



CICERO / JACKSON TOWNSHIP BZA MEETING

BZA-1118-028-NC Lindenburg-Golf
BZA-1218-029-AG Watt-Setbacks
BZA-1218-030-R3 Harrison-Livestock
BZA-1218-031-33 Schluyer-Parking/sign

BZA Meeting Minutes
January 17, 2019
7:00 p.m.

Roll Call of Members

Present:

- ☐ David Martin
- ☐ Scott Bockoski
- ☐ Mike Berry
- ☐ Dennis Schrumpf
- ☐ Brad Baker
- ☐ Aaron Culp - Legal Counsel
- ☐ C.J. Taylor - C/JT Plan Director
- ☐ Terri Strong- Recorder

1. Declaration of Quorum- Chairman Martin declared a quorum for business.
2. Approval of Minutes Mr. Bockoski made motion to approve minutes from December 20, 2018. Mr. Berry second. All present in favor.
3. Public Comment- Chairman Martin advised the public that this is the time for any comments for items not on tonight's agenda. No public comment.
4. Old Business: None
5. New Business Chairman Martin explained that the first meeting of the year, officers are elected.

Hold election of officers:

Chairman: Currently David Martin

Vice-Chairman: Currently Mike Berry

Secretary: Currently Scott Bockoski

Mr. Baker made motion to nominate Mr. Berry as chairman. Mr. Berry declined nomination.

Mr. Berry made motion to nominate Mr. Martin as chairman. Mr. Schrumpf second. All present in favor.

Mr. Baker made motion to nominate Mr. Bockoski as vice-chair. Mr. Schrumpf second. All present in favor.

Mr. Baker made motion to nominate Mr. Schrumpf as secretary. Mr. Berry second. All present in favor.



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2019 Chairman: David Martin

Vice-Chairman: Scott Bockoski

Secretary: Dennis Schrupf

Chairman Martin ended election of officers, continue with new business.

Docket#: BZA-1118-028-NC

Petitioner: LinCor, LLC – Scott Lindenberg

Property Address: 49 E. Jackson St. Cicero, IN 46034

A Land-Use application has been submitted concerning Article 4.1 of the Cicero/Jackson Township Zoning Ordinance in order to: Allow a golf cart dealership to operate in a “NC” Neighborhood Commercial District, whereas; a golf cart dealership is not a permitted or special exception use in a “NC” Neighborhood Commercial District.

Scott Lindenberg property owner, 49 E. Jackson St. Cicero. Requesting use variance for sales and service for golf cart business. Craig is tenant, will let him speak to the process. Craig Fisher home is 116 Ashbourne, Noblesville, own EZ Cart dealership so will be displaying, selling and servicing carts at the 49 E. Jackson location. In front of structure will be a showroom, during business hours will have carts outside under canopy not on sidewalk. Expect hours to be 9-5 or 10-5 Tues-Saturday. As far as service, very minimal, approximately 5% of all service will be done on location all other will take place at our Monticello location. Most of those would be a week or two and then returned. No outdoor storage, one bay in the back for our trailer. There is a glass front garage door that will highlight carts at night with accent indoor lighting. Chairman Martin questioned how many carts out front. Mr. Fisher stated probably three max. only under the canopy, behind the stone pillars. Chairman Martin verified the positioning of the canopy. Mr. Fisher stated he thought he had 8-9 ft to work with. Mr. Berry asked who the expect client was, verifying no golf course or rental. Mr. Fisher stated homeowners, not rental, all two or four passenger no golf bag racks on back. Mr. Berry questioned existing business. Mr. Fisher stated in Monticello, business started 20 years ago, got into carts approx. 6 years ago. Business has grown significantly. Looking to branch out to other areas that could use the services. Both locations will cover the area, swapping product if needed. Mr. Berry asked if not passed tonight, would there be another location. Mr. Fisher stated looking for two years and nothing felt right until this location, there isn't another location looking at for now. Mr. Fisher went on to state the area feels like Monticello, this is a big step for the company, lives in Noblesville, partners live in Monticello. Mr. Berry asked how many employees. Mr. Fisher stated one for first couple months, possibly 2-3 if business warrants and community embraces. Chairman Martin asked about parking. Mr. Lindenberg stated area to the back would be used for employee parking and street parking for public. Mr. Fisher stated he was waiting on this process to contact the Church to use parking lot. Mr. Berry questioned hours/days. Mr. Fisher stated Tues-Saturday. Mr. Baker asked if two spaces of parking in front of the building was striped. Mr. Fisher stated no, access ramp. Stated when road construction is done, would like to keep the ramp if approved. Chairman Martin asked about signage. Mr. Taylor answered sought thru aesthetic review, was approved if this is approved. Not asking for or exceeding the standards for the area. Mr. Bockoski asked if lighting went along with approval. Mr. Taylor stated yes. Chairman Martin asked about second business. Mr. Lindenberg answered grooming business in rear, had been before the board previously. Monitor was used to discuss the separation of the businesses.

Chairman Martin asked for questions or motion for public hearing.

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

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Robert Hendricks 209 No. Peru St. own property at 59 So. Peru. What would be used as loading zone? Concerns with alleyway being used for the purpose of loading and unloading. Property is used as a beauty salon that uses parking to the rear and has congestion at times without this business. Monitor was used for clarification of the area, Mr. Hendricks also provided a picture of his concerns. Mr. Hendricks is of the opinion that with little to no parking, the alley becomes congested or blocked, preventing trash truck or fire truck accessibility.

Chairman Martin asked if Mr. Fisher would respond. Mr. Fisher stated any use of the alleyway would be minimal such as Big Dogs, a minute or two. Mr. Fisher stated unloading would be the area beside the bays or with church approval, across the street. Mr. Berry asked how the carts would be placed inside. Mr. Fisher stated thru the front or the back bay. Discussion on first delivery and frequency of deliveries ensued. Expectation of 30-35 carts inside the building when they open, would not use the alley for this. Mr. Fisher continued that the trailer only holds one cart and loading or unloading would be early in day or around 6 p.m. otherwise the Church lot would be used. Discussion of time of loading, being realistic, proposing that Monday's will be delivery day.

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

Mr. Berry suggested commitment of no parking in alley be part of motion. Mr. Baker stated already illegal, enforcement. Mr. Culp stated could reinforce. Mr. Bockoski asked if any communication with church to this point. Mr. Fisher stated none so far, waiting on this process. Chairman Martin asked if any conditions. Mr. Culp stated would recommend no rentals, as the customer flow could be different, can come back for variance if changed plans. Mr. Fisher stated not interested in rentals, so perfectly ok with that condition. Chairman Martin asked if should have condition on the displaying of vehicles.

Mr. Bockoski made motion to approve BZA-1118-028-NC to allow golf cart business, with following conditions, no rentals allowed and outside displays only during regular business hours. Mr. Baker second.

Mr. Martin-approve, Mr. Bockoski-approve, Mr. Berry-approve, Mr. Schrumpf-approve, Mr. Baker-approve. Motion approved 5-0.

Docket#: BZA-1218-029-AG

Petitioner: David Watt

Property Address: 2215 E. 296th St. Atlanta, IN

A Development Standards Variance application has been submitted concerning Article 3.2 of the Cicero/Jackson Township Zoning Ordinance in order to reduce side yard setback from required 35 ft. to 13 ft. and to reduce rear yard setback from required 35 ft. to 10 ft.

Chairman Martin welcomed petitioner.

Mr. David Watt 2215 E. 296th St. Atlanta. Looking to build a pole barn on property, and reason for the request is that placement of the barn at 35 ft. on side and 35 to back would set garage doors very close to three large mature trees and would line up with the existing drive and would like to keep the trees. Chairman Martin asked what kind of structure. Mr. Watt answered, steel pole structure 42x64 ft. poured concrete floor, standard with few options. Chairman Martin asked if driveway would be grass lane. Mr. Watt answered extend current gravel drive. In answer to question of timing, Mr. Watt answered builder is ready to start as



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soon as approval and permit, construction time approximately two weeks. Mr. Berry asked if any utilities besides electricity. Mr. Watt stated no. Mr. Bockoski questioned Mr. Taylor if the drawing provided is to scale. Mr. Taylor stated he didn't believe so, for positioning purposes. Chairman Martin asked the purpose of the building, general storage? Mr. Watt answered for classic cars, and the trailer shown on the monitor would be inside as well. Chairman Martin stated without utilities do you see as a residence. Mr. Watt stated no. Chairman Martin asked what size the building is. Mr. Watt stated 42x64 with 12 ft. walls. Peak being 21ft 8 inches. Mr. Bockoski asked about exterior lighting. Mr. Watt stated security lighting. Mr. Bockoski clarified. Mr. Watt stated dusk to dawn, light shining on the building, more of a landscaping light. Steel siding matching the home, tan with cranberry and cranberry roof. Chairman Martin asked about drainage issues. Mr. Watt stated already approved by the drainage board.

Chairman Martin asked if further questions.

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

No public comment.

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

Mr. Baker showed an approximate drawing more to scale.

Mr. Bockoski verified that this size on a private lot is allowed. Mr. Taylor stated yes. Discussion ensued on the current garage and accessory structure. Mr. Watt stated the shed would be removed with the addition of this building per direction of Mr. Taylor and the garage in the front of the home is detached. Mr. Taylor suggested to Chairman Martin that a commitment be added for the removal of the shed within 30-60 days of completion of the building. Mr. Bockoski verified this as a non-issue. Mr. Culp suggested condition to be added that structure cannot be used as a business or residency as is typical of this type of building.

Mr. Berry made the motion to approve BZA-1218-029-AG with the following conditions: existing mini barn to be removed within 60 days of completion of building and the structure is not be used for business or residency. Mr. Bockoski second.

**Mr. Bockoski-approve, Mr. Berry-approve, Mr. Schrumpf-approve, Mr. Baker-deny, Mr. Martin-approve
Motion passed 4-1.**

Docket#: BZA-1218-030-R3

Petitioner: Daniel and Lora Harrison

Property Address: 110 Morse Landing Drive Cicero, IN 46034

A Development Standards Variance application has been submitted concerning Article 7.23, MS-04 of the Cicero/Jackson Township Zoning Ordinance in order to: Allow chickens to be kept in a "R3" Residential district on a lot less than three (3) acres in size. Whereas; Article 7.23 MS-04 of the Cicero/Jackson Township Zoning Ordinance states that "The minimum lot size to be able to have any farm animal on any lot or combination of lots is three (3) acres".

Mr. Baker corrected the address is 110, not 10 as listed in the agenda.

Mr. Bockoski notified Chairman of the need to recuse himself from this docket. Mr. Schrumpf also recused himself from this docket.

Mr. Culp instructed the petitioner that since two of the five board members will not be voting, all three votes will be needed the same. If there is 2:1, it would not be considered a final decision and an alternate would be needed that does not have a conflict to reach three votes for a final vote.

Chairman Martin verified petitioner understood which he did.

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Daniel Harrison 110 Morse Landing Drive, Cicero, wife Lora is also present. Asking the boards approval to maintain chickens on property which is .26 acres in size. Mr. Harrison when on to give background of the case, they hatched the chickens in February of 2015 as part of a home-school science project. The children became attached considered them as pets, so researched possibility of keeping them. After research and conversation with town employee (4 yrs. ago) found no reason he couldn't keep. Mr. Harrison continued with that there has been an ordinance but not enforced. Mr. Baker stated not true, know of three instances where chickens were removed. Mrs. Harrison stated not enforced unless a complaint. Mr. Harrison continued with all hens no roosters, not for commercial purposes, only gets eggs 5-6 months out of the year, enough for family use. There are only four hens. Structure is 100 cubic ft. movable trailer. Monitor was used to locate shed and chicken coop. Mr. Berry asked what was behind the home, answer was Cicero Cemetery. Mr. Berry asked about fencing. Mr. Harrison answered north and south have a four-foot privacy fence, with existing cemetery fence on west side. Chairman Martin asked about noise of chickens. Mr. Harrison explained the only time you hear is when they drop an egg, May to November. Mr. Berry asked about attachment included in request. Mr. Harrison explained to show communities around Cicero that are allowing chickens in an urban area. Mr. Berry asked about problem with neighbors' dog. Mr. Harrison explained neighbor had acquired a rescue dog, which got out and jumped the back fence, was harassing the chicken coop. Mr. Harrison had to use a bb gun to get dog to leave, reported to police, when daughter was looking for dog, explained he had run it off. Mr. Harrison stated neighbors came, discussed the ordinance, made threatening comments and had to be forced to leave.

Chairman Martin questioned the Morse Landing covenants. Mr. Culp stated he did not know, town can not enforce a subdivision covenant. Mr. Culp explained the process with homeowner's association. Mr. Berry asked if HOA. Mr. Taylor stated have covenants, no HOA. Mr. Baker shared covenants. Mr. Culp explained long time prohibition on chickens in town, there are areas where it has been reevaluated. Enforcement has occurred when it has come to our attention, action has then been taken. Not that we have used a drone to each property to look for violations.

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

Chairman Martin briefed the public on keeping comments brief as there seemed to be many wanting to speak. Also, to state name and address for the record.

Todd Alden 1010 Eagles Ridge Dr. Cicero. Mr. Alden stated the chickens have posed a nuisance to him as they have tempted a new dog. Have taken measures to prevent dog from leaving property, however nuisance as they fear what would happen do the dog should he get out of the fence. Has been shot at once, with threatened not a bb gun next time. If there is a variance were to be granted, and we have ordinance change, that measures are put into place like fencing to prevent other animals, closeness to other buildings considered.

Dawnielle Alden 1010 Eagles Ridge Dr. Cicero. When "we" went to the house, we had checked to find out if there was a town ordinance making chickens illegal. Mrs. Alden stated they did not report the address, went to Mr. Harrison home to discuss the back-fence line. (monitor used to describe areas she referred to). Back fence is approximately three feet tall, can be easily scaled. Due to location, her dog can see over the fence from her yard. Mrs. Alden stated Mr. Harrison threatened them when they went to his home. She went on to state had hoped to settle this without town being involved. Also stated the Morse Landing covenants are on the town's website. Mrs. Alden stated dog is tempted when the chickens are free ranging to the back of the lot. Mrs. Alden is not for chickens, especially if it means her dog could be shot at when there is not a



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restriction on his property. Mr. Berry asked if she had the restrictions for ML and asked her to read. Mrs. Alden stated Book 182, Page 921 with recorders office. Number 5, line C is read. Chairman Martin questioned the nuisance is when they free range. Mrs. Alden stated the dog knows the fence is not a restriction and can see them when free.

Bruce Knott 120 Morse Landing Dr. live next door to Harrisons. Has lived there for three years, chickens live on his side of the property, and if you didn't know they were there, you wouldn't know. True that the fence in back, if it was good shape the dog would not have gotten in. Doesn't have an issue with the chickens if had a rooster maybe that would be an issue. Do not have any smell, and I can't see unless I look over the fence.

Mr. Taylor stated he had a petition and two letters to enter into the record.

Mr. Harrison to rebut the Alden's, he didn't threaten to shoot the dog and has a letter from the people to the north that could not be at meeting.

Chairman Martin asked that Mr. Taylor continue. Mr. Taylor read three letters and petition with 14 names into record. One letter-no issue with chickens Mr. & Mrs. Fitzgerald neighbors to the north.

Second letter-Request variance be denied, do not feel farm animals should be in residential area, hardship is self-imposed. Mr. & Mrs. Art Hall.

Third letter-Urban environment not rural, other neighbors have had to remove due to lot size, damage to property-no chickens-Kathleen Piechey.

Petition-Opposed to chickens and farm animals in Town limits. Names and addresses were read into the record.

All items to be added to the file for record and further detail.

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

Lora Harrison, petitioner, approached Board, asking how petition was initiated and who submitted, stating that they could have gotten as many or more signatures in favor if they had initiated. After questioning legal counsel, Mr. Taylor answered the petition was dropped off at the office. Mr. Baker commented all the individuals listed are the ones that submitted.

Chairman Martin asked for further questions from the Board. Mr. Berry stated seemed that both the town and neighborhood were opposed, not just adjacent neighbors. Mr. Berry also referred to the letter that listed other animals and where do you draw the line, our ordinances are very clear. Chairman Martin asked Mr. Culp his experience with other municipalities. Mr. Culp stated he wrote Arcadia and Atlanta's ordinances; however, they were in favor of changing to allow. There were many requirements in both cases. Mr. Berry asked how long it took to make those changes. Mr. Culp stated there were people on both sides and ended with the Town Councils. Mr. Culp further explained that in Cicero, it would go to the Plan Commission and they could amend. Mr. Culp further stated it took a couple months, both cases it was a request of a citizen. Mr. Berry stated this is not new, across the U.S. people are wanting to raise chickens, but then appear to abandon.

Mr. Berry made motion to approve BZA-1218-030-R3 to allow chickens in an R-3 residential district. Mr. Baker second.

Mr. Martin-no, Mr. Berry-no, Mr. Baker-no. Motion denied. 3-0.



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Docket#: BZA-1218-031-NC

Petitioner: Scott Schuler

Property Address: 770 South Peru St. Cicero, IN 46034

A Development Standards Variance application has been submitted concerning Article 7.13 D.PK-04 of the Cicero/Jackson Township Zoning Ordinance in order to: Allow on street parking for a business, whereas; article 7.13D.PK-04 states that off street parking shall be required for business and industrial uses.

Chairman Martin stated he would need to recluse himself. Mr. Culp stated if recluse for this docket the chairman cannot conduct the hearing at all. Mr. Bockoski took over as Chairman Pro-temp. Mr. Baker asked if all three could be opened at one time for public hearing for discussion purposes. Chairman Bockoski agreed with suggestion.

Chairman Bockoski asked petitioner to come forward to address the board.

Scott Schuler 770 S. Peru is the building address, live at 23244 Mary Drive. Moved in June, want to commend the Board on the cleanliness of the community. Bought building that felt could improve the neighborhood. Going to remodel for professional building, not knowing what kind of tenant. Have received approvals from Plan Commission, going to change the roof line, making parking handicap accessible and layout both appealing and not a hinderance to the neighborhood. First is parking on HWY 19, getting three striped stalls to use, on south side handicap accessibility and two other stalls all at 45-degree angle. We are shrinking the building back to original footprint, even with this we are short room. We are short two foot to have sidewalk, parking stalls and aisle. Mr. Berry asked questions concerning the roof. Drawings not available. Mr. Berry asked where the front of the building will be, and using the monitor described where items will be. Explained the look will be similar to the downtown businesses- 10 West was referred. Mr. Berry questioned the south area. Mr. Taylor stated it is all asphalt, however in town right-a-way and had been explained that Mr. Schuler could not use that without variance. Mr. Taylor stated has wheeled it off and short two feet to not be in right-a-way. Mr. Taylor continued using monitor to describe where 10 other parking stalls would be. Mr. Baker asked parking is currently allowed on 19. Mr. Taylor stated correct. Mr. Baker asked why the 031 docket? Mr. Taylor stated he wants to count it as 13 are required for this building needs. Mr. Culp clarified he is wanting to count them and knock them off the total needed on the side. Mr. Schuler stated depending on what the building is to be used for, the back building could be used for indoor parking. If tenant did not want the back building at all, they would not remodel it and would tear it down. Mr. Schuler explained he felt the higher number of parking spaces available would help to get stable tenant. Mr. Berry questioned the look. Mr. Schuler explained big windows, black brick below. Mr. Schrupf stated the pictures presented at Plan Commission showed a very sharp look, with the addition of the roof change. Mr. Berry asked if all tenants would be entering at the same front entrance or will there be separate entrances. Mr. Schuler stated there would be an employee entrance and all customers would use the front.

Chairman Bockoski stopped discussion to reread the above docket and adding the following dockets into record for added discussion.

Docket#: BZA-1218-032-NC

Petitioner: Scott Schuler

Property Address: 770 South Peru St. Cicero, IN 46034



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A Development Standards Variance application has been submitted concerning Article 7.13 D.PK-03:4 of the Cicero/Jackson Township Zoning Ordinance in order to: Reduce the required parking aisle width from fourteen (14) feet to eleven (11) feet.

Docket#: BZA-1218-033-NC

Petitioner: Scott Schuler

Property Address: 770 South Peru St. Cicero, IN 46034

A Development Standards Variance application has been submitted concerning Article 10.5 section 13 of the Cicero/Jackson Township Zoning Ordinance in order to: Increase by thirty (30) square feet the maximum allowed square footage of permanent wall signs, whereas; article 10.5 section 13 allows a maximum of fifty (50) square feet of permanent wall signs per tenant.

Chairman Bockoski can continue. Mr. Schuler stated would permanently name the building, with signage on the building and still allow the tenant to have their signage. Mr. Berry questioned. Mr. Schuler stated tenant signage in the 7x4 or 3x5 in front yard, with the permanent signage on the building. Mr. Berry questioned if approval of signs would need to be done. Mr. Taylor stated yes, the tenant would have to meet the current zoning requirements. This is why asking for adjustment, so the tenants would not have to sacrifice their square footage for signs in order to permanently name the building and give it the old time feel that Mr. Schuler is looking for. Mr. Schuler stated we would not come back for additional square footage, trying to get this done up front. Mr. Berry asked about window sign. Mr. Taylor stated there are footage requirements for any signage. Mr. Schuler stated if approved, the name would become part of the building. Mr. Berry asked if signage wasn't in the window where would it be. Mr. Schuler stated monument sign in the front yard would be his vision. Mr. Taylor showed monitor with pictures.

Chairman Bockoski with no other questions, entertain motion to open public hearings.

Mr. Schrumpf made motion to open public hearing for the three Dockets: BZA-1218-031-032-033-NC.

Mr. Berry second. All present in favor.

Chairman Bockoski asked if anyone present to speak to these three dockets to come forward state name and address.

Dawnielle Alden 1010 Eagles Ridge Drive, this looks a lot better than what is currently in place.

Katie Russell 709 So. Peru St. Cicero. If discussing parking on HWY 19? Confirmed by board. Mrs. Russell stated when at previous meeting thought that the Town could not determine parking on state highway. Mr. Taylor stated at previous meeting Mr. Schuler was asking for permission to paint the lines indicating parking and that can not be granted by the town, he would have to get permission from the State. Mrs. Russell questioned is that not what he is asking for, to grant the parking on 19. Mr. Baker clarified that he is asking for permission to count the parking spaces in front, lined or not lined towards his required number of parking spaces. Mr. Baker stated parking is not restricted on 19 just not used in all areas. Mr. Culp the spots on the side are not part of 19 and diagonal.

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

Chairman Bockoski asked if further questions from Board members. Mr. Berry and Mr. Baker both indicated they were fine. Chairman Bockoski questioned Docket 033 the wording reads to him that would be

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granting sq. ft. of signage and would like to discuss how to section out so a tenant could not come asking for more signage since it would be a permanent sign. Mr. Culp answered could be phased as grant with condition that 50 sq. ft. always be available for tenant. Mr. Culp states could be spelled out, which size is for what. Discussion on how to word, different options given. Mr. Schuler stated he didn't want to cheat the tenant but also didn't want to exceed the town requirements and stated would like to see a monument sign option for the tenant. Mr. Taylor looked up the allowable space for a monument sign after discussion on window signs, building signs etc. Mr. Taylor showed that maximum cumulative business permanent signage allowed is 100 sq. Ft. for single tenant, multi-tenant 75 sq. ft. cumulative and under section 10.5 goes on to talk about individual signs. Monument sign not to exceed 36 sq. Ft. per side of monument. Mr. Schuler stated if he could stick with 36 sq. ft. per side, he would be fine, his intent was not to exceed allowable but to name the building and give permanence in the business. Mr. Schuler stated would like to ask for 50 sq. ft for building sign and then abide by all other signage requirements for his tenants. Mr. Culp stated can't agree with more than was advertised. Chairman Bockoski another thing to consider is the building name which is being as permanent could not be changed to a tenant name, how to specify this.

Discussion on voting for each docket individually. Chairman Bockoski entertain a motion for first docket.

Mr. Berry made motion to approve BZA-1218-031-NC as presented. Mr. Baker second.

Mr. Bockoski-yes, Mr. Schrumpf-yes, Mr. Baker-yes, Mr. Berry-yes. Motion approved 4:0.

Mr. Berry made motion to approve BZA-1218-032-NC as presented. Mr. Baker second.

Mr. Schrumpf-approve, Mr. Baker-approve, Mr. Berry-approve, Mr. Bockoski-approve. Motion approved.

Mr. Berry made motion to approve BZA-1218-033-NC as presented with the following restrictions: a total of 80 sq. ft for either sign not to exceed the 50 ft allowed by section 10.5. Mr. Baker second.

Mr. Baker-no, Mr. Berry-yes, Mr. Schrumpf-yes, Mr. Bockoski-yes. Motion approved 3:1.

Chairman Pro-temp Bockoski handed the gavel back to Chairman Martin.

6. Plan Director's Report: Enclosed in your packet. I will be happy to address any questions or concerns you may have. Welcome to Mr. Schrumpf as one of the Plan Commission representatives to the BZA. Welcome Mr. Baker back to a permanent seat on the BZA. Also, should have received Mr. Ravenscroft's resignation, due to family illness, will fill in as alternate if schedule allows.

7. Chairman's Report: Chairman Martin stated accept Mr. Ravenscroft's resignation. No other items to report.

8. Legal Counsel Report: Mr. Culp regarding the building, 60 days demo letter, received request for extension to April. Town Council denied, had been six months for demo request already. Mr. Culp does not feel action will be taken without pressure. Also, the annexation of M/I Homes project Tamarack, has been completed. As of January 1, they are part of the town. Mr. Baker questioned the front section. Mr. Culp stated the whole thing was done at once.

9. Board Member Comments: Mr. Baker stated he didn't receive Mr. Taylor packet. Mr. Taylor will ensure he receives it. No further comments.



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10. Next Planned BZA Meeting: February 21, 2019 at 7:00 pm

11. Adjournment: Mr. Baker made motion to adjourn. Mr. Berry second. All present in favor.

Chairman: David Martin

Secretary: Dennis Schung

Date: 2-21-19

Location:

Cicero Town Hall
70 N Byron Street
Cicero, IN 46034

01/17/2019

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