



CICERO / JACKSON TOWNSHIP BOARD OF ZONING APPEALS

PETITIONERS:

Geoff and Marianne Ziegler

BZA SPECIAL SESSION MEETING MINUTES

08/27/13

7:00 p.m.

Secretary Bruce Freeman called the Cicero/Jackson Township BZA meeting to order at 7:05pm and the members were present or absent as follows:

ROLL CALL

Present: Bruce Freeman-Secretary
Corey Sylvester
Dan Strong
Paul Munoz-Plan Director
Kelly Gunn-Recording Secretary
John Culp-Legal Counsel

Absent: Chairman Art Hall
Vice Chairman Steve Zell

1. DECLARATION OF QUORUM:

Secretary Bruce Freeman declared a quorum with 3 of 5 members present this evening. Secretary Bruce Freeman explained to the petitioners' Geoff and Marianne Ziegler that they do have the option to table their variance requests until the September meeting so that they would be heard in front of the full board. Secretary Freeman explained that in order for their variance requests to pass this evening, they would need all three members to vote in favor. The Ziegler's decided to move forward with their requests this evening.

2. APPROVAL OF MINUTES:

Dan Strong made a motion to approve the meeting minutes from July 18th, 2013. Corey Sylvester seconded the motion and all members present were in favor.

3. OLD BUSINESS:

Docket #: BZA-0813-019-AG

Petitioner: Geoffrey and Marianne Ziegler

Property Address: 6211 E. 256th St.

Arcadia, IN 46034



CICERO / JACKSON TOWNSHIP BOARD OF ZONING APPEALS

Development Standards Variance: To allow for a minimum front yard setback of fifty (50) feet whereas the ordinance states that the front yard setback for a primary structure is sixty (60) feet along a primary arterial road as indicated by the Hamilton County Thoroughfare Plan.

Docket #: BZA-0813-020-AG

Petitioner: Geoffrey Ziegler

Property Address: 6221 E 256th St.
Arcadia, IN 46030

Development Standards Variance: To allow for a minimum side yard setback of twenty-eight (28) feet whereas the ordinance states that the minimum side yard setback for a primary structure is forty-five (45) feet.

Dan Strong made a motion to untable the two variance requests. Corey Sylvester seconded the motion and all members present were in favor. Mr. Ziegler briefly described the variances requests and the fire that destroyed the previous home that was located on his property. Mr. Ziegler stated that they have moved the “footprint” of the home on the design prior to knowing about the setback requirements. Mr. Ziegler stated that they have planted quite a few new trees on the property and also removed trees because of the proposed footers for the home. Mr. Ziegler stated that they intend to use the same driveway that currently exists on the property. Dan Strong asked for clarification on the location of the previous home on the site plan and property. Discussion of this took place and Mr. Ziegler stated that they were unable to use the original foundation for their new home as it did not qualify per IN Building code due to its age. Dan Strong asked Paul Munoz to discuss the comments he was given by David Lucas of the Hamilton County Highway Department. Paul Munoz discussed David Lucas’s comments in reference to future planning for 256th St and the repercussions of placing the home on the setbacks that are being proposed. Discussion of this continued. There were no further questions or comments from the board members.

Dan Strong made a motion to open the Public Hearing and Corey Sylvester seconded the motion. All members present were in favor and the Public Hearing was opened.

Karen and Barry Powers
6130 E. 256th St.
Arcadia, IN 46030

Mr. and Mrs. Powers stated that they are anxious to get their neighbors back and discussed the very difficult time the Ziegler’s have been through due to the total loss of their home because of a fire.

There were no further public comments. Dan Strong made a motion to close the Public Hearing. Corey Sylvester seconded the motion. All members present were in favor, and the Public Hearing was closed.

There were no further questions or comments from the board members in reference to the two variance requests. Dan Strong made a motion to open the Public Hearing for the 2nd variance request. Corey Sylvester



CICERO / JACKSON TOWNSHIP BOARD OF ZONING APPEALS

seconded the motion. All members present were in favor and the Public Hearing was opened. There were no comments from the public. Dan Strong made a motion to close the Public Hearing and Corey Sylvester seconded the motion. All members present were in favor.

Dan Strong made a motion to approve BZA-0813-019-AG. Corey Sylvester seconded the motion. All members present were in favor.

Dan Strong made a motion to approve BZA-0813-020-AG. Corey Sylvester seconded the motion. All members present were in favor.

4. NEW BUSINESS:

None

5. PLAN DIRECTOR'S REPORT

Plan Director Paul Munoz discussed his meeting with Comp Plan Consultant K.K. Gerhart-Fritz in reference to her Ball State University Graduate level planning class. The class will be using the Town of Cicero as a case study and will Paul will be in Muncie to address the class several times over the course of the semester. Paul Munoz discussed some of the tentative plans that the class has to tour the Town of Cicero and what they will be doing for the town.

Paul Munoz discussed the fact that Vice Chairman Stephen Zell had to step down from the board due to him being a second town and Plan Commission representative on the BZA. Paul Munoz explained that two members from the Plan Commission are permitted on the BZA board, but one must represent Jackson Township and one must represent the Town of Cicero. Discussion of this continued amongst the members of the board, Plan Director Paul Munoz and Legal Counsel John Culp.

6. CHAIRMAN'S REPORT:

NONE

7. LEGAL COUNSEL REPORT:

NONE

8. PUBLIC COMMENT:

NONE

9. BOARD MEMBERS COMMENTS:

NONE

11. NEXT MEETING:

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



CICERO / JACKSON TOWNSHIP BOARD OF ZONING APPEALS

12. ADJOURNMENT:

Corey Sylvester made a motion to adjourn and Dan Strong seconded the motion. All members present were in favor.

Signatures:

Art Hall-2013 Chairman

Stephen Zell-2013 Vice-Chairman

Bruce Freeman-2013 Secretary

Kelly E. Gunn- Recording Secretary

Date