



# CICERO / JACKSON TOWNSHIP BZA MEETING

BZA-0119-001-AG Wilson Barn 5-0  
BZA-0119-004-AG Wilson Barn height 5-0  
BZA-0119-002-R5 Inman Accessory Structure 4-1  
BZA-0119-003-R5 Inman POD 1-4 denied

## BZA Meeting Minutes February 21, 2019 7:00 p.m.

### Roll Call of Members

Present:

- ☐ Brad Baker
- ☐ Dennis Schrumpf
- ☐ Scott Bockoski
- ☐ David Martin
- ☐ 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. Correction to agenda, Mr. Zell should be listed as Mr. Brad Baker (corrected above).
2. **Approval of Minutes:** Mr. Berry made motion to approve minutes from January 17, 2019. Mr. Baker second. All present in favor.
3. **Public Comment:** No public comment.
4. **Old Business:** No old business.
5. **New Business**

**Docket#:** BZA-0119-001-AG

**Petitioner:** Chris and Erin Wilson

**Property Address:** 29275 N. Anthony Road, Atlanta, IN 46031

A Development Standards Variance application has been submitted concerning Article 7.5, B, AS-02, 3 of the Cicero/Jackson Township Zoning Ordinance in order to: Construct an accessory building in front of a primary structure, whereas; the ordinance states that "An accessory structure shall only be located to the rear or side of the primary structure".

Chairman Martin asked for petitioner to step forward and tell the Board what trying to do.

Mr. Chris Wilson 29275 N. Anthony Road, Atlanta here last year to help us to develop the property. Trying to put a dual-purpose barn. Monitor was used to indicate where the barn would be located. Mr. Wilson stated limited on the location of any structure due to drainage. Variances and granted for the existing buildings from





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Hamilton Co. Wetlands on the other side. The positioning would also assist with wind block from the northwest and helping with heating of the home. Mr. Berry asked monitor to be used to describe all items as indicated. Have second variance, dealing with 8 in of excess of peak height on the structure. Purpose is to have equipment under lean-to on back side. Also have horses that will utilize the structure. Mr. Baker asked about flipping building. Garage is to the back. Mr. Taylor explained that brother is building to the south, sharing a main drive off Anthony Rd. Mr. Wilson gave background on property and difficulties in placement due to wetlands and drainage praising Mr. Taylor for his help. Chairman Martin asked for clarification on dual-purpose. Mr. Wilson stated storage and for the horses in the front part. Mr. Berry questioned horses for personal use, no boarding. Mr. Wilson stated correct no boarding, wife will eventually have ambulatory practice. Chairman Martin asked if vision included residence in the structure. Mr. Wilson stated no not at all. Chairman Martin asked about materials. Mr. Wilson stated stick build, wainscoting to match home. Mr. Bockoski asked about exterior lighting. Mr. Wilson stated only above the doors, no projecting light. Chairman Martin asked about field to the north. Mr. Wilson stated yes farm field, Rowland's.

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

Gentleman in audience asked who the Amish builders are. Mr. Wilson stated he could get names; his brothers' home is very well built.

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

Chairman Martin asked if any other questions from board. Mr. Bockoski asked to see property on monitor displayed more to the north. Asked concerning structure to the north, this is a common sight of random buildings in this area of town. Chairman Martin asked if any concerns from Mr. Taylor. Mr. Taylor stated none, petitioner was open in initial process that a barn may be needed and positioning. Chairman Martin asked Mr. Culp if any concerns. Mr. Culp recommended conditions of no habitation, no commercial otherwise no concern at all.

**Mr. Baker made motion to approve BZA-0119-001-AG no commercial use and no residence. Mr. Berry second.**

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

**Docket#:** BZA-0119-004-AG

**Petitioner:** Chris and Erin Wilson

**Property Address:** 29275 N. Anthony Road, Atlanta, IN 46031

A Development Standards Variance application has been submitted concerning Article 3.2 of Cicero/Jackson Township Zoning Ordinance in order to: Allow an accessory structure to exceed the twenty-two (22) feet maximum height allowed by up to two (2) feet, whereas; the ordinance states that an accessory structure cannot exceed twenty-two (22) feet in height.

Chairman Martin asked for Mr. Wilson to approach and state name, and purpose for variance.

Mr. Chris Wilson 29275 N. Anthony Road, Atlanta. Engineer that designed the barn felt it would be close, however wanted to be safe on the height. Chairman Martin asked if there was a cupola. Mr. Wilson stated no. Mr. Bockoski asked about height of doors. Mr. Wilson stated one would be 12ft., the other 14 ft. Chairman Martin asked about hardship. Mr. Wilson stated drainage concerns.

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

**Chairman Martin asked for public comment. No comments.**

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



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Chairman Martin asked if any more discussion from board, from Mr. Taylor or Mr. Culp. No comments.

**Mr. Bockoski made motion to approve BZA-0119-004-AG as presented. Mr. Baker second.**

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

Mr. Taylor stated agenda typo the following dockets are in R5 district not AG. Notices were correct, agenda was not.

**Docket#:** BZA-0119-002-R5

**Petitioner:** R. Dennis Inman

**Property Address:** 229 N. Byron St., Cicero, IN 46034

A Development Standards Variance application has been submitted concerning Article 7.5, B, AS-02,2 of the Cicero/Jackson Township Zoning Ordinance in order to: Allow a third accessory structure in an "R5" Residential District, whereas; only two accessory structures are allowed in an "R5" Residential District.

Chairman Martin opened docket, welcomed petitioner to step forward and address the board.

Dennis Inman 229 N. Byron St. looking for a variance to add a shipping container to clean out barn. For storage of hobby items so space is available in barn. Has drawings of placement and design, this would suit needs and be a lot cheaper than adding on to barn. Chairman Martin questioned use of barn. Mr. Inman stated storage, wood shop, old truck. This would get most out of garage as well. Chairman Martin indicated the placement of container via monitor. Mr. Inman stated only 5 houses would be able to see it, would be painting to match other structures. Mr. Berry asked about container. Mr. Inman stated a container from Ohio that would be able to sit on six concrete piers. Mr. Berry questioned flat roof. Mr. Inman stated yes flat top, not putting a roof on it. Chairman Martin questioned drainage. Mr. Inman described using monitor issues with drainage, would be able to get yard to drain when complete. Mr. Berry stated piers height above ground. Mr. Inman stated perhaps two feet on one side, if don't dig out. Mr. Inman stated sitting up above ground a bit. Chairman Martin asked if do not get the variance do is there a plan for what you might want to do. Mr. Inman stated has drawing of what it would be, however involves a lot more time and expense. Questioned on utilities, electrical, etc. Mr. Inman stated run from shed, for receptacle or two and lights. Chairman Martin asked what was to the north. Mr. Inman stated gully. Mr. Baker asked for square footage of home. Mr. Inman answered 1770, have basement but not finished.

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

**Chairman Martin asked for public comment. No comments.**

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

Chairman Martin confirmed that this variance is just for a third accessory structure. Mr. Taylor correct. Also asked if comments if anything to add from the board, Mr. Taylor or Mr. Culp. No comments.

**Mr. Bockoski made motion to approve BZA-0119-002-R5 as requested with the following conditions: no commercial use and no residence. Mr. Berry second.**

**Mr. Berry-approve, Mr. Baker-no, Mr. Schrumpf-approve, Mr. Martin-approve, Mr. Bockoski-approve.  
Motion pass 4-1.**





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**Docket#:** BZA-0119-003-R5

**Petitioner:** R. Dennis Inman

**Property Address:** 229 N. Byron St., Cicero, IN 46034

A Development Standards Variance application has been submitted concerning Article 16.2.i of the Cicero/Jackson Township Zoning Ordinance in order to: Allow a "POD" type shipping container to be used as an accessory structure, whereas: Article 16.2.i states that "accessory structures exclude storage POD's, or the like".

Chairman Martin asked for Mr. Inman to give background on why chose this type of structure. Mr. Inman stated speed, costs and worked out better for him. Mr. Inman stated would not have guy back that built the barn and take a long time to build himself. Chairman Martin stated sensing an urgency to getting done. Mr. Inman stated building barn tore up the yard, had some trees down things are still a mess. Chairman Martin questioned how long the barn been there. Mr. Inman this is second winter. Mr. Bockoski questioned the size of the container and the positioning, appears to be 40 ft. Mr. Inman stated yes and would not show past the barn. Monitor was used for placement. Chairman Martin asked if pressure from neighbors to clean up the property. Mr. Inman stated no just himself. Mr. Berry asked if this was a new container. Mr. Inman stated there are different levels he is looking at a newer one, able to paint it, and seal up to be rodent free. Mr. Berry stated he has seen after painted, peeling quick rust showing thru, being pretty rough. Mr. Inman stated does not want an eyesore, if not getting what he paid for would return it.

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

**No public comments.**

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

Chairman Martin asked if anything to add, board, Mr. Taylor. Mr. Taylor stated was in staff report, no other comments. Mr. Schrumpf mixed feelings about project, not necessarily against, and understand the cost concerns. Understands from news reports, repurposing this type of container is becoming common. Concerned with setting precedence however it is in an area where not easily seen. Mr. Berry stated different feelings, could add on to barn and setting precedence is a concern since there is a viable option.

**Mr. Berry made motion to approve BZA-0119-003-R5. Mr. Bockoski second.**

**Mr. Martin-no, Mr. Berry-no, Mr. Baker-no, Mr. Schrumpf-yes, Mr. Bockoski-no. Motion denied 1-4.**

Mr. Inman questioned, would they allow as another option if he put fencing in front of it. Mr. Baker stated would not vote for it. Chairman Martin can't answer unless brought before the board. Chairman Martin stated he felt it was clear in the ordinances not allowed and he had other options so to set precedence at this time he was not willing to do.

**7. Plan Director's Report:** Report is included. Blueprint scanner has been purchased. Otherwise running slow, M/I had TAC meeting. Model home plans in early March.

**8. Chairman's Report:** No report.

**9. Legal Counsel's Report:** Mr. Culp stated demo building on Peru came to Town Council for extension to the end of March. This was granted. Chairman Martin asked if comment made on what would happen to the





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property once demo was done. Mr. Culp stated he felt the property owner still has aspiration of the original plan. Mr. Baker stated taking down to the foundation. Mr. Taylor stated new information has picked up demo permit and started demo.

**10. Board Member Comments:** Mr. Baker stated at the end of Cass street there is a POD that has been there for years. Mr. Taylor stated yes at corner of Cass and Harrison and would be legal non-conforming because was there before the ordinance was changed. Mr. Baker stated for the record his feelings on accessory structures and temporary structures if you go around town there are temporary structures everywhere that are in poor condition. Mr. Baker stated he feels it is his duty as a board member to uphold the ordinances in the book, they are rules to be followed. Mr. Bockoski stated he strongly agreed with that statement. Mr. Bockoski asked question for Mr. Taylor and Mr. Culp approx. a year ago attended meeting on municipal buildings and there were many proposals for different properties has there been any updates from that meeting. Mr. Culp stated that the Council has not discussed recently, feeling that Mr. Strong did such a good job with the 331 E. Jackson renovations that people feel they can work there for a while and do not need to move forward at this time. There are internal renovations to the police station that are taking place. They like the building so much and there are even couple offices for people to come in and use when needed. Mr. Bockoski asked about the Turner building. Mr. Culp stated concern for ADA. Mr. Taylor stated costs came back with several million needed. Mr. Taylor continued with comments about 331 working well for the needs and does know that Mr. Strong has been working to get some maintenance concerns for Town Hall taken care of, some drainage and such.

**11. Next Planned BZA Meeting:** March 21, 2019 at 7:00 pm

**12. Adjournment:** Mr. Baker made motion to adjourn. Mr. Schrumpf second. All present in favor.

Date: 4-18-19

Chairman: Dan Martin

Secretary: David Schrumpf

Location:

Cicero Town Hall  
70 N Byron Street  
Cicero, IN 46034

## 02/21/2019

*More space available on the back*

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