

BOARD OF ZONING APPEALS DIVISION II

November 18, 2025

Case Number: 2025-UV2-015 (Amended)
Property Address: 2049 East Michigan Street (approximate address)
Location: Center Township, Council District #13
Petitioner: Francisco Nanex Jr and Romina Gabriela Belez, by Arnoldo Gonzales
Current Zoning: MU-1
Request: Variance of use and development standards of the Consolidated Zoning and Subdivision Ordinance to provide for an existing duplex (not permitted), including a front porch and building addition with a 2.7-foot front yard setback (12 feet required).
Current Land Use: Residential
Staff Recommendations: Staff recommends **approval** of this petition.
Staff Reviewer: Michael Weigel, Senior Planner

PETITION HISTORY

This is the first public hearing for this petition.

STAFF RECOMMENDATION

Staff recommends **approval** of this petition.

PETITION OVERVIEW

- 2049 East Michigan Street is a parcel that is currently improved with a duplex structure that has been at the site since approximately 1900. The property appears to have been vacant since at least 2017 and appears to have sustained fire damage between 2024 and 2025. Adjacent parcels to the west and east are undeveloped (formerly residential), and surrounding land uses include residences to the north, a mixed-use building containing a pet shop to the east, a former women's prison to the west, and a residential structure in disrepair to the south.
- As part of the proposed rebuild of the residential structure at the site, demolition of the front porch occurred. The applicant is seeking to use the footprint of the previous porch for construction of the new front porches, balconies, and building area (no change in the building height is contemplated; see Exhibits below).

- This partial demolition and rebuilding of the prior front porch area would result in the need for a Variance of Use since duplexes are not a permitted primary use within the MU-1 zoning district. This is as a result of the structure losing its Legal Non-Conforming status.
- In addition to the required Use Variance, a Variance of Development Standards would also be required to demolish and rebuild within the footprint of the original front porch. The MU-1 zoning district would require a front setback of 12 feet, and the site plan provided by the applicant indicates a 2.7-foot front setback (see Exhibits). The expansion of the eastern side setback would be eligible for the exception found within 744-202.E.2 of the Indianapolis Zoning Ordinance and would not require a variance. Additionally, the duplex could utilize existing on-street parking on the southern portion of Michigan Street to meet the required minimum parking standard.
- This site is zoned MU-1 (Mixed-Use One District) to allow for the development of high-rise office uses and apartments grouped in varying combinations or provided in the same building. Additionally, the Comprehensive Plan recommends it to the Traditional Neighborhood living typology to allow for a full spectrum of housing types within compact development patterns. Finally, Infill Housing Guidelines indicate that for contexts in which neighboring front setbacks are similar, the separation from streets and sidewalks should reflect the block context.
- Findings of Fact provided by the applicant indicate the site's historic use as a duplex, nearby residential development within MU-1 zoning, and conformity with Plan guidance as supporting evidence for approval of the variances. Staff would note the existing duplex and lot size would complicate efforts to develop the site with a use allowed within the MU-1 district, and that the proposed setback that would result from the demolition and rebuilding of the front porch area would not result in any additional encroachment into the required front setback (no expansion of the footprint past its historic location). For these reasons, staff recommends approval of the requested variances.

GENERAL INFORMATION

Existing Zoning	MU-1	
Existing Land Use	Residential	
Comprehensive Plan	Traditional Neighborhood	
Surrounding Context	<u>Zoning</u>	Surrounding Context
North:	MU-1	North: Residential
South:	MU-1	South: Residential - Damaged
East:	MU-1	East: Undeveloped
West:	MU-1	West: Undeveloped
Thoroughfare Plan		
Michigan Street	Primary Arterial	60-foot existing right-of-way and 78-foot proposed right-of-way
Context Area	Compact	
Floodway / Floodway Fringe	No	

Overlay	No
Wellfield Protection Area	No
Site Plan	10/01/2025
Site Plan (Amended)	10/29/2025
Elevations	10/01/2025
Elevations (Amended)	N/A
Landscape Plan	N/A
Findings of Fact	10/01/2025
Findings of Fact (Amended)	N/A

COMPREHENSIVE PLAN ANALYSIS

Comprehensive Plan

- Marion County Land Use Plan Pattern Book
- Infill Housing Guidelines

Pattern Book / Land Use Plan

- 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 building forms that promote the social connectivity of the neighborhood and provide clearly defined public, semi-public, and private spaces. Infill development should continue the existing visual pattern, rhythm, and orientation of surrounding buildings when possible.

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

- Front setbacks establish the distance from streets and sidewalks to houses and the perceived size of streets. Building setbacks should match the existing context along frontages where setbacks are similar and should build in the 'setback range' when setbacks are varied.

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

2020UV1022 ; 2126 E Michigan Street (northeast of site), Variance of use and development standards of the Consolidated Zoning and Subdivision Ordinance to provide for a two-family dwelling (not permitted) with a four-foot west side transitional yard (10-foot side transitional yard required), **approved**.

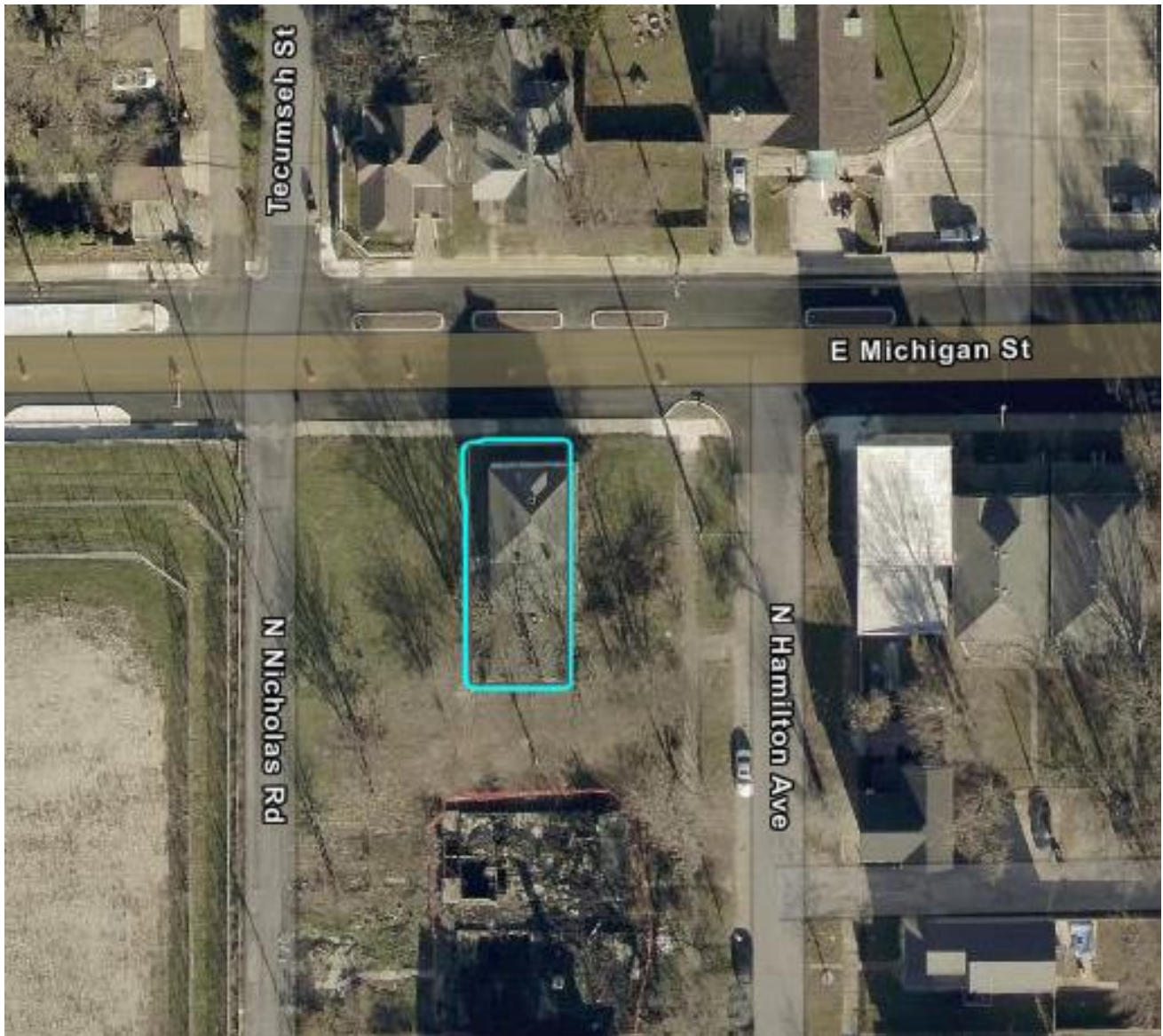
2006HOV005 ; 2040 E Michigan Street (north of site), variance of use of the Commercial Zoning Ordinance to legally establish a single-family dwelling (not permitted) and to provide for the addition of a 149.5 square-foot porch to the existing dwelling, **approved**.

2005ZON020 ; 2050 E Michigan Street (northeast of site), rezoning of 0.4916 acre, being in the C-2 District, to the C-3-C classification to provide for a private club/banquet facility, **approved**.

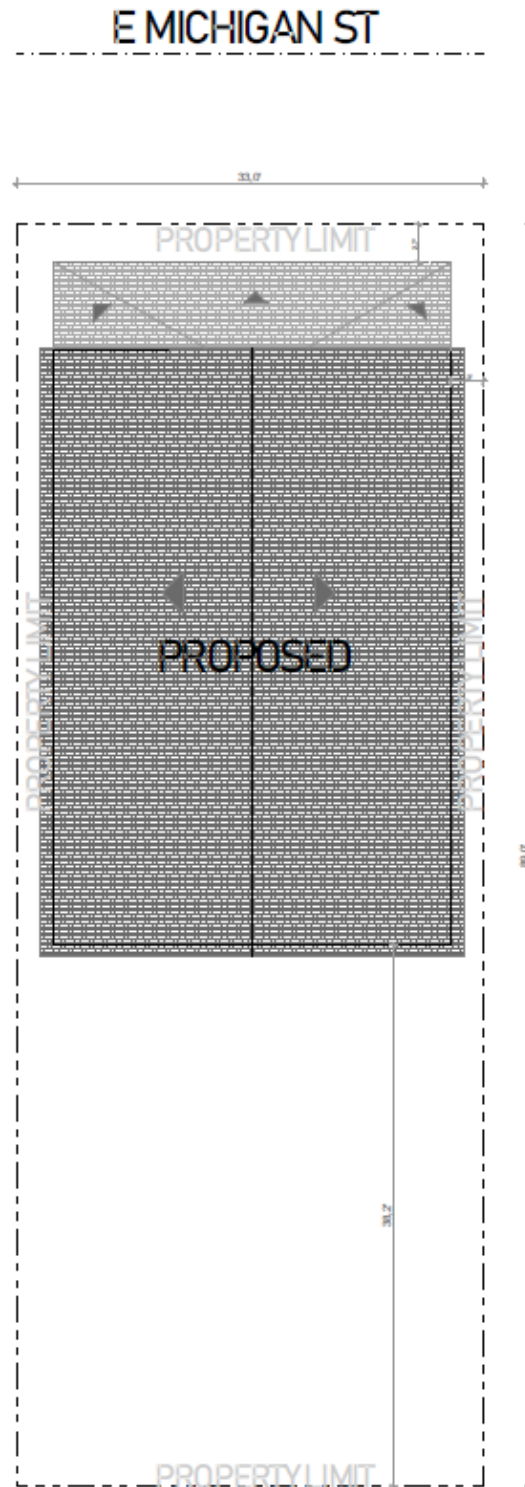
2003LNU030 ; 2101 E Michigan Street (east of site), legally establish (a) retail sale of pet supplies (pet shop) within the first floor of the existing two-story structure, approximately 2048 square feet; and (b) storage of goods and materials related to the retail sales of pet supplies (pet shop), in the existing ½ basement, approximately 1280 square feet, **approved**.

EXHIBITS

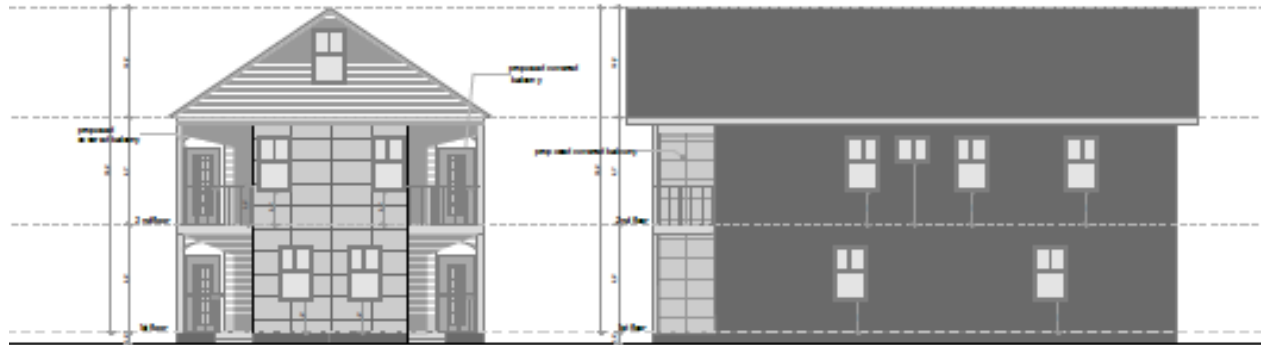
2025UV2015 ; Aerial Map



2025UV2015 ; Site Plan



2025UV2015 ; Elevations



NORTH ELEVATION, FRONT VIEW
 PROPOSED

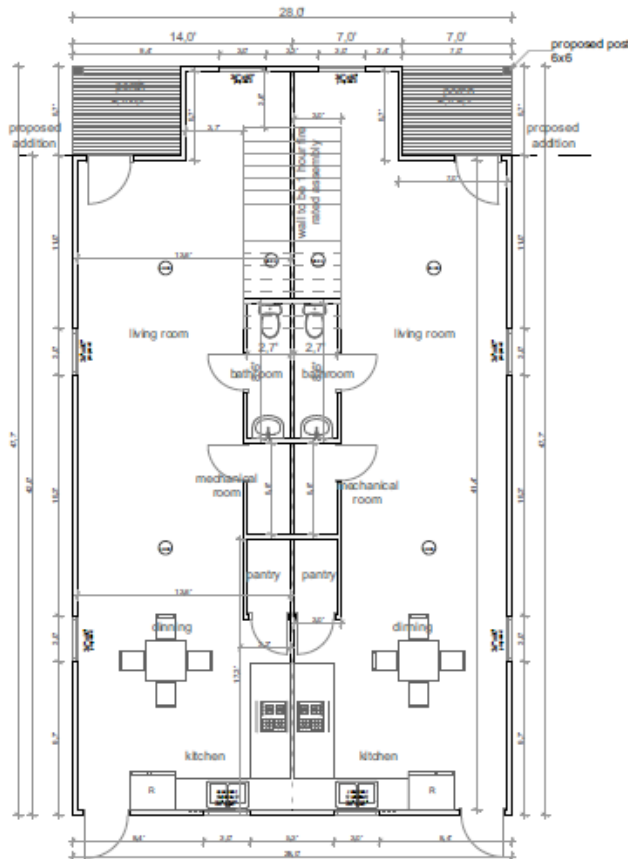
WEST ELEVATION, LEFT VIEW
 PROPOSED



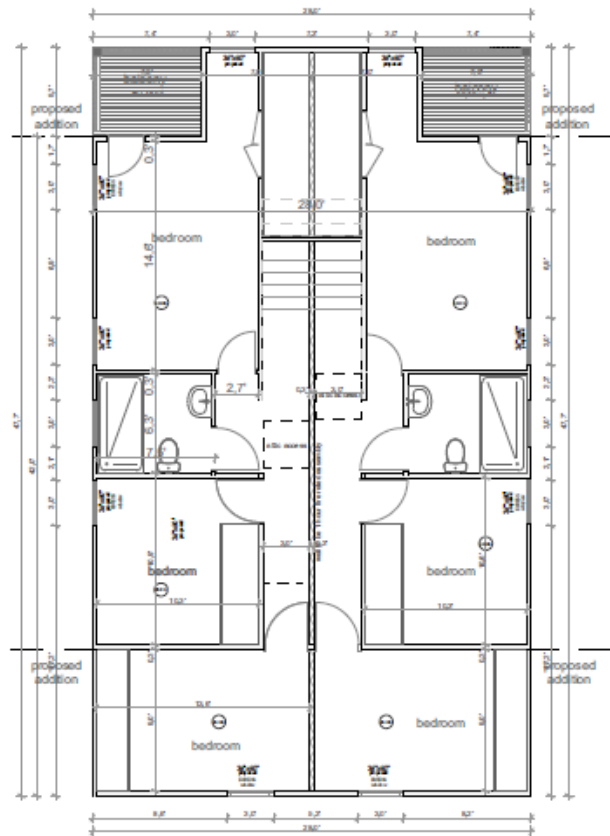
EAST ELEVATION, RIGHT VIEW
 PROPOSED

SOUTH ELEVATION, REAR VIEW
 PROPOSED

2025UV2015 ; Floorplans



**PROPOSED FIRST FLOOR
 ADDITION**



**PROPOSED SECOND FLOOR
 ADDITION**

2025UV2015 ; Findings of Fact

1. THE GRANT WILL NOT BE INJURIOUS TO THE PUBLIC HEALTH, SAFETY, MORALS, AND GENERAL WELFARE OF THE COMMUNITY BECAUSE

The proposed addition to the existing two history duplex and already existing addition on the first floor, will not affect the public health, safety and morals and general welfare of the community because been placed on a MU1 district where single family and duplex buildings still exist located all around the property. In this case the proposed addition will not significantly detract from the overall appearance or character of the neighborhood.

2. THE USE AND VALUE OF THE AREA ADJACENT TO THE PROPERTY INCLUDED IN THE VARIANCE WILL NOT BE AFFECTED IN A SUBSTANTIALLY ADVERSE MANNER BECAUSE

The construction of the property is in a parcel lot which has effective frontage of 33 feet, and effective deep of 80 feet, the same amount of the surrounding lots, where it could be impossible to build a high-rise office use, and apartments intermixed in each one of those, therefore will not affect in any substantially manner.

3. THE NEED FOR THE VARIANCE ARISES FROM SOME CONDITION PECULIAR TO THE PROPERTY INVOLVED BECAUSE

The duplex building construction has a long data prior to the Zoning Ordinance effective on November 1st., 2021. Therefore allowing the renovation and restoration of the building will improve the sight vision, security and will modernize the place according with the new standard buildings on Indianapolis.

4. THE STRICT APPLICATION OF THE TERMS OF THE ZONING ORDINANCE CONSTITUTES AN UNUSUAL AND UNNECESSARY HARDSHIP IF APPLIED TO THE PROPERTY FOR WHICH THE VARIANCE IS SOUGHT BECAUSE

Granting the renovation and addition variance provides fair treatment like other buildings and enables the petitioner to meet community standards; otherwise, denying the variance would lead to the unnecessary demolition of the building, leading to economic hardship for the petitioner.

5. THE GRANT DOES NOT INTERFERE SUBSTANTIALLY WITH THE COMPREHENSIVE PLAN BECAUSE

The addition and renovation of the property goes with the community's vision and goals for its future, providing the foundation for land use growth, and development. Granting this variance will serve the community's needs effectively.

2025UV2015 ; Photographs



Photo 1: Subject Site Viewed from North



Photo 2: Subject Site Viewed from Northeast

2025UV2015 ; Photographs



Photo 3: Michigan Frontage Viewed from West



Photo 4: Subject Site Viewed from East

2025UV2015 ; Photographs



Photo 5: Adjacent Property to East

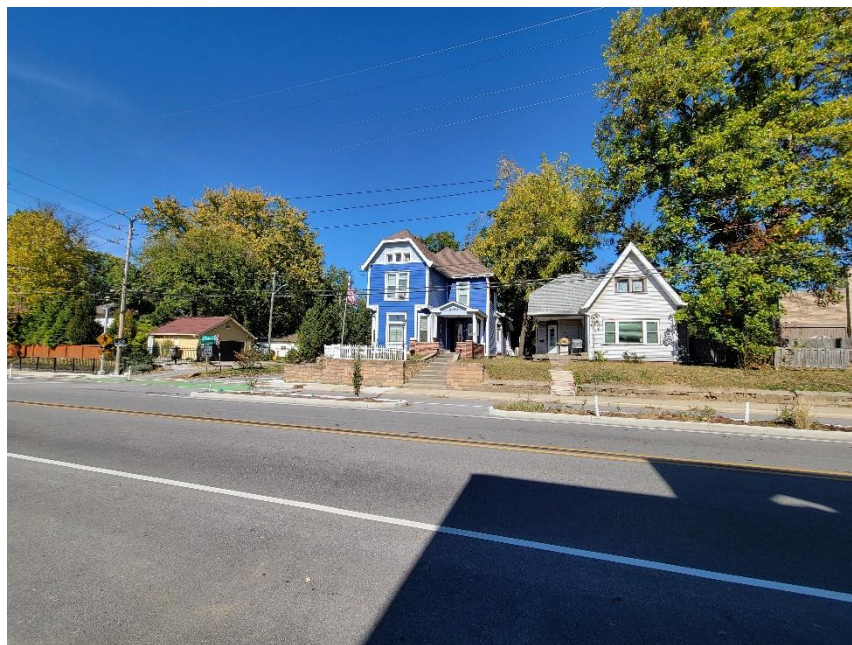


Photo 6: Adjacent Property to North

2025UV2015 ; Photographs



Photo 7: Adjacent Property to South



Photo 8: Subject Site Viewed from North (December 2022)