STAFF REPORT

Department of Metropolitan Development Division of Planning Current Planning Section

Case Number: 2023-DV3-012

Address: 2411 North Rural Street (approximate address)

Location: Center Township, Council District #17

Zoning: D-5

Petitioner: Martindale Brightwood Community development Corp., by Jamilah

Mintze (In and Out Unlimited LLC)

Request: Variance of Development Standards of the Consolidated Zoning and

Subdivision Ordinance to provide for the construction of a duplex on a 30-foot-wide lot with an area of 4,050 square feet (minimum 60-foot lot width, minimum 7,200 square foot lot area), with an eight-foot lot width for proposed plat of Lot 17A and a 22-foot lot width for proposed plat of Lot 17B, and a parking pad with 1.5-foot side yard setbacks (three-

foot side yard setbacks required).

This petition was continued and transferred from the April 18, 2023 hearing to the May 9, 2023 hearing to provide for an amendment.

RECOMMENDATIONS

Staff **recommends approval** of this request to provide for the construction of a duplex on a 30-footwide lot with an area of 4,050 square feet, with an eight-foot lot width for proposed plat of Lot 17A and a 22-foot lot width for the proposed plat of Lot 17B.

Staff **recommends denial** of the request to provide for a parking pad with 1.5-foot side yard setbacks.

SUMMARY OF ISSUES

The following issues were considered in formulating the recommendation:

LAND USE

EXISTING ZONING AND LAND USE

D-5 Compact Multi-unit dwelling

SURROUNDING ZONING AND LAND USE

North D-5 Undeveloped

South D-5 Single-family dwelling East D-5 Single-family dwelling West D-5 Single-family dwelling

LAND USE PLAN

The Comprehensive Plan recommends Traditional Neighborhood

development.

(Continued)

STAFF REPORT 2023-DV3-012 (Continued)

♦ The subject site is zoned D-5 and developed with a multi-unit house (two units). This property is within the Parker, Hanway and Hanna's Resubdivison northeast of the Interstate-70 exit on Keystone Avenue in the Martindale-Brightwood neighborhood.

VARIANCE OF DEVELOPMENT STANDARDS

- ♦ This request would provide for the construction of a duplex on a 30-foot-wide lot with an area of 4,050 square feet, with an eight-foot lot width for proposed plat of Lot 17A, a 22-foot lot width for proposed plat of Lot 17B, and a parking pad with 1.5-foot side yard setbacks.
- This request would provide for a parking pad in the rear yard with 1.5-foot setbacks where three feet is required. The ordinance requires that off-street parking must meet the building setback requirements for the zoning district. The proposed parking pad is 27-feet in width. The ordinance requires one off-street parking space for each dwelling unit. Staff would suggest that the proposed parking pad could be reduced to 24-feet in width and easily accommodate parking for two vehicles and meet the required three-foot side yard setbacks. Staff recommends denial for the reduced side yard setbacks for the parking pad.
- ♦ This request would provide for the construction of a duplex on a 30-foot-wide lot with an area of 4,050 square feet, with an eight-foot lot width for proposed plat of Lot 17A and a 22-foot lot width for proposed plat of Lot 17B. The ordinance would permit a multi-unit house in the D-5 district with a minimum lot width of 35 feet and a minimum lot area of 3,500 square feet; however, multi-unit houses are not permitted to be platted into single-family attached dwellings. Newly constructed single-family attached dwellings must meet the standards for a duplex in the D-5 district.
- ♦ This site has a lot area of 4,050 square feet and a lot width of 30 feet. It is common that historic platted properties are less than the minimum lot area and width for the D-5 district, but exceptions for infill development apply only to single-family dwellings. As a multi-unit house, the site is only deficient five feet of lot width, but multi-unit houses do not allow for platting the structure into single-family attached dwellings without variances to legally establish the structure as a duplex.
- Although the site is less than the required size for a traditional duplex, staff would note that regardless of whether this property is platted into two parcels, it would still function as a two-family dwelling. The proposed variances for lot size and width would allow each dwelling unit to have individual ownership with minimal impact on the surrounding properties. Staff would note that if approved, the variance and subsequent plat would not permit detached single-family dwellings to be built on the individual lots. Therefore, staff is not opposed to the variances for reduced lot width and area, and the proposed lot widths of eight feet and 22-feet for Lots 17A and 17B, respectively.

GENERAL INFORMATION

THOROUGHFARE PLAN

Rural Street is classified in the Official Thoroughfare Plan for Marion County, Indiana as a street classification, with a 60-foot existing and proposed right-of-way.

(Continued)

STAFF REPORT 2023-DV3-012 (Continued)

SITE PLAN File-dated March 7, 2023.

ELEVATIONS File-dated March 7, 2023.

FINDINGS OF FACT File-dated March 7, 2023.

ZONING HISTORY – SITE

PREVIOUS CASES: None

ZONING HISTORY – VICINITY

86-UV3-081, 2815 East 25th Street, special exception to permit a religious use, approved.

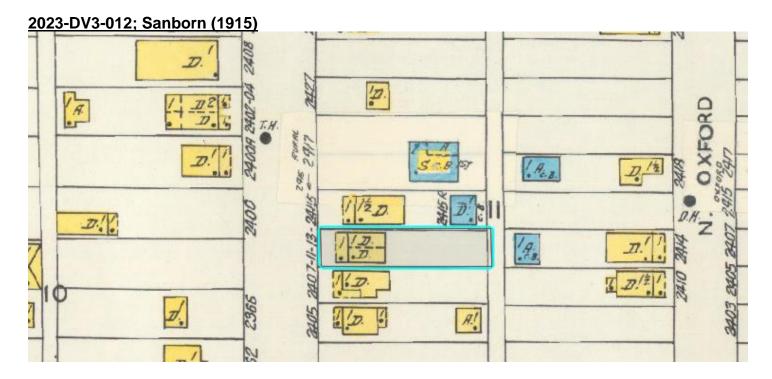
88-Z-271, 2432 North Rural Street, rezoning of 0.204 acre from the D-5 district to the SU-1 district, withdrawn.

94-Z-85, 2815 East 25th **Street,** rezoning of 0.659 acres from the C-3 and D-5 district to the SU-1 district, **approved**.

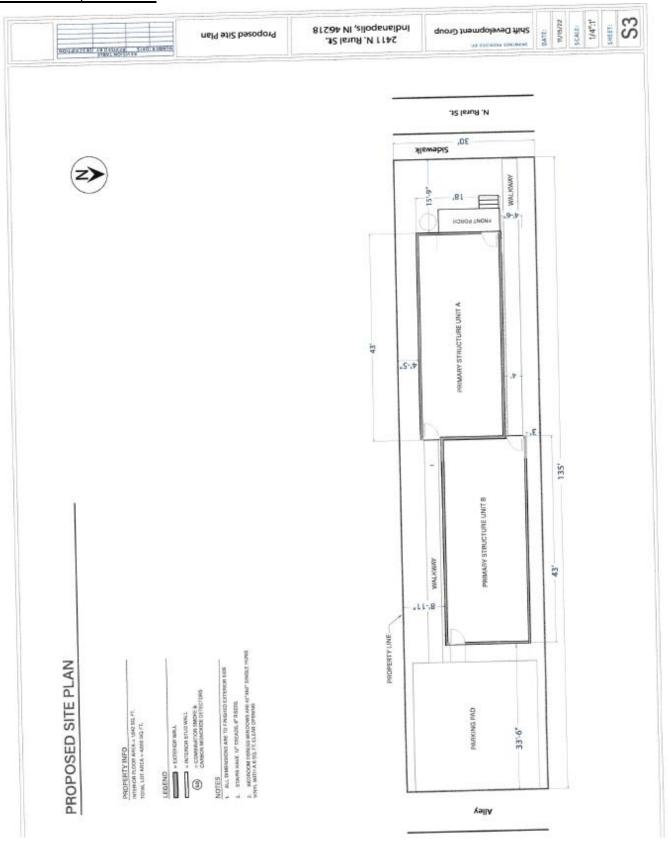
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2023-DV3-012; Aerial Map



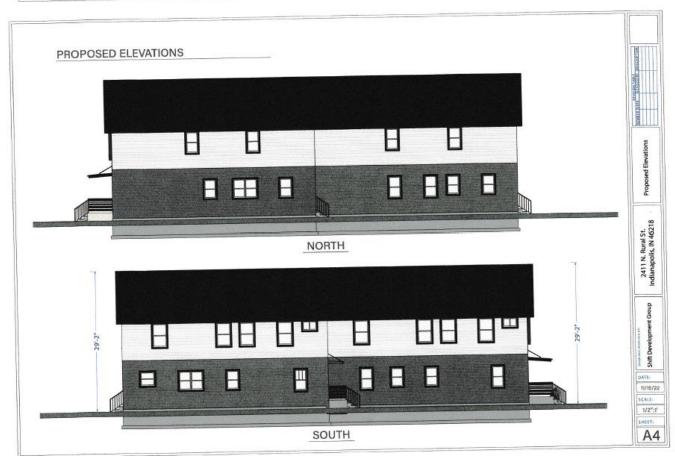


2023-DV3-012; Site Plan



2023-DV3-012; Elevations





METROPOLITAN DEVELOPMENT COMMISSION HEARING EXAMINER METROPOLITAN BOARD OF ZONING APPEALS, Division _____ OF MARION COUNTY, INDIANA

PETITION FOR VARIANCE OF DEVELOPMENT STANDARDS

FINDINGS OF FACT

Proposed plans for development on this site would not be injurious to any property adjacent, the request for 2 family dwellings would benefit and provide a new overall facade to the existing area	
. The use or value of the area adjacent to t	the property included in the variance will not be affected in
a substantially adverse manner because.	
This petition is within the single family dwelling develop	opment plan for the area. Petitioning for this
This petition is within the single family dwelling develop approval will give access to provide affordable housing	ng for residents within the community.
ipproval will give access to provide alloreasis	
use of the property because:	zoning ordinance will result in practical difficulties in the
and issued permits to be	gin construction, has such since begun the construction
- t additional projects I	THE MAINER WAS DIVUGITE TO GET THE THE
of this dwelling. Plan review for additional projects, to requirements for the parcel and as such, the petition	is necessary to obtain proper approval to continue
with completion of this parcel.	

DECISION

Ohe exhibition sensite at 0 late sandweek (Nr. 128, 129, 128, 128, and 128. We become and determine the lots, streets, and sensitive are as a plant on the late and width of streets are sensitive as a plant of the end width of streets as shorn on the plant are to be to be and with a district or streets as shorn on the plant are to be to desired parts Onesid. what he the componentation of the manus of any lat or passed of heat within a sum of this plat is ensured at all those with the providers of the stages also as experient for this plat in the form of information and the general seas for the plat. I forther earlier that all measurements shown earliefty sold or will be brindled by their yearlies as connectly shown soil that all demonstras and product information are connect. NORTH Sea STATE John Complexed IX, 35 and IV to Portion Demony Destate Demokrature, at Johnson K. M. Com, 200 alastem to the Copy of Schoolston, we get pair March Committee of Data 4, Page 188, to the Office of the Secondar March Committee, Defense. \$ POSSESSITE SENT MARASSETT MACTERS CONSESS 10.0 (0/10/0s Totales for beat and sed the CONTRACTOR CONTRACT MELANY SPINS CONSTANT DESCRIPTION CONTROL 20 mm makes on Martide Indianad Coments Switzment Coperior 2000 to Republic America Sales (CO) Estimated, 14 4000 LISAL BESCHALL STREET MESS FLA. GENERALISM MINESTLA. LE (buy A. Term, PUS, effort, ander the paradism for parism; that I have been resounded care to reduct each foolst Security number to this document, orders required by low. in of the burging Dat for the proyess there In witness whereof, have becomes someof their names to be exhausted. One has also Fotony Poblic, to and to the abounds Comby The voltax plat shall be known and designated as, "hard theset Villes" Mathoda Dightwood Community Development Corporation Officer name/Wite painted TOWNSO ST PROPERTY FACTS MATE - TREET ADDRESS FGFND CURPOT ZONNO. THE SET LIGHT AND STRUCKS STALL THE STREET State of Johnson Commity of Manipa Solary Peth (133418 (3VA*) BEING A REPLAT OF LOTS 13, 16 AND 17 OF BLOCK 1 SECTION 29, TOWNSHIP 16 NORTH, RANGE 4 EAST CENTER TOWNSHIP, MARION COUNTY, INDIANA į PARKER HANWAY HANNA'S SUBDIVISION OF PARKER ET AL OAK HILL ADDITION RURAL STREET VILLAS #13A #17A #16A PRIMARY PLAT 5 5 g 135.50 135.50 135.50 PLAT NO: #13B 机油 #16B OT #112 #18 5 * 5 ö 5 ō Ö ō

2023-DV3-012; Photographs



Subject site viewed from Rural Street, looking east



Subject site viewed from alley, looking south



North of site