



## CICERO/JACKSON TOWNSHIP PLAN COMMISSION

PC-0723-07-NC Aesthetic Review-Powers Excavating  
PC-0723-06-DC Aesthetic Review-Boathouse fencing

### Plan Commission Meeting Minutes July 12<sup>th</sup>, 2023, 7:00 p.m.

Cicero Town Hall  
70 North Byron Street  
Cicero, IN 46034

#### Roll Call of Members

##### Present:

- ☐ Dan Strong
- ☐ Eric Hayden
- ☐ Marc Diller
- ☐ Dennis Schrumpf
- ☐ Mark Thomas
- ☐ Jenna Majors
- ☐ Aaron Culp - Legal Counsel
- ☐ Frank Zawadzki - Plan Director
- ☐ Terri Strong - Recorder

##### Absent:

Chris Lutz  
Harrison Massonne  
Corey Burkhardt

1. **Declaration of Quorum:** President Strong declared a quorum with 6/9 members present. President Strong shared with everyone present that five votes would be needed to decline or accept petition. Petitioners will have option to postpone or to continue when their petition is read.
2. **Approval of Minutes:**  
Mr. Schrumpf made motion to approve minutes from PC Meeting: June 14<sup>th</sup>, 2023. Mrs. Majors second. All present in favor.
3. **Public Comment:** No public comment.
4. **Old Business:** President Strong asked Mr. Zawadzki if there is any old business. Mr. Zawadzki responded with the Generator Permit. Research was requested at last meeting for the natural gas plumbing. Found that there is no difference for natural gas plumbing vs LP gas. The differences are regarding the tank storage, maintenance, and distance but not the plumbing. Mr. Thomas questioned installation. Mr. Zawadzki stated no differences. Mr. Hayden questioned ready to move forward, approved contingent last time didn't we. President Strong yes.
5. **New Business:**  
Docket# PC-0723-07-NC Aesthetic Review  
Petitioner: Powers Excavating

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**770 South Peru Street, Cicero**

**An Aesthetic Overlay District has been submitted concerning signage on the property.**

Scott Schuller 23234 Marin Dr. Cicero owner of building. The tenant runs the business. We did not realize signage on the windows needed approval, we are here tonight to go through proper channels. Mr. Thomas questioned if within the square footage allowed. Mr. Zawadzki stated he will need a variance for the number of signs, but square footage is well under. Mr. Zawadzki stated ordinance is two window signs. President Strong stated one for a single tenant. Will want to make contingent upon BZA approval of variance request. Mr. Thomas asked if additional signs would be added. Mr. Hayden asked how the Black Oak was handled. President Strong explained thru Aesthetic Review when the building was built, the concern was wanted to name the building. Mr. Schuller stated multi-tenant building so wanted consistency, and old buildings have names. Mrs. Majors questioned how many tenants does this building hold. Mr. Schuller stated two separate tenants, drywall between, could be one but currently two. Mrs. Majors asked if added another tenant how much signage will they have. Mr. Schuller explained that he has a second tenant, the barbershop, not visible in pictures. President Strong stated if added another tenant, signage would be based on square footage, 75 feet as multi-tenant, provided he had parking. Mr. Zawadzki confirmed 75 sq. feet per tenant for multi. Mr. Thomas questioned two tenants. Mr. Schuller explained there are two buildings, the front building has one tenant. There is a connector, but it is two buildings.

**Mr. Hayden made motion to approve the Aesthetic Review of PC-0723-07-NC contingent upon BZA variance approval. Mr. Thomas seconded.**

**Mr. Hayden-approved, Mr. Diller-approve, Mr. Schruppf-approve, Mr. Thomas-approve, Mrs. Majors-approve, Mr. Strong-approve.**

**Motion passed 6-0.**

Mr. Schuller questioned BZA, Mr. Zawadzki will contact for next steps. Mr. Schuller thanked the Board for their support.

**Docket # PC-0723-06-DC**

**Petitioner: Boathouse**

**409 W Jackson Street, Cicero**

**An Aesthetic Overlay District has been submitted concerning fence on the property.**

Darryl Norris and Matt Hall, here to answer questions on issues. Mr. Norris to start with background why fencing and signage occurred. Parking on our lot to go to other businesses during the fourth and other times, cars with trailers when Wolfe's runs out of space, using the hill to access the lake. Using the docks, during the fourth no respect of boundaries. Reason for the fence, we have a little fence crashed into as well, trashing restaurant in process. Purpose to get across that it is not a public space, it is needed for the business to operate, keep solid and going. Also, a pontoon service using our docks for his business onloading and offloading, trying to curtail that. The restaurants that are close are a vocal point, but the city docks are not enough, and unattractive due to area and only able to use one side. That could be improved. Photos shared. Want to put a fence on the step-up area from the lake to our building/property line so we can keep the public separate from our restaurant. Even if they park at public docks, use our restrooms, go on their way and come back through on the way back. Not enough restrooms for the public space of Cicero Town Docks. Not enough parking for the number of people in the area. Suggestion to buy lot for the traffic since you are growing. Mr. Norris compared to Carmel for growth solutions. Mr. Norris stated Matt will share what he has experienced for several years. President Strong asked for a picture to be used, dock, clarify what is being proposed from the town dock to the building. Mr. Hall stated we are here for the fence; we knew before we opened it was going to be a challenge. Concern for liability running the day-to-day business. President Strong stated he felt everyone understood why you would want a fence, but here to discuss the aesthetics of the fence. Expressed safety concerns for the fence as well. Mr. Hall stated had to quickly do this year, the lake is very busy and keep letting them on. Would listen to other solutions. President Strong stated he would like a nicer looking fence but can understand why you need a fence. Mr. Hall stated if there is development there, the fence is going to be around for awhile \$20-30 grand is one thing, but if down soon that is an expense to the business.





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Mr. Schrupf speak to the town dock space, the Town is locked into that, we are locked in by the people that control the lake. Locked into the number, would like to have more at Red Bridge. One thing to say is we need more, but if we are locked in, can't do more. Mrs. Majors asked for clarification on the docks-first set is the Town, next two sets are the Boathouse. Correct. Mrs. Majors explained that she uses the Town docks to visit the Boathouse. Perhaps more signage is needed to educate.

Mr. Norris explained signs are there, but still have to explain all the time. Mrs. Majors verified that the request tonight is for two different items-a fence from dock area and fence approval. Mr. Hall explained these two months it is terrible, have had signs but the fence if have to put up and take down understand but it is just getting worse. Mr. Hall explained that his people are parking in the area across the street that is not his but if it goes away eventually the parking is just worse. President Strong explained he understands the dilemma he is facing. Walkability vs parking discussed. Mr. Hall focused on July 4<sup>th</sup> as a brutal weekend for controlling and abuse of the public. Mr. Hayden questioned if the need was just for the holiday. Mr. Hall clarified that the first weekend in June was the prompt of the fence, the launching of boats when no parking on the Wolfe's area, means they take the trailer and park here to get on the boat. Charter boats are also an issue for parking. President Strong questioned the comment earlier of a fence between the Town docks and the building being temporary. Mr. Hall stated would want year-round. Mr. Culp stated as long as the fence was on his property it would be like any other fence. Go through Aesthetic Review and permit process to put on his property. Mr. Hayden shared that when the docks were constructed to have a boardwalk was a goal and request of previous owner. Discussion ensued. President Strong stated this Board cannot police the area. Mr. Hall shared many concerns about the festival, including inappropriate behavior. Mr. Hayden suggested going to the Town Council to share and get the LOML committee involved. President Strong stated here tonight for the fence, and suggested Mr. Hayden's solution to go to the Town Council is a good one.

Discussion brought back to the petition request.

Mr. Hayden stated from the fence issue, what he heard is that looking for a fence at the bottom between the docks and to maintain the current fence at the top of the hill for a period of time knowing there may be changes in the area in the foreseeable future. Mr. Hall stated seemed reasonable. President Strong questioned the fence at the dock area is the one shown a picture, as we are only dealing with the aesthetics. Mr. Hall stated it would be his cost for the bottom fence, it is on his property. Mr. Schrupf stated the town engineer would have information on the dock area. Mr. Thomas expressed concern for the safety/escape route. Mr. Hayden asked Mr. Zawadzki to get information from Lance (fire chief) on the safety concerns. Discussion ensued on the type of fence/gate/proper access/lock possibilities. Mrs. Majors questioned the vote tonight. President Strong stated voting on the aesthetics of the type of current fence in place on the hill and the item brought up tonight of a fence from one dock area to the other and the aesthetics of that second fence. Options are "as is", on a temporary basis until preferred fencing would be done, definitely options to the motion. Mr. Hayden stated his preference would be to not be bound to a different costly fence for a period of time. Mr. Norris asked if could be given two years and go from there, by then would know where at with progress. Mr. Hayden felt that was too long, not to say couldn't extend but come back prior. President Strong suggested a year. Mr. Norris stated since a year is in middle of summer, can say 15 months. Mr. Hayden agreed that was reasonable. President Strong stated rumors in that area but hopefully in 15 months would know more and if nothing happening would want board to discuss different type of fencing. President Strong stated the other topic is the signage, if not considered informational signage, would need to go to BZA. Mr. Culp stated he would classify as informational so BZA approval would not be required. Mr. Thomas asked what height for the lower fence was Board members comfortable with. Mr. Hayden answered to match the area. Mr. Hall stated there is a stone wall that is higher than current 42" fence but might be a good target. Discussion ensued using pictures provided. Discussion also on the timeframe of October 2024. Mr. Thomas expressed ugly of using a farm fence but hated to see the costs at this point. Mr. Norris expressed it doesn't block the view. Mrs. Majors questioned the need for fence (outside of the holiday) couldn't signage achieve the same result. Mr. Hall stated have signs and needed for enforcement, but not enough, considered taking down in off season. Would take several days to remove. Mr. Hayden expressed sympathy for the concerns. Mr. Schrupf expressed understanding based on park experience.

**Mr. Hayden made motion to approve PC-0723-06-DC to place fence between the Town dock space and Boathouse dock space similar to existing what is shown, subject to Mr. Zawadzki's approval for height. Secondly, to allow the current fence along the parking lot to leave as is until October 2024, thus requiring a revisit for aesthetics and changes to area. Mr. Diller second.** Mrs. Majors suggested adding offseason removal. Mr. Hayden declined to add to the motion. Discussion on procedures.





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Mrs. Majors made motion to amend motion to remove from October to March. Motion dies for lack of second.

Mr. Schrumpf-approve, Mr. Thomas-approve, Mrs. Majors-approve, Mr. Hayden-approve, Mr. Diller-approve, Mr. Strong-approve.

President Strong stated motion approved, before installing get with fire department for requirements or concerns, last thing we want is for you to install and they require you to remove. President Strong thanked Mr. Norris for his presentation and communication and thank you to Mr. Hall as well.

**At this point the recording abruptly stopped.**

### Comprehensive Plan RFP's and Discussion

The rest of the minutes are being re-constructed from notes.

Opening of RFP'S (Request for Proposals) in regard to the Comprehensive Plan. The two firms that submitted were Taylor Siefker Williams and American Structure Point.

6. Plan Director's Report: Enclosed in your packets.
7. President's Report: President thanked everyone for attending and being engaged in the conversations this evening.
8. Legal Counsel's Report:
9. Board Member Comments
10. Next Planned Plan Commission Meeting: August 9<sup>th</sup>, 2023
11. Adjournment: Mr. Hayden made motion to adjourn. Mr. Diller second. All present in favor.

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

President: 

Secretary: 

Date: 9-05-2023