



**TOWN OF CEDAR LAKE  
BOARD OF ZONING APPEALS  
October 13, 2022 6:00 P.M.  
Agenda**

Call To Order: \_\_\_\_\_ pm  
Pledge to Flag  
Roll Call:

\_\_\_ Ray Jackson  
\_\_\_ Jerry Wilkening  
\_\_\_ John Kiepura  
\_\_\_ Jeff Bunge, Vice Chairman  
\_\_\_ Nick Recupito, Chairman

\_\_\_ David Austgen, Town Attorney  
\_\_\_ Chris Salatas, Town Manager  
\_\_\_ Ashley Abernathy, Planning Director

**Meeting Minutes:**

September 8, 2022

**Old Business:**

**1. 2022-39 Cannon – 7519 Lake Shore Drive – Developmental Variance**

Owner/Petitioner: Damatio Cannon, 7519 Lake Shore Drive, Cedar Lake, IN 46303  
Vicinity: 7519 Lake Shore Drive, Cedar Lake, IN 46303

**Request:** Petitioner is requesting a Developmental Variance from Town of Cedar Lake, Lake County, Indiana Ordinance No. 1402, Chapter 7.7 Legacy Lot Overlay Districts, Section B Residential Legacy Lots:

**1. Occupied Legacy Residential Lot of Record, lots of less than 5,000 SF, development standards:**

**h. Maximum building height 25 feet**

**This Developmental Variance is to allow the Petitioner to construct an addition on the home with an overall height of 28 feet.**

**2. 2022-40 Hanyzewski – 12511 Marsh Landing Parkway – Developmental Variance**

Owner/Petitioner: Andrew Hanyzewski, 12511 Marsh Landing Parkway, Cedar Lake, IN 46303  
Vicinity: 12511 Marsh Landing Parkway, Cedar Lake, IN 46303

**Request:** Petitioner is requesting a Developmental Variance from Town of Cedar Lake, Lake County, Indiana Ordinance No. 1402, Chapter 15 Fence Requirements, Section B:

1. The designated Town Building Official has the authority to designate one (1) of the front yards as a side yard. A Fence located on a corner lot that has been designated as a side yard shall be set back a minimum of twenty feet (20') from the right-of-way line, and subject to the following provisions in this Section;

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 entire fence design is at least fifty percent (50%) open to allow increased visibility to pedestrians and motorists;

***This Developmental Variance is to allow the Petitioner to construct a 6-foot privacy fence on a corner lot served by sidewalks, less than the allowable 20 feet from the right-of-way line.***

## **Requesting Withdrawal**

### **New Business:**

#### **1. 2022-41 Burrink – 14335 Truman Street – Developmental Variance**

Owner/Petitioner: Robert & Kathleen Burrink, 143353 Truman Street, Cedar Lake, IN 46303

Vicinity: 14335 Truman Street, Cedar Lake, IN 46303

Request: Petitioner is requesting a Developmental Variance from Town of Cedar Lake, Lake County, Indiana Ordinance No. 1402, Chapter 6.2 R-2 Zoning District, Section C, Bulk Requirements:

(1) **Height:** The maximum height of any building shall not exceed thirty feet (30') at its peak, measured from twelve inches (12") below the top of the foundation.

(4) **Side Yard:** Each lot, except as otherwise specified, shall have two (2) side yards, each having a width of not less than eight feet (8')

(6) **Lot Coverage:** Not more than twenty-five percent (25%) of the area of a lot may be covered by buildings and structures.

***This Developmental Variance is to allow the Petitioner to construct an addition onto an existing house with an overall height of no greater than 36 feet, for the side yard setback along the north side of the property to be 4.6 feet to be consistent with the existing structure, and for an overall lot coverage of 39%.***

## **Petitioner requesting a deferral**

#### **2. 2022-42 Gebo – 14815 Ivy Street – Developmental Variance**

Owner/Petitioner: James Gebo, 14815 Ivy Street, Cedar Lake, IN 46303

Vicinity: 14815 Ivy Street, Cedar Lake, IN 46303

Request: Petitioner is requesting a Developmental Variance from Town of Cedar Lake, Lake County, Indiana Ordinance No. 1402, Chapter 15 Fence Requirements, Section D, Fences on Residential Through Lots Served by Sidewalks:

(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 entire fence design is at least fifty percent (50%) open to allow increased visibility to pedestrians and motorists.

***This Developmental Variance is to allow the Petitioner to construct 6-foot privacy fence on a through lot served by sidewalks***

#### **3. 2022-43 Massura – 8208 Lake Shore Drive – Developmental Variance**

Owner/Petitioner: Beverly Massura, 8208 Lake Shore Drive, Cedar Lake, IN 46303

Vicinity: 8208 Lake Shore Drive, Cedar Lake, IN 46303

Request: Petitioner is requesting a Developmental Variance from Town of Cedar Lake, Lake County, Indiana Ordinance No. 1402, Chapter 15 Fence Requirements, Section A, General Fence Regulations Applicable to All Residential Zoning Districts:

- (1) 1. No fence shall be located in the front yard;  
a. Fences of a decorative nature may be allowed within front yards; maximum height shall be three (3) feet.

***This Developmental Variance is to allow the Petitioner to construct 4-foot chain link fence in the front yard.***

**4. 2022-45 McCant – 14935 Ivy Street – Developmental Variance**

Owner/Petitioner: Marty McCants, 14935 Ivy Street, Cedar Lake, IN 46303

Vicinity: 14935 Ivy Street, Cedar Lake, IN 46303

Request: Petitioner is requesting a Developmental Variance from Town of Cedar Lake, Lake County, Indiana Ordinance No. 1402, Chapter 15 Fence Requirements, Section D, Fences on Residential Through Lots Served by Sidewalks:

(1) A Fence located on a through lot that has been designated as a rear yard shall be set back a minimum of twenty feet (20') from the right-of-way line, subject the additional following previsions in this Section

(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 entire fence design is at least fifty percent (50%) open to allow increased visibility to pedestrians and motorists.

***This Developmental Variance is to allow the Petitioner to construct 6-foot privacy fence on a through lot served by sidewalks along the property line off of Parrish Avenue.***

**5. 2022-46 Frey – 109 Broadway – Developmental Variance**

Owner/Petitioner: Donald Frey, 332 East 125<sup>th</sup> Place, Crown Point, IN 46307

Vicinity: 109 Broadway, Cedar Lake, IN 46303; aka 13315 Lincoln Way, Cedar Lake, IN 46303

Request: Petitioner is requesting a Developmental Variance from Town of Cedar Lake, Lake County, Indiana Ordinance No. 1402, Chapter 7.1 Neighborhood Business Zoning District, Chapter D Bulk Requirements:

(2) **Minimum Lot Area and Width:** A minimum lot area of not less than ten thousand (10,000') square feet, and a lot width of not less than fifty (50') feet at the building line shall be provided for every building or others structure erected or used for any use permitted in this Business Zoning District, and in no case shall an individual establishment exceed five thousand (5,000') square feet of floor space;

(3) **Front Yard:** Each lot shall front on a dedicated and improved street. There shall be a minimum front yard between the building line and the highway line and the highway or street right-of-way lines as follows: d. On all other streets, a distance of thirty feet (30');

(4) **Side Yard:** c. All interior lots shall have two (2) side yards, each having a width of not less than seven feet (7'), except where party wall is used.

***This Developmental Variance is to allow the Petitioner have a lot size of 6,250 square feet, a front yard setback of 18.3 feet and a side yard setback of 2 feet on an existing lot with an existing structure.***

**Public Comment:**

**Adjournment:**

Board of Zoning Appeals Meeting – Thursday, November 10, 2022 at 6 pm

*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.*