



City of
Lawrence
Indiana

Address: 7834 Fall Creek Dr
Parcel #: 4003808
Docket #: 26 LSV 14
Hearing Date: August 18, 2026
Council District #: 6 ~ Kristie Krone

Petitioner/Owner: Jonathan Shope
7834 Fall Creek Dr
Lawrence, IN 46236
indyshope@gmail.com
317-507-8527

Application:

Variance of Development Standards of Table 743-103-1 for side yard setback requirements, 30 feet required, 17.5 feet proposed.

Petitioner requests a Variance of Development Standards from the minimum side yard setback requirement applicable to the D-A (Dwelling-Agricultural) zoning district, as set forth in Standard Table 742-103-1. Standard Table 742-103-1 requires a minimum side yard setback of thirty (30) feet from the side property line in the D-A district. Petitioner proposes to construct a new detached, two-car accessory garage with a side yard setback of seventeen and one-half (17.5) feet, resulting in a variance of twelve and one-half (12.5) feet from the minimum required side yard setback.

The proposed accessory structure is a two-car detached garage with a mono-slope roof and concrete slab foundation, intended to house Petitioner's personal vehicles. The requested location is necessitated by the topography and wooded condition of the site, which limit the area of the lot that can reasonably accommodate the proposed structure. The proposed 17.5-foot setback aligns with the existing side yard setback of the principal residential structure on the property and with the similarly positioned garage on the adjacent property. An existing single-car carport at the front corner of the property will be demolished in connection with the new construction, and the street frontage will receive new landscaping.

Analysis:

The subject property is an existing single-family residential lot located within an established neighborhood consisting primarily of detached residential homes. The proposed improvement would encroach into the required side yard setback by approximately 12.5 feet, resulting in a proposed setback of 17.5 feet.

The request is limited in scope and does not alter the residential use of the property. The proposed addition remains compatible with surrounding residential development and is consistent with the overall character of the neighborhood. The reduction in the side setback is not anticipated to negatively impact adjacent properties through increased density, traffic, or changes in land use.

The surrounding area contains homes of varying ages, sizes, and placement on their lots. The requested setback reduction maintains adequate separation between structures while allowing reasonable use of the property.



The proposed variance does not create additional non-residential activity, nor does it substantially affect public health, safety, or welfare. Utilities, drainage, emergency access, and other municipal services are not expected to be adversely affected by the request.

Because the request is limited to a dimensional standard and does not change the underlying residential use permitted within the district, staff finds that approval would not be injurious to the public interest and would be consistent with the intent of the zoning ordinance.

Staff Recommendation

Staff recommends APPROVAL of Docket **26 LSV 14**, a Variance of Development Standards to allow a side yard setback of **17.5 feet** where **30 feet** is required pursuant to Table 743-103-1.

Staff finds the request satisfies the approval criteria of **Section 744-510-2** because:

- The request will not be injurious to the public health, safety, morals, or general welfare.
- The request will not substantially adversely affect the use or value of adjacent properties.
- Strict application of the zoning ordinance creates practical difficulties in the reasonable use of the property.
- The proposed addition is compatible with the established residential character of the neighborhood and represents a minimal dimensional deviation that preserves the intent of the zoning ordinance while allowing reasonable improvement of the property.



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Summary of the Subject Property Zoning Standards

Current Zoning Designation:	DA
Surrounding Property Zoning	
North:	DA
South:	D2
East:	D2
West:	DA
Comprehensive Plan Land Use Designation:	
Current Land Use:	Suburban Neighborhood
Compact Context Area:	Metro
Relevant Code Sections:	744-510-2

Aerial:





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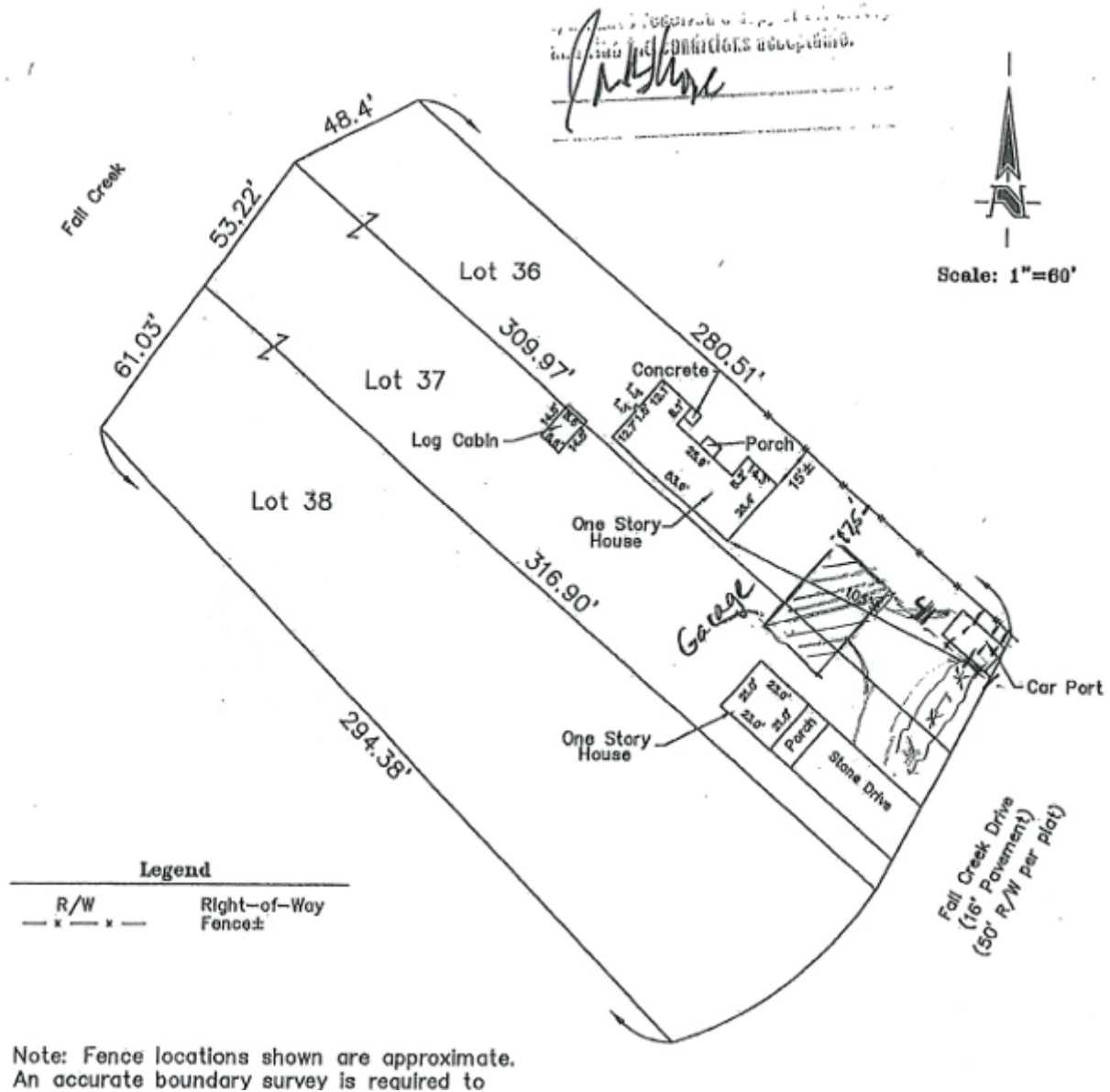
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Site Plan:

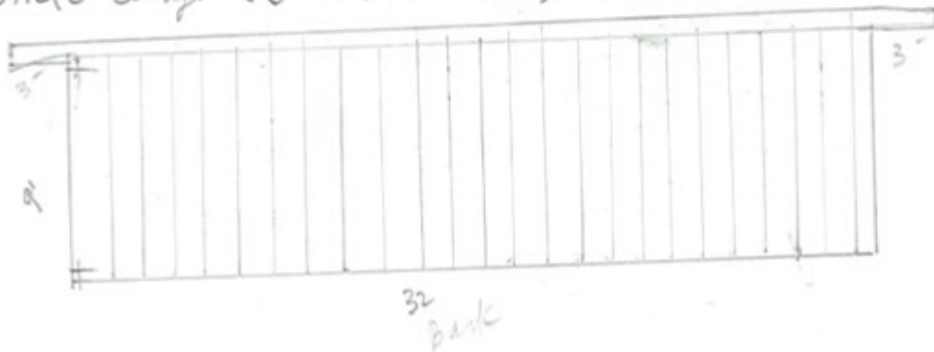




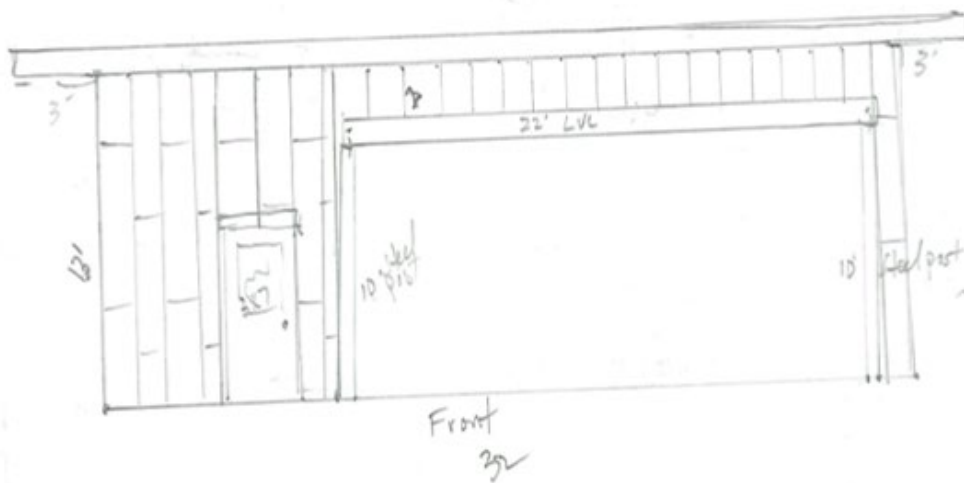
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Elevation:

SHORE Garage (Back + Front View)



10
26-90 2X6 Wall
4-8' 2X6 Treated (Sill)
8-8' 2X6 Cap
+ Braces

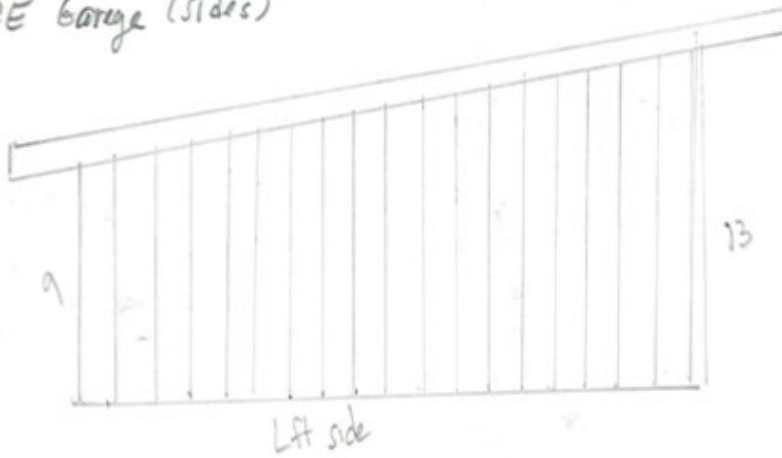


11-14' 2X6 Wall
6-8' 2X6 brace head
1-12' 2X6 Treated
8-8' 2X6 cap
2-22' LVL
Sandwiched
+ Braces

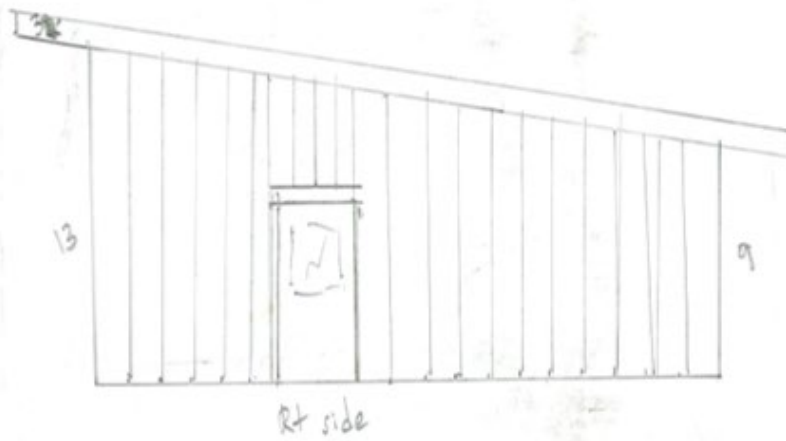


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SHORE Garage (sides)



3x8' 2x6 cap
2x12' 2x6 cap
4-10' 2x6
8-12' 2x6
6-14' 2x6
2-12' 2x6 Treated
+ Braces



3x8' 2x6 cap
2x12' 2x6 cap
4-10' 2x6
8-12' 2x6
6-14' 2x6
2 12' Treated sill
+ Braces



Findings of Fact (as provided by applicant):

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

the proposed accessory garage is a residential accessory structure that will not alter vehicular access, drainage patterns, or fire and life-safety conditions on the site in a manner injurious to the public. The reduced side yard setback affects only the distance between the proposed structure and the side property line and does not impact any public right-of-way, utility easement, or emergency access. The topography and wooded character of the site will continue to buffer the structure from neighboring properties, and the proposed structure is consistent in scale and use with other detached garages in the surrounding area.

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:

the existing tree canopy and natural topographic buffer along the side property line will substantially screen the proposed garage from view of the adjacent property. The adjacent property's detached garage is positioned along the shared side property line in substantially the same alignment as the proposed structure, such that the two garages will mirror one another rather than introduce a new or inconsistent condition along the shared boundary. In connection with the proposed construction, Petitioner will also remove an existing single-car carport at the front corner of the property and install new landscaping along the street frontage, further improving the appearance and value of the area adjacent to the property.

3. THE STRICT APPLICATION OF THE TERMS OF THE ZONING ORDINANCE WILL RESULT IN PRACTICAL DIFFICULTIES IN THE USE OF THE PROPERTY BECAUSE:

the subject property is characterized by significant topographic change and dense wooded coverage that substantially limit the area of the lot suitable for construction of the proposed accessory garage. Strict application of the thirty (30) foot minimum side yard setback required by Standard Table 742-103-1 would require siting the garage in a location made impractical by existing grade and mature tree cover, or would preclude construction of the garage altogether.

The requested seventeen and one-half (17.5) foot setback matches the setback already established by the principal residential structure on the property, evidencing that the requested deviation is the minimum necessary and consistent with the existing development pattern on the site.