

CICERO / JACKSON TOWNSHIP BZA MEETING

BZA Meeting Minutes

January 19, 2017

7:00 p.m.

Roll Call of Members

Present:

- ☐ Brad Baker – Chairman-present
- ☐ Tom Warner-absent
- ☐ Scott Bockoski
- ☐ Dan Strong-present as Interim Plan Director
- ☐ David Martin-present
- ☐ Mike Berry-present
- ☐ Aaron Culp - Legal Counsel-present
- ☐ Terri Strong - Recorder

1. Declaration of Quorum- Declared quorum with four members.
2. Approval of Minutes-. Chairman Baker asked if any changes, Mr. Strong stated changes were made as per email by Mr. Hall.
Motion was made by Mr. Martin to approve December 2016 minutes. Second by Mr. Berry. All present in favor.
3. Public Comment- Chairman Baker opened with new format for meetings, any comments not related to items on agenda will be handled at beginning of the meeting.
No public comments.
4. Old Business-Chairman Baker stated needed to untable the first item. Mr. Strong stated from November meeting.
Motion made by Mr. Martin to untable BZA-0916-017-R1 Scott Hickman petitioner, 47 Hickory Ridge Circle. Second by Mr. Bockoski. All present in favor.

Docket#: BZA-0916-017-R1

Petitioner: Scott Hickman

**Address: 47 Hickory Ridge Circle
Cicero, IN 46034**

Development Standards Variance: To allow access in front of primary structure whereas ordinance states accessory structure to be placed to side or rear of primary structure.

Scott Hickman 47 Hickory Ridge Circle, wanting to put garage to the right by house. Chairman Baker asked when planning to do. Mr. Hickman responded with spring. Chairman Baker asked what kind of siding was on existing dwelling. Mr. Hickman stated wood. Chairman Baker asked

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for the reason for placing in front of the dwelling. Mr. Hickman responded with not able to do in back or on side. Previous owner had a drawing to do on left add on, however they said it would be hard to do with the ravine to deal with. Mr. Hickman came to table showing placement and discussion ensued. Mr. Martin asked about drive. Mr. Hickman commented would be asphalt, with siding to match house. Discussion on roofing materials, TBD. Mr. Hickman indicated the well on the map, discussion with the current grade how to put on side or rear. Mr. Bockoski asked about trees and foliage currently and would they remain. Mr. Hickman stated yes, visible in winter but not otherwise. Mr. Strong asked if could move to 40ft per the ordinance. Mr. Hickman stated he thought it was 30 ft. ordinance. To answer the question Mr. Hickman answered it would be a 26x36 building to be able to get boat inside. Mr. Strong stated for clarification on the drawings, he has 30 ft. setback, and he is willing to do a 40 ft. per the ordinance. Please make that a condition.

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

Marcia Frink, 46 Hickory Ridge Circle asked about changing the setback from 30 to 40. President Baker stated that is per the ordinance. Mr. Berry stated actually moving farther away. Ms. Frank stated have windows along back that would look into their garage. Stated trees that currently block would be cut down for drive. Mr. Berry asked for her to show on drawing. Discussion ensued.

John Frink 46 Hickory Ridge Circle. He thought he heard similar siding, single wide service door. His concern for how it would look as they would be facing the building.

Derek Roahrig 41 Pleasant Hill Ct. He stated he felt as long as it matched the current he is for the garage. He is concerned that toys are left out and this would help with the look of the neighborhood. He stated he has a detached garage to the front and side of his house and keeps toys out of sight.

President Baker asked if more questions from the public. No further questions.

Mr. Martin made motion to close the public hearing. Mr. Bockoski second. All present in favor.
Public hearing closed.

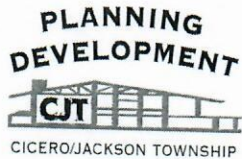
President Baker opened for discussion for board members. Mr. Culp stated recommend adding condition of not operate a business. President Baker asked if setback should be a condition since it was the ordinance. Mr. Strong stated his concern was that the drawings show 30 ft. President Baker stated make sure the records state 40 ft.

Mr. Martin made motion to approve BZA 0916-017-R1 with following conditions, plat plan is addressed to show 40 ft. setback vs 30 that is on the plan, structure is similar to primary structure, no business or residential occupancy in structure. Mr. Bockoski second. Vote is as follows:

Mr. Berry-yes, Mr. Baker-yes, Mr. Bockoski-yes, Mr. Martin-yes. Petition granted.

Mr. Hickman asked if he could get a copy of the ordinance. Mr. Strong stated just stop in and he would help him.

President Baker asked if anyone was present for GW Pierce petitioner or representative. Mr. Culp stated just have to leave tabled. President Baker stated the need to recluse himself for the next docket and requirement to elect an acting president for process.



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Mr. Bockoski made motion to elect president for BZA#1216-027-NC-R3 nominating Mr. Martin. Mr. Berry second. All present in favor. President Baker announced Mr. Martin as president pro temp for this docket.

Docket#: BZA-1216-027-NC-R3

Petitioner: Kent Steury

Property Address: 0 East 236th (Parcel # 03-02-00-00-012.000)
Cicero, IN 46034

Land Use Variance: To allow for an Un(air) Conditioned Storage Facility to be located on this site.

Whereas a Storage Facility is not a Permitted Use or a Special Exception Use in the NC (Neighborhood Commercial) and/or the R3 (Residential) Zoning Districts in the Cicero & Jackson Township Zoning Ordinances.

President Martin invited petitioner to front.

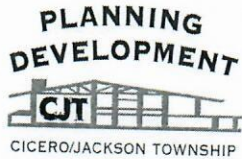
Mike Reeve with HWC Engineering 135 N. Penn Indianapolis, and Kent Steury property owner. Requesting land use variance for building on property at 236th west, 5 acre parcel which is narrow and deep, to allow for people to have storage options.

Mr. Baker and Mr. Culp interrupted to explain that the petitioner needed three votes to approve this petition and if not approved unanimously would have to wait for a year for reapplying. He was informed that he can choose to wait if desired. Mr. Steury asked why they did not have a quorum. Mr. Strong explained there is a quorum, however one member not present and Mr. Baker recuse for this docket, therefore all three members would have to vote positively. Requirement is for 3/5 votes. Clarification is if all three is no then could not come back for a year. Mr. Steury stated he would like to proceed.

Mr. Reeve handed out drawings and quote. Mr. Reeve stated aware that the property is in an overlay district and requirements are to be met. Mr. Strong stated Mr. Steury is looking for the land use variance knowing there would be more approvals, such as drainage however wanted to seek approval for use before incurring further costs in research, engineering and development if use would not be permitted. President Martin asked if facility in other areas. Mr. Steury stated his daughter works for a company in CO that has 70 so he has gotten advice from her and counting on her for details. President Martin asked if that company was involved. Mr. Steury stated not at all. Mr. Berry asked for some specifics on the drawing provided. Mr. Steury stated drawing was attempt to provide an example, front would have 812 pitch with dormers. 120x60 overall. Mr. Steury approached and discussion ensued around drawings.

Mr. Bockoski asked for the hours of operations. Mr. Steury stated looking at a kiosk access and clarified that office would likely be 8-5. Mr. Berry asked if lighted at night. Mr. Steury stated for security purposes yes has not determined details. Mr. Reeve stated wasn't speaking for client however, typically over each garage.

Mr. Strong reminded board that they are here specifically for land use tonight and as Mr. Baker stated earlier the project will go under more review with architectural and site plan review. Many of those items will be addressed at those meetings.



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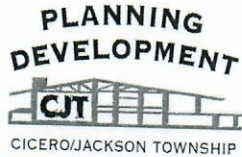
President Martin asked if front would be office and storage with walk in area. Mr. Steury stated yes, and that there would not be doors on front so architecturally pleasing. Doors would be on backside. Possibly interior hallways on front building. Mr. Berry asked about adjacent properties. Discussion with the drawings were clarified. Mr. Strong stated the one property is owned by Randy Vondersaar and the other was owned by the Archdiocese approx. 80 acres to the west. Mr. Berry asked if anyone know what plans for the Archdiocese property were. Mr. Steury stated he spoke with the manager when they were clearing out some trees, and possibly a school and church. President Martin stated knows will come down the line but wanted to ask about drainage, never been underwater etc. Mr. Reeve stated hasn't and FEMA (?) and a drain to the back, spoke with county surveyor ok with project if water quality and detention is met. Mr. Strong stated will have to do study to establish 100 year flood plain, part of the approval process.

President Martin asked whether there would be outside storage as well as inside storage. Mr. Steury stated would like the option, possibly to the back but there isn't room except to the back. Mr. Strong stated Mr. Steury was informed that any outside storage would have to be screened storage. Chained link fence with slats or some type of screen to all sides unless variance is requested. Mr. Bockoski asked if paved lot. Mr. Steury stated no, believer that things sit with gravel for a number of years before paving ultimately paving. Mr. Strong stated ordinance requires all commercial lots are paved, you have option to ask for it to not be paved for a period of time unless a variance is granted would need to be paved. Mr. Berry asked how many units. Mr. Steury stated he didn't know that is something his daughter is working on. Mr. Reeves stated had square footage of building but not of individual units. Mr. Steury stated smaller on ends and others 10x12 on sides. Mr. Berry asked not to hold to number but estimate of units. Mr. Steury stated 40,000 sq. ft. approximately 100 as a guess. Mr. Berry stated he was looking for traffic impact. Mr. Steury stated that while around units doesn't have the experience to answer other than some people visit their unit once a month, others may do more. President Martin asked Mr. Strong about the project zoning of the area, what area would it fit if not NC. Mr. Strong stated C3. Mr. Berry asked to go back to the lighting concerned for lamps shining down versus up. Mr. Steury answered usually under the eaves, Mr. Steury perhaps a larger light in places for security. Mr. Bockoski heard evergreens on side but what kind of fencing goes along with the area. Mr. Steury stated shadowbox or cedar most likely. Mr. Culp stated lighting would be under review again. Mr. Bockoski clarified that fencing would be as well.

Mr. Reeves asked about landscaping requirements being 10ft buffer. Mr. Strong stated requirements are listed and as long as ordinance followed no issues. Mr. Culp stated due to the location this project will be up for review of site plan itself, showing the layout. Mr. Strong stated there would be a requirement to be a commercial drive. Mr. Bockoski asked if due to setbacks, the structure would have to be narrower than plan shown. Mr. Reeves stated they took those into account as well as future widening of 236th St.

President Pro Temp Martin asked if further questions.

Mr. Berry made motion to open the public hearing. Mr. Bockoski second. All present in favor. Tom Grinstead 7680 E. 236th St. neighbor listening and most questions answered. Did not hear about the back end of the building and the fencing. Mr. Strong stated ordinance will require any outside storage to be fenced. Mr. Grinstead stated he had some concerns but had reviewed Ken's property and



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if this project is half as good as his then all for it. Mr. Grinstead stated he encourages the board to approve his variance.

Dave McGill 5001 E. 236th St and owns other property at 7800 E 236th St. He operates his advisory business at that location and there are a few storage units behind that property that are legal nonconforming. Mr. McGill stated he liked the residential and neighborhood commercial zoning on that end of town. Mr. McGill stated there is storage to the west of town, middle of Cicero, to the south of Cicero and south east of town and do not see extenuating circumstance or need for more storage areas. He isn't against storage but feels it should not be in the gateway to the community and has a place. He felt the comp plan addressed that area to be 19 corridor the south area of town.

Neighborhood commercial growing in this area insurance office, church office, dance studio, etc. and the storage should be in the proper area. Mr. McGill was clear that this is not personal as Mr. Steury is a great neighbor it is about the area staying neighborhood commercial and residential.

Cliff Carle 30 W. Jackson St., asked if there is a master plan overlay for Cicero, of what they want to come to for the gateway from 31. Concerned for the aesthetics for area, Cicero to be known as the storage capital of Hamilton County. Mr. Carle asked if 19 was the zoned area. Mr. Strong stated most is 19 corridor to the south and another area on 31 are indicated. Mr. Carle stated needed to keep open mind on what would look like with trees and fences but felt should stay in planned areas.

President Pro Temp Martin asked if further questions from the public, no one came forward.

Mr. Bockoski made motion to close public hearing. Mr. Berry second. All present in favor.

Further discussion. Mr. Berry asked Mr. Strong to clarify the approval tonight as they are grouping the land uses together. Mr. Strong answered approval would be for the land uses only, front being NC and back R3. They are allowed to seek land use for both as it is one parcel of land.

Mr. Berry made motion to approve BZA -1216-027-NC-R3. Mr. Bockoski second.

Mr. Martin-yes, Mr. Bockoski-yes, Mr. Berry-yes. Motion passes 3-0. Docket approved.

Mr. Strong stated Mr. Steury could see him in the office for further questions on variances.

4. New Business

Election of officers for 2017 President Baker opened discussion on officers for the 2017 year.

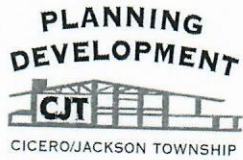
Mr. Berry made motion to nominate Brad Baker for president. Mr. Martin second. All present in favor.

Mr. Bockoski made motion to nominate David Martin for vice president. Mr. Berry second. All present in favor.

Mr. Martin made motion to nominate Tom Warner for secretary. Mr. Berry second. All present in favor.

7. **Plan Director's Report:** Just quick update on Plan Commission review of Arbor Homes project. Mr. Strong stated questions arose around Neal St. so had been tabled to review, those questions had been answered he believed. Mr. Strong explained where they are at in the process in response to question about public hearings. Next step is the recommendation to the Town Council regarding the rezone of area.

8. Chairman's Report: None



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9. Legal Counsel's Report: none
10. Board Member Comments: none
11. Next Planned BZA Meeting:
February 23, 2017 at 7:00 pm
12. Adjournment: Mr. Martin made motion to adjourned, Mr. Bockoski second. Meeting adjourned.

Signatures:

Chairman

Secretary

Recorder

Date: _____

Location:

Cicero Town Hall
70 N Byron Street
Cicero, IN 46034