



CEDAR LAKE BOARD OF ZONING APPEALS MINUTES
CEDAR LAKE TOWN HALL, 7408 CONSTITUTION AVENUE, CEDAR LAKE, INDIANA
January 9, 2025 at 6:00 pm

CALL TO ORDER:

Mr. Kiepura called the Board of Zoning Appeals meeting to order at 6:00 pm, on Thursday, January 9, 2025, 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; Terrence Conley, Planning Director; Tim Kubiak, Director of Operations; and Cheryl Hajduk, Recording Secretary.

Absent: Jeff Bunge, Town Manager

Minutes:

A motion was made by Mr. Burnham and seconded by Mr. Jackson to approve the December 12, 2024 Meeting Minutes. Motion passed unanimously by roll call vote:

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

Old Business:

1. 2024-40 Anderson Variance "A" Beacon Pointe Lots 60, 68, and 73

Owner Beacon West LLC, 2300 Ramblewood Dr., Suite A, Highland, IN 46322

Petitioner: Beacon Pointe of Cedar Lake LLC, 8900 Wicker Avenue, St. John, IN 46373

Vicinity: Beacon Pointe Unit 7, Lots 60, 68, and 73

Mr. Kiepura stated that the first order of old business is a Developmental Variance of Use to allow the Petitioner to request an increased lot coverage to 29.8% for lots 60, 68, and 73 located in Beacon Pointe Unit 7.

A motion was made by Mr. Burnham and seconded by Mr. Reiling to waive the publication notice requirements for any irregularities. Motion passed unanimously by roll call vote:

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

Mr. Mark Anderson, 9211 Broadway, Merrillville, IN, commented the last time we were looking for 33.4%, which was the idea of having a three-car garage and a small front porch. The sun room is now being removed and the front porch is being reduced in size. We will now be under the 30% threshold.

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

Mr. Burnham commented by having this percentage of coverage, the offset and backsets will fit. Mr. Anderson commented we are not requesting any other Development Standard Variances and will fit on the footprint.

A motion was made by Mr. Burnham and seconded by Mr. Jackson to approve the request for an increased lot coverage to 29.8% for lots 60, 68, and 73 located in Beacon Pointe Unit 7 to the Findings of the Fact. Motion passed unanimously by roll call vote:

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

2. 2024-41 Anderson Variance "B" Beacon Pointe Lots 55, 59, 65, and 74

Owner Beacon West LLC, 2300 Ramblewood Dr., Suite A, Highland, IN 46322
Petitioner: Beacon Pointe of Cedar Lake LLC, 8900 Wicker Avenue, St. John, IN 46373
Vicinity: Beacon Pointe Unit 7, Lots 55, 59, 65, and 74

Mr. Kiepura stated that the second order of old business is a Developmental Variance of Use to allow the Petitioner to request an increased lot coverage to 29.6% for lots 55, 59, 65, and 74 located in Beacon Pointe Unit 7. Mr. Austgen advised legals are in order.

Mr. Mark Anderson, 9211 Broadway, Merrillville, IN, commented he is here on behalf of the Petitioner and last month, the lot coverage requested was 30.5%. With the revised drawings, we would be looking at 29.6% as the maximum for these lots. The front porch would be removed, because it is part of the footprint of the property.

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

Mr. Kubiak commented aesthetically he would like to see the extra 1.5% of lot coverage to allow that front porch on the house than to not have it and it would give a more pleasing look with the porch on it.

A motion was made by Mr. Burnham and seconded by Mr. Reiling to allow the Petitioner the increased lot coverage to 29.6% for lots 55, 59, 65, and 74 located in Beacon Pointe Unit 7 to the Findings of the Fact. Motion passed unanimously by roll call vote:

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

New Business:

1. 2025-01 Sean Moran

Owner/Petitioner: 8609 W. 131st Avenue, Cedar Lake, IN 46303

Vicinity: 8609 W. 131st Avenue, Cedar Lake, IN 46303

Mr. Kiepura stated that the first order of new business is a Developmental Variance of Use to allow the Petitioner to remodel/build onto existing home on a lot that totals 8,348 square feet. The home would have a 5-foot front yard setback from the property line due to a covered deck addition. The east side of the home and rear deck would have a 7.45' side yard setback. The rear yard setback would be approximately 15'. Lot coverage would be increased to approximately 45%.

Mr. Kiepura stated the Petitioner is requesting a deferral to the February 13, 2025 due to a legal newspaper advertisement.

A motion was made by Mr. Burnham and seconded by Mr. Reiling to defer this item to February 13, 2025 meeting. Motion passed unanimously by roll call vote:

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

2. 2025-02 Danny Starcevich

Owner/Petitioner: Danny Starcevich, 8601 W. 141st Lane, Cedar Lake, IN 46303

Vicinity: 8601 W. 141st Lane, Cedar Lake, IN 46303

Mr. Kiepura stated that the second order of new business is a is a Developmental Variance of Use to allow the Petitioner to request Lot A to have a front yard setback of 15 feet and a second front yard setback (corner lot) of 14 feet. The side yard setback for Lot A would be 13 feet. The total area for Lot A would total 8,610 square feet. Lot B would have a second front yard setback (corner lot) of 21 feet. Mr. Austgen advised legals are in order.

Mr. Danny Starcevich, 8601 W. 141st Lane, Cedar Lake, IN, commented we are trying to re-subdivide our five lots into two lots. On Lot 1, we would need three Variances, which would be two front-yard setbacks because it is a corner lot. It would be 15-feet on the North and 15-feet on the East. The other Variance on Lot 1 would be full lot coverage, which is 1,390 square feet short of the 10,000 square feet. On Lot 2, we would need front yard setback on the south end of the new proposed house that we would like to build, which is at 21-feet and we would need 9-feet to reach the 30-feet due to being on a corner lot.

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

Mr. Austgen asked if this a re-plat or a series of Variances. The Petitioner had told us they are seeking to reduce five lots into two lots. Mr. Kubiak commented this is contingent from the Plan Commission to come to the Board of Zoning Appeals to get the Variances.

Mr. Kubiak commented they received the Preliminary Plat contingent on them receiving the Variance for the existing home, because they are creating a lot with those conditions. Their approval was contingent on them getting these Variances necessary to build the new house and to make the existing house proper to have the Variances for its existing conditions.

Mr. Starcevich commented the distance between both houses is 25-feet and the house will face the East. The North of the house is the existing house and in-between the two, the setback is 13.7 feet and the new house, which is 12-feet. The southside is a setback of 21-feet. Mr. Starcevich commented we are looking for a 9-foot Variance, because on a corner lot they are asking for 30-feet.

Mr. Burnham asked if there will be another garage to be built. Mr. Starcevich responded in the affirmative and it will be for the rental property. The existing home will then have a garage with it.

A motion was made by Mr. Burnham and seconded by Mr. Jackson to approve as requested Lot A to have a front yard setback of 15 feet and a second front yard setback (corner lot) of 14 feet. The side yard setback for Lot A would be 13 feet. The total area for Lot A would total 8,610 square feet. Lot B would have a second front yard setback (corner lot) of 21 feet per the Findings of Fact. Motion passed unanimously by roll call vote:

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

PUBLIC COMMENT: None was had.

ADJOURNMENT: Mr. Kiepura adjourned the meeting at 6:29 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 January 9, 2025