



**METROPOLITAN DEVELOPMENT COMMISSION
HEARING EXAMINER**

February 20, 2025

Case Number: 2025-CVR-807 / 2025-CPL-807

Property Address: 6902 and 6943 Highland Ridge Court (Approximate Addresses)

Location: Franklin Township, Council District #24

Petitioner: Mark Simion

Current Zoning: D-1

Request: Variance of Development Standards of the Consolidated Zoning and Subdivision Ordinance to provide for a proposed detached single-family dwelling on proposed Lot 5, with zero-foot lot width and zero-foot street frontage (minimum 90-foot lot width required, and minimum 45-foot street frontage required).

Approval of a Subdivision Plat, to be known as Simion Estates, a replat of Lots 1 and 2, dividing 8.389 acres into three lots.

Current Land Use: Residential

Staff Recommendations: Approval

Staff Reviewer: Marleny Iraheta, Senior Planner

PETITION HISTORY

This is the first public hearing for this petition.

STAFF RECOMMENDATION

Staff **recommends approval** of the variance.

Staff recommends that the Hearing Examiner **approve** and find that the plat, file-dated December 18, 2024, complies with the standards of the Subdivision regulations, subject to the following conditions:

1. Subject to the Standards and Specifications of the Department of Public Works, Sanitation Section.
2. Subject to the Standards and Specifications of the Department of Public Works, Drainage Section.
3. Subject to the Standards and Specifications of the Department of Public Works, Transportation Section.
4. That addresses and street names, as approved by the Department of Metropolitan Development, be affixed to the final plat, prior to recording.

5. That the Enforcement Covenant (Section 741-701, of the Consolidated Zoning and Subdivision Ordinance) be affixed to the final plat, prior to recording.
6. That the Site Distance Covenant (Section 741-702, of the Consolidated Zoning and Subdivision Ordinance) be affixed to the final plat, prior to recording.
7. That the Sanitary Sewer Covenant (Section 741-704, of the Consolidated Zoning and Subdivision Ordinance) be affixed to the final plat, prior to recording.
8. That the Storm Drainage Covenant (Section 741-703, of the Consolidated Zoning and Subdivision Ordinance) be affixed to the final plat, prior to recording.
9. That the plat restrictions and covenants, done in accordance with the rezoning commitments, be submitted, prior to recording the final plat.
10. That all the standards related to secondary plat approval listed in Sections 741-207 and 741-208 of the Consolidated Zoning and Subdivision Ordinance are met, prior to the recording of the final plat.
11. The ingress/egress easement shall be more clearly defined on the final plat.

PETITION OVERVIEW

LAND USE

The subject site contains two lots and is zoned D-1. The smaller of the two existing lots, 6943 Highland Ridge Court, is improved with a single-family dwelling. The larger lot at 6902 Highland Ridge Court is also developed with a single-family dwelling and will be the predominant lot to be replated for the newly proposed Lot 5.

VARIANCE

The grant of the request would allow a proposed detached single-family dwelling on proposed Lot 5, with zero-foot lot width and zero-foot street frontage

Per Table 744-201-1: Dimensional Standards for Districts D-A through D-5II, the D-1 district requires a 90-foot lot width and 45-foot street frontage.

Because the site is already developed with single-family dwellings that gain access to Southport Road through a private access, staff did not find that the addition of one more lot would create any issues.

PLAT

The plat would replat Lots 1 and 2, dividing 11.484 acres into three lots to be known as Simion Estates. The proposed plat would meet the standards of the D-1 district except for the development standards included in the companion variance request.

TRAFFIC / STREETS

The replated lots would front on Harcourt Ridge Court which is a private driveway easement. No new streets are proposed as part of this petition.



SIDEWALKS

Sidewalks do not exist along Harcourt Ridge Court and sidewalks along East Southport Road were waived for this subdivision per 2013-PLT-006.

STAFF ANALYSIS

Staff is supportive of the subdivision plat because the addition of one lot in this subdivision would not substantially affect the existing lots within this subdivision.

GENERAL INFORMATION

Existing Zoning	D-1	
Existing Land Use	Residential	
Comprehensive Plan	Rural or Estate Neighborhood	
Surrounding Context	Zoning	Land Use
	North:	D-A Residential (Single-family dwelling)
	South:	D-A Residential (Single-family dwelling)
	East:	D-A Residential (Single-family dwelling)
	West:	D-A Residential (Single-family dwelling)
Thoroughfare Plan		
Highland Ridge Court	Private Street	Not included in the Thoroughfare Plan.
Context Area	Metro	
Floodway / Floodway Fringe	No	
Overlay	Yes	
Wellfield Protection Area	No	
Site Plan	December 18, 2024	
Site Plan (Amended)	N/A	
Elevations	N/A	
Elevations (Amended)	N/A	
Landscape Plan	N/A	
Findings of Fact	January 10, 2025	
Findings of Fact (Amended)	N/A	
C-S/D-P Statement	N/A	

COMPREHENSIVE PLAN ANALYSIS
 Comprehensive Plan

- Marion County Land Use Plan Pattern Book (2019)

Pattern Book / Land Use Plan

- The Comprehensive Plan recommends rural or estate neighborhood development.
- The Rural or Estate Neighborhood typology applies to both rural or agricultural areas and historic, urban areas with estate-style homes on large lots. In both forms, this typology prioritizes the exceptional natural features – such as rolling hills, high quality woodlands, and wetlands – that make these areas unique. Development in this typology should work with the existing topography as much as possible. Typically, this typology has a residential density of less than one dwelling unit per acre unless housing is clustered to preserve open space.
- **Detached Housing**
 - Should preserve open space.
 - In older, established historic areas, lots should be deep and narrow with deep setbacks. This allows for city services such as streets and sewer lines to be used more efficiently. Mature trees should be preserved whenever possible.
 - In more rural areas, the protection of open space is even more critical. Lots should be both deep and wide.
 - Denser development is appropriate only if the houses are clustered together and public open space is provided.
 - “Flag lots” (lots that are behind other lots, buildings, or otherwise not visible from the road) should be avoided.
 - Lots should be no larger than one and a half times the 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

- 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

2013-PLT-006; 6152 East Southport Road (subject site), Approval of a Subdivision Plat to be known as Simion Estates, a replat of Lots 5-23 and 25-28 of Southern Plateaux, as recorded in Plat Book 30, Page 94, subdividing 13.39 acres into four lots, with a waiver of sidewalks, **approved**.

86-V1-106; 6152 East Southport Road (subject site), Variance of Development Standards to provide for two single-family dwellings on a single lot with insufficient frontage (needed 90, 50 proposed), **approved**.

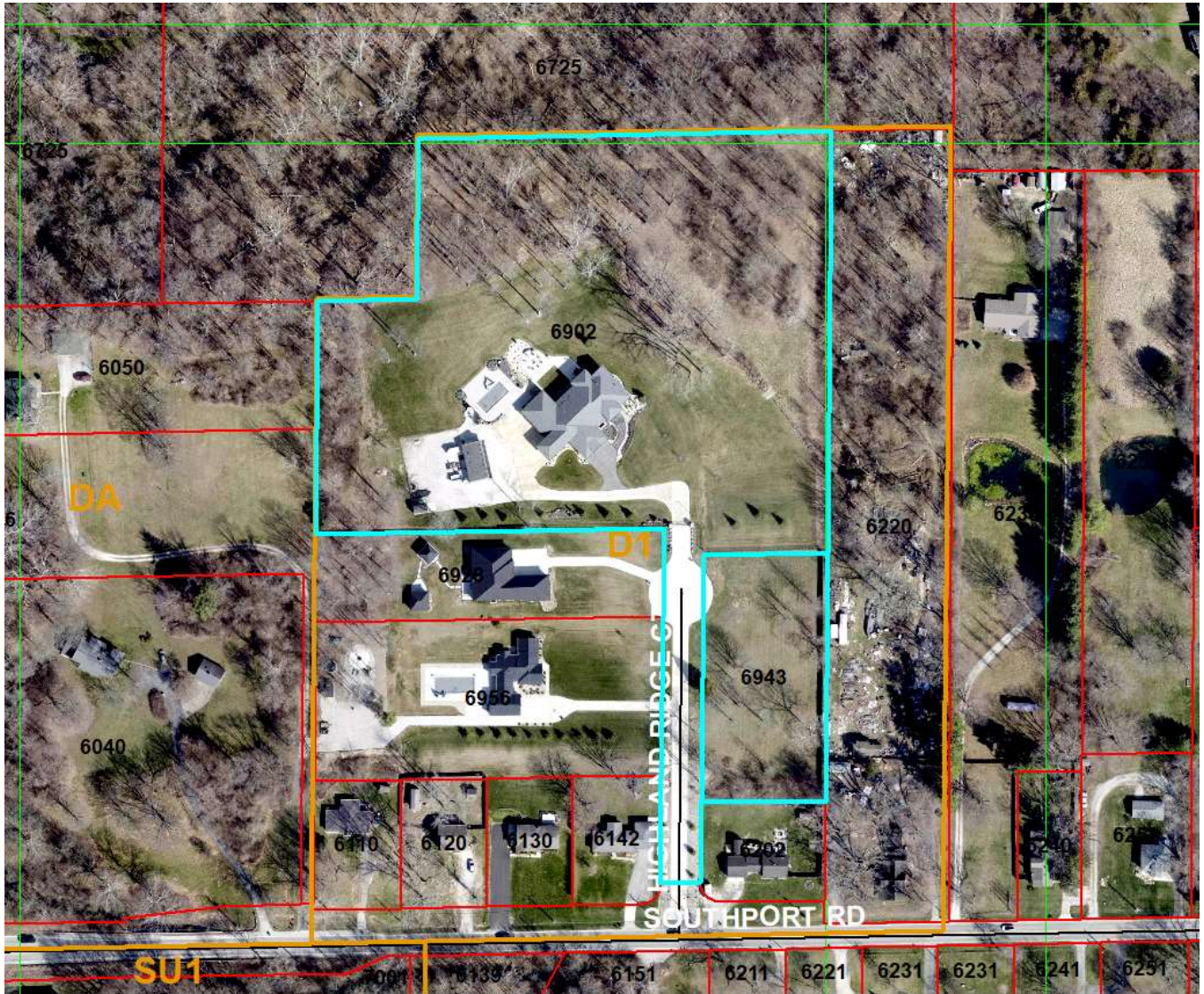
75-VAC-16; 29 South Walnut Street (subject site), Vacation of lots 5 through 23 and lots 25 through 28 inclusive of the Southern Plateaux Subdivision including all roads, easements except 5-foot easement in rear of lots 5, 6, 7, and 8, and rights-of-way as recorded in Plat Book 30, Page 94 in the office of the Marion County Recorder **approved**.

Zoning History – Vicinity

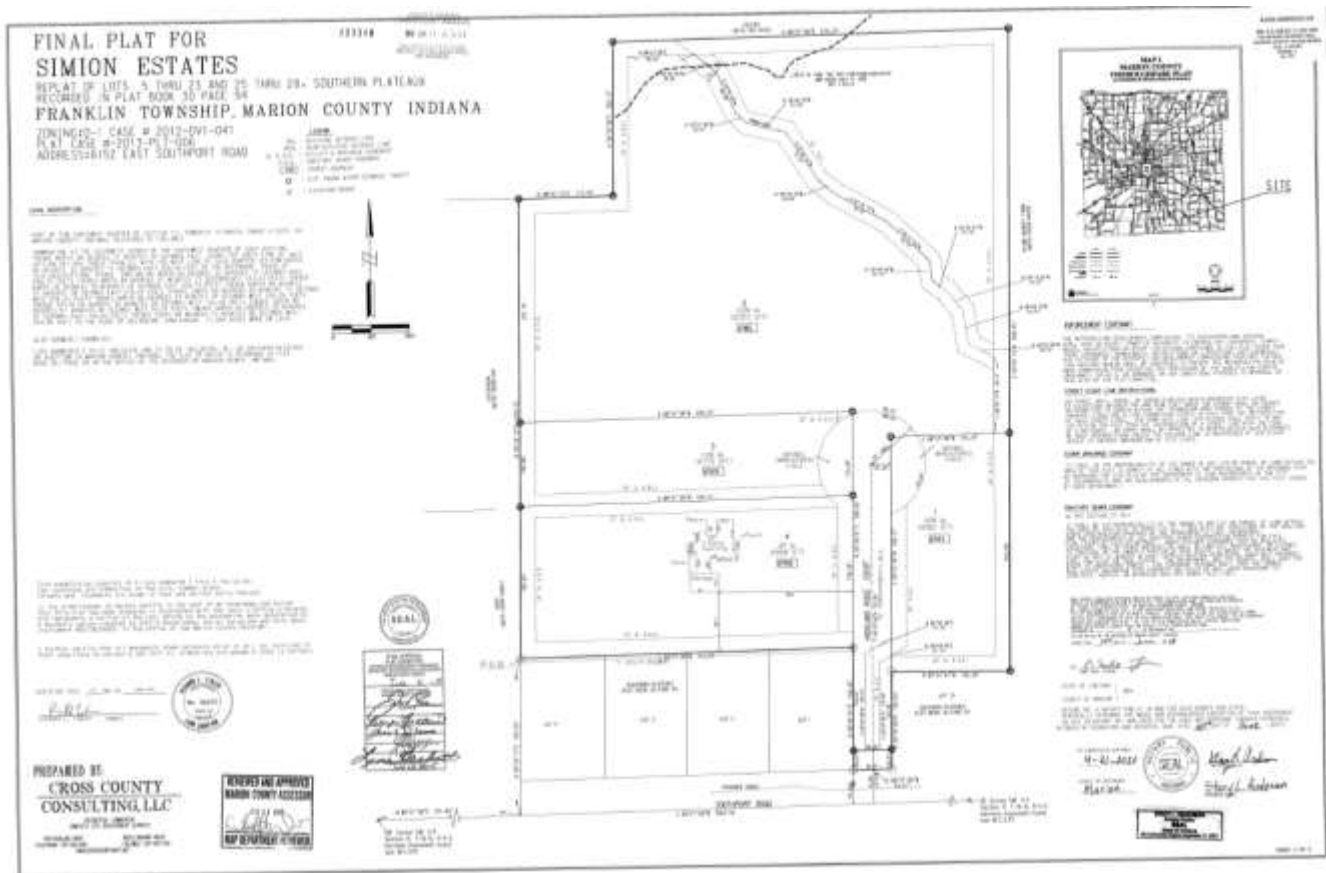
2012-DV1-041; 6152 East Southport Road (southwest of site), Variance of development standards of the Dwelling Districts Zoning Ordinance to provide for four lots, a) with three lots having zero feet of frontage and lot width, without direct access to a public street (45 feet of frontage, 90 feet of lot width at the required setback line and direct access to a public street required), and b) with Lot Two (8.4 acres) having 45 feet of lot width, accessory building area of 4,361 square feet or 155.7% of the main floor area of the primary dwelling and accessory use area of 6,161 square feet or 220.1% of the total floor area of the primary dwelling (minimum 90 feet of lot width required, maximum 2,100 square feet of accessory building area or 75% of the main floor area of the primary dwelling, maximum 2,792.2 square feet or 99.9% of the total floor area of the primary dwelling), **approved**.

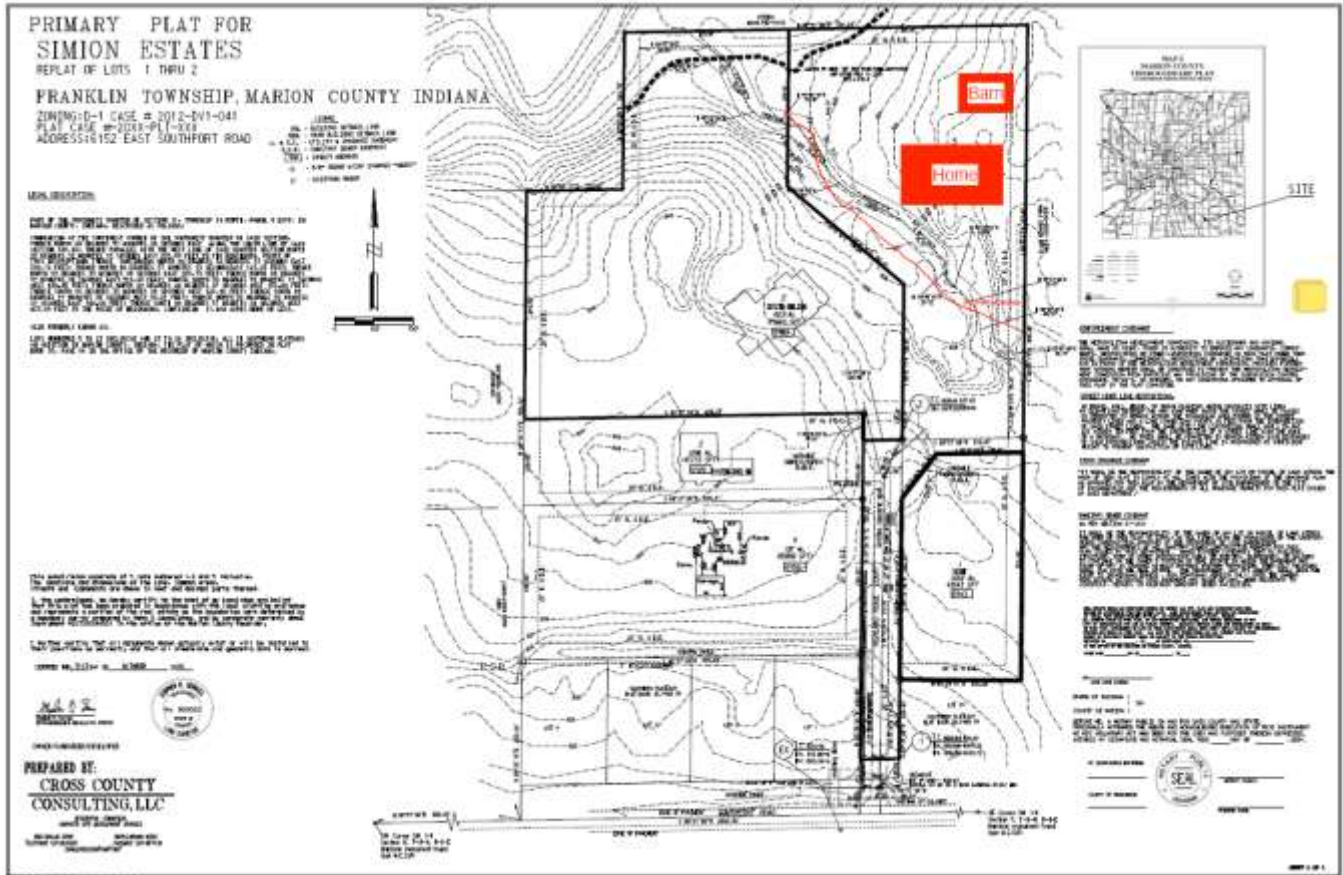
64-Z-71; Southeast corner of Southport Road and Arlington Avenue (southwest of site), Rezoning of 5 acres, being in A-2 District to SU-1 classification to provide for the construction of a church and parsonage, **approved**.

EXHIBITS



PREVIOUS SUBDIVISION PLAT







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 existing subdivision was approved with a private street that has access to East Southport Road. The variance request will be consistent with the adjacent developed lots. The subdivision has adequate utilities ready available to the site.

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 development is for a detached single family estate home with out buildings. This is consistent with the development on the adjacent lots.

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

The existing subdivision was approved by the BZA to have a private street. The site is developed in compliance with the BZA approved site plan.

Lot number 2 is the largest lot in the subdivision and after the replat will be of similar size as the adjacent lots.

DECISION

IT IS THEREFORE the decision of this body that this VARIANCE petition is APPROVED.

Adopted this _____ day of _____, 20 _____



Photo of the subject site.



Photo of 6943 Harcourt Ridge Court, Lot 1, south of the newly proposed Lot 5.



Photo of 6902 Harcourt Ridge Court which is Lot 2.



Photo of Lot 3 and 4 southwest of the new lot.



Private street entrance to the subdivision looking north.



Photo of the single-family dwellings south of the subdivision entrance.