



CICERO/JACKSON TOWNSHIP PLAN COMMISSION

Board of Zoning Appeals Minutes

August 17th, 2023

7:00 p.m.

Roll Call of Members

Present:

- ☐ Scott Bockoski - Chairman
- ☐ Mike Berry
- ☐ Dennis Schrumpf
- ☐ Harrison Massone
- ☐ Steve Zell
- ☐ Aaron Culp - Legal Counsel
- ☐ Frank Zawadzki - Cicero Jackson Township Planning Director
- ☐ Terri Strong - Recorder

1. Declaration of Quorum- Chairman Bockoski declared a quorum.

2. Approval of Minutes

Mr. Zell made motion to approve minutes from July 20th, 2023. Mr. Massonne second. All present in favor.

3. Old Business

Mr. Zell made motion to approve amended minutes from June 22nd, 2023 meeting. Mr. Massonne second. All present in favor.

4. New Business

Petitioner: Scott Schuler

Property Address: 770 S Peru Street

Docket#: BZA-0823-49-NC

A Development Standards Variance application has been submitted regarding the property located at 770 South Peru Street, Cicero Indiana 46034 concerning Article 10.5 of the Cicero/Jackson Township Zoning Ordinance to: allow a multi-tenant structure to have 3 signs, whereas Article 10.5 states that a multi-tenant commercial structure shall have 1 sign per tenant in the Neighborhood Commercial "NC" district.

Scott Schuler 23224 Heron Drive Cicero, IN Pictures used in presentation. Mr. Schuler explained that do not have a monument sign in front of the building. Son uses front of building for offices, putting window decals up to indicate business. Mr. Schuler stated that still under the square footage allowed he believed. Mr. Zawadzki stated that is correct and the Plan Commission had approved the Aesthetic Review of these decals. Chairman Bockoski questioned the signage size. Mr. Zawadzki stated three window signs, approximately 2x2. Mr. Schrumpf explained the one on the side is a directional sign. Mr. Zell questioned the black sign, Black Oak. Mr. Schuler explained that when remodeled requested like the older days of naming a building. The building's name is Black Oak. Pictures were shared with group. Mr. Schuler stated decals are seen through, and no lighting on them.

Chairman Bockoski questioned the wording of the variance, multi-tenant commercial structure shall have 1 sign per tenant, are we looking for approval for 2 signs per tenant. Mr. Zawadzki explained he wants three signs on the building,



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The barbershop has one on the back, his son's business which wants three. Ordinance allows one. Mr. Schuler explained the signs on the side for double doors. Asking for two additional signs. Mr. Massonne questioned if this stayed with the tenant or the building owner. Mr. Culp said it is up to the Board. Mr. Schuler stated he was ok with that. Chairman Bockoski asked if a monument sign could be done there in the future. Mr. Zawadzki stated he would have to check into. Mr. Schuler stated did conduit at the remodel time. Mr. Zawadzki stated monument signs are permitted in that area.

Brief discussion on monument sign requirements.

Mr. Zell made motion to open public hearing for this petition. Mr. Massonne second. All present in favor.
No public comment.

Mr. Zell made motion to close public hearing for this petition. Mr. Berry second. All present in favor.

Chairman Bockoski asked if any further discussion. Mr. Zell agreed with Mr. Massonne that it is always good to review signage with new tenants and should use suggestion to attach requirement.

Mr. Massonne made motion to approve BZA-0823-49-NC as presented with the additional condition that the two additional signs stay with the current business owner. Mr. Zell second.

Mr. Bockoski-approve, Mr. Berry-approve, Mr. Schruppf-approve, Mr. Massonne-approve, Mr. Zell-approve. 5-0.

Petitioner: Beck's Superior Hybrids

Property Address: 5411 E 296th Street

Docket#: BZA-0823-50-AG

A Land Use Variance application has been submitted concerning Article 10.2 of the Cicero/Jackson Township Zoning Ordinance regarding the property located at 5411 East 296th Street, Atlanta Indiana, 46031 in order to: Allow a billboard sign in the "AG" district, whereas a billboard sign is not permitted in any Zoning district.

Mark Thomas, Beck's Hybrids, 6767 E 276th Street, Atlanta. Originally had come before the BZA for a temporary sign, had asked for it to be permanent, so resubmitted the paperwork for the permanent sign. The property at the time of the previous meeting was not going to be a Beck's property, that fell through, so Beck's will own the property where the sign is proposed by this time next month. Asking for the signs to be permanent and Beck's will own the property. Chairman Bockoski questioned the request for moving the sign. Mr. Thomas responded with request for minor adjustments if safety was to be an issue. The current location of the temporary sign is working and expected site of the permanent sign. Chairman Bockoski added he understood that the purpose is to assist with semi's avoiding towns safely with road construction. Mr. Berry asked what the sign is made of. Mr. Thomas stated the supports are wood and the sign is a metal plastic, designed to withstand wind. Similar to the sign at 236th and Tollgate. Mr. Berry expressed concern for sign height at 12 feet and wind impact. Mr. Thomas stated he thought it was down six feet into the ground.

Mr. Zell made motion to open public hearing for this docket. Mr. Berry second. All present in favor.
No public comment.

Mr. Zell made motion to close public hearing for this docket. Mr. Massonne second. All present in favor.



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Discussion among Board of any restrictions.

Mr. Massonne made motion to approve BZA-0823-50-AG with clarification of last sentence of petition "to allow a permanent sign". Mr. Zell second.

Mr. Massonne-approve, Mr. Zell-approve, Mr. Schrumpf-approve, Mr. Berry-approve, Mr. Bockoski-approve. 5-0

5. Plan Director's Report: Mr. Zawadzki summarized enclosed report. Permit revenue for July of 2023-\$8965. YTD \$61765, 2022 revenue for July \$9926 and YTD \$136805. Decrease from 2022 for month \$961 and YTD -\$75040. Issued 28 permits, 26 in corporate limits-4 new homes, 2 in Jackson Township-1 new home. Estimated cost of these projects is \$2.55 million. Another update, IDEM audit on Stormwater system, expect results in next week or so, verbal from inspector, did fine.
Chairman Bockoski commented on a report he used to get-loved-but doesn't get anymore-a spreadsheet with information that was presented. Mr. Zawadzki stated he certainly could provide it -didn't realize the BZA had been receiving previously. Mr. Zell stated it was helpful in answering questions from community members that approach them.
6. Chairman's Report: No report.
7. Legal Counsel's Report: Mr. Culp gave update that included: Interviews with two companies for Comp Plan have been completed by Plan Commission, with under advisement to review materials, will make a recommendation at next meeting to the Town Council. Either company will do a good job, looking at new ways to get comments from the community, and have engineers on board. It was stressed to have an active plan. Estimate was a 10-12-month plan once started.
Second point: will have public hearing at September PC meeting on two amendments to Zoning Ordinance. First is Generator permit, which has many technical concerns. Also modify the standards in the R5 district, change the minimum lot size to 10000 square feet, also to require access to garage from the front. Also continue to work on the US 31 district. Create a zoning classification area, which requires developers to present to the PC and have input.
Mr. Zell questioned if there were any updates to water. Mr. Culp stated town continues to look for water, having conversations with Peerless, and couple new places for potential of test wells.
8. Public Comment: No public comment.
9. Board Member Comments: Mr. Massonne two comments, paving at ATM looks great, second will the Paradise Shaved Ice be revisited at the end of the year. Mr. Zawadzki stated variance is only good for this year, then would have to reapply for everything. Mr. Massonne stated then that trailer will be removed from the Pool parking lot that was included in the variance. Mr. Zawadzki stated October 15, 2023. Mr. Schrumpf explained that he understood that this was a test market, if success would look for a storefront. Mr. Culp added he agreed with Mr. Schrumpf, would look for brick and mortar if successful, and would have to come back before Board.
Mr. Zell questioned the trailer sales on the south side of town on 19, trailers in yard. Mr. Zawadzki stated have looked into, reached out, the guy felt it was legal to do business, explained it is not, has applied for Land Use Variance permit.
Mr. Zell asked about the fun factory business, junk sitting out front of the building. Mr. Zawadzki stated new tenant in house, some clean-up has been done, and rumor of business coming. Reached out and is true,



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explained that happy to have them but would need a Land Use Variance as it is zoned R-5. They said no problem, they are not currently in it.

Mr. Zell asked about storage units on Lanyard, they have been there for weeks. Mr. Zawadzki stated has reached out but no response from him, will follow up.

Mr. Zell asked about chickens at Catamaran and Tollgate. Mr. Zawadzki stated had reached out, followed procedures because he had not responded, was served. He told Chief that they would be removed by date that is just a way off.

Mr. Zell had a question posed by a resident, questioned if the minutes are posted anywhere, cannot find them. Mr. Zawadzki stated they are there, posted after being approved, which is a month's delay. Mr. Culp stated you have to go to the BZA page or the PC page, which have links.

Mr. Massonne stated he was going to ask about water but that was answered, expressed concern for timeline. Mr. Culp stated once found, it should be pretty quick.

Mr. Zell asked if Tamarack and Auburn Estates are built out. Mr. Culp stated Auburn close to finishing up their punch list items. Mr. Massonne stated Tamarack has broken ground on the last two lots.

10. Next Planned Board of Zoning Appeals Meeting:
September 21, 2023.

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

Chairman

Lac Paul

Secretary

Thomas Richmond

Date

9/21/23

Location:

Cicero Town Hall
70 N Byron Street
Cicero, IN 46034