



**TOWN OF CEDAR LAKE
BOARD OF ZONING APPEALS
PUBLIC MEETING MINUTES
April 21, 2016 7:00 P.M.**

Call to Order (Time): 7:00 p.m.

Pledge to Flag:

Roll Call:

Present Eric Olson (arrived late)

Present Jerry Wilkening

Present John Kiepura

Present Jeff Bunge (arrived late)

Present Jeremy Kuiper

Present David Austgen, Town Attorney

Present Tim Kubiak, Director of Operations

Present Tammy Bilgri, Recording Secretary

Minutes:

A motion was made by John Kiepura and seconded by Jerry Wilkening to approve the March 10, 2016 Public Meeting Minutes as presented. Roll Call Vote: 3-0

Old Business:

1. Hanover Community School Corp./Building Trades - Developmental Variance

Owner: Hanover Community School Corp., Building Trades, PO Box 645, Cedar Lake, IN 46303

Petitioner: Hanover Community School Corp., Building Trades, PO Box 645, Cedar Lake, IN 46303

Vicinity: 7430 W. 128th Lane, Cedar Lake, IN 46303

Legal Description: The Meadows BL.4 lots 31,32 & W.1/2 of lot 33

Tax Key Number(s): 45-15-23-183-034.000-043

Request: Request: Petitioner is requesting Development Variances from Zoning Ordinance No. 496, Title VIII – Residential (R-2) Zoning, Section 4: Area, Width, and Yard Regulations: B. Front Yard: 4) On all other streets, a distance of thirty (30) feet; **and** D. Rear Yard: There shall be a rear yard of not less than twenty-five percent (25%) of the depth of the lot; **and** E. Building Coverage: Not more than twenty-five percent (25%) of the area of the lot may be covered by buildings and/or structures.

This Developmental Variance is to allow the Petitioner to have approximately thirty-two percent (32%) lot coverage, front yard setback of twenty (20) feet and rear yard setback of 19.92 feet.

a) Attorney to Review Legals: None

b) Petitioner's Comments: Not present.

c) Remonstrators: None

d) Building Department's Comments: Tim Kubiak stated he was contacted by the school and they request this item be deferred to next month. Have met out there a couple time and they have had the architect out there. They have a plan to put in some new storm drainage to divert the water to the south and then to the west. Have been in discussion with maybe reducing to one (1) house and eliminating the lot coverage. It seems like a better fit for the property. They have a concept plan for the water and are working with an engineer. Was deferred first time so we could look at the situation. If this drainage works there would be two (2) catch basins in the rear yards of the people who came last time and a place for that water to divert. Also, fix a couple of culverts on 128th going to the west. It is going to be a pretty big project.

e) Board's Discussion: None

A motion was made by John Kiepura and seconded by Jerry Wilkening to defer to the May 12, 2016 Public Meeting.

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

New Business:

1. George Bogie – Developmental Variance

Owner: George Bogie, 12775 W. 93rd Ave., St. John, IN 46373

Petitioner: George Bogie, 12775 W. 93rd Ave., St. John, IN 46373

Vicinity: 12732 Wicker Ave., Cedar Lake, IN 46303

Legal Description: Henn's Addition Phase One Lot 3
Tax Key Number(s): 45-15-20-278-019.000-014

Request: Petitioner is requesting a Developmental Variance from Zoning Ordinance No. 496, Title XXVII-Off Street Parking, Section 4: H. In Yards: Off-street parking spaces, except a front yard and side yard adjoining a street. **and** Title XXII-Sign Regulations, Section 1: Prohibited Signs: A. 5. Signs which are illuminated in such a way as to cast unreasonable light or shadows upon neighboring properties or buildings; 9. Signs which display any flashing or intermittent lights, or lights changing intensity or color.

This Developmental Variance is to allow the Petitioner to expand parking lot in a front yard and install LED sign.

- a) Attorney to Review Legals: Certified list of adjacent property owners is present, the notice has been provided as noted by the green cards, newspaper publication and notice of public hearing was made timely as evidence by the affidavit March 23, public hearing was properly advertised.
- b) Petitioner's Comments: George Bogie, 12732 Wicker Avenue, looking to expand some parking. Just had some renovations at the building, by adding an additional 1,000 square feet. Would like to add five (5) or six (6) parking spots in the grassy area just to the north of the existing parking lot now. The sign will be located in the northeast corner of the lot, replacing the existing sign.
- c) Remonstrators: None
- d) Building Department's Comments: Tim Kubiak stated they added a nice addition to the rear of the building and this is the only space left on the property for them to park. He stated will look at site plan for drainage and check for sign location.
- e) Board's Discussion: Jeremy Kuiper stated that any electronic or LED sign that has been put in town and approved by this board has had restrictions put on it: no scrolling left to right messages, messages on for at least three (3) seconds and no flashing messages, and findings of fact, not obtrusive to neighbors. Any approval would be based on those conditions. David Austgen expressed concern with easements. Tim Kubiak stated we would have to have Don Oliphant review the drainage. Jerry Wilkening expressed concern with the sign and it having an auto dim feature. Mr. Bogie was willing to shut the sign off at night.

A motion was made by Jerry Wilkening and seconded by Eric Olson to approve the Developmental Variance as requested with the conditions on the sign: auto dimming at dusk, timer to be off at 9:00 p.m., six (6) second message, no scrolling or flashing to mimic emergency vehicle lighting, pending building department review of sign location and parking lot drainage issues and to include the findings of fact.

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

Adjournment: Time: 7:25 p.m.

Public Comment: A gentlemen wanted information regarding lots that were combined incorrectly at County and wanted to know the easiest solution, whether he should correct them or apply for a variance. David Austgen suggested the easiest route would be go back to County.

Press Session: Board of Zoning Appeals Meeting – May 12, 2016 at 7:00pm

Eric Olson

Jeff Bunge, Vice Chairman

Jerry Wilkening

Jeremy Kuiper, Chairman

John Kieपुरa

Attest: Tammy Bilgri, Recording Secretary

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