



# CICERO / JACKSON TOWNSHIP PLAN COMMISSION MEETING

## Plan Commission Meeting Minutes

November 8, 2017

7:00 p.m.

### Roll Call of Members

#### Present:

- ☐ Dan Strong
- ☐ Jack Russell
- ☐ David Martin
- ☐ Rusty Miller
- ☐ Chad Amos
- ☐ Dennis Schrumpf
- ☐ Glen Schwartz
- ☐ Aaron Culp - Legal Counsel
- ☐ C.J. Taylor - Plan Director
- ☐ Terri Strong - Recorder

#### Absent:

Steve Zell

1. Declaration of Quorum – President Strong declared a quorum with seven members present.
2. Approval of Minutes  
**Motion made by Mr. Amos to approve Minutes from PC Meeting October 11, 2017. Second by Mr. Russell. All present in favor.**

3. Public Comment  
President Strong stated this is time for comments from public unrelated to items on the agenda. No public comments.

President Strong asked board for approval for revision of agenda. First, Mr. Hall's aesthetic review petition added, no legal notice required. Second, due to number of anticipated public comments, moving the RV Ordinance review to the end of last new business item.

**Motion to approval made by Mr. Schrumpf for amending agenda. Mr. Miller second. All present in favor.**

4. Old Business

**James Steckley, Morse Landing West LLP**

**A Major Subdivision Re-Plat application has been submitted concerning article 1.6 of the Cicero/Jackson Township Subdivision Control Ordinances in order to: Increase the lot size of Lots 72 and 73 of the Morse Landing West Subdivision.**



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President Strong gave recap of why tabled. Staking was done for proposed sizing of home and lots. Comments by the Board were welcomed. Mr. Amos stated he reached out to Silverthorne after comments from public, receiving no response. These were platted lots and what we have to go by and cannot go on sales pitch. After review, the houses will not be a concern being on a hill, but what Mr. Amos would ask is that being in the detention area, no structures or fences on back side in retention area. Mr. Amos stated these are his concerns and asked that this be added as conditions. President Strong verified with Mr. Culp that these could be conditions of replat. Mr. Culp confirmed. Mr. Miller also reviewed area indicating one home, ranch style, has a fence going down the hill, and a second home has a Florida room, sunroom footers are down the hill. How these were approved he is not sure. Mr. Miller stated whoever builds will not have much of a back yard, and should know that. Mr. Miller would prefer for resale values that comparable value homes are built. President Strong stated Mr. Taylor went back to review older plans, determining that those lots were not designated as park area. Mr. Miller asked if there is another area that is designated as recreational area. Mr. Taylor referred to the monitor for clarification of the areas. Mr. Taylor stated the plateau area could possibly be a play area if homeowner's association desired to do after area is built out. Mr. Schruppf asked if this area was an issue with all the recent rains. Mr. Steckley stated no, large drains to handle the flow. President Strong stated he would be looking for a motion if no further questions from the board. Further discussion on conditions.

**Mr. Amos made motion to approve P.C.0917-009-R3 with the following stipulations: No building down in detention area, and no fence to be built in the 15ft. utility easement, up to the easement only.**

**Mr. Russell second. Motion passed with one nay.**

**5. New Business:**

**Docket No. PC-1017-010-C1**

**Joe Kunzer 1200 S. Peru St. Cicero, IN 46034**

Aesthetic Review regarding proposed wall signs.

Mr. Taylor asked Mr. Strong that this be postponed until next month. Petitioner was unable to get all information needed to present for review.

**Motion made by Mr. Martin to table PC-1017-010-C1. Mr. Amos second. All present in favor. Docket tabled.**

**Docket No. PC-1017-011-R4**

**Hamilton North Public Library 209 W. Brinton St.**

Aesthetic Review regarding proposed landscaping for future building expansion.

Mr. Taylor read document giving Jennifer Roberts legal right to represent Ann Hone in the matter of aesthetic review. Letter added to record. Mr. Culp stated he needed to recuse himself due to conflict of being Hamilton North Public Library attorney also.

President Strong welcomed petitioner to front.



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Jennifer Roberts, 16213 Beaher Lane, Indianapolis, IN. Clarified that plans presented are for aesthetic review of landscaping and parking lot expansion not building expansion. Ms. Roberts addressed the changes, including closing one drive on Pearl Street new entrance on eastern side of site, adding island for landscaping and changes to existing landscaping due to current conditions. There is retention basin changes that will take place due to the parking lot expansion.

Mr. Martin asked how many parking spaces will be added. Ms. Roberts stated eleven, seventy currently, when finished 81. Mr. Schrupf asked if area on Brinton will be an exit also, Ms. Roberts stated yes, street department did not have comments. Mr. Miller asked about Pearl St. entrance impact, verifying the new entrance would not go to the back parking. Ms. Roberts addressed where the building expansion would be and how this impacted the parking. Mr. Martin questioned the handicap parking situation. Ms. Roberts explained addition of second handicap space and wheel stops. President Strong explained the aesthetic review for landscaping did not require a public hearing. Mr. Russell asked if the new drive would have any lighting. Ms. Roberts explained relocating current poles, and more will be added to building. Adding conduit to get low lighting to street. MEP mechanical work is the primary work being done at this time.

Aaron Peterson, Architect, Noblesville.

President Strong asked for clarification from Mr. Taylor on processes. Mr. Taylor stated the petitioner would be returning for approvals for building expansion and at that time lighting would be a portion. Mr. Russell stated knowing the future was helpful to the review.

President Strong asked for motion in the affirmative.

**Mr. Amos made motion to approve PC-1017-011-R4. Mr. Russell second. All present in favor.**

**Docket No. PC-1117-012-DC**

**Matt Hall 409 W. Jackson St.**

Aesthetic Review regarding proposed color change on the exterior of the building.

Mr. Taylor announced that due to emergency Mr. Hall would not be able to join meeting.

**Mr. Amos made motion to table PC-1117-012-DC. Mr. Russell second. All present in favor.**

President Strong stated returning to the amended agenda of old business RV Parking.

Old Business:

**Continued discussion on review/revision of Ordinance 7.23, MS-02 Recreational Vehicle Parking.**

Information in front of Board submitted by citizens for your review. The first being a portion of the Carmel ordinance referencing RV parking printed out the highlighted areas. Submitted by Ms. Bulle and Ms. Tracy Zuchristian. While this is not a public hearing, the information was submitted to review. Mr. Russell asked if there were any existing policies similar to what Carmel has listed. President Strong referred to book, Mr. Martin sharing section 7.23 Recreational Vehicles. President Strong stated this is the ordinance that we are looking at to see if it needs amended, possibly including boats and trailers. President Strong also stated there is in the paperwork a Cicero area zoning map, some of the areas being smaller may need addressed. Mr. Martin asked about homeowner's associations. President Strong gave example of Old Town Cicero R-4 or R-5 areas but then you have Greystone village and Warehams, fall in those categories, have HOA's that deal with this issue, most major subdivisions have



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covenants that cover these items more specifically. Mr. Martin asked why this has come up to be reviewed.

President Strong stated have had comments come up from within the community, upon reviewing it was decided to review as one ordinance whether to address boats and trailers or adjust, bringing the issue back to the Plan Commission for review. Mr. Culp added that the current ordinance only addresses RV's, so do we want to add boats and trailers, and in some cases, could make it very difficult for homeowners to comply. President Strong also added that the comment was added concerning the small lots as in Old Town Cicero. President Strong asked Mr. Taylor to share his findings after researching. Mr. Taylor stated he would encourage the Commission, to review Bloomington MN ordinances. One items that features is a waiver process, to be reviewed with the neighbors and signed off by the officials, has a time limit attached such as three years. Mr. Taylor stated he would like to see something similar for Cicero, many would not have an issue with some of the items being discussed and the size of lots. Further examples and reference to the pictures shown were discussed. Mr. Schrupf gave an example, fence shielded the RV in one neighborhood. Mr. Taylor asked that the Board consider a waiver. The other concern is construction trailers and the wording of the ordinance. Mr. Taylor expressed concern with being a boating community and taking this under consideration. Mr. Russell stated he was concerned with the gray area of a waiver, allowing for one but not others. Mr. Culp replied that it would be a variance of sorts, causing some work on Town part, however he felt it would be doable. Mr. Russell stated sounds like a lot of work for a staff of one. Mr. Amos added texture to the conversation that was missed by some members, referring to the pictures. While there was one complaint to start, after review there were 36 violations for RV's alone. Mr. Amos referred to Carmel's ordinance that does not allow any parking on the grass, again adding texture to the background. Mr. Amos shared that Mr. Schwartz brought up concern for safety. Mr. Strong stated this time of the year, the amount of boats and jet ski trailers is up compared to the start of this conversation. Mr. Culp reminded everyone that if saying want to regulate RV's due to aesthetics and safety it is hard to defend anything that is of similar size, so what should fall under the ordinance. Whatever is being regulated must be applied consistently. President Strong stated the ordinance has a definition of recreational vehicles that is detailed. Mr. Taylor stated many are covered by the neighborhood HOA's, however if there is not an active HOA then it falls to the town, as well as Old Town and Shores. Mr. Schwartz stated he liked the Directors suggestion along with the concrete drive. Mr. Taylor suggested as an idea a sticker or waiver for visibility for police and enforcement. Question was raised as how waiver is handled in MN regarding neighbors. Further discussion around details. Mr. Amos stated he liked the no parking in grass for any vehicles. President Strong referred to item sent to Board on Carmel's details. Mr. Amos stated also discussed last meeting was limiting the number of vehicles allowed. President Strong shared his research of Webster area. Mr. Russell stated the issue of the grass is huge, and details would be needed. Discussion of number of days allowed as well for a visitor. President Strong went line by line on the current ordinance. There was discussion on each of the following items with reference to the pictures and current ordinance.

1. Rules for living quarters to remain the same.
2. Fourteen days to remain/ seven consecutive.
3. One Camper/motor home plus one other recreational vehicle. (definition discussed)
4. Parking area defined (much discussion-grass, front yards vs back yards, current ordinance verbiage)



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Mr. Amos stated the safety limit had to be addressed. Mr. Miller expressed concern for Old Town areas alleys view. Discussion on lake front properties. Aesthetics of the areas. Mr. Martin and Mr. Russell questioned concern for back yard parking on the grass if not visible.

Mr. Martin stated with these changes there should be a grace period for compliance. Discussion on notifications. Agreement on public notifications.

5. Storage year-round- current ordinance read. Discussion on setback from sidewalk or road using terminology to address this concern. Also, the waiver option, and definition of size of RV or equal size vehicle to prevent concerns. Mr. Miller pointed out that distance from street would take care of many items.

6. Blocking of sidewalk is covered under current ordinance. Neighborhoods without sidewalks would be covered under the items discussed in #5.

7. Not to be used for solely personal storage, discussed in current ordinance. This would cover trailers.

President Strong stated he captured that the Board would like to look at waiver option, not parking on grass anywhere, and would include RV's, boats, trailers, campers, jet ski. Parking on side yards, waiver for back yard option with neighbor approved.

Mr. Culp stated the distance from the road/street would eliminate many issues. Number of vehicles was discussed. Waiver for adjoining property owners for back yards. Defining the point of a trailer will be important.

President Strong added, one RV and one other item, or two items, but not two RV's. Also, no living quarters would say the same. President Strong stated may need to address large trucks, even though there is an ordinance for them. Mr. Schrupf stated has concerns with addressing this, examples given. President Strong read the vehicle parking ordinance to everyone for clarification. Discussion ensued on parking ordinance.

Mr. Amos requested be part of the municipal code, so the police could respond if necessary.

President Strong ended with agreement that Mr. Taylor and President Strong would get a draft together and present to Board for review. Mr. Taylor did respond to the question of fines, already defined in ordinance as a range. Clarification needed for consistency. Mr. Culp stated for zoning purposes it is good to have the range, however if municipality code then it is set.

President Strong thanked everyone for their input.

6. Plan Director's Salary- President Strong stated Mr. Taylor has been in position for six months, has done a very nice job. Looking to take pay rate to maximum pay rate for his level, since took a lower amount while learning. Mr. Amos concurred, adding that reports have been great, more than ever before, if there are questions from the TC, he has been there. Board agreed to take to Town Council for recommendation.

7. Plan Director's Report: Written report included in your packets. Permit revenue up 23% over last year for last month. For the year, permit revenue up 96%. New permits of 16 for the month. Compliance letters are working. Working on District packets so someone coming in there would be



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one packet to be given, hopefully preventing errors or conflict. Taking the tool and trying to make it better for all to use. You should have received page updates for your zoning books in your packet. After the first of the year, once typo's and other ordinance changes are made there will be new books printed for everyone.

Point of reference, Mr. Hall just arrived.

Mr. Amos stated given the emergency, and timeliness he would like to be re-opened for discussion. Mr. Hall stated he would come back next month for the signage and all if needed, would like to share renderings and colors for approval if that is possible.

President Strong asked for clarification from Mr. Culp on whether it could be untabled since it was tabled earlier in meeting. Mr. Culp stated yes, since there was no public hearing required.

**Docket No. PC-1117-012-DC**

**Matt Hall 409 W. Jackson St.**

**Mr. Schrumpf made motion to untable. Mr. Miller second. All present in favor.**

President Strong explained earlier proceedings and welcomed Mr. Hall to the front.

Matt Hall, stated talking about paint job on the exterior of the building. Closed on property Tuesday and while a long process would like to make change to dark blue exterior paint color right away due to the weather. Would like to get rid of the green for the winter, giving a fresh look, start building for the spring opening. President Strong stated he knew Mr. Taylor has had conversations around aesthetics review and only color change would be reviewed. Mr. Hall stated he understood. No further questions from the Board.

**Mr. Martin made motion to approve PC-1117-012-DC aesthetics review color change. Mr. Schwartz second. All present in favor.**

**President Strong stated color change approved.**

8. President's Report: In near future board will have elections for president, vice-president, and secretary, so start thinking what everyone will want to do. Mr. Martin verified that Mr. Strong wasn't going anywhere in the future. Mr. Strong reminded everyone that he certainly would step aside if there was interest by another. Also, short a member with Mr. Fonderoli and need to be looking at a replacement for that position. There is a short list, however, if anyone has someone to add we will present this to the Town Council since it is a TC appointed position. Contact Mr. Taylor if further names. Mr. Amos would like to make this as soon as possible.

President Strong thanked everyone for their attendance and making the job easier.

9. Legal Counsel's Report: Passed new ordinances last night, dealing with peddler's and food trucks, and a couple that were out of date. Once posted, go into effect in 30 days.

Food truck interest has escalated, Chief Hildebrand and Mr. Strong have worked hard with Mr. Culp to craft the ordinances. Nothing further.

10. Board Member Comments: No further comments.

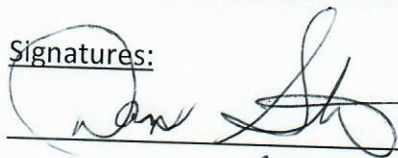


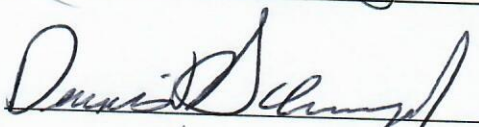
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11. Next Planned Plan Commission Meeting: December 13, 2017

12. Adjournment: Motion to adjourn made by Mr. Amos, second by Mr. Schwartz. All present in favor.

Signatures:

  
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President

  
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Secretary

Date: 12/13/2017

Location:

Cicero Town Hall  
70 N Byron Street  
Cicero, IN 46034





# CICERO / JACKSON TOWNSHIP BZA

**CICERO/JACKSON TOWNSHIP BZA MEETING  
THURSDAY, NOVEMBER 16, 2017  
7:00 P.M.**

Please print your name, address, and sign in:

Joyce & Dustin Lytle 220 Bay View Dr. Cicero, IN 