



**TOWN OF CEDAR LAKE
BOARD OF ZONING APPEALS
September 14, 2023 6:30 PM – Agenda**

Call To Order: _____ pm

Pledge to Flag:

Roll Call:

____ Eric Burnham

____ Greg Parker

____ Ray Jackson

____ John Kiepura, Vice Chairman

____ Jeff Bunge, Chairman

____ David Austgen, Town Attorney

____ Ashley Abernathy, Planning Director

____ Cheryl Hajduk, Recording Secretary

Minutes:

July 13, 2023 & August 10, 2023

Old Business:

1. 2023-21 Tiller – Developmental Variance & Variance of Use – 7611 W 140th Ave

Owner: John & Kathy James, 7705 W 140th Avenue, Cedar Lake, IN 46303

Petitioner: Michael & Kennedy Tiller, 7611 W 140th Avenue, Cedar Lake, IN 46303

Vicinity: 7611 W 140th Avenue, 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:

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 Petitioner to construct a garage addition for a total square footage of 1,360 square feet

This Variance of Use is to allow the Petitioner to allow for a second residential use of an in-law suite on a lot in an R-2 Zoning District

2. 2023-22 Marsh– Developmental Variance – 9812 W 136th Place

Owner/Petitioner: Edward J. Marsh, 9812 W. 136th Place, Cedar Lake, IN 46303

Vicinity: 9812 W. 136th Place, 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. A Fence located on a corner lot that has been designated as a side yard shall be setback a minimum of twenty feet (20') from the right-of-way line, and subject to the following provisions in this Section.

This Developmental Variance is to allow the Petitioner to construct a 4-foot picket-style fence to be located 3 feet from the property line.

New Business:

1. 2023-23 Fasano – Variance of Use – 6544 W 130th Avenue

Owner/Petitioner: Molly Fasano, 6544 W 130th Ave, Cedar Lake, IN 46303

Vicinity: 6544 W 130th Avenue, Cedar Lake, IN 46303

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

This Variance of Use is to allow the Petitioner to operate a hair salon in an R-2 Zoning District

2. 2023-24 Bieber – Developmental Variance – 14109 Lauerman Street

Owner: Michael A & Susan M Bieber, 14109 Lauerman Street, Cedar Lake, IN 46303

Petitioner: Michael A Bieber, 14109 Lauerman Street, Cedar Lake, IN 46303

Vicinity: 14109 Lauerman 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 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').

And Chapter 11 Supplementary Zoning Regulations, Section A:

b. Accessory Buildings shall only be allowed according to the following schedule: Lot Size: 15,001-1.00 acre (43,560 SF) Maximum Accessory Size: 1,000 square feet Height: 14'

2. Metal and Post Buildings: Metal and post building types of construction shall not be permitted in this Residential Zoning District as a Primary or Accessory use. Any accessory building greater than one thousand one (1,001') square feet in size shall be exempt from this provision providing it conforms with all other provisions required in CHAPTER 10, Section A.

This Developmental Variance is to allow the Petitioner to construct a 1,260 square foot detached garage of metal material with a 420 square foot overhang for a porch, for a total accessory structure size of 2,075.28 square feet, including the existing shed, to be located 26 feet from the road.

3. 2023-25 Taco Bell – Developmental Variance – 13313 Wicker Avenue

Owner: Black River Bells, LLC, 7915 Kensington Court, Brighton, MI 48116

Petitioner: Matt DaPra, 7915 Kensington Court, Brighton, MI 48116

Vicinity: 13313 Wicker Avenue, Cedar Lake, IN 46303

Request: Petitioner is requesting a Developmental Variance from Town of Cedar Lake, Lake County, Indiana Ordinance No. 1402, Chapter 16, Section C:

1. Each building shall be entitled to signage based on a ratio of 1 square foot of signage to each 1 linear foot of frontage of the building up to a maximum of one (100') hundred square feet for the building. The allowed signage can be divided up between multiple occupants of the same building using the ratio of 1 square foot of signage for each 1 linear foot of each occupant's front portion of the building.

This Developmental Variance is to allow the Petitioner to install 139.39 square feet of signage on a new Taco Bell restaurant.

4. 2023-26 Herman – Developmental Variance – 7429 W 136th Court

Owner/Petitioner: Sandra Herman, 7429 W 136th Court, Cedar Lake, IN 46303

Vicinity: 7429 W 136th Court, Cedar Lake, IN 46303

Request: Petitioner is requesting a Developmental Variance from Town of Cedar Lake, Lake County, Indiana Ordinance No. 1402, Chapter 10, Section C:

7. Projections Permitted into Required Yards: Other than as provided herein, no building or no part of a building, including, but not limited to, patios, decks and the like, shall be erected within or shall project into any required yard in any Zoning District.

a. **Carport:** An attached carport may be permitted over a driveway in a side yard, provided such structure is not more than one (1) story in height and twenty-five (25') feet in length and is entirely open on at least three (3) sides, except for the necessary supporting columns and customary architectural features; however, said carport may not extend to within six (6) feet of a side lot line.

This Developmental Variance is to allow the Petitioner to construct a free-standing carport over their driveway less than the six feet setback required

5. 2023-27 Ranieri – Developmental Variance – 7528 W 128th Court

Owner/Petitioner: Luigi & Camelina Ranieri, 915 Winston Drive, Melrose Park, IL 60160

Vicinity: 7528 W. 128th Court, Cedar Lake, IN 46303

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

1. General Accessory Regulations: Accessory building located in any Residential Zoning District, or in other Zoning Districts if intended for residential purposes, shall be regulated as follows:

a. There must be a complete residential structure on any given parcel of land prior to construction of any accessory building and the area of the accessory buildings(s) (measured by the exterior dimensions) added to that of all other building on said parcel may not exceed the maximum lot coverage allowed for that Zoning District.

This Developmental Variance is to allow the Petitioner to construct a 32-foot by 24-foot garage on a lot without a residential structure.

6. 2023-28 Goff – Developmental Variance – 6500 W 129th Avenue

Owner/Petitioner: Lawrence M. Goff, 6500 W 129th Avenue, Cedar Lake, IN 46303

Vicinity: 6500 W 129th 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, Section A:

b. Accessory Buildings shall only be allowed according to the following schedule: Lot Size: 15,001-1.00 acre (43,560 SF) Maximum Accessory Size: 1,000 square feet Height: 14'

2. Metal and Post Buildings: Metal and post building types of construction shall not be permitted in this Residential Zoning District as a Primary or Accessory use. Any accessory building greater than one thousand one (1,001') square feet in size shall be exempt from this provision providing it conforms with all other provisions required in CHAPTER 10, Section A.

This Developmental Variance is to allow the Petitioner to construct a 1,200 square foot accessory structure of metal material with a 128 square foot attached porch/lean-to, for a total accessory structure size of 1,453.38 square feet, including the existing shed.

Public Comment:

Adjournment:

Board of Zoning Appeals Meeting – October 12, 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.