

BOARD OF ZONING APPEALS DIVISION I

April 2, 2024

Case Number: 2024-DV1-011
Property Address: 105 E Morris Street (approximate address)
Location: Center Township, Council District
Petitioner: Southeast Neighborhood Development Inc., by Kelli Mirgeaux
Current Zoning: D-5

Request: Variance of Development Standards of the Consolidated Zoning and Subdivision Ordinance to provide for the construction of a four-unit multi-unit house on a 4,196 square-foot lot (5,000 required) with a five-foot corner side yard setback (eight-feet required) an eight-foot front yard setback from Talbott Street (minimum 10 feet required), a three-foot rear yard setback (10 feet required), an open space of 39 percent (40 percent required), zero parking spaces (four required) and encroaching within the clear sight triangle of the intersection of Morris and Talbott Streets (not permitted).

Current Land Use: Vacant
Staff Recommendations: Staff recommends approval of this petition
Staff Reviewer: Noah Stern, Senior Planner

PETITION HISTORY

- This is the first public hearing for this petition.

STAFF RECOMMENDATION

- Staff recommends approval of this petition

PETITION OVERVIEW

- This petition would provide for the construction of a four-unit multi-unit house on a 4,196 square-foot lot (5,000 required) with a five-foot corner side yard setback (eight-feet required) an eight-foot front yard setback from Talbott Street (minimum 10 feet required), a three-foot rear yard setback (10 feet required), an open space of 39 percent (40 percent required), zero parking spaces (four required) and encroaching within the clear sight triangle of the intersection of Morris and Talbott Streets (not permitted).
- With regards to parking requirements, after further review, Staff has determined that the request currently reads incorrectly. Per Chapter 744. Article IV. Section 1.H. of the Consolidated Zoning and Subdivision Ordinance,

- “In the Compact Context area, on-street parking spaces, lawful at the time of permit issuance, located on the same side of the street and directly in front of the property containing the use or building being served (as determined by extensions of the property side or rear lot lines, as applicable, into the on-street parking lane) may be counted towards minimum off-street parking requirements”.
- With the subject site having 66 feet of frontage along South Talbott Street, three on-street parking spaces (20-feet in length) exist in front of the lot on the same side of South Talbott Street. Therefore, the request should state one off-street parking space required, as opposed to four.
- Further, this site is among the final lots on the block to be improved with housing, leaving this as one of the last possible additions in housing units this block would receive for the foreseeable future. Likewise, with both East Morris Street and the railroad acting as a significant barrier from the areas to the north and east, on-street parking on South Talbott Street is not feasible for those adjacent land uses. Additionally, with all surrounding residential properties containing their own off-street parking options, the demand for on-street parking at this site is low, meaning the four units of this proposal would have their parking needs sufficiently met with the on-street parking spaces along South Talbott Street. Lastly, the insufficient lot area leaves complications for providing off-street parking for this property. For these reasons, Staff finds the appeal to improve the property without off-street parking to be reasonable and sees the proposal for zero off-street spaces instead of the one required to be a minor request and is, therefore, not opposed.
- The D-5 zoning requires lots that are over 40 feet in width to be greater than or equal to 5000 square feet. However, Staff would note that the D-5 District would allow for the same number of units on a 35-foot-wide lot, so long as the lot area was at least 3,500 square feet. On such a lot, the open space requirement would only be 20%. Given that the proposed open space would nearly double the requirement of the Compact Lot typology and is just a one percent reduction of the Small Lot typology’s requirement, Staff believes this to be a reasonable deviation from the Ordinance.
- In addition, Staff would note that Sanborn Maps dating back to 1898 indicate that the subject site was improved with two single-family dwellings. According to aerial imagery, these were demolished between 2008 and 2009. Therefore, Staff believes the request to be comparable to the historic residential intensity of the site.
- Likewise, the current setback standards in place for this location have been designed for lots larger in nature than the subject site. Staff finds the variances requests for reduced front, side, and rear yard setbacks to be reasonable in nature, given the deficient lot area of the subject site. Further, the Infill Housing Guidelines element of the Comprehensive Plan recommends using the surrounding context when considering building spacing and setbacks. With many of the adjacent buildings containing minimal setbacks, the proposed development would be in line with the existing context.
- Clear Sight Triangle regulations are in place to provide for visibility for all users of the street at intersections of public rights-of-way as well as private drives, but are primarily geared towards visibility for motorists. With East Morris Street being a primary arterial and South Talbott Street being a local

street, the clear sight triangle is measured, from the intersection of the centerlines, 120 feet west along East Morris Street, and 75 feet south along South Talbott Street. The proposal would encroach into the clear sight triangle to a minor degree, but not to where visibility is significantly impeded. Further, the two houses that were formerly on the subject site encroached into the clear sight triangle substantially more than the submitted proposal, meaning this proposal would allow for more visibility of the sight triangle than the previous structures on site did. Likewise, the proposal would allow for more visibility than several adjacent structures, as it would contain a deeper setback along East Morris Street than the residences directly to the west of the subject site. Lastly, with residential structures impeding into the clear sight triangle being a common occurrence in the surrounding context, this development would not be out of character with the neighborhood. For these reasons, Staff is not opposed to the request.

- Additionally, Staff would note that the Land Use Plan recommendation of the Traditional Neighborhood living typology calls for residential densities of 5-15 units per acre, but recommends a higher residential density if the development is located near a park, greenway, or frequent transit line. With the subject site being located within a quarter mile of Kelly Park, Hendricks Park, the SEND Triangle Greenspace, and two regular service transit corridors operating along South Meridian Street and South East Street, this is the type of location where the Land Use Plan seeks increased density, which the site plan achieves through the proposed four-unit structure on site.
- Finally, Staff would note that the request would serve to further the implementation of two of the Ordinance’s Livability Principles. One principle is to promote equitable, affordable housing options. In Staff’s position, promoting the development of denser housing, where appropriate, serves to address the current housing crisis through the introduction of additional units. The request would also enhance economic competitiveness by housing more individuals towards an employment center, being the Madison Avenue corridor, and the increased density would serve to help make the nearby non-residential oriented comprehensive plan recommendations more viable.

GENERAL INFORMATION

Existing Zoning	D-5	
Existing Land Use	Residential	
Comprehensive Plan	Traditional Neighborhood	
Surrounding Context	Zoning	Surrounding Context
	North: I-4	North: Industrial
	South: D-5	South: Single-family residential
	East: C-3	East: Commercial
	West: D-5	West: Single-family residential
Thoroughfare Plan		
East Morris Street	Primary Arterial	66-feet of right-of-way existing and 78-feet proposed
Talbott Street	Local Street	53-feet of right-of-way existing and 48-feet proposed

Context Area	Compact
Floodway / Floodway Fringe	No
Overlay	No
Wellfield Protection Area	No
Site Plan	2/20/24
Site Plan (Amended)	N/A
Elevations	2/20/24
Elevations (Amended)	N/A
Landscape Plan	N/A
Findings of Fact	2/20/24
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 Marion County Land Use Plan pattern Book recommends the Tradition Neighborhood living typology for this site.

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 document recommends
 - Reinforcing spacing on the existing block



- With regards to open space for undersized lots, look at surrounding context for appropriate housing sizes and potentially seek a variance for reduced open space
- Consider surrounding houses when determining building massing and height
- The proposal is in line with surrounding housing context and adheres to these recommendations

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

2024CVR811; 35 E Morris Street (west of site), Variance of Development Standards of the Consolidated Zoning and Subdivision Ordinance to provide for outdoor seating area with a zero-foot south side yard transitional yard (minimum 15-foot required), a trash enclosure within the front yard along Union Street (not permitted), to establish a surface parking lot in front of the building along Morris Street (25-foot setback required and 40% maximum of lot width behind front building line), a barbeque pit with a five-foot front yard setback from Charles Street, located in front of the primary building (accessory structures not permitted within the front yard), **pending**.

2019UV3002; 324 W Morris Street (west of site), Variance of use and development standards of the Consolidated Zoning and Subdivision Ordinance to provide for 30-inch wide by 46-inch high banners as Public Signs, as provided for and amended by Petition 2018-APP-032, attached to utility poles within the right-of-way and within protected districts (not permitted) along Morris Street, Russell Avenue, Norwood Street and Meridian Street, **approved**.

2007ZON830; 1200 Madison Avenue (east of site), Rezoning of 4.55 acres, from the I-4-U District, to the C-3 classification to provide for neighborhood commercial uses. Recorded commitment number 2008-0074862. **approved**.

99-Z-25; 35 E Morris Street (west of site), rezoning of 0.286 acres from D-8 to C-5 to provide for a retail automobile sales lot, **withdrawn**.

EXHIBITS

Present Day Aerial



2008 Aerial



www.jpsconsultingengineers.com
 9365 Counselors Row, Suite 116
 Indianapolis, IN 46240
 PH 317.627.8700

JPS CONSULTING ENGINEERS, LLC

BRIDGEMAN APARTMENTS
 105 E MORRIS ST.
 INDIANAPOLIS, IN

CONSTRUCTION DOCUMENTS

NUMBER	DATE	DESCRIPTION

(Signature)
 PROJECT ENGINEER

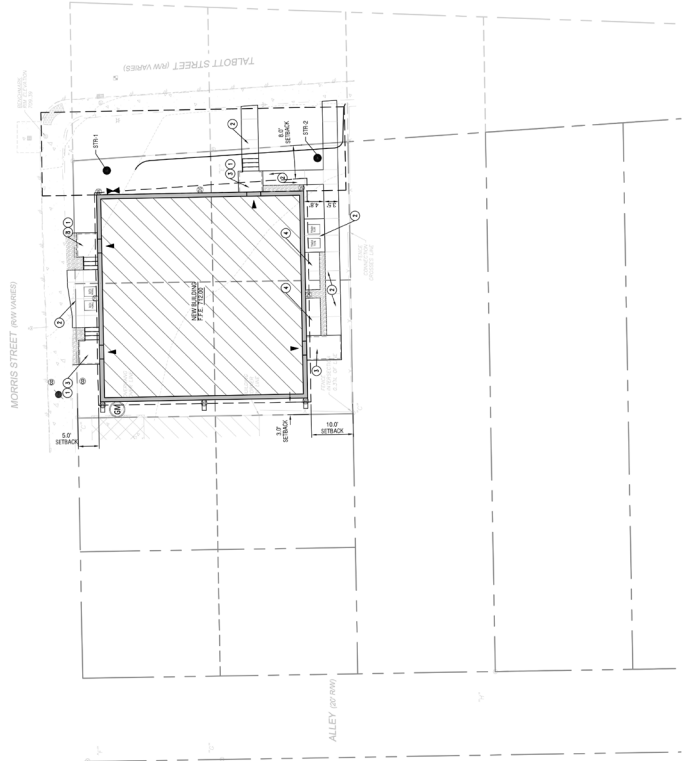


SITE IMPROVEMENT PLAN

SCALE: 1" = 10'
 DATE: JAN. 10, 2024
 PROJECT: BRIDGEMAN APARTMENTS
 DRAWING: C400
 COORD: AJS
 APPROVED: AJS

C400

- GENERAL NOTES**
- A. REFER TO ARCHITECTURE DETAILS FOR MORE REFERENCES.
- PLAN NOTES**
1. EXISTING EXTERIOR WALLS TO REMAIN UNLESS NOTED OTHERWISE.
 2. CONCRETE FINISH.
 3. CONCRETE EXPOSED.
 4. EQUIPMENT SUPPORTING PER I.P. 3.1.



EXTERIOR MATERIAL SCHEDULE

NO.	DESCRIPTION	UNIT	QTY	REMARKS
1	BRICK	SQ. YD.	1,200	1ST FLOOR
2	WOOD SIDING	SQ. YD.	2,500	2ND FLOOR
3	SHINGLE	SQ. YD.	1,500	ROOF
4	GLASS	SQ. FT.	1,000	WINDOWS
5	CEMENT	CY	10	FOUNDATION
6	CONCRETE	CY	50	FLOOR SLAB
7	ROOFING	SQ. YD.	1,500	ROOF
8	INSULATION	SQ. YD.	1,500	ROOF
9	DRY WALL	SQ. YD.	1,000	INTERIOR
10	PAINT	GALES	100	EXTERIOR

BLACKLINE

ARCHITECT
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 SUITE 200
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DATE
 07/10/2024

NO. SHEET
 10 OF 10

PROJECT
 SOUTH EAST NEIGHBORHOOD DEVELOPMENT, INC.
 105 HARBOR STREET
 THE REEDCRAW

EXTERIOR ELEVATIONS

2 EAST EXTERIOR ELEVATION
 1/4" = 1' (VERTICAL)
 1/8" = 1' (HORIZONTAL)

1 NORTH EXTERIOR ELEVATION
 1/4" = 1' (VERTICAL)
 1/8" = 1' (HORIZONTAL)

4 WEST EXTERIOR ELEVATION
 1/4" = 1' (VERTICAL)
 1/8" = 1' (HORIZONTAL)

3 SOUTH EXTERIOR ELEVATION
 1/4" = 1' (VERTICAL)
 1/8" = 1' (HORIZONTAL)

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SEAL
 [Professional Seal]

DATE
 01/10/2024

SCALE
 AS SHOWN

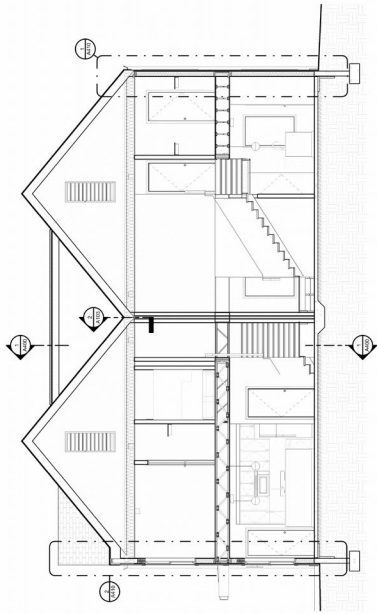
PROJECT
 SOUTHEAST NEIGHBORHOOD DEVELOPMENT, INC.

ADDRESS
 1500 17th Street, Suite 1000
 Denver, CO 80202

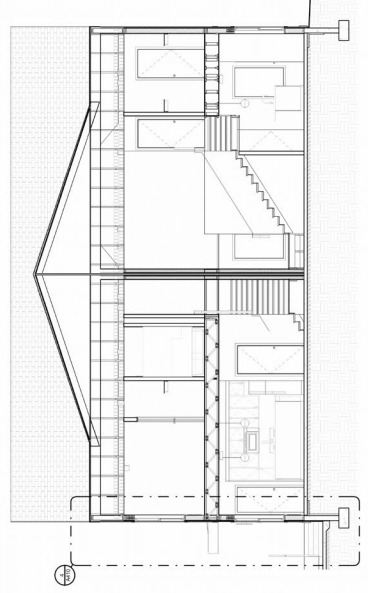
OWNER
 SOUTHEAST NEIGHBORHOOD DEVELOPMENT, INC.

DESIGNER
 BLACKLINE ARCHITECTS

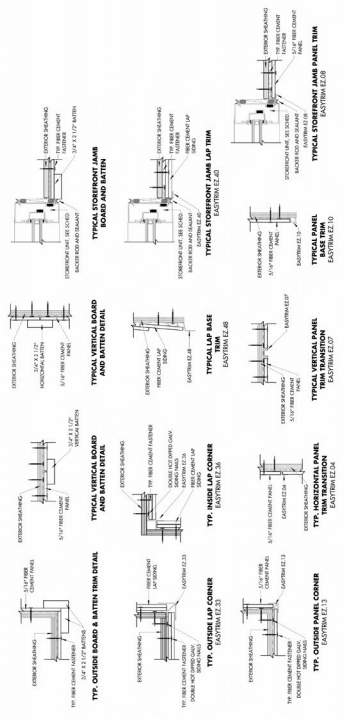
BUILDING SECTIONS
 MID SET
 01/10/2024
A400



2 BUILDING SECTION 02
 1/4" = 1' - 0" (AS SHOWN)



1 BUILDING SECTION 01
 1/4" = 1' - 0" (AS SHOWN)



3 TRIM DETAIL TYPICAL TRIM DETAILS





