



TOWN OF CEDAR LAKE
BOARD OF ZONING APPEALS
PUBLIC MEETING MINUTES
July 9, 2015 7:00 P.M.

Call to Order (Time): 7:06

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

Minutes:

A motion made by John Kiepura and seconded by Eric Olson to approve June 11, 2015 Public Meeting minutes. Roll Call Vote: 5-0

New Business:

1. Don Bugaski- Developmental Variance

Owner/Petitioner: Don Bugaski, 7717 Lake Shore Dr, Cedar Lake, IN 46303

Vicinity: 7717 Lake Shore Dr, Cedar Lake, IN 46303

Legal Description: PT. GOV'T LOT 1 SW. NW. S.23 T.34 R.9 .0376AC.

Tax Key Number(s): 45-15-23-303-005.000-043

Request: Petitioner is requesting a Developmental Variance from Zoning Ordinance No. 496, Title VIII- Residential (R2) Zoning District which states in Section (4): "On each lot, except as otherwise specified, there shall be two (2) side yards, each having a width of not less than eight (8) feet and the aggregate width of both side yard on any lot shall not be less than twenty percent (20%) of the width of the lot" and " Not more than twenty-five percent (25%) of the area of the lot may be covered by buildings and/or structures" and "There shall be a rear yard on not less than twenty-five percent (25%) of the depth of the lot.

This Developmental Variance is to allow the Petitioner to remove existing deck and build a 16' X 4' stair case with an approximant two (2) foot side yard and a new 4' X 6' deck exceeding lot coverage and rear yard requirement.

- a) Attorney to Review Legals: Legals and publication are in order for this meeting.
- b) Petitioner's Comments: Don Bugaski, 7717 Lake Shore Dr., Cedar Lake, IN 46303 is present to build a deck to be able to take furniture easily up to his second story and for safety. The deck will be built of the existing deck.
- c) Remonstrators: No remonstrators.
- d) Building Department's Comments: Tim Kubiak helped explained what the petitioner wants to do.

- e) Board's Discussion: Several of discussion and requirements were discussed among the board.
- f) Board's Decision:

A motion made by Jeff Bunge and seconded by Eric Olson to approve developmental variance to allow the petitioner to remove existing deck and build a 16' X 4' stair case with an approximant two foot side yard and a new 4' X 6' deck, and to include the findings of fact.

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

2. Jeff Bianchi–Developmental Variance

Owner/Petitioner: Jeff Bianchi, 8209 Lake Shore Dr, Cedar Lake, IN 46303
Vicinity: 8209 Lake Shore Dr, Cedar Lake, IN 46303
Legal Description: S. PT. E2. NE. S.22 T.34 R.9 '186X100X144.75X100FT.' CONT'G EX. N'LY. 30FT. .291 AC.
Tax Key Number(s): 45-15-22-286-003.000-014
Request: Petitioner is requesting a Developmental Variance from Zoning Ordinance No. 496, Title XXI- Fence Regulations in Section (1) which states: "No fence shall be located in the front yard" and "No fence shall exceed six feet (6') in height."

This Developmental Variance is to allow the Petitioner to build a seven foot (7') tall fence and steel gate six (6) feet off the road in what is considered a "front yard" by definition.

- a) Attorney to Review Legals: Notices and publication are in order for this meeting. Tim Kuiper stated that this board usually gives them a month.
- b) Petitioner's Comments: No present.
- c) Remonstrators: Don West, 8145 Lake Shore Dr., Cedar Lake, IN 46303 does not like the type of fence going up. Don West would not like to see a fence at all; he mentioned an in-ground electric animal fence would be better. Don West noticed pulling out of his driveway that he has to pullout further than usual.
- d) Building Department's Comments: Tim Kubiak stated that Jeff Bianchi asked him if the poles can go up and Tim Kubiak responded that there wasn't anything wrong with just the poles.
- e) Board's Discussion: Jeremy Kuiper started off that Jeff Bianchi started this project without proper approval from this board. Jeremy Kuiper stated that this board does look into the safety aspect before they approve a variance. Jerry Wilkening asked if anyone else on the board believes that the fences are less than 50% open fence. Jeremy Kuiper mentioned that if this was just side yard Jeff Bianchi can put up a 6ft tall fence if wanted. Jeff Bunge and Jerry Wilkening asked if they have to extend to next meeting.
- f) Board's Decision:

A motion made by Jeff Bunge and Jerry Wilkening to continue to next public meeting on August 13, 2015 P.M.

Eric Olson	John Kiepura	Jeff Bunge	Jerry Wilkening	Jeremy Kuiper	Vote
No	Yes	Yes	Yes	Yes	4-1

Meeting adjourned at 7:28 P.M.

Press Session: Board of Zoning Appeals Meeting- August 13, 2015 at 7:00pm

Eric Olson

Jeff Bunge, Vice Chairman

Jerry Wilkening

Jeremy Kuiper, Chairman

John Kiepura

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.