

BZA Meeting Minutes

April 18, 2019 7:00 p.m.

Roll Call of Members

Present:

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

Absent:

Brad Baker

1. **Declaration of Quorum**: Chairman Martin declared quorum.
2. **Approval of Minutes**: Chairman Martin asked for approval of minutes or any changes from previous meeting. Minutes from PC Meeting: February 21, 2019
Mr. Bockoski made motion to approve minutes from February 21, 2019 as submitted. Mr. Schrumpf second. All present in favor.
3. **Public Comment**: Chairman Martin asked for any comments related to business not on the agenda or presented dockets. No public came forward.
4. **Old Business: None**
5. **New Business**:
 - Docket # BZA-0319-005-AG**
 - Petitioner: Jay Trauring**
 - Property Address: 0 East 231st Street, Cicero, IN 46034**

A Development Standards Variance application has been submitted concerning Article 3.2 of the Cicero/Jackson Township Subdivision Control Ordinances in order to allow two lots to exceed the 2.5x depth to width ratio whereas Article 3.2 states that a lot cannot exceed 2.5 x depth to width ratio.

Nathan Althouse, Miller Surveying 948 Conner St. Noblesville, representing Mr. Trauring in the process. Basically 10-acre property, Jay and Gavin purchased acreage wanting to split the acreage for two homes. Have been before the Plan Commission to split, there is a gas line easement not shown on map. Impacts the

BZA-0319-005-AG
BZA-0319-009-AG
BZA-0319-010-AG

positioning of the buildings. There is also the need to have a three-acre pasture for horses. Ratios discussed. Seeking approval to have two five acre lots. Plan Commission was approved contingent of BZA variance approval. Mr. Berry asked if two different lots with two different owners. Mr. Althouse yes, lot 1, lot 2 with one drive that would split into two different drives to custom homes. Chairman Martin questioned information that was given at Plan Commission meeting regarding split. Mr. Althouse explained that could divide and have two blocks that would be unbuildable lots, thus meeting the standards. In the past we don't like to do this as it becomes a hassle in the future if someone would sell the block, taxes etc. However, could meet the standards if did that, trying to keep simpler. Mr. Berry verified that behind is farmland. Mr. Althouse agreed.

Mr. Bockoski asked if all other minimums are met. Mr. Althouse stated all others are met other than the depth to width ratio. Chairman Martin asked if any questions for petitioner and any concerns from Mr. Taylor. Mr. Taylor stated staff report is in packet and no objections.

Mr. Bockoski made motion to open the public hearing for BZA-0319-005-AG. Mr. Schrumpf second. All present in favor.

Richard Egler 65 E. 276th Atlanta. Purchased the land from Mr. Egler. Good young men and would like to see approved.

Mr. Taylor stated four letters, read into record. Summarized as listed below:

Patrick Wilson 2973 Anthony Rd Atlanta. Similar situation extend support. Beneficial addition to the neighborhood.

Kyle Irwin 1065 Coral Springs Drive. Extend support. Plans include 2 lots, not a major subdivision, will fit well into community of Cicero.

Kelly Roberts 315 Morse Landing Drive. Extend support. Hardworking, civil minded individuals, asset to community.

Amanda Egler 5228 E. 225th St. Farm that I live is behind projected project, father is property owner. Intend to continue to farm area and road frontage/access is important. Support project.
Mr. Taylor stated end of letters.

Mr. Berry made motion to close public hearing. Mr. Bockoski second. All present in favor.
Mr. Bockoski asked of picture with gas line, asked if house is to scale. Mr. Althouse stated yes with house and barn. Chairman Martin asked if further questions.

Mr. Bockoski made motion to approve BZA-0319-005-AG. Mr. Schrumpf second.
Mr. Berry-approve, Mr. Bockoski-approve, Mr. Martin-approve, Mr. Schrumpf-approve. Motion approved.

BZA-0319-005-AG
BZA-0319-009-AG
BZA-0319-010-AG

Docket: # BZA-0319-009-AG

Petitioner: Katherine Malloy

Property Address: 25480 Gwinn Rd. Arcadia, IN

Development Standards application has been submitted regarding 7.15-B.AS-02,2 of Cicero/Jackson Township Zoning Ordinance to allow a fourth accessory structure on a lot whereas 7.15-B.AS-02,2 permits only two enclosed accessory structures on a lot unless in AG district, and is used as a working farm. In that instance structures may be placed on the side of the primary structure.

Katherine LaMoy 25480 Gwinn Rd. Arcadia. Have contacted FBI to construct an additional four car garage. Residents are police officers therefore have additional vehicles as well as personal vehicles and trailer. Main concern is to be able to secure the vehicle and their contents. Reason for the setback request, the neighboring home placement along with our home, aesthetically this was more pleasing. Chairman Martin questioned the existing garage. Ms. Malloy stated three cars, however the way it is constructed only one vehicle can fit and doors be opened.

Mr. Culp stated with the public present, suggested both dockets be heard at once for public comment. Chairman Martin asked about colors and design. Ms. Malloy stated it would match the house and even if we changed the siding in the future, would still match. Mr. Schrumpf asked color. Ms. LaMoy stated tan, and it would be a steel structure.

Mr. Taylor stated there may be a question on why asking for a fourth accessory structure. Mr. Taylor explained that two structures are considered legal non-conforming, so it seemed appropriate to take this route. Mr. Bockoski verified that this is not a working farm. He also questioned the shed in the back. Ms. LaMoy stated it is functional. Chairman Martin asked about making habitable. Ms. Malloy no. Mr. Bockoski asked about lighting and plumbing. Ms. LaMoy stated no plumbing, electrical for lighting, security lights on outside.

Mr. Bockoski made motion to open the public hearing. Mr. Schrumpf second. All present in favor. No public comment. Chairman Martin stated the open/close was for all three dockets.

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

Mr. Bockoski made motion to approve BZA-0319-009-AG as presented to allow fourth enclosed accessory structure. Mr. Berry second.

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

BZA-0319-005-AG
BZA-0319-009-AG
BZA-0319-010-AG

Docket # BZA-0319-010-AG

Petitioner: Katherine Malloy

Property Address: 25480 Gwinn Road, Arcadia

Development Standard application has been submitted regarding 3.2 Cicero/Jackson Zoning Ordinance to reduce minimum side yard setback to 5 feet whereas 3.2 states minimum side yard setback of 35 ft.

Ms. Malloy stated where current garage is, wanting to place next to current. Windows and door on southwest side can monitor area. Appearance also works better at that area.

Mr. Bockoski asked if drawing is accurate with placement. Ms. Malloy stated it is not to scale but it would not extend over to the current drive. Discussion on fence. Discussion also on adjacent property to the south, Mr. Taylor to follow up on that property.

Mr. Bockoski made motion to approve BZA-0319-009-AG. Mr. Schrumpf second.

Mr. Martin-approves, Mr. Bockoski-approves, Mr. Berry-approve, Mr. Schrumpf-approve. Motion passed.

Docket # BZA-0319-011-AG

Petitioner Katherine Malloy

Property Address: 25480 Gwinn Road, Arcadia

Development Standard application has been submitted regarding Article 7.5-B-AS-02,3 of Cicero/Jackson Township Zoning Ordinance in order to allow an accessory structure to be constructed in front of the primary structure whereas Article 7.5-B-AS-02, 3 states accessory structure to be constructed only to the side or rear of primary structure.

Ms. Malloy stated Mark Heaver with FBI asked that this be included due to size of garage and it would go past the front of the house. Mr. Taylor explained that the ordinance is written that if it breaks the front plane of the home it is considered in front of primary structure. Chairman Martin asked if affects the drive. Ms. Malloy stated gravel to that area, less demo.

Mr. Bockoski made motion to approve BZA-0319-011-AG as presented. Mr. Schrumpf second.

Mr. Schrumpf -approve, Mr. Martin-approve, Mr. Bockoski-approve, Mr. Berry-approve. All present in favor.

6. **Plan Director's Report:** Enclosed in your packet. Mr. Taylor stated sad news that Emily has given notice that June 14th would be her last day. She intends to be a stay at home mom. Congratulations to her and Jack, she has given notice to be able to assist with training.

7. **President's Report:** Chairman Martin discussed a training meeting to discuss rules and such. Looking for a short meeting to tag on. Mr. Berry suggested another date. Mr. Culp stated earlier to keep on time. Mr. Taylor stated has a document to send out, then will have opportunity to ask questions. To send to Mr. Culp as well.

8. **Legal Counsel's Report:** No comments. Chairman Martin stated the St. Rd. 19 was done. Mr. Culp stated there is a county property that Mr. Taylor has been discussing.

9. **Board Member Comments:** Mr. Berry questioned the dockets that were pulled from this meeting. Mr. Taylor stated Mrs. Kiovski has a conflict and legal notice has to be redone so will likely be June hearing. Mr. Schrumpf questioned the other pulled docket. Mr. Taylor stated that is Mr. Ferguson and he has decided to not build the structure, therefore there is no need to seek variance. And rest is done for aesthetic review.

10. **Next Planned Plan Commission Meeting:** May 23, 2019

11. **Adjournment:** Mr. Berry made a motion to adjourn. Mr. Schrumpf second. All present in favor.

Chairman: Dave Martin

Secretary: Dennis Schrumpf

Date: 5-23-19

Location:
Cicero Town Hall
70 N Byron Street
Cicero, IN 46034

