

## LOWELL BOARD OF ZONING APPEALS MEETING

September 8<sup>th</sup>, 2022

Chairman 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, Ben Clemens, Dave Regan, Tom Cartwright, Shane Lawrence, and Jim Konradi. Also present was, Nicole Bennett, Town Legal Counsel and Rich Oman Director of Planning and Building.

### APPROVAL OF MINUTES:

Mr. Lawrence made a motion to approve the August 11<sup>th</sup>., regular meeting minutes, seconded by Mr. Konradi and carried by a roll call vote of all ayes.

### OLD BUSINESS:

#### **BZA #22-005 -1554 NORTHWOOD DR – APPROVE FINDINGS OF FACT: from termination of petition by BZA on 8/11/22.**

Variance from Developmental Standards from the requirements of Ordinance 155.090 (B) has been filed by Edward Castillo, 1554 Northwood Dr., Lowell, IN Parcel #45-19-25-327-001.000-008 to erect a fence that is more than three feet (3') in height which is not allowed as stated in the above-mentioned Ordinance. Variance requested is 3' in height.

Mr. Lawrence made a motion to accept the Findings of Fact for BZA #22-005, seconded by Mr. Cartwright and carried with a roll call vote of all ayes.

### NEW BUSINESS:

BZA #22-010 - 8539 POTOMAC WAY - Variance from Developmental Standards from the requirements of Ordinance 155.090 (B) has been filed by Jennifer Hardy, 8539 Potomac Way, Lowell, IN. Parcel #45-19-15-457-001.000-038 to erect a fence that is more than three feet (3') in height which is not allowed as stated in the above-mentioned Ordinance. Variance requested is 1' in height.

Jennifer Hardy, 8539 Potomac Way, Lowell, IN. Ms. Hardy stated she is asking to put up a fence past the building line up to the 10' easement next to the sidewalk on the side of their house. They have 2 working breed dogs and they are training them in agility and would like the extra room. It would be a 4' see through fence. They feel it does not hit the line of sight on the corner.

Discussion on the location of the fence. Mr. Oman using the GIS map on the monitor demonstrated to the Board where the proposed fence would be located. Mr. Oman stated it is 10' off the sidewalk.

Mr. Konradi asked what the material of the fence is. Ms. Hardy stated it is black aluminum with 1" slats; 2.5" between each slat. Black skinny aluminum. She stated it will be 4' in height.

Mr. Cartwright asked the petitioner why she was not putting up a 5' fence. Ms. Hardy stated they have short dogs and they do not want to quadrant themselves off of the neighborhood, they would like to still be part of it.

Mr. Regan opened up the public hearing, no one was heard in person or on-line. Public hearing was closed.

Mr. Konradi made a motion to grant the 1' variance in fence height to BZA #22-010 8539 Potomac Way, seconded by Mr. Lawrence 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. Clemens and carried with a roll call vote of all ayes.

**PUBLIC COMMENT:** NONE

**DISCUSSION:**

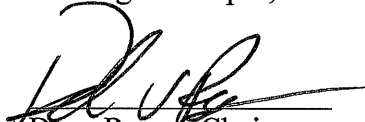
Mr. Lawrence asked if the petitioner on 1554 Northwood had contacted the staff. Mr. Oman stated no. Further discussion.

Mr. Cartwright asked Mr. Oman if the double fences that are currently on location at the site of the proposed new veterinary clinic are necessary. Discussion.

**ANNOUNCEMENTS:** Next regularly scheduled meeting is on, October 13<sup>th</sup>, 2022

**ADJOURNMENT:**

With no further comments or questions, Mr. Cartwright made a motion to adjourn the meeting at 6:15pm, seconded by Mr. Clemens and carried with a roll call vote of all ayes.

  
Dave Regan, Chairman

  
Tom Cartwright, Secretary