

LOWELL BOARD OF ZONING APPEALS

May 9th, 2024

Chairman Dave 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 Dave Regan, Shane Lawrence, Paige Cripe, and Jim Konradi. Tom Cartwright was absent. Also, present was Rich Oman, Director of Planning and Development, and Town Attorney Nicole Bennett.

APPROVAL OF MINUTES:

Mr. Konradi made a motion to approve the regular meeting minutes from April 11th, 2024, seconded by Mr. Lawrence and carried with a roll call vote of all ayes.

OLD BUSINESS: None

NEW BUSINESS:

BZA #24-003 - 1207 Southwood Dr- Petitioner is requesting a variance from developmental standards of Town of Lowell Zoning Ordinance §155.075 (B)(1)(a) - size. The petitioner is requesting to build an accessory structure that is larger than what is allowed. Petition has been filed by Carey & Ardyth Cutler. Parcel #45-19-25-154-008.000-008. Allowed 200 sq. ft. Variance requested is 700 sq. ft.

Carey Cutler, 1207 Southwood Dr., Lowell, IN. Mr. Cutler using the aerial picture of his property that was displayed on the monitor indicated where the gravel area is located on the property and stated that is where he would like to put the garage. He stated the house is a bi-level and the garage is underneath the house. Mr. Cutler stated they are running out of storage.

Mr. Regan asked the variance amount. Mr. Oman stated 700 sq. ft. They are allowed 200 sq. ft. Mr. Konradi asked if they would be adding any driveway. Mr. Cutler stated no it will go on the existing gravel pad which is right off the existing driveway. Mr. Cutler stated he will be pouring a pad for the garage. Mr. Oman stated they will meet all the setbacks and the impervious surface calculation is way under what is allowed.

Chairman Regan opened the public hearing. No remonstrances were heard in person or online. The public hearing was closed.

Discussion on an existing shed. Mr. Cutler stated the existing shed will be removed. Discussion on motion.

Mr. Konradi made a motion to approve a variance for the requested 700 square feet for a garage, with the condition that an existing shed is demolished seconded by Mr. Lawrence and carried with a roll call vote of all ayes. Carried by a roll call vote of all ayes.

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

BZA #24-004 - 257 WASHINGTON ST - Petitioner is requesting a variance from developmental standards of Town of Lowell Zoning Ordinance §155.032 (B) District Standards- Accessory structure height. The petitioner is requesting to build an accessory structure that's height is higher than what is allowed. Allowed 16' requesting 19.8'. Petition has been filed by John Enyeart. Parcel #45-19-23-353-008.000-008.

John Enyeart, 257 Washington St. Lowell, IN. Mr. Enyeart stated he is building a garage on his property. He is asking for a variance of 3.8 feet on the height. His lot is very narrow, and he is retiring next year and would like a loft in the garage so that he can have a wood shop. He cannot go sideways due to his lot he has to go up.

Mr. Lawrence asked to see on the GIS map the location of the property. Mr. Konradi asked the height of Mr. Enyeart's house. Mr. Enyeart replied 30-35 feet. Mr. Konradi commented that in that case the garage would

not be taller than the house. Chairman Regan asked if the garage would match the house. Discussion.

Mr. Oman stated they are abiding by the setbacks and the impervious surface calculation is ok.

Chairman Regan opened the public hearing. No remonstrances were heard in person or on-line. The public hearing was closed.

Mr. Lawrence made a motion to approve the height request variance for 257 Washington St of 3.8 feet on an accessory structure, seconded by Mr. Konradi 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 #24-005 - 2080 E COMMERCIAL AVE. – Petitioner is requesting a variance from developmental standards of Town of Lowell Zoning Ordinance 155.104(A)(1) and §155.104(A)(1)(b)(1) for property located at 2080 E. Commercial Ave. Petitioner is requesting to exceed the amount of the total square footage of allowed signage and permitted size for a wall sign. Total wall sign size allowed 75 sq. ft. variance total is 224.37. Total square footage allowed for all signage in PB is 150 sq. ft. variance total is 302.48 sq. ft. The Petition has been filed by Van Til's Real Estate, 2635 169th St., Hammond, IN 46323. This petition is for Parcel #45-19-25-227-012.000-008.

Larry Yurko, from Legacy Sign Group, representing Van Tils Real Estate. 7933 W US Hwy 6, Westville, IN. He stated Strack and Van Til are petitioning to install a new wall sign on their store in Lowell. The existing wall sign will be removed. They are proposing a new one that is larger than what is allowed. Mr. Yurko discussed the size of the new wall sign. He stated the new wall sign size is consistent with the signage that is at their other locations. He stated they are currently doing a façade remodel at this location. The new sign will have the same type of illumination. He discussed the specs of the lights. Discussion on the existing wall sign on the east elevation. That sign will stay. The current sub copy signage of bakery, deli and produce will be eliminated. The tenant signage on the pylon sign will stay as is. Mr. Oman stated the existing tenant sign, wall sign on east elevation and the new proposed wall sign on the front façade is what is being counted for the total signage number. Discussion on the size of the front façade. Mr. Oman stated the new addition is adding 70 sq ft. Discussion.

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

Ms. Cripe made a motion to approve the variance request for 2080 E Commerical Ave. BZA #24-005, for 224.37 square feet for a new wall sign and 302.48 square feet for a combined total of all signage, 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. Lawrence and carried with a roll call vote of all ayes.

DISCUSSION: NONE

PUBLIC COMMENT: NONE

ANNOUNCEMENTS: Next regularly scheduled meeting will be held on June 13th, 2024

ADJOURNMENT

With no further comments or questions, Mr. Lawrence made a motion to adjourn the meeting at 6:20pm., seconded by Mr. Konradi and carried by a roll call vote of all ayes.

Dave Regan, President

Paige Cripe, Secretary