



CICERO / JACKSON TOWNSHIP BOARD OF ZONING APPEALS

PETITIONERS:

FTG Dad's LLC (Dave Duncan)

BZA SPECIAL SESSION MEETING MINUTES

01/31/13

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

Absent: Aaron Culp-Legal Counsel

1. DECLARATION OF QUORUM:

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

2. APPROVAL OF MINUTES:

Stephen Zell made a motion to approve the meeting minutes from January 17, 2013. Bruce Freeman seconded the motion. All members present were in favor.

3. OLD BUSINESS:

Docket #: BZA-1212-043-C3

Petitioner: FTG Dad's LLC (Dave Duncan)

Proposed Location: 22179 US 31 N.

Cicero, IN 46030

Land Use Variance: To allow for an automotive sales area (Outdoors), automotive repair-major (enclosed), and automobile/truck storage (Outdoors) to be permitted on the property whereas the ordinance currently does not allow those as permitted uses in a "C3" district.

Dave Duncan, owner and operator of Dad's came forward to discuss his Land Use Variance proposal. Mr. Duncan discussed his previous location and the fact that he has been in business for 25 years. Mr. Duncan discussed his agreement with another business, a salvage yard that leased some space on that property from

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CICERO / JACKSON TOWNSHIP BOARD OF ZONING APPEALS

him. Mr. Duncan stated that he agreed to lease the entire property to the other business once they secured the large contract that he was waiting for. That has occurred and now Mr. Duncan's business has moved across the street. Mr. Duncan stated that at the new location which is leasing from GW Pierce, he would like to sell vehicles, have some outdoor storage for minor repair of cars and some space to house his tow trucks. Mr. Duncan stated that he owns a body and repair shop in Elwood that will conduct most of the repairs on his vehicles for sale. Chairman Hall asked what type of repairs would be conducted on the property. Mr. Duncan said that he would be conducting mostly mechanical repairs on site. Mr. Duncan stated that he does occasionally sell motor homes, trailers and motorcycles, but he mostly sells cars. Stephen Zell asked about the rental agreement that he has with the property owners. Mr. Duncan stated that he currently has a lease with an option to buy. Stephen Zell asked if Mr. Duncan has provided documentation that he is permitted to speak on the property owner's behalf. Mr. Duncan stated that he does have a letter that he submitted to Paul Munoz that gives him permission to speak on the property owner's behalf. Dan Strong asked for additional information and documentation from the petitioner on his request. Mr. Duncan submitted updated drawings of the proposed additions to the property. Mr. Duncan discussed his proposals for paving the property as well as landscaping and fencing of the property. Chairman Hall asked about the driveway and whether it is paved. Mr. Duncan discussed that it is poorly paved and that he plans on redoing it. Dan Strong asked Paul Munoz if the petitioner would need to go in front of the Plan Commission for an Aesthetic Review. Paul Munoz stated yes and he discussed the process. Dan Strong stated that approval tonight of this petition would be contingent upon approval from the Plan Commission on the Aesthetic Review. Dan Strong discussed the ordinance in reference to screening outdoor storage on all sides of the premises. Discussion of the ordinance and what is considered proper screening continued. There were no further questions or comments from the board members.

Steve Zell made a motion to open the Public Hearing. Corey Sylvester seconded the motion. There were no comments from the public. Stephen Zell made a motion to close the Public Hearing and Corey Sylvester seconded the motion.

Stephen Zell made a motion to approve the Land Use Variance with commitments that the area where used cars will be sold, the driveway and the area around the facility be paved, and that all of this be contingent upon approval of the Aesthetic Review by the Plan Commission. Dan Strong seconded the motion and all members present were in favor.

Dan Strong asked Paul Munoz if the petitioner is aware of what's required for the Aesthetic Review, and Paul Munoz stated yes.

4. NEW BUSINESS:

NONE

5. PLAN DIRECTOR'S REPORT

NONE



CICERO / JACKSON TOWNSHIP BOARD OF ZONING APPEALS

6. CHAIRMAN'S REPORT:

Chairman Hall stated that he is glad to see that CVS has begun their new project.

7. LEGAL COUNSEL REPORT:

NONE

8. PUBLIC COMMENT:

NONE

9. BOARD MEMBERS COMMENTS:

Bruce Freeman asked about the Temporary signage for the CVS project. Paul Munoz stated that they have no plans to add anymore temporary signage. Paul Munoz stated that the only other temporary sign that is going on the property would be a sign for the project's contractor. Discussion of this continued amongst the members of the board and the Planning Director.

11. NEXT MEETING:

February 21st, 2013 at 7:00 p.m.

12. ADJOURNMENT:

Dan Strong made the motion to adjourn and Bruce Freeman seconded the motion. All members present were in favor and the meeting was adjourned at 7:17 pm.

Signatures:

Art Hall-2013 Chairman

Stephen Zell-2013 Vice-Chairman

Bruce Freeman-2013 Secretary

Kelly E. Gunn- Recording Secretary

Date