

BOARD OF ZONING APPEALS DIVISION I

June 2, 2026

Case Number: 2026-DV1-019
Address: 1630 East 18th Street (approximate address)
Location: Center Township, Council District #8
Zoning: D-5
Petitioner: Dayspring Properties LLC, by Josh Smith
Request: Variance of Development Standards of the Consolidated Zoning and Subdivision Ordinance to provide for a building addition with a 4.5-foot west side yard setback (five feet side setback required), and a 9-foot rear setback (20-foot rear setback required).

Current Land Use: Single-Family Dwelling.

Staff Recommendation: Staff recommends approval of this petition.

Staff Reviewer: Robert Uhlenhake, Senior Planner

PETITION HISTORY

This is the first hearing for this petition.

STAFF RECOMMENDATION

Staff recommends **approval** of this petition.

PETITION OVERVIEW

- ◇ 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 buildings.
- ◇ The requested 9-foot rear setback is largely a result of the irregular size and orientation of the lot. The lot, at 68 feet in depth, is about half the length of a typical D-5 lot, resulting in the need for a reduced rear setback. There is an undeveloped alley right-of-way behind the lot, that provides additional separation from any adjacent properties.
- ◇ The requested 4.5-foot west side setback would be in line with the existing dwelling which is placed at a slight angle on the site and has a progressively decreasing side setback. The rear dwelling expansion with the deficient west side setback would be similar to a one-time legally non-conforming expansion of 50% or less. The requested west side setback would not be out of context with the neighborhood as it is similar to other dwellings in the area. In Staff's opinion, this would be a minor deviation, and would not negatively impact surrounding property owners.

- ◇ Generally, staff supports legally establishing property improvements if their location and characteristics do not negatively impact adjoining residential areas by causing a nuisance to the surrounding neighborhood. Staff believes that this would be true for this particular variance request; additionally, no public safety or health risks would come from the grant of this variance.

GENERAL INFORMATION

Existing Zoning	D-5	
Existing Land Use	Single Family Dwelling	
Comprehensive Plan	Traditional Neighborhood Uses	
Surrounding Context	Zoning	Surrounding Context
	North:	D-5 Single-Family Dwellings
	South:	D-5 Single-Family Dwelling / Undeveloped
	East:	D-5 Undeveloped
	West:	D-5 Single-Family Dwelling
Thoroughfare Plan		
East 18 th Street	Local Street	50-foot existing and proposed right-of-way.
Context Area	Compact area	
Floodway / Floodway Fringe	No	
Overlay	N/A	
Wellfield Protection Area	No	
Site Plan	April 15, 2026	
Elevations	N/A	
Landscape Plan	N/A	
Findings of Fact	April 15, 2026	

COMPREHENSIVE PLAN ANALYSIS

Comprehensive Plan

- Marion County Land Use Plan Pattern Book (2019)

Pattern Book / Land Use Plan

- The Marion County Land Use Plan Pattern Book (2019) recommends the Traditional Neighborhood typology which includes a full spectrum of housing types, ranging from single family homes to large-scale multifamily housing. The development pattern of this typology should be compact and well-connected, with access to individual parcels by an alley when practical. Building form should promote the social connectivity of the neighborhood, with clearly defined public, semi-public, and private spaces. Infill development should continue the existing visual pattern, rhythm, or orientation of surrounding buildings when possible. A wide range of neighborhood-serving businesses, institutions, and amenities should be present. Ideally, most daily needs are within walking distance. This typology usually has a residential density of 5 to 15 dwelling units per acre.

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

- Not Applicable to the Site.

Indy Moves

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

- Not Applicable to the Site.

ZONING HISTORY

2009-SE3-004; 1802 Tallman Avenue (north of site), requested a Special Exception to provide for the expansion of a religious use, with a 3,200-square foot building addition, with an 8.5-foot front setback from the existing right-of-way line of Roosevelt Drive, with 30 existing off-street parking spaces, **granted**.

2008-DV2-033; 1725 Roosevelt Avenue (south of site), requested a Variance of Development Standards to legally establish the expansion of a package liquor store within an existing 1,520-square foot building, within 42 feet of a protected district, in C-3, **granted**.

2006-ZON-101; 1743 and 1747 Roosevelt Avenue (south of site), rezone from C-1 to D-8 to provide for residential uses, **approved**.

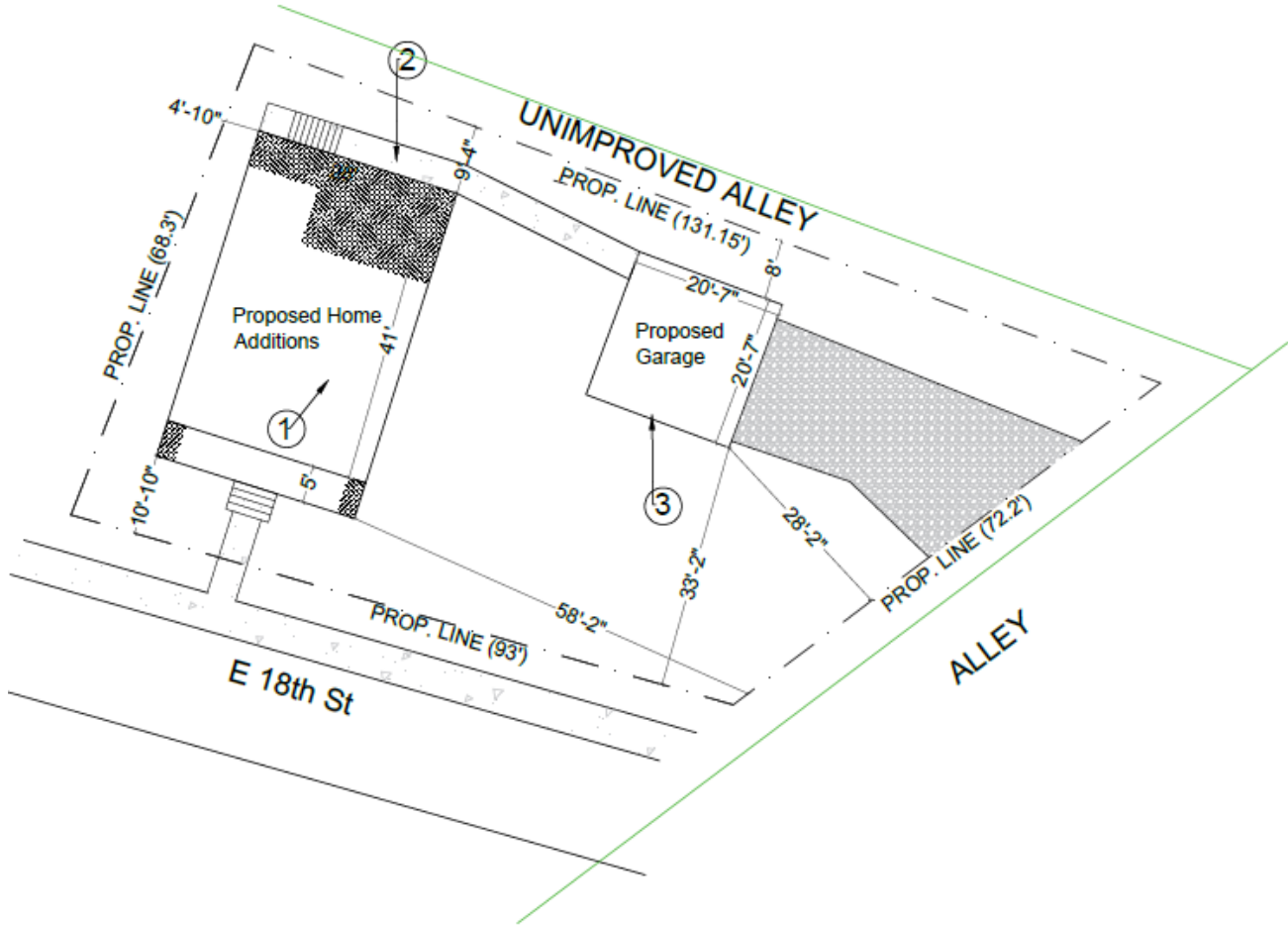
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EXHIBITS

Location Map



Site Plan



Proposed
Site Plan
 SCALE: 1" = 20'



Findings of Fact

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:

This proposal will allow expanding a single family home building within the proposed and recommended uses of the D5 zoning district.

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:

This variance allows the expansion of the existing single family home. There will be no more intense or changed uses.

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

Due the non-traditional shape of this lot, the overall shape is wider than it is deep and results in a lot that is less than 70ft deep. The existing home built around 1910 is non-compliant with the side and rear zoning setbacks. The currently proposed modest home addition, while not in compliance with the side/rear setbacks, is in line with the character of the neighborhood.

Photographs



Subject site, existing dwelling, looking northeast.



Subject site, existing/proposed dwelling expansion location with 9-foot rear setback, looking west.



Subject site, existing/proposed dwelling expansion location to rear with 4.5-foot west side setback, looking north.



Subject site, proposed garage location, looking west.