

**LOWELL BOARD OF ZONING APPEALS MEETING**  
**September 12th, 2019**

President Sean Brady called the meeting to order at 6:30 pm. The Pledge of Allegiance was recited. Recording Secretary Dianna Cade called the roll. Members answering the roll call were, Manny Frausto, Chris VanDyke, and Sean Brady. Ryan Thiele and Jim Konradi were absent. Also, present was, Nicole Bennett, Town Legal Counsel.

**APPROVAL OF MINUTES**

Mr. Van Dyke made a motion to approve the July 11th, 2019 regular meeting minutes, seconded by Mr. Frausto and carried by voice vote of all ayes.

**NEW BUSINESS:**

**BZA #19-006 - 5784 W. 175<sup>th</sup> Ave.** - variance from developmental standards Town of Lowell Zoning Ordinance §155.032 (B) District Standards. Petitioner is requesting to erect a front porch beyond the required 30' building line. Petition has been filed by Joan Neath, 5784 W. 175<sup>th</sup> Ave., IN. Parcel #45-19-24-129-024.000-008.

– Joan Neath, 5784 W. 175<sup>th</sup> Ave., stated she would like to put a small porch, measuring 8' x 20', on the front of her house. Mr. Brady stated this would be eight feet beyond the building line. Mr. Frausto asked what was in front of her house now. Ms. Neath stated just a sidewalk. She stated she was a people person and would love to be able to sit out on her porch and interact with people that walk past. Attorney Bennett asked if the porch would be enclosed. Ms. Neath stated nothing would be enclosed, just an open porch/deck. Attorney Bennett asked if there would be railing along the outside. Ms. Neath stated there would be. Attorney Bennett asked if the structure would be attached to the house. Ms. Neath stated she did not believe it would be attached to the house. Mr. Brady asked if the joists would attach to the house. Ms. Neath stated it is going to the edge of where the garage is with a post of sorts to hold on to. Gina Matury, Lowell Building Inspector, stated if it makes a difference, the structure does not have to be attached to the house. We would just need four supports instead of two.

Mr. Brady opened the public hearing. With no one to speak for or against the petitioner, Mr. Brady closed the public hearing. Mr. Frausto made a motion to approve the 8' variance to construct a porch beyond the maximum 30's building line for BZA #19-006, seconded by Mr. VanDyke and carried by roll call vote with three ayes.

**BZA #19-008 – 6205 W. 177<sup>th</sup> Ave.** – Gina Matury & Richard Gilbert seeking permission to locate a 12x16 temporary shed for a duration of a year. The existing structure on this property will be demolished with two weeks of installing new structure

– Gina Matury, 6205 W. 177<sup>th</sup> Ave., stated she has an old garage that houses the mower she uses to mow the two-acre lot that she owns. She stated she cannot tear that structure down and build a new one because it is vacant, but she can install a temporary accessory structure. She stated the size would be a 12x16 and would remain on the property for no longer than one year. Mr. Brady asked what would happen after a year. Mrs. Matury stated she would tear down the garage and replace it with a new structure and move the shed to another conforming location. Mr. Frausto

asked if the garage was being replaced. Mrs. Matury stated not at this time, it will be demolished. Attorney Bennett asked if the plans were to build a primary structure on the lot within a year. Mrs. Matury stated that was the original plan, but they are still up in the air for this particular lot. There is another lot just down the street that she will be building on and this shed will be moved to that property which is close enough to facilitate both properties. Mr. Frausto asked if extensions would be able to be given if a year ends up not being enough. Attorney Bennett stated she would have to request an extension, yes. Attorney Bennett stated that per ordinance accessory structures like this are to be set in the back quarter of the property and the current garage is set towards the front. Mrs. Matury stated if she needed to set it further back, she could. Discussion followed regarding the placement of the structure.

Mr. Brady opened the public hearing. With no one to speak for or against the petitioner, Mr. Brady closed the public hearing. Mr. Frausto made a motion to approve BZA #19-008 to allow the temporary structure to be placed right behind where the existing structure is, with the condition that the other structure be demolished, seconded by Mr. VanDyke and carried by roll call vote with three ayes.

**ANNOUNCEMENTS:**

Mr. Brady stated that the next regularly scheduled meeting is October 10th, 2019 at 6:30pm.

**ADJOURNMENT:**

With no further comments or questions, Mr. VanDyke made a motion to adjourn the meeting at 6:50pm, seconded by Mr. Frausto and carried with a voice vote of all ayes.

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Sean Brady, President

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Jim Konradi, Secretary