

**TENTATIVE AGENDA
LAKE COUNTY BOARD OF ZONING APPEALS
WEDNESDAY, FEBRUARY 18, 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-UV-01 BZA – Cynthia A. Erbert, Owner/Petitioner**
Located at the northwest quadrant at the intersection of Grant Street and Belshaw Road, a/k/a 1606 Belshaw Road in Cedar Creek Township.

Request: A Variance of Use from the Unincorporated Lake County Unified Development Ordinance Title 154, Article 7, Use Categories, Chapter 20, Residential use Category, Section A (1), Detached House, a detached house is a principal residential building, that contains only one dwelling unit and that is located on a single lot that is not occupied by other principal residential buildings.

Purpose: To allow the construction of a second detached house as the owner occupies the existing detached house until the new detached house has completed construction.

approved _____ denied _____ deferred _____ vote _____

STAFF REPORT

To: Lake County Board of Zoning Appeals

Prepared by: Kenneth Wolfrum

Case number: 26-UV-01

Date: February 18, 2026

Parcel number: 45-20-28-100-005.000-007

GENERAL INFORMATION:

Owner:

Cynthia Erbert

Petitioner:

Cynthia Erbert

Request:

A Variance of Use from the Unincorporated Lake County Unified Development Ordinance Title 154, Article 7, Use Categories, Chapter 20, Residential use Category, Section A (1), Detached House, a detached house is a principal residential building, that contains only one dwelling unit and that is located on a single lot that is not occupied by other principal residential buildings.

Purpose:

To allow the construction of a second detached house as the owner occupies the existing detached house until the new detached house has completed construction.

Location:

Located at the North West Quadrant at the intersection at Grant Street and Belshaw Road aka 1606 Belshaw Road in Cedar Creek Township.

Size:

43.15 acres

Existing Zoning and Land Use:

A-1; Agricultural & Single-Family Residence

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 Agricultural use, but is contained within an area of a proposed park/open space.

AGENCY COMMENTS:

Health:

No objections.

Highway:

No comment or concern using existing drive.

Surveyor:

Recommended for approval; as-built will be required before occupancy permit will be issued.

Soils:

Approval recommended

BACKGROUND INFORMATION:

The Petitioner is seeking a Variance of Use from the Residential Use Category addressing Detached Houses to construct a new residence on the property at 1606 Belshaw Road, in Unincorporated Cedar Creek Township for a temporary period. The property currently contains an existing single-family residence.

This variance of use is being pursued so that the petitioner can construct a new home for the owner, and so the owner does not have to vacate their property prematurely. Both homes will remain on separate utility connections.

The Board of Zoning Appeals has approved similar Variances of Use with the condition that the original single-family residence is to be removed under a demolition permit roughly 60-90 days after a Certificate of Occupancy has been issued for the new single-family residence.

ANALYSIS:

Compliance with Comprehensive Plan:

This property is targeted for Agricultural uses.

Compatibility with neighborhood:

A-1 zoned residential properties exist in each immediate cardinal direction from the property. Closest non-agricultural use is to the north. B-2 on the south side of W 180th Street.

| | |
|---|----------------------------------|
| Environmentally Sensitive Areas: | None. |
| Traffic implications: | None. |
| Access and street design | See highway department comments. |
| Stormwater management / Infrastructure Fees: | N/A |
| <u>DEFICIENCIES AND DISCREPANCIES:</u> | None |
| <u>ATTACHMENTS:</u> | Site Plan & Findings of Fact |

Findings of Fact

VARIANCE OF USE

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

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

This request will not cause any injurious views of any kind to the public or the welfare of the community, since both homes will sit on separate utility connections and the temporary status ensured continues safe to living for myself as time goes on during construction.

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

The presence of two homes temporarily will not affect surrounding property values, as the new modular home is being constructed to high standards and the existing home will be removed once the modular is ready to be occupied.; and,

3. The need for the Variance of Use arises from some condition peculiar to property involved because:

The hardship would be in the fact that I as the homeowner must continue to live in the existing home, which is old and hard to heat, and falling apart. Without the variance of use, I (homeowner) would have to vacate my property and spend money on a place to live, causing even more hardship.

SITE PLAN



DETAIL
SCALE: 1" = 30'

ELEVATION NOTES:
TOP FINI - 496.0
EXIST'G F.F. E.L. - 497.8
GAR. F.L. - 495.2

S 89°32'34" E 981.06'

SEE
DETAIL

**PART OF
WEST 1/2 OF
N. W. 1/4
42.2 AC.**

LEGAL DESCRIPTION:
The West Half of the Northwest Quarter of Section 28, Township 33 North, Range 3 West of the 2nd P.M. in Lake County, Indiana, Excepting therefrom the East 981.05' of the North 1322.0' of said West Half and the West 345 feet of the North 770 feet of said West Half, containing 42.2 acres more or less.

PARCEL NO.: 45-20-28-100-005-000-007

STRUCTURE NOTES:
THIS SITE HAD SEVERAL BUILDINGS ON IT PER LAKE COUNTY AERIAL TAX RECORDS:
HOUSE BUILT IN 1907 2400 S.F.
MILK HOUSE IN 1911 140 S.F.
GARAGE IN 1911 480 S.F.
GARAGE IN 1923 480 S.F.
BARN IN 1928 980 S.F.
TOTAL FOR ALL BUILDINGS 4960 S.F.
ALL PREVIOUS BUILDINGS DEMOLISHED PRIOR TO THIS SITE PLAN.
FINAL HOUSE TO BE DEMOLISHED UPON COMPLETION OF NEW RESIDENCE.

ADJACENT PROPERTIES DISTURBED DURING CONSTRUCTION MUST BE REPAIRED BY SURFACE STABILIZATION.

LEGEND:

- EXISTING GRADE = 494.3
- PROPOSED GRADE = 495.0
- DRAINAGE FLOW = [arrow symbol]
- OFF SET STAKE = [star symbol]
- SET FENCE = [line with cross-ticks symbol]
- CONC. WASHOUT = [square with 'R' symbol]

TOTAL DISTURBED AREA
20,300 S. F. 0.47 AC.

VERTICAL DATUM FOR ELEVATIONS
UNGS NAVD 83



RESPONSIBLE PARTY FOR SEASON CONTROL:
7TH CONSTRUCTION 215-345-2094
PROPERTY LOCATED IN FLOOD "X" PER FEMA FLOOD PANELS 18649 C 0975 & EFFECTIVE DATE 01-18-2012.

SWEEP STREET AFTER EACH INCIDENT TRACING MUD ONTO STREET.
ALL DISTURBED AREA TO BE FINAL GRADED AND PERMANENT SEEDING PLACED.
RESPONSIBLE PARTY FOR SEASON CONTROL:
CRAFTED CONSTRUCTION LLC

I hereby certify that the property herein was surveyed under my supervision on or about the date indicated for the purpose of providing a subdivision as the property which has been subdivided and approved according to TITLE 36, ARTICLE 1, CHAPTER 13 of the Indiana Administrative Code by professional Surveyors, and that the houses shown represent well surveys. No alterations should be assumed or made. This plan, based on field notes and further measured traverses. All restrictive covenants should be Surveyors only to be making improvements to said property.



DATE:
DEC 14 2012
JOB NO.: 257933
SHEET 1 of 1

SITE PLAN
W. 1/2 N.W. 1/4 SEC. 28-33-8
CEDAR CREEK TOWNSHIP
LAKE COUNTY, IN

CLIENT: COOK BUILDERS
NEW RESIDENCE: CYNTHIA EBERT
PROPERTY ADDRESS:
18320 GRANT STREET
LOWELL, IN 46356

GKA GLENN KRACHT ASSOCIATES
314 FAIRFIELD DRIVE CROWN POINT, IN 46037 PHONE: 219-460-8827
glennkrachtassociates@gmail.com FAX: 219-460-8910