



**TOWN OF CEDAR LAKE
BOARD OF ZONING APPEALS
April 11, 2024 6:00 PM – Agenda**

Call To Order: _____ pm

Pledge to Flag:

Roll Call:

___ Jerry Reiling

___ James Hunley

___ Ray Jackson

___ Eric Burnham, Vice Chairman

___ John Kiepura, Chairman

___ David Austgen, Town Attorney

___ Ashley Abernathy, Planning Director

___ Cheryl Hajduk, Recording Secretary

Minutes: March 14, 2024

Agenda

1. 2024-07 Hickory Property Owner’s Association – Developmental Variance

Owner: Hickory Property Association Owners, 7606 W 136th Lane, Cedar Lake, IN 46303

Petitioner: Thomas Vanderwerf, 7515 W 136th Lane, Cedar Lake, IN 46303

Vicinity: 7606 W 136th Lane, 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 and Chapter 15 Fence Requirements

This Developmental Variance is to allow the Petitioner to construct a fence on a lot without a principal structure.

2. 2024-08 Johnson – Developmental Variance

Owner/Petitioner: Donald Johnson, 13711 Birch Street, Cedar Lake, IN 46303

Vicinity: 13716 Birch 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, Section C:

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;

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And Chapter 11, Section A:

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 build a new home of approximately 1,361 square feet less than the minimum building size requirement and to build the detached garage before the construction of the house.

3. 2024-09 Nagy – Developmental Variance

Owner: Larry & Margo Nagy, 9065 W 129th Place, Cedar Lake, IN 46303
Petitioner: Larry Nagy, 9065 W 129th Place, Cedar Lake, IN 46303
Vicinity: 9065 W 129th 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:

b. 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: 1.01-2.00 acres 1,600 square feet 15' height

This Developmental Variance is to allow the Petitioner to build a second accessory structure for a total accessory structure size of approximately 1,783 square feet and to have a wall height of 14 feet and a total height of 20 feet.

4. 2024-10 Cedar Lake 133 – Developmental Variance

Owner: Cedar Lake 133, LLC & Various Builders, 8900 Wicker Avenue, St. John, IN 46373
Petitioner: Schilling Development, 8900 Wicker Avenue, St. John, IN 46373

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.

This Developmental Variance is to allow the Petitioner to allow for a lot coverage of 35% for the entirety of Lakeside, Unit 2, Block 1.

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5. 2024-12 Kubal – Variance of Use & Developmental Variance

Owner: Martha Ann Kubal, Trs dtd 1/31/92, 13305 Morse Street, Cedar Lake, IN 46303
Petitioner: Brian Kubal, 13305 Morse Street, 13305 Morse Street, Cedar Lake, IN 46303
Vicinity: 13135 Morse Street, Cedar Lake, IN 46303

Request:

Petitioner is requesting a Variance of Use from Town of Cedar Lake, Lake County, Indiana Ordinance No. 1402, Chapter 7.2:

This Variance of Use is to allow the Petitioner to have a parking lot in a B-2 Zoning District, continuing the already existing use on the lot.

Petitioner is requesting a Developmental Variance from the Town of Cedar Lake, Lake County, Indiana Ordinance No. 1402, Chapter 7.2, Section D:

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: a. On corner lots, each side yard abutting a street shall be the same. b. On a lot abutting any Residential Zoning District, there shall be a side yard abutting such Zoning District having a width of not less than twenty-five feet (25’), which shall be effectively screened from abutting lots by a strip of planting not less than eight feet (8’) in ultimate width, such planting consisting of not less than fifty percent (50%) evergreen material scattered throughout.

This Developmental Variance is to allow the Petitioner to have a building 21.8 feet from Morse Street, 11.2 feet from 132nd Avenue, and a setback of 5.6 inches from the eastern property line for an already existing building.

6. 2024-13 StorSafe – Developmental Variance

Owner/Petitioner: Storsafe of Cedar Lake, LLC, 5301 Dempster St. Suite 300, Skokie, IL 60077
Vicinity: 13649 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 7.2, Section B:

4. In any Business Zoning District where a commercial building is located on a lot which abuts property zoned for residential use, an opaque landscape screen, an opaque fence or screening having a minimum height of six (6’) feet shall be provided along any side and/or rear lot line contiguous to the property zoned for residential use.

And 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.

f. Screening, Landscaping, and barriers: All open off-street parking areas, containing more than four (4) parking spaces, located less than forty (40') feet from the nearest property line of a lot in a Residential Zoning District, shall be effectively screened on each side adjoining or fronting on such property line by a wall, fence, or densely planted compact hedge, not less than five (5') feet nor more than eight (8') feet in height. The screening, Table game establishment (i.e., pinball, pool, etc.) 1 space for each 100 square feet of floor area Warehouse 1 space per 5,000 square feet of floor area landscaping and barriers shall be adequately maintained for aesthetic reasons. There shall be installed a substantial barrier on or adjacent to the lot line along all open off-street parking spaces and such barrier on or adjacent to the lot line along all open off-street parking spaces and such barrier shall be so located that no portion of any vehicle parking on the lot shall extend over the lot line;

g. Lighting:

i. Except for single-family and two-family residential lots, adequate lighting shall be provided for use when a parking area is in operation. All lighting shall be arranged so that no source of light shall be directly visible beyond the parking lot upon which the lighting is located and all lighting structures shall conform to the provisions of this Zoning Ordinance, as amended from time to time;

This Developmental Variance is to allow the Petitioner to use gravel for parking in the rear of the property, to continue to have parking along the property lines, and to have waivers from the lighting requirements in the gravel area of the property and screening along the northern and western boundary lines, as currently existing on the property.

7. 2024-15 Trudeau – Developmental Variance

Owner/Petitioner: David L. Trudeau, 13023 Polk Street, Cedar Lake, IN 46303

Vicinity: 13023 Polk 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, Section C and Chapter 10, 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').

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.

c. 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.

This Developmental Variance is to allow the Petitioner to rebuild a deck 25 feet from the property line.

8. 2024-16 Sparr – Developmental Variance

Owner/Petitioner: John Sparr IV, 13220 Fairbanks Street, Cedar Lake, IN 46303

Vicinity: 13220 Fairbanks Street, 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 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: 2.01 acres or greater 2,000 square feet 16' height

This Developmental Variance is to allow the Petitioner to build a post frame building of 2,400 square feet with a wall height of 14 feet 8 inches and an overall height of 16 feet 8 inches.

9. 2024-17 Camus – Developmental Variance

Owner/Petitioner: Richard Camus Jr, 13132 Lindberg Street, Cedar Lake, IN 46303

Vicinity: 13132 Lindberg 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, Section C:

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 not served by a sidewalk(s) that has been designated as a side yard shall be set back a minimum six feet (6') from the right of way line and does not exceed a height of four feet (4') and subject the following provisions in this Sections;
2. 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 fifty percent (50%) open to allow increased visibility to pedestrians and motorists; and the fence is set back a minimum of six feet (6') from the side lot line;

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This Developmental Variance is to allow the Petitioner to construct a 6-foot privacy fence on the property line of a corner lot replacing the existing fence.

10. 2024-14 Austgen – Developmental Variance

Owner: David Austgen, 14326 Lake Shore Drive, Cedar Lake, IN 46303

Petitioner: Theodore Rohn, 13177 Rhode Street, Cedar Lake, IN 46303

Vicinity: 14326 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.

This Developmental Variance is to allow the Petitioner to build an addition onto the existing house, increasing the lot coverage to 30%.

Update:

Cedar Lake Storage – Phase 2

Public Comment:

Adjournment:

Board of Zoning Appeals Meeting – May 9, 2024 at 6:00 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.