



CICERO/JACKSON TOWNSHIP PLAN COMMISSION

PETITIONERS:

Marc Deitsch

Randall and Deanne Candler

James and Sherry Tittle

CICERO/JACKSON TOWNSHIP PLAN COMMISSION

MINUTES

01/25/12

President Dan Strong called the Special Session of the Cicero/Jackson Township Plan Commission meeting to order at 7:02 pm.

The members of the C/JT Plan Commission were present or absent as follows:

PRESENT: Dan Strong-President
Stephen Zell-Vice President
Tim Fonderoli
Chris Lutz
Dennis Schrumpf
Paul Vondersaar
Brett Foster
Mark Thomas-Secretary
Paul Munoz-C/JT Planning Director
Kelly Gunn- Recording Secretary

ABSENT: Stephen Zell-Vice President
Aaron Culp

1. DECLARATION OF QUORUM:

President Dan Strong declared a quorum with 6 of 8 members present. There is currently one vacancy on the board.

2. APPROVAL OF MINUTES:

N/A

3. OLD BUSINESS



CICERO/JACKSON TOWNSHIP PLAN COMMISSION

Docket #: PC-1111-024-AG

Petitioner: Marc Deitsch

Proposed Location: 21950 Anthony Rd.

Cicero, IN 46034

Replat: *To allow for the removal of the 2' non-access easement to allow for a new drive cut*

Erin Deitsch came before board and discussed her desire to have a separate driveway for their residence, instead of having to share a drive with the neighboring lot. President Dan Strong asked Paul Munoz to discuss the 2" non-access easement. Paul Munoz discussed the situation with the easement and the purpose behind it being there. Paul Munoz stated that the Hamilton Co. Highway put the easement in to limit any other drives from being put in due to its location near the bridge, etc. Paul Munoz spoke with Dave Lucas from the Hamilton Co. Highway Department and he feels that there is no issue with removing the easement. Paul Munoz stated that Dave knows where the new driveway is proposed and he has no issue with its placement. Paul Munoz stated that they are looking to replat this with the easement removed. Paul Munoz stated that everything will stay the same except the removal of the easement. Paul Vondersaar asked if the county gave stipulations as to where they want the driveway placed and Erin Deitsch stated that they have allowed them to put a temporary drive in for construction vehicles. There were no further questions or comments from the board members.

Paul Vondersaar made a motion to open the Public Hearing and Mark Thomas seconded the motion. There were no public comments. Dennis Schrupf made a motion to close the Public Hearing and Paul Vondersaar seconded the motion. All members present were in favor. Mark Thomas made a motion to approve the replat that would remove the 2" non access easement. Tim Fonderoli seconded the motion and all members were in favor.

Docket #: PC-1111-022-AG

Petitioner: Marc Deitsch

Proposed Location: 21950 Anthony Rd.

Cicero, IN 46034

Subdivision Control Variance: *To allow for more than two (2) road cuts in a minor subdivision of 2 total lots.*

Plan Director Paul Munoz clarified for the board that any issues that arise with a Subdivision Control Variance are handled by the Plan Commission and not the BZA. Paul Vondersaar made a motion to open the Public Hearing and Dennis Schrupf seconded the motion. There were no comments from the public. Mark Thomas made the motion to close the Public Hearing and Tim Fonderoli seconded the motion. All members present were in favor. Chris Lutz made a motion to approve the docket as submitted. Paul Vondersaar seconded the motion. All members present were in favor.



CICERO/JACKSON TOWNSHIP PLAN COMMISSION

Docket #: PC-1111-021-AG

Petitioner: Randall and Deanne Candler

Proposed Location: 5355 E 225th St.

Noblesville, IN 46062

Minor Subdivision: To allow for the split of a parent track into 3 parcels for the purpose of sale.

Deanne Candler came before the board to discuss the minor subdivision application. Mrs. Candler discussed that she was unaware that she needed to come before the board to get permission prior to subdividing her land and that she had already done so and sold the lots. Mrs. Candler stated that she has complied with all legal requirements for the meeting. Plan Director Paul Munoz discussed the situation with the lots that were already subdivided and discussed the plans for the lots. Paul Munoz stated that all requirements have been met and that all TAC committee members have reviewed the plans, floodplain, drainage, and easement issues and all of the previously mentioned have been addressed. President Dan Strong asked Paul Munoz if the petitioner's were looking for primary plat approval and Paul Munoz stated yes. Paul Munoz clarified for the record that secondary approval is handled administratively through him. Chris Lutz asked if they can add Covenants and Restrictions to this Subdivision and Tim Fonderoli stated no. Paul Munoz clarified that they can have Covenants and Restrictions but it is not a requirement, and they would have had to be submitted with the original plat at the time of application. Paul Munoz stated that none were submitted with the plat, so they will have none. President Dan Strong stated that within town limits it is a requirement to have Covenants and Restrictions, but not in the township. Tim Fonderoli made the motion to reopen the Public Hearing and Mark Thomas seconded the motion. All members were in favor. There were no comments from the public. Paul Vondersaar made a motion to close the Public Hearing and Mark Thomas seconded the motion. All members present were in favor. Paul Vondersaar disclosed for the record that he has talked to Mrs. Candler about building a home for her but nothing has gone past him looking at a blueprint. Paul Vondersaar stated that he has no financial interest in this docket and he will leave it up to the board whether or not he votes. The board agreed that Paul Vondersaar can vote. Chris Lutz made a motion to approve the docket and Dennis Schrupf seconded the motion. Dan Strong, Tim Fonderoli, Dennis Schrupf, Mark Thomas and Chris Lutz all voted to approve the docket. Paul Vondersaar abstained from voting. The docket was approved.

Docket #: PC-1211-025-AG

Petitioner: James and Sherry Tittle

Proposed Location: 25541 Scherer Ave.

Arcadia, IN 46030

Minor Subdivision: To subdivide 3 acres off from the parent track of 30.23 acres for the purpose of sale as a buildable lot for a single family dwelling.

Nathan Althouse from Miller Surveying came before the board, representing the Tittles and discussed the proposed Minor Subdivision. Nathan explained the proposal and stated that all TAC members have signed off on this. President Dan Strong asked if this would be the only split that will be proposed and the petitioners'

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stated that this would be the only split. Mrs. Tittle explained the reason for the split. Mrs. Tittle explained that her daughter gifted them 3 acres that her in-law's gave to her so that her parents' could build a home. Mrs. Tittle stated that they will be residing there. Paul Vondersaar asked if the petitioners' currently have title of the acreage now and they stated yes.

Paul Munoz stated that everything is in order, including the setbacks, now that the 3rd acre was added. Paul Vondersaar commented that it is a nice property. President Dan Strong asked if the petitioners' would be sharing a drive and Paul Munoz stated no, they will have their own drive. Tim Fonderoli made a motion to open the Public Hearing and Mark Thomas seconded the motion. All members present were in favor. There were no comments from the public. Dennis Schrupf made a motion to close the Public Hearing and Tim Fonderoli seconded the motion. All members were in favor. There were no further questions or comments by the board members. Paul Vondersaar made a motion to approve the docket and Chris Lutz seconded the motion. All members were in favor and the docket was approved.

4. NEW BUSINESS:

NONE

5. PUBLIC COMMENT:

NONE

6. PLAN DIRECTORS REPORT:

Paul Munoz stated that he appreciated everyone coming to the Special Session tonight. Paul Munoz discussed the Legal notice issues with the Noblesville Daily Times which caused delays. President Dan Strong thanked the board as well. Paul Munoz discussed the Director of the Community and Economic Development Department at Ball State University will come and speak at a Plan Commission meeting to discuss Economic Development and how it ties into planning. Paul Munoz asked to see if board members would want him to come to the March meeting with the Town Council, BZA and EDC. Paul Vondersaar asked if that is possible to get all boards together legally and that he needs to check with Aaron Culp. Paul Munoz stated that it would be an announced Plan Commission meeting with other members just attending. Paul Munoz stated that he will double check with Aaron Culp.

8. PRESIDENTS REPORT:

President Dan Strong informed the board that the Gibbs' will be coming back before Plan Commission because they listed themselves as the property owners' on the applications but were actually not the legal owners at the time. President Strong stated that the Gibbs' have a lease agreement that they believed took care of the Power of Attorney issue, but it did not state that they had permission to speak on the owners' behalf. President Dan Strong explained that the petitioner's have a Power of Attorney to speak on the owners' behalf now. President Strong stated that the petitioners' will come back before the board to show that they have Power of Attorney now. President Strong informed the board that the BZA approved a condition that they have a fence on the property and that it will need to be approved by Plan Commission. Brett Foster



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joined the meeting at 7:44 pm. Discussion continued amongst members of the board on the topic of Power of Attorney and petitioners' having permission to speak on the behalf of property owners.

9. LEGAL COUNSEL REPORT:

NONE

10. COMMENTS FROM COMMISSION MEMBERS:

NONE

11. PUBLIC COMMENT

NONE

12. NEXT PLAN COMMISSION MEETING

February 8th, 2012 @ 7:00 p.m.

12. ADJOURNMENT:

President Dan Strong asked for a motion to adjourn. Paul Vondersaar made the motion to adjourn the meeting and Mark Thomas seconded the motion. All members present were in favor and the meeting was adjourned at 7:47 p.m.

Signature on Official Documents!

Dan Strong, 2012 C/JT Plan Commission-President

Stephen Zell, 2012 C/JT Plan Commission-Vice President

Mark Thomas, 2012 C/JT Plan Commission Secretary

Kelly Gunn, 2012 C/JT Recorder

Date: _____