



City of
Lawrence
Indiana

Address: 8364 Somerville Dr
Parcel #: 4039807
Docket #: 25 LSV 08
Hearing Date: June 17, 2025
Council District #: 3 ~ Sherron Freeman

Owner/Petitioner: Pamela Mollaun
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Lawrence, IN 46216
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Agent: Lizzie Clugh and Ryan Pape of Archadeck of Northern Indianapolis
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Application:

Variance of Development Standards of the City of Indianapolis Consolidated Zoning Subdivision Ordinance of [743-03-06-A4d](#) to allow a 305 square foot deck that will encroach into the 15' drainage and utility easement by 9' 6" (not permitted).

Analysis:

This property already has a deck that is encroaching the drainage and utility easement. The contractor will be removing the existing deck and replacing it with composite materials.

Previous Petitions:

23 LSV 05 ~ 8430 Somerville Dr ~ Variance of Development Standards of the City of Indianapolis Consolidated Zoning/Subdivision Ordinance 743-03-06A4d to allow a 39'x12' composite deck across the back of the home that will encroach the existing 15' easement by 6'5" (not allowed). **GRANTED**

Opinion:

It is our opinion that the petitioner has met the requirements of the findings of fact.

Recommendation:

It is our recommendation that this petition be approved.



Summary of the Subject Property Zoning Standards

Current Zoning Designation:	DP
Surrounding Property Zoning	
North:	SU9
South:	DP
East:	DP
West:	DP
Comprehensive Plan Land Use Designation:	Village Mixed Use
Current Land Use:	Residential
Compact Context Area:	Metro
Relevant Code Sections:	743-03-06-A4d

[743-03-06. Accessory and Temporary Uses](#)

A4. On lots in the D-A, D-S, D-1, D-2, D-3, D-4, D-5, D-5II and D-8 dwelling districts improved with a Single-family detached dwelling, Single-family attached dwelling, or Two-family dwelling, minor residential structures:

d. Shall not encroach upon, as the primary building shall not encroach upon, any platted easement.

Aerial:

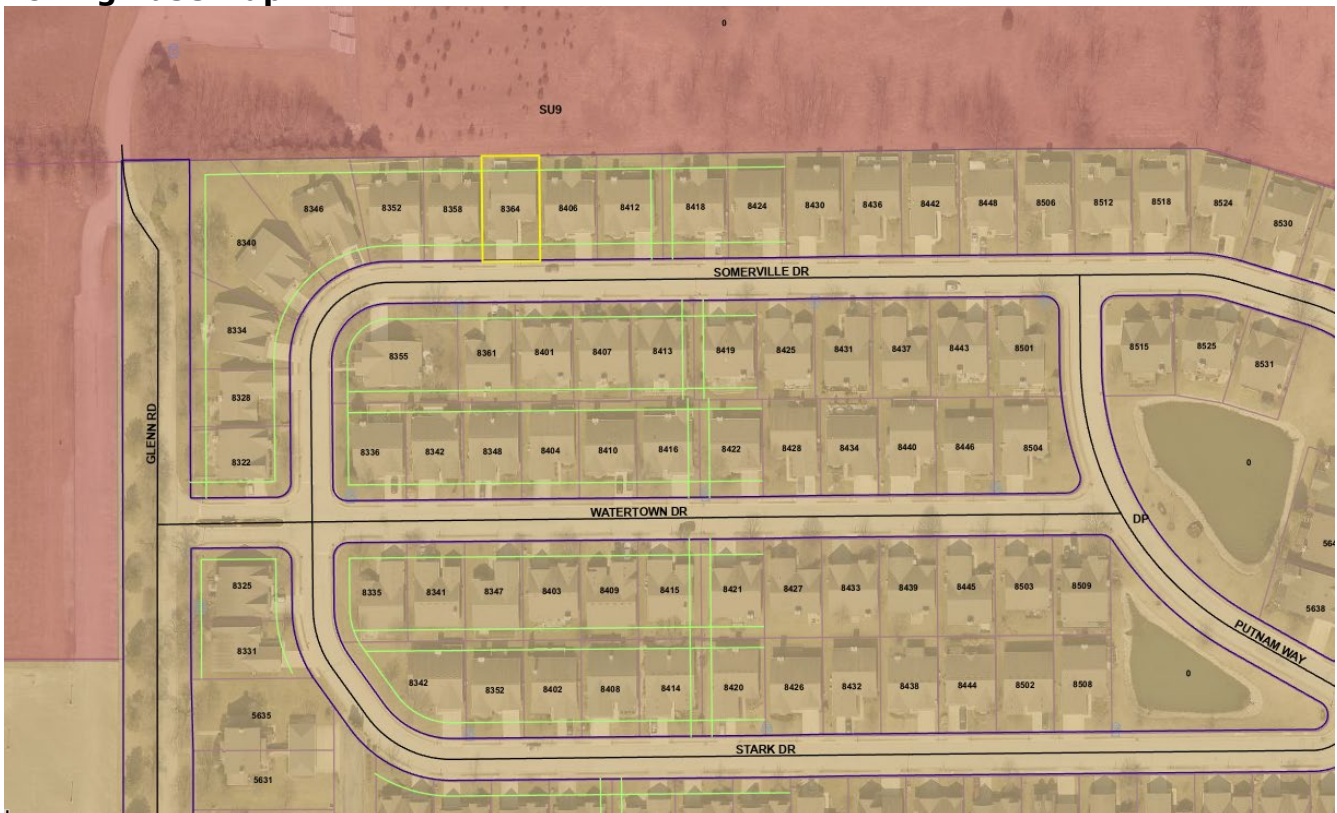




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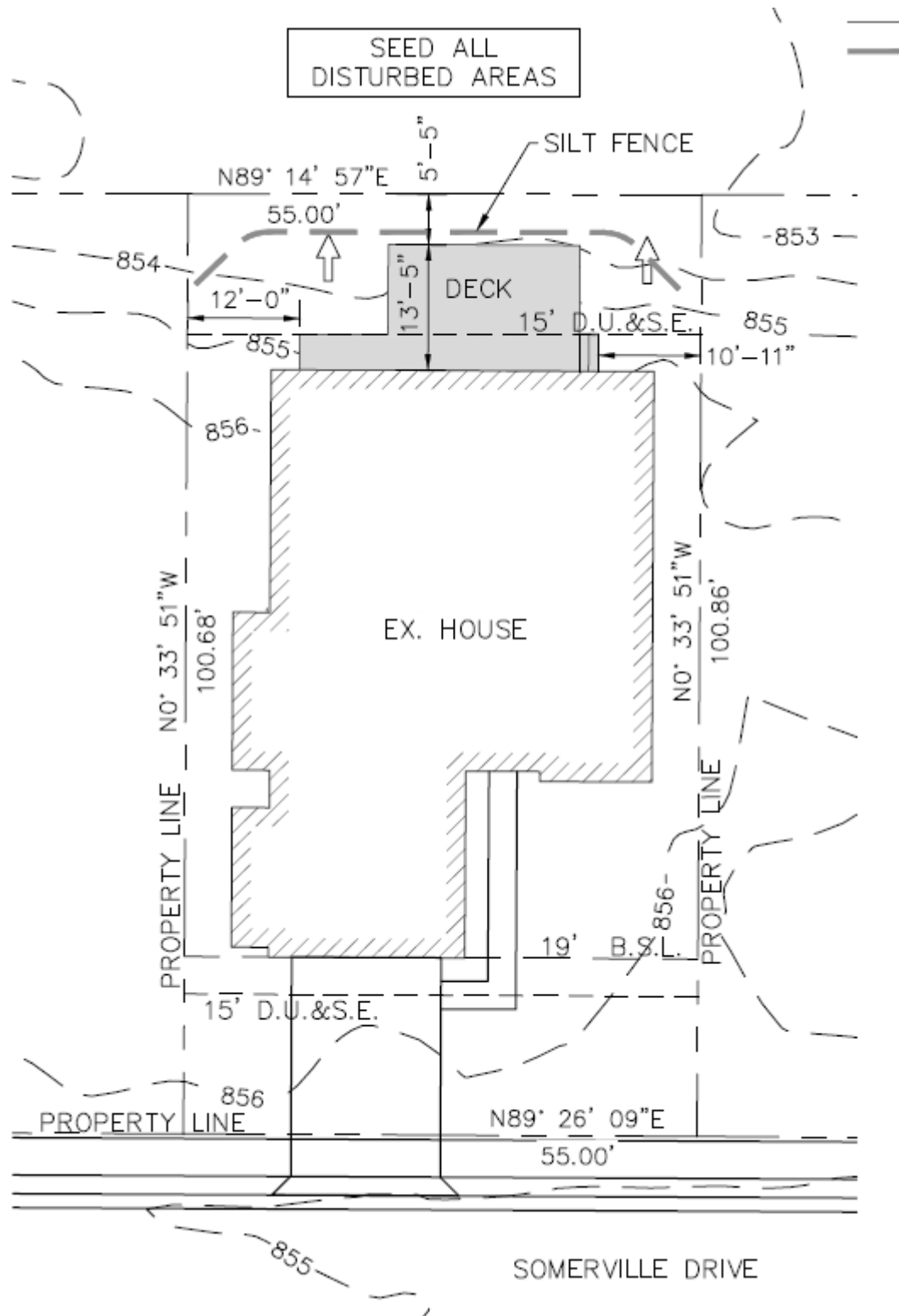


Zoning Base Map:





Site Plan:





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Existing Elevation:





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Neighbors Deck:





Findings of Fact (as provided by applicant):

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:

In 2023 the Petitioners applied for and were granted a Variance of Development Standards on behalf of the homeowner at 8430 Somerville Drive. The new deck at 8364 Somerville Drive will be constructed of similar materials and methods.

All proper steps will be taken by the Petitioners to mark all underground drains, utilities, and/or sewers, whether public or private. A private utility marking company, as well as 811, will be scheduled by the Petitioners one week prior to beginning construction of the new deck.

The digging of footers within the 15' D, U & S Easement will be done by hand to ensure accuracy, safety, and caution. No heavy machinery will be utilized in the construction of the new deck.

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 improvement of this well built composite deck will increase the property value of 8364 Somerville Drive, as well as it's surrounding neighborhood.

Neighboring homes to the east of 8364 Somerville Drive show deck structures that currently encroach the 15' D, U & S Easement as shown in Exhibit A.

The proposed deck will provide the Owner with safe and accessible ingress and egress to the rear of 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 home at 8364 Somerville Drive currently has two rear entrances at different heights from the grade. There are currently two small decks in dilapidated condition that lead to an aging paver patio as shown in Exhibit B and Exhibit C. The proposed deck will provide the Owner with safe ingress and egress of the property.