

**LOWELL BOARD OF ZONING APPEALS MEETING
JULY 10, 2014**

Chairman David Shilling 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 James Konradi, Richard Kelley, David Shilling and Sean Brady. Chad Evenhouse was not in attendance. Also present were Town Attorney Jack Kramer, Planning Consultant Jim Mandon, Town Engineer Craig Hendrix and four citizens.

APPROVAL OF MINUTES

Mr. Konradi made a motion to approve the June 12, 2014 regular meeting minutes, seconded by Mr. Kelley and carried by voice vote.

PUBLIC HEARING

BZA #14 -05– Ken Carey – 17379 Jansen Court – Variance from Developmental Standards – To construct an accessory building (560 sq. ft.) which is larger than what is permitted. Mr. Shilling asked how many square feet the resident is allowed. Mr. Mandon stated 900 total sq. ft. Mr. Kelly stated that he needs a variance of 269 sq. ft. Mr. Shilling asked if Mr. Carey was present and if he would like to address the Board. Mr. Carey stated he did not measure the garage but there is a cut out in the foundation for a laundry room. Mr. Carey stated that he did not realize that he needed to bring the measurement with him tonight and the cut out is approximately eight to ten feet. Mr. Shilling asked what is the purpose of the new garage. Mr. Carey stated for extra storage and doing projects with his children. Mr. Shilling stated that the structure would not be used for doing business. Mr. Carey stated it would not. Mr. Shilling asked the Board if they had any questions for Mr. Carey. Mr. Kelley asked Mr. Carey if the new structure would match the primary structure in regards to the roofing material, siding and the pitch of the roof. Mr. Carey stated that it would. Mr. Shilling asked Mr. Mandon if he had any questions for Mr. Carey. Mr. Mandon stated that if you decide to approve the variance the motion should include the stipulation that the new structure must match the existing structure. Mr. Mandon stated that the motion should also relate to the size of the new structure rather than a subtraction of one versus the other. Mr. Shilling asked if any letters were sent by any neighbors. Mr. Shilling asked the Board if they would like to discuss the variance. Mr. Brady asked for verification on the size of the existing structure and size of new structure. Mr. Mandon stated that if you are going to approve the motion, it should be for an accessory structure 560 sq. ft, which is what is proposed. Mr. Shilling stated that we should approve it as proposed with the condition on the exterior. Mr. Shilling opened the public hearing. With no one to speak for or against the petitioner, Mr. Shilling closed the public hearing. Mr. Kelly moved to approve the variance from developmental standards to allow Mr. Carey to build an additional 560 sq. ft. accessory structure, with the stipulation that the exterior, roof gables and pitch of the roof match the existing primary structure. Seconded by Mr. Brady and carried by roll call vote. Variance Passed.

#14-06 – Samuel and Rosa Quirarte (DBA: SMQ Enterprises, LLC) – Variance from Developmental Standards – To construct a sign that exceeds height and square foot allowed at 1628 E. Commercial. Mr. Shilling asked what they are allowed.

Discussion followed. Mr. Mandon asked Mrs. Quirarte if it is an existing sign. Mrs. Quirarte stated yes. Mrs. Quirarte stated that the sign would be exactly as it had been previously before they moved the top portion to the new building. Mrs. Quirarte explained that they would be keeping the changeable copy board sign and adding another sign to the two existing poles. Discussion followed on what the sq. footage of the building and lot size was and size of sign that would be allowed. Mr. Shilling stated he was not sure if they needed a variance because the posts were still there. Mr. Mandon stated that since they are changing the sign you need to make it compliant size and height wise. Discussion followed. Mr. Shilling opened the public hearing. With no one to speak for or against the petitioner, Mr. Shilling closed the public portion of the hearing. Mr. Kramer suggested that they proceed with two separate motions, one for height and one for size. Mr. Konradi moved to approve a motion for variance for height of sign as proposed, granting an additional nine feet. Mr. Brady seconded the motion and carried with a roll call vote. Mr. Brady moved to approve a motion for variance for an additional 28 sq. ft. of signage. Seconded by Mr. Kelly and carried by a roll call vote. Variances passed.

NEW BUSINESS

Review the Findings of Fact for BZA #14-03– Lisa Humphries 302 N. Burr – Variance from Developmental Standards – Mr. Kelley made a motion to approve the Findings of Fact for BZA #14-03, seconded by Mr. Brady, roll call vote was three ayes and one abstention.

PUBLIC COMMENTS

ADJOURNMENT

With no further comments or questions Mr. Konradi made a motion to adjourn the meeting at 6:50 PM, seconded by Mr. Kelly and carried by voice vote.

Chad Evenhouse, Vice-Chairman

James Konradi, Secretary