

**LOWELL BOARD OF ZONING APPEALS MEETING**  
**July 10, 2008**  
**6:30 PM**

Chairman Niksch called the meeting to order at 6:30 PM. The Pledge of Allegiance was recited. Roll call was taken. Members answering the roll call were Doug Niksch Jim Konradi, Sean Brady, Richard Kelley, and Jeff Harbrecht. Also present were Attorney Larry Steele, Director of Community Development Wilbur Cox, and Recording Secretary Christine Marbach.

**Approval of Minutes:**

Chairman Niksch asked for a motion to approve the June 12, 2008 regular meeting minutes. Mr. Konradi moved to approve the minutes. Seconded by Mr. Kelley. Voting was **all in favor**.

**Old Business:**

1. **BZA #08-005, Carolyn Anderson – Speedway Super America, LLC, 1691 E. Commercial Ave., Lowell, IN 46356. Requesting a variance from the provision of 155.070 Rear Yard Setback. Purpose: to build a new gas station.**
2. **BZA # 08-006, Carolyn Anderson – Speedway Super America, LLC, 1691 E. Commercial Ave., Lowell, IN 46356. Requesting a variance from the provision of 155.077 (C) (1) Commercial Frontage. Purpose: to build a new gas station.**

Mr. Cox stated that the petitioner has requested to be tabled until next month. They will have to present the town with a new site plan. The town has not met with the DOT and the petitioners to go over the improvements on Burr St. The engineering firm of Butler, Fairman and Seifert has been directed to stay with this project and any amendments would have to be approved by the town first. Mr. Konradi moved to table this item until next month's meeting. Seconded by Mr. Brady. Voting was **all in favor**.

**New Business:**

1. **BZA #08-007, Donald Miller / Linda Landford, 310 W. Oakley, zoned R-3. Requesting a variance from the provision of 155/092 (A) (2) (a) – Accessory Structures. Purpose: to build a 234 sq ft (14 X 16) shed in addition to an existing 24 X 26 un-attached garage. Allowed 750 sq ft, asking for a 98 sq. ft. variance.**

Mr. Miller was present and stated that they had outgrown their space and need to store lawn tractor and equipment which is being stored in the garage.

Mr. Niksch **opened the public hearing**. Gilbert Rodriguez, 131 Elm St., wanted to know if the shed was going to be used for a business. Mr. Miller stated that it would only be used to store yard equipment. Mr. Niksch **closed the public hearing**.

Mr. Cox stated that because of the size of this shed, it would require a monolyfic pour and not concrete slab. Mr. Konradi moved to grant the request of 98 sq. ft to build a 234 sq. ft. shed. Seconded by Mr. Brady. Voting was **all in favor**.

Mr. Cox stated that according to Indiana Code a shed could be built up to 200 sq ft without a permanent foundation. He asked the board if they would object to changing the ordinance to read 10 X 20 instead of 10 X 12 for a foundation requirement.

**Motion to adjourn: Mr. Kelley moved to adjourn at 6:50 PM.**

---

Doug Nicksch, Chairman

---

Jeff Harbrecht, Secretary

Note: The above-proposed minutes are submitted for review and approval as the official minutes of the Board of Zoning Appeals.

Christine Marbach  
Recording Secretary