

LOWELL BOARD OF ZONING APPEALS

May 8th, 2025

Chairman Dave Regan called the meeting to order at 6:00pm. The Pledge of Allegiance was recited. Recording Secretary, Dianna Cade called the roll. Members answering the roll call were Dave Regan, Tom Carwright, and Dan Calhoun. Jim Konradi participated via zoom. Shane Lawrence was absent. Also, present was Rich Oman, Director of Planning and Development, and Town Attorney Nicole Bennett.

APPROVAL OF MINUTES:

Mr. Cartwright made a motion to approve the regular meeting minutes from February 13th, 2025, seconded by Mr. Calhoun and carried with a roll call vote of all ayes.

OLD BUSINESS: None

NEW BUSINESS:

BZA #25-003 -17095 MAYFLOWER DR – Petition for Variance from Developmental Standards from the requirements of ordinance 155.090 (B) has been filed by Benas and Ina Salavieus, 17095 Mayflower Dr., Lowell, IN. Parcel #45-19-15-457-004.000-038 to erect a fence that is more than three feet (3') in height which is not allowed as stated in the above-mentioned Ordinance. The variance requested is 3' in height.

Mrs. Ina Salavieus, 17095 Mayflower Dr. She stated they would like to have as much yard fenced in as possible. It is a corner lot. She stated they originally turned in the petition for the fence at the back of the house, but they would like to bring it up to the front of the house and go back to property line keeping it 12' from the sidewalk. President Regan stated you would like to change the original proposal if it is allowed. Petition stated yes. President Regan stated this change is not going to block sight visibility going from the back of house to the front. Attorney Bennett stated the amended request today does not change the variance as it was noticed and sent to the adjacent property owners. She discussed the ordinance and the parameters. Attorney Bennett stated this would be ok legally to amend the location of the fence as requested by the petitioner tonight at the meeting.

Mr. Oman stated the amended location with the fence going to the front yard is still way off the intersection so there are no site distance issues. No safety concerns for traffic or kids on the sidewalk. It is proposed to be 12' foot off the sidewalk so no concerns from staff.

President Regan opened up the public hearing. No remonstrances were heard in person or online. The public hearing was closed.

Mr. Cartwright made a motion to grant the three foot in height variance, seconded by Mr. Calhoun and carried with a roll call vote of all ayes.

Mr. Calhoun made a motion to accept the staff report as written Findings of Fact, seconded by Mr. Cartwright carried with a roll call vote of all ayes.

MOTION PASSES 4-0.

concerning Attorney Bennett for clarity of staff the petitioner was granted the three feet in height in the frontage is it a building permit time that the location from the back to the front is more

concerning of a request? Specifically which corner of the house she is putting the fence on. Attorney Bennett stated yes, the variance is for the secondary frontage to construct to six feet. When she comes in for the permit that is when it is specifically laid out.

BZA #25-004 -866 VILLAGE GLENN DR - Petition for Variance from Developmental Standards from the requirements of ordinance 155.090 (B) has been filed by Chris Adams DBA: Chrisandy Inc. Inc, 866 Village Glenn Dr., Lowell, IN. Parcel #45-19-22-182-009.000-038 to erect a fence that is more than three feet (3') in height which is not allowed as stated in the above-mentioned Ordinance. The variance requested is 3' in height.

Chris Adams, 866 Village Glenn Dr., Lowell, IN. Mr. Adams stated the proposed fence would be twelve feet off the sidewalk. It will not interfere with the intersection. Mr. Adams stated he owns the property and has a client that would like to purchase the house and wants to be able to make use of as much of the rear yard as they can. They would like to install a swing set and other playthings for their grand kids in the backyard and do not have to worry about safety concerns with a three-foot fence. Chairman Regan stated the fence looks like it is off the back of the house and no impediments anywhere.

Mr. Oman stated the sight distance looks good.

Chairman Regan opened the public hearing no remonstrances were heard in person or online. The public hearing was closed.

Mr. Cartwright made a motion to grant the three foot in height variance, seconded by Mr. Calhoun and carried with a roll call vote of all ayes.

Mr. Calhoun made a motion to accept the staff report as written Findings of Fact, seconded by Mr. Cartwright carried with a roll call vote of all ayes.

BZA #25-005 - 17216 BROOKWOOD DR -Petition for Variance from Developmental Standards from the requirements of Ordinance §155.082 (A)2(b) Entrance/Drive Standards. The petitioner is requesting an increase in the driveway apron width from a maximum of 24' to 30'. Variance request is 6' feet. The petition has been filed by Tammy Sobczak 17216 Brookwood Dr., Lowell, IN 46356 Parcel #45-19-13-383-004.000-008.

Tammy Sobczak, 17216 Brookwood Dr. Lowell, IN. Ms. Sobczak stated she would have her partner speak tonight. Jerry Hartman 1726 Brookwood Dr., Lowell, IN. He stated that they are here tonight to request to expand their driveway. It might seem like a small change, but it will make a big difference. Like many households today they have multiple vehicles, work, personal, teenagers, and not enough driveway to accommodate them and they must park on the street, which is quite congested, especially with all of the construction. Safety concerns when backing out and seeing around parked cars and with emergency vehicles as well. The main reason is safety. With cars lining up the streets at times it is difficult to see pedestrians, cyclists and children. It would make a difference for their elderly family members who have mobility issues. He further discussed their request.

Mr. Oman stated he likes cars off the street. During plowing season keeping the cars in the driveway is a must.

Chairman Regan open up public comments no remonstrances were heard in person or online. The public hearing was closed.

Mr. Cartwright made a motion to approve the six-foot variance request at the driveway apron to increase the apron from twenty feet to thirty feet, seconded by Mr. Calhoun and carried with a roll call vote of all ayes.

Mr. Calhoun made a motion to accept the written staff report as the Findings of Fact, seconded by Mr. Cartwright and carried with a roll call vote of all ayes.

PUBLIC COMMENT: NONE

ANNOUNCEMENTS: Next regularly scheduled meeting will be held on June 12th, 2025

ADJOURNMENT

With no further comments or questions, Mr. Cartwright made a motion to adjourn the meeting at 6:26pm, seconded by Mr. Calhoun and carried by a roll call vote of all ayes.

Dave Regan, President

Dan Calhoun, Secretary