

COA # 2010-COA-512 (IRV) 2010-VHP-010	INDIANAPOLIS HISTORIC PRESERVATION COMMISSION STAFF REPORT	Hearing Date DEC. 1, 2010
5921 E. WASHINGTON ST. IRVINGTON		<i>New Case</i>
Applicant: Ian Brown mailing address: 5921 E. Washington St. Indianapolis, IN 46219		Warren Twp. Council District 21 Benjamin Hunter
Owner: Same as Above		
COMBINED CASE		
IHPC COA: 2010-COA-512 (IRV) Construct attached 2-car garage (with storage) and a variance.		
VARIANCES: 2010-VHP-018	Variance of Use to allow: <ul style="list-style-type: none"> • Residential dwelling unit in a C-4 zoning district 	
STAFF RECOMMENDATION: Approval with stipulations		

STAFF COMMENTS

Background of the Property

The subject property is a 2 ½ story four-square house originally constructed as a residence prior to 1915 (see 1915 Sanborn Map attached). The house was rezoned to C-4 (most likely in the 1960’s when the ordinance was created), and has been used for both housing and commercial office space over the years, most recently a dental office with apartments upstairs. The current owner purchased the property two years ago for his construction office, Brown Construction. He converted the second floor into one living unit for his personal use, but said he was unaware a variance was needed to do so. The applicant received a violation from Code Enforcement and has applied for a Variance of Use and COA to legally permit a living unit on the second floor of the structure and for a COA for the construction of an attached garage.

Variance of Use

Staff believes permitting a living unit is perfectly appropriate. We know the original use of the structure was residential and the structure still appears to be residential from the exterior. The properties to the south are residential and are zoned as such. The properties to the east, west and north are all zoned C-4. Staff believes there will be no negative effect from the granting of this variance request.

Attached Garage

The applicant applied and received approval to construct a detached 2-car garage in May 2010. However, after staking the garage, both staff and the applicant noticed that access for customer parking would be blocked. Since there is no way to access the site other than from the alley to the south of the site, the applicant asked staff if an attached garage would be permitted. Generally, attached garages are discouraged. However, this guideline is typically intended for properties that are residential in nature. This property is to be used for commercial purposes, and staff believes that this difference warrants consideration of an attached garage, especially since the nature of the applicant’s business warrants such a space, unlike most commercial uses. The C-4 zoning ordinance prohibits outdoor storage, so the garage will allow the applicant to have storage for tools while also providing space for his pick-up trucks he uses for construction. The remainder of the site is to be landscaped and paved with asphalt (it is currently graveled in its entirety). The applicant has indicated that he plans to provide a landscape and paving plan to staff for approval once the garage is constructed and the debris is removed from the site. Staff has added a stipulation for this plan to be

provided. The applicant has recently constructed a wood privacy fence, so the rear of the site will not be visible.

The proposed garage is to extend off the rear of the primary structure, and is not to project beyond the side elevations. The applicant has agreed to set the east elevation in at least 6 inches so it does not appear flush with the existing elevation. The siding will be smooth wood siding with a matching reveal to the rest of the structure. There is to be a concrete block foundation with brick veneer. The roof is to have a 5/12 pitch. The applicant is not showing full height windows for security purposes, but their design is similar to the transom-style window found on the rear elevation. The windows will be wood and are designed to provide light, but not entry to the building. The applicant is proposing a steel overhead door, however, staff has stipulated that the final design and material of this door be carefully reviewed before it is approved. The type of door selected must be looked at closely for the most appropriate style and material possible, especially since this garage is attached to an historic structure.

Irvington Preservation Plan

The Irvington Preservation Plan recommends this site be rezoned to D-8. The proposed variance of use to allow a living unit would take the use of the property a step closer to the recommended use of the site. The plan also states that additions an accessory building should be discernible as a product of their own time and that additions should be located at the rear away from the front façade. Accessory buildings should be located behind the existing historic building unless there is an historic precedent otherwise. Generally, accessory building should be of a secondary nature and garages should be oriented to alleys.

Staff believes the proposed garage will be discernable from the primary structure especially with the proposed recessed side elevation (east elevation) and the contemporary style windows proposed. The materials proposed are compatible with the main structure, however, staff believes with the height of the garage being lower than the main roof and with these few differences, it will obviously be an addition.

STAFF RECOMMENDED MOTION

COA #2010-COA-512 (IRV):

To approve a Certificate of Appropriateness for construction of a 2-car attached garage (with storage space) and for a Variance of Use; all per submitted documentation and subject to the following stipulations:

- 1) **Construction must not commence prior to approval by IHPC staff of final construction drawings showing addition set in from east elevation of house at least 6 inches.**
Approved: _____ Date: _____
- 2) **A pre-construction meeting between IHPC staff, the designer, the owner, and the contractor/construction manager must be held prior to commencement of construction.**
Approved: _____ Date: _____
- 3) **Rear yard parking spaces are to be asphalted once garage is constructed. Rear yard must be landscaped. A landscape plan showing landscaping and paved areas must be submitted to IHPC staff for final approval upon completing construction of garage addition.**
Approved _____ Date _____
- 4) **The construction site must be field-staked with no offsets and reviewed by IHPC staff prior to commencement of construction.** *Approved: _____ Date: _____*
- 5) **All siding and trim must be wood and must have a smooth texture free of embossed woodgrain textures and major imperfections. No rough-sawn wood finishes are permitted.**

- 6) Work on exterior details must not commence prior to the approval by IHPC staff of each element. These may include, but are not limited to all finish material: doors, windows, foundations, exterior lighting, colors, roofing, landscape materials, etc.
- 7) Final garage door selection is to be reviewed and approved by IHPC staff prior to purchase and installation. Approved _____ Date _____
- 8) Any changes to the approved design shall be approved by IHPC staff prior to starting work.

Note: Stipulations 1, 2, and 3 must be completed prior to the issuance of any building permits.

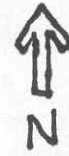
VARIANCE #2010-VHP-018:

For a Variance of Use of the C-4 Zoning Ordinance to allow one residential dwelling unit in the primary structure.

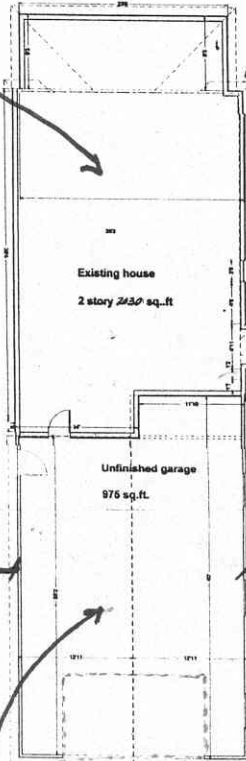
Staff Reviewer: Meg Purnsley



C-4
ZONING



• FIRST FLOOR OF HOUSE IS CURRENTLY A CONSTRUCTION OFFICE. VARIANCE REQUEST WILL LEGALLY ALLOW 2ND FLOOR LIVING UNIT.



Applicant will set garage in at this corner (6"-1') on final construction plans.

FOR 2 PICK-UP TRUCKS (FULL SIZE) AND STORAGE OF TOOLS FOR CONSTRUCTION

40'



NOTE:
THIS WALL IS
TO BE SET IN
6"-1' ON
FINAL PLANS

RECEIVED

NORTH ELEVATION

OCT 19 2010

1/8" = 1 FT.

INDIANAPOLIS HISTORIC
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CMU WITH
BRICK VENEER

SMOOTH WOOD SIDING
TO MATCH HOUSE

EAST ELEVATION

1/8" = 1 FT.

RECEIVED

OCT 19 2010

INDIANAPOLIS HISTORIC
PRESERVATION COMMISSION

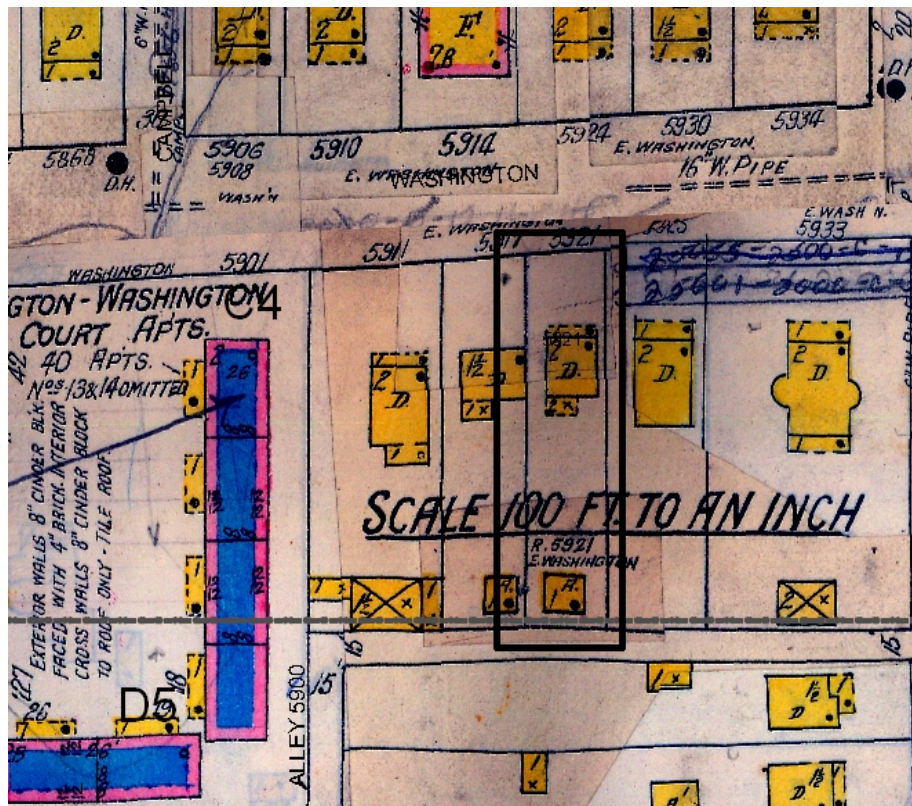


RECEIVED

OCT 19 2010

NORTH ELEVATION

1/8" = 1 FT.



1915 Sanborn Map



Front of Property (recently restored)



View of East Elevation and Rear Elevation of Structure

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

PETITION FOR VARIANCE OF USE

FINDINGS OF FACT

1. THE GRANT WILL NOT BE INJURIOUS TO THE PUBLIC HEALTH, SAFETY, MORALS, AND GENERAL WELFARE OF THE COMMUNITY BECAUSE

having someone reside on premises will not affect the community in any negative way. Having a full time resident will actually add security to the property, the neighboring businesses, and the neighborhood in general as there will be someone there to keep a watchful eye at all hours of the day and night.

2. THE USE AND VALUE OF THE AREA ADJACENT TO THE PROPERTY INCLUDED IN THE VARIANCE WILL NOT BE AFFECTED IN A SUBSTANTIALLY ADVERSE MANNER BECAUSE

The property in question will not be changed in any way. The property has already been significantly improved since it's purchase years ago when it contained one office and three residential apartments. In fact, allowing a full time occupant will help increase property values in the area as the exterior and lawn will be cared for as one might expect of a newly remodeled home in an historic area.

3. THE NEED FOR THE VARIANCE ARISES FROM SOME CONDITION PECULIAR TO THE PROPERTY INVOLVED BECAUSE

the property is currently zoned as a C-4 property when in fact the property has always had tenants living there in some capacity.

4. THE STRICT APPLICATION OF THE TERMS OF THE ZONING ORDINANCE CONSTITUTES AN UNUSUAL AND UNNECESSARY HARDSHIP IF APPLIED TO THE PROPERTY FOR WHICH THE VARIANCE IS SOUGHT BECAUSE

when the property was purchased, restored and fully remodeled the three apartments and one office were removed making room for a two story single family dwelling. Currently the downstairs is mostly utilized as office space and the entire upstairs is a residential apartment unit with all the amenities.

5. THE GRANT DOES NOT INTERFERE SUBSTANTIALLY WITH THE COMPREHENSIVE PLAN BECAUSE

This grant can only have a positive impact on the property value, the neighboring property values, and therefore providing benefit and increased value to the entire Irvington Area.

DECISION

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

Adopted this _____ day of _____, 20 ____

