



CEDAR LAKE BOARD OF ZONING APPEALS MINUTES
CEDAR LAKE TOWN HALL, 7408 CONSTITUTION AVENUE, CEDAR LAKE, INDIANA
May 9, 2024, 2024 at 6:00 pm

CALL TO ORDER:

Mr. Kiepura called the Board of Zoning Appeals meeting to order at 6:00 pm, on Thursday, May 9, 2024, with its members attending on-site. The Pledge of Allegiance was recited by all.

ROLL CALL:

Members Present Via Zoom: None. **Members Present:** Jerry Reiling; James Hunley; Ray Jackson; Eric Burnham, Vice Chairman; John Kiepura, Chairman. A quorum was obtained. **Also Present:** David Austgen, Town Attorney; Jeff Bunge, Town Manager; Tim Kubiak, Director of Operations; and Cheryl Hajduk, Recording Secretary.

Absent: None

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

Mr. Kiepura stated that the next order of business is a Developmental Variance of Use 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. Mr. Austgen advised legals are in order.

Mr. Jim Sayegh, Storsafe, 5301 Dempster St., Suite 300, Skokie, IL 60077, commented we left off last month with the Board being ready to vote in the direction of giving relief on putting a fence up along the entire North boundary with recognition that it is entirely forested with the whole length of the site going back away from the main thoroughfare. Any future development would meet the landscaping requirement.

Mr. Sayegh commented he wanted to take a pause last month, because there is a big difference between a scoff law, somebody who wants to operate outside the rules of the game and my company and the stakeholder's, which bought the property that came into existence legally in 1986, with a lot of uncertainty of how it came into existence. Did it come into existence permitting the parking, how long has the parking been in continuous operation. The Staff Report that Ms. Abernathy published gives us some color and that this property has not been cited for any prior violations since 1986 and likely has the legal right to have parking exist on the site. Often times, in the chain of Title, it is the person who decides to come to Town and make the multi-million-dollar investment into something that is being asked to pay the price and

looking at our Site Plan and the Plan Commission has said; it is a good plan and we created beautiful storage buildings on the front of the site. We are doing a platted consolidation, and because we are changing the entitlement, that opens the door to needing this Variance. Our Phase 1 of this project is to create 24,000 square feet of climate-controlled storage, whether it is done on the front or back, from a financial standpoint is the same. The difference is if we build it on the back, we are not asking for a platted consolidation and we are not asking to expand any non-conformities. By developing the storage on the back, as we develop storage in a phased and orderly Development Plan, we are reducing what the Town doesn't want. We are reducing the non-conformity on gravel. The loser is me and the Town; it is a lot nicer to go ahead build a building on the front and gradually work our way out of this issue. We have trucks parked on gravel. We want to avoid the issue of the veracity of entitlement, whether or not this exists legally or not, the Staff Report was done by someone who doesn't work here anymore, they would respectively ask the Board to approve the Variance, understanding that the orderly development of this property will eventually resolve this problem. We will replace the unwanted gravel parking with storage buildings in due course. There will be public benefit beautifying the site.

Mr. Kiepura asked if there were any Remonstrators for or against this Petition.

Mr. Jerry Wilkening, 10826 W. 131st Avenue, commented we do not know what was originally approved. If these Variances are given, they are forever and not in the future. At the Plan Commission meeting, a timeline was discussed to get it in compliance.

Mr. Robert H. Carnahan, 12850 Fairbanks, Cedar Lake, commented I serve on the Plan Commission and the Town Council and I had totally opposed not allowing parking lots to be paved. The paving needs to be completed.

Mr. Wilkening asked if this Variance for all of these items is forever. Mr. Austgen commented it runs with the land.

Mr. Kiepura closed public comment.

Mr. Kiepura asked if there was a Variance granted. Mr. Austgen commented he didn't think so.

Mr. Sayegh commented when he purchased the property, it came with the rezoning in 1986 and an Ordinance in place to permit what is there today. Because that is a gray area, what we are being asked to do with the timeline, as a Petitioner, the bundle of rights that we have and the rights that run with the land today, we are going to surrender them. That is the difference between this petition and any of the other situations that some of the Board has seen in the past. We can continue to develop this and bring it more into compliance, but we are going in an order that doesn't benefit the community. If this Petition is asking to voluntarily take the right to have the trucks parked on gravel, and throw that away, that is not fair and being asked to do that. We are wanting to invest millions of dollars in this property and nowhere else in the chain of title since 1986 has any other owner of this property been asked to do that, nor have they been cited. That is what is difficult about what seems logical, agreeing to a timeline, paving part of the site; it is not acknowledging that this site most likely carries with it the right to have the trucks parked on the gravel. We would like to put the building at the front.

Mr. Huls, DVG, Inc., commented the Ordinance regarding the paving and parking are newer Ordinances, they were likely not in place in 1986 when this was in front of the Board. The original project was approved

in Lake County and the property was annexed in and there was an addition that was needed. We would like to build the building to the front and not make any changes to the back, because within two years, those buildings on the plan would begin to be built. The trucks and the non-conformance and not parking on gravel, that would all go away as those buildings would be built and those parking areas would be removed and they would be turned into indoor storage. We are trying to get through the legal hassle of non-conforming uses and having to go through the subdivision process and there were comments made by staff and consultants regarding that.

Mr. Kiepura asked has this property changed hands since 1986. Mr. Huls commented five or six times.

Mr. Burnham asked in those 12 years, have they tried to upgrade, build, park vehicles in gravel parking lots. There are steps to go through to get the property to a certain point. Discussion ensued.

Mr. Sayegh commented you can see the site is used for parking and storage since its inception in 1986; permits were pulled to add storage buildings in at that time. There were two storage buildings to start and parking on gravel. We want an attractive front door for customers and it can look like it does today with a full site. Discussion ensued regarding the site from years ago.

Mr. Sayegh stated is it worth this development out of sequence and spend all of this money or build the buildings on the back.

Mr. Hunley asked if this Variance is not passed, the property would stay the same. Mr. Kiepura responded in the affirmative. Mr. Huls commented the Town Code states regarding legal non-conforming uses, this would be considered, because of the current Code, it says that all parking lots need to be paved and all parking lots need to be lit. That Code was put into place two years ago and there is a clause in there about legal non-conforming uses. When a Petitioner or owner wants to increase the use, i.e. build another building, then they need to bring all of the non-conforming uses into conforming uses and that is where we are getting this issue is wanting to build another building, and in order to build that building, we have to bring the entire site into conformance. In this case, we have an existing use and we are not increasing the amount of truck parking or increasing the amount of gravel. In order to get through the Plan Commission and get their approval, we need the Variance that would allow this to happen.

Mr. Sayegh commented it is only the building in the front that triggers this, it is not about adding additional buildings to the back. The back part is a separate parcel and it does not require this process to be able to add buildings; it is only a matter of pulling a building permit and doing the proper civil engineering work.

Mr. Kubiak commented the last two buildings, there was a detention pond and some stormwater area to the South on the side of the property and there were some issues with the as-builts and compliance of finishing that. Is that still a plan with a detention area. Mr. Huls commented there is history with this parcel, the previous owner was the owners of the Lakeview Business Park and we did that subdivision. Part of that project, we accommodated for this site in the detention. We knew the detention was not functioning well, and because there was a common ownership at the time, we decided the best course was to, as part of that subdivision, to include the detention for this project.

Mr. Burnham asked is that where the road ends. Mr. Huls responded in the affirmative. Discussion ensued regarding detention.

Mr. Kubiak asked on the eastern edge, there are eight buildings and then a long building and that was built without a permit. Mr. Sayegh commented we bought it with that building connected.

Mr. Kubiak asked what is the logic in eliminating the screen along the northern property line, because there are woods there now. Would this create a potential residential development in the future. Mr. Huls commented it is currently zoned R-1, wooded and that parcel is master planned to be B-1 or B-2, and screening would not be required. It is likely that any development on Route 41 is going to be business and not residential. This parcel will probably not be R-1, this is the value of Route 41 frontage that is going to be business zoned and screening will not be required and it is just because of legacy zoning that we are having that issue. It doesn't make sense to us to screen the woods.

Mr. Kiepura asked once this project is completed, will there be parking in the rear. Mr. Sayegh commented it would not be and we have a phased plan of what everything would look like. We would have 30-foot rear yard setback and a 28-foot drive aisle and the rear will be 58-feet. Mr. Kiepura asked how many trucks will be parked there. Mr. Sayegh commented maybe 50 trucks. Mr. Kiepura asked how much would it cost to pave that. Mr. Sayegh commented it would be so much money to pave it, that it is not worth having it. Discussion ensued.

Mr. Kubiak commented looking at the plan, this has been here and they have been able to park and they are making an improvement, he doesn't see an issue with starting in the front and working towards the back. Discussion ensued regarding how tight everything will be with the buildings and parking and the plan.

Mr. Austgen commented this is a Planned Unit Development activity, because of the flexible terms and conditions and requirements that are being talked about for conditions for development. That would require a plan, a site drawing that could require commitments in the contract. It might be considered a zoning commitment and a contract that will run with the land with terms and conditions, requirements, timeline, substantive conditions for purposes of fulfillment, and completion. It could also include surety to ensure the commitments made in the agreement if reached are enforceable by the Town.

Mr. Kiepura commented he would like to see a construction timeline. Are the storage units going to be upgraded that are there now. Mr. Sayegh commented we have money in the budget for asphalt maintenance only. Discussion ensued regarding how many buildings will be built and how long it will take from start to finish.

Mr. Huls asked what types of buildings are these. Mr. Sayegh commented they are climate-controlled buildings. Mr. Sayegh commented when we get these buildings approved in other areas, people care that the dimensions are maintained of the buildings and respect for unit count and drive aisles. Discussion ensued.

Mr. Kiepura stated the other part of the request is lighting. Mr. Sayegh commented we do not want to put lighting out there right now as they are always mounted to buildings.

Discussion ensued regarding the items the Petitioner is asking for and the investment to the Town.

Mr. Huls commented maybe a deferral for 30-days would be in order during which time we can submit petitions to the Plan Commission and if we decide to go with a Planned Unit Development, that would be part of the conversations that we would do.

A motion was made by Mr. Reiling and seconded by Mr. Jackson to defer this Petition to the next month's meeting of June 13, 2024. Motion passed by roll-call vote: 5 – ayes, to 1 – nay

Mr. Reiling Aye
Mr. Hunley Nay
Mr. Jackson Aye
Mr. Burnham Aye
Mr. Kiepura Aye

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

Mr. Kiepura stated that the next order of business is a Developmental Variance of Use to allow the Petitioner to rebuild a deck 25 feet from the property line. Mr. Austgen advised legals are in order.

Mr. David Trudeau, 13023 Polk Street, commented he wants to add six boards to his deck in the front, because when someone walks on the deck and the front door opens, someone may fall down the stairs. We would like to build the deck out 3-feet further for safety.

Mr. Kiepura asked if there were any Remonstrators for or against this Petition. Seeing none; public comment is closed.

Mr. Burnham asked it would be six 2 by 6 boards that are needed. Mr. Trudeau responded in the affirmative and would be in the front.

Building Department did not have any concerns.

A motion was made by Mr. Burnham and seconded by Mr. Hunley to grant the Variance to allow the Petitioner to rebuild a deck 25-feet from the property line per the Findings of the Fact. Motion passed by unanimously roll-call vote:

Mr. Reiling Aye
Mr. Hunley Aye
Mr. Jackson Aye
Mr. Burnham Aye
Mr. Kiepura Aye

3. 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

Board of Zoning Appeals
May 9, 2024

Mr. Kiepura stated that the next order of business is a Developmental Variance to allow the Petitioner to construct a 6-foot privacy fence on the property line of a corner lot replacing the existing fence. Mr. Austgen advised legals are in order.

Nobody was present.

A motion was made by Mr. Burnham and seconded by Mr. Reiling to defer the Petition to the next meeting on June 13, 2024. Motion passed by unanimously roll-call vote:

Mr. Reiling	Aye
Mr. Hunley	Aye
Mr. Jackson	Aye
Mr. Burnham	Aye
Mr. Kiepura	Aye

New Business:

1. 2024-11 Groen – Developmental Variance

Owner/Petitioner: Chad Groen, 9074 Cline Avenue, Crown Point, IN 46307

Vicinity: 14607 Dewey Street, Cedar Lake, IN 46303

Mr. Kiepura stated that the next order of business is a Developmental Variance to allow the Petitioner to reconstruct an existing house with a reduction in garage square footage to 384 square feet, a reduction of the side yard setback on the South property line to 4 feet and a reduction in the side yard setback to 6-feet on the North property line. Mr. Austgen advised legals are in order.

Mr. Chad Groen, 9074 Cline Avenue, Crown Point, IN 46307, commented we are looking for a hardship, because we want to build a 10-pound house on a 5-pound lot and it doesn't qualify as a legacy lot, and the garage was short of 400-square feet.

Mr. Kiepura commented one of the problems are the setbacks on the sides. For safety reasons, we like to see 8-foot side yards. Mr. Groen asked can we do 6-feet.

Mr. Kiepura asked if there were any Remonstrators for or against this Petition.

Mr. Bob Vanramshorst, 14507 Lake Shore Drive, commented he owns the lot next to the house he is talking about. I'm planning on building a ranch home there and I don't want to have my house 4-feet away and it should be 8-feet away.

Mr. Kiepura closed public comment.

Mr. Burnham asked how big is the house that is there now. Mr. Groen commented 700-square feet. Mr. Burnham asked how big is the house that you want to build. Mr. Groen commented a two story with 2,300-square feet. The hardship we are having is we have to have the house for footage and have a certain garage size.

Mr. Kiepura commented you have to take 2-feet off of the garage to make it fit on the other side and 4-feet off of the other side or not have a garage at all.

Mr. Kiepura asked do they need to have a garage. Mr. Kubiak commented if it were a re-model, no, but if you look at it as building a new house, then it needs a garage. This is a narrow footprint and we looked at options, but it is a 50-foot lot. Discussion ensued and how building a new house is not a hardship.

Mr. Kiepura commented if they can meet the minimum requirements to build on it or you don't. Mr. Groen stated we can do 6-feet and 6-feet.

Mr. Groen asked for a deferral for a month.

A motion was made by Mr. Reiling and seconded by Mr. Hunley to defer the Petition to the next meeting on June 13, 2024. Motion passed by unanimously roll-call vote:

Mr. Reiling Aye
Mr. Hunley Aye
Mr. Jackson Aye
Mr. Burnham Aye
Mr. Kiepura Aye

2. 2024-19 Nichols – Developmental Variance

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

Mr. Kiepura stated that the next order of business is a Developmental Variance to allow the Petitioner to a reduction in rear yard setback from 30 feet to 27 feet for a covered deck.

Ms. Valerie Nichols, 8721 Buckridge Court, Cedar Lake, commented she would like to have her deck re-done and we want to put up a covered roof. The deck is going to be extended about 2-feet and the reason why we want the covered roof is for longevity of the deck. The current deck is rotting and we want to replace it and the HOA has approved this.

Mr. Kiepura asked if there were any Remonstrators for or against this Petition. Seeing none; public comment is closed.

A motion was made by Mr. Burnham and seconded by Mr. Hunley to approve the Variance to allow the Petitioner to a reduction in rear yard setback from 30 feet to 27 feet for a covered deck per the Findings of Fact. Motion passed by unanimously roll-call vote:

Mr. Reiling Aye
Mr. Hunley Aye
Mr. Jackson Aye
Mr. Burnham Aye
Mr. Kiepura Aye

3. 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

Mr. Kiepura stated that the next order of business is a Developmental Variance 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. Mr. Austgen advised legals are in order.

Mr. Gary H. McClain, Jr., 14465 Hibiscus Way, Cedar Lake, commented we would like to put a 6-foot privacy fence that match the neighbors. He would like to put up a solid privacy fence and wants to hide the utilities that are on the street side.

Mr. Kiepura asked if there were any Remonstrators for or against this Petition. Seeing none; public comment is closed.

Mr. Kubiak commented Rose Garden has a 25-foot building line in the front yard that would be that setback and if that lot was straight, it would be where he would put in his fence. We think this makes sense.

Mr. Burnham asked there are other houses that have that same setback. Mr. Kubiak responded in the affirmative.

Mr. Burnham asked if there is an Association for the subdivision. Mr. McClain responded in the affirmative.

A motion was made by Mr. Burnham and seconded by Mr. Reiling to approve a Developmental Variance 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 to the Findings of Fact. Motion passed by unanimously roll-call vote:

Mr. Reiling	Aye
Mr. Hunley	Aye
Mr. Jackson	Aye
Mr. Burnham	Aye
Mr. Kiepura	Aye

4. 2024-20 Dawson – Developmental Variance

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

Vicinity: 13433 Lee Street, Cedar Lake, IN 46303

Mr. Kiepura stated that the next order of business is a Developmental Variance to allow the Petitioner to construct a 6-foot privacy fence on the property line of a corner lot. Mr. Austgen advised he does not have a certified list of adjacent owners and there are two green cards. Any action taken should be also with having legals checked.

Ms. Amanda Dawson, 13433 Lee Street, Cedar Lake, commented she wants to continue the fence that is on her property, which is a 6-foot privacy fence. There are two utility poles and those would be on the other side of the fence and will still be accessible. The fence is connected to my garage on the front and it connects to the neighbor across from me, who is also on a corner lot.

Mr. Kiepura asked the fence will go around the whole property line. Ms. Dawson commented she is open to having it further back and it won't take up too much of the yard. There is no concern with oncoming traffic and with the utility pole in the corner, you'll still able to view prior to crossing the road.

Mr. Kiepura asked if there were any Remonstrators for or against this Petition. Seeing none; public comment is closed.

Mr. Kubiak commented the utility poles are at the corner, just off of the vision triangle being maintained, which is 20-foot back each way to create the triangle on the corner. It looked like the oak tree on the north side of the property, if you construct a fence, it looks like it would have to be 6-feet off of the property line to make it past that tree. Ms. Dawson commented the plan is to butt it up against the tree. Mr. Kubiak stated the neighbor to the East of her has a fence that is 3 or 4-feet off of the property line that is similar. It is a unique area.

Ms. Dawson commented she would be fine with 4-feet off of the property line and not 6-feet, because that would impede from the yard too much and take away from the space that is there.

Mr. Kiepura asked is there any problem with fire equipment or emergency vehicles. Mr. Kubiak commented they have to make it past the telephone poles and the trees and this is beyond that and is one-way. The vision triangle needs to be maintained and 20-foot back each way to create the triangle on the corner. Discussion ensued regarding the vision triangle.

A motion was made by Mr. Burnham and seconded by Mr. Jackson to allow the Petitioner to construct a 6-foot privacy fence on the property line of a corner lot with 4-feet from the property line minimal. The vision triangle needs to be maintained to the Findings of Fact. Legals need to be verified. Motion passed by unanimously roll-call vote:

Mr. Reiling	Aye
Mr. Hunley	Aye
Mr. Jackson	Aye
Mr. Burnham	Aye
Mr. Kiepura	Aye

5. 2024-20 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

Mr. Kiepura stated that the next order of business is a Developmental Variance 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. Mr. Austgen advised there aren't any legals.

Mr. Lawrence M. Goff, 6500 W. 129th Avenue, Cedar Lake, and Mr. Gordon Goff, 11500 135th Place, commented he would like to build a garage in the backyard, which will be 30-feet by 30-feet and attached to it a 30-feet by 10-foot-wide covered porch and it will have 12-foot walls with a 10-foot door, so a car lift can go in there.

Mr. Burnham asked how are you going to get to it. Mr. Goff commented on the East side of the lot, there is a gate that is 100-inches wide and a car can be driven to the back.

Mr. Kiepura asked is there a garage on the house. Mr. Goff responded in the affirmative.

Mr. Kiepura asked is this allowable. Mr. Kubiak stated he is allowed 1,000-square feet and this will be 1,025 square feet. There is 900-square foot of building. Mr. Burnham asked the covered porch is why he needs the Variance. Mr. Kubiak responded in the affirmative.

Mr. Burnham asked is this structure going to be taller than the house. Mr. Goff commented no, the existing house is 18-feet tall and the new structure will be 17-feet tall.

Mr. Kiepura commented they are 2-feet over on the walls and 3-feet on the height. Mr. Kubiak commented unless they are matching the roof pitch of the house, then the height has a little bit of play. Discussion ensued.

Mr. Kubiak commented we like to see 10-foot side walls in a residential, putting a scissor truss or a vaulted scissor truss ceiling with a taller door in the center. We have done that in the past and that can gain 4-feet of height inside of the building.

Mr. Goff commented we would have to re-structure the whole thing and we aren't sure how the porch would fit in on the building and there would be one door in the middle on a 30-foot building.

Mr. Kiepura asked if there were any Remonstrators for or against this Petition. Seeing none; public comment is closed.

A motion was made by Mr. Burnham and seconded by Mr. Reiling for a Developmental Variance 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 per the Findings of Fact and also that legals are in order. Motion passed by unanimously roll-call vote:

Mr. Reiling	Aye
Mr. Hunley	Aye
Mr. Jackson	Aye
Mr. Burnham	Aye
Mr. Kiepura	Aye

6. 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

Mr. Kiepura stated that the next order of business is a Developmental Variance 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. Mr. Austgen advised legals are not here, but approval is subject to legals being in order.

Mr. Adam Baumgartner, 8319 Lake Shore Drive, Cedar Lake, commented we are looking to do a side yard Variance on the west side of the house. We had an existing walkway there that we removed and put a new one back up with closing underneath it.

Mr. Kubiak commented this is the one that they built it on the line last year. They tore it down and re-built and went all the way to the line. They revised the plan to match closer to what was there previously. There is a two-foot setback instead of a zero setback. This is better than what it was before they tore it down and built it on the line.

Mr. Burnham asked a permit wasn't pulled last year, put an addition on the back, a permit was pulled to do concrete work, but added two structures. The stairs were torn down and re-do it again. Mr. Kubiak commented he is trying to rectify what was done. Now there is plan to approve the improvements. He is building a wall for an enclosure under the deck. The railing on the old deck was very close to the property line.

Mr. Burnham asked is there a garage. Mr. Baumgartner commented two garages up top.

Mr. Kiepura asked if there were any Remonstrators for or against this Petition. Seeing none; public comment is closed.

Mr. Kubiak commented if he doesn't have a storage area for his items, it will be in the neighbor's walkway.

Mr. Burnham asked how much more is needed on the house. Mr. Baumgartner commented a fair amount, we haven't done since the "stop" work order and we revised the plans now.

A motion was made by Mr. Burnham and seconded by Mr. Hunley 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 and to keep the 2-foot setback clear to the Findings of Fact and subject to the condition of legals. Motion passed by unanimously roll-call vote:

Mr. Reiling Aye
Mr. Hunley Aye
Mr. Jackson Aye
Mr. Burnham Aye
Mr. Kiepura Aye

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

Mr. Kiepura stated that the next order of business is a Developmental Variance to allow the Petitioner to build an addition onto the existing house, increasing the lot coverage to 33%. Mr. Bunge commented to verify legal review.

Mr. Theodore Rohn, 13177 Rhode Street, Cedar Lake and Mr. Jack Huls, DVG, commented Mr. Austgen wants a remodel addition to their home on the lake. They want to expand towards the lake. The project

is an addition to the one-story residence and it is a complete interior and exterior renovation of the home, including the addition and includes a small covered porch at the entry to give more cover to the front, but also to enhance the front entry. The main addition is on the lake side of the house and it is in an area with an existing covered patio. There would be no impact on impervious surfaces, side yards, front yards or rear yards; it would be a small increase in lot coverage. We are asking for approval in the increased lot coverage.

Mr. Kiepura asked if there were any Remonstrators for or against this Petition. Seeing none; public comment is closed.

Mr. Jack Huls, DVG, Inc., commented representing the Petitioner and we are looking forward to any comments.

Mr. Kiepura asked is this a legacy lot. Mr. Huls commented he didn't think it was because of the size, which is a little bigger than that. This Variance was granted to an adjacent property owner and many homes that are being remodeled are asking for this type of Variance. The existing building extends farther towards the lake than this proposed addition. There will be a small covered porch at the front.

A motion was made by Mr. Burnham and seconded by Mr. Reiling to allow the Petitioner to build an addition onto the existing house, increasing the lot coverage to 33% to the Findings of Fact and subject to the condition of legals. Motion passed by unanimously roll-call vote:

Mr. Reiling Aye
Mr. Hunley Aye
Mr. Jackson Aye
Mr. Burnham Aye
Mr. Kiepura Aye

Update:

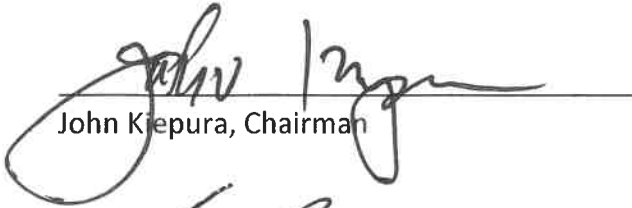
Cedar Lake Storage LLC – Phase 2 Update

Mr. Kubiak commented we checked on the parking lot. Mr. Carnahan commented they hired a contractor.

PUBLIC COMMENT:

ADJOURNMENT: Mr. Kiepura adjourned the meeting at 8:03 p.m.

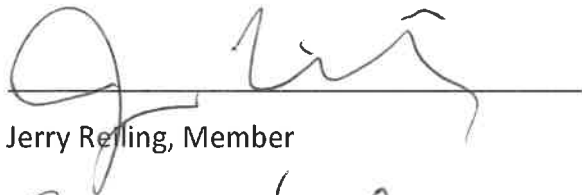
TOWN OF CEDAR LAKE BOARD OF ZONING APPEALS




John Kiepura, Chairman



Eric Burnham, Vice Chairman



Jerry Reiling, Member



James Hunley, Member



Ray Jackson, Member

ATTEST:



Cheryl Hajduk, Recording Secretary

These Minutes are transcribed pursuant to IC 5-14-1.5-4(b) which states:
(b) As the meeting progresses, the following memoranda shall be kept:
(1) The date, time, and place of the meeting.
(2) The members of the governing body recorded as either present or absent.
(3) The general substance of all matters proposed, discussed, or decided.
(4) A record of all votes taken by individual members if there is a roll call.
(5) Any additional information required under section 3.5 or 3.6 of this chapter or any other statute that authorizes a governing body to conduct a meeting using an electronic means of communication.

Minutes of May 9, 2024