

LOWELL BOARD OF ZONING APPEALS MEETING
June 14th, 2018

President Brady called the meeting to order at 6:30pm. The Pledge of Allegiance was recited. Recording Secretary Dianna Cade called the roll. Members answering the roll call were Jim Konradi, Chris VanDyke, Manny Frausto, Ryan Thiel and Sean Brady. Also present were Director of Planning and Development Laura Rouse -Devore, Town Manager Jeff Sheridan and Attorney Nicole Bennett.

APPROVAL OF MINUTES

Mr. VanDyke made a motion to approve the May 10th, 2018 regular meeting minutes, seconded by Mr. Thiele and carried by voice vote of all ayes.

PUBLIC HEARING:

BZA #18-007 An application to request a Variance from Developmental Standards from the requirements of Ordinance 155.090 (B) has been filed by Timothy Higgins Jr., 5995 W. 172nd Ave., Lowell, IN Parcel #45-19-13-380-001.000-008 in order to erect a fence that is more than three feet (3') in height which is not allowed as stated in the above-mentioned Ordinance.

Tim Higgins, 5995 W. 172nd Ave., stated that he is asking for a variance from developmental standards to erect a 6' tall fence to the SW corner side of his yard it is a single section of fence and approximately 12' off the corner. He stated that this would allow the two windows on the southwest corner of his house to be within the confines of the fence. He stated that there are a lot of children in the neighborhood and he is concerned for their safety with his window well being exposed, this fence would allow that to be enclosed within the fence. He stated that this fence would not obstruct any site line and they are only asking for 6' and so far up from the corner.

Ms. Laura Devore-Rouse gave a recap of the location of the parcel and the particulars on the lot, zoning, and definition of the corner lot requirements in regards to fencing. She noted that in the case of a corner lot each of the sides that front the street becomes a front yard. They are looking to encroach 6'. She noted that staff does not believe that granting the variance will negatively affect neighboring properties. She stated staff does not believe that the fence will impact any site visibility of traffic approaching the intersection of Marion Dr., and 172nd. She noted that as of the meeting tonight staff has not received any letters from neighboring homeowners for or against the petition. Staff recommends that the BZA approve the request for the variance.

President Brady opened the public hearing, no remonstrances were heard.

Mr. Thiele made a motion to approve the variance allowing a fence that is higher than the allowed 3' in the encroachment of the 30' setback, seconded by Mr. VanDyke and carried with a roll call vote of all ayes.

Attorney Bennett noted that the variance was approved contingent on the Findings of Fact being approved at the next regularly scheduled meeting in July.

NEW BUSINESS: NONE

FINDINGS OF FACT: NONE

ANNOUNCEMENTS: Next Meeting is scheduled for 7/12/18 at 6:30pm

PUBLIC COMMENTS: NONE

ADJOURNMENT:

With no further comments or questions, Mr. Konradi made a motion to adjourn the meeting at 6:40pm, seconded by Mr. VanDyke and carried with a roll call vote of all ayes.

Sean Brady , President

Ryan Thiele, Secretary