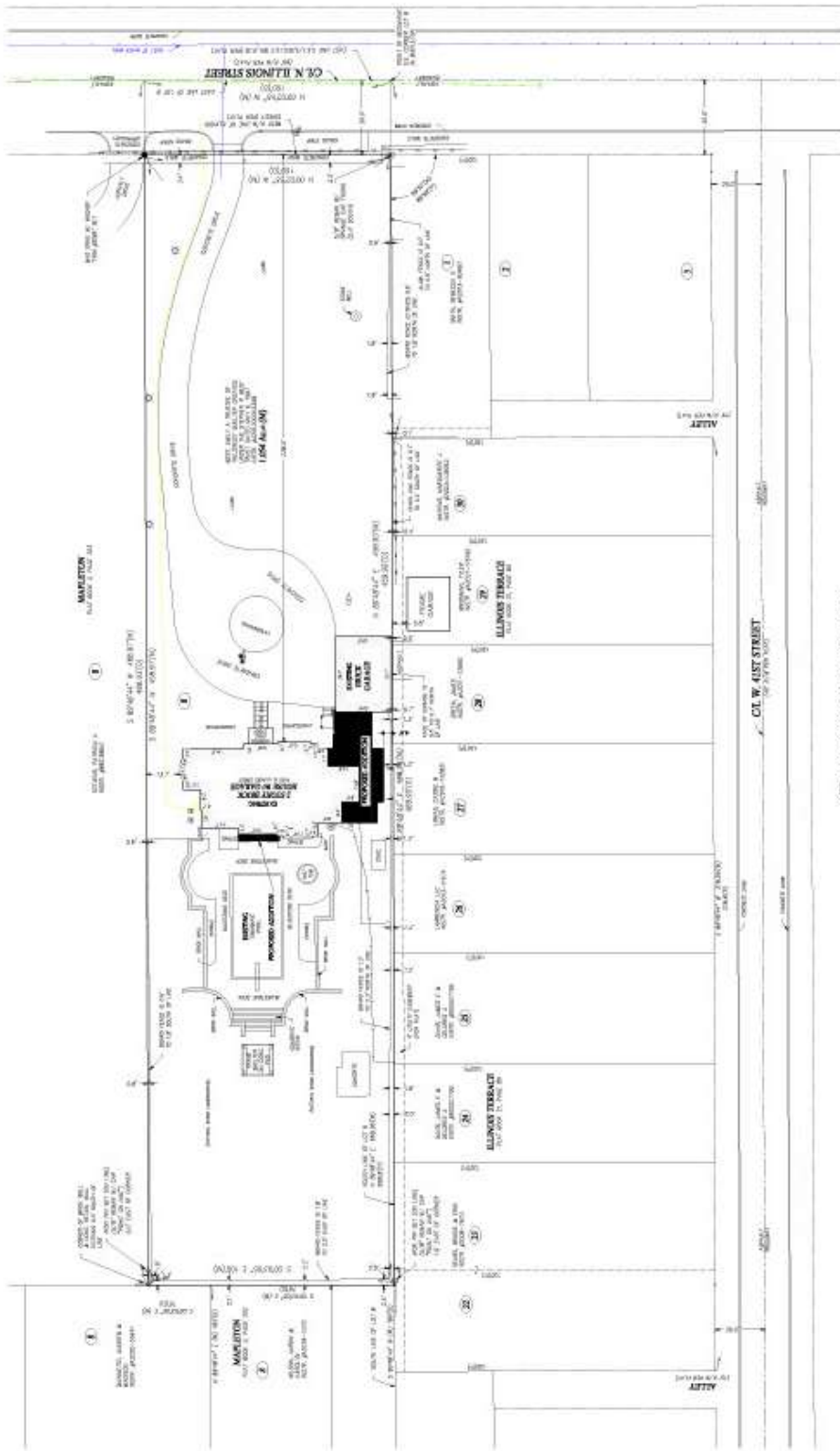
88-V3-112; 4117 N Capitol Avenue (west of site), variance of development standards of the Dwelling Districts Zoning Ordinance to provide for the construction of a detached garage with a rear setback of 3.5 feet (five feet required), **approved**.

88-V3-80; 4114 N Illinois Street (east of site), variance of development standards of the Dwelling Districts Zoning Ordinance to provide for the construction of an enclosed swimming lane at two feet from the side property line (seven feet required), **approved**.

EXHIBITS



PROJECT NUMBER A0.1	DATE 22004	PROJECT NAME WEST RESIDENCE REMODEL	ARCHITECTURAL SITE PLAN
	DRAWN BY FOX/TMK	CHECKED BY FOX/TMK	ADDRESS 4120 NORTH BROAD STREET INDIANAPOLIS, IN 46208



PRELIMINARY
 NOT FOR
 CONSTRUCTION

Architectural Site Plan

<p>PROJECT NUMBER 22004</p>	<p>DATE 8-23-2023</p>	<p>PROJECT NAME WEST RESIDENCE REMODEL</p>	<p>ADDRESS 4120 North Illinois Street Indianapolis, IN 46208</p>	<p>SCALE AS SHOWN</p>	<p>PROJECT NUMBER A3.2</p>
<p>QUANTUM ARCHITECTURE 317 E 10th Street, Suite 100 Indianapolis, IN 46202 317-434-0000 www.quantumarch.com</p>					

1 North Elevation
AS SHOWN

1 North Garage Elevation
AS SHOWN

PRELIMINARY
NOT FOR
CONSTRUCTION



MERIDIAN STREET PRESERVATION COMMISSION

In the matter of an application filed by
Paul Ewer on behalf of Emily West
for a Prior Approval of a Variance for the property located at 4120 N.
Illinois Street

FINAL ORDER GRANTING PRIOR APPROVAL OF A VARIANCE #V-MSPC 23-19

The Meridian Street Preservation Commission, at a meeting held at 4:00 p.m. on December 19 2023, in the second floor conference room of the Meridian Street United Methodist Church at 5500 N. Meridian Street, and heard evidence and considered an application for a Prior Approval of a Variance filed by Paul Ewer on behalf of Emily West, for improvements to be made at the property located at 4120 N. Illinois Street.

Being duly advised in the premises, the Commission, by a vote of 7-0 of its seven (7) members present and voting AYE: (Norman, Fujawa, Roth, Bennett, Hess, Madden, Vanderstel), NAY: (None), 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 side setback in a D5 zoning district (7ft. required, 4ft. provided).
3. Such improvements shall be per plans 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 Prior Approval of a Variance 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 20, 2023
Date





