

**LOWELL BOARD OF ZONING APPEALS MEETING  
MARCH 12<sup>TH</sup>, 2020**

Secretary Tom Cogdill called the meeting to order at 6:13pm. The Pledge of Allegiance was recited. Recording Secretary Dianna Cade called the roll. Members answering the roll call were, Shane Lawrence, Jim Konradi. and Tom Cogdill. Manny Frausto was absent. Also present was, Nicole Bennett, Town Legal Counsel and Rich Oman Director of Planning and Building.

**APPROVAL OF MINUTES:**

Mr. Konradi made a motion to approve the February 12th, 2020 regular meeting minutes, seconded by Mr. Lawrence and carried by roll call vote of all ayes.

**NEW BUSINESS:**

**BZA #20-004** to consider the variance from developmental standards Town of Lowell Zoning Ordinance §155.033 (B) District Standards. Petitioner is requesting to erect a front porch and handicap ramp that is beyond the required 30' building line. Petition has been filed by Joyce Rasmussen, 520 Indiana, Lowell, IN. Parel #45-19-23-427-004.000-008.

Mrs. Joyce Rasmussen, 520 Indiana Ave., Lowell, IN. She stated that she has hired John Lauridsen as her contractor. Her porch is concrete and it is in disrepair. Her elder parents cannot get into the house without rails. She is proposing installing handicap rails and covering the concrete porch with a wood deck. She discussed in relation to the current front sidewalk the distance the new deck would come out to.

Mr. Codgill opened the public hearing, no remonstrances were heard.

Mr. Konradi asked if the ramp was going to be made of wood and tied into the deck. Mrs. Rasmussen stated it would be composite material. She stated the composite deck would cover the concrete landing, step out and the steps down. She stated it is not actually a wheelchair ramp. Mrs. Rasmussen stated it is two steps and handicap rails to come up to the steps.

The variance is for 9' behind the edge of the sidewalk. Discussion followed if the structure would go past where the original porch was.

Mr. Oman stated that he has no concerns over the requested variance from front setback.

Mr. Konradi made a motion to a approve a variance for 9' encroachment on the front building line to cover an existing concrete porch with composite deck and steps along with a handicap rail, seconded by Mr. Lawrence and carried with a roll call vote of all ayes.

Mr. Konradi made a motion to approve the staff report as the Findings of Fact, seconded

by Mr. Lawrence and carried with a roll call vote of all ayes.

BZA # 20-005 - To consider an application for a special use as identified in the Town of Lowell Zoning Ordinance §155.038(3)(a) B2District – alcohol related uses and §155.043 land matrix definition alcohol related uses has been filed by Singh Brothers, DBA: Handy Spot Liquor, 424 Fort Hill Dr., Suite 102, Naperville, IL for property located at 797 W. Commercial Ave. 45-19-27-201-018.000-038, Lowell, IN. Petition is to operate a liquor store in the front part of the building. This property is currently zoned B2.

Nick Singh, the owner of Handy Spot Liquors. He stated he is petitioning for a special use to be able to open a packaged liquor store at 797 W Commercial Unit 2. Mr. Singh stated the store would operate exactly like the other location he has open at 1745 E. Commercial. This second location would be in the half front unit of the building.

Mr. Cogdill opened the public hearing. Mrs. Carrie Austgen, 801 E. Main, Griffith, IN. She stated she and her husband Mike, are the owners of the building and they would like to have this business as a tenant. Attorney Bennett asked Mrs. Austgen as the owner of the property was, she joining him on the petition in making this request. Mrs. Austgen stated yes.

Mr. Konradi asked about signage at the site. Attorney Bennett stated this petition is for a special use to operate a packaged liquor store. The signage would have to fall under the ordinance requirements or they would have to seek a separate variance. Mr. Konradi asked if there was adequate parking on site. Mr. Singh stated yes, there is plenty of parking.

Mr. Oman stated he did not have any issues with the petition request. The property is zoned B2 and liquor stores are not an allowed use.

Mr. Konradi made a motion to send a favorable recommendation to the Town Council, seconded by Mr. Lawrence and carried with a roll call vote of all ayes.

Mr. Konradi made a motion to approve the staff report as the Findings of Fact, seconded by Mr. Lawrence and carried with a roll call vote of all ayes.

**PUBLIC COMMENT:** NONE

**ANNOUNCEMENTS:** Mr. Cogdill stated the next regularly scheduled meeting is on April 9th, 2020 at 6pm.

**ADJOURNMENT:**

With no further comments or questions, Mr. Konradi made a motion to adjourn the meeting at 6:30pm, seconded by Mr. Lawrence and carried with a roll call vote of all ayes.

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Tom Cogdill, Secretary