



TOWN OF CEDAR LAKE
BOARD OF ZONING APPEALS – PUBLIC MEETING
May 8, 2014 7:00 P.M.

Call to Order: 7:03 p.m.

Roll Call:

Present	Eric Olson	Present	Tim Kuiper
	Member		Town Attorney
Present	Tim Kubiak	Present	Jeremy Kuiper
	Member		Chairman
Present	Jeff Bunge	Present	Nicole Hoekstra
	Vice Chairman		
Absent	Diane Cusack		
	Member		

Minutes: Approval of Public Meeting Minutes from April 10, 2014
Motion made by Jeff Bunge and seconded by Eric Olson to continue the approval of the April 10, 2014 minutes until the next BZA meeting.

Eric Olson	Jeff Bunge	Jeremy Kuiper	Vote
YES	YES	YES	3-0

Old Business:

1. Phillip Needler-Developmental Variance

Owner/ Petitioner: Phillip and Sharon Needler, 13701 Lauerman Cottage#1A Cedar Lake, IN 46303
Vicinity: 13701 Lauerman Cottage #1A, Cedar Lake, IN 46303
Legal Description: Cedar Lake Ministries Lot 2
Request: Actually reconsideration, the Petitioner is requesting a Developmental Variance to allow the 5’6 side yard setbacks rather than the 6ft originally approved at the March 13, 2014 BZA Meeting.

Town Attorney Tim Kuiper said it would be appropriate to reconsider. Jeff Bunge made a motion to reconsider the variance as presented to allow 5’6 ft. side yard setbacks instead of the originally agreed on 6ft to include the findings of fact.

Eric Olson	Jeff Bunge	Jeremy Kuiper	Vote
YES	YES	YES	3-0

2. Don Lepory -Developmental Variance

Owner/Petitioner Don Lepory, 7623 Lake Shore Dr., Cedar Lake, IN 46303
Vicinity: 7623 Lake Shore Dr., Cedar Lake, IN 46303
Legal Description: PT. OF LOT 1 S.23 T.34 R.9 0.1372 AC
Request: The Petitioner is requesting a Developmental Variance to allow a deck(59’x18’ in size) in the back yard with a two (2) foot side yard setback, front yard deck (26’x 4.7’in size) with a front yard setback of less than three (3) feet, and an attached garage (32’x42’ in size) with a six (6) foot side yard setback with attached gazebo (26’x12’ in size) exceeding the rear yard setback requirement.

- a.) Attorney to Review Legals: Tim Kuiper stated that this was properly advertised for the last meeting and the public hearing was concluded and it was properly continued to tonight’s meeting.
- b.) Petitioner’s Comments: Don Lepory presented information of the expected plans.
- c.) Remonstrators: There were no remonstrators present.
- d.) Building Department’s Comments: None.
- e.) Board’s Discussion: Reviewed lot coverage and dimensions.
- f.) Board’s Decision: Motion was made by Jeff Bunge seconded by Eric Olson to grant the developmental variance as requested with the exception of the front yard deck and also for the lot coverage as presented to include the findings of fact.

Eric Olson	Jeff Bunge	Jeremy Kuiper	Vote
YES	YES	YES	3-0

New Business

1. Owner/Petitioner: Julie Sadler, 13237 Truman Circle, Cedar Lake, IN 46303
Vicinity: 13237 Truman Circle, Cedar Lake, IN 46303
Legal Description: CONSUMERS TRACT PLAT H.M. BARTLETTS ADD. CEDAR LAKE BL.1 LOTS 12 & 13.
Request: The petitioner is asking for a developmental variance to allow a 34’x36’ proposed addition with a four (4) foot side yard setback.

- a) Attorney to Review Legals: Tim Kuiper stated that the notices and publications are in are in order for tonight’s public meeting.
- b) Petitioner’s Comments: Presented expected plans.
- c) Remonstrators: There were no remonstrators present
- d) Building Department’s Comments: None
- e) Board’s Discussion: The board discussed elevation, drainage & distance from neighbor.
- f) Board’s Recommendation: Motion made by Jeff Bunge and seconded by Eric Olson to grant the developmental variance as requested with a six foot yard setback instead of a four foot yard setback to include the findings of fact.

Eric Olson	Jeff Bunge	Jeremy Kuiper	Vote
YES	YES	YES	3-0

2. Accent Homes- Developmental Variance

Owner/ Petitioner: Accent Homes Inc., 2036 W. 81st Ave. Suite B., Merrillville, IN 46410.
Vicinity: 10026 W. 127th Pl., Cedar Lake, IN 46303
Legal Description: Monastery Woods Phase I Lot #201
Request: This developmental variance is to allow the petitioner to build a two story home with a 748 square foot of living space on the main level.

- a) Attorney to Review Legals: Tim Kuiper stated that the notices and publications are in are in order for tonight’s public hearing tonight.
- b) Petitioner’s Comments: Discussed plans
- c) Remonstrators: Name was in audible 10103 w. 127th Pl. concerned that it would lower his property value.
- d) Building Department’s Comments: Tim Kubiak stated that he doesn’t see any negative impact to the neighborhood because value is calculated based on square footage of surrounding properties.
- e) Board’s Discussion: The board discussed making a favorable recommendation.
- g) Board’s Recommendation: Motion made by Jeff Bunge and seconded by Eric Olson to grant the developmental variance as requested as shown with the 748 square foot living area to include the findings of fact.

Eric Olson	Jeff Bunge	Jeremy Kuiper	Vote
YES	YES	YES	3-0

3. Adam Spoolstra- Developmental Variance

Owner/ Petitioner: Adam Spoolstra, 12844 Wheeler St., Cedar Lake, IN 46303
Vicinity: 12844 Wheeler St., Cedar Lake, IN 46303
Legal Description: Krystal Oaks Estates Lot 87
Request: This Development Variance is to allow the Petitioner to place one (1) eight (8) foot panel of a six (6) foot tall fence off the south side of the house on a corner lot.

- a.) Attorney to Review Legals: Tim Kuiper stated that the notices and publications are in are in order for tonight’s public meeting.
- b.) Petitioner’s Comments: Petitioner Adam Spoolstra explained his request.
- c.) Remonstrators: There were no remonstrators present.
- d.) Building Department’s Comments: Tim Kubiak explained the measurements and setbacks with ordinances. He also stated that other homes in the area have gotten variances as well.
- e.) Board’s Discussion: None.
- f.) Board’s Decision: Motion made by Jeff Bunge and seconded by Eric Olson to grant the developmental variance as requested for a six foot high fence instead of a four foot high fence as presented with the eight foot jet out off the side of the house to include the findings of fact.

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Eric Olson	Jeff Bunge	Jeremy Kuiper	Vote
YES	YES	YES	3-0

4. Rory Ravens - Developmental Variance

Owner: Rory and Lana Ravens 2054 w. Tower Dr. Kankakee, IL. 60301
 Petitioner: Veen Love Designs, 2736 Sunset Lane Kankakee, IL 60301
 Vicinity: 8507 141st Ave., Cedar Lake, IN 46303
 Legal Description: WEBBER & MITCH'S SUB.CEDAR LAKE LOT 1 EXC.W.142 FT
 Request: This Developmental Variance is to allow the Petitioner to build a residence with 2,100 square foot attached garage, a front yard setback of 15.5', rear yard setback of 18' and to include an outdoor living area (20' x36'), and to exceed lot coverage.

- a) Attorney to Review Legals: Tim Kuiper stated that the notices and publications are in in order for tonight's public meeting.
- b) Petitioner's Comments: Went over elevations with the board members to review and discussed their plans.
- c) Remonstrators: Buzz Cotton 2200 Austin Ave., Schererville, IN 46375, he asked to see the lot lines and the actual plans that are being presented.
- d) Building Department's Comments: None
- e) Board's Discussion: None
- h) Board's Decision: Motion made by Jeff Bunge and seconded by Eric Olson to grant the developmental variance as requested to include the findings of fact.

For the garage size, front and rear yard setbacks, outdoor kitchen and lot coverage:

Eric Olson	Jeff Bunge	Jeremy Kuiper	Vote
YES	YES	YES	3-0

5. Stan Zack- Developmental Variance

Owner/ Petitioner: Stan Zack, 8816 W. 137th Ave., Cedar Lake, IN 46303
 Vicinity: 13701 Lauerman St. Lot 81, Cottage 79, Cedar Lake, IN 46303
 Legal Description: Cedar Lake Ministries Lot 81
 Request: The developmental variance is to allow the petitioner to build a home fifteen (15) feet from the property line in a front yard petitioner is

- a) Attorney to Review Legals: Tim Kuiper stated that the notices and publications are in in order for tonight's public meeting.
- b) Petitioner's Comments: Larry Spender stated all was approved from the conference grounds.
- c) Remonstrators: None.
- d) Building Department's Comments: None
- e) Board's Discussion: Clarification was explained from the photos by Tim Kubiak.
- f) Board's Decision: Jeff Bunge made a motion seconded by Eric Olson to grant the developmental variance as requested for the 15 foot front yard setback property line to include the findings of fact.

Eric Olson	Jeff Bunge	Jeremy Kuiper	Vote
YES	YES	YES	3-0

Public Comment: None

Adjournment: Motion was made by Jeff Bunge and seconded by Eric Olson to adjourn the meeting.

Time: 8:45PM

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Eric Olson

Jeff Bunge, Vice Chairman

Tim Kubiak

Jeremy Kuiper, Chairman

Diane Cusack

Attest: _____
Shelly Myers, Recording Secretary