

McCordsville

ESTD  1988

INDIANA

Board of Zoning Appeals Staff Report

Meeting Date: September 3, 2025

PETITIONER: GT Real Estate, LLC

PETITION: BZA-25-007

REQUEST: The petitioner's request seeks a Special Exception to allow a two-story duplex in the Old Town zoning district on a legal, non-conforming lot.

LOCATION: The property is located at 7547 N Form St, McCordsville, Vernon Township.

ZONING: The property is zoned Old Town, with the following surrounding land uses and zoning:

<u>Zoning</u>	<u>Land Use</u>
North: OT	Single Family Residential
South: OT	Single Family Residential
East: OT	Single Family Residential
West: OT	Single Family Residential

STAFF REVIEW: The petitioner seeks approval of one (1) Special Exception as detailed below.

Appendix A: Official Schedule of Uses

Dwelling, Two-family requires Special Exception approval in Old Town

Land Use Matrix															
Primary Use	Zoning District														
	R1	R2	R3	R4	R5	MF 1	MF 2	CN/TC	CO	CR	I1	I2	P	OT	
Dwelling, Second Floor/Upper Level(s)					S	P	P	P	P	P				S	
Dwelling, Secondary Suite	S	S	S	S	S	S	S	S						S	
Dwelling, Single-family	P	P	P	P	P	S	S							P	
Dwelling, Student Housing					S	S	S				P		P	S	
Dwelling, Two-family			S	S	S	P	P	S						S	

Currently, the lot (Lot 49 in the Nelson Bradley original plat) has a small home and shed on the property, with parking in front of the primary structure. The petitioner seeks to demolish the house and shed to build a two-story duplex, approximately 3,800 square feet, with a front porch. Parking will be relocated to the rear, at the request of staff. Each unit will consist of a kitchen, half bath, and living space on the first floor, with four (4) bedrooms and three (3) full baths on the second floor.

Because the lot is a legal non-conforming lot of record, the Town recognizes its right to be developed, subject to applicable approvals and compliance with setbacks.

Requirement/Site Data	Provided
Lot frontage	60 feet (Lot 49, Nelson Bradley plat)
Structure width	44 feet
Structure height	32 feet (measured grade to ridge, per code)
Side-yard setback – 10 feet aggregate	8 feet (north) + 8 feet (south) = 16 feet aggregate
Front yard setback – Avg of blgs w/in 300 ft = 16 ft	10.4 feet to porch + 6 foot covered porch = 16.4 feet *
Rear yard setback – 20 feet	73 feet

* per §154.111(B)(1), open porches may encroach up to 12 feet into the front setback

The proposed design and materials are generally consistent with the character of Old Town, incorporating a dimensional shingle roof, fiber cement siding, brick veneer accents, and a covered front porch. Per § 154.113(C), the exterior wall surface of the first floor of all multi-story residences is required to be masonry. Staff's preference is for a full first-floor brick wrap to ensure compliance with this standard and to reinforce Old Town's architectural character. This will be discussed in greater detail during ARC review.

The preliminary site plan is included as Exhibit A, and the construction documents as Exhibit B.

If approved, the project will be reviewed by the Town's Architectural Review Committee (ARC) for character and materials.

STAFF RECOMMENDATION:

Staff supports approval of the special exception. This property is appropriate for a two-family residential duplex given its location in Old Town and proximity to McCord Square, McCordsville Elementary, and retail services along W Broadway. The Town's newly adopted Comprehensive Plan encourages blending new development into the context and existing character of Old Town. A two-family duplex complements the intended character and preservation of Old Town.

If the Board is inclined to approve the special exception, the Department recommends the following conditions:

1. The structure shall substantially conform to the elevations submitted to the BZA and comply with all architectural requirements of the Town.

2. The project shall receive approval from ARC prior to issuance of a building permit.
3. Parking shall be located in the rear parking lot as shown on the site plan. Parking in the front yard shall be prohibited.
4. A minimum of six (6) parking spaces shall be provided in the parking lot.
5. Parking lot landscaping shall be installed to meet commercial standards.
6. Exterior lighting shall be residential in scale, downcast, and shall not produce glare onto adjacent properties.
7. All mechanical equipment, meter banks, and trash receptacles shall be fully screened from public view.
8. The front porch shall remain an open architectural feature and shall not be enclosed. The porch shall not encroach into the front yard setback any further than shown on the approved site plan, consistent with § 154.111(B)(1).
9. Side-yard setbacks shall be as shown (8 feet, minimum).
10. The structure shall be limited to two (2) dwelling units.
11. The occupant load of any dwelling unit shall comply with the occupancy requirements of the State of Indiana Building Code.
12. The renting of individual rooms, or any portion of the dwelling unit, but not the entirety of the dwelling unit, is prohibited. This shall also apply to sub-leases.
13. For purposes of Condition 12, the definition of “family” shall be as provided in the Town of McCordsville Zoning Ordinance: *Family: One or more persons occupying a dwelling unit as a single housekeeping unit and therefore using common facilities for cooking, sanitation, and gathering. A family does not include any society, club, fraternity, sorority; or group living in a boarding house, hotel, motel, bed and breakfast facility, lodging house, rooming house, or club; or any individuals who are in a group living arrangement as a result of criminal activity.*
14. A concrete sidewalk connection shall be provided from the front porch entrance to the rear parking lot, providing a clear pedestrian link between the street and the parking area.

The BZA may include additional conditions of approval, and if so, these conditions should be incorporated into the record. They may be amended, added to, or removed by the BZA. The petitioner also has the right to request them to be amended, added to, or removed until the time the BZA has made a motion on the conditions.

RECOMMENDED FINDINGS FOR APPROVAL:

If the Board is inclined to approve the special exception use from development standards, then staff recommend the following findings:

Special Exception:

1. The special exception shall be permitted by this chapter:
Finding: *The proposed use — a two-family dwelling (duplex) — is listed in Appendix A: Official Schedule of Uses as a Special Exception in the Old Town zoning district. Therefore, the request is permitted by this chapter, subject to BZA approval.*
2. The special exception can be served with adequate utilities, access roads, drainage, and other necessary facilities:
Finding: *The subject property is an existing legal lot of record within Old Town with access to existing public utilities, public streets, and drainage infrastructure. Connection details and any*

required on-site improvements will be reviewed and permitted through the Town's standard building permit processes and by applicable utility providers to ensure compliance with utility, access, drainage, and related standards.

3. The special exception shall not involve any element or cause any condition that may be dangerous, injurious, or noxious to any other property or persons, and shall comply with the development standards of this chapter:

Finding: *The proposed duplex does not involve any element that would be dangerous, injurious, or noxious to other property or persons. The use is residential in nature and consistent with surrounding single-family dwellings in Old Town. The project, as conditioned, will comply with the applicable development standards of the Zoning Ordinance, including setbacks, parking, landscaping, and architectural requirements.*

4. The special exception shall be sorted, oriented, and landscaped to produce a harmonious relationship of buildings and grounds to adjacent buildings and properties:

Finding: *The proposed duplex is designed and oriented to face N. Form Street, consistent with adjacent residential structures in Old Town. Parking has been relocated to the rear of the property to reduce visual impact from the street and to maintain compatibility with the surrounding neighborhood pattern. The site layout and building orientation will produce a harmonious relationship of buildings and grounds to adjacent properties..*

5. The special exception shall produce a total visual impression and environment which is consistent with the environment of the neighborhood:

Finding: *The proposed duplex will maintain the residential character of Old Town by utilizing materials such as dimensional shingles, fiber cement siding, brick veneer accents, and a covered front porch. These features are consistent with the established architectural character of the neighborhood. The scale and form of the structure are compatible with surrounding single-family homes, ensuring a visual impression and environment consistent with the neighborhood.*

6. The special exception shall organize vehicular access and parking to minimize traffic congestion in the neighborhood:

Finding: *Vehicular access to the site will be provided from N. Form Street using the existing frontage, and parking will be located to the rear of the structure. Relocating parking from the front yard to the rear lot reduces potential conflicts with pedestrians and minimizes the visual and traffic impacts along the street frontage. The proposed design therefore organizes vehicular access and parking in a manner that will minimize traffic congestion in the neighborhood.*

7. The special exception shall preserve the purpose of this subchapter:

Finding: *The purpose of the Special Exception process is to allow uses that are compatible with the intent of the zoning district but which require additional review to ensure appropriateness at a given location. The proposed duplex is consistent with the Old Town zoning district, reinforces the residential character of the neighborhood, and advances the Town's Comprehensive Plan goal of encouraging a variety of housing types in Old Town. Accordingly, the request preserves the purpose of this subchapter.*

The BZA has four (4) options in considering this request; the Board may approve, approve with conditions, deny, or continue the petition.

Denial: If the Board is inclined to deny the requested special exception, then staff recommends denying, and then tabling the adoption of findings until the Board's next meeting with direction to staff to prepare the findings pursuant to the public hearing evidence and Board discussion.

Neighborhood Aerial



Overview



Legend

- Corporate Limits
- Roads
 - I
 - S
 - U
 - <all other values>
- Rights of Way
- Parcels

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Exhibit A

PRELIMINARY SITE PLAN - LOT 49 IN NELSON BRADLEY'S ADDITION TO THE TOWN OF MCCORDSVILLE, HANCOCK COUNTY, INDIANA

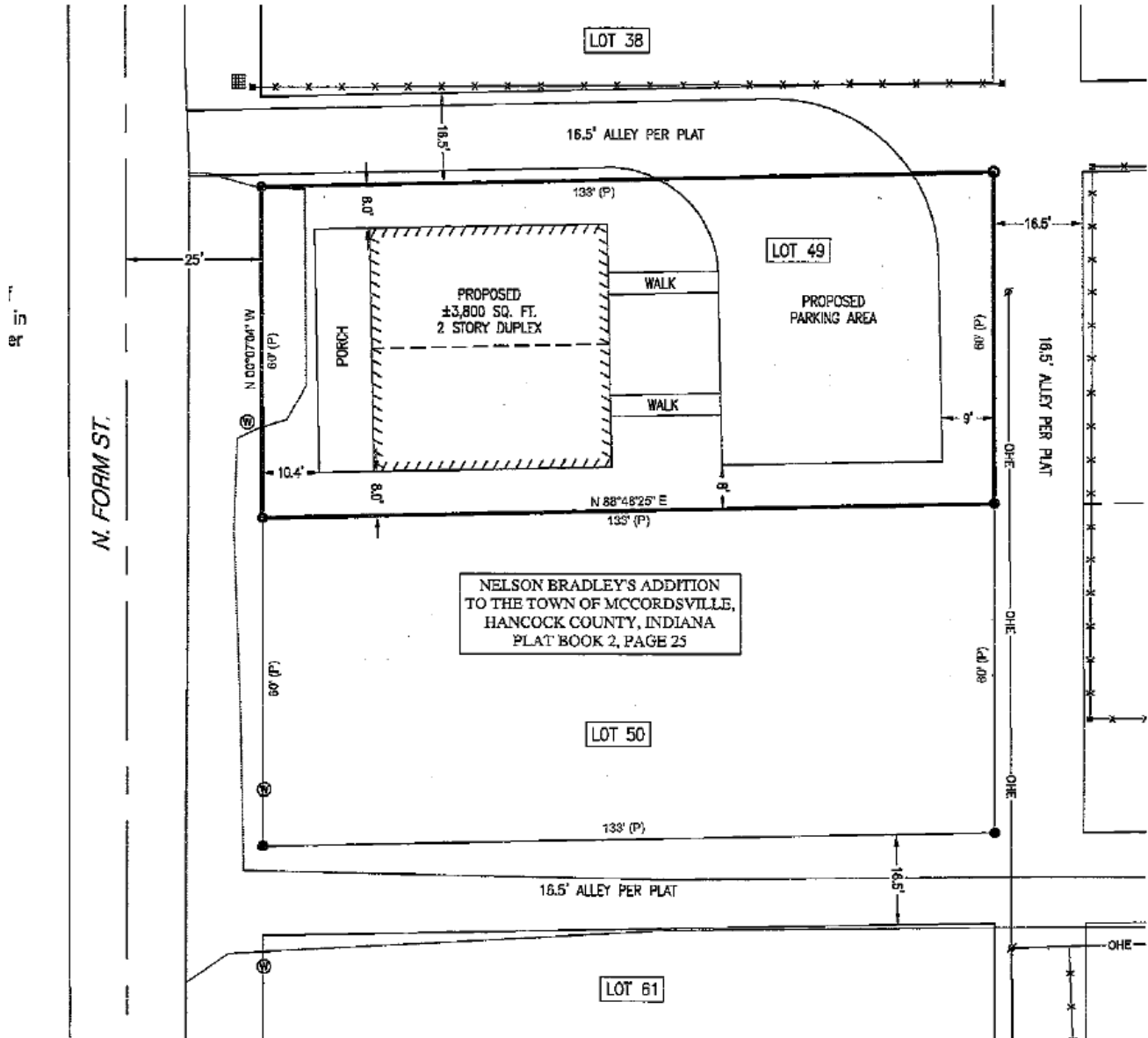


Exhibit B

