

**LOWELL BOARD OF ZONING APPEALS MEETING
AUGUST 8, 2013**

Vice-Chairman Chad Evenhouse called the meeting to order at 6:30 PM. The Pledge of Allegiance was recited. Recording Secretary Gena Knapp called the roll. Members answering the roll call were Chad Evenhouse, James Konradi, and Richard Kelley. David Shilling and Sean Brady were not in attendance. Also present were Town Attorney Jack Kramer, Planning Consultant Jim Mandon, Building Official Tom Trulley, and five citizens.

APPROVAL OF MINUTES

Mr. Konradi made a motion to approve the July 11, 2013 regular meeting minutes, seconded by Mr. Kelley and carried by voice vote.

PUBLIC HEARING

BZA #13-013 – Jonathan Duvall – 6110 Oak Valley Dr. – Variance from Developmental Standards – To place a shed closer to an interior property line than what is permitted - Carl Duvall, 9017 Noble St. Merrillville, IN, stated that he was there on behalf of his son, Jonathan Duvall. Mr. Duvall stated that Jonathan was unaware of the five feet minimum setback from the property line when he installed the shed. He did apply for the permit, which shows that he was not trying to do anything wrong. When he turned the as-built survey in, he had put the location of the shed on there, but he did not have any dimensions on there. He stated there is a three-foot measurement on the survey, but that is what he had marked himself after the permit was issued. There is also a five-foot measurement written on there as well from the property line, which was from whoever reviewed the as-built survey initially to issue the permit. Jonathan never saw that note on there. His wife was the one who came in and picked up the permit packet, and the five-foot measurement from the property line was never brought to her attention. He stated that the neighbor on the east side said that he did not have a problem with it, and he is the main one that it would impact. Mr. Duvall went on to explain the location of his son's lot in the subdivision. Mr. Evenhouse asked if the shed was on a concrete pad. Mr. Duvall stated that it was.

Mr. Evenhouse opened the public hearing. Don Parker, 17334 Castlebrook, stated that the shed backs up to his backyard. It is a nice looking shed and there are no problems with it. It is put up good, it looks nice, and they take good care of their property.

Jack Seberger stated he owns the three lots just south of Mr. Duvall's lot and he sees no issues with the shed or any negative impact. With no one else to speak for or against the petitioner, Mr. Evenhouse closed the public hearing.

Mr. Kelley made a motion to grant the two-foot variance to Mr. Duvall, seconded by Mr. Konradi and carried by roll call vote.

NEW BUSINESS

Review the Findings of Fact for BZA #13-009 – Douglas Schmal 555 N. Nichols St. – Variance from Developmental Standards – Mr. Kelley made a motion to approve the Findings of Fact for BZA #13-009, seconded by Mr. Konradi and carried by roll call vote.

Review the Findings of Fact for BZA #13-012 – Thomas and Cheryl Harrell 1319 Hilltop Drive – Variance from Developmental Standards – Mr. Konradi made a motion to approve the Findings of Fact for BZA #13-012, seconded by Mr. Kelley and carried by roll call vote.

PUBLIC COMMENTS

ADJOURNMENT

With no further comments or questions Mr. Kelley made a motion to adjourn the meeting at 6:39 PM, seconded by Mr. Konradi and carried by voice vote.

Chad Evenhouse, Vice-Chairman

James Konradi, Secretary