



CEDAR LAKE BOARD OF ZONING APPEALS MINUTES

CEDAR LAKE TOWN HALL, 7408 CONSTITUTION AVENUE, CEDAR LAKE, INDIANA,

November 13, 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, November 13, 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; Ray Jackson; Eric Burnham; James Hunley; John Kiepura, Chairman. A quorum was obtained. **Also Present:** David Austgen, Town Attorney; Tim Kubiak, Director of Operations; and Cheryl Hajduk, Recording Secretary.

Absent: Ben Eldridge, Town Manager

Minutes: October 9, 2025

A motion was made by Mr. Reiling and seconded by Mr. Hunley to approve the October 9, 2025 Meeting Minutes. 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. 2025-36 – Diamond Peak Homes– Developmental Variance

Owner/Petitioner: Diamond Peak Homes, 1313 White Hawk Drive, Crown Point, IN 46307

Vicinity: 13406 Superior Lane, Cedar Lake, IN 46303

Parcel ID: # 45-15-25-151-006.000-043

Mr. Kiepura stated the first order of old business is requesting a Developmental Variance to allow the Petitioner to increase the height restriction from 30' to 32' in an R-2 Zoning District in Lakeside. Mr. Austgen advised legal is in order.

Mr. Rick Hempfield, 1313 White Hawk Drive, Crown Point, IN, commented the 2-foot height increase is needed to maintain a 10:12 roof pitch that fits the home's intended design and aesthetic.

- The hardship cited was that lowering the roof pitch to meet 30 feet would force a 4:12 pitch, which would drastically alter the home's appearance and not meet community standards.

- Board members debated the hardship, with some emphasizing adherence to ordinance and others noting the home would beautify the neighborhood without impacting neighbors' views.
- The decision recognized the importance of architectural style and market demand for larger, higher-end homes in the community.
- The discussions revealed tensions between strict ordinance enforcement and accommodating evolving market demands for larger, more upscale homes.
- Board members emphasized the need to uphold the R2 zoning height limit of 30 feet, reminding developers that variances require demonstrated hardships beyond aesthetic preference.
- The board noted that developers selling homes not fitting zoning limits face challenges and should manage expectations upfront.
- Some members stressed that the ordinance exists to maintain community standards and fairness; waiving rules without strong justification undermines that.
- The discussion highlighted that existing homes in the area do not exceed 30 feet, reinforcing the ordinance baseline.

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. Reiling and seconded by Mr. Jackson to allow the Variance to allow the Petitioner to increase the height restriction from 30' to 32' in an R-2 Zoning District to the Findings of Fact. Motion passed by roll call vote: 4-ayes to 1-nay

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

2. 2025-37 – Diamond Peak Homes– Developmental Variance

Owner/Petitioner: Diamond Peak Homes, 1313 White Hawk Drive, Crown Point, IN 46307

Vicinity: 13547 Lakeside Blvd., Cedar Lake, IN 46303

Parcel ID: # 45-15-25-153-001.000-043

Mr. Kiepura stated the first order of old business is requesting a Developmental Variance to increase the height restriction from 30' to 34-feet, 8-inches in an R-2 Zoning District. Mr. Austgen advised legal is in order.

Mr. Rick Hempfield, 1313 White Hawk Drive, Crown Point, IN, commented most of the height will be in the front of the home.

- This spec home had not yet been sold or built, and the board expressed skepticism about granting a blanket exemption for future lots based on this plan's height.
- Board members and staff agreed that the 4 plus foot height increase was a harder sell given zoning rules and the potential precedent it could set.
- The petitioner acknowledged the concerns and indicated willingness to redesign or relocate the plan to an R1 zoning district with higher height limits.
- The withdrawal was accepted unanimously, allowing the developer to revisit and potentially resubmit at a later date with a lower height request.

- Provide revised plans or select alternative home design to comply with the 30-foot height limit or submit a new variance request for 32-foot height later as needed.

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

Mr. Terry Broadhurst, 651 North State Street, representing his property at 14513 Morse Street, Cedar Lake, IN, commented the idea is that it is aesthetic and this is a spec home and will be used as a model to sell and more Variances are going to be needed if this is a spec home.

Mr. Kiepura closed public comment.

A motion was made by Mr. Hunley and seconded by Mr. Jackson to withdraw this Petition. Motion passed unanimously by roll call vote:

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

3. 2025-37 – Casey– Developmental Variance

Owner/Petitioner: Jordan Casey, 12714 Colfax Street, Cedar Lake, IN 46303

Vicinity: 12714 Colfax Street., Cedar Lake, IN 46303

Parcel ID: # 45-15-23-280-012.000-043

Mr. Kiepura stated the first order of old business is requesting a Developmental Variance to have a six-foot (6') PVC privacy fence 20-feet from the property line. Mr. Austgen advised legal are in order.

Mr. Jordan Casey, 12714 Colfax Street, Cedar Lake, IN, commented he would like to put a fence in and the fence aligns with an adjacent property's existing fence, maintaining neighborhood consistency and improving privacy around the corner lot.

The petitioner explained the fence would enclose a camper and extend along the driveway without obstructing the garage or sidewalk.

The variance was needed because Town Ordinance requires a fence 20 feet from the sidewalk to be 50% open; Casey requested a solid fence for privacy.

Past approvals for similar solid fences in nearby areas set precedent.

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. Jackson to have a six-foot (6') PVC privacy fence 20-feet from the property line to the Findings of Fact.

Motion passed by roll call vote:

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 6:47 p.m.

Board of Zoning Appeals
November 13, 2025

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 November 13, 2025