

**LOWELL BOARD OF ZONING APPEALS MEETING
FEBRUARY 9, 2012
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, Chad Evenhouse, David Shilling and Richard Kelley. Also present were Attorney Larry Steele and Recording Secretary Christine Marbach.

Election of Officers:

Mr. Evenhouse moved to nominate David Shilling for Chairman, seconded by Mr. Konradi and carried by voice vote.

Mr. Konradi moved to nominate Chad Evenhouse for Vice Chairman, seconded by Mr. Brady and carried by voice vote.

Mr. Brady moved to nominate Jim Konradi for Secretary, seconded by Mr. Shilling and carried by voice vote.

Approval of Minutes:

Mr. Konradi moved to approve the January 12, 2012 regular meeting minutes, seconded by Mr. Kelley and carried by voice vote.

Old Business:

Petitioner: BZA#12-001, Belinda Hubert, 17317 White Oak Ave, Lowell, IN
Request: for Variance of Use in an R-3 Zoning District located at 223 W. Main St., Lowell, IN

Purpose: open outpatient mental health services office

Chairman Shilling read a letter dated January 29, 2012, from the petitioner, which will be part of these minutes. Mr. Konradi stated he was inclined to vote against approval because the hardship does not exist anymore or at least for a year since it has been leased out for a year and also because there were several remonstrators at the last public hearing. Mr. Brady wanted to know if she were denied, would she have a year to come back and request the variance again. Mr. Evenhouse agreed with Mr. Konradi and stated this was not the appropriate setting for that nature of business to be conducted. Mr. Konradi moved to send to the Town Council an unfavorable recommendation for this variance, seconded by Mr. Kelley. Attorney Steele recommended the Findings be read that relate to this petition. Mr. Konradi read the Findings and they are made part of these minutes. Motion carried by roll call vote – five ayes.

New Business:

Petitioner: BZA#12-002, KDT Leasing & Sales, LLC 7329 McConnell Ave., Lowell, IN

Request: for Variance of 155.046, B-3 General Business (2) Special Exception (L).

Purpose: Used Car Sales

Tom Taylor, 14801 Clark St., Crown Point, IN stated he was asking for a variance for a special exception to open a small car lot on commercial property. Mr. Konradi asked where the lot was located. Mr. Taylor said the address of the lot would be 7325 McConnell Ave, which is by the storage unit, Leeps Plumbing Supplies, Gray's Heating & Air Conditioning, C & S Concrete and Bore-It Corporation. It will be the lot east of Bore-It. Mr. Konradi asked if this lot was part of Bore-It. Mr. Taylor stated that he owns both lots and they will have two separate addresses. Mr. Evenhouse asked about signage. Mr. Taylor stated no, most of the sales was going to be Internet sales. Mr. Konradi asked if the cars would be inside the chain link fence. Mr. Taylor stated they would. Mr. Brady wanted to know if they have a garage to work on the vehicles. Mr. Taylor stated they did and they also have hoists on the Bore-It side.

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

Mr. Konradi moved to grant the variance for a Special Exception for a Used Car Sales, seconded by Mr. Evenhouse and carried by voice vote. Mr. Taylor asked if he had to come back to a Town Council Meeting, Attorney Steele stated he did and the next Town Council Meeting would be February 27th at 7:00 PM.

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

David Shilling, Chairman

James Konradi, 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