



# CICERO / JACKSON TOWNSHIP BZA MEETING

BZA Meeting Minutes  
September 22nd. 2016  
7:00 p.m.

## Roll Call of Members

Present:

- Brad Baker - President
- Tom Warner – present
- Dan Strong-present
- David Martin-present
- Mike Berry-absent
- Aaron Culp - Legal Counsel
- Paul Munoz - C/JT Plan Director
- \_\_\_\_\_ - Recorder

1. Declaration of Quorum: President Baker declared a quorum with four members present.

2. Approval of Minutes

**Plan Commission has hired a person to transcribe previous minutes**

**Mr. Strong made motion to table minutes. Mr. Martin second. All present in favor.**

3. Old Business: none

4. New Business

**Docket #: BZA-0816-011-R3**

**Petitioner: Kenny Marsh**

**Property Address: 1440 Bayswater  
Cicero, IN 46034**

**Development Standards Variance: To allow for an accessory structure to be placed in the front yard of the primary structure, new construction.**

Mr. Munoz stated need to inform public if they did receive a green card it would be heard on Oct 20<sup>th</sup>. This cannot be heard due to not meeting requirements of paper notification. If anyone is present for this variance, October 20<sup>th</sup> to be heard.

**Mr. Strong made motion to table BZA-0816-011-R3 to table until October 20<sup>th</sup> meeting. Mr. Warner second. All present in favor.**

**Docket #: BZA-0816-013-C2**

**Petitioner: Jim and Kristi Keeker**

**Property Address: 1756 E 236th St.  
Cicero, IN 46034**

**Special Exception: To allow for Recreational Vehicle Sales (and Maintenance) in a "C2" Zoning District ( ) was added during meeting.**



## CICERO / JACKSON TOWNSHIP BZA MEETING

Chairman Baker asked for petitioner to step forward and address the Board.

Jim Keeker 1767 E. 236<sup>th</sup> St. would like to sell golf carts and do maintenance as well. Chairman Baker asked if currently doing that golf carts work/sell on the property. Mr. Keeker answered yes. Mr. Strong asked if appropriate to add to the variance the maintenance addition. Mr. Munoz stated yes. Mr. Strong had couple of questions, first if living on property, second as far as Keeker Golf Carts, LLC is that operating only on that property or elsewhere as well. Mr. Keeker responded he does live on property and has tried to sell a cart or two elsewhere in town but best if kept at one location. Does not sell them in another sales/retail environment, does have website.

Mr. Strong item number two on Findings of Fact was not answered, Mr. Munoz was asked to address. Mr. Munoz read/explained the requirements of the development standards, ordinance would require Product to be behind privacy fence, and on that property, short of storage that would be all that would apply as it is not an actual commercial building. Mr. Keeker stated correct to no commercial building, does have a pole barn behind the home. Reside since 1988 at location. Mr. Keeker responded to the question of future plans that if the business would take off, it most likely would not be at that location, more of a side business. Not looking for a lot of employees. Mr. Strong questioned the number golf carts, not looking to hinder business but from a safety at the intersection. Mr. Keeker stated as many as a dozen, but not usually all at road. Mr. Warner asked for frontage, size. Mr. Keeker stated an acre. Mr. Martin asked about grass parking. Mr. Keeker stated has two drives one to the barn. Mr. Strong questioned signage. Mr. Keeker stated he has a small sign with phone number, started the process with Paul, but doesn't think wants more than a sign with phone number on it. Mr. Strong as we move thru it, would you expect lighting, and hours of operation. Mr. Keeker no to lighting and hours are usually 5-8pm, and some weekend hours. Mr. Martin has own truck and trailer for delivery. Mr. Martin asked Mr. Munoz if intersection expected for improvements in future. Mr. Munoz stated would be 7 years out, expected to be an interchange. Mr. Keeker stated would likely impact the property. Mr. Martin questions on property, width and entrances. Mapping was discussed. Has right to the drive but do not own based on property agreement. Mr. Munoz stated was contacted by property owner, no issues with project.

**Mr. Warner made motion to open public hearing. Mr. Martin second. All present in favor.**

Chairman Baker opened for public discussion.

Jim Force 7363 Johnson Rd. Indianapolis and 1915 e. 231<sup>st</sup> questions were answered, some discussion and questioned 31 project. Mr. Munoz answered 7 years, but county trying to speed up to 3-5 years.

**Mr. Strong made motion to close public hearing. Mr. Martin second. All present in favor.**

Mr. Warner question on requirements in packets, new construction or existing. Mr. Munoz stated generally new construction. Mr. Warner stated looking at special exception, and there are several requirements not met in setbacks, how much do we consider. Mr. Munoz stated to look at district intent on staff report, lot sizes would be looking if someone was coming in for replat for another use. Mr. Warner how critical is the drive to the business, he doesn't own the gravel driveway. Mr. Keeker stated he could bring a copy of agreement. Mr. Wilson is the person that family owns the driveway, Mr. Keeker has an easement agreement. Kristy Keeker spoke of the easement agreement.



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Mr. Strong discussed the possible commitments, number of golf carts and signage, also goes with owner, not the property not transferrable, display area behind fencing also only golf carts not RV's. Mr. Martin do we need to define golf carts, spoke of the different sizes of ATV's, etc. Discussion among board on definition. Mr. Warner addressed the traffic and distraction factors of the number on display. Mr. Strong asked for recommendation on signage size, Mr. Munoz stated 10 sq. ft. would accomplish helping with size of phone number on sign.

**Mr. Strong made motion to approve BZA-0816-013-C2 adding service with the following commitments: The number of golf carts allowed on premises would be 12 with maximum of 4 on display behind fence area, Cicero town ordinance definition of golf cart to be used to clarify, no additional lighting, allow one sign up to 10 sq. ft., the golf cart business does not transfer in case of sale of property or sale of LLC on that property. Commitments would be recorded with Mr. Munoz along with document of easement agreement. Mr. Warner second.**

**Vote as follows: Mr. Warner-yes, Mr. Strong-yes, Mr. Baker-yes, and Mr. Martin-yes. Variance granted.**

**Docket #: BZA-0816-014-AG**

**Petitioner: Brad and Kelly Rynearson**

**Property Address: 2248 E 276th St.**

**Atlanta, IN 46031**

**Development Standards Variance: To allow for an accessory structure to be considered for the front yard of the primary structure as part of the Replat of two existing parcels**

Chairman Baker requested representation. Wyatt Johnson 555 Market St. Tipton, Rynearson's are in audience. Mr. Johnson explained that six years ago built house on property, subdivide was required at that time as there was an existing house. Variance required due to plans, would like to demolish old house and build a second home. There is a barn that does not comply with ordinances. Chairman Baker asked for clarification on maps. Brad Rynearson 2248 E. 276st St. joined clarification. When all changes are made, what you see today is same layout, with different lot lines and two newer homes.

Mr. Munoz stated front part of parcel, county has already been by to obtain right- a- way. Mr. Warner asked if possible to build what is wanted without changing property lines. Mr. Munoz stated could, however barn would still be an issue. Mr. Strong asked since subdivision, would be looking for more than two lots. Mr. Rynearson stated no would continue to own both parcels, no more homes would be built. Discussion on buildings on property.

**Mr. Strong made motion to open public hearing. Mr. Warner second. All present in favor.**

**No public comments.**

**Mr. Strong made motion to close public hearing. Mr. Martin second. All present in favor.**

**Decision to address second Docket prior to continuing.**

**Docket #: BZA-0816-015-AG**

**Petitioner: Brad and Kelly Rynearson**

**Property Address: 2248 E 276th St.**

**Atlanta, IN 46031**



# CICERO / JACKSON TOWNSHIP BZA MEETING

**Development Standards Variance: To allow for an accessory structure to be considered for a front yard setback of 28 feet as part of a replat of two existing parcels whereas the ordinance states that the front yard setback for any structure is 45 feet.**

Mr. Munoz asked for clarification on front yard setback after reviewing plans, 28 feet or 36 feet. Mr. Johnson stated plans read as 36 ft. After discussion, motion would need to be made at 36 feet.

**Mr. Strong made motion to open public hearing. Mr. Warner second. All present in favor.**

**No public comment.**

**Mr. Strong made motion to close public hearing. Mr. Martin second. All present in favor.**

Further discussion among board. Mr. Warner questioned the road, Mr. Munoz stated work was done previously for the county project of widening the road.

**Mr. Strong made motion to approve BZA 0816-014-AG. Mr. Martin second.**

**Vote as follows: Mr. Warner-yes, Mr. Baker-yes, Mr. Strong-yes, and Mr. Martin-yes. Motion passed 4-0**

**Mr. Strong made motion to approve BZA 0816-015-AG with correction of 36 ft. setback. Mr. Warner second.**

**Vote as follows: Mr. Martin-yes, Mr. Baker-yes, Mr. Warner-yes, and Mr. Strong-yes. Motion passed 4-0**

5. Plan Director's Report: Morse West 7 permits this year, 25 or 30 more available.
6. Chairman's Report: Aware of couple families that have left and now moving back to area.
7. Legal Counsel's Report: No report
8. Public Comment: No comments
9. Board Member Comments: No Comments
10. Next Planned BZA Meeting:  
**October 20th, 2016 at 7:00 pm**

11. Adjournment: **Mr. Martin made motion to adjourn. Mr. Warner second. All present in favor.**

Signatures:

\_\_\_\_\_  
\_\_\_\_\_- 2016 Chairman

\_\_\_\_\_  
\_\_\_\_\_- 2016 Secretary

\_\_\_\_\_  
\_\_\_\_\_- Recorder

Date: \_\_\_\_\_

Location:



# CICERO / JACKSON TOWNSHIP BZA MEETING

Cicero Town Hall  
70 N Byron Street  
Cicero, IN 46034