

LOWELL BOARD OF ZONING APPEALS MEETING
August 12th, 2021

President Shane Lawrence called the meeting to order at 6:05pm. The Pledge of Allegiance was recited. Recording Secretary Dianna Cade called the roll. Members answering the roll call were, Dave Regan, Tom Cartwright, Shane Lawrence, and (via electronic media), Jim Konradi. Also, present was, Nicole Bennett, Town Legal Counsel, and Rich Oman, Director of Planning and Building.

Attorney Bennett stated Mr. Frausto has been appointed to the Plan commission, this is effective immediately with this meeting. He cannot serve on both boards. She explained the statute and appointments.

APPROVAL OF MINUTES:

Mr. Cartwright made a motion to approve the July 8th, 2021, regular meeting minutes, seconded by Mr. Regan and carried by roll call vote of all ayes.

OLD BUSINESS:

BZA - #21-007- 1660 E Commercial Ave. Variance from developmental standards of Town of Lowell Zoning Ordinance §155.104 1(a) for property located at 1660 E. Commercial Ave. Petitioner is requesting to exceed the amount of the total square footage of allowed signage. Petition has been filed by Jeffery Scott Architects 32316 Grand River Ave. #200, Farmington, MI 48336, representing, Haresh Patel, 415 Central Ave., Northville, IL. This petition is for Parcel #45-19-25-127-004.000-008. This property is owned by Lowell Properties LLC.

William Stonehouse, Jeffrey Scott Architects. Representing Lowell Donut LLC. Haresh Patel. He referred to SGN 1 and SGN 2 colored renderings that were supplied to the Board in their packet. SGN 1 is the proposed itemized exterior signage and SGN 2 has 3 options to be chosen by the Board for the accent wall. They are the graphic of a *donut and coffee cup* (Option A); font only; *Lowell runs on Dunkin* (Option B) and font only; *Something Fresh is always Brewing* (Option C).

Mr. Oman stated the monument sign has been changed to reflect a brick base which was requested by the staff. Signage of right only and right arrow are also new to the package. Attorney Bennett stated the variance is for the overall allowed maximum signage allowed per the ordinance. Mr. Regan stated he liked option b.

Mr. Regan made a motion to grant the variance for exceeding maximum amount allowed signage for Dunkin Donuts, 1660 E. Commercial Ave., and sign package option B as laid out in the exhibit A, B & C, totaling 110.15 sq. ft. seconded by Mr. Cartwright and carried with a roll call vote of all ayes.

Mr. Konradi made a motion to accept the staff report with the addition of option B as the Findings of Fact, seconded by Mr. Regan and carried with a roll call vote of all ayes.

NEW BUSINESS:

BZA #21-009 - 310 Deere Way Variance from Developmental Standards from the requirements of Ordinance 155.090 (B) has been filed by Mark and Hannah Jackson 310 Deere Way, Lowell, IN Parcel #45-19-22-276-012.000-038 to erect a fence that is more than three feet (3') in height in the front yard

Hannah Jackson, 310 Deere Way. She stated the property is on a corner lot off Cline Ave. and Deere Way. They would like to install a 6' privacy fence. The building line is 22' from the house. Not being able to go 6' in height past the building line would leave a good portion of their lot not fenced in. They would like to extend out to about 54' from the house which is 32' from the building line. In her opinion this should not impede any vehicular views at the intersection. She stated they have children and Cline Ave is heavily trafficked with many cars speeding, and without a fence they are exposed.

Mr. Lawrence opened the public hearing. No remonstrances were heard in person or on-line. Public hearing was closed.

Mr. Konradi asked Mr. Oman why the variance was for the height of the fence only and not outside of the building line. Mr. Oman stated the ordinance allows for a 3' fence. The variance is for 3' more to get the 6' height.

Mr. Regan made a motion to approve the 3' variance request for a fence past the building line, seconded by Mr. Cartwright and carried with a roll call vote of all ayes.

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

PUBLIC COMMENT: NONE

ANNOUNCEMENTS: Next meeting is on September 9th, 2021

ADJOURNMENT:

With no further comments or questions, Mr. Cartwright made a motion to adjourn the meeting at 6:30PM, seconded by Mr. Regan and carried with a voice vote of all ayes.

Shane Lawrence, President


Dave Regan, Secretary