



TOWN OF CEDAR LAKE
BOARD OF ZONING APPEALS MINUTES

January 8, 2015 7:00 P.M.

Call to Order (Time): 7:02 P.M.

Pledge to Flag:

Roll Call:

Present Eric Olson

Present John Kiepura

Present Jerry Wilkening

Present Jeff Bunge

Present Jeremy Kuiper

Present Tim Kuiper, Town Attorney

Present Tim Kubiak, Building Commissioner

Present Brooke Faber, Recording Secretary

Election of Officers:

A motion made by Jeff Bunge and seconded by John Kiepura to make Jeremy Kuiper Chairman.

Vote 5-0

A motion made by John Kiepura and seconded by Eric Olson to make Jeff Bunge Vice Chairman.

Vote 5-0

Retention of Services:

A motion made by Eric Olson and seconded by Jeff Bunge to reinstate Tim Kuiper as legal services.

Vote 5-0

Minutes: A motion made by Eric Olson and seconded by John Kiepura to approve December 11, 2014 Public Meeting Minutes.

Vote 5-0

New Business:

1. Son Nguyen- Special Use Variance

Owner: Juanna S. Chin, 5998 CR 302, Eureka Springs, AR 72632

Petitioner: Son Nguyen, 2742 Painted Leaf, Crown Point, IN 46307

Vicinity: 13140 Wicker Ave., Cedar Lake, IN 46303

Legal Description: PT. E2. SE. S.20 T.34 R.9 '200X79 FT.' 0.362 A.

Request: Petitioner is requesting a Special Use Variance from Zoning Ordinance No. 496, Title XIII-Community Business (B-2) Zoning District Section (2) which states, "Any Business of commercial uses permitted in the Community Business (B-2) Zoning District, subject to the regulations of this Zoning Ordinance, as amended from time to time for this Zoning District..."

The Petitioner is requesting a Special Use Variance to allow attached apartment for residential use behind existing business in a B2 Zoning District.

- a) Attorney to Review Legal's: Notices and publications are in order to have this meeting.
- b) Petitioner's Comments: Son Nguyen, 2742 Painted Leaf, Crown Point, IN 46307 is present for any question board may have.
- c) Remonstrators: No remonstrators
- d) Building Department's Comments: Tim Kubiak stated that they want to be able to live in the apartment area and may add a business later.
- e) Board's Discussion: Discussions were held amongst the members about options, and requirements.
- f) Board's Recommendation to Council:

A motion made by John Kiepura and seconded by Jerry Wilkening to make a favorable recommendation to Town Council. When a new business applies for a permit they will need to have a inspection done from the fire department to insure a firewall is in place, to include the findings of facts.

Eric Olson	John Kiepura	Jeff Bunge	Jerry Wilkening	Jeremy Kuiper	Vote
Yes	Yes	Yes	Yes	Yes	5-0

2. Steve Phernetton- Developmental Variance

Owner/Petitioner: Steve Phernetton, 6721 W. 144th Ave., Cedar Lake, IN 46303
Vicinity: 6721 W. 144th Ave., Cedar Lake, IN 46303
Legal Description: SHADES ADD. CEDAR LAKE, PLAT B ALL L.47 BL.11
Request: Petitioner is requesting a Developmental Variance from Zoning Ordinance No. 496, Title XXI- Fence Regulations which states in Section (1): "No fence shall be located in the front yard."

This Developmental Variance is to allow the Petitioner to replace the existing fence in what is considered a "front yard" by definition.

- a) Attorney to Review Legal's: Notices and publications are in order to have this meeting.
- b) Petitioner's Comments: Steve Phernetton, 6721 W. 144th Ave, Cedar Lake, IN 46303, is present to replace the existing fence in what is considered a "front yard" by definition.
- c) Remonstrators: No remonstrators.
- d) Building Department's Comments: Tim Kubiak would like to see a height requirement, no more than 42 inches tall.
- e) Board's Discussion: Discussions were held amongst the members about options, and requirements.

A motion made by Jerry Wilkening and seconded by Eric Olson to approve this variance to replace the existing fence in what is considered a "front yard" by definition to have a maximum height of 42 inches and 50% open fence to include the finding of facts.

Eric Olson	John Kiepura	Jeff Bunge	Jerry Wilkening	Jeremy Kuiper	Vote
Yes	Yes	Yes	Yes	Yes	5-0

Public Comment: None.

Adjournment: Adjourned at approximately 7:29 P.M.

Press Session: Board of Zoning Appeals Meeting- February 12, 2015 at 7:00pm

Eric Olson

Jeff Bunge, Vice Chairman

Jerry Wilkening

Jeremy Kuiper, Chairman

John Kiepora

Attest: Brooke Faber, Recording Secretary

The Town of Cedar Lake is subject to the requirements of the Americans with Disabilities Act of 1990. Individuals with disabilities who plan to attend this meeting and who require certain accommodations in order to allow them to observe and/or participate in this meeting, or who have questions regarding accessibility of the meeting or the facilities, please contact the Town Hall at (219) 374-7400.