



CICERO/JACKSON TOWNSHIP PLAN COMMISSION

BZA-0421-004-NC-R3 Prater
BZA-0421-005-NC-R3 Prater
BZA-0421-006-NC-R3 Prater
BZA-0421-007-NC-R3 Prater
BZA-0421-008-NC-R3 Prater

BZA Meeting Minutes June 17, 2021 7:00 p.m.

Roll Call of Members

Present:

- ☐ Liz Nelson
- ☐ Scott Bockoski
- ☐ Steve Zell (Alternate)
- ☐ Dennis Schrupf
- ☐ Aaron Culp - Legal Counsel
- ☐ C.J. Taylor - C/JT Plan Director
- ☐ Terri Strong- Recorder

Absent:

Mike Berry

1. Declaration of Quorum

Chairman Bockoski declared a quorum with 4 of 5 members present. Also informed petitioners of the right to request a full five-member board to hear their petition if so desired.

2. Approval of Minutes

Mr. Schrupf made motion to approve minutes from May 20, 2021, meeting. Mr. Zell second. All present in favor.

3. Public Comment

Chairman Bockoski explained this is time for any comments not on tonight's agenda, also to sign up if wanting to speak now or for any petition. No comments from the public.

4. Old Business: None

5. New Business

Docket #: BZA-0421-004-NC-R3

Petitioner: Josh Prater

Property Address: 7670 E. 236th St., Cicero, IN 46034

A Land Use Variance application has been submitted concerning Articles 3.7 and 4.1 of the Cicero/Jackson Township Zoning Ordinance to allow the operation of a concrete construction business and self-storage facility in an "NC" Neighborhood Commercial Zoning District and an "R3" Residential Zoning District. Whereas a concrete construction business and a self-storage facility are not a permitted use or a



CICERO/JACKSON TOWNSHIP PLAN COMMISSION

BZA-0421-004-NC-R3 Prater
BZA-0421-005-NC-R3 Prater
BZA-0421-006-NC-R3 Prater
BZA-0421-007-NC-R3 Prater
BZA-0421-008-NC-R3 Prater

special exception use in an "NC" Neighborhood Commercial Zoning District or an "R3" Residential Zoning District.

Chairman Bockoski asked if petitioner was present. Mr. Zell asked if Plan Director could give history of property, Steury project to help speed things along tonight.

Mr. Taylor explained that included in packets were minutes and petitions referring to similar project previously approved by the Plan Commission. The only change is that the front building is being proposed by Mr. Prater to be used for his business, with the storage in the rear. As you know there is several different dockets, 005, 006, 007, 008 with staff notes on the back. This is intended to be voted on individually. Mr. Taylor also shared that the Plan Commission did approve this for the aesthetic review, so tonight it is about the Use for the concrete business and storage units and the Development Standards.

Chairman Bockoski thanked Mr. Taylor for his diligence and asked for petitioner to address.

John Prater 7675 West 100 North, Anderson, IN wanting to put the shop building to the front, with six storage unit buildings with outdoor storage. Mr. Zell expressed plan was appealing and asked if vehicles would be stored inside the large garage doors. Mr. Zell stated realized aesthetics but curious and probably ask to commit to that as well. Mr. Prater stated yes to parking inside. Mr. Schrumpf stated he was on Plan Commission so he had heard that as well, questioned if remembering correctly that employee vehicles would be parking inside during the day as well. Mr. Prater answered yes. Chairman Bockoski asked if lighting and signage was addressed at Plan Commission. Mr. Prater answered yes, everything was submitted to them. Mr. Zell asked if there was a start time and completion time. Mr. Prater stated in next 2-3 months and completed by next year sometime.

Chairman Bockoski stated he felt what had happened last time with this property is that it just never happened. Chairman Bockoski stated we had discussed time frames and asked Mr. Culp what limits can be placed. Mr. Culp answered can make part of motion, have so many months to complete or will effectively be void. Mr. Zell stated having served on Boards in past, because time frames were not part of approval, still have projects that are not complete after extended length of time. Mr. Zell stated he felt it is important to place timeframe in the motion to prevent incomplete projects in the Town and Township. Mr. Taylor stated as the Plan Director, his job is to enforce whatever. If stipulation were placed on project, let's say built out within three years, or variance would be null and void. Would there be an opportunity to come in for extension, would that be done here to the Board or via plan office. Mr. Culp answered would depend upon how the motion was passed. Would come into request extension, could be permission rescinded or could be worded to allow Plan Director to extend, could be extension requires approval of the Board. Would require another public hearing. Mrs. Nelson commented that at Plan Commission, discussion was for the approval to stay with the land not just the owner to avoid situation again. Mrs. Nelson questioned if we did that and the property was sold, how would that effect new property owner. Mr. Culp answered would depend on how it is worded. Mr. Schrumpf asked Mr. Prater if it would be reasonable to put into motion, start within six months and completed within two years. Mr. Prater stated certainly sounds fair. Mr. Schrumpf stated did not want to be unreasonable and felt the project would be done in a timely manner. Mr. Taylor questioned Mr. Mark Heaver



CICERO/JACKSON TOWNSHIP PLAN COMMISSION

BZA-0421-004-NC-R3 Prater
BZA-0421-005-NC-R3 Prater
BZA-0421-006-NC-R3 Prater
BZA-0421-007-NC-R3 Prater
BZA-0421-008-NC-R3 Prater

in the audience if the timeline was feasible with the current building supply issues. Mr. Heaver stated didn't see why not, looking at a couple items that would think a couple months delay but six months certainly for the shop to be done, working towards end of year for equipment out of weather.

Chairman Bockoski discussed conditions. Mr. Taylor suggested extension by director have a timeframe.

Chairman Bockoski asked about doors being down on front. Aesthetics would be under Plan Commission.

Mr. Zell asked about the approvals and staying with the property. Chairman Bockoski stated he felt it was

done previously because the project is the gateway from the west and if different owner, it should be

reviewed for aesthetics and zoning. However, unless we changed the zoning it is going to look like this. Mr.

Taylor stated this was not tied to the ownership, our ordinances for Land Use are worded such that they are

tied to the ownership and not the property. Mrs. Nelson questioned if authority to tie to the property. Mr.

Culp stated yes, if clearly worded such.

Mr. Schrumpf made motion to open the public hearing. Mr. Zell second. All present in favor.

No public comment.

Mrs. Nelson made motion to close the public hearing. Mr. Zell second. All present in favor.

Mr. Schrumpf made motion to approve BZA-0421-004-NC-R3 as presented with the following conditions:

- 1. Construction must be started within six (6) months and completion within 24 months.**
- 2. If not able to complete, the Plan Director may grant a maximum extension of 12 months.**
- 3. This Land Use approval stays with the property.**
- 4. If Completion is not achieved in time limit, Land Use Approval is terminated.**
- 5. All prior Development Standard Variances for this property are null and void.**

Mr. Zell second.

Mrs. Nelson-approve, Mr. Bockoski-approve, Mr. Zell-approve, Mr. Schrumpf-approve. Motion passed 4-0.

Docket #: BZA- 0421-005-NC-R3

Petitioner: Josh Prater

Property Address: 7670 E. 236th St. Cicero, IN 46034

A Development Standards Variance Request application has been submitted concerning Article 7.5 of the Cicero/Jackson Township Zoning Ordinance to exceed the maximum allowed number of accessory structures on a parcel in NC and R3 districts.

Mr. Taylor stated the storage buildings would be the reason for the variance, they would exceed allowable for either area. Chairman Bockoski clarified there are six other buildings besides office. Mr. Schrumpf asked how many were previously approved. Mr. Taylor stated same number.

Chairman Bockoski decided to conduct one public hearing for all the Development Standard Variances.



**CICERO/JACKSON
TOWNSHIP
PLAN COMMISSION**

BZA-0421-004-NC-R3 Prater
BZA-0421-005-NC-R3 Prater
BZA-0421-006-NC-R3 Prater
BZA-0421-007-NC-R3 Prater
BZA-0421-008-NC-R3 Prater

Docket #: BZA-0421-006-NC-R3

Petitioner: Josh Prater

Property Address: 7670 E. 236th St. Cicero, IN 46034

A Development Standards Variance Request application has been submitted concerning Articles 3.8 and 7.2 of the Cicero/Jackson Township Zoning Ordinance to exceed the maximum allowable lot coverage on a parcel in NC and R3 districts.

Docket #: BZA-0421-007-NC-R3

Petitioner: Josh Prater

Property Address: 7670 E. 236th St. Cicero, IN 46034

A Development Standards Variance Request application has been submitted concerning Articles 3.8 and 4.2 of the Cicero/Jackson Township Zoning Ordinance to exceed the maximum allowable lot depth to width ratio on a parcel in NC and R3 districts.

Docket #: BZA-0421-008-NC-R3

Petitioner: Josh Prater

Property Address: 7670 E. 236th St. Cicero, IN 46034

A Development Standards Variance Request application has been submitted concerning Article 4.2 of the Cicero/Jackson Township Zoning Ordinance to exceed the maximum allowable floor area in an NC district.

Chairman Bockoski asked if any discussions prior to public hearing. Mr. Zell stated he knows have to look at case by case, but all of these are consistent with prior approvals. Mr. Culp stated could open public hearing for all four, then vote one by one.

Mrs. Nelson made motion to open public hearing on Docket # BZA-0421-005 to 008-NC-R3. Mr. Zell second. All present in favor.

No public comments.

Mr. Zell made motion to close public hearing on Docket # 005-008. Mrs. Nelson second. All present in favor.



CICERO/JACKSON TOWNSHIP PLAN COMMISSION

BZA-0421-004-NC-R3 Prater
BZA-0421-005-NC-R3 Prater
BZA-0421-006-NC-R3 Prater
BZA-0421-007-NC-R3 Prater
BZA-0421-008-NC-R3 Prater

Mr. Zell made motion to approve BZA-0421-005-NC-R3 as presented with same stipulations as BZA-0421-004-NC-R3. Mrs. Nelson second.

Mrs. Nelson-approve, Mr. Bockoski-approve, Mr. Zell-approve, Mr. Schrumpf-approve. Motion passed 4-0

Mr. Zell made motion to approve BZA-0421-006-NC-R3 as presented with same stipulation as BZA-0421-004-NC-R3. Mr. Schrumpf second.

Mr. Schrumpf-approve, Mr. Zell-approve, Mr. Bockoski-approve, Mrs. Nelson-approve Motion passed 4-0

Mrs. Nelson made motion to approve BZA-0421-007-NC-R3 as presented with same stipulations as BZA-0421-004-NC-R3. Mr. Schrumpf second.

Mr. Schrumpf-approve, Mr. Zell-approve, Mr. Bockoski -approve, Mrs. Nelson-approve Motion passed 4-0

Mrs. Nelson made motion to approve BZA-0421-007-NC-R3 as presented with the same stipulations as BZA-0421-004-NC-R3. Mr. Schrumpf second.

Mr. Zell-approve, Mr. Schrumpf-approve, Mrs. Nelson-approve, Mr. Bockoski-approve. Motion passed 4-0

Chairman Bockoski congratulated and stated if any follow up is required it would be with Mr. Taylor.

6. Plan Director's Report: Mr. Taylor stated the report is in packet. Good month for May, up \$3k over last year. Annually revenue is up over last year. Hired admin assistant for the office and doing a great job so far. Annette Harlow, great fit and joy to work with.

7. Chairman's Report: No report.

8. Legal Counsel's Report: Mr. Culp shared that Jack Russell resigned from council, moved out of town. Chad Buehler is his replacement on the council for remainder of the term. Moving forward with Lennar annexation process. Annexation when voluntary can take 90-120 days. Lennar is limited to 62 homes due to EDU's (water and sewer). Sewer plant planned to start in next few months, current site. Water looking west, first site 3 of 4 wells are dry. Now working with consultants to determine next sites to test. Mr. Zell added new Police Chief and new parks director. Mr. Taylor added have had numerous complaints about dust from MI and Lennar. Mr. Taylor has had serious discussion on water on site to react when needed due to wind especially.



CICERO/JACKSON TOWNSHIP PLAN COMMISSION

BZA-0421-004-NC-R3 Prater
BZA-0421-005-NC-R3 Prater
BZA-0421-006-NC-R3 Prater
BZA-0421-007-NC-R3 Prater
BZA-0421-008-NC-R3 Prater

Mrs. Nelson asked in the case of new well, how soon would the capacity be able to increase. Mr. Culp answered it would depend upon design time. Design is determined by where it is located and where it goes. Estimate 3-6 months after determining, a lot of moving factors of course. Sewage plant can be moved forward as we already control the location. Concern is money available via grants so suppliers could be concern. Doing what ever can be done in advance. Discussion on why looking west side of reservoir. Chairman Bockoski stated he lives in Deming, his well is 216 feet deep and is terrible, many neighbors run out of water, understand it gets worse closer to 31.

9. Board Member Comments: No other comments. Thank you to Mr. Zell for filling in.
10. Next Planned BZA Meeting: July 22, 2021
11. Adjournment: Mr. Schrumpf made motion to adjourn. Mr. Zell second. All present in favor.

Chairman:

Secretary:

Date: 7-22-21

Location:

Cicero Red Bridge Park
697 West Jackson St.
Cicero, IN 46034