

AGENDA
LAKE COUNTY BOARD OF ZONING APPEALS
WEDNESDAY, SEPTEMBER 16, 2026 – 6:30 P.M.

MEETING CAN BE VIEWED BY GOING TO LAKECOUNTYIN.GOV

- I. Meeting called to order**
- II. Pledge of Allegiance**
- III. Emergency exit announcement:** In case of an emergency, exit the Commissioners' Courtroom/Council Chamber, proceed to the stairs, go to the second floor, and exit the building. Do not enter an elevator in an emergency. If you require assistance, a Plan Commission employee will escort or assist you. Please silence any cellular phones during this meeting. If you receive a call during this meeting, please excuse yourself with as little disruption as possible to these proceedings.
- IV. Record of those present**
- V. Minutes**
- VI. Communications**
- VII. Old Business**
- VIII. New Business**
- 1. 26-SE-06 BZA – Van Kalker Family Limited Partnership, Owner and Foundry Works Energy Storage, Petitioner**
Located approximately 2/10 of a mile north of E. 181st Avenue (State Road 2) on the east side of Clay Street in Eagle Creek Township.

Request: Special Exception from the Unincorporated Lake County Unified Development Ordinance, Title 154, Article 16, Additional Regulations of General Applicability; Chapter 110, Battery Energy Storage Systems (BESS) (B), Submittal requirements for battery energy storage facilities are permitted only in the following zoning district classifications: CD (Conditional Development District) by special exception

Purpose: To allow a Battery Energy Storage System Facility (BESS).

approved_____denied_____deferred_____ vote_____

2. **26-UV-06 BZA – Justin Davis, Owner and Nathan Vis, Petitioner**
Located at the southeast quadrant at the intersection of Hilltop Drive and Lakeview Drive, a/k/a 15806 Hilltop Drive in Cedar Creek Township.

Request: A Variance of Use from the Unincorporated Lake County Unified Development Ordinance Title 154, Article 9, Accessory Uses and Structures, Chapter 10, General Applicable Regulations, Section C (2), Time of Construction and Establishment, Accessory buildings may be established in conjunction with or after the principal building or use. They may not be established before the principal building or use is in place.

Purpose: For the purpose of allowing construction of an accessory building before construction of the primary residence.

approved_____denied_____deferred_____ vote_____

3. **26-V-14 BZA – Justin Davis, Owner and Nathan Vis, Petitioner**
Located as above

Request: A Variance from Development Standards from the Unincorporated Lake County Unified Development Ordinance Title 154, Article 9, Accessory Uses and Structures, Chapter 20, Detached Accessory Garages and Storage Buildings, Section E, Area and Height, Maximum Floor Area, 1,014 sq. ft. permitted, 1,248 sq. ft. requested.

Purpose: To allow a 28' X 36' accessory building with a 10' X 24' Lean to for personal use.

approved_____denied_____deferred_____ vote_____

4. **26-V-20 BZA – Justin Davis, Owner and Nathan Vis, Petitioner**
Located as above.

Request: Variance from Development Standards from the Unincorporated Lake County Unified Development Ordinance Title 154, Article 2, Agricultural and Residential Districts, Chapter 30, Lot and Building Regulations, Sec. (B), Conventional Development Regulations, Table 2-3, Lot and Building Regulations for Conventional Development in A-1 and R Districts, Building Setbacks, Minimum Street Setback on a street classified as Other Street in an R-2 Zone, 30-foot setback required, 22-foot setback requested.

Purpose: To allow an accessory building with a 22-foot setback along Lakeview Drive.

approved_____denied_____deferred_____ vote_____

5. **26-V-15 BZA – Joseph D. and Trish Coffman, Owners/Petitioners**
Located approximately 2/10 of a mile west of Cline Street on the south side of W. 89th Place, a/k/a 8123 W. 89th Place in St. John Township.

Request: A Variance from Development Standards from the Unincorporated Lake County Unified Development Ordinance Title 154, Article 9, Accessory Uses and Structures, Chapter 20, Detached Accessory Garages and Storage Buildings, Section E, Area and Height, Maximum Floor Area, 1,525 sq. ft. permitted, 2,400 sq. ft. requested .

Purpose: To allow a 40' X 60' accessory building for personal use.

approved_____denied_____deferred_____ vote_____

6. **26-V-16 BZA – Joseph D. and Trish Coffman, Owners/Petitioners**
Located as above.

Request: A Variance from Development Standards from the Unincorporated Lake County Unified Development Ordinance Title 154, Article 9, Accessory Uses and Structures, Chapter 20, Detached Accessory Garages and Storage Buildings, Section E, Area and Height, Maximum Building Height, 20 ft. permitted, 26 ft. requested.

Purpose: To allow an accessory building with an overall height of 26 ft.

approved_____denied_____deferred_____ vote_____

7. **26-V-17 BZA – Joseph D. and Trish Coffman, Owners/Petitioners**
Located as above.

Request: Variance from Development Standards from the Unincorporated Lake County Unified Development Ordinance Title 154, Article 9, Accessory Uses and Structures, Chapter 20, Detached Accessory Garages and Storage Buildings, Section B, Rear Yard Only

Purpose: To allow an accessory building in the side-yard.

approved_____denied_____deferred_____ vote_____

8. 26-V-19 BZA – John Fiedler Owner/Petitioner

Located approximately 2/10 of a mile east of Calumet Street on the north side of W. 130th Place, a/k/a 14124 W. 130th Place in Hanover Township.

Request: Variance from Development Standards from the Unincorporated Lake County Unified Development Ordinance Title 154, Article 9, Accessory Uses and Structures, Chapter 20, Detached Accessory Garages and Storage Buildings, Section B, Rear Yard Only

Purpose: To allow an accessory building in the side yard for personal use only.

approved_____ denied_____deferred_____ vote_____

9. 26-V-21 BZA – Noah Gatto, Owner/Petitioner

Located approximately 3/10 of a mile west of Morse Street on the north side of W. 155th Avenue, a/k/a 7704 W. 155th Avenue in Cedar Creek Township.

Request: Variance from Development Standards from the Unincorporated Lake County Unified Development Ordinance Title 154, Article 2, Agricultural and Residential Districts, Chapter 30, Lot and Building Regulations, Sec. (B), Conventional Development Regulations, Table 2-3, Lot and Building Regulations for Conventional Development in A-1 and R Districts, Building Setbacks, Minimum Street Setback on a Minor Arterial in an R-3 Zone, 50-foot setback required, 34-foot setback requested.

Purpose: To allow an addition to an existing home with a 34 foot setback along W. 155th Avenue.

approved_____ denied_____deferred_____ vote_____

10. 26-V-22 BZA – Sherry Emigh, Owner/Petitioner

Located approximately 3/10 of a mile south of 153rd Avenue on the east side of Island Drive, a/k/a 241 Island Drive in Cedar Creek Township.

Request: Variance from Development Standards from the Unincorporated Lake County Unified Development Ordinance Title 154, Article 9, Accessory Uses and Structures, Chapter 20, Detached Accessory Garages and Storage Buildings, Section B, Rear Yard Only

Purpose: To allow an accessory building in the side-yard.

approved_____ denied_____deferred_____ vote_____

STAFF REPORT

To: Lake County Plan Commission

Prepared by: Steve Nigro &
Kenneth Wolfrum

Case number: 26-SE-06

Date: September 16, 2026

Parcel numbers: 45-21-19-300-013.000-012

GENERAL INFORMATION:

Owner:

Van Kalker Family Limited Partnership

Petitioner:

Foundry Works Energy Storage, LLC

Request:

Special Exception from the Unincorporated Lake County Unified Development Ordinance, Title 154, Article 16, Additional Regulations of General Applicability; Chapter 110, Battery Energy Storage Systems (BESS) (B), Submittal requirements for battery energy storage facilities are permitted only in the following zoning district classifications: CD (Conditional Development District) by special exception

Purpose:

To allow for a Battery Energy Storage System (BESS).

Location:

Located approximately 2/10 of a mile north of E. 181st Avenue (State Road 2) on the east side of Clay Street in Eagle Creek Township.

Size:

40.3 Acres +/-

Existing Zoning and Land Use:

A-1, Farmland

Surrounding Zoning and Land Use:

North: A-1, Farmland

East: A-1, Farmland

South: A-1; Church / Farmland

West: A-1, Farmland

Comprehensive Plan:

This property is targeted for Agricultural

AGENCY COMMENTS:

Health:

No issues or concerns

Highway:

Requires 40' right of way dedication on east side of Clay, requires 8' shoulder and ditch improvements on frontage on Clay St., Road use agreement for project to be amended to accommodate BESS systems, MOT plan provided at site dev plan phase & number and weight of loadings to construct the site. Lake county must be reimbursed for all compliance monitoring for BESS and Foundry Works solar project.

Surveyor:

Site plan will not be approved until petitioner complies with the lake county stormwater management ordinance including but not limited to full engineer drawings, specifications, run-off and storage calculations, sufficient details on shut off of storm water system to contain 100 year rain event on site in the event of an emergency.

BACKGROUND INFORMATION:

The petitioner is requesting a special exception to allow a proposed Battery Energy Storage System (BESS). A BESS is permitted in a CD District Zone with the approval of a Special Exception for a BESS.

The parcel is a 40+ acres parcel carved out of the property approved for the Solar Farm petitioned by the same petitioner as the present re-zoning request.

Range Line Presbyterian Church, a place of worship for many in the community, lies immediately south of the site and concerns have been raised as to the proximity of the BESS to the church in regards to noise, unsightliness, and overall incompatibility with the character of the use being partaken there.

The idea of an 8-12 foot berm has been entertained to alleviate this issue. While landscape screening is proposed on the site to provide a greening buffer, no berm currently exists on the

southern boundary in the project's site plan.

Special exceptions receive recommendations from the Plan Commission to the Board of Zoning Appeals in the form of "favorable", "unfavorable", a deferral, or "no comment".

ANALYSIS:

Compliance with Comprehensive Plan:

Comprehensive plan targets the land use as Agricultural

Compatibility with neighborhood:

The parcel was approved for CD zoning, but is immediately adjacent to an active church. Otherwise, surrounded by agriculturally zoned land. The proposed solar project slated to take shape in this area was recently denied an extension to their special exception to allow a solar farm.

Environmentally Sensitive Areas:

To the parcel's west, many unmapped floodways and floodplains exist whose waters flow southward. Some of these may exist near or on the proposed site.

Traffic implications:

See highway comments.

Access and street design:

N/A

Stormwater management / Infrastructure Fees:

See surveyor's comments

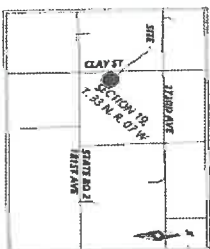
DEFICIENCIES AND DISCREPANCIES:

N/A

ATTACHMENTS:

1. Plat of Survey
2. Petitioner's Findings of Fact
3. Proposed Land Use Map
4. Zoning Map
5. Development Plan

PART OF THE SOUTHWEST QUARTER OF SECTION 19, TOWNSHIP 33 NORTH, RANGE 07 WEST, EAGLE CREEK TOWNSHIP, LAKE COUNTY, INDIANA



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PARCEL 1 LEGAL DESCRIPTION

Chen and colleagues reported a case of a 26-year-old male with a 10-year history of schizophrenia who had been treated with a combination of risperidone and aripiprazole. The patient had been on aripiprazole 15 mg daily for 1 year and risperidone 4 mg daily for 2 years. He had been on this combination therapy for 1 year without any adverse effects. He was brought to the emergency department with a 2-day history of severe muscle rigidity, hyperreflexia, and tachycardia. On admission, his vital signs were stable, but his physical examination was remarkable for rigidity and hyperreflexia. Laboratory tests, including complete blood count, electrolytes, and renal function, were within normal limits. The patient was treated with lorazepam and propofol, and his symptoms improved. The authors concluded that the combination of risperidone and aripiprazole may be associated with neuroleptic malignant syndrome (NMS).

CERTIFICATION

[illegible]

**Foundry Works
BESS Project
Lake County, IN**

Parcel Division

04/07/2026
01 of 01

Phone: 1-800-521-6709
601 Poppleman Road, Suite 100
Chattanooga, TN 37404
www.hillcountry.com

One square, elevated Ditch, 2000
Chicago, Illinois 60604

[illegible]

FOUNDRY WORKS ENERGY STORAGE LLC

SPECIAL EXCEPTION

FINDINGS OF FACT

1. Approval of the proposed special exception will not endanger the public health, safety, or general welfare of the community; because:

The proposed Foundry Works Energy Storage LLC battery energy storage system (the “BESS” or “Project”) complies with and will operate in accordance with the requirements of the Lake County Unified Development Ordinance (“UDO”). The Project’s application for special exception demonstrates that the Project will utilize a state-of-the-art battery storage design that will comply with national industry standards established by the National Fire Protection Association (NFPA), including NFPA 855. The components of the BESS will be certified by Underwriters Laboratory (UL) standard 9540A. The Project will comply with all BESS safety standards under NFPA 855 and UL 9540A. The Project is safely setback from adjoining uses, residences and road rights-of-way.

The Project has been sited to avoid wetlands, is not located in a floodplain or environmentally sensitive areas. Erosion control and stormwater management measures will be implemented to maintain current drainage patterns and avoid any negative impacts on surrounding properties.

Land uses in the vicinity of the Project area are primarily agricultural, with industrial, commercial, and institutional uses also located throughout the area. The continued agricultural use of this area will not be negatively impacted by the Project. The Project will operate as a passive land use with minimal traffic and impact to the surrounding area. The Range Line Presbyterian Church’s property to the south of the Project will be screened by landscaping to minimize visual impacts of the Project. The special exception application demonstrates, through the report of a qualified acoustics consultant, that the Project will not produce any harmful or unreasonable noise impacts upon surrounding properties, including the church use. The noise model utilizes conservative assumptions and concludes that the Project will not emit noise to surrounding uses at levels that interfere with the use and enjoyment of such uses.

The application includes a decommissioning study which estimates the cost to decommission the Project in accordance with the UDO. The decommissioning study estimates the net decommissioning cost for the Project to be \$13,876,684. Decommissioning financial security equal to the estimated net decommissioning cost will be posted with Lake County as required by the UDO. The decommissioning cost estimate will be updated during the Project life as required by the UDO.

The Project will obtain construction approval from the Indiana Department of Homeland Security in accordance with IC 22-14-8-1. The special exception application includes a preliminary emergency services plan addressing site operations, monitoring systems, and coordination procedures with emergency responders. The Project will implement an emergency response plan and emergency response training as required by the UDO and State law. The Project will be continuously monitored for any safety issues.

Finally, the Project will provide an estimated 45 million dollar economic benefit to Lake County and other taxing districts. The Project will create around one hundred construction jobs in Lake County during construction, approximately 2-3 new permanent jobs during the Project's operation and provide significant stimulus to the local economy during the life of the Project. The Project will also increase the availability of electricity during peak usage times and that advantage is critical for future economic growth in the Lake County area. Accordingly, the Project satisfies this standard.

2. The special exception use will not be injurious to the use, value, or enjoyment of other property in the immediate vicinity because:

Use and enjoyment of other property in the vicinity of the Project will not be injured because the Project will not create any noise, odors, traffic or other impacts that could have a harmful impact upon surrounding properties. The BESS Project is setback at sufficient distances to avoid negative impacts on the few nearby residences in the area and the battery enclosures will be located over 1,700 feet from the nearest occupied building and more than 2,000 feet from the nearest non-participating residence. The Project will not produce noise levels that will interfere with the enjoyment of surrounding properties.

Use and enjoyment of the agricultural land and other uses in the immediate vicinity of the Project will not be harmed because the Project has appropriate setbacks, vegetative screening, fencing and security, and will not produce substantial vehicular traffic. The Project will operate as a passive land use with minimal traffic, while contributing to the local tax base that supports schools, public services, and other community resources. The Project is compatible with surrounding agricultural and other permitted land uses and will not interfere with the continued use and enjoyment of neighboring properties. Accordingly, this standard is satisfied by the Project.

3. The establishment of the special exception use will not impede the normal and orderly development and improvement of the surrounding property for uses permitted in the district because:

The Project will not impede the normal and orderly development and improvement of the surrounding properties for the uses permitted in the CD or Agricultural zoning districts. The Project will not impair any existing or future agricultural uses and such uses will continue. The Project is consistent with development occurring in the area, including energy and industrial uses such as another BESS facility, cold storage warehouse and other development occurring near the Interstate 65 and Indiana Route 2 interchange. The subject property is located adjacent to a NIPSCO switchyard under construction and overhead electric transmission line.

The Project has appropriate setbacks and will not produce harmful noise or emissions to surrounding properties. The Project will operate as a passive land use with minimal traffic, while contributing to the local tax base that supports schools, public services, and other community resources. This standard is satisfied by the application.

4. The use will be adequately served by utilities, streets, drainage, emergency services and other essential public facilities and services; because:

The Project will not require installation of any public improvements by Lake County or other units of local government. The Project will construct access roads to the site and will obtain the necessary permits for such construction. Per the requirements of the UDO, the Applicant shall enter into a road use agreement with Lake County to ensure that the existing roadways are sufficient for the development of the Project. The Applicant will make, at its expense, any road improvements necessary in coordination with the appropriate road authorities and repair or compensate for any damage done to roads during the construction process. The roads will be in equal or better shape upon the completion of construction as they were prior. The Project is designed to comply with applicable drainage requirements and will obtain a stormwater construction permit from the Indiana Department of Environmental Management. This standard is satisfied by the application.

5. Adequate measures have been or will be taken to provide ingress and egress so designed as to minimize traffic congestion on public streets because:

The Project will have access via Clay Street. The Project will enter into a road use agreement with Lake County to provide for any necessary improvements to public roads for construction and operation of the Project and to ensure that the public roads will be safe for travel by the general public during and after construction of the Project. The Applicant will construct, at its expense, any road improvements required for the installation and maintenance of the Project. Once the Project is constructed, it will create minimal vehicular traffic for maintenance and operations and accordingly will not cause traffic congestion in the public streets. This standard is satisfied by the application.

6. **The development will be designed, constructed, operated, and maintained to be compatible with, and not significantly alter, the existing or intended character of the general vicinity, based upon the comprehensive plan because:**

The subject property was recently rezoned to the CD zoning district by the County Council. BESS facilities are allowed as a special exception in the CD zoning district. The special exception application demonstrates that the Project satisfies the standards of the UDO, including setbacks, design safety regulations, and other standards. The Project will utilize approximately 40 acres of crop land until the end of the Project life, when it will be decommissioned. The area surrounding the Project may continue to be utilized for agricultural and other purposes and the Project will not have any negative impact upon the character of the area. The Project is consistent with development occurring in the area, including energy and industrial uses such as another BESS facility, cold storage warehouse and other development occurring near the Interstate 65 and Indiana Route 2 interchange.

BESS is an emerging energy technology use that provides significant economic development benefits including construction and permanent jobs and new tax revenue. BESS facilities help stabilize the electrical grid and ensure that sufficient electricity is available, especially during peak electrical use, to serve electric utility customers. The special exception complies with the Lake County comprehensive plan, which provides that the "Land Use Plan will protect agricultural land while advancing new cutting-edge industries, provide the foundation for economic diversity, and drive new infrastructure investment in key growth areas." (Lake County comprehensive plan, page 54). The special exception meets the intent of these goals, as it will utilize only approximately 40 acres of agricultural land, will allow for the development of a new emerging energy technology and will promote economic diversity in Lake County. The Project is also located within the I-65 and SR 2 Interchange Economic Development Area (EDA) that is currently under consideration by Lake County for future economic development and infrastructure investment. The EDA has already received preliminary approval from the Lake County Redevelopment Commission, the Lake County Plan Commission, and the Lake County Council. The special exception will allow the installation of a new energy infrastructure investment in Lake County to serve the existing community and future growth. The application meets this standard.



New Land Use Zones - Overlays

-  Park
-  Business Park
-  Highway Commercial
-  Mixed-Use Commercial

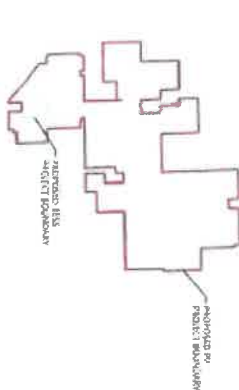
Proposed Land Use

-  Residential
-  County Neighborhood
-  Agriculture
-  Parks/Open Space
-  Government
-  Highway Commercial
-  Commercial/Office
-  Other
-  Institutional
-  Mixed-Use Commercial

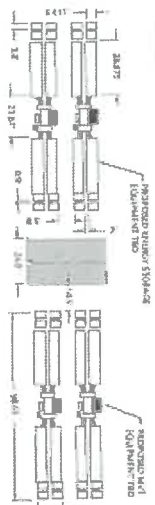


Zoning Breakdown

- A-1
- B-1
- B-2
- B-3
- BP-1
- BP-2
- BP-3
- C-1
- C 1/C 2
- C 3
- CDD
- CD
- HS-1
- HS-2
- M 1
- M 2
- PIC
- PO
- PUD-1
- PUD 2



TYPICAL EQUIPMENT LAYOUT



SECRET ML30

STAFF REPORT

To: Lake County Board of Zoning Appeals

Prepared by: Kenneth Wolfrum

Case numbers: 26-UV-06, 26-V-14, and 26-V-20

Date: September 16, 2026

Parcel number: 45-19-12-235-014.000-007

GENERAL INFORMATION:

Owner:

Justin Davis

Petitioner:

Nathan Vis

Requested Actions (1):

A Variance of Use from the Unincorporated Lake County Unified Development Ordinance Title 154, Article 9, Accessory Uses and Structures, Chapter 10, General Applicable Regulations, Section C (2), Time of Construction and Establishment, Accessory buildings may be established in conjunction with or after the principal building or use. They may not be established before the principal building or use is in place.

Purpose (1):

For the purpose of allowing construction of an accessory building before construction of the primary residence.

Requested Actions (2):

A Variance from Development Standards from the Unincorporated Lake County Unified Development Ordinance Title 154, Article 9, Accessory Uses and Structures, Chapter 20, Detached Accessory Garages and Storage Buildings, Section E, Area and Height, Maximum Floor Area, 1,014 sq. ft. permitted, 1,248 sq. ft. requested.

Purpose (2):

To allow a 28' X 36' accessory building with a 10' X 24' Lean to for personal use.

Requested Actions (3):

Variance from Development Standards from the Unincorporated Lake County Unified Development Ordinance Title 154, Article 2, Agricultural and Residential Districts,

Chapter 30, Lot and Building Regulations, Sec. (B), Conventional Development Regulations, Table 2-3, Lot and Building Regulations for Conventional Development in A-1 and R Districts, Building Setbacks, Minimum Street Setback on a street classified as Other Street in an R-2 Zone, 30-foot setback required, 22-foot setback requested.

Purpose (3): To allow an accessory building with a 22-foot setback along Lakeview Drive.

Location: Located at the southeast quadrant at the intersection of Hilltop Drive and Lakeview Drive, a/k/a 15806 Hilltop Drive in Cedar Creek Township.

Size: 0.46 acres +/-

Existing Zoning and Land Use: R-2 Residential

Surrounding Zoning and Land Use:

North:	R-2 Residential
East:	R-2 Residential
South:	R-2 Residential
West:	R-2 Residential

Comprehensive Plan: The property is targeted for Residential/ County Neighborhood.

AGENCY COMMENTS:

Health: Approved with no objections

Highway: No Objections; Driveway Permit Required

Surveyor: No Objections; doesn't appear to directly affect regulated drain.

BACKGROUND INFORMATION:

The petitioner would like to construct a 28'x36' pole barn with a 10'x24' lean to that exceeds the square foot area allowed on a half-acre property. This would also be built without a primary residence being on the property prior to the construction of the accessory structure (with no plans to construct a principal residence on the property on the record). This structure would also originate (northward) 22 feet from the road that abuts the property's northern side (where 30 ft is normally required on this street). This is to avoid the floodway, flood plain, and flood fringe that exist on the property.

A FEMA Letter of Map Revision based on Fill (LOMR-F) has been issued for the property concerning the placement of fill to provide for more room where otherwise development would either be impossible in the case of a primary residence or much more difficult in the case of an accessory structure.

ANALYSIS:

Compliance with Comprehensive Plan:

The property is targeted for Residential County Neighborhoods. The Unincorporated Lake County Unified Development Ordinance does not allow accessory buildings to be placed on a lot without a principal structure.

Compatibility with neighborhood:

The area is primarily of residential development

Environmentally Sensitive Areas:

Floodway on shore of Lake Dalecarlia

Traffic implications:

Driveway permit required; Additional road cut that doesn't currently exist.

Access and street design

N/A

Stormwater management:

See surveyor comments.

Infrastructure fees

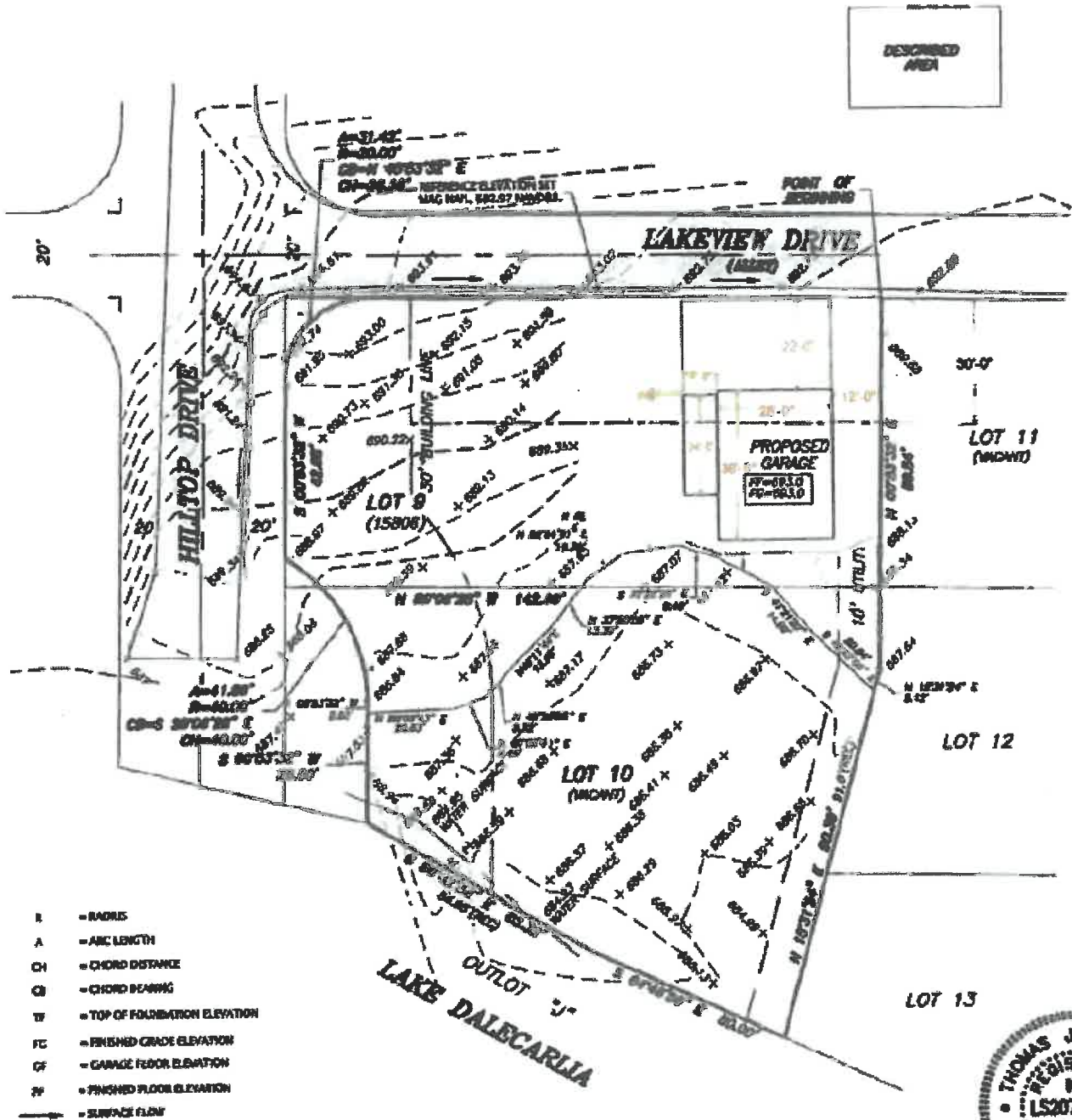
N/A

DEFICIENCIES AND DISCREPANCIES:

None

ATTACHMENTS:

1. Site Plan (to be distributed)
2. Findings of Fact
3. Comp Plan



LAKE COUNTY, INDIANA
VARIANCE OF USE
FINDINGS OF FACT

1. The approval of the Variance of Use will/will not be injurious to the public health, safety, morals, and general welfare of the community because:

It will provide an opportunity for a lakeside property with a high flood plane elevation level to be put to use in a manner consistent with lots adjacent to lake communities. It preserves green space, allows a property to be appropriately developed, while recognizing the flood plane levels; and,

2. The use and value of the area adjacent to the property included in the Variance of Use will/will not be affected in a substantially adverse manner because:

It allows for accessory use structure improvement to be built thereon, contributing to increased values in the area, as well as providing a structure similar to one located within 500 feet of same; and,

3. The need for the Variance of Use does/does not arise from some condition peculiar to property involved because:

The property is located adjacent to a lake, located on a property with a higher flood plane level, and the existent property is not suitable to house a residential structure, due to its limited building size, due to elevations located thereon; and,

4. The strict application of the terms of the zoning ordinance will/will not constitute an unnecessary hardship if applied to the property for which the Variance of Use is being sought because:

Strict application would prohibit the use of the property, due to limited space available to build thereon. The setup of a residential structure on one property, and across the street an accessory structure, is very common in lakeside communities; and,

5. The approval does/does not interfere substantially with Lake County Comprehensive Plans because:

It continues to promote R-2 lakeside living accessory use.

LAKE COUNTY, INDIANA
VARIANCE FROM DEVELOPMENT STANDARDS
FINDINGS OF FACT

1. The approval of the Variance will/will not be injurious to the public health, safety, morals, and general welfare of the community because:

The proposed lot upon which the accessory building will be built has de minimis square footage available for building structure due to a flood plain adjacent to a controlled Lake Dalecarlia area. As the lot size is insufficient to allow the building of a residential structure, the proposed accessory building, with a lean-to overlooking the lake, allows the adjacent land owner the ability to enjoy a residential style porch overhang from which to overview and view and enjoy the lake. This has no causation to injury to the public; and,

2. The use and value of the area adjacent to the property included in the Variance will/will not be affected in a substantially adverse manner because:

Similar styled structures are in the immediate area, within 400 feet. The development of a quality accessory structure will only enhance property values in the area; and,

3. The strict application of the terms of the zoning ordinance will/will not result in practical difficulties in the use of the property because:

The existing lot maintains a unique topography adjacent to Lake Dalecarlia which places much of the lot within a flood plain area. While the lake will most likely never flood due to its controlled designs and multiple dams, this high flood plain level restricts the available square footage upon the property upon which a structure may be built, significantly impeding the ability for a quality sized residential home. Thus, the landowner has built a home on the adjacent parcel, and the intention is to use this accessory building for lake use purposes, and the need for additional square footage is to construct an overhang/porch area by which family and friends may enjoy the use of the lake.



STAFF REPORT

To: Lake County Board of Zoning Appeals

Prepared by: Kenneth Wolfrum

Case numbers: 26-V-15, 16, & 17

Date: September 16, 2026

Parcel number: 45-11-27-427-003.000-032

GENERAL INFORMATION:

Owner:

Joseph D & Trish Coffman

Petitioner:

Joseph D & Trish Coffman

Requested Actions (1):

A Variance from Development Standards from the Unincorporated Lake County Unified Development Ordinance Title 154, Article 9, Accessory Uses and Structures, Chapter 20, Detached Accessory Garages and Storage Buildings, Section E, Area and Height, Maximum Floor Area, 1,525 sq. ft. permitted, 2,400 sq. ft. requested

Purpose (1):

To allow a 40' X 60' accessory building for personal use.

Requested Actions (2):

A Variance from Development Standards from the Unincorporated Lake County Unified Development Ordinance Title 154, Article 9, Accessory Uses and Structures, Chapter 20, Detached Accessory Garages and Storage Buildings, Section E, Area and Height, Maximum Building Height, 20 ft. permitted, 26 ft. Requested.

Purpose (2):

To allow an accessory building with an overall height of 26 ft.

Requested Actions (3):

Variance from Development Standards from the Unincorporated Lake County Unified Development Ordinance Title 154, Article 9, Accessory Uses and Structures, Chapter 20, Detached Accessory Garages and Storage Buildings, Section B, Rear Yard Only

Purpose (3): To allow an accessory building in the side-yard.

Location: Located approximately 2/10 of a mile west of Cline Street on the south side of W. 89th Place, a/k/a 8123 W. 89th Place in St. John Township.

Size: 1.022 acres +/-

Existing Zoning and Land Use: R-1 Residential

Surrounding Zoning and Land Use:

North:	R-1 Residential & A-1 Agricultural
East:	A-1 Agricultural
South:	R-1 Residential
West:	R-1 Residential

Comprehensive Plan: The property is targeted for Residential/ Single Family.

AGENCY COMMENTS:

Health: Approved with no objections

Highway: No comment or concern; Driveway Permit Required

Surveyor: No Objections; Substantially increases impervious area and runoff to the neighboring property. Requires compliance with Lake County Stormwater Ordinance.

BACKGROUND INFORMATION:

The petitioner would like to construct a 40’x60’ accessory building for personal use in the side yard of their property. This accessory building would exceed the allowed square footage for accessory structures on the property, would be built in the side yard as opposed to the rear yard where they are typically relegated, and would exceed the height requirement of 20 feet for their acreage (26 feet requested).

The applicant states that this building is being proposed due to the existance of a septic field

preventing them from building the structure in their rear yard. The applicant also states that this likewise prevents them from storing their belongings in a suitable manner to maintain the character of their neighborhood.

ANALYSIS:

Compliance with Comprehensive Plan:

The property is targeted for Residential County Neighborhoods.

Compatibility with neighborhood:

The area is primarily of residential development.

Environmentally Sensitive Areas:

n/a

Traffic implications:

see Highway comments

Access and street design

N/A

Stormwater management:

See surveyor comments.

Infrastructure fees

N/A

DEFICIENCIES AND DISCREPANCIES:

None

ATTACHMENTS:

1. Site Plan (to be distributed)
2. Findings of Fact
3. Comp Plan

document of
concern over health, over 250,
ENGINEERING DEPT.
built in a new hard
Drive according to 11/18/20
(23)
Pittston
would be a big help
a. ...



Findings of Fact

VARIANCE FROM DEVELOPMENT STANDARDS

In preparing and considering proposals under the law, the Lake County Board of Zoning Appeals shall base their decision on the following three requirements. Determining findings for the following criteria is required as part of the process. It is a requirement that each petitioner address the following items in order to apply for a Variance from Development Standards. If additional space is needed, you may use extra sheets of paper. Please make your answers as clear, concise and legible as possible.

1. Approval of the Variance will not be injurious to the public health, safety, morals, and general welfare of the community because:

Building will be well within my
projecting time and not accessible to
the public.

; and,

2. The use and value of the area adjacent to the property included in the Variance will not be affected in a substantially adverse manner because:

It will be a quality constructed
Building built to meet the HOA

; and,

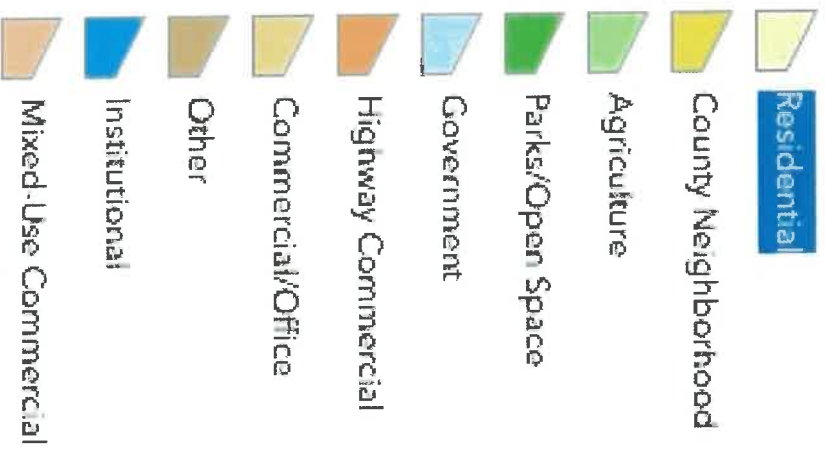
3. The strict application of the terms of the zoning ordinance will not result in practical difficulties in the use of the property because:

I would have to store my belongings
& vehicles outside

The Planning Staff acknowledges that additional evidence and comments will be made at the public hearing and may be included in the Board of



Proposed Land Use



STAFF REPORT

To: Lake County Board of Zoning Appeals

Prepared by: Kenneth Wolfrum

Case number: 26-V-19

Date: September 16th, 2026

Parcel numbers: 45-15-19-303-015.000-013

GENERAL INFORMATION:

Owner:	John Fiedler
Petitioner:	John Fiedler
Request:	Variance from Development Standards from the Unincorporated Lake County Unified Development Ordinance Title 154, Article 9, Accessory Uses and Structures, Chapter 20, Detached Accessory Garages and Storage Buildings, Section B, Rear Yard Only
Purpose:	To allow an accessory building in the side yard for personal use only.
Location:	Located approximately 2/10 of a mile east of Calumet Street on the north side of W. 130th Place, a/k/a 14124 W. 130th Place in Hanover Township.
Size:	0.76 acres
Existing Zoning and Land Use:	A-1; Agricultural
Surrounding Zoning and Land Use:	North: A-1; Agricultural East: A-1; Agricultural South: A-1; Agricultural West: : A-1; Agricultural
Comprehensive Plan:	This property is targeted for Residential, single-family use

AGENCY COMMENTS:

Health:	Approved.
Highway:	No comments or concerns.
Surveyor:	No objections since it does not appear to affect a legal drain.

BACKGROUND INFORMATION:

The Petitioner is seeking a Variance from Development Standards to allow a 32' x 32' x 12' (1024 square foot) accessory building in the side-yard area of their property. The subject property currently contains a 180 square foot accessory building in the side yard of the same property. The proposed accessory building is not restricted to an overall size.

The location of the septic field and the drastic change in elevation behind the home create the hardship leaving the side yard as the only reasonable location for the subject structure. The proposed location is also stated by the petitioners to be convenient in location given that the existing driveway lends greater accessibility than would be possible with a garage in the rear yard.

ANALYSIS:

Compliance with Comprehensive Plan:	This property is targeted for Residential uses.
Compatibility with neighborhood:	Residential with accessory buildings.
Environmentally Sensitive Areas:	None.
Traffic implications:	None.
Access and street design	N/A
Stormwater management / Infrastructure Fees:	N/A

<u>DEFICIENCIES AND DISCREPANCIES:</u>	None
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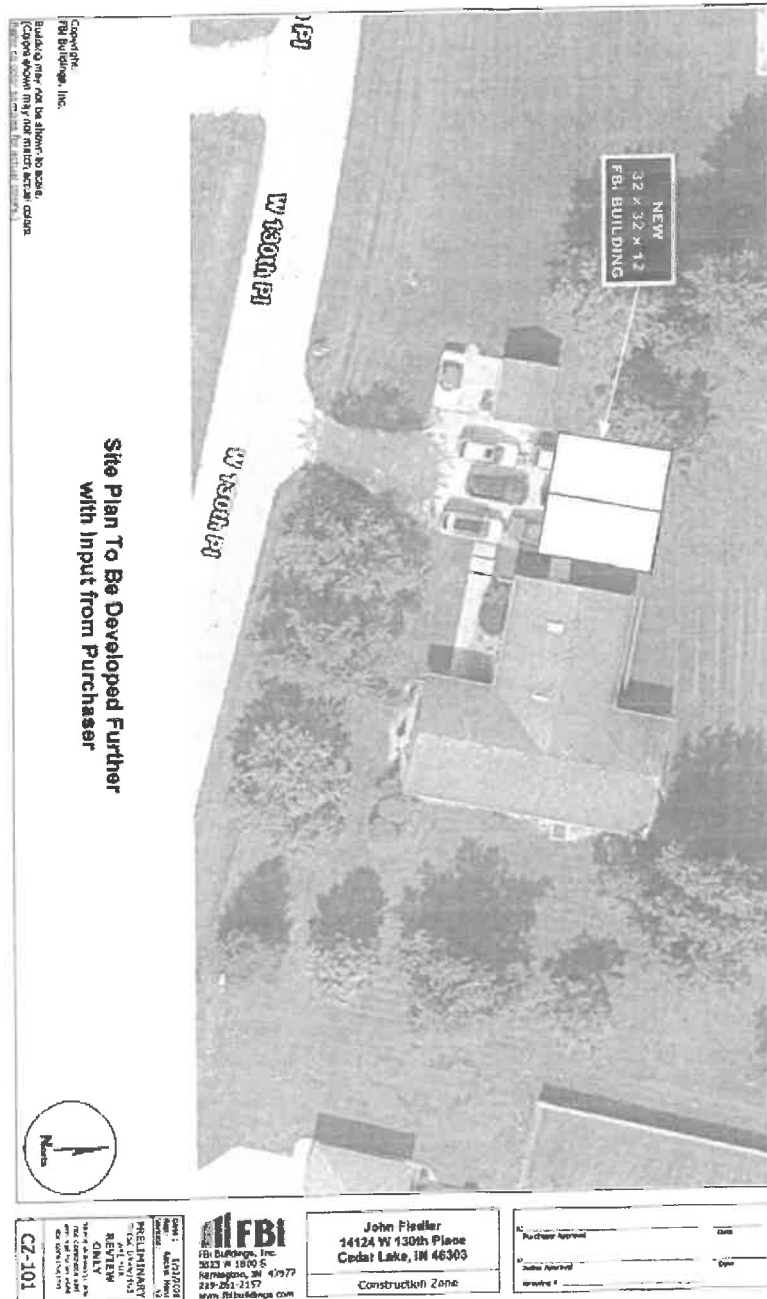
Findings of Fact

VARIANCE FROM DEVELOPMENT STANDARDS

In preparing and considering proposals under the law, the Lake County Board of Zoning Appeals shall base their decision on the following three requirements. Determining findings for the following criteria is required as part of the process. It is a requirement that each petitioner address the following items in order to apply for a Variance from Development Standards. If additional space is needed, you may use extra sheets of paper. Please make your answers as clear, concise and legible as possible.

1. Approval of the Variance will not be injurious to the public health, safety, morals, and general welfare of the community because:
Proposed structure will not be injurious to Public interest because structure will comply with All other Applicable building codes, will Adhere to Acceptable community standards Pertaining to the structure, And would Allow for Reasonable use of the property; and,
2. The use and value of the area adjacent to the property included in the Variance will not be affected in a substantially adverse manner because:
Proposed structure does not Negatively effect Access, Usage, health, or Safty of Adjacent Properties, And is designed to complement existing structures to enhance Community Value.; and,
3. The strict application of the terms of the zoning ordinance will ~~not~~ result in practical difficulties in the use of the property because:
Location of existing septic leach field in rear yard inhibits the Ability to Adhere to zoning ordinance 154-9-030-B which indicates Accessory structures be Located on rear yard. Side yard is the only Viable Location on property for AN Accessory Structure.

The Planning Staff acknowledges that additional evidence and comments will be made at the public hearing and may be included in the Board of



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Buildings may not be shown to scale.
Colors shown may not match actual colors.

FBI FBI Buildings, Inc. 3023 W 180th St Kenosha, WI 53147 249-551-2127 www.fbibuildings.com	John Fiedler 14124 W 130th Place Cedar Lake, IN 46303		Date: _____ Name: _____
	Construction Zone		Purchaser Approval: _____ Date: _____
	CZ-101		Building Approval: _____ Date: _____



STAFF REPORT

To: Lake County Board of Zoning Appeals

Prepared by: Kenneth Wolfrum

Case number: 26-V-21

Date: September 16, 2026

Parcel numbers: 45-19-02-301-016.000-007

GENERAL INFORMATION:

Owner: Noah Gatto

Petitioner: Noah Gatto

Request: Variance from Development Standards from the Unincorporated Lake County Unified Development Ordinance Title 154, Article 2, Agricultural and Residential Districts, Chapter 30, Lot and Building Regulations, Sec. (B), Conventional Development Regulations, Table 2-3, Lot and Building Regulations for Conventional Development in A-1 and R Districts, Building Setbacks, Minimum Street Setback on a Minor Arterial in an R-3 Zone, 50-foot setback required, 34-foot setback requested.

Purpose: To allow an addition to an existing home with a 34 foot setback along W. 155th Avenue.

Location: Located approximately 3/10 of a mile west of Morse Street on the north side of W. 155th Avenue, a/k/a 7704 W. 155th Avenue in Cedar Creek Township.

Size: 1.87 Acres

Existing Zoning and Land Use: R-3; Residential

Surrounding Zoning and Land Use:
North: R-3; Residential
East: R-3; Residential
South: R-3; Residential
West: R-3; Residential

Comprehensive Plan: This property is targeted for parks and open lands use.

AGENCY COMMENTS:

Health Department:

Approved

Highway:

No Comments

Surveyor:

No Objection because it will be possible to maintain proper drainage.

BACKGROUND INFORMATION:

The Petitioner is seeking a variance from development standards to develop an extension of their existing single-family home. The proposed addition consists of an attached garage, a proposed addition with a basement, and a third proposed addition on the north eastern corner of the existing property, cumulatively consisting of 1435 square feet.

The existing home's front porch is the same distance from 155th Avenue as the proposed attached garage. The addition would be 74 feet from the center of 155th Ave.

ANALYSIS:

Compliance with Comprehensive Plan:

This property is targeted for parks and open land uses.

Compatibility with Neighborhood:

The structures on the property are complimentary to the current land use.

Environmentally Sensitive Areas:

n/a

Traffic implications:

Building would be closer to the street right of way than would typically be allowed, though doesn't impact any traffic flows.

Access and street design

Same as above.

Stormwater management:

N/A

Infrastructure fees

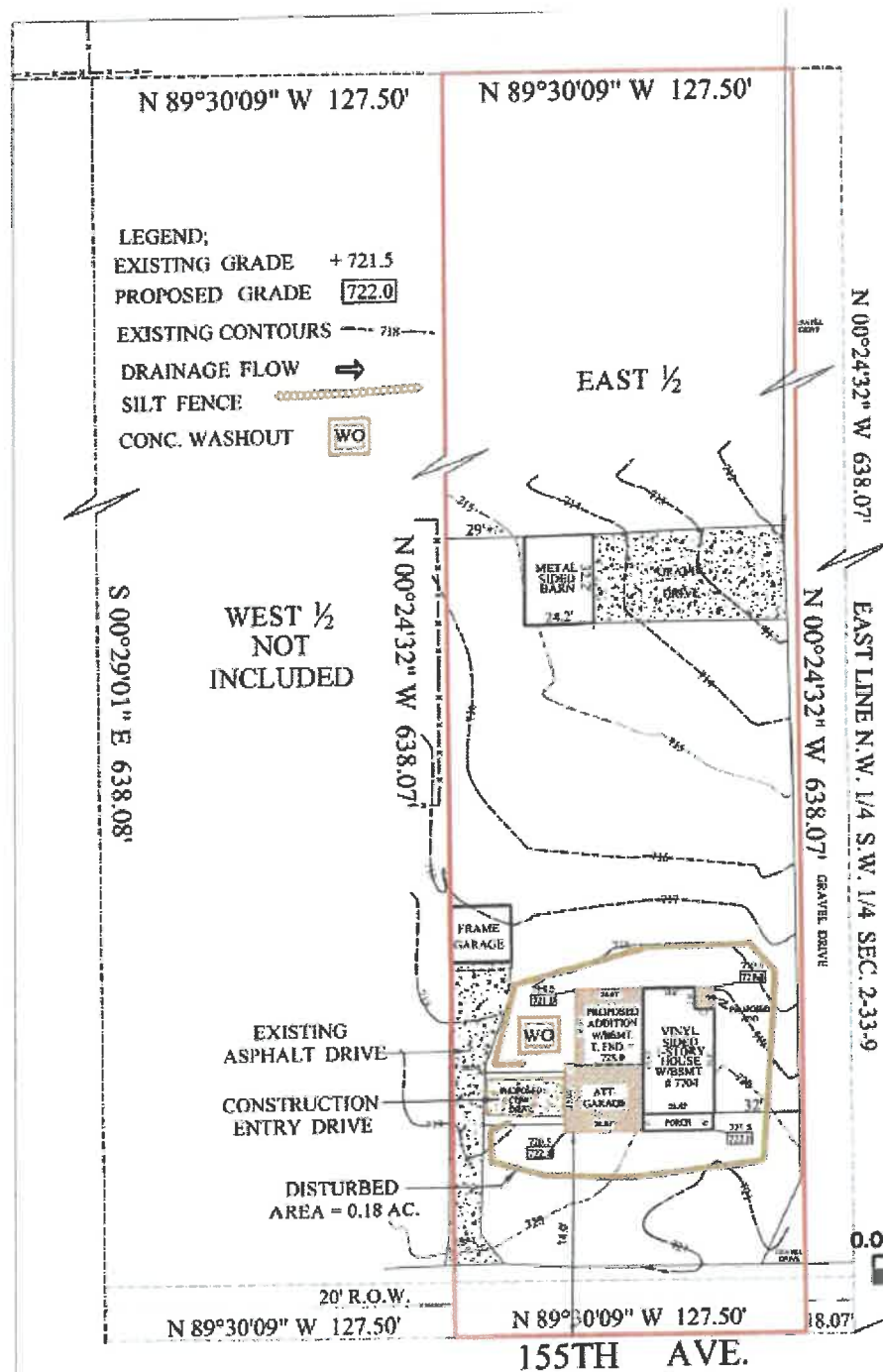
N/A

DEFICIENCIES AND DISCREPANCIES:

None observed

Attached:

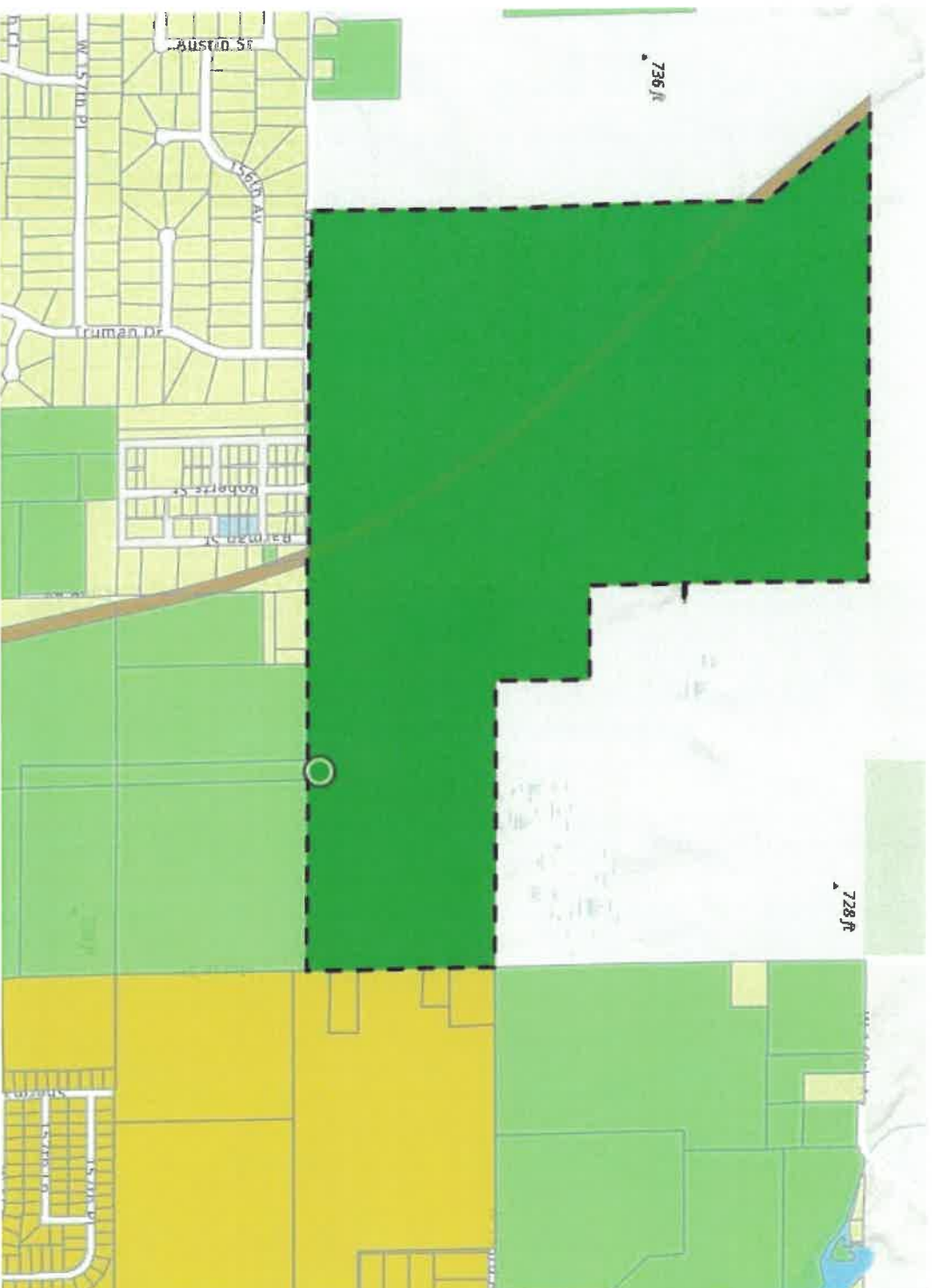
Findings of Fact, Plat of Survey, and Comp Plan



PROPERTY A
LEGAL DESC:
THE EA:
2, TOWNSHIP
COMMENCIN
638.08 FEET, P
PARALLEL TC
COUNTY, IND
PARCEL ID #:
OWNERS: NO

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AND NI
& V
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FOR A
TOP FN
BE /
RAIS

VERTICAL DATUM FOR EI
USGS NAVD 88
SWEEP SEDIMENT TRACKS
AS REQUIRED TO MAINTAI
ALL DISTURBED AREA TO B
AND PERMANENT SEEDING
RESPONSIBLE PARTY FOR
NOAH GATTO
ADJACENT PROPERTIES DI
CONSTRUCTION MUST BE
SURFACE STABILIZATION.



New Land Use Zones - Over

-  Park
-  Business Park
-  Highway Commercial
-  Mixed Use Commercial

Proposed Land Use

-  Residential
-  County Neighborhood
-  Agriculture
-  Parks/Open Space
-  Government
-  Highway Commercial
-  Commercial/Office
-  Other
-  Institutional
-  Mixed Use Commercial

Findings of Fact

VARIANCE FROM DEVELOPMENT STANDARDS

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1. Approval of the Variance will not be injurious to the public health, safety, morals, and general welfare of the community because:

This is an addition to an existing home.
This encroaches the building setback.

_____; and,

2. The use and value of the area adjacent to the property included in the Variance will not be affected in a substantially adverse manner because:

It will improve the look and value of
the existing home.

_____; and,

3. The strict application of the terms of the zoning ordinance will not result in practical difficulties in the use of the property because:

We were informed that we need the
house set back, moved, otherwise the house
would have to be moved to meet required
set back standards.

The Planning Staff acknowledges that additional evidence and comments will be made at the public hearing and may be included in the Board of

STAFF REPORT

To: Lake County Board of Zoning Appeals

Prepared by: Kenneth Wolfrum

Case number: 26-V-22

Date: September 16, 2026

Parcel numbers: 45-15-01-452-005.000-041

GENERAL INFORMATION:

Owner:

Sherry Emigh

Petitioner:

Sherry Emigh

Request:

Variance from Development Standards from the Unincorporated Lake County Unified Development Ordinance Title 154, Article 9, Accessory Uses and Structures, Chapter 20, Detached Accessory Garages and Storage Buildings, Section B, Rear Yard Only

Purpose:

To allow an accessory building in the side-yard.

Location:

Located approximately 3/10 of a mile south of 153rd Avenue on the east side of Island Drive, a/k/a 241 Island Drive in Cedar Creek Township.

Size:

0.34 acres

Existing Zoning and Land Use:

R-2 (One-Family Residential), Single Family Residence.

Surrounding Zoning and Land Use:

North: R-2; Residence

East: R-2; Residence

South: R-2; Residence

West: : R-2; Residence

Comprehensive Plan:

This property is targeted for Residential use

AGENCY COMMENTS:

Lake Dale Waste District:

No objections.

Highway:

No comments or concerns. Use existing drive.

Surveyor:

No objections; proper grading should be utilized to ensure that existing overland stormwater flow is not adversely altered.

BACKGROUND INFORMATION:

The Petitioner is seeking a Variance from Development Standards to allow a 30' x 24' (720 sq. ft.) accessory building in the side-yard area of their property. The proposed accessory building is not restricted to an overall size. The height is below the maximum height of 20-feet.

The location of the septic field and the drastic change in elevation behind the home create the hardship leaving the side yard as the only reasonable location for the subject structure.

ANALYSIS:

Compliance with Comprehensive Plan:

This property is targeted for Residential uses.

Compatibility with neighborhood:

Residential with accessory buildings.

Environmentally Sensitive Areas:

Floodway at shoreline of Lake Dalecarlia

Traffic implications:

None.

Access and street design

N/A

Stormwater management / Infrastructure Fees: See Surveyor's comments

DEFICIENCIES AND DISCREPANCIES:

None

Findings of Fact

VARIANCE FROM DEVELOPMENT STANDARDS

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1. Approval of the Variance will not be injurious to the public health, safety, morals, and general welfare of the community because:
The proposed 30x24 detached garage will be constructed in compliance with all applicable building codes. The garage will be used solely for residential vehicles and storage and will not create additional traffic or noise. The requested variance will not interfere safety, visibility, access or general welfare of the community ; and,
2. The use and value of the area adjacent to the property included in the Variance will not be affected in a substantially adverse manner because:
The proposed garage will be designed to complement and blend with the existing residence. The structure will be well maintained, the garage will not impact neighboring properties and is expected to maintain or enhance surrounding property values ; and,
3. The strict application of the terms of the zoning ordinance will not result in practical difficulties in the use of the property because:
Due to the location and configuration of the property, compliance with the existing requirements substantially limit the reasonable placement of a garage. The requested variance is the minimum relief necessary to allow construction of a functional garage while preserving the intended use of the property. Without the variance, the owners ability to utilize the property in a manner common to similar properties.

The Planning Staff acknowledges that additional evidence and comments will be made at the public hearing and may be included in the Board of

