



**TOWN OF CEDAR LAKE  
BOARD OF ZONING APPEALS  
June 8, 2023 6:30 PM – Agenda**

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

Pledge to Flag:

Roll Call:

\_\_\_\_ Eric Burnham

\_\_\_\_ Greg Parker

\_\_\_\_ Ray Jackson

\_\_\_\_ John Kiepora, Vice Chairman

\_\_\_\_ Jeff Bunge, Chairman

\_\_\_\_ David Austgen, Town Attorney

\_\_\_\_ Ashley Abernathy, Planning Director

\_\_\_\_ Cheryl Hajduk, Recording Secretary

**Variance Extension Request:**

**1. NYBY Development Corp – Preliminary Plat for a One (1) Lot Subdivision & Site Plan**

Owner/Petitioner: NYBY Development Corp; 1370 Dune Meadows Dr., Porter, IN 46304

Vicinity: 9710 W. 133<sup>rd</sup> Ave., Cedar Lake, IN 46303

**Request: Petitioner is requesting an extension for the BZA Developmental Variance received during the June 9, 2022 and August 11, 2022 Meetings for the following Variances:**

- 1. Reduction in west yard setback from 15 to 10 feet**
- 2. Reduction in rear yard setback from 30 feet to 17 feet**
- 3. Parking in the front yard setback**
- 4. Reduction in lot size from 40,000 square feet to 23,800 square feet**

**Old Business:**

**1. 2022-41 Burrink – 14335 Truman Street – Developmental Variance – Continued Public Hearing**

Owner/Petitioner: Robert & Kathleen Burrink, 14335 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.

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

(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.

**Original Request:** 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 front yard setback to be reduced to 5 feet, the side yard setback along the north side of the property to be 4 feet to be consistent with the existing structure, and for an overall lot coverage of 46%.

**Amended Request per March 9<sup>th</sup> BZA:** This Developmental Variance is to allow the Petitioner to construct an addition onto the house with a front yard setback of 5 feet, a side yard setback of 4 feet, and overall lot coverage of 30%.

**New Business:**

**1. 2023-11 Olson Group Network LLC – Developmental Variance – 13920 Butternut Street**

Owner/Petitioner: Olson Group Network LLC, 2701 W. 45<sup>th</sup> Avenue, Gary, IN 46408

Vicinity: 13920 Butternut 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:

3. Front Yard: Each lot shall front on a dedicated and improved street. Each front yard in this Zoning District shall extend across the full width of the zoning lot and lying between the lot line which fronts on a street and the nearest line of the principal building on which the main entrance to said building exists. There shall be a minimum front yard between the building line and the highway and street right-of-way lines as follows: d. On all other streets, a distance of thirty feet (30').

5. Rear Yard: There shall be a rear yard of not less than thirty feet (30').

8. Building Size: No building shall be erected for residential purposes having minimum ground floor area of less than one thousand five hundred (1,500) square feet, for a single story or bi-level house; or one thousand seven hundred (1,700) square feet, for a one and one-half (1 ½) story or tri-level house; or two thousand two hundred (2,200) square feet, for a two (2) story house. All such areas shall be exclusive of unenclosed porches, terraces and garages.

9. Attached Garages: Attached garages on all new homes in this zoning district shall have minimum four hundred (400) square feet. Maximum attached garage size shall be one thousand one hundred (1,100) square feet.

***This Developmental Variance is to allow the construction of a new residential house on an existing lot with a lot width of 70 feet and lot size of 5,971 to be 11.86 feet from the front property line, to be less than 30 feet from the rear property line, a reduction in the minimum garage size to approximately 226 square feet and a reduction in total house square footage to 1,472 square feet.***

**2. 2023-12 – Straight A Builders, Inc. – Developmental Variance – 13309 Sherman Street**

Petitioner: Straight A Builders, Inc., 13731 Deodor St, Cedar Lake, IN 46303

Vicinity: 13309 Sherman 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:

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').

***This Developmental Variance is to allow the construction of an attached garage to be 2 feet from the property line.***

**3. 2023-13 L & L Capital Assets LLC – Developmental Variance – 13310 W 133<sup>rd</sup> Ave**

Owner/Petitioner: L & L Capital Assets LLC, PO Box 2010, Cedar Lake, IN 46303

Vicinity: 13310 W 133<sup>rd</sup> Ave, Cedar Lake, IN 46303

Request: Petitioner is requesting a Developmental Variance from Town of Cedar Lake, Lake County, Indiana Ordinance No. 1402, Chapter 6.1 R-1 Zoning District, Section C:

2. Minimum Lot Area and Width: A lot area of not less than fifteen thousand (15,000-100' X 150') square feet, and a lot width of not less than ninety feet (90') at the building line shall be provided for every building or other structure erected or used for any use permitted in this Zoning District. Corner lot areas of not less than sixteen thousand five hundred (16,500-110' X 150') square feet, and a lot width of not less than one hundred feet (100') at the building line shall be permitted for every building or other structure erected or used for any use permitted in this district.

4. Side Yard: Each lot, except as otherwise specified, shall have two (2) side yards, each having a width of not less than twelve feet (12').

5. Rear Yard: There shall be a rear yard of not less than thirty (30) feet.

***Lot 1: This Developmental Variance is to allow for a reduction in the rear yard setback to 20 feet off of 133<sup>rd</sup> Avenue and 8 feet off of 133<sup>rd</sup> Drive, to reduce the lot size to 12,500 square feet, and a reduction in the lot width to 80 feet on a proposed corner lot in an R-1 Zoning District.***

***Lot 2: This Developmental Variance is to allow for a reduction in the rear yard setback to 20 feet, a reduction in the side yard setback to 8 feet, to reduce the lot size to 12,000 square feet, and a reduction in the lot width to 75 feet on a proposed interior lot in an R-1 Zoning District.***

**4. 2023-14 Vis – Developmental Variance – 11700 W 126<sup>th</sup> Avenue**

Owner/Petitioner: Nathan Vis, 11700 W 126<sup>th</sup> Avenue, Cedar Lake, IN 46303

Vicinity: 11700 W 126<sup>th</sup> Avenue, Cedar Lake, IN 46303

Request: Petitioner is requesting a Developmental Variance from Town of Cedar Lake, Lake County, Indiana Ordinance No. 1402, Chapter 11 Supplementary Zoning Regulations, Section A:

1b. Accessory Buildings shall be permitted per building lot upon issuance of a duly authorized building permit by the designated Town Building Official. Grade level is determinate as six (6") inches below

the floor surface. Exterior wall height shall not exceed ten (10') feet from the finish floor surface. Attached garages shall be excluded when calculating the Maximum Accessory Buildings Square Feet. Accessory Buildings shall only be allowed according to the following schedule: Lot Size: 2.01 acres or greater Height: 16'

***This Developmental Variance is to allow the construction of an accessory structure with an overall height of 22 feet with an exterior wall height of 15 feet.***

**5. 2023-15 Torok – Developmental Variance – 8514 W 146<sup>th</sup> Avenue**

Owner/Petitioner: Anita & Andrea Torok, 8510 W 146<sup>th</sup> Ave, Cedar Lake, IN 46303

Vicinity: 8514 W 146<sup>th</sup> Ave, Cedar Lake, IN 46303

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

1. No fence shall be located in the front yard.

***This Developmental Variance is to allow the construction of a 6-foot privacy fence in the front yard setback on a dead-end street.***

**6. 2023-16 Kelly – Developmental Variance – 14703 Ivy Street**

Owner/Petitioner: Richard Kelly, 14703 Ivy Street, Cedar Lake, IN 46303

Vicinity: 14703 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 B, Fences on Residential Corner Lots Served by Sidewalks:

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 6-foot privacy fence on a corner lot served by sidewalks.***

**Public Comment:**

**Adjournment:**

Board of Zoning Appeals Meeting – June 8, 2023 at 6:30 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.*