

COA # 2013-COA-054 (HMP) 2013-VHP-008	INDIANAPOLIS HISTORIC PRESERVATION COMMISSION STAFF REPORT	Hearing Date APRIL 3, 2013
2118 N. NEW JERSEY HERRON-MORTON PLACE		NEW CASE Center Township Council District: 15 Vop Osili
Applicant KELLY CRAWFORD mailing address: 2118 N. New Jersey Street Indianapolis, IN 46202		
Owner: SAME AS ABOVE		
EXPEDITED COMBINED CASE		
IHPC COA: 2013-COA-054 (HMP)	<ul style="list-style-type: none"> • Construct 2nd story living unit above existing detached 5-car garage. • Install new siding and re-shingle entire garage. • Variance of Use of the D-8 Zoning Ordinance to allow a separate living unit in an accessory structure. 	
Variance: 2013-VHP-008	<ul style="list-style-type: none"> • Variance of Use of the D-8 Zoning Ordinance to allow a separate living unit in an accessory structure. • Variance of Development Standards to allow an accessory structure to exceed 24x30 maximum dimensions 	
STAFF RECOMMENDATION: Approval		

STAFF COMMENTS

Request for 2-day waiver of notice

A 2-day waiver of notice is requested. The wrong address was inadvertently included on the notice. Corrected notice was given 2 days after the deadline date.

Variance of Development Standards – Not Needed

It was originally believed that a variance was required because the garage exceeds 24 ft. x 30 ft. However, the square footage of the first floor of the garage is less than 75% of the main floor area of the house, and is therefore in compliance with the zoning code. The Variance of Use is still needed.

Background of the Property

The 2 ½ story frame house was built in 1898 and remained a single-family house until 1912 when it was divided into two apartments. The windows and doors have classical frames, and the gable has decorative fishscale siding. In 1940, the house was subdivided into more apartments. In 1987, the IHPC approved the 5-car garage to serve the apartments. The house has been returned to single family and the present owner no longer has a need for a five car garage.

Proposed Garage Addition

The applicant proposes converting the 5-car garage into a 4-car carriage house with one living unit above. North Avenue Trades has provided the design. The entire garage will be re-sided in order to bring coherence to the design. The proposed siding is 5 in. reveal smooth fiber-cement siding and LP Smart Trim. Windows will be aluminum-clad. The 2nd floor addition will be constructed on the south section of the garage. The alley (west) elevation features a gable roof with two window openings. The window trim is detailed to mimic that on the main house. The east elevation features three pedestrian doors and a large, shed roof wall dormer. The main pedestrian entry has a small bracketed awning.

Variance of Use

The D-8 zoning ordinance permits multifamily units, but not in separate buildings. The applicant is requesting a Variance of Use to allow a living unit inside the separate accessory structure. This is appropriate for these reasons:

1. Carriage houses with living units as well as separate accessory living units were not uncommon in Herron-Morton Place during its historic era of significance.
2. Parking needs are provided for on-site.
3. Approval of this addition is consistent with similar approvals granted by the IHPC in the past.

Herron-Morton Place Preservation Plan

The Plan states the following about new construction of accessory buildings:

- *“The design of a new accessory structure should relate closely to the context of the existing buildings on the site*
- *“[New accessory buildings]... should be oriented to alleys.”*
- *“[New accessory buildings] should be discernable as a product of their own time.”*
- *“[New accessory buildings] should be located behind any existing historic building.”*

Staff believes the addition is appropriate to the existing building and conditions on the site. The existing garage is not historic, and the enlarged garage will still be subordinate to the main house, and is designed in a style complementary to the house and the district.

STAFF RECOMMENDED MOTION

COA #2013-COA-054 (HMP):

To approve a Certificate of Appropriateness to construct a second story living unit above the existing detached 5-car garage, install new siding and asphalt shingles, and for necessary variances of the zoning ordinance; as per submitted documentation and subject to the following stipulations:

1. Final construction drawings shall be approved by staff prior to commencement of work.
Approved: _____ Date: _____
2. A pre-construction meeting with IHPC staff, the designer, the owner, and the contractor/construction manager must be held prior to commencement of construction.
Approved: _____ Date: _____
3. Any change to the design or scope of work must be approved by IHPC staff prior to commencement of work.
4. All windows and doors on the carriage house must be approved by IHPC staff prior to installation. *Approved _____ Date _____*
5. All new materials shall be approved by IHPC staff prior to installation.
6. New siding, panels and trim must be smooth finish fiber-cement or wood.
7. No birdboxes (boxed soffits) shall be permitted on overhangs.

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

NOTE: This property is an Indiana Landmarks covenant property. Please contact IL at 317-639-4534 to obtain necessary permissions prior to starting any project.

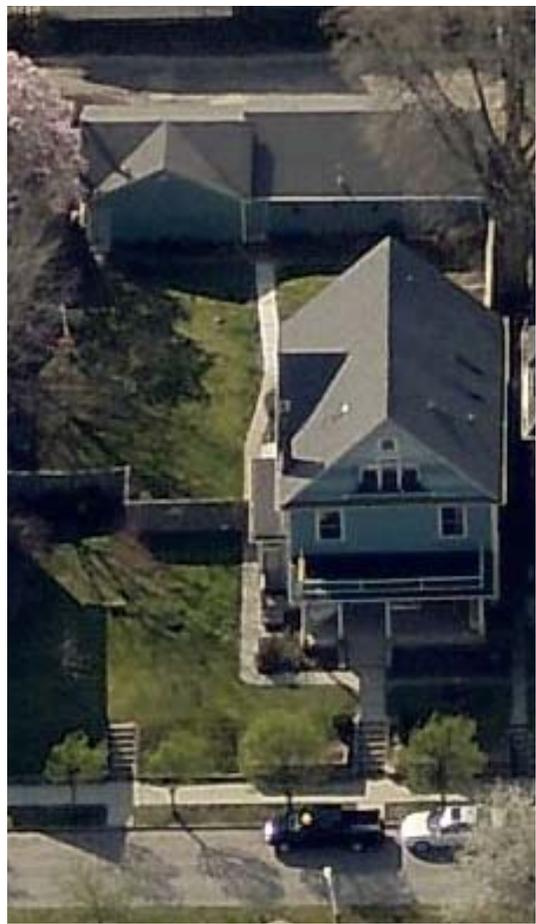
VARIANCE PETITION #2013-VHP-008:

To approve a Variance of Use of the D-8 Zoning Ordinance to allow one, separate living unit in an accessory structure.

Staff Reviewer: Emily Jarzen



Map of subject property



Aerial view of subject property



View of property from N. New Jersey



View of garage and alley



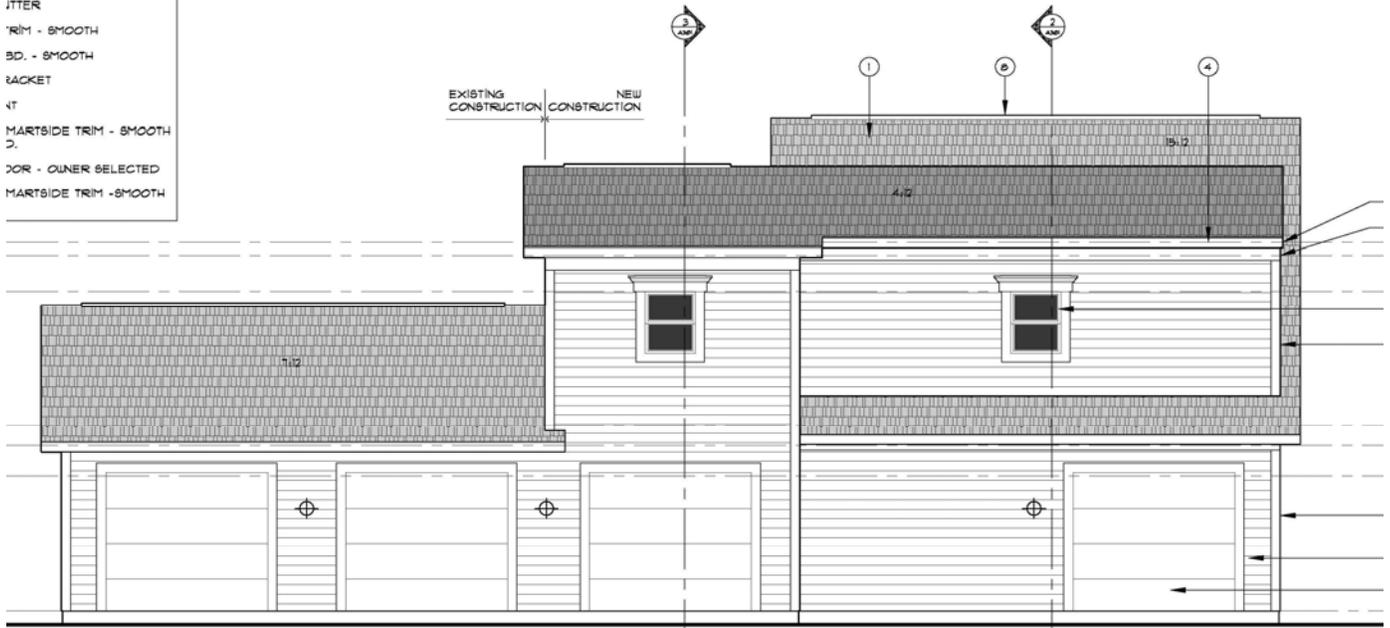
View of existing garage from alley



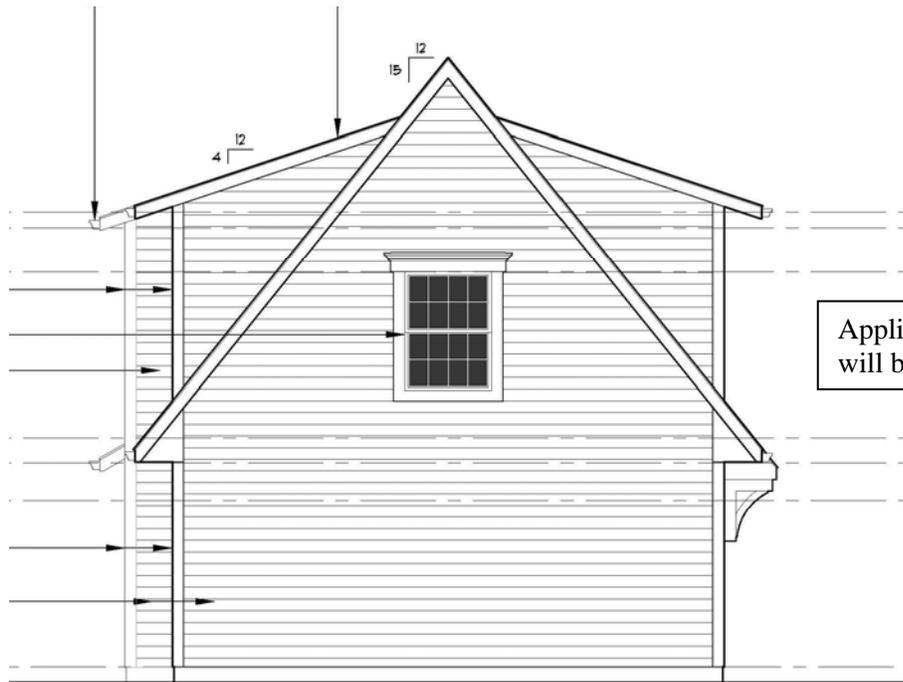
View of garage from yard

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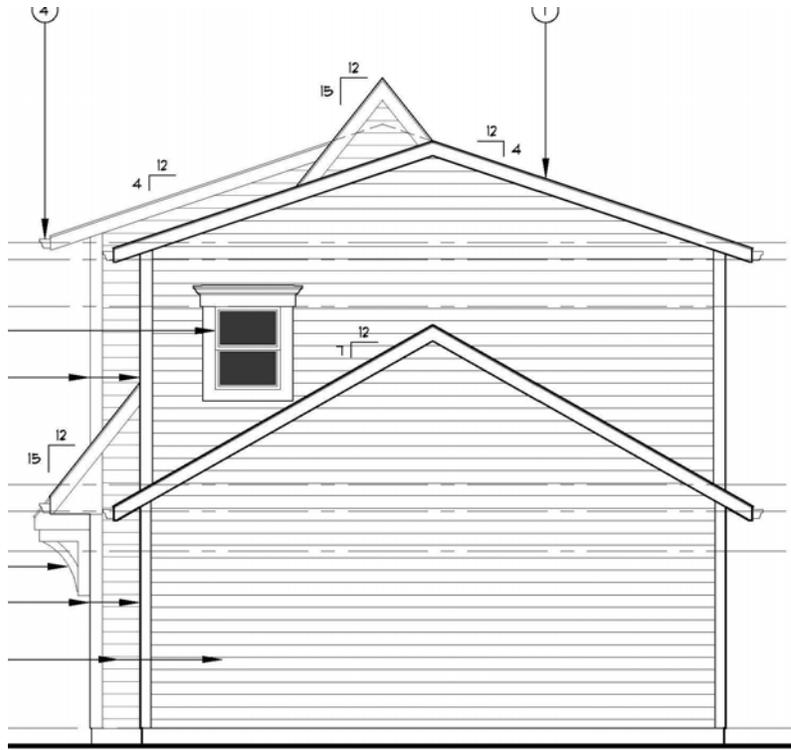
- CLASS SHINGLE ROOF
- SIDING (8" EXPOSURE)
- LE HUNG WINDOWS
- JITTER
- TRIM - SMOOTH
- BD. - SMOOTH
- RACKET
- NT
- MARTSIDE TRIM - SMOOTH
- DOR - OWNER SELECTED
- MARTSIDE TRIM - SMOOTH



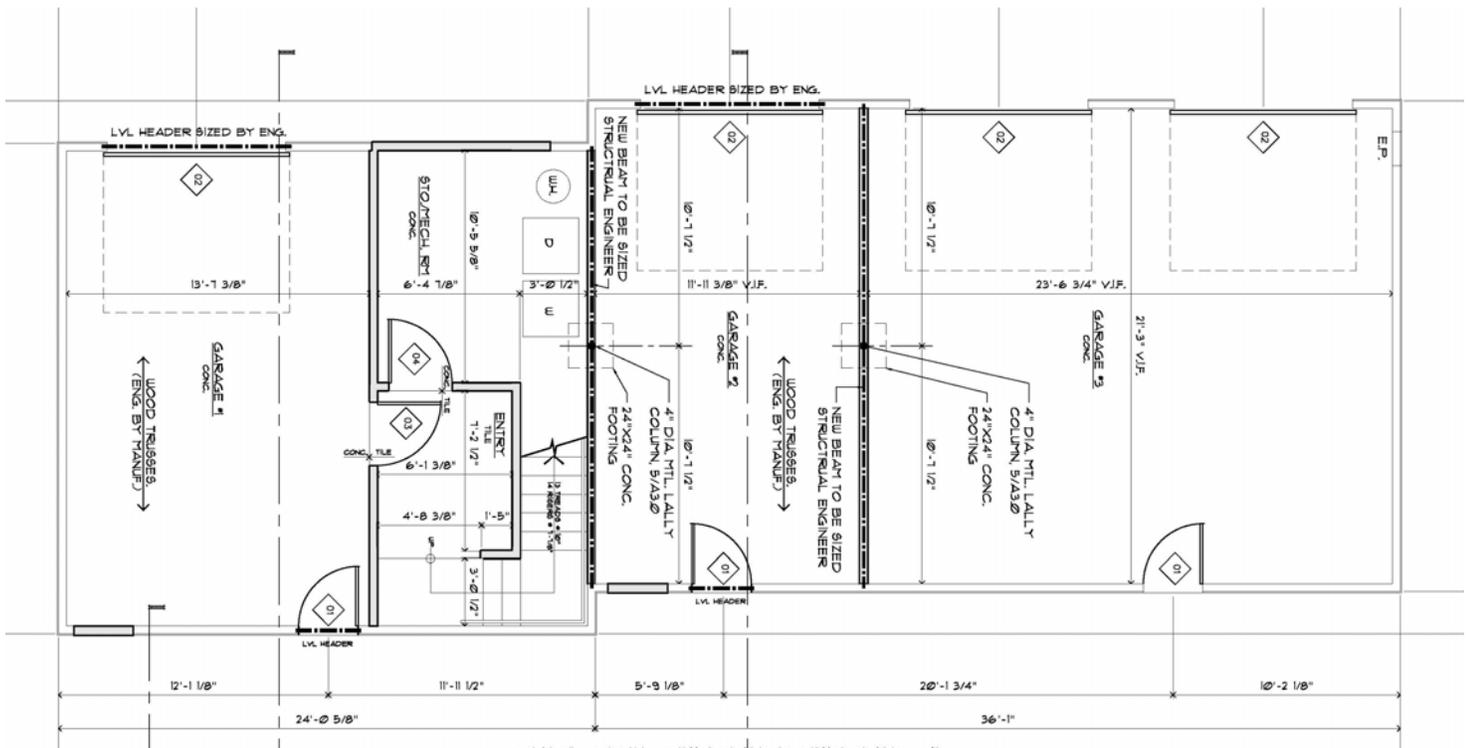
West elevation



South elevation



North elevation



First floor plan

**METROPOLITAN DEVELOPMENT COMMISSION
HEARING EXAMINER
METROPOLITAN BOARD OF ZONING APPEALS, Division IHPC
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

The property is zoned D-8, which allows multiple dwelling units in a primary building, but not a separate accessory building. Granting this variance will not result in any greater density or parking need than would occur if the additional unit was created in the main house. There is no evidence that an additional separate living unit on this lot will have any different effect on the public health, safety, morals and general welfare of Herron-Morton Place than would an additional unit within the main house. Densities are still far below what they were historically and increasing the density of population will only served to provide more security, safety and economic stability to the area.

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 surrounding area has many separate living units in carriage houses that have been added since Herron-Morton Place was designated in 1986. Throughout this time, properties have continued to be built, restored, renovated and property values have increased dramatically. No evidence was presented indicating that separate units in carriage houses have had any negative effect.

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

The use of carriage houses as additional living units in a D-8 district is historically peculiar to this neighborhood. This area was originally developed without the present day zoning that excludes separate living units in accessory buildings. However, the character of the historic development being preserved and promoted by the Herron-Morton Place Historic Area Preservation Plan is based on the historic pre-zoning development patterns and not on the modern zoning ordinance.

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

The character of the historic development being preserved and promoted by the Herron-Morton Place Historic Area Preservation Plan is based on the historic pre-zoning development patterns and not on the modern zoning ordinance. Strict application of the zoning ordinance precludes a type of development characteristic of the period of significance in Herron-Morton Place. In addition, the strict application within this historic district would be inconsistent with similarly situated properties and current similar uses.

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

The Herron-Morton Place Historic Area Plan (which by statute constitutes the Comprehensive Plan) discusses the residential nature of the neighborhood and the use of some residences as separate living units. While there is no direct reference in the Plan to carriage house development, carriage houses were found historically throughout the district. As a result, developing a carriage house with a separate living unit will not conflict with the Historic Area Plan.