

LOWELL BOARD OF ZONING APPEALS MEETING
June 9, 2011
6:00 PM

Chairman Kelley called the meeting to order at 6:00 PM. The Pledge of Allegiance was recited. Roll call was taken. Members answering the roll call were: Sean Brady, Jim Konradi (both were 10 minutes late) Richard Kelley, David Shilling and Chad Evenhouse. Also present were Attorney Larry Steele, Director of Community Development Wilbur Cox, and Recording Secretary Christine Marbach.

Consent Agenda:

Chairman Kelley asked for a motion to approve the May 12, 2011 meeting minutes. Mr. Brady moved to approve the minutes. Seconded by Mr. Konradi. Voting was **all in favor**.

New Business:

None.

Old Business:

Petitioner: BZA #11-003, Christopher Patterson, 1320 Hilltop Dr., Lowell, IN

Request: Variance from 155.092 (A) Accessory Structures (2)(a) 350 sq ft permitted, 576 sq ft requested

Purpose: to construct a 24 x 24 un-attached garage.

Christopher Patterson, 1320 Hilltop Dr. was present and stated that he was requesting a 20 X 24 garage. Mr. Evenhouse asked if his home was on one lot or three lots. Mr. Patterson stated that it was on one lot. Mr. Konradi wanted to know where the garage was going. Mr. Patterson stated that it would be at the back of the property about 20 feet from the back property line. He further stated that he would be using this garage for storage and he has a project car that he is working on.

Chairman Kelley **opened the public hearing**. There was no one present to speak for or against the petitioner. Chairman Kelley **closed the public hearing**.

Attorney Steele stated that the petition did say 24 x 24 instead of 24 x 20. Mr. Cox stated that 24 x 20 was an abnormal size and he put 24 x 24 on the petition because he thought that the petitioner would want a standard size garage. The petitioner stated that he wanted a 20 x 24 garage.

Mr. Konradi moved to approve the request for a variance of 130 sq. ft. for a garage. Seconded by Mr. Shilling. Voting was **all in favor**.

Petitioner: BZA #11-004, Michael Augustson, 538 Indiana Ave., Lowell, IN

Request: Variance from 155.092 (A) Accessory Structures (2)(b) 550 sq. ft permitted.

Purpose: to build a 960 sq. ft. un-attached garage

Michael Augustson, 538 Indiana Ave was present and stated that he has a one-car garage that is attached to the house and wants a separate garage. He wants to eventually turn the single car garage into living space. He is asking for a 32 x 30 garage. He also is asking for a 12 ft. high variance on the walls. Mr. Brady stated that he understood that the petitioner was asking for a sq. ft. variance and that the petition did not specify the 12 ft height variance. The petitioner stated that he had mentioned the 12 ft. variance, but did not put it on his application.

Chairman Kelley **opened the public hearing.** There was no one present to speak for or against the petitioner. Chairman Kelley **closed the public hearing.**

Mr. Evenhouse moved to approve the variance request of 410 sq. ft. Seconded by Mr. Brady. Voting was **all in favor.**

Petitioner: BZA #11-005, Tony & Heather Gutierrez, 17559 Susan Ln., Lowell, IN

Request: Variance from 155 Table I Rear Yard R-2 District, 35 ft required, 16.4 ft requested.

Purpose: to add a deck to the rear of the house.

Tony Gutierrez, 17559 Susan Ln was present and stated that he wants to put a 20 x 20 deck onto an existing deck with a possibility of putting a hot tub on the deck. Mr. Konradi asked if the petitioner were required to stick to the existing rules, what kind of problem would it cause. Mr. Gutierrez explained that he did not have a second plan for the deck and that he had already bought the lumber for the deck.

Chairman Kelley **opened the public hearing.** Mr. Cox stated that he had received a letter from Mr. & Mrs. Hache which stated that they did not have any objections to the petitioner adding a rear deck.

Mr. Konradi moved to approve the variance for 16.4 ft. Seconded by Mr. Evenhouse. Voting was **all in favor.**

Petitioner: BZA #11-006, Cynthia Genger, 470 Cheyenne, Lowell, IN

Request: Variance from 155 Appendix A Table I front yard R-2 District Prior to 101-94. 25 ft required, 17 ft. requested.

Purpose: replace concrete stoop with deck.

Cynthia Genger, 470 Cheyenne, was present and stated that the existing stoop needed to be repaired and she wants to update with a wooden deck with stairs going to the driveway. Mr. Konradi stated that he had to abstain from voting on this petition.

Chairman Kelley **opened the public hearing.** There was no one present to speak for or against the petitioner. Chairman Kelley **closed the public hearing.** Mr. Brady moved to grant the variance of 17 ft. Seconded by Mr. Shilling. Voting was **all in favor.**

Announcement:

Motion to adjourn: Mr. Brady moved to adjourn at 6:30 PM.

Richard Kelley, Chairman

Chad Evenhouse, 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