



**TOWN OF CEDAR LAKE**  
**BOARD OF ZONING APPEALS – PUBLIC MEETING**  
**June 16, 2014 7:00 P.M.**

**\*\*This Meeting was continued from the original date of 6-12-2014 due to no quorum.**

**Call to Order:** 7:05 p.m.

**Roll Call:**

Present	Eric Olson	Present	David Austgen
	Member		Town Attorney
Present	Tim Kubiak	Present	Jeremy Kuiper
	Member		Chairman
Absent	Jeff Bunge	Present	Shelly Myers
	Vice Chairman		Recording Secretary
Present	Diane Cusack		
	Member		

**Minutes:**

A Motion was made by Diane Cusack and seconded by Eric Olson to approve the May 8, 2014 minutes.

**Vote: 3-0**

**New Business:**

**1. Dan Pager –Developmental Variance**

Owner/ Petitioner: Dan Pager, 14116 Doffin St. Cedar Lake Indiana 46303  
Vicinity: 14116 Doffin St. Cedar Lake Indiana 46303  
Legal Description: CEDARCREST SUBD. L.11 BL3  
Request: This Developmental Variance is to allow petitioner to build a garage (20 x 24 in size) with a three (3) foot side yard setback. Owner will install 5/8” drywall on all walls of garage within ten feet (10) of deck to meet fire code requirements.

- a.) Attorney to Review Legals: David Austgen stated that the notices and publications are in are in order for tonight’s public meeting.
- b.) Petitioner’s Comments: Petitioner David Pager presented his request for the developmental variance.
- c.) Remonstrators: There was a letter from Vic Dalton 14124 Doffin St., supporting the neighbor’s request.
- d.) Building Department’s Comments: Tim Kubiak stated there would be no problems with the deck. He also explained that one of the accessory buildings would need removed to comply with the total of two including the new garage.
- e.) Board’s Discussion: None
- f.) Board’s Decision: Motion made by Eric Olson seconded by Diane Cusack to grant the variance as requested to include the findings of fact.

Eric Olson	Diane Cusack	Jeremy Kuiper
YES	YES	YES

**Vote: 3-0**

**2. Joseph Doolin –Developmental Variance**

Owner/ Petitioner: Kim Doolin, wife of Joseph Doolin 14617 Bryan St. Cedar Lake Indiana 46303  
Vicinity: 14617 Bryan St Cedar Lake IN. 46303  
Legal Description: South Shore Sub Lot 134&135  
Request: This Developmental Variance is to allow the petitioner to build a deck (21x24’ in size) between existing house and garage with no separation between the structures.

- a.) Attorney to Review Legals: Dave Austgen stated that the notices and publications are in are in order for tonight’s public meeting.
- b.) Petitioner’s Comments: Petitioner Kim Doolin presented their request for the developmental variance showing and explaining photos.
- c.) Remonstrators: There were no remonstrators present.
- d.) Building Department’s Comments: Tim Kubiak stated that it would be an improvement to the property and doesn’t foresee any negative effects.
- e.) Board’s Discussion: Commissioners discussed possible options for requirements.

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- f.) Board's Decision: Motion made by Diane Cusack and seconded by Eric Olson to grant the variance as requested to include the findings of fact.

Eric Olson	Diane Cusack	Jeremy Kuiper
YES	YES	YES

**Vote: 3-0**

**3. Tanya Gambill -Developmental Variance**

Owner/ Petitioner: Tanya Gambill 14045 S. Wilmington St. Cedar Lake, IN 46303  
Vicinity: 14045 S. Wilmington St. Cedar Lake, IN 46303  
Legal Description: Centennial Sub Phase 1 Lot 12  
Request: Petitioner is requesting a Developmental Variance from Zoning Ordinance No. 496, Title XXX1-Fence Regulations which states in Section (1 ) "No fence shall be located in the front yard."

- a.) Attorney to Review Legals: David Austgen stated that the notices and publications are in order for tonight's public meeting.  
b.) Petitioner's Comments: Petitioner Tanya Gambill presented her request for the developmental variance.  
c.) Remonstrators: There were no remonstrators present  
d.) Building Department's Comments: Tim Kubiak stated the sightline would need to be kept open for safety and offered a possible solution, a compromise of 5ft versus the original 10 ft.  
e.) Board's Discussion: Several suggestions and scenarios were discussed.  
f.) Board's Decision: A Motion was made by Diane Cusack, and seconded by Eric Olson to grant the variance as requested with the exception of it being 5(five) ft. off the house instead of the requested 10(ten) ft., that would make it 20(twenty) ft. from the side yard to include the findings of fact.

Eric Olson	Diane Cusack	Jeremy Kuiper
YES	YES	YES

**Vote: 3-0**

**4. Robert Taylor –Developmental Variance**

Owner/Petitioner: Robert Taylor, 13600 Kristy St., Cedar Lake, IN 46303  
Vicinity: 13600 Kristy St., Cedar Lake, IN 46303  
Legal Description: Winding Creek Estates Unit 1 Phase 2 Lot 9  
Request: Petitioner is requesting a Developmental Variance from Zoning Ordinance No. 496, Title XXX1-Fence Regulations which states in Section (1) "No fence shall be located in the front yard."

- a.) Attorney to Review Legals: David Austgen stated that the notices and publications are in order for tonight's public meeting.  
b.) Petitioner's Comments: Petitioner Robert Taylor presented his request for the developmental variance. He said he just needs to fill the gaps between fences.  
c.) Remonstrators: There were no remonstrators present  
d.) Building Department's Comments: Tim Kubiak stated that is good to go.  
e.) Board's Discussion: Several other residents had the same thing done prior to stay consistent..  
f.) Board's Decision: A Motion was made by Diane Cusack, and seconded by Eric Olson to grant the variance as requested to include the findings of fact.

Eric Olson	Diane Cusack	Jeremy Kuiper
YES	YES	YES

**Vote: 3-0**

**5. Jim Verduin-Special Use Variance**

Owner: Centier Bank 600 E. 84<sup>th</sup> Ave, Merrillville, IN 46410  
Petitioner: Jim Verduin, 11719 W. 143rd Ave. Cedar Lake IN 4630  
Vicinity: 13933 Lauerman Rd, Cedar Lake, IN 46303  
Legal Description: SUMMERDALE LOTS1 TO 4BL.2&N 1/2VAC ALLEY ADJ. TO SAID LOTS  
Request: Petitioner is requesting a Special Use Variance from Zoning Ordinance No. 496, Title 111-Community Business (B-2) Zoning District. The Special Use Variance is to allow the petitioner to operate an automobile service center and repair shop.

- a.) Attorney to Review Legals: David Austgen stated that the notices and publications are in are in order for tonight’s public meeting.
- b.)Petitioner’s Comments: Petitioner Jim Verduin presented his request for the special use variance.
- c.)Remonstrators: There were no remonstrators present
- d.)Building Department’s Comments: Tim Kubiak stated that limits be set on maximum number of cars.
- e.)Board’s Discussion: Several discussions took place.
- f.)Board’s Decision: A Motion was made by Eric Olson, and seconded by Diane Cusack to send a favorable recommendation to the Town Council for the special use variance to allow a maximum of eight cars for outside storage to include the findings of fact.

Eric Olson	Diane Cusack	Jeremy Kuiper
YES	YES	YES

Vote: 3-0

6.Traci Sterk-Developmental Variance

Owner/ Petitioner            Traci Sterk 15063 Ivy St. Cedar Lake, IN 46303  
Vicinity:                      15063 Ivy St., Cedar Lake, IN 46303  
Legal Description:          Lynnsway Unit # Lot 147  
Request:                      Petitioner is requesting a Developmental Variance to allow the  
   Petitioner to have a 12’x16’ shed, 30’ pool and fence in what is  
   considered to be a front yard by definition.

- a.) Attorney to Review Legals: David Austgen stated that the notices and publications are in are in order for tonight’s public meeting.
- b.)Petitioner’s Comments: Petitioner presented request for the developmental variance.
- c.)Remonstrators: There were no remonstrators present
- d.)Building Department’s Comments: Tim Kubiak stated that only concern was vision on the corner, but is corrected per requested plans. Keep vision triangle maintained
- e.)Board’s Discussion: Nothing further.
- f.)Board’s Decision: A Motion was made by Diane Cusack, and seconded by Eric Olson to grant the developmental variance as requested to allow petitioner to have a 12’x16’ shed, 30’ pool and fence in what is considered to be a front yard by definition as presented, with the line of site maintained to include the findings of fact.

Eric Olson	Diane Cusack	Jeremy Kuiper
YES	YES	YES

Vote: 3-0

7. T &J Landscaping Development and Special Use Variance

Owner;                        T&J Land Ventures, LLC,8905 Jacobsen St, St John, IN 46373  
Petitioner                    T&J Landscaping 12615 Wicker Ave. Cedar Lake, IN 46303  
Vicinity:                    12634 Wicker Ave., Cedar Lake, IN 46303  
Legal Description:        CEDAR GARDENS L.14 BL.2, Cedar Gardens BL.2E.160 ft  
   Of Lots5, 6,& 7 Ex. S.30ft of lot7,Cedar Gardens BL.4 Lots 17  
   &18.  
Request:                    Petitioner is requesting a Developmental Variance to allow the  
   petitioner to have a frontage of thirty (30) feet, a side yard setback of one(1) feet  
   along then northern boundary, and three(3) foot parking setback to the south.

   This Special Use Variance is to allow the petitioner to operate a landscaping  
   company in a B2-Community Business zoning with outdoor storage and parking.

\*\*Petitioner has a Plan Commission Application submitted for Rezoning from R2-Residential to B2-Community Business.

- a.) Attorney to Review Legals: David Austgen stated that the notices and publications are in are in order for tonight’s public meeting.
- b.)Petitioner’s Comments: No Petitioner present
- c) Remonstrators: N/A

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d.)Building Department's Comments: N/A

e.) Board's Discussion: Jeremy Kuiper recommended a continuance due to no petitioner being present.

f.)Board's Decision: A Motion was made by Eric Olson, and seconded by Diane Cusack to continue to next month's meeting. All were in favor to continue.

**Public Comment:**

Linda Browning addressed the members to ask how many times will we allow petitioner of T&J Landscaping to waste time by not showing up, to which Jeremy Kuiper stated to his knowledge this was the first occurrence .J eremy Kuiper said we would see her at the next meeting on July 10<sup>th</sup>, 2014.

Derek Duffy spoke to say he was here for the meeting; however David Austgen explained the process and that with no mailings and receipts we were not able to be add him to the agenda. Jeremy Kuiper told him to contact Nicole Hoekstra in the morning to get added to the next agenda. Derek Duffy voiced other building concerns to which Tim Kubiak advised him to come in to the building Dept. tomorrow with his plans and Tim could advise and or offer solutions then.

**Adjournment:** Motion was made by Diane Cusack and seconded by Eric Olson to adjourn the meeting. All were in favor.

**Time:** 8:05pm

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Eric Olson

\_\_\_\_\_  
Jeff Bunge, Vice Chairman

\_\_\_\_\_  
Tim Kubiak

\_\_\_\_\_  
Jeremy Kuiper, Chairman

\_\_\_\_\_  
Diane Cusack

Attest: \_\_\_\_\_  
Shelly Myers, Recording Secretary