

STAFF REPORT

Department of Metropolitan Development Division of Planning Current Planning Section

Case Number: 2023-DV1-009
Address: 1313 Gumwood Drive (approximate address)
Location: Wayne Township, Council District #6
Zoning: D-4
Petitioner: Toni Clark
Request: Variance of Development Standards of the Consolidated Zoning and Subdivision Ordinance to provide for the location of a mini-barn with a 0.5-foot west side yard setback (five foot-side yard setback required).

ADDENDUM MAY 9, 2023

This petition was continued for cause to the May 9, 2023, hearing, at the request of the petitioner.

April 4, 2023

RECOMMENDATIONS

Staff **recommends denial** of the variance petition.

SUMMARY OF ISSUES

LAND USE

EXISTING ZONING AND LAND USE

Metro	D-4	Single-family dwelling
-------	-----	------------------------

SURROUNDING ZONING AND LAND USE

North	D-4	Single-family dwelling
South	D-4	Single-family dwelling
East	D-4	Single-family dwelling
West	D-4	Single-family dwelling

COMPREHENSIVE PLAN

The Comprehensive Plan recommends traditional neighborhood development.

(Continued)

STAFF REPORT 2023-DV1-009 (Continued)

VARIANCE OF DEVELOPMENT STANDARDS

- ◇ The request would provide for a 12 by 18-foot mini-barn with a 0.5-foot west side yard setback
- ◇ Development Standards of the Consolidated Zoning and Subdivision Ordinance, specifically those relating to setbacks, are intended to ensure orderly development and protect surrounding property values, by providing for open buffer areas along lot lines, and to ensure adequate access around structures to help maintain the property without requiring access through adjacent properties.
- ◇ No peculiar condition exists on site for staff to be supportive of the request. Instead, this is a self-imposed difficulty since either a smaller mini barn can be placed in the same location to meet the side setback, or the existing 12 by 18-foot mini barn could be relocated to another area of the site, without the need for a variance of development standards.
- ◇ There is no practical difficulty associated with the subject site that would warrant the grant of this variance. The subject site has no natural or manmade physical obstacles that would prohibit compliance with the required setbacks of the Ordinance. Given that there is no practical difficulty associated with this site, the mini barn should either be relocated to another located on site or replaced with a smaller barn that meets the standards of the Ordinance.

GENERAL INFORMATION

THOROUGHFARE PLAN	This portion of Gumwood Drive is classified in the Official Thoroughfare Plan for Marion County, Indiana as a local street, with a 50-foot existing and proposed right-of-way.
SITE PLAN	File-dated March 23, 2023.
FINDINGS OF FACT (Amended)	File-dated March 8, 2023

ZONING HISTORY

2007-DV2-023; 1313 Gumwood Drive (subject site), requested a variance of development standards of the Dwelling Districts Zoning Ordinance to legally establish a single-family dwelling with a 0.5-foot west side setback and a 12.5-foot aggregate side yard setback, and to legally establish a 294-square foot attached garage, a 240-square foot attached carport, a 232-square foot deck, a 200-square foot deck, a 988-square foot pool and deck, and a 211-square foot pool house, resulting in an accessory use area of 2,145 square feet or 135.9 percent of the total living area of the primary structure, **denied**.

2003-DV2-026; 1552 Woodpointe Drive (north of site), requested a variance of development standards of the Dwelling Districts Zoning Ordinance to provide for a 103.30-square foot, 10 by 10.33-foot wood deck, with a two-foot side yard setback and a twelve-foot aggregate side yard setback, **denied**.

2023-DV1-009; Location Map



2023-DV1-009; Pictures



Subject site, looking south



Subject site, 12x18-foot mini barn with 0.5-foot west side setback, looking south



Subject site, 12x18-foot mini barn with 0.5-foot west side setback, looking north from back yard



Second mini barn, 8x12-foot, in back yard, looking east



Third mini barn, 8x12-foot, in back yard, looking west



Fourth mini barn, 6x6-foot, in back yard, looking south.



Adjacent dwelling to the west, looking south



Adjacent dwelling to the east, looking south