



CICERO / JACKSON TOWNSHIP BZA MEETING

BZA Meeting Minutes

January 18, 2018

7:00 p.m.

Roll Call of Members

Present:

- ☐ David Martin
- ☐ Steve Zell
- ☐ Scott Bockoski
- ☐ Mike Berry
- ☐ Aaron Culp - Legal Counsel
- ☐ C.J. Taylor - C/JT Plan Director
- ☐ Terri Strong- Recorder

1. Declaration of Quorum- Chairman Martin declared a quorum with four members.
2. Approval of Minutes- **Mr. Zell made motion to approve minutes for December 21, 2017 as presented. Mr. Bockoski second.** All present in favor. Minutes approved.
3. Public Comment- Chairman Martin asked if any public comment not pertaining to tonight's dockets.
No public comment.
4. Old Business: **None**
5. New Business:
Chairman Martin opened new business with questions from Mr. Zell and Chairman Martin to legal counsel. Answers from Mr. Culp, an alternate can make a nomination and with regards to Mr. Strong's interest and experience if elections are tabled the 2017 officers would retain positions. Chairman Martin asked Mr. Strong his perspective. Mr. Strong stated he should be returning at the next meeting. Mr. Zell questioned the carryover from Plan Commission to the BZA regarding dockets and public perception of sharing information. Chairman Martin clarified the concern, on both boards or being on leadership of both boards. Mr. Zell stated the chairs of both, from a perception point. Mr. Culp stated there is crossover built into the Plan Commission board. There is no rule against. Mr. Bockoski stated he agrees with concern, and while everyone understands that it is one vote, can understand the perception concern.

Motion made by Mr. Berry to table the nominations and elections until next month. Mr. Zell second. All present in favor. Motion passed.

Election of officers for 2018

Chairman: _____

Vice-Chairman: _____

Secretary: _____



CICERO / JACKSON TOWNSHIP BZA MEETING

Docket#: BZA-1117-041-R2

Petitioner: Don and Melissa Davis

Property Address: 6705 E. 231st St.
Cicero, IN 46034

A Development Standards Variance application has been submitted concerning Article 3.6 of the Cicero/Jackson Township Zoning Ordinances in order to: Reduce the required minimum rear yard setback from twenty (20) feet to fifteen (15) feet.

Chairman Martin welcomed petitioner to address the board, please state name and address and explain project.

Melissa Davis 6705 E. 231st Cicero, showing picture of home explained wanting to put screened porch and patio on back of house. Covenants setback is 30 ft, asking for 15 ft. corrected herself that setback allowed is 20ft. Explained has permission from neighbor and receipts of notification. Mr. Zell stated being in a "R2" is under the HOA, regular Cicero ordinance is 30 ft. rear setback, covenants is 20 ft. Mr. Culp questioned, discussion ensued on documentation in packet. Mr. Zell just wanted to make sure everyone knew the adjustment in the original plat approval.

Mr. Berry asked if official letter from HOA. Mr. Taylor stated the president of the HOA was in and discussed project with him (plan director) and had no issues. Mr. Zell added that Mr. Lewis set on board and also spoke to him that there were no issues from their board. Drawings and packet were used to discuss the property lines and position. Mrs. Davis gave details of the project, including a fireplace.

Chairman Martin asked if any questions from the board. Mr. Taylor stated he had none, gave recommendation at staff meeting and didn't have any concerns especially after speaking to HOA board.

Motion to open public hearing made by Mr. Zell. Mr. Bockoski second. All present in favor.

Chairman Martin asked for public comment. No one came forward.

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

Mr. Bockoski expressed concern around contingency regarding official letter from HOA, adding it as requirement.

Mr. Zell made motion to approve BZA-1117-041-R2 with the contingency of receiving letter from HOA to Mr. Taylor's office with approval. Mr. Berry second.

Mr. Zell-yes, Mr. Bockoski-yes, Mr. Berry-yes, Mr. Martin-yes. Motion approved.



CICERO / JACKSON TOWNSHIP BZA MEETING

Docket#: BZA-1217-042-R5

Petitioner: Kelly T. Beale

Property Address: 520 S. Pearl St.

Cicero, IN 46034

A Development Standards Variance application has been submitted concerning article 7.5 B. AS-02.F of the Cicero/Jackson Township Zoning Ordinances in order to: Construct an accessory structure that exceeds the maximum allowable square footage of fifty (50) percent of the finished floor area of the primary structure in an "R5" residential district.

Chairman Martin welcomed petitioner to the front.

Kelly Beal, 32 Coral Ct. looking to build the structure at 520 Pearl St. Monitor was used to explain where property is located and project positioning in the back of the lot. Mr. Zell asked if using the existing drive. Mr. Beal stated accessing only a couple times of the year thru the grass. Conversation around easement placement. Chairman Martin asked about placement of garage doors, and use. Mr. Beal stated doors would face east, use would be watercraft.

Mr. Bockoski asked about picture provided. Mr. Beal said similar. Mr. Berry questioned materials being used. Mr. Beal stated colors will match primary structure. Mr. Zell asked if any drainage issues. Mr. Beal referred to neighbors all having garages in back as well. Chairman Martin asked Mr. Strong to refresh about requirements regarding driveways. Mr. Strong asked Mr. Taylor to answer, Mr. Taylor stated R5 if a driveway would be installed there are no requirements of asphalt or cement, only gravel, however there is not a requirement for a driveway. Mr. Taylor added if decided to add a drive in the future, on the north side Mr. Beal would have to apply for a road cut permit with the Street Department. Church is occupying part of the easement. Chairman Martin asked about utilities to the building. Mr. Beal stated only electricity potentially, stake survey done building to be 20 ft. Problems with website/monitor.

Mr. Bockoski clarified the main issue is the size of the building 50% more and is a two-bay garage. Mr. Beal stated yes.

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

Chairman Martin asked for any public wanting to comment, to step forward and state name and address to the board.

Phil Winsey(?) representing Sacred Heart of Jesus Church, Pearl Street. Only concern is the accessibility of the property, as proposed it is acceptable solution. The problem that they have had in the past is using the parking lot to access the property especially the fire pit. Chairman Martin clarified if other access would not have an issue. Mr. Winsey(?) stated that is correct. Discussion on options via alley.

Mr. Berry asked for what problems in past. Mr. Beal discussed renters, fire pit location, garage would block the fire pit from the church parking lot.

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

Chairman Martin asked if other discussion on the docket. Mr. Culp stated he would like to have the board consider a couple of items. Mr. Culp would recommend due to the size of the structure, no commercial use, no residential use, and access by vehicle only from Pearl St. Discussion on options for the access using the monitor again. Encroachment of the easement and alleyway were discussed. Mr. Zell shared his notes.



CICERO / JACKSON TOWNSHIP BZA MEETING

Mr. Zell made motion to approve BZA-1217-042-R5 contingent with the following: no use of the church property, no commercial or residential uses relative to petition, access via Pearl St. or the alley are permissible. Mr. Bockoski second.

Mr. Berry-approve, Mr. Bockoski-approve, Mr. Zell-approve, Mr. Martin-approve. Motion passed.

Mr. Taylor stated will type up the conditions and stop by to sign, conditions will be attached to deed of property.

6. Plan Director's Report: Mr. Taylor enclosed in your packet is report. I will be happy to address any questions or concerns you may have.

Permit revenue up December 2016-2017 40% for month, YTD 89%. Following up on non-compliance. Revenue sheet attached, same sheet given to Plan Commission and Town Council. Increase for year of over \$44,792 in permit fees. Mr. Berry asked if increase in any fees structure. Mr. Strong stated new fee structure went into effect in January 2015. Mr. Taylor stated economy changes contributed.

Third page includes new homes starts 2017, Cicero- 42, Jackson Township-8. Chairman Martin asked number of new homes in 2016, estimate less than 20. Mr. Taylor stated MI Homes continuing process with agreements. Mr. Strong answered question of timeframe, basically have agreement on table, attorney's then town council for approval, and then work for structure would be April. Couple of sticking points that are being worked out. Mr. Taylor added that fees for secondary plat paid this week.

There has been concern expressed from residents for the buffers, representatives do not anticipate removal of any more trees than necessary. Citing costs to remove as well as adding to the property values. Mr. Taylor added going to some trainings and will have that report next month.

7. Chairman's Report: Chairman Martin no report. Mr. Strong stated Mr. Martin did a good job with this meeting.

8. Legal Counsel's Report: No report.

9. Board Member Comments: Mr. Zell asked if anything new to report on the Hall's Catering project. Many questions from citizens. Mr. Taylor stated toured last week, walked with contractor. Light construction no structural being done. Mr. Zell asked if date. Mr. Berry answered first part of March. Discussion ensued around current operations.

Mr. Berry with all the new building permits and all, concern for the intersection at Brittan and HWY 19. Discussion of issues, stop light determined by State Highway. Further discussion on Main/Jackson and Tollgate and 236th. Mr. Strong shared studies completed recently on Main/Jackson and Trail Study. Town Council to review at upcoming meeting. Discussion on mini roundabouts, monitor used to explain. Discussion on space in this area. Mr. Zell discussed further the Tollgate concern for the future. Mr. Strong shared further perspective on the details of a mini roundabout, Chief Hunter insights, and costs associated with improvements.

Mr. Strong gave an overview of the trail study. The Train tracks, Washington (eliminated quickly), Pearl St., Buckeye options all shown on monitor as several options being discussed from the study. Discussion on walking trail only, options for grant availability. Mr. Strong stated Town Council has been forward thinking regarding the studies for grant purposes. Mr. Strong also shared a municipal building study and some of the details.



CICERO / JACKSON TOWNSHIP BZA MEETING

10. Next Planned BZA Meeting: February 22, 2018 at 7:00 pm.
11. Adjournment: Motion made by Mr. Berry to adjourn. Mr. Zell second. All present in favor.

Signatures:

David Martin
David Martin - 2018 Chairman

David Martin
David Martin - 2018 Secretary

70 N Byron Street
Cicero, IN 46034

