



CICERO / JACKSON TOWNSHIP BZA MEETING

BZA-1018-024-R2- Pritchard-setback
BZA-1018-025-C4-Case-parking vehicles
BZA-1018-026-AG- Woodruff-3/4 structures (tabled)
BZA-0918-013-C4- G. W. Pierce-exception use Outdoor Storage
BZA-1018-(016 to 018)-C4-G. W. Pierce-Development Standards-Plat
BZA-1018-(014-15)-C4-G.W. Pierce paving/land use
BZA-1018-(019-023)-AG-Ogram-Dev. Standards-plat

BZA Meeting Minutes November 15, 2018 7:00 p.m.

Roll Call of Members

Present:

- Art Hall
- Dan Strong
- Scott Bockoski
- David Martin
- Mike Berry
- Aaron Culp - Legal Counsel
- C.J. Taylor - C/JT Plan Director
- Terri Strong- Recorder

Absent:

Brett Ravenscroft

1. Declaration of Quorum: Chairman Martin declared a quorum; all business will be able to be conducted.
2. Approval of Minutes August 16, 2018 – No meeting September or October.
Mr. Strong made motion to approve minutes from August 16, 2018. Mr. Berry second. Motion approved by all with exception of Mr. Hall’s abstention.
3. Public Comment: None
4. Old Business: None
5. New Business

Docket#: BZA-1018-024-R2

Petitioner: Daniel Pritchard

Property Address: 5595 E. 236th St. Cicero, IN 46034

A Development Standards Variance application has been submitted concerning Article 3.6 of the Cicero/Jackson Township Zoning Ordinance in order to: Reduce the minimum required front yard setback when located adjacent to a Primary Arterial Road or Parkway.

Chairman Martin welcomed petitioner to speak, stating name and address as well as reason for variance.



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Daniel Pritchard 5595 E. 236th St. Cicero. Mr. Pritchard stated 236th street is due for rebuild to Deming road, County is taking 60 ft. from the center line at that time. When building the house several years ago size was fine, now looking to selling the home. It is small and while ok for him, most would want to build on. The setback would be 10 feet.

Mr. Strong asked so you are wanting to build on to the east or west. Mr. Pritchard stated that is correct. Mr. Strong verified would be ok with commitments. Mr. Pritchard stated yes, wanting to be able to plan ahead for the next person. Chairman Martin questioned county plans. Monitor was used and referred to by Mr. Pritchard and Mr. Taylor referring to 20 ft. usage.

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

Mr. Knapp with County Highway, in charge of acquiring property for 236th project. Wanted to state that the Board of Commissioners are in favor of this request and letter has been submitted supporting Mr. Pritchard.

Motion made to close public hearing by Mr. Hall. Mr. Berry second. All present in favor.

Chairman Martin asked for discussion comments. Mr. Strong stated felt Mr. Pritchard request is well warranted with hardships and all. Mr. Hall asked for technical question if the request runs with the owner or the property. Mr. Culp stated not required however would want to make sure it is labelled as permanent. Most are time limited.

Mr. Strong made motion to approve BZA-1018-024-R2, if approved would be a permanent and open-ended variance with following commitment: no building to the north part of property that would exceed the front plane of the home. Mr. Bockoski second.

Mr. Hall-approved, Mr. Strong-approved, Mr. Bockoski-approved, Mr. Berry-approved, Mr. Martin-approved.

Motion approved 5-0.

Mr. Pritchard asked if he was to sell property and the house was to be torn down and built behind the outbuilding would that be allowed. Mr. Taylor answered it would require a variance as a secondary structure is not allowed in front of a primary structure per ordinance without approval. House facing would not be an issue, but a variance would be required.

Docket#: BZA-1018-025-C4

Petitioner: Case Real Estate, LLC.

Property Address: 22265 US 31 N. Cicero, IN 46034

A Special Exception Use Variance Amendment application has been submitted concerning Article 7.13 of the Cicero/Jackson Township Zoning Ordinance in order to: Allow parking of vehicles on a section of the property that was previously prohibited by variance.

Chairman Martin asked for petitioner to come forward.

Bill Spencer attorney from Carmel with POA for the Case's. 1016 Third Avenue Suite 100 Carmel. Stated there was a misunderstanding on previous variances. Statement is: If not to use the southwest corner for anything other than landscaping buffer, needed further variance. Mr. Spencer stating there was intention to use area to display equipment and did not realize this was not approved use. Mr. Spencer stated stopped using for displaying equipment, however after being informed (Mr. Taylor) of paving needed for any use, found the



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condition of variance needed for any use of this area in the approval documents. Mr. Spencer stated good news is property owner in for many years, and as has grown in the area. Have also agreed to screen the area from US 31. This area is for staging. Front area had prior is simply not big enough. Monitor used to describe the area.

Mr. Hall asked what the display was for. Mr. Spencer stated this fell thru and the counsel that was here in 2017 stated did not want to use that for display (didn't work out) but counsel withdrew the approval of use totally. Mr. Spencer stated would be paving when weather permitted. Chairman Martin stated all other areas in front are currently paved. Mr. Spencer stated yes. Mr. Berry asked what would be staged. Mr. Spencer stated automobiles, stage in front then take to back, then back to area when complete. Mr. Strong the storage out front would not be there beyond 24 hours. Audience member (owner) stated generally, it is scheduled. Other than items that were owned by us, they are rotated often, the stone area works well for the transporters and when stone is needed, we replace. Paving will require more maintenance on our part. Mr. Strong asked about the type of screening. Mr. Spencer stated similar to tennis court screening-can't see but wind goes thru. Monitor used. Once to corner can not see anything. Mr. Bockoski asked how tall. Answer 6 ft. Mr. Strong confirmed fencing/screening on southside. Answer was yes. Mr. Taylor questioned the north side screening. Discussion ensued on this, there is some, but going to make sure this is part of enhancing the building look. Chairman Martin asked if a timeline was part of the commitment, was there a timeline they had in mind. Mr. Spencer stated had planned on summer, now looking at May/June or July 1 for completion. Mr. Strong questioned semi's or larger trucks parked. Mr. Spencer stated not permanent but for pickup and delivery purposes. Mr. Strong questioned semi's waiting for them to be taken out. Mr. Case (? Never identified himself) stated had one, but believe it is gone, it was due to the size of the unit. Mr. Case stated he can make sure if that would happen again it could be in the back. Mr. Case stated he would like his equipment in the front, newer what is available. Mr. Strong expressed concern for height over the fence. Mr. Bockoski asked about pictures shown, answer was construction equipment. Discussion ensued using the monitor/diagrams for reference on parking what was used. Chairman Martin questioned the future plans for frontage road and timeline. Mr. Taylor explained can not get a timeline, explained plans as he is aware.

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

Chairman Martin verified no public comments on this issue.

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

Mr. Strong asked Mr. Taylor if he was comfortable of no time limit on parking of vehicles. They are saying 24-48 hours. Mr. Taylor stated he has not had an issue with not setting a firm timeframe, the ordinance stated working vehicles not salvage, they keep a clean area, so no concern on that issue. This has been the only issue we have had so far.

Chairman Martin asked if any conditions with completion of July 1. Mr. Strong stated to confirm operable vehicles. Mr. Bockoski stated screen is there and pavement is happening which was a concern.

Mr. Strong made a motion to approve BZA-1018-025-C4, commitment of pavement being completed by July 1, 2019 and vehicles, as per previous variance, parked in front area are operable. Mr. Berry second.

**Mr. Berry-approve, Mr. Bockoski-approve, Mr. Martin-approve, Mr. Strong-approve, Mr. Hall approve.
Motion passes 5-0, approved.**



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Docket#: BZA-1018-026-AG

Petitioner: Fred Woodruff

Property Address: 2905 E. 246th St. Cicero, IN 46034

A Development Standards Variance application has been submitted concerning Article 7.5 of the Cicero/Jackson Township Zoning Ordinance in order to: Allow a third accessory structure on a lot, whereas; Article 7.5 B. AS-02, 2 states that nor more than two (2) accessory structures are permitted on a lot.

Chairman Martin asked for petitioner to step forward.

Fred Woodruff- 2905 E. 246th St. Cicero. Property is a 12.5-acre parcel and have two pole barns on that property along with residence. Would like to add a detached garage to the residence. Mr. Woodruff stated have two parcels totaling 18 acres. Monitor was used. Garage positioning is in the gravel. Mr. Culp asked what the third area was. Mr. Woodruff stated it is a fishing lodge, on top of deck, yes enclosed 14 x 16 on top of deck, been there 16 years approx. Mr. Hall stated that would be a third structure and questioned posts in ground. Mr. Woodruff stated no free-standing deck, built in 2002. Mr. Bockoski questioned if could see any of this from 246th street. Mr. Woodruff answered no. Mr. Bockoski asked if covered walkway to garage. Mr. Woodruff stated no, too much trouble. Mr. Martin asked if pole structure. Mr. Berry asked about utilities and heat. Mr. Woodruff answered slab and masonry and frame, and heat with propane, have electrical but not water. Mr. Strong questioned what other two buildings are used for currently. Mr. Woodruff stated one is used as office area, retired but help with a consulting business, the other is for toys for the grandkids. Both buildings are slab. Mr. Strong asked size of the garage. Mr. Woodruff stated 26x26 or 24x26, depending on how fits best, two garages with work bench and refrigerator. Mr. Berry asked about siding matching the house. Mr. Woodruff stated brick to match and hardy board, asphalt shingles.

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

No comments.

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

Mr. Strong questioned Mr. Culp (legal) regarding Mr. Hall's question, is the fishing structure the third structure and this would be a fourth. Mr. Culp stated he has been considering this since the fishing structure is enclosed, but it is not attached. Discussion ensued. Mr. Taylor stating a storage building over 120 sq. feet is treated as a structure. Mr. Woodruff answered this is 14x16. Mr. Culp answered then this is an accessory structure and the request is for a fourth. Mr. Strong questioned then is this a proper legal notice. Mr. Culp-no, options discussed. Mr. Hall stated technicality. Mr. Culp can't approve a fourth structure when only advertised a third. Tabling discussed. Chairman Martin questioned Mr. Woodruff's understanding of the situation. Mr. Hall explained that deck was fine but when enclosed became an accessory structure. Mr. Woodruff asked for clarification on working farm, growing trees to sell but not currently selling. Would that make it a working farm? Discussion ensued. Mr. Strong stated caveat was that classified as working farm by IRS. Further discussion on delays and timeline. Discussion on which building would be third and fourth and concerns this could cause for future. Chairman Martin asked if tabled, is it realistic to get on docket in 30 days. Mr. Taylor asked yes, leg work was done. Mr. Culp answered, new docket number so is clear to BZA. Chairman Martin recapped to Mr. Woodruff what direction this would take.



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Mr. Bockoski made motion to table BZA-1018-026AG until December 2018 BZA meeting. Mr. Hall second. All present in favor. **Petition TABLED**

Docket#: BZA-1018-016 (017) (018) – Chairman Martin stated *hearing for all 3 and vote on them separately.*
Note: A Minor Subdivision was approved by the Plan Commission on Oct. 10, 2018 contingent upon approval of these variances.

Petitioner: G.W. Pierce Enterprises, LLC – G.W.P. Enterprises, LLC – Gary Pierce, Benny Pierce
Property Address: 22275 US 31 N. Cicero, IN 46034

Docket No. BZA-1018-016-C4

A Development Standards Variance Application has been submitted concerning Article 4.16 of the Cicero/Jackson Township Zoning Ordinance in order to: Allow the depth of a lot #3 to be greater than three (3) times the width, whereas; Article 4.16 states that maximum lot depth is three (3) times the width.

Docket No. BZA-1018-017-C4

A Development Standards Variance Application has been submitted concerning Article 4.16 of the Cicero/Jackson Township Zoning Ordinance in order to: Allow the depth of a lot #4 to be greater than three (3) times the width, whereas; Article 4.16 states that maximum lot depth is three (3) times the width.

Docket No. BZA-1018-018-C4

A Development Standards Variance Application has been submitted concerning Article 4.16 of the Cicero/Jackson Township Zoning Ordinance in order to: Allow a lot to be less than the minimum width of two hundred and fifty (250) feet., whereas; Article 4.16 states that the required minimum lot width is two hundred and fifty (250) feet.

Nathan Althouse, Miller Surveyors 948 Conner St. passed out hand out. Trying to do a four-lot commercial lot. 41 acres wanting to convert to four parcels. Discussion on the plat requirements, used the hand out and used the monitor. To west boundary is US 31, east side dedicating for new road frontage, will have two road frontages. If the road was not being dedicating, would not need any variances however, after discussion with Mr. Taylor felt the changes needed the variances. Chairman Martin asked if the petitioner was positioning to sell the parcels. Mr. Althouse confirmed that is in the plan. The hardship is that salvage yard for 50 years and used parts business is going down, and positioning for future sell. Mr. Strong stated Plan Commission meeting required that as they sold, would have to conform to current approved uses. Mr. Althouse stated yes, as plat is recorded, grandfathering would go away, however lot one has approval for recycle business. The remaining lots would lose grandfathering status when the plat is filed. Mr. Hall questioned the frontage roads dead ending at the lot they don't own. Mr. Althouse stated will address that more later, as an easement is planned. Discussion ensued on current uses of each property.

Mr. Taylor clarified that in the Plan Commission meeting when the final plat is entered, the grandfathering would go away, and non-permitted uses would not be allowed. Any business on the three lots that is not approved by variance would need to go away. Chairman Martin asked for update on environmental concerns. Phase one and phase two have been done, cleaning up over last 10 years. Area has gotten smaller and smaller that has cars. For the record: Gary Pierce 409 Church Dr. Anderson, IN answered the environmental questions.



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Chairman Martin read the dockets that would be open to public. Mr. Bockoski questioned lot 4, the “L” shaped shares the drive with lot 3, is that the future plan. Mr. Althouse stated no cut off 31 would be allowed that is why the plan for a shared drive is shown.

Mr. Strong made motion for public hearing to be open. Mr. Berry second. All present in favor.

No public comment.

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

Chairman Martin asked for any further questions on Docket BZA 1018-016-C4.

Mr. Strong made motion to approve BZA-1018-016-C4 with the following commitment that when final plat is recorded and at the time of recording, for this parcel would lose legal non-conforming status and would need to conform to all permitted uses within the zoning district. Mr. Hall second.

Mr. Strong-approved, Mr. Hall-approved, Mr. Berry-approved, Mr. Bockoski-approved, Mr. Martin-approved. Motion approved.

Chairman Martin asked for questions on BZA-1018-017-C4.

Mr. Strong made motion to approve BZA-1018-017-C4 with the following commitment that when final plat is recorded and at the time of recording, for this parcel would lose legal non-conforming status and would need to conform to all permitted uses within the zoning district. Mr. Bockoski second.

Mr. Strong-approved, Mr. Hall-approved, Mr. Berry-approved, Mr. Bockoski-approved, Mr. Martin-approved. Motion carries.

Chairman Martin asked for questions on BZA-1018-018-C4

Mr. Strong made motion to approve BZA-1018-018-C4 with the following commitment that when final plat is recorded and at the time of recording, for this parcel would lose legal non-conforming status and would need to conform to all permitted uses within the zoning district. Mr. Berry second.

Mr. Strong-approved, Mr. Hall-approved, Mr. Berry-approved, Mr. Bockoski-approved, Mr. Martin-approved. Motion carries.

Docket#: BZA-0918-013-C4

Petitioner: G.W. Pierce Enterprises, LLC – Gary Pierce, Benny Pierce

Property Address: 1715 E. 226th St. Cicero, IN 46034

A Special Exception Use Variance application has been submitted concerning Article 4.15 of the Cicero/Jackson Township Zoning Ordinance in order to: Allow operation of an outdoor storage business; Whereas an outdoor storage business is considered a Special Exception Use.

Nathan Althouse with Miller Surveying representing G.W. Pierce. This is lot two, 14 acres seeking approval to use for outdoor storage. Currently partially used for outdoor storage, has been part of salvage area for many years. Feel for the area is good fit for this parcel. Chairman Martin asked for one of the Mr. Pierce to step forward to answer a few questions.

Gary Pierce-409 Church Drive, Anderson, IN. Chairman Martin asked if there is an office in this area. Mr. Pierce answered not required and not needed for this. There is a boat, couple antique cars, RV's, empty semi-trailers, a few cars, bobcat. Cars are part of a lease deal for parking. Chairman Martin asked turnaround time. Mr. Pierce answered few months, year- a lot of boat requests for storage. Mr. Berry asked if cars are working.



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Mr. Pierce stated no, some are salvage, majority are working. Chairman Martin asked about the semi-trailers. Mr. Pierce answered they are not all operable but not wrecked. Mr. Strong questioned the old cars. Mr. Pierce stated renting space for storage as they can not keep in the neighborhood as an example. Mr. Berry stated there would not be any salvage vehicles in the area. Mr. Pierce stated no. Mr. Hall stated he has an old car, not operable but not junk there is a lot of gray area regarding this. Chairman Martin asked if leasing the property for this use or operating personally. Mr. Pierce answered his brother is operating the business. Mr. Strong questioned if Mr. Pierce would have an objection if variance was approved to allow with the current property owner only and if sold would not necessarily be approved as a permitted use for the new owners. Mr. Pierce agreed after further explanation. Mr. Hall asked legally if transferred to family member, like inherited, would that use be continued. Mr. Culp answered depends upon how defined. Mr. Hall stated like to see defined if stays with family, inherited etc., would stay as use. Chairman Martin asked if expected this to be long term business or expected to expire. Mr. Pierce stated expect to stay, it is a profitable business, would possibly come back to expand into the next parcel with approval. Pages referred to for boundaries of the plats.

Chairman Martin asked if further questions. Mr. Berry stated back to restoration vehicles, heard no salvage vehicles. Mr. Strong stated looking at the ordinance definitions. Mr. Bockoski stated vehicle versus, construction equipment, boats, RV's. Mr. Taylor shared comments on the pictures available. Mr. Taylor clarified that this would apply to all of Plat 2, and there are other things currently in the area that is not permitted use, possibly salvage based on last visit to the area. Mr. Strong questioned Mr. Hall on his vehicle, what level of work would need to be done to make operable. Mr. Hall stated work, but not selling parts so not salvage. Discussion ensued on definitions of outdoor storage. Mr. Taylor expressed concern for enforcement if not spelled out. Further discussion on a project car.

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

No comments.

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

Mr. Strong made motion to approve BZA-0918-013-C4 with the following commitments: the outside storage cannot be used as a junk yard or junk storage areas defined by our ordinance definitions of junk and junk yard under Article 16, and this special exception use of this property is tied to the current owners of the property. Second made by Mr. Hall.

**Mr. Hall-approve, Mr. Strong-approve, Mr. Bockoski-approve, Mr. Berry-approve, Mr. Martin-approve
Motion carries.**

Docket#: BZA-1018-014 (015)-C4 *Chairman Martin stated would handle as 1 public hearing for both and vote on them separately. Note: These only apply if BZA-0918-013-C4 is approved.*

Petitioner: G.W. Pierce Enterprises, LLC. – Gary Pierce, Benny Pierce

Property Address: 1715 E. 226th. St. Cicero, IN 46034

Docket No. BZA-1018-014-C4

A Development Standards application has been submitted concerning Article 7.13 of the Cicero/Jackson Township Zoning Ordinance in order to: not pave the parking area for an outdoor storage business, whereas; Article 7.13 states that all parking lots must be paved.



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Docket No. BZA-1018-015-C4

A Development Standards application has been submitted concerning Article 4.15 of the Cicero/Jackson Township Zoning Ordinance in order to: not install screening around an outdoor storage area, whereas; Article 4.15 states that screening is required for all outdoor storage areas.

After Dockets were read, corrections made to numbers. Above is correct.

Nathan Althouse stated the parking lot is a hard surface, not paved. Would like to leave as is. The monitor was used to discuss areas in question. Mr. Althouse states with the screening, there are trees from 31 making it very hard to see in, has a fence but not screen. Chairman Martin clarified that the tree line was a berm. Mr. Strong asked if intent would be to pave. Mr. Althouse stated perhaps if sold with and built, etc. but would want to leave it currently. Mr. Strong stated had some concerns with the screening, as it was just discussed neighbors had to have a fence. Chairman Martin concerned that with the diversity of what could be there would agree need to be screened. Mr. Strong asked if anticipating different signage. Mr. Althouse answered no. Mr. Strong asked for clarification on the property line. Mr. Althouse used the billboard as a marker. Mr. Taylor stated no signage for the new business. Mr. Pierce stated do not anticipate any. Mr. Strong asked if hours of operation or when people could come and go. Mr. Pierce stated waiting on these decisions to move forward. Renters would have a key and would need hours to access their property. Mr. Strong asked if adding additional lighting. Mr. Pierce stated not at this time, and would we need to come back if decided to add. While lights would nice, they would have to shine to the east. Mr. Strong stated just trying to get a better understanding of the project. Mr. Hall pointed out a lighting permit would be needed at that time.

Mr. Bockoski made motion to open the public hearing for BZA-1018-014-(15)-C4. Mr. Hall second. All present in favor.

NAME 23475 Tamarack Road. Just here learning tonight but earlier heard concern for screening to match, visibility of semi's, and concern now for semis on the back area visible from 31. Is there concern?

Chairman Martin stated legitimate question. Mr. Bockoski stated pictures seeing are summer pictures, versus what we are seeing now on monitor. Mr. Bockoski expressed concern for need for signage in future. Mr. Pierce referred to existing fence. Discussion ensued. Mr. Strong asked if could keep taller items to the back and therefore less visible. Mr. Pierce stated yes. Mr. Pierce stated would want a sign once turned in, the state is restrictive on 31, but once turned in. Mr. Taylor explained the process which would require a permit. Mr. Pierce stated constantly cleaning this field, moving items, and could be times where during the process where items are there before moving to salvage.

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

Chairman Martin asked if further questions on BZA-1018-014-C4. Mr. Strong stated if long term proposition would expect some point some of it to be paved consistency on what has been required for paving. Chairman Martin stated with the diversity of what could be there would agree paving should be required. Mr. Strong expressed consistency and long-term maintenance. Chairman Martin asked how to specify as this is 10 acres. Mr. Berry asked for approx. on area along property line. Mr. Taylor stated 355 ft., roughly 3.5 acres, area that is currently fenced. Mr. Bockoski asked for similar to previous lines. Monitor was used to determine, approx.



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1.5 acres. Discussion ensued on goal of the property. Discussion preferences for dollars, paving versus screening.

Mr. Bockoski made motion to approve BZA-1018-014-C4 with following condition: approval stays with current owner of property and would require all development standards to be met if property is sold. Mr. Hall second.

Mr. Berry-approve, Mr. Martin-approve, Mr. Bockoski-approve, Mr. Strong-approve, Mr. Hall-approve. Motion approved.

Chairman Martin asked for Board discussion on BZA-1018-015-C4. Mr. Hall states his opinion is some screening is needed on the existing fence on west and south lines, with the north having a barn and the east is farmland. Chairman Martin asked Mr. Pierce about south side, if screening required would need deal with the existing fence is that correct. Mr. Pierce stated could anchor the fencing that is there. Chairman Martin stated there are some items, would need to go further than what is there currently. Does tenant intend to stay within the fence area. Mr. Pierce stated yes. Discussion ensued on size/height of fence needed. Chairman Martin asked for legal counsel advice on motion requirements. Mr. Strong verified screening with existing fence could be possible with slats. Mr. Pierce stated yes, slats or cloth as is to the south. Discussion on time requirements with winter ensued.

Mr. Strong made motion to approve BZA-1018-015-C4 with following adjustments: the northern and eastern sides of property do not have to be screened, the southern and western areas of the property require screening, as the storage facility is expanded the fencing is to be expanded to the southern part of parcel as well, to be completed by March 1, 2019. Any items over 7 ft. in height, are to be stored to eastern part of area for shielding purposes. Approval is for current owner only and if property is sold, ordinance compliance is required.

Mr. Berry-approve, Mr. Bockoski-approve, Mr. Strong-approve, Mr. Hall-approve, Mr. Martin-approve. Motion approved.

Docket#: BZA-1018-019 (020) (021) (022) (023)-AG *Chairman Martin stated 1 public hearing for all 5 and vote on them separately. Note: if any are not approved the minor subdivision cannot be approved as submitted to the Plan Commission on November 14, 2018*

Petitioner: Roger and Barbara Ogram

Property Address: 2853 E. 236th St. Cicero, IN 46034

Development Standards application has been submitted concerning Articles 3.2 and 4.2 of the Cicero/Jackson Township Zoning Ordinance in order to: Reduce the minimum required road frontage of a parcel. Reduce the minimum required lot width of a parcel. Exceed the maximum lot depth to width ratio of a parcel. Reduce the minimum required drive spacing.

Chairman Martin opened dockets for discussion.

Nathan Althouse, Miller Surveying 948 Conner St. Noblesville representing Mr. Ogram. Started to plat and realized the variances would be needed. Using the handouts area in question was discussed. Property is a "U" shaped property going around the Wolfe property. House has been on the market and not getting many



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hits due to large size of lot. Purchased for single use, health reasons want to separate into two parcels, selling house and then keeping second lot. Lot determination was for Lot 1, take the Wolfe property and west line extended south making 2.65 acres. Lot 2 would be the rest of the property 3.88 acres. The variances are lot one road frontage, second is the 50 ft strip between properties, lot 1 proper width or 3:1 depth ratio, fifth is the drive separation between properties.

County highway give cut if allowing easement on east side with Wolfe property. Discussion of Plan Commission results. Mr. Althouse continued with lots in the area are very similar. Mr. Strong stated addressed a couple of concerns, one the sharing of the road cut if necessary, on east side, the other is the other lots in the area being similar. Chairman Martin asked if any discussion with Mr. Wolfe had taken place. Response was yes, has no intention of selling or building, no issues with the split.

Barbara Ogram was person to answer.

Mr. Strong made motion to open public hearing for BZA-1018-(019 to 023)-AG. Mr. Bockoski second. All present in favor.

No comment.

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

Chairman Martin asked for any Board comments.

Mr. Strong made motion to approve BZA-1018-019-AG Mr. Berry second.

Mr. Martin-approve, Mr. Berry-approve, Mr. Bockoski-approve, Mr. Strong-approve, Mr. Hall-approve. Motion carries.

Mr. Berry made motion to approve BZA-1018-020-AG. Mr. Bockoski second.

Mr. Strong approve, Mr. Hall-approve, Mr. Bockoski-approve, Mr. Martin-approve, Mr. Berry-approve. Motion carries.

Mr. Hall made motion to approve BZA-1018-021-AG. Mr. Berry second.

Mr. Hall-approve, Mr. Strong-approve, Mr. Bockoski-approve, Mr. Berry-approve, Mr. Martin-approve. Motion carries.

Mr. Strong made motion to approve BZA-1018-022-AG. Mr. Bockoski second.

Mr. Hall-approve, Mr. Strong-approve, Mr. Bockoski-approve, Mr. Berry-approve, Mr. Martin-approve. Motion carries.

Mr. Berry made motion to approve BZA-1018-023-AG. Mr. Hall second.

Mr. Berry-approve, Mr. Martin-approve, Mr. Bockoski-approve, Mr. Strong-approve, Mr. Hall-approve. Motion carries.

Chairman Martin stated the variances were granted.

6. Plan Director's Report: Emailed, if any questions feel free to ask.

7. Chairman's Report: No comments at this time.



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8. Legal Counsel's Report: Mr. Culp discussion on property via monitor/drawings and how did a home get built. Also praise for Mr. Bockoski and proper use of "aforementioned", legal does pay attention.
9. Board Member Comments: Thanks to Art Hall for filling in on tonight's meeting.
10. Next Planned BZA Meeting: **December 20, 2018 at 7:00 pm**
11. Adjournment: **Mr. Strong made motion to adjourn. Mr. Berry second. All present in favor.**

Location:

Cicero Town Hall
70 N Byron Street
Cicero, IN 46034



CICERO / JACKSON TOWNSHIP BZA

**CICERO/JACKSON TOWNSHIP BZA MEETING
THURSDAY NOVEMBER 15, 2018
7:00 P.M.**

Please print your name, address, and sign in:

Darcy Case	22265 US 31	
Todd Case	22265 US 31	
DAN BRITCHARD	1680 W. 221st St, SAERIPAN	
Bill Smith		
JOEL THURMAN	1700 S. 10th ST. Noblesville	
TIM KNAPP	1700 S. 10th ST NOBLESVILLE	
Adam Knoll	23475 Cammack Rd Cicero	