

**METROPOLITAN DEVELOPMENT COMMISSION
HEARING EXAMINER**

March 12, 2026

Case Number: 2026-CVR-800 / 2026-CPL-800
Property Address: 3179 Graceland Avenue
Location: Center Township, Council District #8
Petitioner: Michelle Anderson, by James T. Bertsch
Current Zoning: D-5

Request: Variance of development standards of the Consolidated Zoning and Subdivision Ordinance to provide for a two-unit multi-unit house on proposed Lot 62A, with an eight-foot front building line (front building line range of 10 feet and 19.9 feet permitted), and zero off-street parking spaces (minimum one off-street parking space per unit required), and for a two-unit multi-unit house on proposed Lot 62B, with a 1,600 square-foot lot area (minimum 3,500 square-foot lot area required), a zero-foot front building line (front building line range of 10 feet and 19.9 feet permitted), a three-foot rear setback (minimum 10 feet required), and zero off-street parking spaces (minimum one off-street parking space per unit required)

Approval of a Subdivision Plat to be known as Lot No. 62 of Block 3 in Topp's Garden Place Addition, subdividing 0.12-acre into two lots.

Current Land Use: Two-family dwelling and vacant two-family dwelling,

Staff Recommendations: Approval of the variances and plat requests.

Staff Reviewer: Kathleen Blackham, Senior Planner

PETITION HISTORY

This is the first hearing on these petitions.

STAFF RECOMMENDATION

Staff recommends that the Hearing Examiner approve and find that the plat, file dated October 27, 2025, complies with the standards of the Subdivision regulations, subject to the following conditions:

1. That the applicant provides a bond as required by Section 741-210, of the Consolidated Zoning and Subdivision Ordinance.
2. Subject to the Standards and Specifications of Citizens Energy Group, Sanitation Section.
3. Subject to the Standards and Specifications of the Department of Public Works, Drainage Section.
4. Subject to the Standards and Specifications of the Department of Public Works, Transportation Section.

5. That addresses and street names, as approved by the Department of Metropolitan Development, be affixed to the final plat prior to recording.
6. That the Enforcement Covenant (Section 741-701, of the Consolidated Zoning and Subdivision Ordinance) be affixed to the final plat prior to recording.
7. That the Site Distance Covenant (Section 741-702, of the Consolidated Zoning and Subdivision Ordinance) be affixed to the final plat prior to recording.
8. That the Sanitary Sewer Covenant (Section 741-704, of the Consolidated Zoning and Subdivision Ordinance) be affixed to the final plat prior to recording.
9. That the Storm Drainage Covenant (Section 741-703, of the Consolidated Zoning and Subdivision Ordinance) be affixed to the final plat prior to recording.
10. That the plat restrictions and covenants, done in accordance with the rezoning commitments, be submitted prior to recording the final plat.
11. That all the standards related to secondary plat approval listed in Sections 741-207 and 741-208 of the Consolidated Zoning and Subdivision Ordinance be met prior to recording the final plat.
12. That the plat shall be recorded within two (2) years after the date of conditional approval by the Hearing Examiner.

PETITION OVERVIEW

This 0.12-acre site, zoned D-5, is developed with two, two-family dwellings. It is surrounded by a single-family dwelling to the north, across West 32nd Street; a single-family dwelling to the south; multi-family dwellings to the east; and a single-family dwelling to the west, across Graceland Avenue, all zoned D-5.

PLAT

Site Plan

The site is developed with two historic two-family dwellings.

Streets

This corner site fronts on Graceland Avenue and West 32nd Street. Access to the two-family dwelling is gained along Graceland Avenue and West 32nd Street. Access to the vacant two-family dwelling would be gained from West 32nd Street.

Sidewalks

Sidewalks exist along Graceland Avenue and West 32nd Street frontages.

Waivers

None.



VARIANCES OF DEVELOPMENT STANDARDS

The request would provide for two, two-unit multi-unit houses on two lots with reduced setbacks, zero off-street parking spaces and reduced square-foot lot area.

The variance would provide an eight-foot front building line when the Ordinance requires a front building line range between 10 feet and 19.9 feet for the two-unit multi-family house on Lot 62A. The variance would also provide for zero off-street parking on this lot.

The variance would also provide relief on Lot 62B for a two-unit multi-unit house with a 1,600 square-foot lot area when the Ordinance requires a 3,500-square-foot lot area. Relief would also be provided for a zero-foot front building line and three-foot rear setback. The Ordinance requires a front building line range between 10 feet and 19.9 and a ten-foot rear setback.

The variance would also allow for zero off-street parking spaces for Lot 62B when a minimum of one off-street parking space would be required for each unit.

Staff supports these variances because this lot and the dwellings have existed for over 100 years without negatively impacting the neighborhood, while contributing to the residential neighborhood character. This variance will also provide additional housing opportunities.

GENERAL INFORMATION

Existing Zoning	D-5		
Existing Land Use	Two family dwelling / single-family dwelling		
Comprehensive Plan	Village Mixed-Use		
Surrounding Context	Zoning	Land Use	
	North:	D-5	Single-family dwelling
	South:	D-5	Single-family dwelling
	East:	D-5	Multi-family dwelling
	West:	D-5	Single-family dwelling
Thoroughfare Plan			
Graceland Avenue	Local Street	Existing 50-foot right-of-way and proposed 48-foot right-of-way.	
West 32 nd Street	Local Street	Existing 50-foot right-of-way and proposed 48-foot right-of-way.	
Context Area	Compact		

Floodway / Floodway Fringe	No
Overlay	No
Wellfield Protection Area	No
Site Plan	October 16, 2025
Site Plan (Amended)	N/A
Elevations	N/A
Elevations (Amended)	N/A
Landscape Plan	N/A
Findings of Fact	January 21, 2026
Findings of Fact (Amended)	N/A
C-S/D-P Statement	N/A

COMPREHENSIVE PLAN ANALYSIS

Comprehensive Plan

The Comprehensive Plan recommends Traditional Neighborhood typology. “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 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, but a higher density is recommended if the development is within a quarter mile of a frequent transit line, greenway, or park.”

Pattern Book / Land Use Plan

The Comprehensive Plan consists of two components that include The Marion County Land Use Pattern Book (2019) and the land use map. The Pattern Book provides a land use classification system that guides the orderly development of the county and protects the character of neighborhoods while also being flexible and adaptable to allow neighborhoods to grow and change over time.

The Pattern Book serves as a policy guide as development occurs. Below are the relevant policies related to this request:

Conditions for All Land Use Types – Traditional Neighborhood Typology

- All land use types except small-scale parks and community farms/gardens in this typology must have adequate municipal water and sanitary sewer.
- All development should include sidewalks along the street frontage.
- In master-planned developments, block lengths of less than 500 feet, or pedestrian cut-throughs for longer blocks, are encouraged.

Conditions for All Housing

- A mix of housing types is encouraged.
- Should be within a one-mile distance (using streets, sidewalks, and/or off-street paths) of a school, playground, library, public greenway, or similar publicly accessible recreational or cultural amenity that is available at no cost to the user.
- Primary structures should be no more than one and a half times the height of other adjacent primary structures.
- Should be oriented towards the street with a pedestrian connection from the front door(s) to the sidewalk. Driveways/parking areas do not qualify as a pedestrian connection.
- Developments with densities higher than 15 dwelling units per acre should have design character compatible with adjacent properties. Density intensification should be incremental with higher density housing types located closer to frequent transit lines, greenways or parks.

Attached Housing (defined as Duplexes, triplexes, quads, townhouses, row houses, stacked flats, and other, similar legally complete dwellings joined by common walls and typically with each unit on its own lot or part of a condominium.)

- Duplexes should be located on corner lots, with entrances located on different sides of the lot.
- It is preferred that townhomes should be organized around intersections of neighborhood collector streets, greenways, parks or public squares, or neighborhood-serving retail.
- If the above conditions are not met, individual buildings of attached housing (not part of a complex) may be interspersed with single-family homes, but should not make up more than 25% of the primary residential structures on a block.

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)

The Marion County Thoroughfare Plan (2019) “is a long-range plan that identifies the locations classifications and different infrastructure elements of roadways within a defined area.”

The following listed items describe the purpose, policies and tools:

- Classify roadways based on their location, purpose in the overall network and what land use they serve.
- Provide design guidelines for accommodating all modes (automobile, transit, pedestrians, bicycles) within the roadway.
- Set requirements for preserving the right-of-way (ROW).
- Identify roadways for planned expansions or new terrain roadways.
- Coordinate modal plans into a single linear network through its GIS database.



ZONING HISTORY

None..

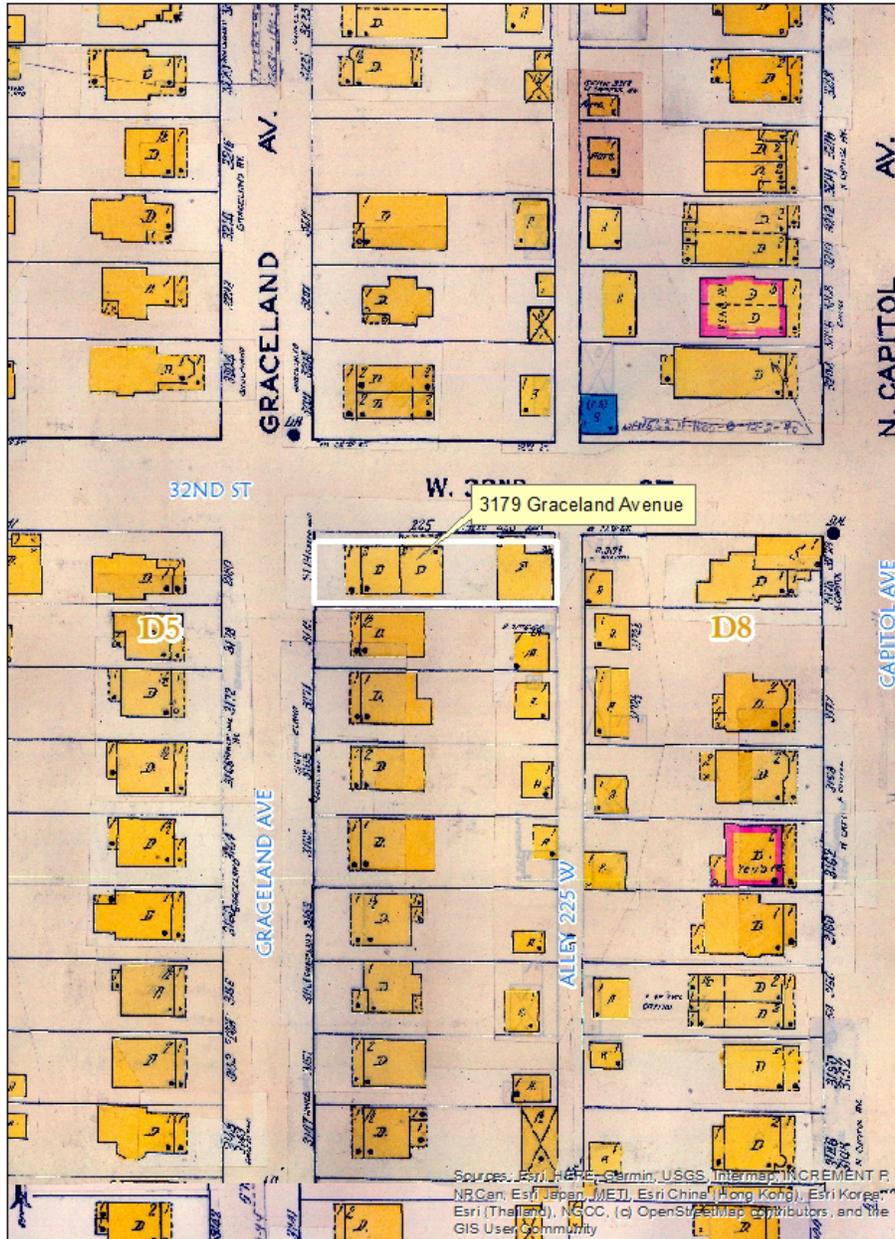
EXHIBITS



3179 Graceland Avenue



Sanborn 1915





Department of Metropolitan Development
Division of Planning
Current Planning

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:

Approval of the requested variance will not be injurious to the public health, safety, morals, or general welfare of the community. The existing use of the property will remain unchanged, as the site currently contains two duplex structures that have historically functioned as residential dwellings. The variance is requested solely to permit a lot split so that each duplex is located on its own parcel, which is consistent with surrounding residential development pattern. The proposed variance will allow reinvestment into the property, improving overall site conditions, and contribute positively to the neighborhood.

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 approval of this variance will not adversely affect the use or value of adjacent properties. The variance does not increase density, alter building placement, or introduce a new use. Instead, it enables the rehabilitation of an existing, currently unlivable duplex. Improving the condition of this structure will enhance the appearance and livability of the area, which is likely to have a positive impact on surrounding 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 strict application of the zoning ordinance creates a practical difficulty due to the existing configuration of the property. Two duplexes are located on a single tax parcel, and current minimum lot area requirements prevent a lot split without a variance. Without the variance, the owner is unable to separate the parcels, which in turn prevents access to financing necessary to rehabilitate the deteriorated structure. This condition is not self-created and stems from the property's existing development pattern and lot size.

DECISION

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

Adopted this _____ day of _____, 20 ____



View looking south across intersection of West 32nd Street and Graceland Avenue



View looking west along West 32nd Street



View of site looking west along East 32nd Street



View of western dwelling looking east across Graceland Avenue



View looking south along alley / eastern site boundary



View of eastern dwelling looking southwest



View of eastern dwelling looking northwest



View looking west along southern site boundary