



Planning and Development

Memorandum

To: Board of Zoning Appeals

From: Richard Oman, Director of Planning and Development

Subject: BZA Docket # 25-013 (532 Indiana Avenue)

Date: December 5, 2025

HEARING DATE:

December 11, 2025

BACKGROUND INFORMATION:

PETITIONER(S): John & Ginger Lauridsen

SITE LOCATION: 532 Indiana Avenue

EXISTING ZONING: R-3 Residential

ANALYSIS OF THE REQUEST:

OVERVIEW:

The petitioner is requesting to allow an accessory structure, totaling 1,200 square feet on their lot.

Under the current Town of Lowell Land Use and Development Code 155.075 (B)(1)(b), on a residential lot that does not have an attached garage residents are allowed 900 square feet of accessory structure. As a result, to build as proposed, Petitioner requires a variance of 300 square feet.

Under the current Town of Lowell Land Use and Development Code 155.075 (A)(5)(c), a minimum separation of ten feet shall be provided between an accessory structure and any principal structure or other accessory structure. As a result, to build as proposed, Petitioner requires a variance of four feet.

Petitioners have an existing accessory structure that totals 576 square feet. Total square feet left for an additional accessory structure would be 324. Existing accessory structure is also not ten feet from primary structure; it is legal non-conforming, but building an additional 624 square feet would take away the non-conformity. Height of the proposed addition would not be more than the allowed 16 square feet.

REASON FOR REQUESTED CHANGE (DEVELOPMENT OBJECTIVE):

The new accessory structure would be used for personal storage and a wood shop. It will meet all the other zoning setback requirements.

OTHER INFORMATION:

The Petitioner's lot is approximately 0.53 acres. Adding the structure and driveway will not adversely affect the impervious surface allotment per the zoning code. The topo of the resident's lot drops off substantially building a new structure further back or not attached with the other existing structure would not be feasible due to the steep downward slope.

STAFF RECOMMENDATION AND PROPOSED FINDINGS OF FACT:

1. Staff recommends that the Board of Zoning Appeals APPROVE the Applicant's three variances as requested.
2. The Town of Lowell Board of Zoning Appeals shall make written Findings of Fact in accordance with I.C. §36-7-4-915, and the Town of Lowell Zoning Ordinance, as amended from time to time. Based upon its evaluation, Staff recommends that the Board of Zoning Appeals make Findings of Fact as follows:
 - A. Under the current Town of Lowell Land Use and Development Code 155.075 (B)(1)(b), on a residential lot that does not have an attached garage residents are allowed 900 square feet of accessory structure. Therefore, Petitioner is required to obtain a Developmental Variance for the additional square footage of floor space to construct the accessory structure as proposed;
 - B. Under the current Town of Lowell Land Use and Development Code 155.075 (A)(5)(c), in residential districts, a minimum separation of ten feet shall be provided between an accessory structure and any principal structure or other accessory structure. Therefore, Petitioner is required to obtain a Developmental Variance for the proposed location of the garage not being in the rear quarter of the lot;
 - C. Approval of Petitioner's variances will not be injurious to the public health, safety, morals, and general welfare of the community;
 - D. The use and value of the area adjacent to the property included in the variance will not be affected in a substantially adverse manner;
 - E. Strict application of the terms of the Zoning Ordinance will result in practical difficulties in the use of Petitioner's property. However, the Zoning Ordinance may establish a stricter standard than the "practical difficulties" standard prescribed by I.C. 36-7-4-918.5;
 - F. The Findings of the Town of Lowell Board of Zoning Appeals are based upon and in accordance with the Town of Lowell Zoning Ordinance and Indiana state

statutes, and shall not be construed or interpreted to be a determination by the Town of Lowell Board of Zoning Appeals of compliance, or noncompliance, with covenants, restrictions, or limitations on the real estate defined herein, if any; and,

- G. Petitioner shall comply with all requirements of the Town of Lowell Municipal Code and Indiana state statutes related to the applicable building permits, licensing/registration of contractors, inspections, etc. that are required for construction as permitted herein. Additionally, approval of any variance by the Town of Lowell Board of Zoning Appeals shall not be construed or interpreted as pre-approval or waiver of any such requirement.

PROPOSED MOTIONS:

1. Staff recommend that the Board of Zoning Appeals grant approval of the Applicant's requested developmental variances from the requirements of the Town of Lowell Zoning Code 155.075 in order to construct an accessory structure totaling 624 square feet situated on their property and not having 10 feet separation from the primary structure. subject to:

- A. Staff approval of construction plans.
- B. The exterior of the accessory structure must match the materials and color of the primary structure.

2. If the Board of Zoning Appeals agrees with the recommendation, Staff requests that this report be adopted by the Town of Lowell Board of Zoning Appeals as its Findings of Fact.

Rich Oman, Director of Planning and Development
Town of Lowell
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Attachments:

- 1. Application
- 2. Site Plan with proposed improvement

ACTION TAKEN:

MOTION/VOTE: ___ IN FAVOR; ___ OPPOSED; ___ ABSTAINED; ___ ABSENT;

FINDINGS OF FACT/VOTE: ___ IN FAVOR; ___ OPPOSED; ___ ABSTAINED; ___ ABSENT;

DATE: _____

BOARD OF ZONING APPEALS PRESIDENT _____ (SIGN)