



LAWRENCE BOARD OF ZONING APPEALS
OF MARION COUNTY, INDIANA
PETITION FOR VARIANCE

DOCKET #: _____

ADDRESS OF PREMISES AFFECTED: 7834 Fall Creek Drive, Indianapolis, IN 46236

STREET ADDRESS CITY STATE ZIP

NAME OF PETITIONER(S): Jonathan Shope PHONE: 317-507-8527

PETITIONER(S) E-MAIL: indyshope@gmail.com

PETITIONER(S) ADDRESS: 7834 Fall Creek Drive Indianapolis IN 46236

STREET ADDRESS CITY STATE ZIP

AGENT: NA PHONE: _____

AGENT E-MAIL: _____

AGENT ADDRESS: _____

STREET ADDRESS CITY STATE ZIP

NAME OF OWNER(S): See Above PHONE: _____

IF DIFFERENT FROM PETITIONER(S)

OWNER(S) E-MAIL: _____

OWNER(S) ADDRESS: _____

STREET ADDRESS CITY STATE ZIP

IS/ARE THE PETITIONER(S) THE OWNER(S) OF ONE HUNDRED PERCENT (100%) OF THE ARE INVOLVED IN THE PETITION?

YES ☒ NO ☐

LEGAL DESCRIPTION (CHECK ONE):

☐ COMPLETE METES & BOUNDS WITH LEGAL DESCRIPTION ATTACHED

☐ PLATTED SITE WITHIN A RECORDED SUBDIVISION WITH COPY OF PLAT MAP ATTACHED

SUBDIVISION NAME: Fall Creek Highlands

SECTION: Second Section

LOT NUMBER(S): 36,3,38 (now combined)

IS THIS PROPERTY THE SUBJECT OF ANY CODE ENFORCEMENT ACTION?

YES ☐ NO ☒

WAS THIS PROPERTY THE SUBJECT OF ANY PREVIOUS PETITION(S)?

YES ☒ NO ☐

IF YES, LIST THE DOCKET NUMBER(S): 20LSV03

CURRENT ZONING: DA TOWNSHIP: Lawrence ACREAGE: 1.061

EXISTING USE OF THE SUBJECT PREMISES: Residential

THE VARIANCE REQUEST IS FOR A VARIANCE OF:

☐ USE

☐ USE AND DEVELOPMENT STANDARDS

☐ ReZoning

☒ DEVELOPMENT STANDARDS

☐ SPECIAL EXCEPTION



THE ABOVE INFORMATION, TO MY KNOWLEDGE AND BELIEF, IS TRUE AND CORRECT.

[Handwritten Signature]

SIGNATURE(S) OF PETITIONER(S) OR AGENT

SIGNATURE(S) OF OWNER(S) IF DIFFERENT THAN PETITIONER

STATE OF INDIANA, COUNTY OF MARION, SS:

SUBSCRIBED AND SWORN TO BEFORE ME THIS _____ DAY OF _____, 20_____

NOTARY PUBLIC _____

PRINTED NAME _____

MY COMMISSION EXPIRES _____

COUNTY OF RESIDENCE _____



City of
Lawrence
Indiana

PETITION NO.: _____

LAWRENCE BOARD OF ZONING APPEALS
OF MARION COUNTY, INDIANA

VARIANCE OF DEVELOPMENT STANDARDS
FINDINGS OF FACT

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

See attached response.

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:

See attached response.

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

See attached response.



City of
Lawrence
Indiana

DECISION

IT IS THEREFORE THE DECISION OF THIS BODY THAT THIS VARIANCE PETITION IS GRANTED, SUBJECT TO ANY CONDITIONS STATED IN THE MINUTES (WHICH CONDITIONS ARE INCORPORATED HEREIN BY REFERENCE AND MADE A PART OF THIS DECISION).

Adopted this _____ day of _____, 20____

Chairman

Vice-Chairman

Member

Member

Member

**LAWRENCE BOARD OF ZONING APPEALS
OF MARION COUNTY, INDIANA**

ATTACHMENT TO PETITION FOR VARIANCE

Property Address: 7834 Fall Creek Drive, Lawrence, IN 46236

Docket No.: To be assigned upon payment of filing fee

DETAILED DESCRIPTION OF THE PROPOSED USE / ORDINANCE SOUGHT TO BE MODIFIED

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.

**VARIANCE OF DEVELOPMENT STANDARDS
FINDINGS OF FACT**

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.

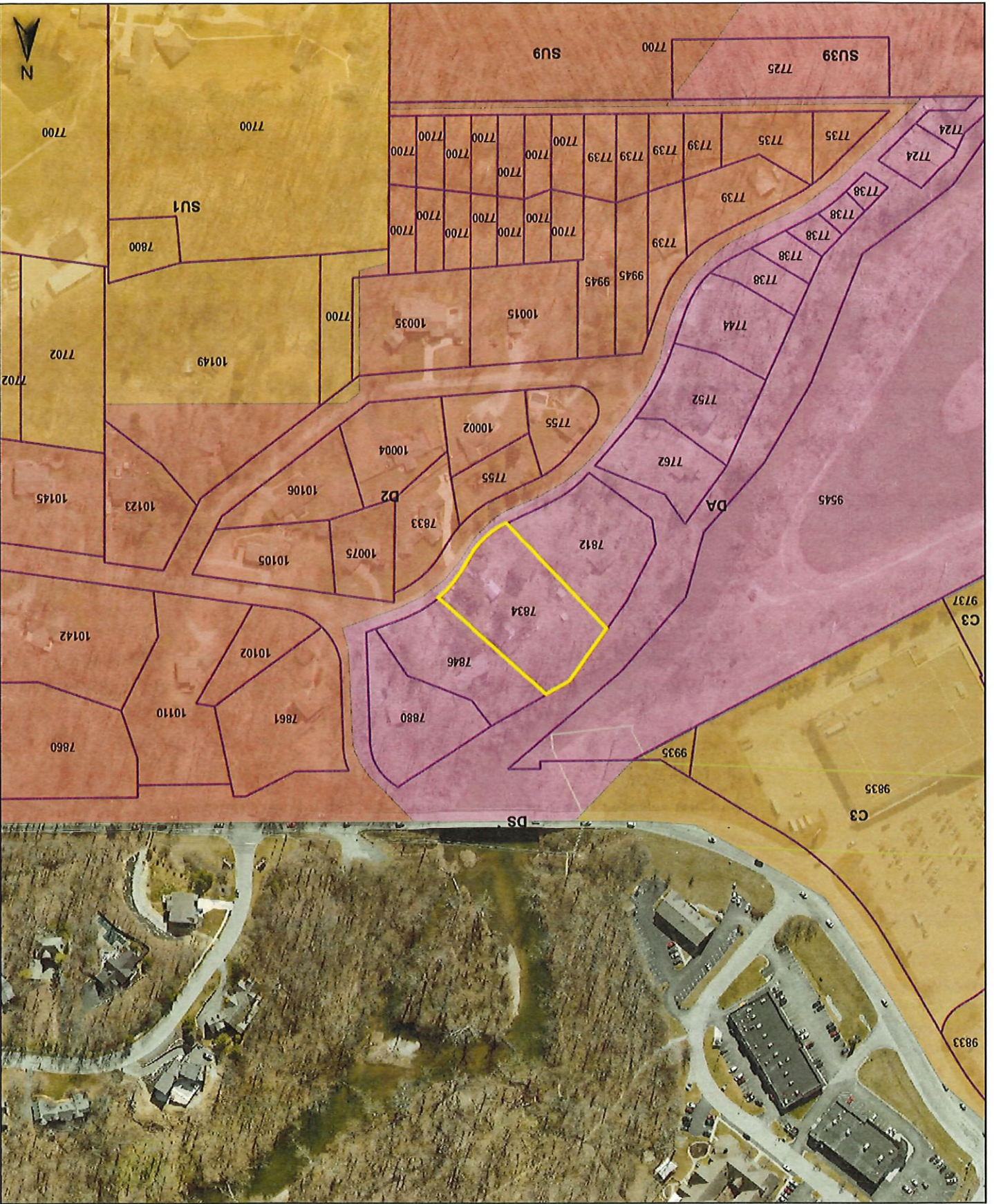
2. THE USE OR VALUE OF THE AREA ADJACENT TO THE PROPERTY INCLUDED IN THE VARIANCE WILL NOT BE AFFECTED IN A SUBSTANTIALLY ADVERSE MANNER BECAUSE:

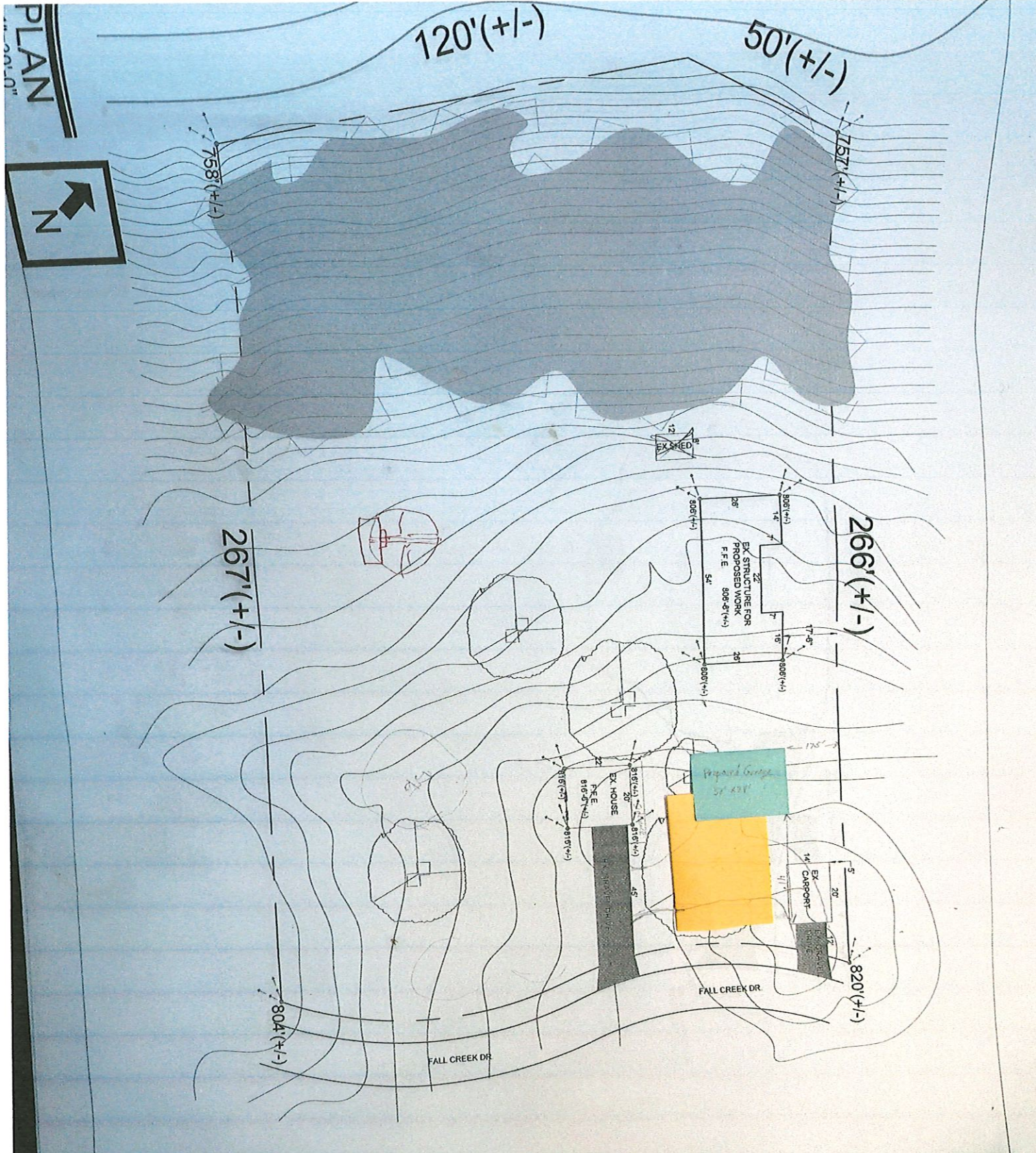
the existing tree canopy and natural topographic buffer along the side property line will substantially screen the proposed garage from view of the adjacent property. The adjacent property's detached garage is positioned along the shared side property line in substantially the same alignment as the proposed 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.

[illegible]



SURVEYOR LOCATION REPORT

This report was prepared only for:
CHICAGO TITLE COMPANY, LLC - SOUTH (#516514).

THIS REPORT IS DESIGNED FOR USE BY A TITLE INSURANCE COMPANY WITH RESIDENTIAL LOAN POLICIES. NO CORNER MARKERS WERE SET AND THE LOCATION DATA HEREIN IS BASED ON LIMITED ACCURACY MEASUREMENTS. THEREFORE, NO LIABILITY WILL BE ASSUMED FOR ANY USE OF THIS DATA FOR CONSTRUCTION OF NEW IMPROVEMENTS OR FENCES. THIS REPORT IS NOT INTENDED TO REPRESENT A SURVEY, NOR IS IT INTENDED TO BE USED BY AND/OR BENEFIT THE BORROWER(S).



PROPERTY ADDRESS: 7834 Fall Creek Road, Indianapolis, IN 46236

PROPERTY DESCRIPTION: Lots 36, 37 and 38 in Fall Creek Highlands, Second Section, as per plat thereof, recorded in Plat Book 20, pages 23 and 24, in the Office of the Recorder of Marion County, Indiana.

This is to certify that the subject dwelling does not lie within that Special Flood Hazard Area Zone "A". The accuracy is subject to map scale uncertainty and to any other uncertainty in location or elevation on Community Panel Number 18097C 0088F of the Flood Insurance Rate Maps, effective date April 19, 2016.

BORROWER(S): Jonathan R. Shope



HAHN SURVEYING GROUP, INC.

Land Surveyors

2850 E. 96th Street, Indianapolis, IN 46240

PHONE: (317) 846-0840 / (317) 846-4119

FAX: (317) 846-4298 / (317) 582-0662

EMAIL: orders@hahnsurveying.com

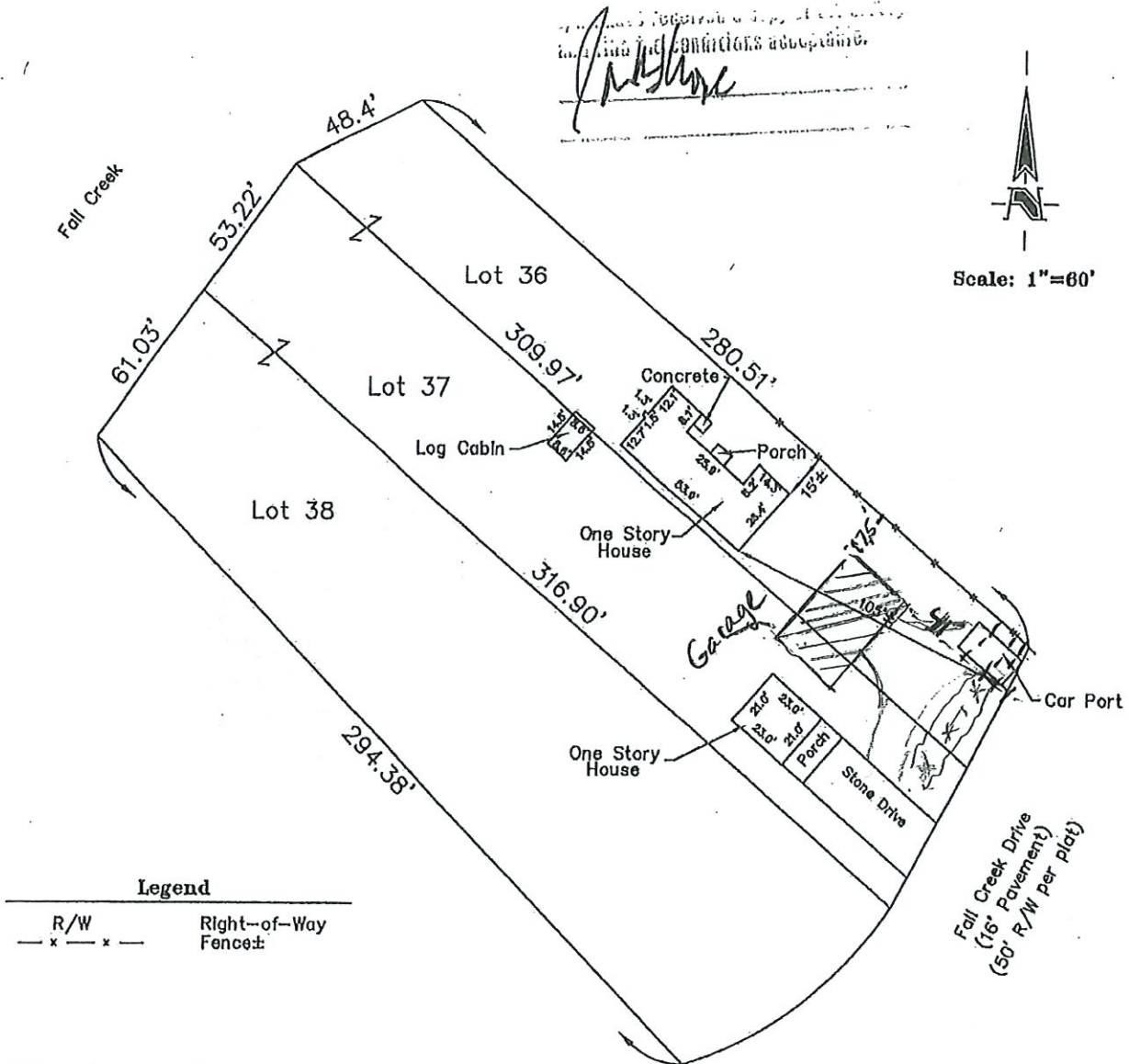
www.hahnsurveying.com

Job No: 2017021442

Sheet 1 of 2

SURVEYOR LOCATION REPORT

I hereby certify to the parties named above that the real estate described herein was inspected under my supervision on the date indicated and that to the best of my knowledge, this report conforms with the requirements contained in Sections 27 through 29 of 865 IAC 1-1-12 for a SURVEYOR LOCATION REPORT. Unless otherwise noted there is no visible evidence of possession lines found.



Note: Fence locations shown are approximate.
An accurate boundary survey is required to determine exact locations.

Note: Due to the lack of qualified monumentation found, the accuracy of this report is limited to 10'±.



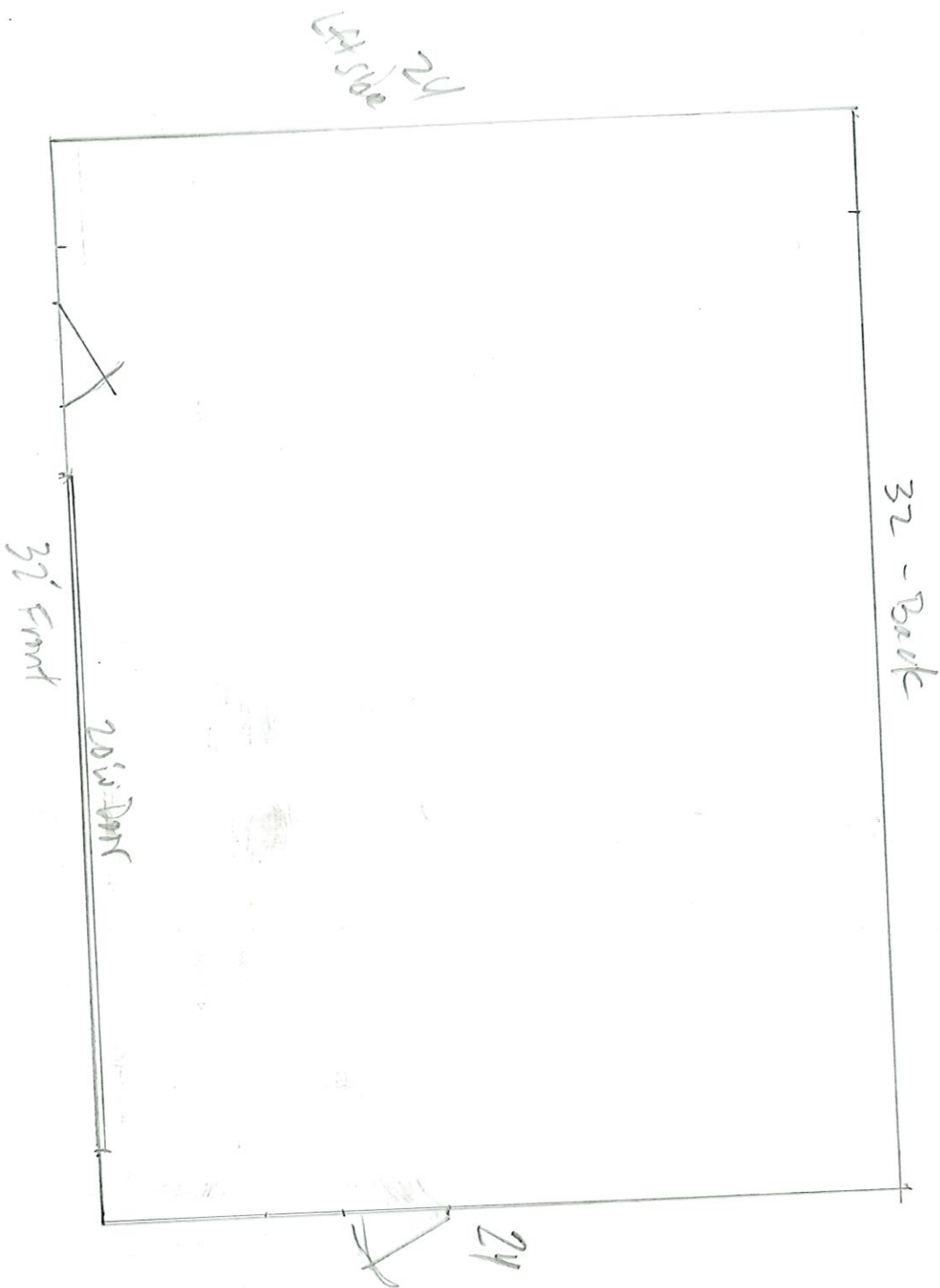
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CERTIFIED: 2/24/2017
REVISED: 5/4/2017

Chad L. Brown
Chad L. Brown
Registered Land Surveyor,
Indiana #21100002
Drawn By: WW
Job No.: 2017021442
Sheet 2 of 2

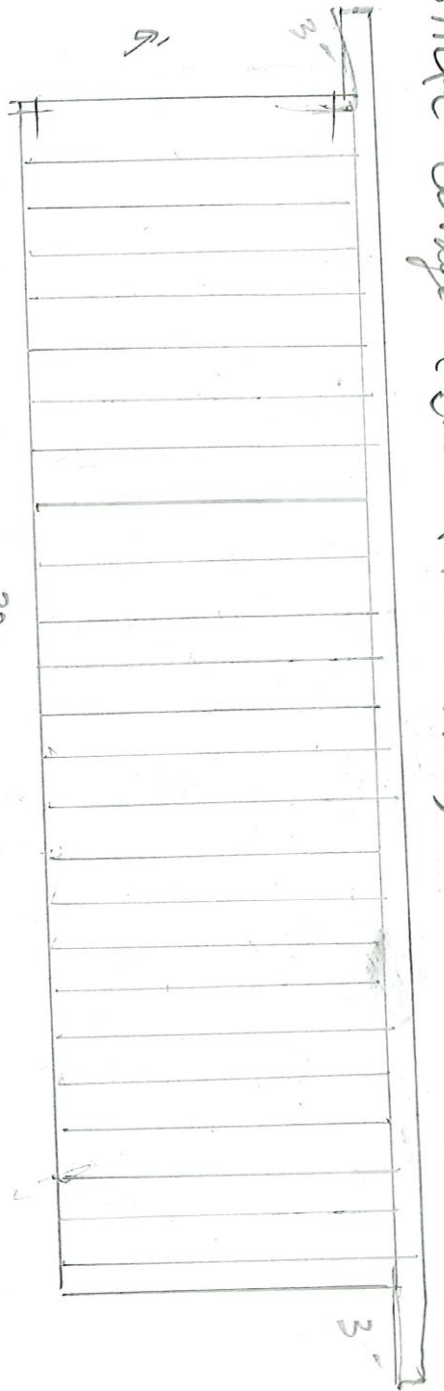
SHORE Garage (top view)



$$\begin{array}{r}
 \text{Rd} 26 \times 12' \text{ I-Bond} \\
 + \text{Eaves 5' wide} \\
 \hline
 28' \times 30' \text{ average}
 \end{array}$$

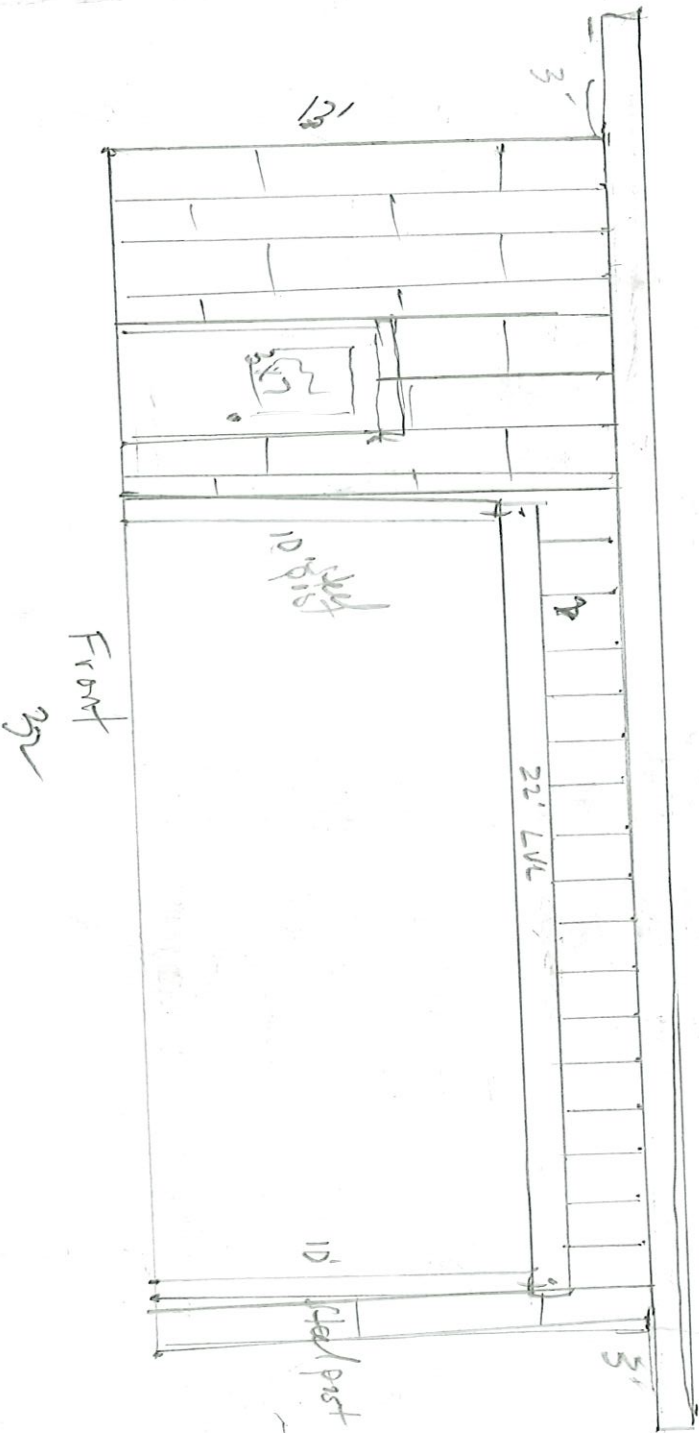
Packing sheets

SHOE Garage (Back + Front View)



32'
Back

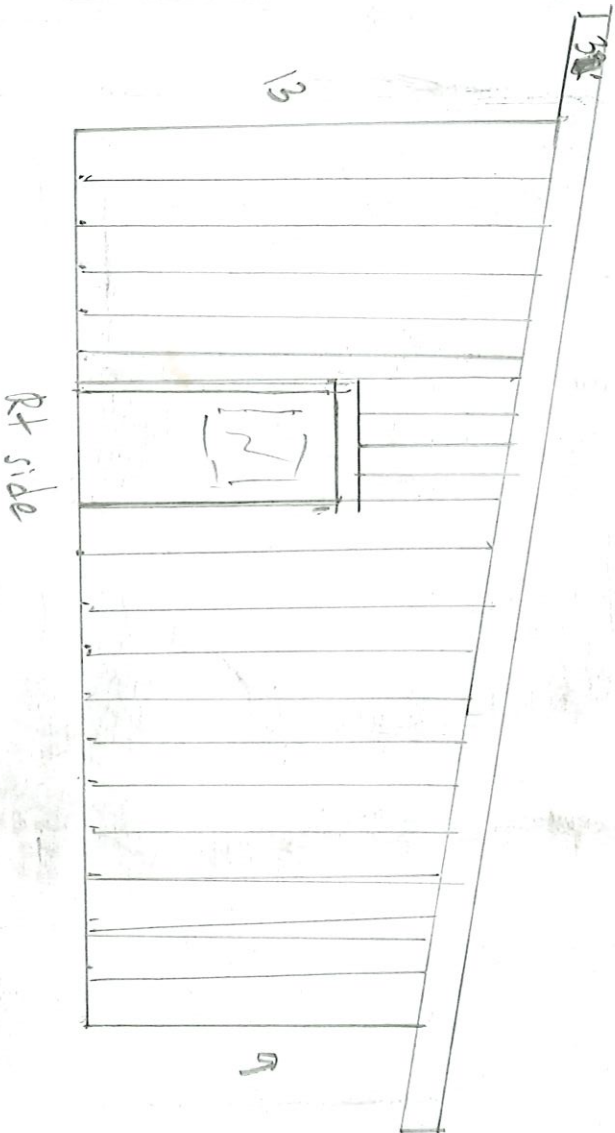
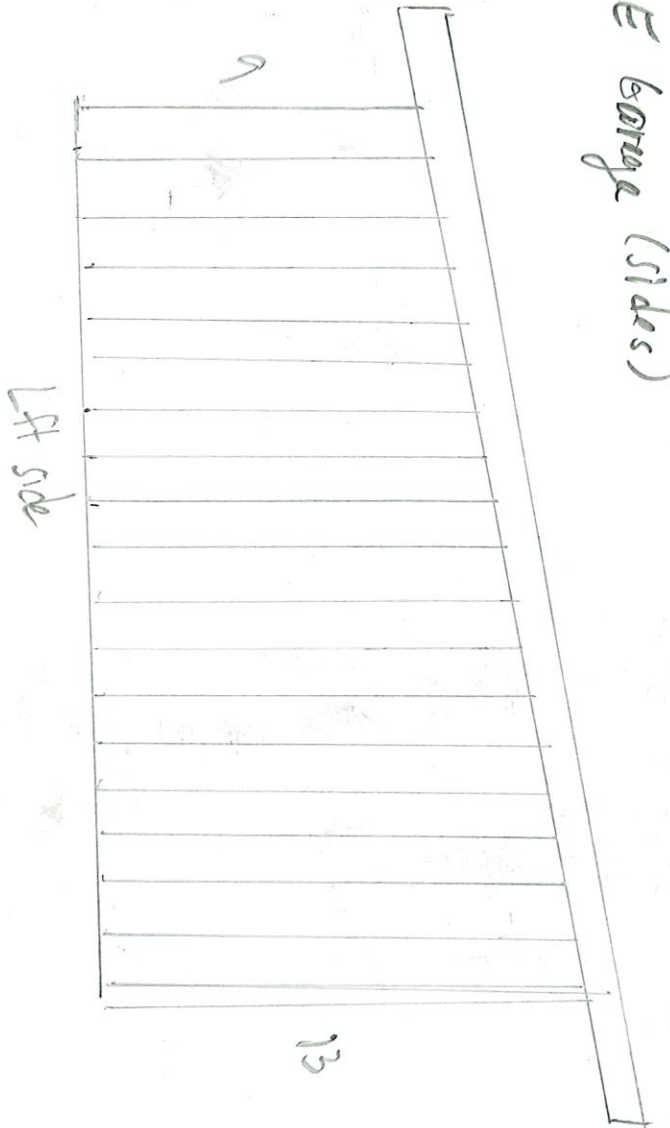
- 10' 2x6 - wall
- 9' 2x6 - roof (5' 11')
- 26' 8' 2x6 w/
- 4' 8' 2x6 w/
- 8' 8' 2x6 w/
- + Braces



Front
32'

- 11' 14' 2x6 w/ all
- 6' 8' 2x6 w/ all
- 1' 12' 2x6 w/ all
- 8' 8' 2x6 w/ all
- 2-22' LVL w/ all
- + Braces

SHORE barge (sides)



$$\begin{array}{r} 3 \times 8' \text{ 2x6 cap} \\ 2 \times 12' \text{ 2x6} \\ \hline 4 - 10' \text{ 2x6} \\ 8 - 12' \text{ 2x6} \\ 10 - 14' \text{ 2x6} \\ 2 - 12' \text{ 2x6} \\ \hline \text{+ braced} \end{array}$$

$$\begin{array}{r} 3 \times 8' \text{ 2x6 cap} \\ 2 \times 12' \text{ 2x6} \\ \hline 4 - 10' \text{ 2x6} \\ 8 - 12' \text{ 2x6} \\ 6 - 14' \text{ 2x6} \\ 2 - 12' \text{ 2x6} \\ \hline \text{+ braced} \end{array}$$