



## CICERO/JACKSON TOWNSHIP PLAN COMMISSION

### Board of Zoning Appeals Minutes

November 16<sup>th</sup>, 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 with five members present.

2. Approval of Minutes:

**Mr. Zell made motion to approve minutes from October 11<sup>th</sup>, 2023, meeting as presented. Mr. Schrumpf second. All present in favor.**

3. Old Business: No old business.

4. New Business:

Chairman Bockoski opened new business by explaining that the BZA is a quasi-judicial branch of the local government. The Board will be discussion issues or stipulations that are listed on the docket to consider for each item. All comments should be directed to the members of the Board as opposed to the other members of the audience. Attendants must sign in if planning to speak. Must state name and address for the record each time they would approach the podium. Each docket typically has time for public hearing, if a person is in agreement with someone that has already spoken, it is not necessary to repeat only to agree with the person's statement and move on in interest of time. All motions tonight will be made in the affirmative, that does not mean it is the way we will vote.

**Petitioner**: Stephen & Elizabeth Nelson

**Property Address**: 5311 E 296<sup>th</sup> Street

**Docket#**: BZA-1123-65-AG

A Development Standards Variance application has been submitted regarding the property located at 5311 E 296<sup>th</sup> Street, Atlanta Indiana, 46031 concerning Article 7.5 of the Cicero/Jackson Township Zoning Ordinance to: Allow an accessory structure in the front of the primary structure. Whereas Article 7.5 of the Cicero/Jackson Township Zoning Ordinance states that an accessory structure shall only be located to the rear or side of the primary structure.

Mr. Zawadzki announced there was a notification issue where there was not the 10-day notice, requested docket to be tabled until next month.

Chairman Bockoski stated this item would be heard at next meeting which would be December 21, 2023, at 7:00 pm at this facility.

**Mr. Schrumpf made motion to table BZA-1123-65-AG until next meeting, December 21, 2023, at 7:00 p.m. Mr. Berry second.**

**All present in favor.**





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Chairman Bockoski stated order would be switched from agenda, as it may not be necessary to hear both depending upon the vote of the second docket. (order below reflects meeting)

**Petitioner:** State of Indiana State Armory Board

**Property Address:** 2600 E 276<sup>th</sup> Street, Atlanta, IN 46031

**Docket#:** BZA-1123-67-C1

A Land Use Variance Application has been submitted regarding the property located at 2600 E 276<sup>th</sup> Street, Atlanta, IN 46031 to allow a National Guard Readiness Center whereas Article 4.9 of the "C1" District Standards does not list National Guard Readiness Center as a Permitted Use or Special Exception Use.

Crystal Kent with American Structure Point, building is essentially an office building. There will be additional uses for the space. Storage and large areas for monthly service weekends. Plan has been reviewed the Plan office and building code and design has passed State design.

Mr. Zell verified that this project consists of consolidation of several other locations. Ms. Kent stated that is correct. Mr. Berry questioned the use of the office building. Ms. Kent stated technically yes, there will be additional areas consisting of storage and large hall that could be rented out for weddings, retirement parties, etc. And a vehicle service bay. Mr. Berry questioned if armored vehicles would be on site. Ms. Kent stated some tactical vehicles will not be visible. Michael Briggs supply director, this facility is logistical, so vehicles housed would not be tanked, etc. Would be office space and where they would come if not at Camp Atterberry.

Michael Briggs, 2002 South Holt Road office address. Chairman Bockoski asked about back parking lot area by a retention pond, is that where the vehicles will be parked at, are they for training use. Mr. Briggs stated the parking lot by the retention pond is our tactical vehicle storage area, will be behind a chain-link fence to be secure from the public. They would be transferred as needed to other facilities.

Mr. Zell stated a nice addition to our county and questioned when you expect to break ground on the project. Ms. Kent October 19<sup>th</sup> was ceremonial groundbreaking. They are moving dirt now, and installing silk fencing, so as soon as we receive approval.

Mr. Briggs added late 2025 or early 2026 target for opening. Ms. Kent stated Hamilton County is extending utilities to the facility, so that may impact the timeline as they don't anticipate water and sewer until late 2025. Mr. Berry asked of the 300 people indicated how many do you think will be there on a regular basis. Ms. Kent Stated there are only about 30 that work here full time and the 200 only come here for their active-duty time. Mr. Berry asked if it was open seven days a week. Ms. Kent Answered at least five but always something going on. Mr. Berry questioned hours 24? Mr. Briggs stated majority would be 9-5, may have recruiters there after hours, 24 hours would only be for those weekends when everyone is there, perhaps occasional drill requiring 24 hours. Mr. Massonne asked if this model was a common building or a custom building. Ms. Kent stated first one, custom. Mr. Massonne stated on the elevation views there is a large air handler on top but not on the renderings. Has someone done a site line? Ms. Kent stated discussion with Frank on this. Mr. Zawadzki stated had discussion with Plan Commission President and we looked up ordinances to see if screening would be required in this district, to see if all roof mounted air/heating/mechanical equipment should be screened. Mr. Zawadzki stated it appears this is screened and doesn't consider it an issue. Mr. Zawadzki stated regarding the other variance, to save time, those types shouldn't be counted. Standard read. Ms. Kent stated didn't feel it was necessary due to the setback of the building and the visibility. Mr. Massonne stated it is the front of the building. Pictures used for discussion. Chairman Bockoski asked when active weekends, will there be troops stationed here? Do not see barracks, hotel type of situation depicted. Mr. Briggs answered there is not rooms, however the rental space discussed would be used for cots. Some would drive home for the weekend, otherwise they would be at Camp Atterbury and drive to here as a group.

**Mr. Massonne made motion to open public hearing. Mr. Zell second. All present in favor.**

Rich Molini 2419 E. 281<sup>st</sup> Street Atlanta. Questioned where to find the information after receiving the notice. Mr. Zawadzki explained it is on the website and the planning page has links. Mr. Culp stated he felt was looking for information on the petition. Mr. Molini stated couldn't find any information. Mr. Culp stated it isn't posted; Mr. Zawadzki stated it is made available if asked for. Mr. Molini asked why it isn't available online. Chairman Bockoski stated that is what this meeting is for, to bring out all the information, presentation shared, also some of the items are seen here for the first time such as the





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renderings. Mr. Culp stated it is available by going in or could email you. Mr. Molini stated want to see it, the last couple of days have been moving dirt and it is like a dust bowl at my place. If not worried about this, what else are they not going to worry about. Do they have plans for the flood plain? Mr. Briggs answered plan is for prairie grasses and let it go back to the nature state. Mr. Molini stated there is a pond there. Mr. Briggs stated the creek is beyond that. Mr. Molini stated he had no idea what was going on, and the deal was a while back, but couldn't find anything but in Atlanta's district. Mr. Zell explained it is the unincorporated areas of Jackson Township. Mr. Briggs stated if not concerned for dust compression, are they going to care about the flood plain, questioned why the guy didn't answer his question. Chairman Bockoski stated address questions to us, and they have been approved of by the Drainage Board and documents state drainage would be on property. Mr. Culp added can question the representative about the dust compression. Chairman Bockoski stated will ask the question, and to be aware there are likely to be more activity with the water being extended up to the area. Encouraged Mr. Molini to watch for signs and newspaper submissions, and to call Mr. Zawadzki with questions. Mr. Molini asked how. Number given and assurance that email will have information. Mr. Molini asked if Indiana Environmental Management has any say in this matter. Discussion ensued on the dockets. Will there be helicopters landing in the area. Chairman Bockoski stated will ask the questions for you.

Mark Hahn 990 Main St. Questioned R-4 and lot sizes per recorded. Determined this was not concerning the Armory project. Will discuss after the Armory petition is completed.

Chairman Bockoski asked if others, if there was any letters to be added. No other additions.

Mr. Molini asked if this was a regular meeting. Mr. Culp answered on the third Thursday of each month. Mr. Molini asked more questions. Mr. Culp stated this is a C-1 zoning.

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

Chairman Bockoski stated some questions from public comment for the petitioner. First one is rendering, there is a helipad, is that accurate. Ms. Kent stated that is a parking lot, that could be used to land but no plans. Mr. Briggs stated that is correct, there are two flight facilities in the state. In a very rare occasion, there may be a need but no plans for a helipad. Ms. Kent did a study of wildlife and the creek. Currently runoff is going directly to the creek, runoff would be contained, treated and then slowly added to the creek. Drainage and riprap requirements has been substantial. Ms. Kent commented that Hamilton County likes for easement to be granted in projects, so requirements are met. Dust containment will be brought up by Mr. Briggs. Discussion on contacts going forward if there are any citizen issues. Concern for home to the side. Mr. Briggs stated buffer being planned to assist with visibility. Mr. Culp stated all the neighbors received notice. Mr. Molini continued to ask questions as to why others are not there.

Chairman Bockoski asked if further discussion by the board members.

**Mr. Zell made motion to approve BZA-1123-67-C1 as presented. Mr. Massonne second.**

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

**Petitioner:** State of Indiana State Armory Board

**Property Address:** 2600 E 276<sup>th</sup> Street, Atlanta, IN 46031

**Docket#:** BZA-1123-66-C1

A Development Standards Variance application has been submitted regarding the property located at 2600 E 276<sup>th</sup> Street, Atlanta, IN 46031 to allow a primary structure to be 34 feet tall: Whereas Article 4.10 "C1" District Standards states that the maximum height shall not exceed 22 feet.

Chairman Bockoski asked the reasoning for the extension. Ms. Kent stated the reason is to fit the two stories. Chairman Bockoski asked if any Board member questions, hearing none, motion to open.

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





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Mr. Molini questioned the petitioner need 17 feet per story. Mr. Zell stated to direct questions to the Board. Chairman Bockoski restated the question, how many feet per story. Mr. Molini stated obviously special uses why they didn't do this originally. Chairman Bockoski explained the Land Use had to be approved, now that they have that, they need the height variance for the height. The standards were not written to entertain the possibility of a National Guard Readiness Center.

**Mr. Massonne made motion to close the public hearing. Mr. Zell second. All present in favor.**

Chairman Bockoski questioned the petitioner about the public comment of the reasoning for the additional height. Ms. Kent answered the ordinance requires the height be measured from ground to highest point of the roof they stories have parapets and is why the request.

Discussion ensued on the design elements and impact on the height.

**Mr. Schrumpf made motion to approve BZA-1123-66-C-1 as presented. Mr. Zell second.**

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

5. Plan Director's Report: Mr. Zawadzki verified the itemized permit report was emailed to the members. Permit revenue for month of October 2023 was \$13255 and YTD \$89465, for 2022 \$9099 with YTD of \$162231. That is decrease of \$3549 for month and -\$76766 YTD. (math doesn't work for decreases) Permits issued 16, 7 in town with 0 new homes and additional 9 in township with 0 new homes. Estimated cost is \$30 million of which \$29 million plus is the project just approved. Completed MS-4 permit project for discharge compliance-has been project most of the year. Mr. Zell stated a large portion of time is spent on ordinance enforcement, is there anyway for this to be included in the report. Feels this needs to get visibility. Mr. Zawadzki asked Mr. Culp to weigh in. Mr. Culp stated cannot give names and addresses but could approach as x letters sent out, etc. Mr. Zell stated feels doing a good job and knows spends a big portion of time on this, feels it needs visibility. Mr. Zawadzki stated can add-it is a large portion of time. Chairman Bockoski questioned how hard. Mr. Zawadzki stated has a girl that can get the number, the issue is the amount of time. Example: simple fence violation takes 4-5 hours, tracking down the people, conversations, etc. Mr. Culp shared Mr. Zawadzki does a good job in the time he has been here we have not had to file a suit. Because he follows up as well as skills. Mr. Schrumpf praised for style of handling, offering solutions as well. Mr. Berry questioned how violations are found. Mr. Zawadzki stated mostly a neighbor, have had 50 in past two years, maybe 3-4 were things observed, mostly a neighbor.
6. Chairman's Report: No report.
7. Legal Counsel's Report: Mr. Culp stated most are aware of the large public hearing on Lennar Homes last night. Believe there were over 200 people present. Also had one person broadcasting on Facebook live. Felt very successful in the way people conducted themselves, adhered to the rules we put into place. They took time to study the ordinance and comprehensive plan and really expressed. Added had 20 people speak and 4-5 letters for the record. All were opposed. Concerns were infrastructure inadequate, roads inadequate, area being rural and overnight 1400 people added, traffic, congestion in town. At the end of the night, the Plan Commission told Lennar they wanted them to take comments and bring back at December meeting what they were going to do to address them. After Lennar addresses, they will open public comment back up, the board will discuss, they may ask for more or may vote. The Plan Commission makes a recommendation but goes to Town Council. Meeting in December will be at Red Bridge. Don't know for sure when we will have an answer, this is an ongoing petition. Chairman Bockoski asked the date of the next meeting. December 13<sup>th</sup> at Red Bridge. Mr. Zell stated he was there, and it was amazing how many people did their homework, especially regarding the Comprehensive Plan for 2015. Mr. Culp added that it was mentioned we are starting a new plan, working on contract currently, and mentioned love to have this level of involvement. This may help to get more input.
8. Public Comment: Chairman Bockoski asked gentlemen to come forward and state name, address.



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Monty Haugh 990 Main Street. Not sure if in right place to ask questions. Concerned about square footage of zoning. Mr. Culp asked if wanted to build. Mr. Haugh stated no. Mr. Zawadzki reviewed map to find where it was. Conversation on grandfathering and having to comply with current rules. Mr. Zawadzki and Mr. Culp shared information on the process if wanting to do something with the property, duplex was mentioned. Suggestion to get with Mr. Zawadzki once determined what project he wanted to do, he would assist with variances needed if any. Mr. Haugh shared it is across from the park and wants to do something with it. Discussion ensued.

9. Board Member Comments: No comments.

10. Next Planned Board of Zoning Appeals Meeting:  
December 21<sup>st</sup>, 2023

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

Chairman:

Secretary:

Date:

12/21/23

Location:

Cicero Town Hall  
70 N Byron Street  
Cicero, IN 46034