

**METROPOLITAN DEVELOPMENT COMMISSION
HEARING EXAMINER**

August 13, 2026

Case Number: 2026-CZN-839 / 2026-CVR-839

Property Address: 947 Eastern Avenue

Location: Center Township, Council District #13

Petitioner: Melissa Yuechko, by Justin Kingen

Current Zoning: C-3

Request: Rezoning of 0.08 acre from C-3 district to the D-5 district to provide an attached garage for an existing detached single-family dwelling.

Variance of development standards of the Consolidated Zoning and Subdivision Ordinance to provide for a proposed attached garage with a nine-foot setback (minimum 20-foot rear setback required).

Current Land Use: Residential uses

Staff Recommendations: Approval of the rezoning and variance requests.

Staff Reviewer: Kathleen Blackham, Senior Planner

PETITION HISTORY

This is the first hearing for these petitions.

STAFF RECOMMENDATION

Staff recommends approval of the rezoning, subject to the following commitment being reduced to writing on the Commission's Exhibit "B" form at least three days prior to the MDC hearing:

Development shall be in substantial compliance with the site plan, file-dated June 18, 2026.

PETITION OVERVIEW

This 0.08-acre site, zoned C-3, is developed with a single-family dwelling. It is surrounded by a single-family dwelling to the north, zoned C-3; single-family dwelling to the south, zoned D-5; single-family dwelling to the east, zoned-5; and a single-family dwelling to the west, zoned C-3.

Petition 2006-LNU-005 legally established the single-family residential structure as a legal non-conforming use within a commercial district. The Certificate of Legal Non-Conforming Use was issued on February 6, 2006.

REZONING

The request would rezone the site to the D-5 district to provide for residential uses and an attached garage. “The D-5 district is intended for medium and large-lot housing formats, primarily for detached houses, but may incorporate small-scale multi-unit building types in strategic locations. This district can be used for new, walkable suburban neighborhoods or for infill situations in established urban areas, including both low density and medium density residential recommendations of the Comprehensive Plan, and the Suburban Neighborhood and Traditional Neighborhood Typologies of the Land Use Pattern Book.”

“To advance the Livability Principles of this Code, the **D-5**, D-5II, D-8, D9 and D-10 districts implement walkable, compact neighborhoods within a well-connected street network and block structure, using slow neighborhood streets, walkable connectors, and multi-mode thoroughfares. Access to parks and recreation, transit and neighborhood services within walking distance is important. Street trees, landscape and trees along private frontages, and an active amenity zone create comfortable walking environment and add appeal to neighborhoods. These districts require urban public and community facilities and services to be available. These districts may be used in combination to supply critical mass of residents to support nearby commercial and transit investments.”

The purpose of the Walkable Neighborhood design standards and objectives is to advance the Livability Principles of this code, and to promote walkable neighborhoods. Any exceptions to the standards in the Ordinance, or discretionary review processes related to a specific application, shall be judged against these design objectives, in addition to any other criteria in this code for the application.

The Comprehensive Plan recommends traditional neighborhood typology for the site.

Recommended land uses in this typology include detached / attached / small-scale multi-family / large-scale multi-family housing; assisted living facilities / nursing homes; group homes; bed and breakfast; small-scale offices, retailing and personal or professional services; small-scale schools, places of worship, neighborhood serving institutions / infrastructure, and other places of assembly; small-scale parks; and community farms / gardens.

As proposed, this request would be consistent with the Comprehensive Plan recommendation and would also result in the alignment of the zoning district with the historical residential use of the site.

VARIANCE OF DEVELOPMENT STANDARDS

As proposed, this request would allow construction of an attached garage with a nine-foot setback when the Ordinance requires a minimum 20-foot setback.

Staff supports this variance request because the deficient lot size creates a practical difficulty making improvements to the property that responds to current needs under the current Zoning Ordinance. Staff would note that historical maps indicate a detached garage existed when site was initially developed but has since been demolished.

Staff also believes that the grant of this variance would be compatible with the neighborhood character and would have minimal impact on the surrounding residential uses because the proposed addition aligns with the Infill Housing Guidelines.

GENERAL INFORMATION

Existing Zoning	C-3	
Existing Land Use	Single-family dwelling	
Comprehensive Plan	Traditional Neighborhood	
Surrounding Context	<u>Zoning</u>	<u>Land Use</u>
North:	C-3	Single-family dwelling
South:	D-5	Single-family dwelling
East:	D-5	Single-family dwelling
West:	C-3	Single-family dwelling
Thoroughfare Plan		
Eastern Avenue	Local Street	Existing 35-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	June 18, 2026	
Site Plan (Amended)	N/A	
Elevations	June 18, 2026	
Elevations (Amended)	N/A	
Landscape Plan	N/A	
Findings of Fact	N/A	
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

Detached Housing (Detached housing refers to detached single-family homes. While this type of housing may include a secondary dwelling unit (such as a mother-in-law suite or carriage house), the secondary dwelling unit is usually smaller than the primary home and the entire property is under a single ownership).

- The house should extend beyond the front of the garage. Garages should be loaded from an alley or side street when possible and should be detached if located on the side of the house.

- Secondary units are encouraged.
- 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

The Infill Housing Guidelines were updated and approved in May 2021, with a stated goal “to help preserve neighborhood pattern and character by providing guiding principles for new construction to coexist within the context of adjacent homes, blocks, and existing neighborhoods. These guidelines provide insight into basic design concepts that shape neighborhoods, including reasons why design elements are important, recommendations for best practices, and references to plans and ordinance regulations that reinforce the importance of these concepts.”

These guidelines apply to infill development in residential areas within the Compact Context Area and include the following features:

Site Configuration

- Front Setbacks
- Building Orientation
- Building Spacing
- Open Space
- Trees, Landscaping, and the Outdoors

Aesthetic Considerations

- Building Massing
- Building Height
- Building Elevations and Architectural Elements

Additional Topics

- Secondary Dwelling Units, Garages, and Accessory Structures
- Adapting to the Future

“As established neighborhoods experience new development, infill residential construction will provide housing options for new and existing residents. Increased population contributes positively to the local tax base, economic development, lively neighborhoods, and an interesting city. As infill construction occurs, it is important to guide development in a way that complements current neighborhoods. Each

home in a neighborhood not only contributes to the existing context of adjoining houses and the block, but to the sense of place of the entire neighborhood.”

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

2006-LNU-005; 947 Eastern Avenue, requested a certificate of non-conforming use that would legally establish the single-family dwelling, **granted**.

VICINITY

2021-CZN-838 / 2021-CPL-838 / 2021-CVR-838, 2603, 2607 and 2611 East 10th Street and 945 North Temple Avenue (north of site), requested rezoning of 0.4 acre from the C-3 district to the MU-2 district; approval of a subdivision plat to be known as Temple Square, dividing 0.4 acre into six lots, including four single-family attached lots, and common area; and a variance of development standards of the Consolidated Zoning and Subdivision Ordinance to provide for residential development, with building awnings with reduced setbacks from the right-of-way of Temple Avenue and trash containers, **approved and granted**.

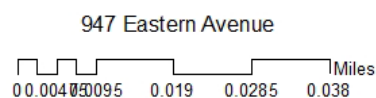
2019-DV3-021; 837 North Temple Avenue (west of site), requested a variance of development standards of the Consolidated Zoning and Subdivision Ordinance to provide for a front porch with a 5.5-foot front setback and a six-foot separation between dwellings and to legally establish a dwelling with a two-foot south side setback and four feet between dwellings, **granted**.

2017-ZON-079; 948, 956 and 960 North Rural Street and 955, 959 and 960 Eastern Avenue, requested the rezoning of 0.46 acre from the C-3 district to the D-5 classification, **approved**.

2005-UV2-001; 2626 East 10th Street (north of site), requested a variance of use of the Commercial Zoning Ordinance to legally establish a 1,949-square foot, two-story single-family dwelling, with a 189-square foot attached front porch, with a 576-square foot detached garage and a 140-square foot shed, and to provide for a 396-square foot carport attached to the south side of the existing garage, **granted**.

2001-ZON-802 / 2001-VAR-802; 2811-2819 East 10th Street and 946 and 956 North Oxford Street (north of site), requested a rezoning of 0.30 acre from the C-3 District to the C-3C classification to provide for commercial and residential uses and a variance of development standards of the Commercial Zoning Ordinance, to provide for off-street parking and an interior access drive located within the rear transitional yard, and 25 off-street parking spaces, **approved / granted**.

94-UV3-114; 2530, 2532 and 2534 East 10th Street (north of site), requested a variance of use of the Commercial Zoning Ordinance to provide for the conversion of one unit in a four-plex from an antique store to a dwelling unit and legally establish two single-family residences, **granted**.





0.004 0.0095 0.019 0.0285 0.038 Miles

JEFFREY COVENS-ARCHITECT, I
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FOR
LISA WILSON
EASTERN AVE
BANGOR, ME 04401

[illegible]

NOT FOR CONSTRUCTION

NAME _____
ADDRESS _____
CITY _____
STATE _____
ZIP _____

SITE PLAN GENERAL NOTES

1. VERIFY ALL DIMENSIONS IN FIELD
2. NO CHANGES TO EXISTING DRAINAGE DIRT FROM THE SITE WILL
BE ALLOWED
3. PROVIDE SILT FENCE AT ALL AREAS OF SOIL TO BE DISTURBED
4. PRECISE STORM SEWER INLET SIFT FILTER AT ALL LOCATIONS
SUBJECT TO RUNOFF FROM THE PROJECT SITE.

① SITE PLAN NOTES

- 1. NEW SIGNALS - FOLLOW SITE CONTOUR
- 2. NEW GARAGE
- 3. NEW DRIVEWAY
- 4. NEW CONCRETE MONUMENTS
- 5. NEW FENCE
- 6. CONCRETE RAUP-OUT BASIN
- 7. SAT FENCE AROUND PROJECT AREA

SITE DESIGN DATA

PARCEL 36.5487202
PRICE ID 48187803000011
ADDRESS 64 EASTERN AVE
INDIANAPOLIS IN 46201
TOWNSHIP CENTER
COUNTY MARION
LEGAL DESCRIPTION: 37 CURR PLACE ADD LOT

JOBS SUBJECT TO CALCULATION:	
17th, 101st STS	
POLICE AREA	790 SF
TRIDENT PORCH	111 SF
GRANITE ADDITION	24,316 SF
COVERED AREA *	1,248 SF
CONCRETE AREA PERCENT *	36.50 %
CONCRETE AREA *	13,44 %

STREET CLASSIFICATION
TENTH AVENUE SETBACK
SIDE YARD SETBACK

ZONE
CONTEXT AREA
OF TYPE

C3 COMPACT SMALL LOCAL XX X-DOX ACQUISITION X-DOX ALLOTMENT

STRUCTURE IDENTIFICATION:

PRIMARY STRUCTURE
ACCESSORY USE STRUCTURE

37 MAX
26 MAX

NO OF

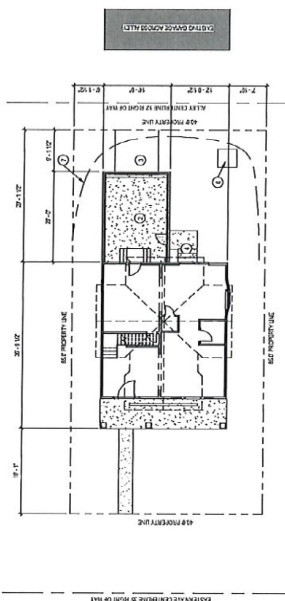
SUBSTANTIAL SURFACES:
USE AREA

TEST PITCH	116 SF
GRANULE ADDITION	250 SF
REMOVAL OF DEBRIS	100 SF
TOTAL IMPERMEABLE SURFACE:	1,621 SF
TOTAL IMPERMEABLE SURFACE	47.08 %

SITE SYMBOLS LEGEND

SITE SYMBOLS LEGEND

-
- PROPERTY LINE
BUILD SET BACK OR EASEMENT LINE
STREET CENTERLINE
CONTOUR LINE
SPOT ELEVATION
GUTTER LINE
24. ANSWER: D



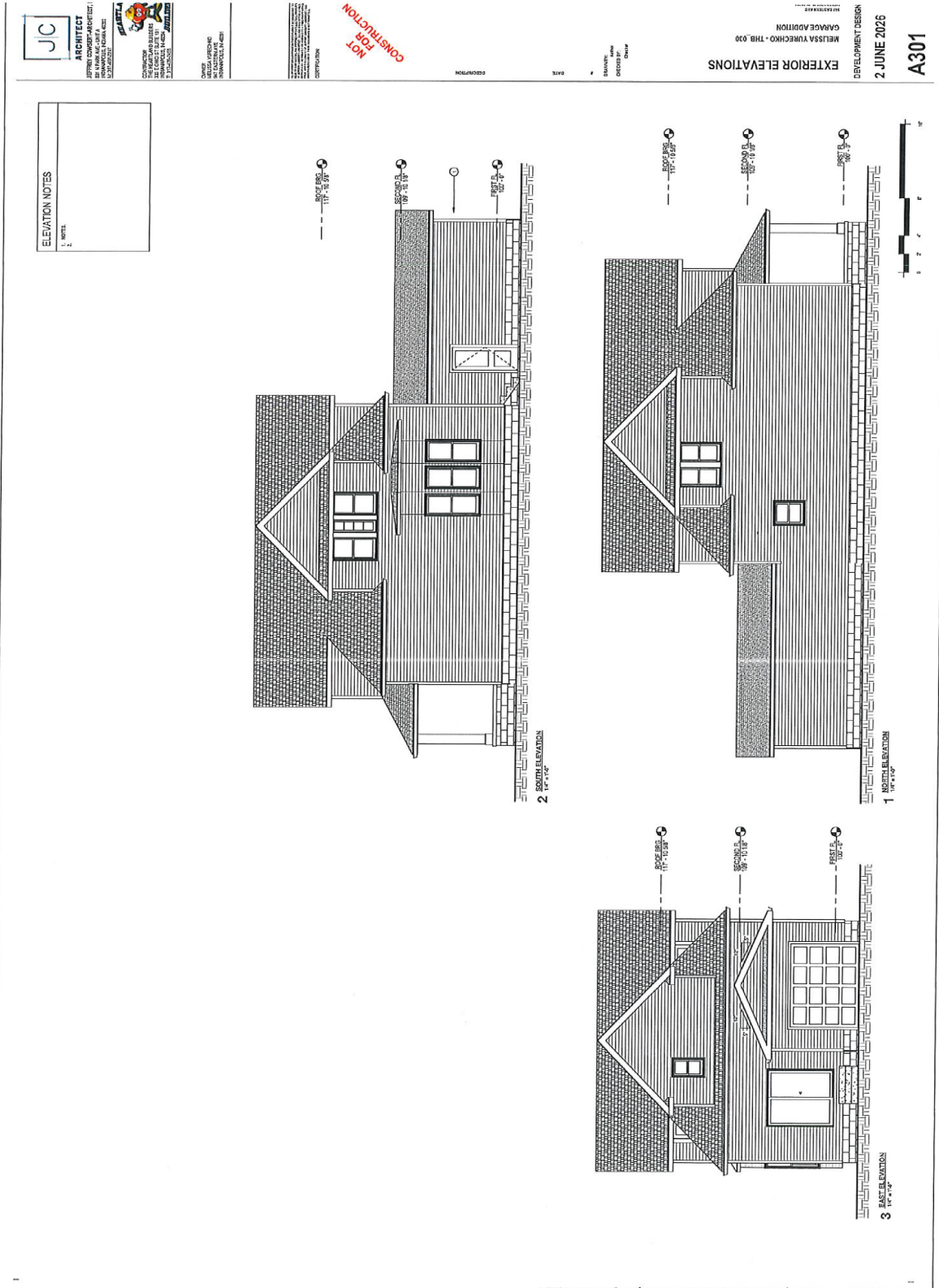


DEMOLITION NOTES

1. DEAD END AREA AS REQUIRED FOR NEW WORK, PROVIDE SHORING OF STRUCTURE ABOVE AT LOAD BEARING CONDITION.
2. DEAD ENDS MILL AS REQUIRED FOR NEW WORK, PROVIDE SHORING OF STRUCTURE ABOVE AT LOAD BEARING CONDITION.
3. DEAD DOOR & FRAME.
4. DEAD WINDOW.
5. DEAD STAIR RANGING.

2 EAST DEMOLITION ELEVATION
1/4" = 1'-0"

NOT
FOR
CONSTRUCTION





3D EXTERIOR VIEWS
MELISSA VURECHKO • THB_030
GARAGE ADDITION
527 EASTCARE



View looking north along Eastern Avenue



View looking south along Eastern Avenue



View of site looking east across Eastern Avenue



View of site looking west from north / south alley