



Address: 11022 Brave Ct
Parcel #: 4035340
Docket #: 26 LSV 06
Hearing Date: 05/19/26
Council District #: 5 ~ Zach Cramer

Owner/Petitioner: David and Jean Tatum
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11022 Brave Ct
Lawrence, IN 46236

Agent: Aventus Builders
317-800-5531
support@aventusg.com
8459 Castlewood Drive, Unit D
Indianapolis, IN 46250

Request:

The petitioner is seeking a Variance of Development Standards to allow:

1. Rear Yard Setback Reduction
 - o Required: 20 feet
 - o Proposed: 2 feet 9 inches
 - o Code Reference: [Table 742-103-5](#) (D-3 District Dimensional Standards)
2. Encroachment into a Platted Easement
 - o Code Reference: [Chapter 743-306-A4d](#)
 - o Requirement: Structures shall not encroach into platted easements

Property & Zoning Information

- Current Zoning: D3 (Single-Family Residential)
- Comprehensive Plan Designation: Suburban Neighborhood
- Current Land Use: Residential
- Context Area: Metro

Surrounding Zoning:

- North: D3
- South: D3
- East: D3
- West: D3



Background & Analysis

- The existing deck on the property was constructed between 1993 and 1995.
- The deck was built without permits or inspections, and it is unlikely a permit would have been issued due to its location within the easement.
- The property contains a 12-foot drainage and utility easement along the rear yard.

The petitioner is proposing to construct a sunroom addition that would:

- Maintain a rear setback of only 2 feet 9 inches, significantly below the required 20 feet.
- Result in approximately 9 feet 1 inch of the drainage easement being obstructed by a permanent structure.

This encroachment raises concerns including:

- Interference with drainage patterns, potentially impacting stormwater flow.
- Restricted access for utility maintenance or repair.
- Establishing a precedent inconsistent with the surrounding neighborhood.

Staff notes that:

- No other properties in the vicinity of the lake have structures encroaching into the drainage easement.
- The requested variance represents a substantial deviation from ordinance standards.

Staff Recommendation: Denial

Staff recommends denial of the requested variances based on the following:

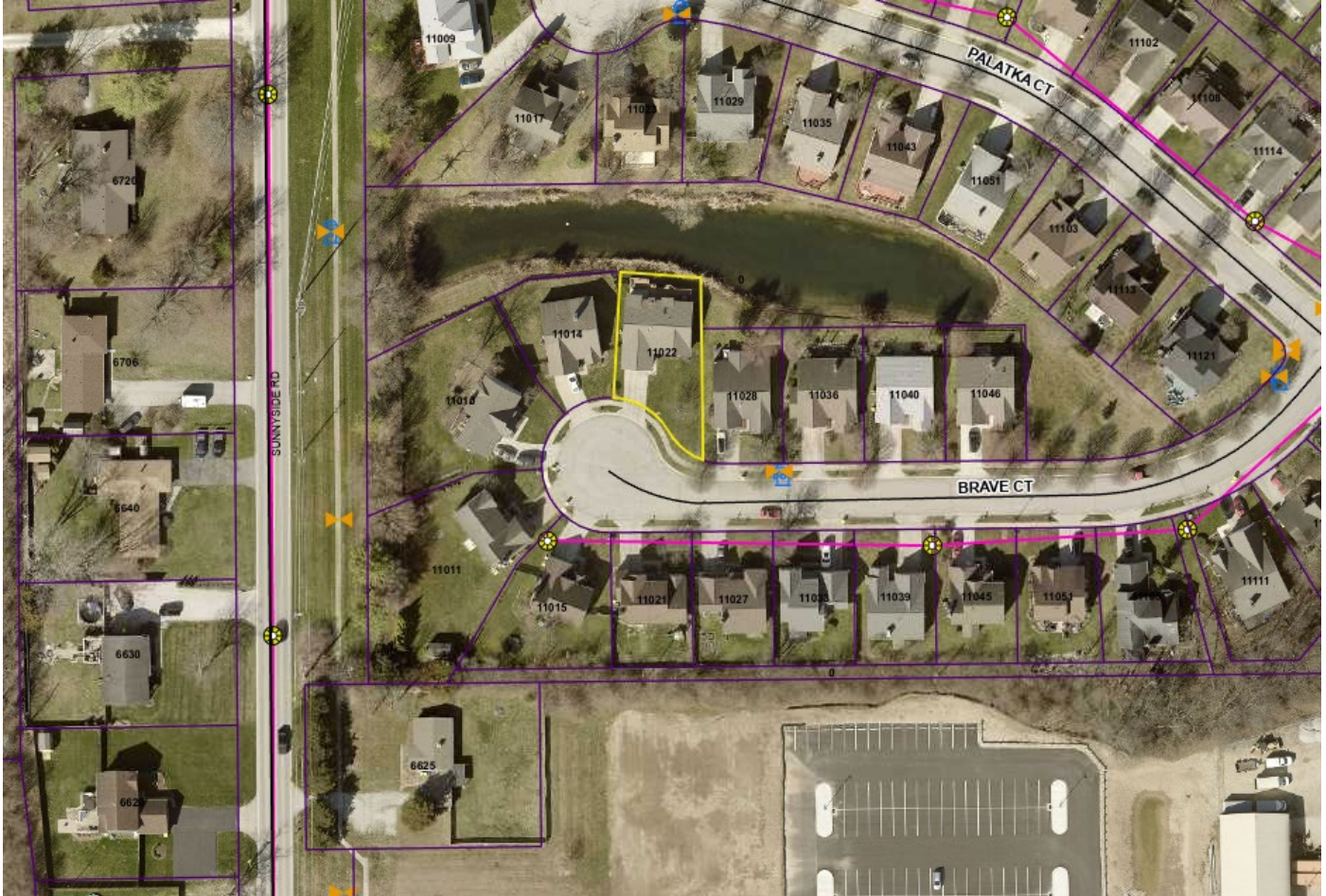
1. The request represents a significant encroachment into a required rear yard setback.
2. The proposal places a permanent structure within a platted drainage and utility easement, contrary to code requirements.
3. Approval may negatively impact drainage and utility access.
4. The condition is self-imposed, as the original deck was constructed without permits.
5. The request is not consistent with the development pattern of surrounding properties.

Attachments

- Aerial Map
- Zoning Base Map
- Site Plan
- Building Elevations
- Finding of Fact (Applicant Provided)



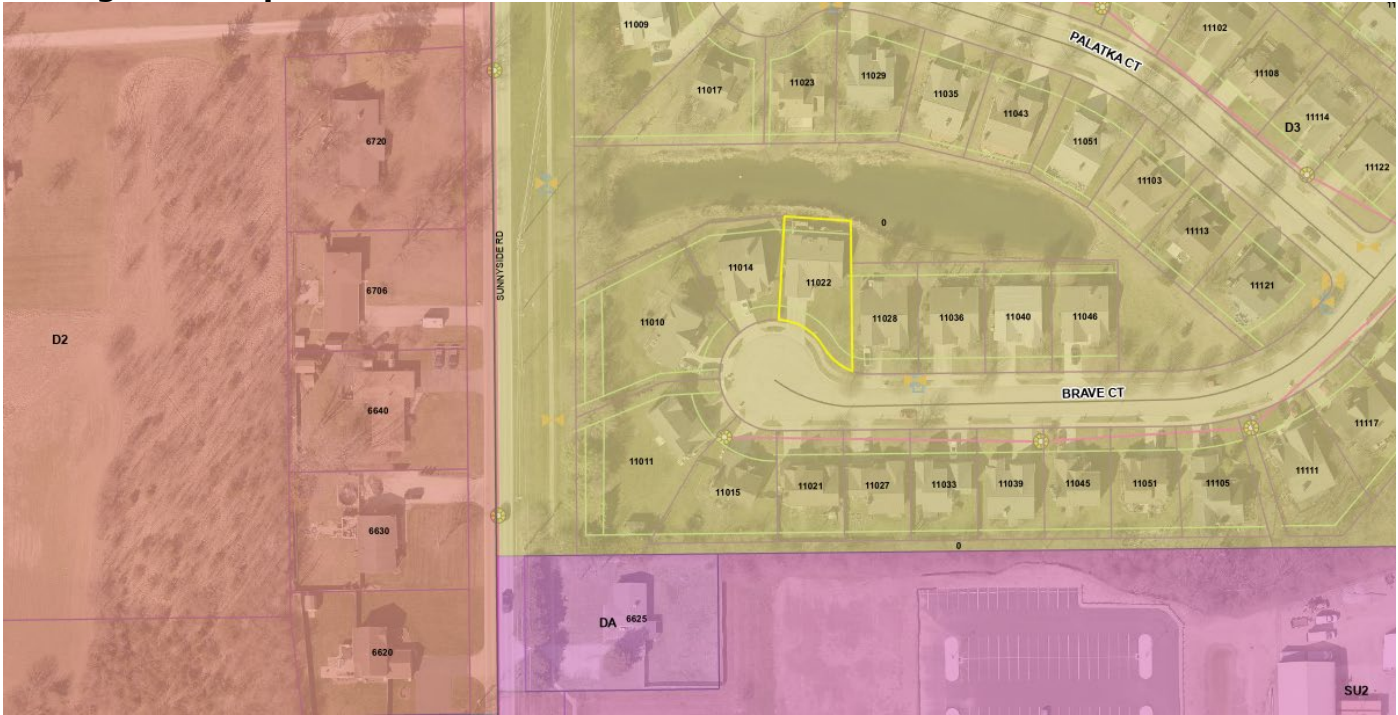
Aerial:





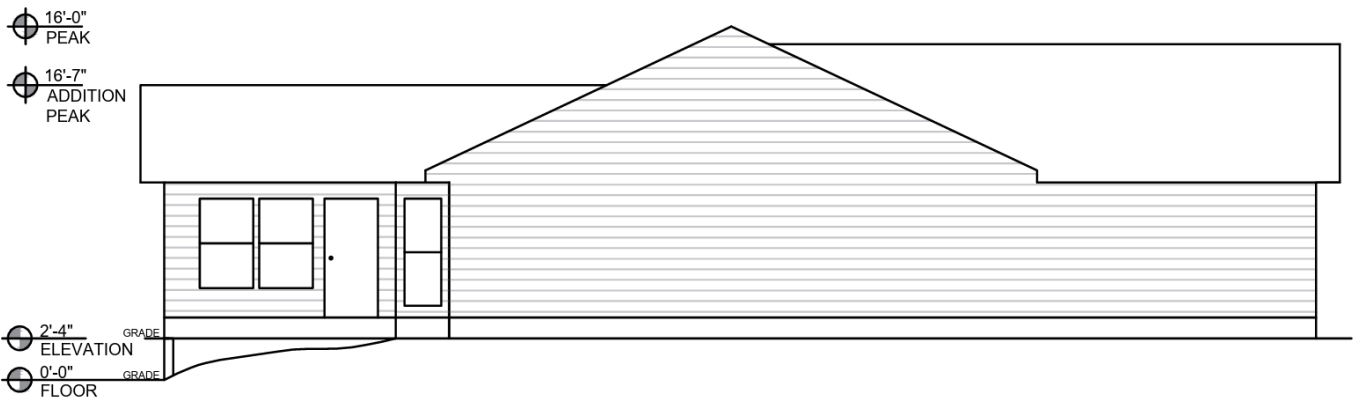


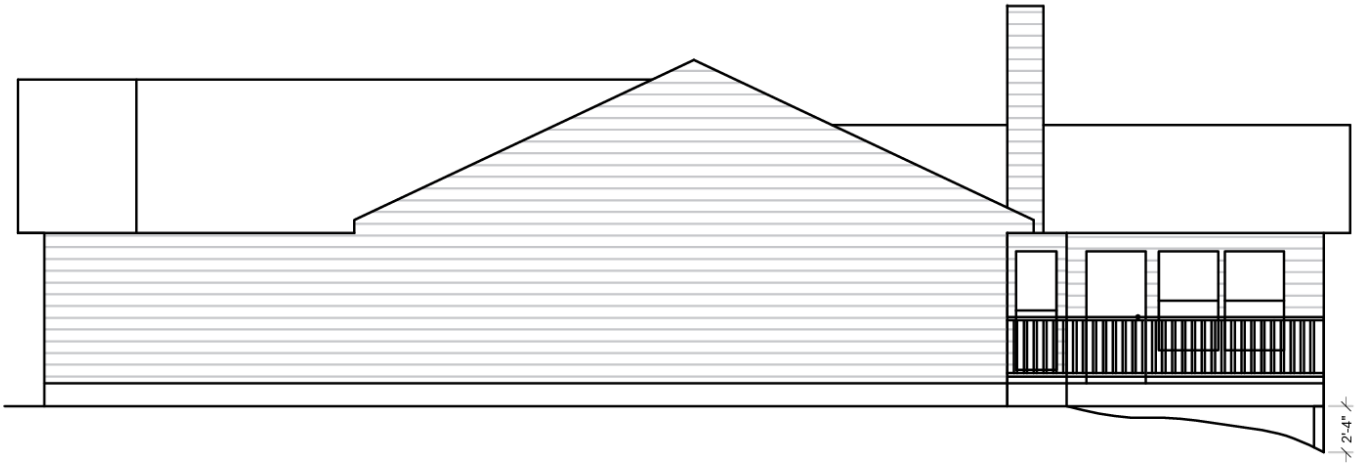
Zoning Base Map:





Elevation:







Findings of Fact (as provided by applicant):

LAWRENCE BOARD OF ZONING APPEALS
OF MARION COUNTY, INDIANA

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:

It will not harm public health or safety because the room stays in the same space and will be built safely to code.

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:

It will not affect nearby properties because nothing is being expanded and it will look the same from the outside.

3. The need for the variance arises from some condition peculiar to the property involved and the condition is not due to the general condition of the neighborhood because:

The need for the variance arises from a condition peculiar to the property because the existing structure does not meet current setbacks requirements, which is specific to this property and not a general condition of the neighborhood.

4. The strict application of the terms of the zoning ordinance constitutes an unusual or unnecessary hardship if applied to the property for which the variance is sought because:

The strict application of the zoning ordinance constitutes an unnecessary hardship because modifying or relocating the existing structure maintains neighborhood character, and does improve the existing space.

5. The grant does not interfere substantially with the comprehensive plan because:

It does not interfere with the overall plan because it keeps the same use and does not change the neighborhood.