



# CICERO / JACKSON TOWNSHIP BOARD OF ZONING APPEALS

## PETITIONERS:

J. Scott and Diane Burton

Pamela Dean

Mike and Kim Alexander

HAND, Inc. (Tabled until June 21<sup>st</sup> meeting)

## BZA MEETING MINUTES

Special Session

05/31/12

7:00 p.m.

Chairman Art Hall called the Cicero/Jackson Township BZA meeting to order at 7:00pm and the members were present or absent as follows:

### ROLL CALL

**Present:** Art Hall-Chairman  
Bruce Freeman  
Dan Strong-Vice Chairman  
Stephen Zell  
Paul Munoz-C/JT Plan Director  
Kelly Gunn-Recording Secretary

**Absent:** John Culp-Legal Counsel  
Corey Sylvester

### 1. DECLARATION OF QUORUM:

Chairman Art Hall declared a quorum with 4 of 5 members being present.

### 2. APPROVAL OF MINUTES:

N/A

### 3. OLD BUSINESS:

150 W. JACKSON ST. P.O. Box 650 CICERO, IN 46034  
PHONE: 317-984-5845 FAX: 317-984-5938 WWW.CICEROIN.ORG



# CICERO / JACKSON TOWNSHIP BOARD OF ZONING APPEALS

- **Docket #: BZA-0412-019-AG**  
**Petitioner: J. Scott and Laura Burton**  
**Proposed Location: 22400 Cammack Rd.**  
**Noblesville, IN 46062**

Development Standards Variance: To allow for the construction of an accessory structure to be placed in the front yard of a dwelling whereas the ordinance states that an accessory structure shall only be located to the rear or side of the primary structure.

Stephen Zell made a motion to un-table the docket from the May 17<sup>th</sup> meeting. Bruce Freeman seconded, and all members in favor. Chairman Hall asked Paul Munoz if all the Legal Notices were published on time and Paul Munoz stated yes. Chairman Hall asked the petitioner to describe what he would like to do. Mr. Burton discussed the equestrian barn that he would like to build in the front yard of his home. Mr. Burton described the proposed barn's dimensions and the aesthetics of the barn. Mr. Burton discussed the reason why he built the new home in the rural area was so that his daughter who is very active with horses and equestrian riding can have space and access to the horses. Chairman Hall asked if the petitioners' have any intention to have living quarters in the barn or have any plans to run a business out of the barn. Mr. Burton stated that he had no plans for either of those things.

Dan Strong asked what the height of the proposed barn is. Mr. Burton stated that they have not determined a height yet. Discussion continued on the height of the barn. Stephen Zell asked how many horses they have and he stated 2 currently and that they may acquire a 3<sup>rd</sup> horse in the future. Stephen Zell asked if they have any plans for cattle on the property and the petitioner stated no. Chairman Hall asked about the amount of pasture for the horses and Mr. Burton stated that he will have enough set aside per all rules and regulations and that he intends to follow all guidelines. Bruce Freeman asked about drainage on the property and Paul Munoz stated that he is not worried about that due to the amount of natural foliage on the property. Dan Strong asked about utilities that the petitioner might have and Mr. Burton stated he will have electric and water but nothing else. There were no other questions or comments from the board members.

Bruce Freeman made a motion to open the Public Hearing and Stephen Zell seconded the motion. All members present were in favor and the Public Hearing was opened. There were no public present and no comments. Bruce Freeman made a motion to close the Public Hearing and Stephen Zell seconded the motion. All members present were in favor and the Public Hearing was closed.

There were no further comments from the board members. Dan Strong made a motion to approve the docket with the added commitments to be recorded with the deed that there be no living quarters in the barn and no business ran out of the structure. Stephen Zell seconded the motion. All members present were in favor.



# CICERO / JACKSON TOWNSHIP BOARD OF ZONING APPEALS

- **Docket #: BZA-0412-020-R1**

**Petitioner: Mike and Kim Alexander**

**Proposed Location: 24592 Point Ln.**

**Arcadia, IN 46030**

**Development Standards Variance:** To allow an accessory structure in front of a primary structure whereas the ordinance states that an accessory shall only be located to the rear or side of the primary structure.

Chairman Hall asked the petitioner to explain his proposals. Mr. Alexander came before to board asking for approval for to put in a gravel driveway. The petitioner discussed the size of the driveway and how gravel is more affordable for him due to the large size. Mr. Alexander stated that he is also asking to finish fencing in the area that is currently incomplete with fence that is identical to what is currently on the property. Mr. Alexander stated that he is asking to build a pole barn in front of what will be the location of the primary structure. Mr. Alexander passed out photographs that show what the property looks like and discussion occurred about the pictures. Mr. Alexander provided the spec sheet for the proposed barn and passed that around to the members of the board. Stephen Zell asked what the barn would be used for and Mr. Alexander said for storage purposes only.

Mr. Alexander stated that he had a few other things he wanted to discuss and he addressed those items. Mr. Alexander discussed the fact that he found toxic mold in his current home about 9 months ago and how he has paid to have the problem taken care of and has now listed that residence to be sold. Mr. Alexander stated that the timeframe is approximately one year for his new home to be built. Mr. Alexander said that he is trying to figure out what he and his family will do for temporary housing while their new home is being constructed. Mr. Alexander discussed the option of adding temporary living quarters over the garage until the home is completed. Discussion about these topics continued amongst the members of the board and the petitioner. Chairman Hall stated that Mr. Alexander needs to talk to Paul Munoz about this due to restrictions that are currently in place. Paul Munoz discussed this topic. Mr. Alexander clarified what he is requesting. Chairman Hall stated that he suggests that the petitioner explores his options with Paul Munoz. Paul Munoz asked if the garage will be attached to the proposed residence and the petitioner stated yes it will be. Dan Strong asked if the petitioner had a timeframe in mind in reference to how long he and his family will reside in these temporary living quarters. Mr. Alexander stated that he is moving full steam ahead on the main structure. Discussion continued on this topic. Chairman Hall stated that it is possible as long as all standards are met. Chairman Hall discussed the likelihood of putting a timeframe on it. The petitioner stated that it will likely be a 4 car garage and he discussed his plans for that. Chairman Hall stated that he needs to talk further with Plan Director Paul Munoz about these plans.

Chairman Hall asked about the location of the proposed home and this was discussed. Dan Strong asked about the size of the doors and what the height will be of the side walls of the barn. Discussion of the R1 standards occurred amongst the petitioner and the members of the board. Bruce Freeman discussed the gravel and asphalt split of the driveway. Dan Strong asked about the proposed shelters on the site plans and he asked Paul Munoz if they will be considered Accessory structures when the time comes. Paul Munoz stated that it has been discussed and stated that the petitioner stated that these shelters are part of the current



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plans but would occur later down the road. Discussion continued about the petitioner's site plans and drawings. Dan Strong asked about the proposed cattle and the current standard for fenced pasture per animal. Dan Strong asked if they would be placing cattle there on the property right away and the petitioner stated that he needs to get his home built first and that the cattle would come after the home is built. Discussion continued about a timeline for the fencing on the property. The petitioner stated that he provided a big picture plan to the members of the board, but things will be done gradually. Chairman Hall asked what the purpose of cattle will be and the petitioner stated they will be used to provide food for his family and that he will not be selling the meat. A timeline of the construction of the structures was discussed. Paul Munoz recommended that a feasible timeline be added for the primary structure. Dan Strong asked what utilities will be added in the barn and the petitioner stated that he will have electricity and water. Dan Strong asked if the petitioner would be storing manure on the property and he stated no. There were no further comments from the board members.

Bruce Freeman made a motion to open the Public Hearing and Stephen Zell seconded the motion. All members present were in favor and the Public Hearing was opened. There was no public comment. Bruce Freeman made a motion to close the Public Hearing and Stephen Zell seconded the motion. All members present were in favor and the Public Hearing was closed.

### **Vote on BZA-0412-020-R1**

Dan Strong made a motion to approve the docket with the added recorded commitments attached to the deed that no living quarters be contained within the accessory structure and that no business shall be ran from the structure, as well as the maximum height being 20 ft without a variance. Stephen Zell asked about timing relative to primary structure. Dan Strong added that the primary structure needs to be built within 2 years of accessory structure. All members present were in favor.

- **Docket #: BZA-0412-021-R1**

**Petitioner: Mike and Kim Alexander**

**Proposed Location: 24592 Point Ln.**

**Arcadia, IN 46030**

**Development Standards Variance:** To install a gravel driveway whereas the ordinance states that all drives shall be concrete, concrete pavers, brick or asphalt.

Dan Strong stated that his only concern would be making sure that the Fire Department would have access to property with their emergency vehicles and that the gravel drive could withstand the weight of the vehicles. Paul Munoz discussed that he believes that the amount of gravel would be adequate so this should not be problem. Paul Munoz stated he will talk to Township Fire Department about this topic. There were no further comments from the board members.



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## **Vote on BZA-0412-021-R1**

Stephen Zell made a motion to approve the docket as submitted and Dan Strong seconded the motion. All members present were in favor.

- **Docket #: BZA-0412-022-R1**

**Petitioner: Mike and Kim Alexander**

**Proposed Location: 24592 Point Ln.**

**Arcadia, IN 46030**

**Development Standards Variance:** To install a rail style farm fence in the front yard of the primary structure that is greater than three (3) feet in height whereas the ordinance states that fences in the front yard cannot be greater in height than three (3) feet.

Dan Strong asked Paul Munoz to clarify about the height of fence in front yard and if it should be stated that the fence is to match what is currently existing. Chairman Hall stated that the proposed fencing should be no greater than the adjacent fence. No further discussion occurred amongst members of the board.

## **Vote on BZA-0412-022-R1**

DS made motion to approve with condition that new fences be no taller than existing fence in the front yard. SZ seconded. All in favor

## **4. NEW BUSINESS:**

N/A

## **5. PLAN DIRECTOR'S REPORT**

Paul Munoz discussed the Comprehensive Plan Steering Committee's last meeting in reference to the final proposals and Paul Munoz stated that The Planning Workshop was chosen as the consultant. Paul Munoz met with Jackson Township 2 weeks ago and they have agreed to pay their portion of the Comprehensive Plan costs according to the agreement. Discussion continued about this topic. Paul Munoz stated that he is hoping that the appropriations will be squared away at the next Town Council meeting so that the contracts can be signed. Paul Munoz reminded the members of the tour at the HAND facility in Sheridan prior to the Town Council meeting. Paul Munoz stated that no discussion will be had in reference to any of the pending dockets, and that the tour is for informational purposes only. Discussion continued on this topic.

## **6. CHAIRMAN'S REPORT:**



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Chairman Hall discussed the upcoming Morse Waterways Association tour with Citizen's Water of the Reservoir next week and discussed their proactive interest in the lake. Chairman Hall stated that the tour will take place next Wednesday. Discussion continued on this topic.

**7. LEGAL COUNSEL REPORT:**

NONE

**8. PUBLIC COMMENT:**

NONE

**9. BOARD MEMBERS COMMENTS:**

NONE

**11. NEXT MEETING:**

June 21st, 2012 at 7:00 p.m.

**12. ADJOURNMENT:**

Stephen Zell made a motion to adjourn and Bruce Freeman seconded the motion. All members present were in favor and the meeting was adjourned at 7:41 pm.

Signatures:

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Art Hall-2012 Chairman

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Dan Strong 2012 Vice-Chairman

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Stephen Zell-2012 Secretary

\_\_\_\_\_  
Kelly E. Gunn- Recording Secretary

\_\_\_\_\_  
Date