

LOWELL BOARD OF ZONING APPEALS MEETING
October 14th, 2021

Dave Regan 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, Ben Clemens, Jim Konradi, Dave Regan, and Tom Cartwright. Shane Lawrence 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 August 12th, 2021, regular meeting minutes, seconded by Mr. Cartwright and carried by roll call vote of all ayes.

NEW BUSINESS:

BZA #21-010 1667 Crestwood Dr. An application to request a Variance from Developmental Standards from the requirements of Ordinance 155.090 (B) has been filed by Tara Blackwell 1667 Crestwood, Lowell, IN Parcel #45-19-25-330-004.000-008 to erect a fence that is more than three feet (3') in height in the front yard.

Tara Blackwell, 1667 Crestwood Dr., She stated this is a corner lot and currently there is a 3' chain link fence on her property. She would like to install a 6' privacy fence in the same location as the current fence. This is needed due to the lack of depth of her backyard. This would allow her pets to have complete run of the entire backyard; she would also like to have privacy from the apartment building that is directly east of her.

Mr. Konradi asked the petitioner if she was requesting a 6' fence all the way around? Discussion followed on the exact location. Mr. Oman indicated on the monitor the exact location being requested for the fence. Mr. Konradi stated this is a corner lot with 2 front yards. Mr. Oman stated that is correct. Terry Dye, 1010 ½ Oak St., Valparaiso, IN. She stated she is Tara's mom. She stated that many of the homes in this neighborhood on corner lots have the fence along the sidewalk. Discussion followed. Discussion on site visibility. Mr. Regan stated he did not think this location would impede drivers' ability to see any traffic signs. Attorney Bennett stated the location was misspoke earlier. She corrected the location of where the fence was requested which is the front building line of the house and straight north to the property line.

Mr. Konradi asked if the chain link fence was along the sidewalk. Ms. Blackwell stated yes. Mr. Konradi stated usually there is a little buffer between the sidewalk and the fence. He stated however, if the existing fence is already there it is hard to change that. Mr. Oman stated the buffer usually helps with the sight visibility. He continued, in this instance that is not an issue. He demonstrated on the monitor his opinion on traffic visibility. Mr. Konradi stated the current fence is already there I think it would be hard to change. Attorney Bennett stated once the fence is replaced it loses its legal non-conforming status and the BZA has the option to not allow the current location of the fence to stay along the sidewalk.

Mr. Regan opened the public hearing, no remonstrances were heard in person or on-line. The public hearing was closed.

Mr. Oman stated he feels the sight visibility is not an issue.

Mr. Cartwright made a motion to approve the variance, seconded by Mr. Konradi and carried with a roll call vote of all ayes.

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

OLD BUSINESS: NONE

DISCUSSION: Moving the November 11th regularly scheduled meeting as the town hall is closed that day.

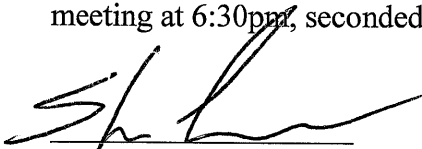
Discussion on possible dates. Mr. Konradi made a motion to move the November meeting to the 18th, from the 11th., seconded by Mr. Cartwright and carried with a roll call vote of all ayes.

PUBLIC COMMENT: NONE

ANNOUNCEMENTS: Mr. Regan stated the next regularly scheduled meeting for the BZA will be November 18th, 2021.

ADJOURNMENT:

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


Shane Lawrence, President


Dave Regan, Secretary