



**TOWN OF CEDAR LAKE
BOARD OF ZONING APPEALS
October 12, 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

Update Item:

1. 2022-52 Kracht – 12841 Wicker Avenue – Update on Variance of Use and Use Commitment for Rage Room

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 9th 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%.

2. 2023-11 Olson Group Network LLC – Developmental Variance – 13920 Butternut Street

Owner/Petitioner: Olson Group Network LLC, 2701 W. 45th 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 square feet 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.

3. 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.

4. 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.

New Business:

1. 2023-29 Baumgartner – Developmental Variance – 8319 Lake Shore Drive

Owner/Petitioner: Adam Baumgartner, 8319 Lake Shore Drive, Cedar Lake, IN 46303

Vicinity: 8319 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 10 Developmental Standards, Section C Yard Requirements:

7c. **Decks:** Decks are not considered part of the principal structure and may be located in the rear yard eight (8') feet from side and rear yard. Decks in the front yard must meet the front yard setback that is located in that Zoning District. Railing cannot exceed six (6') feet in height.

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This Developmental Variance is to allow the Petitioner to construct a rooftop deck on top of an addition along the west side property line with 0-foot setback.

2. 2023-39 Kubiak Properties Inc. – Developmental Variance – 14320 Lake Shore Drive

Owner: Kubiak Properties Inc., 3801 N Capitol of TX HWY Suite E 200, Austin, TX 78746

Petitioner: Tim Kubiak, 9080 W 129th Place, Cedar Lake, IN 46303

Vicinity: 14320 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 6-2, Section C:

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

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 an attached garage for a total garage square footage of 1,351 square feet and to allow for a total lot coverage of 36 percent on a lot with an existing structure.

3. 2023-31 Cedar Lake Storage – Developmental Variance – 9019 W 133rd Avenue

Owner: Cedar Lake Storage LLC, 9019 W 133rd Avenue, Cedar Lake, IN 46303

Petitioner: Chris Porter, 405 N Lafayette Street, Griffith, IN 46319

Vicinity: 9019 W 133rd Avenue, Cedar Lake, IN 46303

Request: Petitioner is requesting a Developmental Variance from Town of Cedar Lake, Lake County, Indiana Ordinance No. 1402, Chapter 12, Section D:

15. Design, Construction and Maintenance: In addition to the general design requirements specified herein, the following design and construction requirements shall be satisfied in all off-street parking areas with any exceptions noted:

e. Surfacing: All open off-street parking spaces and access drives shall be blacktop or concrete, or surfaced with smooth and durable compatible surface material so that they will remain free from dust or litter particles, and be adequately drained so that they will not retain water

This Developmental Variance is to allow the Petitioner to utilize the gravel portions of the property, known as Phase 2, prior to asphalt

4. 2023-32 Butcher – Developmental Variance – 13913 Lakeview Point Road

Owner: Eileen Butcher, 13913 Lakeview Point Road, Cedar Lake, IN 46303

Petitioner: David Edgren, 13419 Delaware Street, Crown Point, IN 46307

Vicinity: 13913 Lakeview Point Road, 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 B:

3. Location: No portion of an outdoor swimming pool shall be located at a distance of less than ten (10') feet from any side or rear property line, or building line, or at any other location where a "structure" is prohibited under the other terms of this Zoning Ordinance, as amended from time to time. Pumps, filters and pool water disinfection equipment installations shall be similarly restricted to the requirements of this paragraph. A pool may be connected to a deck.

This Developmental Variance is to allow the Petitioner to install an inground pool approximately 4 feet away from the existing covered porch and 8 feet from the south property line.

5. 2023-33 Kuyvenhoven – Developmental Variance – 7207 W 143rd Place

Owner/Petitioner: Ryan & Jillian Kuyvenhoven, 7507 W 143rd Place, Cedar Lake, IN 46303
Vicinity: 7507 W 143rd Place, 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:

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: Less than 10,000 SF 600 square feet 14'

This Developmental Variance is to allow the Petitioner to install a 10-foot by 12-foot shed for a total accessory structure size of 696 square feet.

Public Comment:

Adjournment:

Board of Zoning Appeals Meeting – November 9, 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.