



**TOWN OF CEDAR LAKE  
BOARD OF ZONING APPEALS  
PUBLIC MEETING  
August 12, 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:**

May 13, 2021, June 10, 2021 and July 8, 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%.***

- 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

**New Business:**

**1. Peoples Bank – Developmental Variance**

Owner: Peoples Bank SB, 9204 Columbia Ave., Bldg B, Munster, IN 46321  
Petitioner: Robin Witte – Larson Danielson Const., 302 Tyler St, La Porte, IN 46350  
Vicinity: 10205 133<sup>rd</sup> Avenue, Cedar Lake, IN 46303

Request: Petitioner is requesting a Developmental Variance from Zoning Ordinance No. 496, Title XXVII – Section 4: Off-Street Parking

***This Developmental Variance is to allow the Petitioner to have parking in the front yards of a corner lot; 133<sup>rd</sup> Avenue and King 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 Kiepora	Jeff Bunge	Nick Recupito	Vote

**2. Summer Winds Commercial – Variance of Use**

Owner/Petitioner: Summer Wind Commercial, LLC, 11125 Delaware Pkwy, Crown Point, IN 46349  
Vicinity: 9751 - 9869 Lincoln Plaza Way, Cedar Lake, IN 46303  
Legal Description: Summer Winds Plaza Lot 1  
Tax Key Number(s): 45-15-28-227-015.000-014

Request: Petitioner is requesting a Variance of Use from Zoning Ordinance No. 496, Title XI-Planned Unit Development (PUD) Zoning District.

***This Variance of Use is to allow the Petitioner to have outdoor dining at four restaurant business units on a lot in a PUD Zoning District.***

- 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

**3. Cedar Lake Storage LLC – Developmental Variance**

Owner: Cedar Lake Storage LLC, 2805 W. 47th Ave, Gary, IN 46408  
Petitioner: Tim Porter, Cedar Lake Storage, LLC, 2805 W. 47th Avenue, Gary, IN 46408  
Vicinity: 9011 & 9019 W. 133rd Avenue, Cedar Lake, IN 46303  
Tax Key Number(s): 45-15-22-389-003.000-014

Request: Petitioner is requesting a Developmental Variance from Zoning Ordinance No. 496, Title XXVII Off-Street Parking and Off-Street Loading Section 4: O. Design, Construction and Maintenance.

***This Developmental Variance is to allow the Petitioner to construct a storage yard using aggregate (gravel) and not blacktop (asphalt) or concrete.***

- 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

**4. Pyrzs – Developmental Variance**

Owner/Petitioner: Peter & Diane Pyrzs, 9723 W. 130<sup>th</sup> Place Unit A, Cedar Lake, IN 46303  
Vicinity: 9723 W. 130<sup>th</sup> Place Unit A, Cedar Lake, IN 46303  
Tax Key Number: 45-15-21-432-001.000-014

Request: Petitioner is requesting a Developmental Variance from Zoning Ordinance No. 496, Title IX – Residential Two-Family (RT) Zoning-Fence Regulations: Section 4: Area, Width and Yard Regulations.

***This Developmental Variance is to allow the Petitioner to build a deck over the existing concrete patio with a six-foot (6') side yard setback and a twenty-one foot (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> : _____			
Ray Jackson	Jerry Wilkening	John Kiepora	Jeff Bunge	Nick Recupito	Vote

## 5. Geertsema – Developmental Variance

Owner: Cedar Lake MHC, LLC, William Jansma, PO Box 270, Cedar Lake, IN 46303  
Petitioner: Katie Geertsema, 8033 Gordon Pl., Highland, IN 46322  
Vicinity: 9001 W. 133<sup>rd</sup> Place, Lot 40, Cedar Lake, IN 46303

Request: Petitioner is requesting a Developmental Variance from Zoning Ordinance No. 496, Title XI-Planned Unit Development (PUD) Zoning District.

***This Developmental Variance is to allow the Petitioner to bring in and renovate a home on lot 40 in Cedar Lake Mobile Home Community Planned Unit Development with an unknown age.***

- 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. Cedar Lake Property LLC – Variance of Use & Developmental Variance

Owner: James & Samantha Brooker, 17316 Camelot Drive, Lowell, IN 46356  
Petitioner: Cedar Lake Property LLC, 17316 Camelot Drive, Lowell, IN 46356  
Vicinity: 7936 Lake Shore Drive, Cedar Lake, IN 46303

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

***The Variance of Use is to allow the Petitioner to have two (2) business on a lot in a B-2 Zoning District and to allow outdoor dining not to exceed six tables with seating for four patrons at each.***

- 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 Kiepura	Jeff Bunge	Nick Recupito	Vote

Petitioner is requesting a Developmental Variance from Zoning Ordinance No. 496, Title XXVII – Section 4: Off-Street Parking: Section H. In Yards; and M. Required Spaces; and Title XXII – Sign Regulations.

***This Developmental Variance is to allow the Petitioner to have parking in the front yard and side yards; a total of thirty (30) parking spaces on the***

***lot; and to have one (1) monument sign not to exceed sixty square feet, two (2) building signs not to exceed thirty-two square feet each, one (1) menu board sign not to exceed sixty square feet and directional signage with all signage not to exceed a total of one hundred eighty-four square 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> : _____			
Ray Jackson	Jerry Wilkening	John Kiepura	Jeff Bunge	Nick Recupito	Vote

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

***The Variance of Use is to allow an existing home to be a vacation/rental home on a lot in a B-2 Zoning District.***

- 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> : _____			
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Petitioner is requesting a Developmental Variance from Zoning Ordinance No. 496, Title XXVII – Section 4: Off-Street Parking: Section H. In Yards; Section I. Parking Space Requirements; M. Required Spaces O. Design, Construction and Maintenance and R. Parking Restrictions; and Title XXIII – Accessory Regulations Section 1: General Accessory Regulations.

***This Developmental Variance is to allow parking in the front and side yard on the existing gravel driveway and to allow the existing accessory structure on the north side yard to remain with a 17.6' side 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> : _____			
Ray Jackson	Jerry Wilkening	John Kiepura	Jeff Bunge	Nick Recupito	Vote

Town of Cedar Lake  
Board of Zoning Appeals  
August 12, 2021

**Update Item:**

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

**Public Comment:**

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

Board of Zoning Appeals Meeting – September 9, 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.*