

BOARD OF ZONING APPEALS DIVISION I

January 7, 2025

Case Number: 2024-DV1-047
Property Address: 1919 Mansfield Street (approximate address)
Location: Center Township, Council District #12
Petitioner: James & Mary Holman
Current Zoning: D-5 (W-1)
Request: Variance of Development Standards of the Consolidated Zoning and Subdivision Ordinance to provide for a driveway accessing Mansfield Street (exclusive vehicular access of improved alleys required).
Current Land Use: Residential
Staff Recommendations: Staff recommends denial of this petition
Staff Reviewer: Noah Stern, Senior Planner

PETITION HISTORY

- This is the first public hearing for this petition.

STAFF RECOMMENDATION

- Staff recommends denial of this petition

PETITION OVERVIEW

- This petition would provide for a driveway accessing Mansfield Street (exclusive vehicular access of improved alleys required).
- The Ordinance was amended in April of 2016 to regulate access and connectivity for the zoning districts. This property is required to gain exclusive access from the existing improved alley for any new driveway, per Section 744-301 of the Ordinance. The “Access to accessory parking areas” provision states that “... if a lot abuts an improved alley and the street frontage is less than 200 feet, vehicle access to that lot shall be exclusively from that alley.” In addition, per Section 744-401 of the Ordinance, the “Access to and from parking lots and garages” provision states that “... no curb cut for street access to an accessory parking area in the Compact Context area, shall be approved if the property has an improved alley along the side or rear lot line.”
- The Department of Business and Neighborhood Services has determined that the abutting alley to the east of the property is an “improved” alley, and therefore access from Mansfield Street to the parcel would not be allowed, per the Ordinance.

- The gravel driveway located on the subject site has existed since around 1994, according to aerial imagery. While this predates the Ordinance change in 2016, this driveway was not developed with a curb cut and did not receive permits for such. Therefore, in the City’s view, even though a place to park vehicles in the front yard is existing on the property, vehicular access from Mansfield Street to the private property was never legally established. In 2024, the owner applied for a curb cut of the existing sidewalk for vehicular access to the existing gravel driveway, thus triggering the need for variance approval.
- Vehicles utilizing alleys when available, instead of front-yard driveway access, is a significant help in maintaining walkability and the pedestrian experience, as this style of development results in far fewer conflict points between pedestrians and vehicles, and preserves flat, even sidewalks as opposed to slants and unevenness resulting from driveway curb cuts. Likewise, reducing the number of curb cuts for private vehicular access helps preserve valuable on-street parking spaces available for public use. Further, given that this site is located within the Compact Context Area, Staff finds importance in preserving urban-style development patterns and aesthetics. Typically, this includes neighborhoods with little to no vehicle parking located in front yards, and high-quality pedestrian experience. Contrastingly, high amounts of curb cuts, front-yard vehicle parking, and vehicular priority is more characteristic of suburban-style development which Staff finds to be inappropriate for this area.
- While Staff is aware that there are legally non-conforming driveways and curb cuts that exist in the area, Staffs sees additional curb cuts in areas such as that of the subject site as an undesired precedent that slowly dissolves the character and intentions of urban neighborhoods, and unnecessary when improved alleys are present. With the subject site having access to the improved alley to the rear of the lot, where a vehicular garage already exists (see site visit photos below), Staff does not believe grant of the requested variance to be necessary, and does not find there to be a practical difficulty for the variance and therefore, recommends denial of the request.

GENERAL INFORMATION

Existing Zoning	D-5		
Existing Land Use	Residential		
Comprehensive Plan	3.5-5 units/acre		
Surrounding Context	Zoning	Surrounding Context	
	North:	D-5	North: Single-family residential
	South:	D-5	South: Single-family residential
	East:	D-5	East: Single-family residential
	West:	D-5	West: Single-family residential
Thoroughfare Plan			
Mansfield Street	Local Street	50 feet of right-of-way existing and 48 feet proposed	
Context Area	Compact		
Floodway / Floodway Fringe	No		

Overlay	No
Wellfield Protection Area	Yes, One-Year
Site Plan	11/21/24
Site Plan (Amended)	N/A
Elevations	N/A
Elevations (Amended)	N/A
Landscape Plan	N/A
Findings of Fact	12/31/24
Findings of Fact (Amended)	N/A

COMPREHENSIVE PLAN ANALYSIS

Comprehensive Plan

- United Northwest Neighborhood Plan (2008)
- Indy Moves

Pattern Book / Land Use Plan

- Not applicable to this site.

Red Line / Blue Line / Purple Line TOD Strategic Plan

- Not Applicable to the Site.

Neighborhood / Area Specific Plan

- The United Northwest Neighborhood Plan recommends Residential Uses at 3.5-5 units/acre for this site.

Infill Housing Guidelines

- Not Applicable to the Site.

Indy Moves
 (Thoroughfare Plan, Pedestrian Plan, Bicycle Master Plan, Greenways Master Plan)

- The Riverside Promenade is located approximately 400 feet from subject site.
- The Central White River Trail is located under ½ mile from the subject site.



ZONING HISTORY

ZONING HISTORY – SITE

N/A

ZONING HISTORY – VICINITY

2024DV2040, 2010 Mansfield Street (north of site); Variance of Development Standards of the Consolidated Zoning and Subdivision Ordinance to provide for the location of a parking area without exclusive alley access and a zero-foot south side yard setback (alley access required, five-foot side yard setback required), **approved.**

88-Z-213, (east of site); requested rezoning from the D-5 district, to the SU-1 classification, **denied.**

EXHIBITS





**Department of Metropolitan Development
Division of Planning
Current Planning**









