



**TOWN OF CEDAR LAKE
BOARD OF ZONING APPEALS
May 9, 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 Kieपुरa, Chairman

___ David Austgen, Town Attorney

___ Ashley Abernathy, Planning Director

___ Cheryl Hajduk, Recording Secretary

Agenda

Old Business:

1. 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.

2. 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.

3. 2024-17 Camus – Developmental Variance

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

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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;

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.

4. 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%.

New Business:

1. 2024-18 McClain – Developmental Variance

Owner/Petitioner: Gary H. McClain Jr., 14465 Hibiscus Way, Cedar Lake, IN 46303

Vicinity: 14465 Hibiscus Way, 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

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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;

This Developmental Variance is to allow the Petitioner to construct a 6-foot privacy fence on a property served by sidewalks to be 25 feet from the property line.

2. 20241-19 Nichols – Developmental Variance

Owner/Petitioner: Valerie Nichols, 8721 Buckridge Court, Cedar Lake, IN 46303

Vicinity: 8721 Buckridge Court, Cedar Lake, IN 46303

Request:

Petitioner is requesting a Developmental Variance from Town of Cedar Lake, Lake County, Indiana Ordinance No. 1402, Chapter 6, Section C:

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

This Developmental Variance is to allow the Petitioner to a reduction in rear yard setback from 30 feet to 27 feet for a covered deck.

3. 2024-20 Dawson – Developmental Variance

Owner/Petitioner: Amanda Dawson, 13433 Lee Street, Cedar Lake, IN 46303

Vicinity: 13433 Lee 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;

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

4. 2024-21 Goff – Developmental Variance

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 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: 15,001-1.00 acre (43,560 SF) Maximum Accessory Size: 1,000 square feet Height: 14'

This Developmental Variance is to allow the Petitioner to construct a 900 square foot second accessory structure, with a 300-foot covered porch area for a total size of 1,200 square feet, with a wall height of 12 feet, and an overall height of 17 feet, with a total accessory structure size of approximately 1,325 square feet between the two structures.

5. 2024-22 Baumgartner – Developmental Variance

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 6.2 R-2 Zoning District, Section C Bulk Standards:

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').

And 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.

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 a 2-foot setback.

Update:

Cedar Lake Storage – Phase 2

Public Comment:

Adjournment:

Board of Zoning Appeals Meeting – June 13, 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.