

**BOARD OF ZONING APPEALS DIVISION II**

**July 8, 2025**

**Case Number:** 2025-DV2-024  
**Property Address:** 4353 Washington Boulevard (approximate address)  
**Location:** Washington Township, Council District #7  
**Petitioner:** Jeffrey & Andrea Pierson, by Mark Demerly  
**Current Zoning:** D-2  
**Request:** Variance of Development Standards of the Consolidated Zoning and Subdivision Ordinance to provide for the construction of a detached garage with a five-foot northern side yard setback (seven feet required).  
**Current Land Use:** Single-family residential  
**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 allow for the construction of a detached garage with a five-foot northern side yard setback (seven feet required).
- The subject site is improved with a single-family residence as well as multiple accessory structures, is zoned D-2, and contains sufficient lot width and lot size for D-2 standards. The proposal would remove one of the accessory structures to construct a detached garage with a five-foot northern side yard setback, as well as an in-ground pool. The proposed north side yard setback for the accessory structure would match the side setback of the primary structure.
- The setback standards are in place to provide for sufficient spacing in between structures, to allow room for maintenance, and limit overdevelopment. With regards to setbacks and building spacing, the Infill Housing Guidelines recommends reinforcing spacing on the existing block, leaving room for maintenance, and limiting uncharacteristically large gaps between houses.

- Staff finds, with the proposed northern side yard setback shown as matching the existing primary, as well as the site containing numerous trees along the southern portion of the site, thus partially hindering the readily developable land on that side of the property, that the requested reduced setback is reasonable in nature. Further, Staff would note that the aggregate side setback requirement of 14 feet would still be met with this proposal, as the southern side setback would be approximately 26 feet. Additionally, with reduced setbacks being a common development in the surrounding area, and with the accessory structures proposed to match both the north and south side yard setbacks of the primary residence, Staff finds that the proposal is generally in accordance with the Infill Housing Guidelines. Lastly, with the proposal meeting all other development standards, Staff does not find the proposal to represent overdevelopment, and finds the proposal to be minor in nature that would have minimal impact on surrounding properties. Therefore, Staff is unopposed to the request.
- Staff would also note that the floor plans and elevations indicate a second floor on the proposed accessory structure that would include additional living space and amenities associated with the primary structure. This would not be considered a secondary dwelling unit as the drawings do not show finished bedrooms, bathrooms, nor a kitchen space. If a secondary dwelling unit is ultimately proposed for this space, it would need to meet all standards related to secondary dwelling units.

## GENERAL INFORMATION

<b>Existing Zoning</b>	D-2	
<b>Existing Land Use</b>	Single-family residential	
<b>Comprehensive Plan</b>	Traditional Neighborhood	
<b>Surrounding Context</b>	<b>Zoning</b>	<b>Surrounding Context</b>
North:	D-2	North: Single-family residential
South:	D-2	South: Single-family residential
East:	D-2	East: Single-family residential
West:	D-2	West: Single-family residential
<b>Thoroughfare Plan</b>		
Washington Boulevard	Local Street	60 feet of right-of-way existing and 50 feet proposed
<b>Context Area</b>	Compact	
<b>Floodway / Floodway Fringe</b>	No	
<b>Overlay</b>	No	
<b>Wellfield Protection Area</b>	No	
<b>Site Plan</b>	6/16/25	
<b>Site Plan (Amended)</b>	N/A	
<b>Elevations</b>	6/16/25	
<b>Elevations (Amended)</b>	N/A	
<b>Landscape Plan</b>	N/A	
<b>Findings of Fact</b>	6/16/25	

**Findings of Fact  
(Amended)**

N/A

## COMPREHENSIVE PLAN ANALYSIS

### Comprehensive Plan

- Marion County Land Use Plan Pattern Book
- Infill Housing Guidelines
- Meridian Kessler Neighborhood Plan (2016)

### Pattern Book / Land Use Plan

- The Marion County Land Use Plan pattern Book recommends the Traditional Neighborhood typology for this site.

### Red Line / Blue Line / Purple Line TOD Strategic Plan

- Not Applicable to the Site.

### Neighborhood / Area Specific Plan

- The Meridian Kessler Neighborhood Plan recommends Traditional Neighborhood for this site.

### Infill Housing Guidelines

- With regards to setbacks and building spacing, the Infill Housing Guidelines recommends:
  - Reinforce the existing spacing on the block
  - Match existing context
  - Leave room for maintenance

### Indy Moves

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

- Not Applicable to the Site.

## ZONING HISTORY

### ZONING HISTORY – SITE

**2013HOV042;** requests a Variance of Development Standards of the Dwelling Districts Zoning Ordinance to provide for an external stairway, with a six-foot north side setback to the second floor of an existing garage, **granted.**

### ZONING HISTORY – VICINITY

**2021DV3007; 118 East 44<sup>th</sup> Street (west of site),** Variance of development standards of the Consolidated Zoning and Subdivision Ordinance to provide for an addition to a single-family dwelling with an open space of 59% (minimum 75% open space required), **granted.**

**2018DV3051; 4335 North Pennsylvania Street (west of site),** requested a variance of development standards of the Consolidated Zoning and Subdivision Ordinance to provide for a four-foot north side setback for a proposed garage expansion, **granted.**

**2018DV1062; 4321 North Pennsylvania Street (south of site),** Variance of development standards of the Consolidated Zoning and Subdivision Ordinance to provide for a 22-foot by 28.5-foot carport with a 2.6-foot south side setback (seven-foot side setback required), **granted.**

**2017DV1013; 4321 North Pennsylvania Street (south of site),** requested a variance of development standards of the Consolidated Zoning and Subdivision Ordinance to provide for an addition to a single-family dwelling, with a four-foot north side setback, **granted.**

**2014DV1064; 4330 Washington Boulevard (south of site),** requested a variance of development standards of the Dwelling Districts Zoning Ordinance to provide for the construction of a 760-square foot detached garage, with a 4.5-foot south side setback, creating an approximately nine-foot aggregate side setback, **granted.**

**2013DV2027; 4320 Washington Boulevard (south of site),** requests a Variance of Development Standards of the Dwelling Districts Zoning Ordinance to provide for a two-story addition to an existing dwelling, with a five-foot north side setback, **granted.**

**2011DV1054; 4421 Central Avenue (north of site),** Variance of development standards of the Dwelling Districts Zoning Ordinance to provide for the construction of an 800-square foot garage, with a three-foot north side setback (minimum seven-foot side setback required), **granted.**

**2010DV3032; 140 East 44<sup>th</sup> Street (west of site),** requests a Variance of Development Standards of the Dwelling Districts Zoning Ordinance to provide for a 20 by 24-foot accessory building, with zero foot east side and north rear setbacks (minimum seven-foot side setback and five-foot rear setback required), and an open space ratio of 66.8%, **granted.**

**96-HOV-72; 4340 Central Avenue (east of site),** variance of development standards of the Dwelling Districts Zoning Ordinance to provide for the construction of an attached garage with a side yard of four

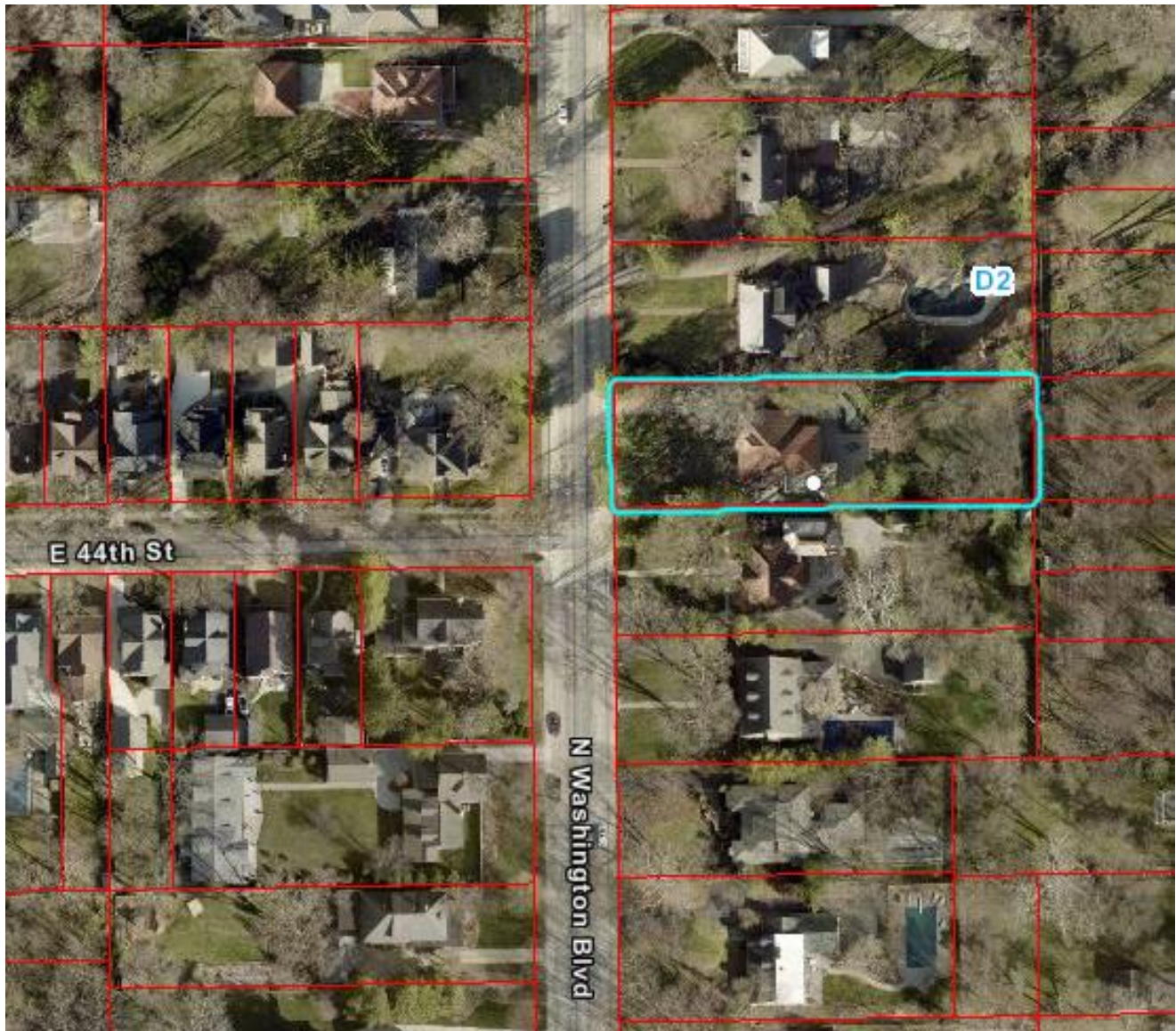


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feet (minimum seven feet required) and a room addition with a side yard of five feet (minimum seven feet required) yielding an aggregate side yard setback of nine feet (minimum aggregate side yard of 19 feet required) for an existing single-family residence, **granted**.



EXHIBITS



Present aerial

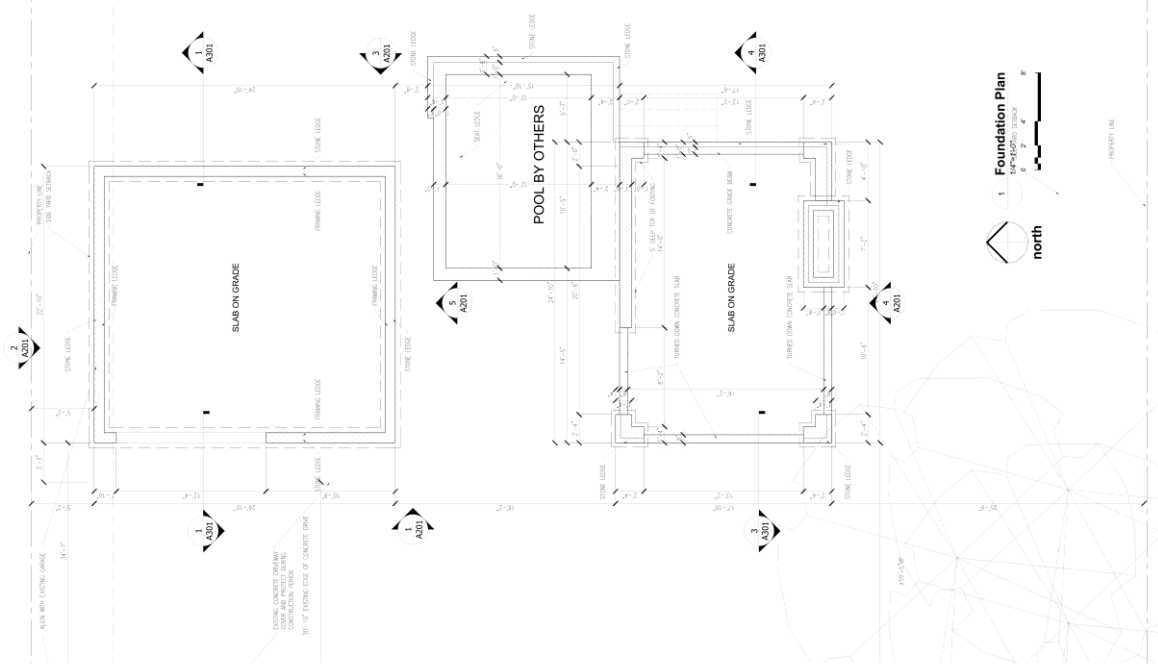
Contractor: Emergent  
Architect: Demerly Architects  
6144 N Park Ave  
Indianapolis, IN 46220

[illegible][illegible][illegible]

**Demerly Architects**  
 4050 Westinghouse Blvd., Indianapolis, IN 46204  
 Tel: 317.221.0100  
 Fax: 317.221.0104  
 E-mail: [info@demerlyarchitects.com](mailto:info@demerlyarchitects.com)

**GENERAL NOTES:**

1. THE OWNER SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE CITY OF CHICAGO AND THE STATE OF ILLINOIS.
2. THE OWNER SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE CITY OF CHICAGO AND THE STATE OF ILLINOIS.
3. ONLY APPROVED MATERIALS SHALL BE USED IN THE CONSTRUCTION OF THE FOUNDATION. THE MATERIALS SHALL BE APPROVED BY THE CITY OF CHICAGO AND THE STATE OF ILLINOIS.
4. FOUNDATIONS SHALL BE CONSTRUCTED IN ACCORDANCE WITH THE CITY OF CHICAGO AND THE STATE OF ILLINOIS.





NOT CURRENT

WINDOW SCHEDULE				PROJECT
WIND	TEMP	GLASS	UNIT	
001	1.25	4.00	10.00	10.00
002	1.50	5.00	10.00	10.00
003	1.75	6.00	10.00	10.00
004	2.00	7.00	10.00	10.00
005	2.25	8.00	10.00	10.00
006	2.50	9.00	10.00	10.00
007	2.75	10.00	10.00	10.00
008	3.00	11.00	10.00	10.00
009	3.25	12.00	10.00	10.00
010	3.50	13.00	10.00	10.00

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**Pierson Garage and Pool**  
4355 Washington Blvd., Indianapolis, IN  
Demmerly Architects  
ARCHITECTS / INTERIORS / LANDSCAPE  
4355 Washington Blvd., Indianapolis, IN 46226  
Tel: 317.843.8024  
Fax: 317.843.8024  
E-mail: [info@demmerlyarchitects.com](mailto:info@demmerlyarchitects.com)

NOT FOR CONSTRUCTION

Order: 06/11/2015  
Reference:

Scale: 1:4" = 1'-0"

First Floor Plan

A...

A101

Page: 3 of 5

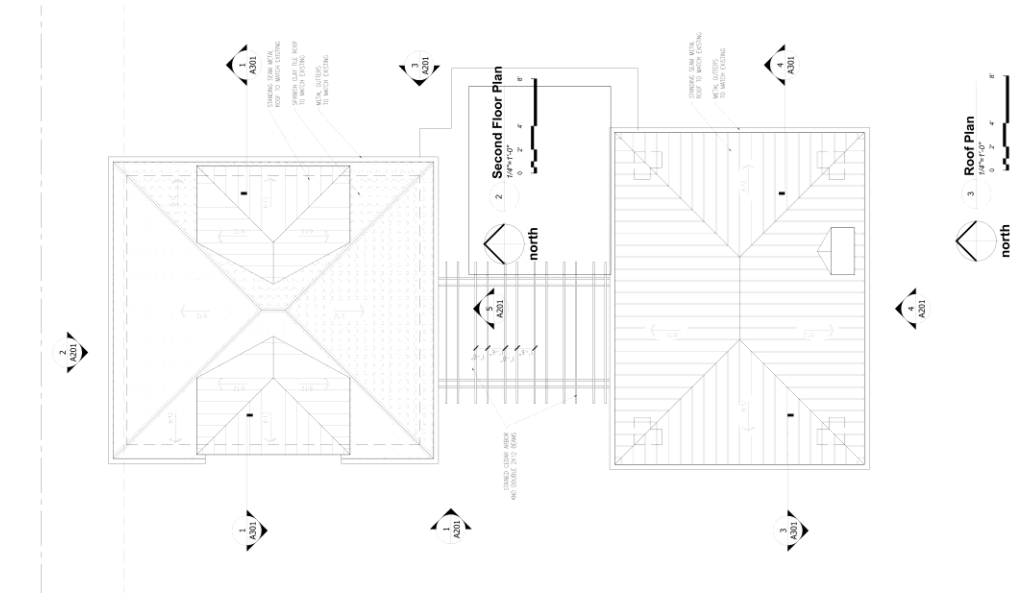
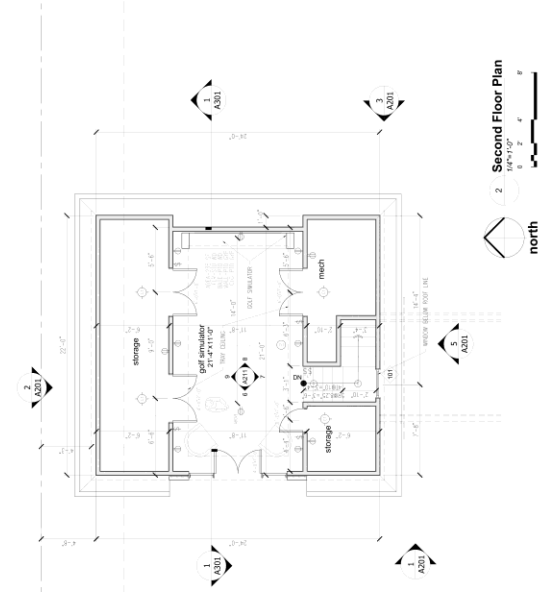
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**GENERAL NOTES:**

1. THE OWNER SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE CITY OF INDIANAPOLIS AND THE INDIANA DEPARTMENT OF REVENUE.
2. ALL WORK SHALL BE DONE IN ACCORDANCE WITH THE 2018 INDIANAPOLIS ZONING ORDINANCE AND THE 2018 INDIANA BUILDING CODE.
3. THE OWNER SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE CITY OF INDIANAPOLIS AND THE INDIANA DEPARTMENT OF REVENUE.
4. THE OWNER SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE CITY OF INDIANAPOLIS AND THE INDIANA DEPARTMENT OF REVENUE.

**WINDOW SCHEDULE**

NO.	TYPE	SIZE	LOCATION
1	DOUBLE HUNG	36" x 48"	1ST FLOOR, 1ST FLOOR
2	DOUBLE HUNG	36" x 48"	1ST FLOOR, 1ST FLOOR
3	DOUBLE HUNG	36" x 48"	1ST FLOOR, 1ST FLOOR
4	DOUBLE HUNG	36" x 48"	1ST FLOOR, 1ST FLOOR
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98	DOUBLE HUNG	36" x 48"	1ST FLOOR, 1ST FLOOR
99	DOUBLE HUNG	36" x 48"	1ST FLOOR, 1ST FLOOR
100	DOUBLE HUNG	36" x 48"	1ST FLOOR, 1ST FLOOR









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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 existing garage on this property, as well as other neighboring properties have similar side yard setbacks for accessory buildings.

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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 existing garage on this property, as well as other neighboring properties have similar side yard setbacks for accessory buildings.

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3. The strict application of the terms of the zoning ordinance will result in practical difficulties in the use of the property because:

The side yard set back requirement would hinder the use for parking and off street parking needs.

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DECISION

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

Adopted this \_\_\_\_\_ day of \_\_\_\_\_, 20 \_\_\_\_

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Existing accessory structure to be removed



View of backyard





View of backyard



View of northern side setback of primary residence





View of backyard with trees along southern side yard



View of existing accessory structure



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