



CICERO / JACKSON TOWNSHIP BOARD OF ZONING APPEALS

PETITIONERS:

Mike and Nancy Rowland

BZA MEETING MINUTES

11/21/13

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
Brad Baker- Vice Chairman
Bruce Freeman-Secretary
Dan Strong
Mark Thomas
John Culp- Legal Counsel
Kelly Gunn- Recording Secretary

Absent: Paul Munoz-Plan Director

1. DECLARATION OF QUORUM:

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

2. APPROVAL OF MINUTES:

Bruce Freeman made a motion to approve the October 17th, 2013 meeting minutes. Mark Thomas seconded the motion. Art Hall, Brad Baker, Mark Thomas and Bruce Freeman were in favor. Dan Strong abstained from voting as he was absent from last month's BZA meeting.

3. OLD BUSINESS:

NONE



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4. NEW BUSINESS:

Docket #: BZA-1013-024-AG

Petitioner: Mike and Nancy Rowland

**Property Address: 3345 E. 296TH St.
Cicero, IN 46034**

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

Mr. Rowland came forward and discussed his request to build an agricultural barn to store machinery. Mr. Rowland discussed his desired location for this proposed barn. Chairman Hall asked the petitioner if the primary use of the structure would be to house farming equipment. Mr. Rowland stated yes. Dan Strong asked the petitioner if he planned on running a business from the structure or having living quarters within the structure. Mr. Rowland said that he did not plan on either of those things occurring. Mr. Rowland stated that he will run utilities in the structure and will also be storing hay inside the barn. There were no further questions or comments from the members of the board.

Bruce Freeman made a motion to open the Public Hearing. Brad Baker seconded the motion. All members present were in favor. There was no comment from the public. Bruce Freeman made a motion to close the Public Hearing and Brad Baker seconded the motion. All members present were in favor, and the Public Hearing was closed.

Bruce Freeman asked if there would be any exterior lighting. Mr. Rowland stated that there would be. Bruce Freeman stated that because the neighbors are a good distance away from the property, he did not believe that any exterior lighting would disturb or affect the petitioner's neighbors. Bruce Freeman asked what the height at the peak of the structure would be. Mr. Rowland stated 14 feet at the side wall and that he would have a standard size barn door. Dan Strong asked Recording Secretary Kelly Gunn if all of the legal requirements were met. Kelly Gunn stated yes. Dan Strong asked if any neighbors submitted written input or comments on this proposal. Kelly Gunn stated that there was not any input from neighbors submitted. There were no further questions or comments from the board members.

Dan Strong made a motion to approve the variance request with the commitments that there would be no business operated from the structure as well as no living quarters contained within the structure. Bruce Freeman seconded the motion. All members present were in favor and the variance was granted.



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5. PLAN DIRECTOR'S REPORT

Dan Strong spoke in place of Plan Director Paul Munoz, who is currently on medical leave. Dan Strong discussed the issue with a property out on Twilight Hills Dr. Dan Strong gave the board members a brief overview of the situation having to do with problems accessing the 2nd lot in question due to the absence of a curb cut. Dan Strong discussed the fact that the roads out in that immediate area are owned by a private entity and that unfortunately, the Planning Office doesn't really have any jurisdiction over those roads. Legal Counsel John Culp agreed that the Planning Office does not have jurisdiction over the privately owned roads. Discussion of this topic continued.

6. CHAIRMAN'S REPORT:

Chairman Hall gave the board members a brief update on the status of the Dairy Queen project. The business owner has decided that the U-shaped bollards that he planned on using and that were approved are now not cost effective. He will be going with the original plan that was submitted and will be adding signage. Dan Strong stated that the owner is clear that he will have to come for a review of his previously approved AROD for the signage. Discussion of this topic continued amongst the members of the board.

7. LEGAL COUNSEL REPORT:

Legal Counsel John Culp discussed Chairman Art Hall's upcoming absences in the months of January and February. John Culp recommended that the board ask the Cicero Town Council to grant Chairman Hall a two month leave of absence, so that there is no need for him to resign as he would like to stay actively involved with the BZA. Legal Counsel John Culp and Dan Strong discussed the fact that the board has two alternates, Tim Fonderoli and Stephen Zell who have stated that they would be happy to fill in for Art Hall when needed. Discussion of this topic continued amongst the members of the board.

8. PUBLIC COMMENT:

NONE

9. BOARD MEMBERS COMMENTS:

NONE

11. NEXT MEETING:

December 19th, 2013 at 7:00 p.m.

12. ADJOURNMENT:

Bruce Freeman made a motion to adjourn and Mark Thomas seconded the motion. All members present were in favor. The meeting was adjourned at 7:24 pm.



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Signatures:

Art Hall-2013 Chairman

Brad Baker-2013 Vice-Chairman

Bruce Freeman-2013 Secretary

Kelly E. Gunn- Recording Secretary

Date