

LOWELL BOARD OF ZONING APPEALS MEETING

October 13th, 2022

Chairman Regan called the meeting to order at 6:00pm. The Pledge of Allegiance was recited. Director of Planning and Development Rich Oman called the roll. Members answering the roll call were Ben Clemens, Dave Regan, Tom Cartwright, and Jim Konradi. Shane Lawrence was not present. Also present were, Rich Oman, Director of Planning and Building and Nicole Bennett, Town Legal Counsel.

APPROVAL OF MINUTES:

Mr. Cartwright made a motion to approve the September 8th, regular meeting minutes, seconded by Mr. Konradi and carried out by a roll call vote of all ayes.

OLD BUSINESS: None

NEW BUSINESS:

BZA #22-011 – 230 West Oakley Avenue - Variance from Developmental Standards from the requirements of Ordinance 155.033 (B) and 155.075 (B)(b) has been filed by Robert and Jaimie Hornickel, 230 West Oakley Avenue, Lowell, IN. Parcel #45-19-26-101-028.000-008 to erect an additional detached garage that is 5.5 feet from the rear property line and measures 832 square feet, when combined with the existing garage's square footage of 484 square feet, totals 1316 square feet which is not allowed as stated in the above-mentioned Ordinances. Variance requested 4.5 feet from the rear property line and 416 square feet from the total allowable square footage.

Robert Hornickel, 230 West Oakley Avenue, Lowell, IN. Mr. Hornickel stated he is asking to construct a new garage that would be 5.5 feet from the rear property line. The most northerly side of the new garage will match the same line of the existing garage next to it. He felt it would look better on the lot. His wife works on rehabbing furniture, and she takes up the existing garage with her furniture projects, so he and his son have nowhere to park their vehicles. They have 2 large pickup trucks that don't really fit in the existing garage anyway. They also have two motorcycles, and he would like to keep these vehicles out of the elements of nature. He feels they have a large enough lot for both garages and the existing pavement is already there for the new garage.

Mr. Regan asked the petitioner if they will need to add more pavement/driveway for the additional garage. Mr. Hornickel stated the existing pavement is more than enough to cover the addition of the new garage and they will not be adding more pavement.

Discussion on the location of the fence. Mr. Oman using the GIS map on the monitor demonstrated to the Board where the proposed garage would be located. Mr. Oman stated it will be 5.5 feet from the rear property line and 6 from the existing structure, which is a state fire code requirement. Mr. Oman continued to explain that the lot coverage requirement for R-3 zoning is not in jeopardy due to the addition of the new garage.

Attorney Bennett asked staff about the impervious surface requirement. Mr. Oman explained that the lot coverage requirement is the impervious surface calculation, that

they are one in the same.

Mr. Clemens asked for verification if the petitioner would also need a variance for the side yard setback as well. Mr. Oman stated no.

Mr. Regan opened up the public hearing, no one was heard in person or on-line. The public hearing was closed.

Mr. Konradi made a motion to approve the 416 square foot variance to construct a second garage on the property that would total 1316 square feet and be constructed 5.5 feet from the rear property line for a variance of 4.5 feet for BZA #22-011 230 West Oakley Avenue, seconded by Mr. Cartwright and carried with a roll call vote of all ayes.

Mr. Konradi made a motion to accept the staff report as the findings of fact, seconded by Mr. Clemens and carried out with a roll call vote of all ayes.

PUBLIC COMMENT: NONE


DISCUSSION: NONE

ANNOUNCEMENTS: Next regularly scheduled meeting is on November 10th, 2022.

ADJOURNMENT:

With no further comments or questions, Mr. Cartwright made a motion to adjourn the meeting at 6:15pm, seconded by Mr. Clemens and carried out with a roll call vote of all ayes.


Ben Clemons, Vice Chairman


Tom Cartwright, Secretary