

STAFF REPORT

Department of Metropolitan Development Division of Planning Current Planning Section

Case Number: 2022-CZN-842 (Second Amendment) / 2022-CVR-842
Address: 6544 Ferguson Street (*Approximate Address*)
Location: Washington Township, Council District #2
Petitioner: Charles L. Mong III, by David Kingen and Emily Duncan
Requests: Rezoning of 0.20 acre from the D-4 (FF) (TOD) district to the C-1 (FF) (TOD) district, with certain excluded uses.

Variance of Development Standards of the Consolidated Zoning and Subdivision Ordinance to legally establish a zero-foot south transitional yard (ten feet required).

ADDENDUM FOR NOVEMBER 10, 2022, HEARING EXAMINER

The Hearing Examiner continued this petition from the October 27, 2022 hearing, to the November 10, 2022 hearing, at the request of the petitioner's representative.

The survey, file-dated November 1, 2022, was submitted by the petitioner's representative. As submitted, the survey accurately depicts development of the site and the zero-foot south transitional yard.

It appears that the structure and driveway that encroaches into the setback was constructed around 1986. Because of the existing retaining wall on the property to the south and the number of years that the encroachment has existed, staff believes the zero-foot setback would have minimal impact.

Staff recommends **approval of the rezoning request and the variance request.**

ADDENDUM FOR OCTOBER 27, 2022, HEARING EXAMINER

The Hearing Examiner continued these petitions from the September 29, 2022 hearing, to the October 27, 2022 hearing, at the request of the petitioner's representative to amend the request and provide new notice.

Because the rezoning request has amended from the MU-2 and from MU-1 (FF) districts to the C-1 (FF) district, staff supports the amended rezoning request and **recommends approval.**

(Continued)

STAFF REPORT 2022-CZN-842 (Amended) / 2022-CVR-842 (Continued)

“The C-1 District is designed to perform two functions: act as a buffer between uses, and provide for a freestanding area that office uses, compatible office-type uses, such as medical and dental facilities, education services, and certain public and semipublic uses may be developed with the assurance that retail and other heavier commercial uses with incompatible characteristics will not impede or disrupt. Since the buildings for office, office-type and public and semipublic uses are typically much less commercial in appearance, landscaped more fully and architecturally more harmonious with residential structures, this district can serve as a buffer between protected districts and more intense commercial or industrial areas/districts - if designed accordingly. This district, with its offices and other buffer type uses, may also be used along certain thoroughfares where a gradual and reasonable transition from existing residential use should occur.”

Staff continues to **recommend denial of the variance request** because no new information has been submitted to the file that would clarify the site boundary and accurately depict development of the site and location of south transitional yard.

ADDENDUM FOR SEPTEMBER 29, 2022, HEARING EXAMINER

The Hearing Examiner continued these petitions from the August 25, 2022 hearing, to the September 29, 2022 hearing, at the request of the petitioner's representative.

August 25, 2022

The Hearing Examiner continued these petitions from the July 28, 2022 hearing to the August 25, 2022 hearing to provide time to amend the petition and provide the required notice.

RECOMMENDATIONS

Staff **recommends denial** of the requests.

SUMMARY OF ISSUES

The following issues were considered in formulating the recommendation:

LAND USE ISSUES

- ◇ This 0.20-acre site, zoned D-4 (FF) (TOD), is developed with a two-story single-family dwelling. It is surrounded by a single-family dwelling to the north, zoned D-4 (FF) (TOD); multi-family dwellings to the south, zoned D-8 (FF) (TOD); a single-family dwelling to the east, across Ferguson Street, zoned D-4 (FF) (TOD); and a single-family dwelling (converted to commercial office uses) to the west, zoned D-4 (FF) (TOD).
- ◇ Petition 2006-UV2-031 provided for a specialty retail store, including the sale of clothing, jewelry and accessory furnishings, with limited sales of home furnishings and smaller antique furniture items within the existing structure.

(Continued)

REZONING

- ◇ This request would rezone the site from D-4 (FF) (TOD) District to the MU-1 (FF) (TOD) classification. “The MU-1 District is intended for the development of high-rise office uses and apartments intermixed, grouped in varying combinations or provided in the same building. MU-1 is designed for use along arterials with both high-traffic counts and positive pedestrian experience or demand. Appropriate settings for the MU-1 district include the midtown and uptown areas of the city, very near rapid transit stops, or in the midst of high intensity regional commercial complexes.”
- ◇ The Plan recommendation is village mixed-use. This land use category consists of a development focused on a mixed-use core of small, neighborhood office/retail nodes, public and semi-public uses, open space and light industrial development. Residential development densities vary from compact single-family residential development and small-scale multi-family residential development near the “Main Street” or “Village Center” and progress to lower densities outward from this core. Village mixed use areas are intended to strengthen existing, historically rural, small towns and cities within Indianapolis, which are intended to continue as neighborhood gathering places and should allow a wide range of small businesses, housing types, and public and semi-public facilities. This category should be compatible in size and scale to existing villages in Marion County. It will allow development of residential and limited commercial uses on smaller lots than in other sections of rural and suburban Indianapolis. Potential development in these areas should focus on design issues related to architecture, building size, parking, landscaping and lighting to promote a pedestrian-oriented “village” or “small town” atmosphere, rather than focusing on residential density. Strip commercial development (integrated centers setback from rights-of-way by parking areas), large-scale freestanding retail uses and heavy industrial development are generally inappropriate within this land use category. The Plan anticipates that this category will typically be designated as a critical area.
- ◇ The Plan also identified this site with a North Village Local Corridor frontage typology, with the following use, height, setbacks, access, facades and parking recommendations:

Allowed Uses	Permitted Street Level Uses	Building Height	Required Building Line (RBL)	Required Setback
Retail Personal Services, Restaurant, Tavern, Offices, Residential	All allowed uses	Minimum: 20 feet Maximum: 40 feet or 4 stories, whichever is the lesser	RBL – No Front Setback: Min: 10 ft.	Rear Min: 20 ft. Side: Min: 5 ft. Max: 20 ft.

(Continued)

STAFF REPORT 2022-CZN-842 (Amended) / 2022-CVR-842 (Continued)

Entrance	Frontage Face of Building	On-site Parking	Driveways
An entrance(s) required from the frontage	Transparency at Ground Level Min: 25% Max: 50% Upper Level(s) Min: 25% Max: 50%	Required Permitted only in rear yard or in a side yard*	Permitted.

Overlays

- ◇ This site is also located within two overlays, specifically the Transit Oriented Development (TOD) and the Environmentally Sensitive Areas (ES). “Overlays are used in places where the land uses that are allowed in a typology need to be adjusted. They may be needed because an area is environmentally sensitive, near an airport, or because a certain type of development should be promoted. Overlays can add uses, remove uses, or modify the conditions that are applied to uses in a typology.”
- ◇ The Transit-Oriented Development (TOD) overlay “is intended for areas within walking distance of a transit station. The purpose of this overlay is to promote pedestrian connectivity and a higher density than the surrounding area.”
- ◇ This site is located within a ¼ mile walk shed (approximately 550 feet) of the transit station located at the intersection of College Avenue and North 66th Street and is designated with a Walkable Neighborhood typology with the following characteristics:
 - Mix of uses at station area and primarily residential beyond
 - Maximum of three stories throughout
 - No front or side setbacks at core; 0-15 feet front setbacks and 0-20 feet side setbacks at periphery
 - Mix of multi-family and single-family housing
 - Structured parking at the core and attractive surface parking at the periphery
- ◇ The Environmentally Sensitive Areas (ES) Overlay “is intended for areas containing high quality woodlands, wetlands, or other natural resources that should be protected. The purpose of this overlay is to prevent or mitigate potential damage to these resources caused by development. This overlay is also appropriate for areas that present an opportunity to create a new environmental asset. This overlay is not intended for the preservation of open space.”
- ◇ The entire site is located within the 100-year floodplain of White River.

(Continued)

STAFF REPORT 2022-CZN-842 (Amended) / 2022-CVR-842 (Continued)

Floodway Fringe

- ◇ This site has a secondary zoning classification of a Floodway Fringe (FF), which is the portion of the regulatory floodplain that is not required to convey the 100-year frequency flood peak discharge and lies outside of the floodway.
- ◇ The designation of the FF District is to guide development in areas subject to potential flood damage, but outside the Floodway (FW) District. Unless otherwise prohibited, all uses permitted in the primary zoning district (MU-1 in this request) are permitted, subject to certain development standards of the Flood Control Secondary Zoning Districts Ordinance.

Site Plan

- ◇ The site plan, file-dated June 24, 2022, provides for six off-street parking spaces, three on-street parking spaces and a bike rack to the rear of the existing structure. It should be noted that no required ADA parking spaces are provided.
- ◇ Staff is also concerned with the accuracy of the site plan because existing aerials indicate that the access drive and parking lot may be encroaching onto the abutting property to the south. Additionally, the blurred southern property line raises questions about the accuracy of the site plan.
- ◇ If this request is approved, the approval should be subject to submittal of an accurate site plan for Administrator Approval within 30 days of final approval of the rezoning request.

Planning Analysis

- ◇ As proposed, the MU-1 district is not consistent with the Plan recommendation of village mixed-use and would be wholly inappropriate for this site. As noted above, the MU-1 district should be located along arterials. This site is located on a local street, with a 44-foot wide right-of-way. Additionally, this district would be appropriate in the midtown and uptown areas of the city or in high intensity regional commercial complexes. This site is located within an area characterized primarily with single-family dwellings that have been converted to small-scale neighborhood commercial uses.

This site is also located within Critical Area 2 (See Exhibit A). The purpose of this critical area is “to retain and enhance the village character of Broad Ripple and to promote its evolution into a self-sustaining pedestrian-oriented village.” Clearly, the proposed rezoning would not support or be consistent with the purpose of this area.

- ◇ Staff is also of the opinion that requests for mixed-use districts should include details related to the proposed uses, the approximate square footage of the proposed uses, parking requirements and development standards. This is particularly critical with the MU-1 district because many permitted uses are permitted only as accessory uses, some of which require use specific standards.

(Continued)

STAFF REPORT 2022-CZN-842 (Amended) / 2022-CVR-842 (Continued)

- ◇ Exhibit B consists of the list of prohibited uses but staff would request a list of proposed uses that would also include the square footage of each of the proposed uses.
- ◇ Otherwise, the rezoning request is simply speculative and lacks the detail necessary to thoroughly review the request related to the compatibility with and impact on surrounding land uses. In other words, this request is incomplete, premature and should not go forward without more detailed information.

VARIANCE OF DEVELOPMENT STANDARDS

- ◇ This request would legally establish a zero-foot south transitional yard when the Ordinance requires 10 feet.
- ◇ Despite the existing development of the site, staff believes legally establishing an illegal setback would not be appropriate due to the lack of information and details related to the uses, square footage of those uses and development standards. In other words, no information has been submitted that would merit supporting this variance request.
- ◇ Furthermore, staff believes there is no practical difficulty because the 2006 use variance would permit neighborhood commercial uses and the current D-4 zoning would obviously permit residential uses.

GENERAL INFORMATION

EXISTING ZONING AND LAND USE

D-4 (FF) (TOD),	Undeveloped
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SURROUNDING ZONING AND LAND USE

North -	D-4 (FF) (TOD)	Single-family dwelling
South -	D-8 (FF) (TOD),	Multi-family dwellings
East -	D-4 (FF) (TOD),	Single-family dwelling
West -	D-4 (FF) (TOD),	Single-family dwelling

COMPREHENSIVE LAND USE PLAN

The Envision Broad Ripple Neighborhood Plan for Indianapolis and Marion County (2012) recommends village mixed-use. The site is located within Critical Area 2.

The Red Line Transit-Oriented Development Strategic Plan (2021).

THOROUGHFARE PLAN

This portion of Ferguson Street is designated in the Marion County Thoroughfare Plan as a local street with an existing 44-foot right-of-way and a proposed 48-foot right-of-way.

(Continued)

STAFF REPORT 2022-CZN-842 (Amended) / 2022-CVR-842 (Continued)

CONTEXT AREA	This site is located within the compact context area.
OVERLAY	This site is located within an environmentally sensitive area (100-year floodplain of White River) and the transit-oriented development overlay.
SITE PLAN	File-dated June 24, 2022
FINDINGS OF FACT	File-dated June 24, 2022

ZONING HISTORY

2006-UV2-031, 6544 Ferguson Street, requested a variance of use of the Dwelling Districts Zoning Ordinance to provide for a specialty retail store, including the sale of clothing, jewelry and accessory furnishings, with limited sales of home furnishings and smaller antique furniture items within the existing structure, **granted**.

VICINITY

2014-UV2-021; 6551 Carrollton Avenue (west of site), requested a variance of use of the Dwelling Districts Zoning Ordinance to provide for general business office uses, **granted**.

2003-UV1-030; 6551 Carrollton Avenue (west of site), requested a variance of use of the Dwelling Districts Zoning Ordinance and a variance of development standards of the Sign Regulations to provide for an antique store and offices, with reduced setbacks and a pylon sign, with a reduced setback, **granted**.

2002-UV1-03; 6551 Carrollton Avenue (west of site), requested a variance of use of the Dwelling Districts Zoning Ordinance and a variance of development standards of the Sign Regulations to provide for a catering business, with a projecting building identification sign, **granted**.

2006-UV1-039; 6528 Ferguson Street (south of site), requested a variance of use of the Dwelling Districts Zoning Ordinance to provide for an exercise studio, **granted**.

2004-ZON-823 / 2004-VAR-823; 6536 Ferguson Street (east of site), requested rezoning of 0.41 acre from D-4 (FF) to D-8 (FF) and a variance of development standards to provide for the construction of two, 2.5-story, 3,365-square foot multi-family buildings, each containing five dwelling units, with deficient setbacks and deficient development amenity ratios, **approved and granted**.

2004-UV3-033; 6531 Ferguson Street (south of site), requested a variance of use of the Dwelling Districts Zoning Ordinance to provide for a beauty shop, **granted**.

2003-ZON-188; 6627 and 6629 Ferguson Street (south of site), requested a rezoning of 2.28 acre from C-2 (FF), D-4 (FF), and D-P (FF) to D-P (FF) to provide for the construction multi-family dwellings at a density of 27.19 units per acre, **granted**.

(Continued)

STAFF REPORT 2022-CZN-842 (Amended) / 2022-CVR-842 (Continued)

2002-UV1-041; 6543 Ferguson Street (east of site) requested a variance of use of the Dwelling Districts Zoning Ordinance to provide for a beauty salon within an existing dwelling, **granted**.

2001-UV3-029; 6528 North Ferguson Street (south of site), requested a variance of use and development standards of the Dwelling Districts Zoning Ordinance to legally establish an artist's studio and office in an existing single-family dwelling (not permitted), with five commercial off-street parking spaces having a 1.5-foot side yard setback (minimum 5-foot side yard setback required), **granted**.

2001-UV3-009; 6562 Ferguson Street (north of site), requested a variance of use of the Dwelling Districts Zoning Ordinance to provide for the conversion of a single-family dwelling into a three-family dwelling, **granted**.

2000-UV2-033; 6543 Ferguson Street (east of site), requested a variance of use and development standards of the Dwelling Districts Zoning Ordinance and Sign Regulations to provide for an office with and a ground sign with a reduced setback, **granted**.

2000-UV3-006; 6523 North Ferguson Street (south of site), requested a variance of use of the Dwelling Districts Zoning Ordinance and a variance of development standards of the Sign Regulations to provide for a 634 square foot addition to an existing single-family dwelling, for a deli-restaurant (not permitted), with six square-foot wall sign on the south façade, a four square foot canopy sign on the south façade, and one four-foot canopy sign on the west façade (one sign permitted per building frontage at a maximum size of 3% of the building façade and canopy signs are not permitted in the D-4 District, **granted**.

97-UV1-90; 6570 North Carrollton Avenue (west of site). requested a variance of use of the Dwelling Districts Zoning Ordinance to provide for professional office uses, **granted**.

96-UV3-93; 6536 Ferguson Street (south of site), requested a variance of use and development standards of the Dwelling Districts Zoning Ordinance and Sign Regulations to provide for a flower shop within an existing dwelling and a ground sign, **granted**.

91-UV3-75; 6511 Ferguson Street (south of site), requested a variance of use of the Dwelling Districts Zoning Ordinance to provide for a beauty shop within an existing building, **granted**.

89-Z-177, 89-CV-28; 6524 North Carrollton Avenue (west of site), requested rezoning of 0.177 acre, being in the D-4 District, to the C-1 classification to provide for office uses and a variance of development standards to permit an addition to the existing structure with a front setback of 11 feet, 4 inches (55 feet required) without required parking, landscaping and transitional yards, **approved and granted**.

89-UV2-18; 6539 North Carrollton Avenue (west of site), requested a variance of use to provide for a children's shoe store, **granted**.

(Continued)

STAFF REPORT 2022-CZN-842 (Amended) / 2022-CVR-842 (Continued)

84-UV2-25; 6553-6535 North Carrollton Avenue (west of site), requested a variance of use to provide for medical offices, a publishing office and a computer software office, **granted**.

80-UV2-83; 6523 North Carrollton Avenue (west of site), requested a variance of use to provide for an office and testing laboratory for an engineering firm, **granted**.

74-UV1-34; 6570 North Carrollton Avenue (west of site), requested a variance of use and development standards, to permit a beauty salon, with reduced setback, reduced off-street parking, and two pole signs, **granted**.

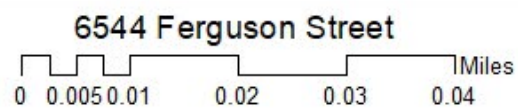
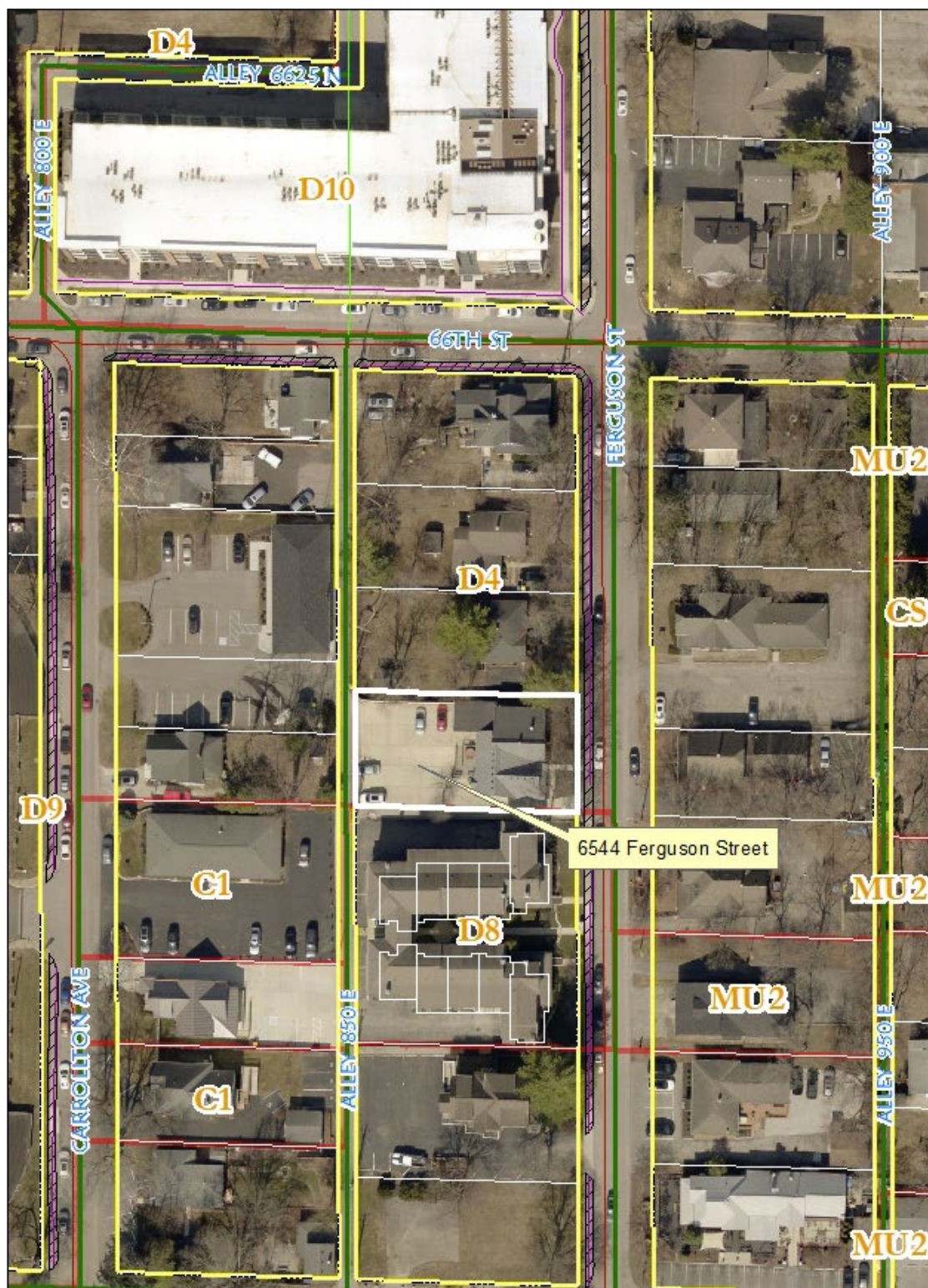
72-UV3-137; 6524 North Carrollton Avenue (west of site), requested a variance of use and transitional yard requirements to permit retail sales of handcrafted pieces and supplies in an existing dwelling, **granted**.

72-UV1-25; 6535 Ferguson Avenue (south of site), requested a variance of use and floodplain regulations of Dwelling Districts Zoning Ordinance to provide for the conversion of a dwelling into a commercial establishment providing for retail sales of books with a reading room, **granted**.

69-V1-147, 6516 North Carrollton Avenue (west of site), requested a variance of use and setback requirements to provide for an addition to a building for retail sales of bath accessories, **granted**.

69-Z-207, North side of East 65th Street (south of site), requested rezoning of 1.38 acres, being in the U-3 and D-4 Districts, to the C-3 classification to provide for a neighborhood convenience center, **approved**.

kb



22-042

1

2

3

4

01 of 02

BOUNDARY SURVEY

PART OF THE NW 1/4, SECTION 36, TOWNSHIP 18 NORTH, RANGE 3 EAST, WASHINGTON TOWNSHIP, MARION COUNTY, INDIANA

Parcel No.: 8019528/ State ID #: 49-03-35-105-015-000-501 (0.203± acres)

Metropolitan Development
Nov 01, 2022
Division of Planning

LEGEND

XXXX (P.M.) = DENOTES PLATTED AND MEASURED DISTANCES

- #5 REBAR WITH PLASTIC CAP STAMPED "JD HALL IS 2050017"
- ⊗ STAINLESS STEEL IMAGSPIKE
- #5 REBAR WITH PLASTIC CAP STAMPED FOUND UNLESS OTHERWISE NOTED
- IRON PIPE FOUND UNLESS OTHERWISE NOTED
- ⊕ UTILITY POLE
- ROADWAY CENTERLINE
- - - RIGHT-OF-WAY
- PROPERTY LINE

10/06/2022

FIELD WORK

DATE: 10/01/2022

CHK: JPH

AGH

DWG:

BOUNDARY SURVEY

6544 FERGUSON STREET

PART OF THE NW QUARTER OF SECTION 36, TOWNSHIP 18 NORTH, RANGE 3 EAST

WASHINGTON TOWNSHIP, MARION COUNTY, INDIANA

OFFICES IN INDIANAPOLIS, IN SHIRAZ, IRAN

P.O. Box 402, WASHINGTON, IN 46788-0402

info@hroeschlein.com

Hall, Roeschlein & Hoffer, LLC

"From Concept to Completion, One Relationship at a Time"

SURVEY CONTROL INFORMATION

- HORIZONTAL COORDINATES ARE BASED ON NAD83 INDIANA STATE PLANE, WEST ZONE 18N, AND WERE ESTABLISHED BY RTK OBSERVATIONS UTILIZING THE INDOT ROSS-SONNET R9.
- THE SURVEY AND COORDINATES ARE IN U.S. SURVEY FEET.
- HALL, ROESCHLEIN & HOFFER, LLC ESTABLISHED THE CONTROL.

THE SURVEY PLANS HAVE BEEN PREPARED FOR USE ON THIS PARTICULAR PROJECT AND FOR THE EXCLUSIVE USE OF THE CLIENT. THE SURVEYOR HAS NO LIABILITY FOR ANY OTHER USES OF THE SURVEY PLANS. THE SURVEYOR'S LIABILITY IS LIMITED TO THE EXTENT OF THE SURVEYOR'S NEGLIGENCE. THE SURVEYOR'S LIABILITY IS LIMITED TO THE EXTENT OF THE SURVEYOR'S NEGLIGENCE. THE SURVEYOR'S LIABILITY IS LIMITED TO THE EXTENT OF THE SURVEYOR'S NEGLIGENCE.

AS USED IN THIS SURVEY, CERTIFY MEANS TO STATE OR DECLARE A PROFESSIONAL OPINION OF CONDITIONS REGARDING THESE FACTS OR INFORMATION. THE SURVEYOR'S CERTIFICATION IS NOT A GUARANTEE OR CONSTITUTE A WARRANTY OF ANY KIND. THE SURVEYOR'S CERTIFICATION IS NOT A GUARANTEE OR CONSTITUTE A WARRANTY OF ANY KIND. THE SURVEYOR'S CERTIFICATION IS NOT A GUARANTEE OR CONSTITUTE A WARRANTY OF ANY KIND.

RECORDATION OF THIS SURVEY (OR THESE PLANS) DOES NOT CONSTITUTE AN EXAMINATION OF, ANY RESTRICTIONS OR LIMITATIONS OF RIGHTS HELD BY THE SURVEYOR, DESIGNER AND OR ENGINEER UNDER FEDERAL COPYRIGHT LAW.

138.67'

60.00' (P.M.)

67.75' (P.M.)

1/2 R/W

5

1/2 R/W

170.24' (MEASURED)

N88° 20' 06" W

RETAINING WALL

LANDSCAPING STONE WALL

30.00' (P.L. ATT'D)

67.75' (P.M.)

50.00' 10" W

60.00' 10" W (PLATTED)

59.97' (MEASURED)

60.00' 10" W (PLATTED)

IRON PIPE FOUND 0.48' W OF R/W

PL Lot 8

6548

6544

8,819 S.F.

FERGUSON COLLECTIVE, LLC

INST. NO. 22-0064681

CHAPPED REBAR FOUND - (FIELD) "H&H & ASSOC. 8803777" USED AS WITNESS 1.24' E ONLINE

30-LYARD

REBAR SET W/ RED CAP USED AS WITNESS 2.52' N ON-LINE

DONALD MARK HOWARD

INST. NO. 92-0162267

538° 24' 00" E

123.08' (MEASURED)

FERGUSON STREET (Public 44' R/W)

21' W

1/2 R/W

SCRIBED X 6.84' E OF R/W

Lot 3

PURSEL'S BROAD RIPLE

ADDITION

Vol. 13, Pg. 43

Exhibit A

Critical Area 2

Location: Broad Ripple Village

Why critical:

Broad Ripple originally developed as a distinct village. Over the years, the City of Indianapolis grew out to envelop it. To maintain Broad Ripple's identity as a distinct place it has been designated as Urban Mixed-Use and Village Mixed-Use. To retain and enhance the village character of Broad Ripple and to promote its evolution into a self-sustaining pedestrian-oriented village it is critical to increase the population density, promote mixed-use development and enhance vitality of the streetscape.

Recommendations:

- For land use recommendations for the village area and development guidelines for the village area see tables above that describe use, height, setbacks, access, facades and parking recommendations.

Exhibit B

ATTACHMENT "E":

Petitioner commits to exclude the following MU1 uses from the subject site:

1. Assisted living facility
2. Group Home
3. Business, art or other post-secondary proprietary school
4. Club or lounge
5. Community center
6. Greenway
7. Religious use
8. Hotel or Motel
9. Substation and utility distribution
10. Wireless Communications facility
11. Transit Center

7/15/22

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 commercial use of the subject property was located on this parcel before the development of the multi-family residential was developed on the parcel to the south. It is characteristic in the area north of the canal in the Broad Ripple area to have residential uses next to commercial uses on commercially or residentially zoned properties without providing the required transitional yards.

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 development of the multi-family development, to the south of the subject property was undertaken with the commercial use that is on this subject property. The existing structure shall retain its existing character and high maintenance and thus the area adjacent shall be affected in a positive manner.

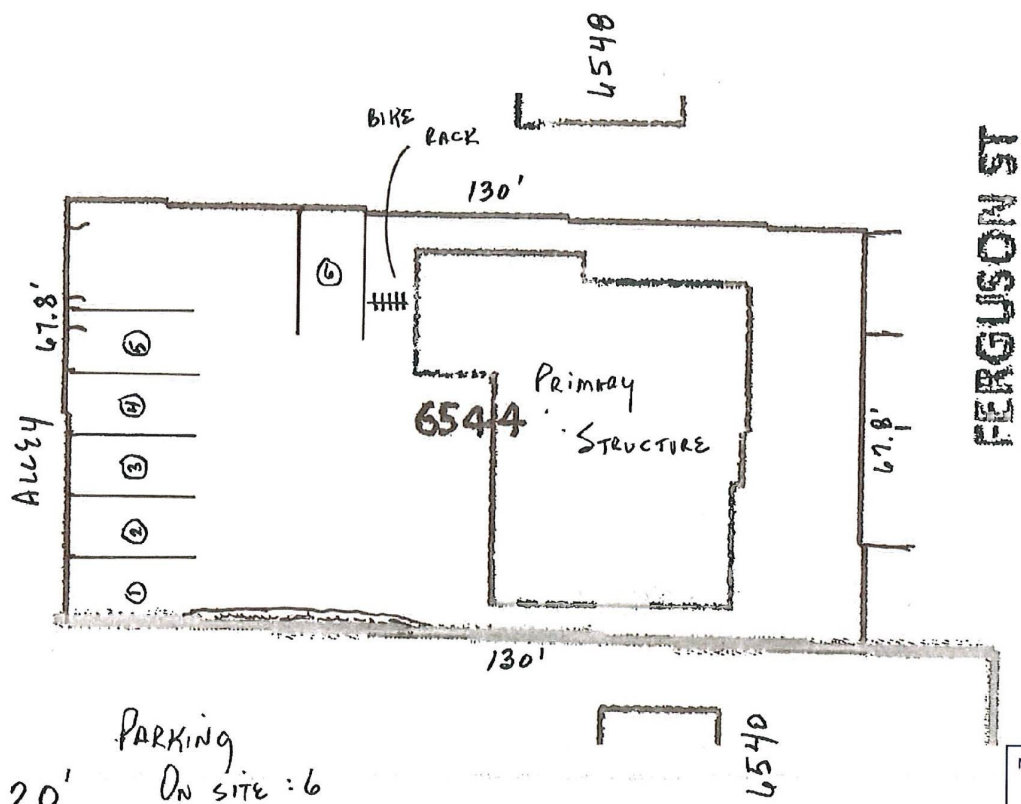
3. THE STRICT APPLICATION OF THE TERMS OF THE ZONING ORDINANCE WILL RESULT IN PRACTICAL DIFFICULTIES IN THE USE OF THE PROPERTY BECAUSE:

The subject property would be required to insert the required transitional yard which would interfere with the existing parking and access to the parking area.

DECISION

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

Adopted this _____ Day of _____, 20 _____



6543

1" = 20'
PARKING
On site : 6
On street : 3

Metropolitan Development
Jun 24 2022
Division of Planning



View looking north along Ferguson Street



View looking south along Ferguson Street



View of site looking west across Ferguson Street



View of abutting property to the north looking northwest across Ferguson Street



View of site looking southwest across Ferguson Street



View from site looking east across Ferguson Street



View from site looking northeast across Ferguson Street