



**TOWN OF CEDAR LAKE  
BOARD OF ZONING APPEALS  
PUBLIC MEETING  
July 8, 2021 7:00 P.M.**

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

Pledge to Flag

Roll Call:

\_\_\_ Ray Jackson

\_\_\_ Jerry Wilkening

\_\_\_ John Kiepura

\_\_\_ Jeff Bunge, Vice Chairman

\_\_\_ Nick Recupito, Chairman

\_\_\_ Jill Murr, Planning Director

\_\_\_ Margaret Abernathy, Recording Secretary Pro Tem

\_\_\_ David Austgen, Town Attorney

**Minutes:**

June 10, 2021

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

Ray Jackson	Jerry Wilkening	John Kiepura	Jeff Bunge	Nick Recupito	Vote

**Old Business:**

**1. Auger – Developmental Variance**

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

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

Tax Key Number: 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.

***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>: \_\_\_\_\_

Ray Jackson	Jerry Wilkening	John Kiepura	Jeff Bunge	Nick Recupito	Vote

## 2. Early – Developmental Variance

Owner/Petitioner: Ryan & Amanda Early, 6241 W. 136<sup>th</sup> Avenue, Cedar Lake, IN 46303  
Vicinity: 14323 & 14326 Lake Shore Drive, Cedar Lake, IN 46303 &  
Tax Key Number: 45-15-35-152-014.000-043 & 45-15-35-152-015.000-043

Request: Petitioner is requesting a Developmental Variance from Zoning Ordinance No. 496, Title VIII-Residential (R-2) Zoning District: Section 4. B. Front Yard: There shall be a front yard between the building line and the highway and street right-of way lines on all other streets, a distance of thirty (30) feet. E. Building Coverage: Not more than twenty-five percent (25%) of the area of the lot may be covered by buildings or structures. F. Corner Lots: The side yard setback shall be the same as the front yard setback.

***This Developmental Variance is to allow the Petitioner to build a house eight feet seven inches (8'7") from 143<sup>rd</sup> Place and twenty feet six inches (20'6") from Elm Street; and lot coverage over 25%.***

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

Ray Jackson	Jerry Wilkening	John Kiepura	Jeff Bunge	Nick Recupito	Vote

## New Business:

### 1. Dudlack – Developmental Variance

Owner/Petitioner: Mitchell J. Dudlack, 12801 Oak Street, Cedar Lake, IN 46303  
Vicinity: 12801 Oak Street, Cedar Lake, IN 46303  
Tax Key Number: 45-15-22-279-046.000-014

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 four (4') foot picket fence in the side yards of the front yard five (5') feet from Oak Street.***

- Attorney to Review Legals:
- Petitioner's Comments:
- Remonstrators:
- Building Department's Comments:
- Board's Discussion:
- Board's Decision:

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

Ray Jackson	Jerry Wilkening	John Kiepura	Jeff Bunge	Nick Recupito	Vote

## 2. Tiffany – Developmental Variance

Owner/Petitioner: Donald A Tiffany, 13700 Austin St., Cedar Lake, IN 46303  
Vicinity: 13700 Austin St., Cedar Lake, IN 46303  
Tax Key Number: 45-15-27-302-001.000-014

Request: Petitioner is requesting a Developmental Variance from Zoning Ordinance No. 496, Title XXIII-Accessory Regulations: Section 1A: 4) No accessory buildings shall be allowed in the front yard of any residential lot.

***This Developmental Variance is to allow the Petitioner to build a shed in a front yard of a corner lot.***

- 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>: \_\_\_\_\_

Ray Jackson	Jerry Wilkening	John Kiepora	Jeff Bunge	Nick Recupito	Vote

## 3. Shapiro – Variance of Use

Owner: The Lawrence Property Grp, LLC, Sean A Perfetti, 600 W. Richards Blvd, Peoria, IL 61604  
Petitioner: Jason & Lisa Shapiro, 17223 Adams Drive, Lowell, IN 46356  
Vicinity: 13115 Wicker Avenue, Units I-J, Cedar Lake, IN 46303  
Tax Key Number: 45-15-21-351-001.000-014

Request: **Petitioner is requesting a Variance of Use from Zoning Ordinance No. 496, Title XIII-Community Business (B-2) Zoning District.**

**This Variance of Use is to allow the Petitioner to operate a Preschool.**

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

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

Ray Jackson	Jerry Wilkening	John Kiepora	Jeff Bunge	Nick Recupito	Vote

#### 4. Suty – Developmental Variance

Owner/Petitioner: Marilyn Suty, 14114 Garden Way, Cedar Lake, IN 46303  
Vicinity: 14114 Garden Way, Cedar Lake, IN 46303  
Tax Key Number: 45-15-33-205-022.000-014

**Request:** **Petitioner is requesting a Developmental Variance from Zoning Ordinance No. 496, Title XI Zoning District: Planned Unit Development (P.U.D.) Zoning District Section 7: Area, Yard, Coverage and Supplementary regulations for Planned Unit Development Zoning Districts: C. Yards Required: Setback requirements for all yards shall be that of the Zoning District in which the property is located. Title VIII – Residential (R-2) Zoning District Section 5: D. Rear Yard: There shall be a rear yard on each lot. Rose Garden Estates PUD Contract 4. Design Criteria: Typical Lot Standards (PUD): Standard detached single-family: Rear yard Building Setback line shall be not less than thirty (30') feet from the rear lot line; and building coverage – 38% of entire lot SF.**

**This Developmental Variance is to allow the Petitioner to build a 12' x 30' deck and reduce the rear yard building set back from thirty feet (30') to twenty-seven feet (27').**

- 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>: \_\_\_\_\_

Ray Jackson	Jerry Wilkening	John Kiepora	Jeff Bunge	Nick Recupito	Vote

#### 5. Rokaitis – Developmental Variance

Owner/Petitioner: Irene & John Rokaitis, 13418 Cedar St., Cedar Lake, IN 46303  
Vicinity: 13421 Cedar St., Cedar Lake, IN 46303  
Tax Key Number: 45-15-26-152-024.000-043

**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 a previously removed fence and install a four (4') foot aluminum fence with a gate in the front yard on the property line with a zero (0) foot setback from Cedar Street.***

- 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>: \_\_\_\_\_

Ray Jackson	Jerry Wilkening	John Kiepura	Jeff Bunge	Nick Recupito	Vote

## 6. Phelps – Developmental Variance

Owner/Petitioner: Michael J. Phelps & Taylor K Ahlgrain, 11255 W 135th Place, Cedar Lake, IN 46303

Vicinity: 11255 W 135th Place, Cedar Lake, IN 46303

Tax Key Number: 45-15-29-277-009.000-014

**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; and Section C. 1) A fence located on a corner lot not served by a sidewalk that has been designated as a side yard shall be set back a minimum six feet (6') from the right of way line and does not exceed a height of four feet (4')

**This Developmental Variance is to allow the Petitioner to build a six-foot (6') privacy fence in a front yard of a corner lot with a setback of forty-one feet (41') off of US-41.**

- 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>: \_\_\_\_\_

Ray Jackson	Jerry Wilkening	John Kiepura	Jeff Bunge	Nick Recupito	Vote

## Update Item:

### 1. Resolution No. 2021-01 – Board of Zoning Appeals Rules & Regulations

#### Public Comment:

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

Board of Zoning Appeals Meeting – August 12, 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.*