



**TOWN OF CEDAR LAKE  
BOARD OF ZONING APPEALS  
PUBLIC MEETING  
May 13, 2021 7:00 P.M.**

Call To Order: \_\_\_\_\_ pm

Pledge to Flag

Roll Call:

\_\_\_ Nick Recupito

\_\_\_ Jill Murr, Planning Director

\_\_\_ Jerry Wilkening

\_\_\_ Teresa Knowles, Recording Secretary

\_\_\_ John Kiepura

\_\_\_ David Austgen, Town Attorney

\_\_\_ Jeff Bunge, Vice Chairman

**Minutes:**

April 8, 2021

Motion: \_\_\_\_\_ 2<sup>nd</sup>: \_\_\_\_\_

Nick Recupito	Jerry Wilkening	John Kiepura	Jeff Bunge	Vote

**New Business:**

**1. Barajas – Developmental Variance**

Owner: Armando & Teresita Barajas, 10212 W. 117<sup>th</sup> Ave., Cedar Lake, IN 46303

Petitioner: LaGaviota Supermercado, 10728 W. 133<sup>rd</sup> Ave., Cedar Lake, IN 46303

Vicinity: 10728 W. 133<sup>rd</sup> Ave., Cedar Lake, IN 46303

Request: Petitioner is requesting a Developmental Variance from Zoning Ordinance No. 496, Title XII-Neighborhood Business (B-1) Zoning District: Section 5: D. Rear Yard: There shall be a rear yard on each lot, the distance shall be not less than thirty (30) feet from the rear lot line.

***This Developmental Variance is to allow the Petitioner to build a walk-in cooler and freezer with a twenty-one ft. (21') rear yard setback***

- a. Attorney to Review Legals:
- b. Petitioner's Comments:
- c. Remonstrators:
- d. Building Department's Comments:
- e. Board's Discussion:
- f. Board's Decision:

Motion: \_\_\_\_\_ 2<sup>nd</sup>: \_\_\_\_\_

Nick Recupito	Jerry Wilkening	John Kiepura	Jeff Bunge	Vote

## 2. Crissey – Developmental Variance

Owner/Petitioner: Kathleen Crissey, 14817 Drummond St. B, Cedar Lake, IN 46303

Vicinity: 14817 Drummond St. B, Cedar Lake, IN 46303

Legal Description: Lot 95, except the North 55.33 feet thereof, in Lynnsway Unit 2, an Addition to the Town of Cedar Lake, recorded in Plat Book 98 page 28, amended in Plat Book 102 page 21, and amended by Instrument recorded July 25, 2008 as Document No. 2008-053625, in the Office of the Recorder of Lake County, Indiana.

Tax Key Number(s): 45-15-33-478-027.000-014

Requests: Petitioner is requesting a Developmental Variance from Zoning Ordinance No. 496,

Title XXI-Fence Regulations: Section 1: A. 1) No fence shall be located in the front yard; and

Title XXI-Fence Regulations: Section B. 2)The fence shall not exceed a height of four feet (4'); however, if the fence is constructed with a material such as wrought iron or wood piers, a six foot (6') high fence is allowed if the fence design is at least fifty percent (50%) open to allow increased visibility to pedestrians and motorists; and

Title XXIV – Swimming Pool Section 3: Location – No portion of an outdoor swimming pool shall be located at a distance of less than ten (10) feet from a structure.

***This Developmental Variance is to allow the Petitioner to build a six-foot (6') privacy fence in a front yard with a setback of twenty feet (20') on 148<sup>th</sup> Place and to allow a swimming pool eight feet (8') from the house.***

- a. Attorney to Review Legals:
- b. Petitioner's Comments:
- c. Remonstrators:
- d. Building Department's Comments:
- e. Board's Discussion:
- f. Board's Decision:

Motion: \_\_\_\_\_ 2<sup>nd</sup>: \_\_\_\_\_

Nick Recupito	Jerry Wilkening	John Kiepura	Jeff Bunge	Vote

### 3. Galgen – Developmental Variance

Owner/Petitioner: William B. Galgen, 13225 Truman Circle, Cedar Lake, IN 46303

Vicinity: 13225 Truman Circle, Cedar Lake, IN 46303

Legal Description: CONSUMERS TRACT PLAT H.M. BARTLETTS ADD. CEDAR LAKE LOTS 6 TO 11  
BLOCK 1 \*

Tax Key Number(s): 45-15-22-460-010.000-014

Request: Petitioner is requesting a Developmental Variance from Zoning Ordinance No. 496, Title XXI-Fence Regulations: Section 1: A. 1) No fence shall be located in the front yard

***This Developmental Variance is to allow the Petitioner to replace the existing fence with a six (6') foot privacy fence in the front yard and side yard with a zero (0') foot setbacks and to have a four (4') foot picket fence in the front yard seventeen(17') to fourteen (14') feet to the house.***

- a. Attorney to Review Legals:
- b. Petitioner's Comments:
- c. Remonstrators:
- d. Building Department's Comments:
- e. Board's Discussion:
- f. Board's Decision:

Motion: \_\_\_\_\_ 2<sup>nd</sup>: \_\_\_\_\_

Nick Recupito	Jerry Wilkening	John Kiepora	Jeff Bunge	Vote

### 4. Auger – Developmental Variance

Owner/Petitioner: Thomas Auger, Jr., 13172 Parrish Ave., Cedar Lake, IN 46303

Vicinity: 13172 Parrish Ave., Cedar Lake, IN 46303

Legal Description: Lot 3, Hanover Heights, in the Town of Cedar Lake, as shown in Plat Book 44, Page 101, in the Office of the Recorder of Lake County, Indiana.

Tax Key Number(s): 45-15-21-476-019.000-014

Request: Petitioner is requesting a Developmental Variance from Zoning Ordinance No. 496, Title XXIII-Accessory Regulations: Section 1A: 2) Height of fourteen feet (14'), Maximum accessory size eight hundred square feet (800 sq. ft.), Section 1A 2) a. Exterior wall height shall not exceed ten (10) feet from finish floor surface; and 7) Metal and Post Buildings: Metal and post building types shall not be permitted in this Residential Zoning District as a Primary or Accessory use.

Any accessory building greater than one thousand on (1,001) square feet in size be exempt from this provision.

Request: ***This Developmental Variance is to allow the Petitioner to build a 30' x 40' twelve hundred square foot (1,200 sq. ft.) metal post frame building with a height of sixteen (16') feet and a twelve (12') sidewall height.***

- a. Attorney to Review Legals:
- b. Petitioner's Comments:
- c. Remonstrators:
- d. Building Department's Comments:
- e. Board's Discussion:
- f. Board's Decision:

Motion: \_\_\_\_\_ 2<sup>nd</sup>: \_\_\_\_\_

Nick Recupito	Jerry Wilkening	John Kiepura	Jeff Bunge	Vote

## 5. Waldmarson – Developmental Variance

Owner/Petitioner: Michael Waldmarson, 13401 Wicker Ave., Cedar Lake, IN 46303

Vicinity: 13401 Wicker Ave., Cedar Lake, IN 46303

Legal Description: Lot 4 in Wanhorst Subdivision to the Town of Cedar Lake, as per plat thereof, recorded in Plat Book 39, page 13, in the Office of the Recorder of Lake County, Indiana.

Tax Key Number(s): 45-15-28-101-010.000-014

Request: Petitioner is requesting a Developmental Variance from Zoning Ordinance No. 496, Title XXIII – Accessory Regulations: Section 2. A. 7) Metal and post types of construction shall not be permitted in this Residential Zoning District as a Primary or Accessory use.

***This Developmental Variance is to allow the Petitioner to build a metal garage in B-1 Zoning District, which is being utilized for residential purposes.***

- a. Attorney to Review Legals:
- b. Petitioner's Comments:
- c. Remonstrators:
- d. Building Department's Comments:
- e. Board's Discussion:
- f. Board's Decision:

Motion: \_\_\_\_\_ 2<sup>nd</sup>: \_\_\_\_\_

Nick Recupito	Jerry Wilkening	John Kiepura	Jeff Bunge	Vote

## 6. Henn – Developmental Variance

Owner/Petitioner: Rob Henn, Henn & Sons Construction Services, Inc., PO Box 502, Cedar Lake, IN 46303

Vicinity: 13324 Wicker Ave., Cedar Lake, IN 46303

Legal Description: PARCEL 1: THE SOUTH 118.67 FEET OF THE NORTH 503.15 FEET OF THE EAST 371.25 FEET OF THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER OF SECTION 29, TOWNSHIP 34 NORTH, RANGE 9 WEST OF THE SECOND PRINCIPAL MERIDIAN IN LAKE COUNTY, INDIANA, EXCEPTING THAT PART OF SAID PREMISES TAKEN FOR U.S. HIGHWAY 41.

PARCEL 2: THE NORTH HALF OF THE FOLLOWING DESCRIBED TRACT: PART OF THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER OF SECTION 29, TOWNSHIP 34 NORTH, RANGE 9 WEST OF THE SECOND PRINCIPAL MERIDIAN, DESCRIBED AS COMMENCING AT A POINT ON THE EAST LINE OF SAID SECTION, 503.15 FEET SOUTH OF THE NORTHEAST CORNER THEREOF; THENCE SOUTH ALONG SAID EAST LINE 120.15 FEET; THENCE NORTHWESTERLY 371.25 FEET TO A POINT 618 FEET SOUTH OF THE NORTH LINE OF SAID SECTION; THENCE NORTH 114.85 FEET; THENCE EAST TO THE PLACE OF BEGINNING IN LAKE COUNTY, INDIANA, EXCEPTING THAT PART OF SAID PREMISES TAKEN FOR U.S. HIGHWAY 41.

Tax Key Number(s): 45-15-29-229-026.000-014 & 45-15-29-229-027.000-014

Request: Petitioner is requesting a Developmental Variance from Zoning Ordinance No. 496, Title XIV – Section 5, Area, Width and Yard Regulations, Paragraph A. a.: A minimum lot area of not less than twenty thousand (20,000) square feet, and a lot width of not less than one hundred (100) feet at the building line shall be provided for every building or other structure erected or used for any use permitted in this B-3 Zoning District.

***This Developmental Variance is to allow the Petitioner to have a lot in a B-3 Zoning District with a width of eighty-five (85) feet.***

- a. Attorney to Review Legals:
- b. Petitioner's Comments:
- c. Remonstrators:
- d. Building Department's Comments:
- e. Board's Discussion:
- f. Board's Decision:

Motion: \_\_\_\_\_ 2<sup>nd</sup>: \_\_\_\_\_

Nick Recupito	Jerry Wilkening	John Kiepura	Jeff Bunge	Vote

Town of Cedar Lake  
Board of Zoning Appeals  
May 13, 2021

**Public Comment:**

**Adjournment:** Time: \_\_\_\_\_

Board of Zoning Appeals Meeting – June 10, 2021 at 7:00pm

*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.*